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SALDANHA BAY MUNICIPALITY

INTEGRATED ZONING SCHEME BY-LAW

Approved by Council Resolution R28/10-21 (26 October 2021)

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CHAPTER 1

DEFINITIONS AND LAND USE DESCRIPTIONS

Definitions and descriptions

1. In this Bylaw, unless the context indicates otherwise, the following words shall have the meaning assigned to them below:

[A]

“**Abattoir**” means premises or a building where livestock or poultry is killed and prepared for the distribution thereof (refer to *Industry* and *Agricultural Industry*).

“**Additional dwelling unit**” means another dwelling unit which may be erected on the same land unit on which a dwelling house is also permitted, where provided for in the use zones of schedule 1 to this scheme; and the additional dwelling unit may be a separate structure or attached to an outbuilding or the main dwelling house or may be contained in the same structure as the main dwelling house; but is clearly secondary to the dwelling house in terms of impact and extent, may not be alienated separately by means of subdivision or sectional title, and is subject to the provisions of Schedule 3 to this scheme.

“**Advertising Sign**” when used in the context of outdoor advertising, means any visible representation of a word, name, letter, figure or object or an abbreviation of a word or name or any sign or symbol or light which is not intended solely for illumination, for warning against danger or for identification of the name and street address in respect of a land unit.

“**Aesthetics**” means the mutual relationship between two or more adjacent buildings, groups of buildings, structures and/or constructions in terms of equilibrium, relationship, extent, appearance and harmony, and the placing of individual groups of buildings, as well as the structure, design, form, facade, compilation, material, colour, texture, architectural treatment and appearance of buildings.

“**After-care centre**” refer to the definition of “day care facility”.

“**Agriculture**” means the use of land for the cultivation of crops or other plants, including plantations, or the keeping or breeding of animals on the natural veld or land, including birds or bees, stud farming, game farming and-

(a) includes—

- (i) the harvesting, packing, cooling, storing, sorting, and packaging of agricultural produce grown on that land unit or land units under the same ownership,
- (ii) harvesting of natural resources limited to living organisms for delivery to the market;
- (ii) infrastructure that are reasonably connected with the main farming activities, including rooftop base telecommunication stations;
- (iv) telecommunication and electricity transmission lines and regional civil services supply lines;
- (v) aquaculture, but

(b) does not include an agricultural industry, abattoir, a farm shop or farm stall, an animal care centre, any mining activity, utility services and renewable energy structures for commercial purposes.

“**Agricultural building**” means a building designed to accommodate and support an activity directly related to the agricultural use of the same property, such as farm worker accommodation, the storage of agricultural implements and vehicles used on the property in support of the agricultural activity on the property, or a pump house, drying yard, stables, animal pens, etc. It does not include an agricultural industry, dwelling house or additional dwelling unit.

“**Agricultural industry**” means an enterprise or concern for the processing of agricultural products sourced from agricultural activity on the land unit and farms in the area, where the necessity for the industry is linked to the nature, perishability or fragility of such agricultural products, and includes *inter alia* a winery, distillery, dairy, cheese making industry, butchery, bottling of water and saw mill, but does not include an abattoir.

“**Agri-village**” means a private settlement of restricted size established and managed by a legal institution that is operational within an agricultural or rural area and where residence is restricted to *bona fide* agricultural workers and their dependants from the farms involved in the development. Security of tenure does not include right of ownership. The development of agri-villages represents a partnership between farmer, agricultural worker and the state.

“**Airfield**” means runways and associated buildings for the take-off and landing of light aircraft.

“**Airport**” means a complex comprising aircraft runways and associated buildings for the take-off and landing of civilian aircraft and facilities for the handling and storage of air freight and includes land uses ancillary to airports, and includes—

- (a) a restaurant;
- (b) car rental facility;
- (c) shop; and
- (d) hotel.

“**Ancillary**” means a land use, purpose, building, structure or activity which is directly related to, and subservient to, the lawful, dominant use of the property.

“**Animal sanctuary**” means a land unit where a variety of animals, inclusive of birds, are kept and bred as a tourist facility and/or for educational purposes.

“**Animal care centre**” means a place for the care of pets and animals, operated on either a commercial or a welfare basis, and includes—

- (a) veterinary building;
- (b) boarding kennels; and
- (c) pet training centres.

“**Antenna**” means a wire, rod, satellite dish, TV antenna or other similar device used to transmit or receive transmission waves.

“**Architectural guidelines**” means a document consisting of guidelines and development rules drawn up by a competent person to indicate the overall theme and architectural expression of buildings and structures, and can include detail relating to colour, finishing, materials, layout, etc. to achieve an architecturally harmonious built environment.

“**Architectural projection**” means a part of a structure which projects from a building and does not add to the utilisable floor space of the building.

“**Aquaculture**” means the cultivation and breeding, for commercial purposes, of water flora or fauna and the harvesting thereof, in artificially constructed dams or holding tanks or suspended from floating supports in natural water bodies.

“Authority use” means a use which is practised by or on behalf of an organ of State or public bodies, and of which the nature is such that it cannot be classified or defined under other uses in this Scheme, and includes a use practised by:

- (a) the national government, including a military centre or installation, police station or correctional facility;
- (b) the provincial government, including a road station or road camp;
- (c) the Municipality, including a fire service or a municipal depot with related uses, including limited accommodation for staff who are required to be on standby for emergencies; and
- (d) a foreign government including an embassy or consulate but does not include a dwelling house when the dominant use is for living accommodation of foreign diplomatic personnel.

“Average natural ground level” means the average level between the highest and lowest natural surface points within the boundaries of a land unit (refer to the definition of “natural ground level”).

[B]

“Backpackers’ lodge” means a building where lodging for backpackers is provided per bed and not per bedroom and includes a youth hostel.

“Balcony” means a floor projecting outside a building at a level higher than that of the ground floor, enclosed only by low walls or railings or by main containing walls or rooms abutting such projecting floor and includes a roof, if any, over such floor and any pillars supporting such roof.

“Bar” refer to the definition of “pub”.

“Basement” means that portion of a building of which the finished floor level is at least 2 meters below, and the ceiling of which is equal to or below, or not more than 1 meter above the average natural ground level of the land unit concerned.

“Boarding house” means a building where lodging can be provided on an overnight basis or short, medium and long term basis, and can include communal cooking, dining and other communal facilities for the use of lodgers, together with outbuildings that are normally used in connection with a boarding house and—

- (a) can include a building in which rooms are rented for residential purposes, a home for the aged, a residential facility for handicapped persons or orphans; but
- (b) does not include a hotel, dwelling house, additional dwelling unit, backpackers’ lodge, group house or flat.

“Boundary”, in relation to a land unit, means a cadastral line that separates such land from another land unit or from a street.

“Boundary wall” means a wall, fence or enclosing structure erected on or directly next to a cadastral property boundary and including entrance gates in such wall or fence.

“Builder’s yard” means a property used for the storage of material and equipment that—

- (a) is required for or is normally used for construction work;
- (b) was obtained from demolitions of structures or excavations of ground; or
- (c) is necessary for, or is normally used for land development, including storage of material used for building roads, installing essential services, or for any other construction work, whether for public or private purposes.

“Building” has the same meaning as assigned in the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977)

“**Building line**” means an imaginary line on a land unit that delimits the boundary of a building prohibition area, which is determined as the distance from the boundary of a land unit and inside of which area the erection of buildings and structures is completely or partially prohibited.

“**Business**” means the use of a land unit for purposes of retail, commercial or professional operations which may, inter alia, include restaurants, shops, supermarket, showrooms, liquor stores, offices, medical offices that do not form part of an institution, parking garage or lot or any other use which, in the opinion of the Municipality, is reasonably connected to a business, but excludes a place of entertainment, institution, service station, filling station, pornographic / adult entertainment business, place of assembly, service industry, workshop, industry, fishing enterprise and crematorium.

[C]

“**Cadastral line**” means a line representing the official boundary of a land unit as recorded on a diagram or general plan approved by the Surveyor-General and registered in the Deeds Office;

“**Camping site**” means land set aside for camping where tents or caravans are used for short term accommodation of transient guests and may include facilities for use by guests including facilities for outdoor food preparation, a resort shop, road access for vehicles, picnic facilities, raised platforms on which to set up tents or caravans, ablution facilities, communal scullery and laundry facilities and waste disposal facilities.

“**Canopy**” means a cantilevered or suspended roof, slab or covering projecting from the wall of a building, excluding the floor of a balcony;

“**Caravan**” means a vehicle fitted out for use by people for camping purposes with the object of providing temporary mobile accommodation, whether or not such vehicle is a trailer, but excludes a mobile home.

“**Caretakers accommodation**” means accommodation facilities of not more than 60m² in total floor area including sanitary and cooking facilities, used for the accommodation of caretakers and security personnel employed on a land unit where business, service industry or industrial activities take place (refer *Outbuildings* and *Industry*).

“**Carport**” means a structure for the storage of one or more vehicles that is covered by a roof, provided that not more than two sides may be permanently enclosed;

“**Car wash**” means a building or structure equipped with or without mechanical equipment for the purpose of washing motor vehicles.

“**Cemetery**” means a place for the burial of human or domestic animal remains, and—

- (a) includes—
 - (i) ancillary buildings including an office and chapel;
 - (ii) a “garden of remembrance” or a “wall of remembrance”; and
- (b) does not include a crematorium.

“**Clinic**” means a place that has limited facilities and an emphasis on outpatients for the diagnosis and treatment of human illness or the improvement of human health provided that—

- (a) a clinic may contain live-in facilities for no more than 20 persons, including patients and staff; and
- (b) a clinic may include medical consulting rooms, operating theatres, an outpatient’s centre, and a wellness centre with ancillary uses.

“**Commercial**”, in relation to a use right, means a use right for the express purpose of making a profit with no or limited social or charitable objectives;

“**Common boundary**”, in relation to a land unit, means a common boundary with the adjoining land unit, other than a street boundary.

“**Communal open space**” means open space intended to be used communally by the occupants of residential development.

“**Community organisation**” means a non-profit organisation with the main purpose of providing a community service.

“**Coffee shop**” refer to definition of restaurant.

“**Conference facility**” means a place where information is presented and ideas or information exchanged among groups of people or delegates, and includes the supply of meals to delegates; it can be an additional activity to a primary use such as a hotel or tourist facility, where conferences are held (refer to “Tourist facility”, “Hotel”, “Resort” and “Resort accommodation”).

“**Consent**” means special permission granted by the Municipality, in terms of which a specific type of land use or activity mentioned in this Scheme with regard to the zone concerned as a consent use may be exercised, in addition to the primary use rights applicable to the land unit concerned.

“**Consent use**” means an additional use right that is permitted in terms of this Scheme with the approval of the Municipality.

“**Constitution**” means the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996).

“**Container terminal**” means property used for the storage of shipping or transport containers.

“**Contravention**” means any contravention of the provisions as prescribed in this Scheme.

“**Convenience shop**” means a small retail concern that is open long hours and that typically stocks a range of everyday items or convenience goods including groceries, snack foods, candy, toiletries, soft drinks, tobacco products, newspapers and magazines.

“**Correctional facility**” means a place where persons are housed and trained or incarcerated on instruction of a court of law and includes a reformatory, place of detention; industrial school and prison.

“**Council**” means the Saldanha Bay Municipal Council and includes any municipal standing committee or municipal official with delegated powers.

“**Coverage**” means the area of a land unit that is covered by buildings, expressed as a percentage of the total erf area of the land unit, and includes—

- (a) stairs and associated landings leading up to storeys above ground floor, canopies, verandas, porches, balconies, terraces and similar features provided that the following portions of buildings must be disregarded in the calculation of coverage, namely—
- (i) stoeps less than 1,5m above natural ground level, entrance steps and landings;
 - (ii) cornices, chimney breasts, pergolas, flower boxes, water pipes, drainpipes and minor decorative features not projecting more than 500 millimetres from the wall of the building;
 - (iii) eaves not projecting more than 1,0 metres from the wall of the building; and
 - (iv) a basement, provided that the basement ceiling does not project above the ground level;

“**Crèche**” means the use of a portion of a dwelling house or outbuildings by the occupant to provide day care, pre-school, play group or after-care services for children and is subject to the same restrictions as per the definition of “day care facility” in this zoning scheme.

“**Crematorium**” means a place for incinerating corpses in a furnace, and includes—

- (a) ancillary facilities such as a chapel and offices; and
- (b) a “garden of remembrance” or a “wall of remembrance”.

[D]

“**Day care facility**” means the use of a building, or a portion of a dwelling house or outbuildings for the daily care of more than six (6) young children who are away from their parents, provided that:

- (a) in the case of a dwelling house it retains the ability to revert to a dwelling house, and
- (b) the land unit complies with the conditions as contained in this Scheme for a day care facility;

and includes a preschool, crèche, playgroup or after-care centre.

(Care for six or less children is regarded as a primary right.)

“**Density**” means the number of dwelling units in relation to the extent of a specified area, expressed as a number of units per hectare.

“**Development parameter**” means a provision or restriction in a zoning scheme, which set out the permissible extent of the use of land in terms of a zoning.

“**Dwelling house**” means a building containing only one dwelling unit, together with such outbuildings as are ordinarily used with a dwelling house, including:

- (a) a storeroom and garaging;
- (b) a braai room;
- (c) a green house
- (d) renewable energy structures for household purposes;
- (e) occupational practice, subject to the provisions of schedule 3;
- (f) letting to lodgers subject to the provisions of schedule 2; and
- (g) home childcare, subject to the provisions of schedule 3.

“**Dwelling unit**” means a self-contained, inter-leading group of rooms with not more than one kitchen, used for the living accommodation and housing of one family.

[E]

“**Eave**” means a portion of a roof projecting beyond the face of a building, including any gutters;

“**Ecosystem**” means a self-sustaining and self-regulating community of organisms and the interaction between the organisms with one another and with their environment;

“**Effective date**” means the date on which this Zoning Scheme Bylaw was approved.

“**Electricity substation**” means an area or structure utilised for the distribution of electricity.

“**Environment**” means the external circumstances, conditions and objects that affect, either positively or negatively, the existence or development of an individual organisation or group including biophysical, social, economic, historical, cultural and political aspects.

“Entrance steps and landings” means steps and landings to a building, including any low walls and railings, if the steps and landings are not within the main containing walls of the building;

“Erection” in relation to a building or structure includes—

- (a) the construction of a new building or structure;
- (b) the alteration or conversion of, or addition to, a building or structure; and
- (c) the re-construction of a building or structure which has completely or partially been demolished;

“Exercise” means to utilise in terms of a use right.

“Existing building” means a constructed building of which the construction was:

- (a) completed before or on the effective date;
- (b) started before the effective date but completed afterwards, or
- (c) completed before the effective date in terms of the provisions of the Scheme while the Scheme was in the process of being compiled and before it was approved; provided that the building was constructed according to an approved building plan.

“Existing use” means the actual land use or land uses which, in the Municipality’s opinion, are exercised on a land unit or part thereof or in a building or structure or part thereof, and can include the defining of an illegal land use without in any way detracting from the requirement for compliance with this zoning scheme.

[F]

“Factory” means property containing an industrial assembly plant used for the manufacture of goods.

“Factory shop” means property used for the retail sale of goods that are completely or predominantly manufactured in a factory on the property concerned and may include a shop.

“Family” means:

- (a) a single person maintaining an independent household;
- (b) two or more persons directly related by blood or marriage maintaining a common household, or
- (c) at most four unrelated persons maintaining a common household.

“Farm stall” means a building or structure including storage facilities related thereto, of a permanent or temporary nature on a farm, where the owner sells products and produce processed on the farm, and other convenience goods, whether to the owner’s own employees or to the general public.

“Farmers’ market” means a predominantly fresh food market where farmers and food producers sell, directly to consumers, farm-origin and associated value-added specialty foods and plant products including—

- (i) primary food products;
- (ii) seafood, game and foraged foods;
- (iii) value-added foods;
- (iv) speciality food products;
- (v) garden inputs; and
- (vi) small livestock;

A farmers’ market—

- (i) operates regularly within a community;
- (ii) is located at a focal public location that provides a suitable environment for farmers to conduct trade;
- (iii) typically consists of booths, tables or stands, outdoors or indoors, where farmers sell farm produce, meats, and sometimes prepared foods and beverages; and

- (iv) may include:
 - (aa) a subservient component of stalls for the sale of locally produced handmade crafts and arts; and
 - (bb) live family entertainment, outdoor recreation activities and children's play area.

“Fishing enterprise” means a facility used for the processing of raw fish and related waste products.

“Flats” means a building containing three or more dwelling units of which some occur above ground floor, together with such outbuildings, open space and private streets as are ordinarily associated with flats.

“Flood line” means a flood line mentioned in the National Water Act.

“Floor” means the inner lower surface of a room, garage or basement and includes a terrace to which occupants of a building have access.

“Floor area (FA)” means the sum total of the floor surface area of a building, measured from the outside walls or outer periphery of the building, subject to the inclusions and exclusions of areas as provided for in this Scheme (refer to section 31).

“Floor area factor” means the factor, which is prescribed for the calculation of the maximum floor space of a building or buildings permissible on a land unit; being the maximum floor space expressed as a proportion of the total erf area (refer to section 31).

“Freestanding base telecommunication station” means a freestanding support structure on land or anchored to land and used for telecommunication infrastructure to transmit or receive electronic communication signals and may include access roads to the structure.

“Funeral parlour” means property where the dead are prepared for burial or cremation;

- (a) and includes, in addition to the main use, a shop primarily intended for receipt of the public and for the display and sale of such items as are generally ancillary to deceased people being attended to as relating to cemeteries, funerals and services;
- (b) includes facilities for ancillary administrative and religious functions
- (c) and excludes a crematorium.

[G]

“Game farm” means a farm where game is kept for hunting purposes, but excludes tourist facilities, hotels, camping sites and resort accommodation.

“Garden of remembrance” is a section of a cemetery or crematorium set aside for the erection of memorial plaques or structures, placing or scattering of ashes.

“Greenhouse” means a structure with the sides primarily made of a transparent material such as glass, perspex or plastic for the purpose of growing of plants or hastening growth of plants under controlled environmental conditions;

“Gross density” means the density of a specified area, i.e. the number of buildings or dwelling units or land units or people divided by the area (usually expressed in hectares) – without any exclusions in regard of any land or land uses.

“Gross parking area” means an area which includes one parking bay plus the space required for vehicle circulation in or out of such parking bay and can include measures for pedestrian circulation or landscaping.

“**Ground floor**” means the lowest storey of a building which is not a basement.

“**Group housing**” means a group of separate and/or linked dwelling units:

- (a) that were planned, designed and built as a harmonious architectural entity with a number of unit types;
- (b) which are arranged in a varied and orderly fashion within or around communal open space and with public and/or private street access;
- (c) where alienation can occur by means of subdivision into erven or the opening of a sectional title scheme
- (d) with a medium-density character;
- (e) with structures which may vary between single and double storeys, and
- (f) of which every dwelling unit has a ground floor.

“**Group housing site**” means the site on which a group housing scheme or retirement resort is or may be erected;

“**Guest house**” means a building that is used for the purpose of supplying lodging and meals to transient guests for compensation, where the owner or an operator/manager resides on the property and which complies with the conditions of this Scheme.

“**Guest Lodge**” means an appropriately scaled establishment that provides temporary residence and meals for transient guests of which the use may exceed the restrictions applying to tourism accommodation, but does not include individual self-catering units.

“**Guideline**” means a written statement or other indication of policy or procedure that may influence land use decisions.

[H]

“**Habitable room**” means a bedroom, living room, lounge, dining-room, study, and any other room which is used for human habitation or recreation, but excludes a kitchen, bathroom or storeroom.

“**Height**”, of a structure means a vertical dimension of the structure from the average natural ground level to the wall plate or, in the case of a pitched roof, the ridge of the roof or the highest point of a building, measured in metres, provided that—

- (a) the height of a structure does not include chimneys, flues, masts or antennae;
- (b) elevator motor rooms, satellite dishes, ventilation shafts, water tanks, air conditioning plant and equipment on top of a building are excluded when determining the height of a structure, subject to the provisions of section 29 of this Bylaw.

Refer furthermore to definition of “average natural ground level”.

“**High water mark**” means the high-water mark as defined in the: National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008).

“**Home care facility**” means the use of a dwelling house, additional dwelling unit, or a portion thereof to provide permanent or temporary accommodation and care for the retired, or elderly persons in need of frail care, or people in need of health care to recuperate from a medical condition or procedure, provided that —

- (a) the scale of the dwelling house or additional dwelling unit shall not exceed that of a normal dwelling unit which would ordinarily accommodate one family;
- (b) the primary use of the property shall remain a residence for the operator;
- (c) no more than 6 persons and three bedrooms be used for such facility; and
- (d) the operator of the enterprise shall permanently reside on the property

“**Home childcare**” means the use of a portion of a dwelling house or its outbuildings by the occupant to provide day care, after school care or instruction for a limited number of infants or children.

“**Hospital**” means a place for the diagnosis and treatment of human illness, with integrated facilities including operating theatres and live-in accommodation for patients and may include—

- (a) a clinic;
- (b) medical consulting rooms;
- (c) a pharmacy;
- (d) a subservient restaurant; and
- (e) a shop.

“**Hostel**” means a place which provides accommodation in rooms or dormitories for students attending a place of education or tertiary educational institution and is managed by or on behalf of the particular educational institution with which it is associated and includes communal facilities directly associated with the main use.

“**Hotel**” means a building that is used to supply lodging, meals and personal services to transient guests, of which the use may exceed the restrictions applying to a guest lodge.

“**House shop**” means the operation of a business from a dwelling for the sale of convenience goods to the immediate community; provided that the primary use of the dwelling shall remain residential and the land unit complies with the conditions contained in this Scheme relating to a house shop.

[I]

“**Implementation date**” means the date as specified in the Provincial Gazette with effect from which this Scheme is implemented.

“**Industrial hive complex**” means a complex of uniformly designed buildings, containing a mix of retail and manufacturing activities arranged in an orderly manner around common spaces including—

- (a) common parking and access;
- (b) light industry;
- (c) retail trade limited ancillary to the light industrial activity taking place on the same land unit;
- (d) service industry;
- (e) storage facilities;
- (f) service station;
- (g) restaurant; and
- (h) open air motor vehicle display.

“**Industry**” means a property used as a factory and in which an article or part of the article is made, manufactured, produced, built, assembled, compiled, printed, ornamented, processed, treated, adapted, repaired, renovated, rebuilt, altered, painted (including spray painting), polished, finished, cleaned, dyed, washed, broken up, disassembled, sorted, packed, chilled, frozen or stored in cold storage; including offices, caretaker’s quarters, factory shop or other uses that are subservient and ancillary to the use of the property as a factory; and—

- (a) includes—
 - (i) an industrial hive;
 - (ii) builder’s yard
 - (iii) funeral parlour;
 - (iv) service station;
 - (v) transport usage;
 - (vi) rooftop base telecommunication station;
 - (vii) freestanding base telecommunication station; and
 - (viii) warehouse and agricultural industry; and
- (b) does not include a noxious trade, scrap yard or risk activity.

“Informal trading” means the trading in goods and services in the informal sector by an informal trader and which may constitute various types of trading as defined in the Municipality’s Informal Trading Bylaw.

“Institution” means a charity institution, hospital, nursing institution, clinic, frail care centre, children’s home, home for the aged, retired, indigent or handicapped, a social facility including a counselling centre, orphanage and rehabilitation centre, or any other similar or ancillary use that promotes the health and welfare of the community and may, additional to the main use, include ancillary facilities, shops, medical offices, ancillary accommodation, administrative, health care, training and support services and facilities or any other buildings/uses normally associated with the main use, whether private or public. The following uses are, however, excluded:

- (a) a sanatorium, public dispensary or clinic for the treatment of infectious or contagious diseases;
- (b) premises licensed under relevant health legislation for the caring of mentally handicapped persons;
- (c) a psychiatric hospital, and
- (d) a correctional facility.

Medical offices not forming part of an institution, are offices (refer to “Offices” and “Business”).

“Intensive animal farming” means the breeding, feeding and keeping, on an intensive basis, of animals or poultry confined to buildings, or structures.

“Intensive horticulture” means the culture of plants on an intensive scale, including—

- (a) the culture of plants under a roof or in greenhouses including aquaponics; and
- (b) the sale of self-produced plants on a property.

[K]

“Kennel” means a facility which is used for the temporary accommodation and care of animals, including birds, whether for compensation or not.

“Kitchen” means a room or part of a room equipped for preparing and cooking meals and excludes a braai room, food and drink preparation area or bar facilities in an entertainment area;

[L]

“Land” means any erf or farm portion and includes any building or improvement on the land and any real right in the land.

“Landing strip” means an area demarcated for the landing of helicopters, aeroplanes or drones or similar aeronautical devices.

“Landscape plan” means a plan indicating detailed landscape proposals including walkways, paving, planting, water features, recreation areas, Utility services or applicable land uses.

“Landscaping” means the planting or emplacement of plants and other aesthetic objects and layout features according to a planned layout, for the purpose of protecting, preserving and promoting aesthetic appeal, scenic views, character and value of property, as well as to promote public health and safety through the reduction of noise pollution, stormwater runoff, air pollution, visual pollution and light glare.

“Land unit” means a portion of land registered or capable of being registered in a deeds office and may include a servitude right or lease, and “property” has an according meaning.

“**Land Use Planning Act**” means the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014);

“**Land Use Planning Bylaw**” means the Saldanha Bay Municipality Bylaw on Municipal Land Use Planning which came into effect on 7 October 2015 via proclamation no. 18/2015 of the Western Cape Land Use Planning Act in the Provincial Gazette no. 7509 and includes any amendments thereto and replacements thereof.

“**Lateral boundary**” means a boundary other than the street or rear boundary of a land unit.

“**Lease**” means a contract by which the right to the use of land use is transferred to a person for a specific period, against payment.

“**Light industry**”

- (a) means an industry, not being a hazardous or offensive industry or involving use of hazardous or offensive storage establishment, and where the processes carried on, the transportation involved or the machinery or materials used do not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise;
- (b) involves manufacturing that is less capital-intensive and requires less machinery than other types of manufacturing; and
- (c) includes—
 - (i) the manufacturing of consumer products, including electronics and clothing;
 - (ii) warehousing;
 - (iii) industrial hive complex;
 - (iv) service industry;
 - (v) service station;
 - (vi) a staff canteen; and
 - (vii) open air motor vehicle display.

“**Liquor Act**” means the National Liquor Act, 1989 (Act 27 of 1989).

“**Listed building**” means a building or site older than 60 years, protected under the National Heritage Resources Act, 1999 (Act 25 of 1999) and listed in a register, including the following:

- (a) national monuments, including provisionally declared monuments, and
- (b) any historical place (e.g. a building or part of a building, a market, a millstone, a gravestone, a landmark, or the site of a human settlement).

“**Loading bay**” means an area which is clearly demarcated for the loading and off-loading of goods from commercial vehicles, and which has vehicular access to a public street to the satisfaction of the Municipality;

“**Lodger**” means a person who pays rent in return for accommodation.

“**Lodging**” means the provision of bedroom or bed accommodation that is made available for payment and the services ordinarily related to such accommodation.

[M]

“**Management plan**” means a plan which shows and co-ordinates mitigation, rehabilitation and monitoring measures in order to guide the implementation of a proposal.

“**Maximum floor space**” means the greatest total floor space that is allowed for a building or buildings on a land unit, and is calculated by multiplying the floor factor by the area of the land unit or that portion of the land unit that is situated within a particular zone; provided that, where the land unit is situated within two or more zones to which different floor factors apply, the maximum floor

space for the whole land unit is the total of the maximum floor space for each zoned portion of the land unit;

“Medical offices” means the offices of one or more than one medical doctor, dentist, medical specialist or related health practitioner which are visited by patients for advice and treatment inside a consulting room and where no provision is made for overnight patients, and “medical consulting rooms” has the corresponding meaning.

“Mezzanine” means an intermediate floor in a building between the ground floor and the first floor, the total area of which does not exceed 50% of the floor area immediately below or above it.

“Mineral” means a substance, whether in solid, liquid or gaseous form, occurring naturally in or on the earth or under water and which was formed by or subjected to a geological process, and includes sand, stone, rock, gravel, clay, soil and any material occurring in residue stockpiles or in residue deposits, but excludes—

- (a) water, other than water taken from land or sea for the extraction of any mineral from such water;
- (b) petroleum;
- (c) and peat;

“Mine” means mine as defined in the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) and includes extracting gas or oil for market production purposes.

“Mobile home” means a transportable factory-constructed structure with the necessary service connections intended for human accommodation, which is constructed in such a way that it may be used as a permanent dwelling.

“Motor trade” means the business of exhibiting and trading in motor vehicles.

“Motor vehicle” means a wheeled vehicle designed or used for propulsion by means of an internal combustion or electrical engine, and includes a motorcycle, trailer or caravan, but excludes a vehicle moving exclusively on rails;

“Multiple zoning” means more than one zoning being applicable to one land unit.

“Municipality” means the Municipality of Saldanha Bay established by Establishment Notice No. (*insert number*) of (*insert date*) issued in terms of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), and where the context so requires, includes—

- (a) the Council;
- (b) another political structure or a political office bearer of the Municipality, authorised or delegated to perform a function or exercise a power in terms of this Bylaw;
- (c) the Municipal Planning Tribunal, authorised or delegated to perform a function or exercise a power in terms of this Bylaw;
- (d) the Municipal Manager; and
- (e) any employee of the Municipality acting in terms of delegated or sub-delegated authority of the Municipality;
- (f) an official authorised to perform a function or exercise a power in terms of this Bylaw

“Municipal Manager” means the Municipal Manager of the Municipality as defined in the Local Government: Municipal Systems Act, No. 32 of 2000 and includes a municipal official acting under delegated powers.

[N]

“**National Building Regulations**” means the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977);

“**Natural ground level**” means:

- (a) the level of the natural surface of a land unit in its unmodified state, or
- (b) the level of the graded surface of a land unit, where such grading was undertaken by a developer as part of a township establishment process, provided that any such grading shall connect evenly with the existing levels of abutting land and otherwise meet with the Municipality’s approval, or
- (c) the natural ground level as determined by the Municipality (in order to administer this Scheme) in cases where, in the opinion of the Municipality, the natural surface has been disturbed by any other circumstances as described in sub-section (b), or if it is impossible to determine the natural ground level owing to any other disturbance to the land surface, and the determination can include taking into account adjoining natural ground levels.

The Municipality may, when considering any plans or application in terms of this Scheme, require that a land owner, at his own costs, have the natural ground level (or existing ground levels) determined by means of survey by a registered land surveyor or similarly qualified person and that a certificate be issued to the Municipality (Refer to definition of “average natural ground level”).

“**Nature conservation**” means the utilisation of land to promote the protection and conservation of a natural environment, for example a nature park, a national park, mountain catchment areas, a game park, a reserve for flora and fauna in their natural habitat, a nature reserve or a coastal reserve, and also includes buildings associated with the control and maintenance of the nature conservation area, but does not include tourist facilities, tourist accommodation or agriculture.

“**Nature reserve**” means a national park or some other nature area that is owned by an organ of state or remains in private ownership and has been declared as a nature reserve or has a similar status in terms of legislation for nature conservation purposes.

“**Neighbourhood**” means a geographical area taking into consideration:

- (a) proximity within a certain radius;
- (b) the name attached to a town area or extension area;
- (c) the area demarcated by a defined collector/distributor road network, and
- (d) a particular neighbourly feeling or character.

“**Nett density**” means the density of a specified area, calculated by deducting land set aside for ancillary uses such as open space areas or streets, from the total area.

“**Non-conforming use**” means an existing land use that was lawful in terms of a previous zoning scheme but that does not comply with the zoning scheme in force.

“**Noxious industry**” means an industry that is offensive, poisonous or a potentially harmful use or activity that, because of the fumes, emissions, smell, vibration, noise, waste products, nature of material used, processes employed, or other cause, is considered by the Municipality to be a potential source of danger, nuisance or offence to the general public or persons in the surrounding area, and includes but are not restricted to:

- i) Abattoirs;
- ii) Breweries and distilleries;
- iii) Brick works;
- iv) Cement works;
- v) Chemical works;
- vi) Open air depositing yards for raw minerals;
- vii) Open air depositing yards for sand, dirt, gravel and crushed stone;

- viii) Destructors, depositing sites or other works for the disposal or treatment of household refuse, trade refuse, street refuse or sewerage;
- ix) Fish curing or fish canning works;
- x) Metallurgical works;
- xi) Oil refineries and works concerned with the processing of products of petroleum refining;
- xii) Paint works;
- xiii) Paper mills or paper works;
- xiv) Reduction works and ore-dressing works;
- xv) Rubber works, including re-treading of tyres;
- xvi) Sawmills;
- xvii) Stone crushing and stone dressing works;
- xviii) Works or premises used for the manufacture, storage or mixing of meal derived from fish, poultry, meat, offal from animals or poultry, or other matter derived from animals or poultry;
- xix) Works or premises used for the storing or mixing of manure or fertilizers.

“**Nursery**” means a place where young plants are raised for later transportation and sale and includes a tea garden and the sale of allied products or items related to gardening.

[O]

“**Occasional use**” means a right to utilise land for a purpose granted on a temporary basis for a specific occasion or event, including—

- (a) craft markets;
- (b) circuses;
- (c) religious gatherings;
- (d) film shoots;
- (e) builder’s yards;
- (f) seasonal camping sites; and
- (g) other outdoor events.

“**Occupant**” means any person who occupies a land unit;

“**Occupational practice**” means the practising of an occupation, profession or trade from a dwelling house by the occupants of the relevant dwelling house and their assistants, without disturbances such as noise, traffic hindrance, air pollution, congregation of people, substantial traffic generation, or the lowering of aesthetic levels being caused, provided that:

- (a) the dominant use of the relevant dwelling house is still the accommodation of a single family, and
- (b) the enterprise complies with the conditions contained in this Scheme regarding an occupational practice enterprise
- (c) occupational practice does not include a house shop.

“**Office**” means any building or part of a building where mainly professional, clerical and administrative work is done (refer to “Business”).

“**Old age home**” means a building where permanent lodging is provided, with or without meals, to persons who are 50 years of age or older and—

- (a) includes—
 - (i) outbuildings as are normally used therewith; and
 - (ii) a frail care facility; and
- (b) does not include –
 - (i) a dwelling house;
 - (ii) a hotel;
 - (iii) a bed and breakfast establishment; or
 - (iv) flats.

“Outbuilding” means a subsidiary single storey building, whether attached to or separate from the main building, and which:

- (a) in regard to a residential property, is designed to be normally used for keeping motor vehicles, storage purposes, a wash or ironing area or any other relevant use, in the Municipality’s opinion, but does not include an additional dwelling unit, and
- (b) in regard to a business, service industrial or industrial property, is designed to be normally used for keeping motor vehicles or for storage purposes, or for any other use which in the Municipality’s opinion, relates to the main use and may include accommodation for caretakers and security personnel.

“Overlay area” means a specific area defined in a schedule to this zoning scheme, where a specific overlay zone is applicable.

“Overlay zone” means a category of zoning that applies to land or a land unit in addition to the base zoning and that:

- (a) stipulates additional development parameters or use rights that may be more or less restrictive than the base zoning; and
- (b) may include provisions and development parameters relating to—
 - (i) primary or consent uses;
 - (ii) base zoning;
 - (iii) subdivision or subdivisional areas;
 - (iv) development incentives;
 - (v) density limitations;
 - (vi) urban form or urban renewal;
 - (vii) heritage or environmental protection;
 - (viii) management of the urban edge;
 - (ix) scenic drives or local areas;
 - (x) coastal setbacks (where coastlines are involved); or
 - (xi) any other purpose as set out in the zoning scheme;

“Owner” means the person registered in a deeds registry as the owner of land or who is the beneficial owner in law;

“Owners’ Association” means an owners’ association contemplated in section 29 of the Land Use Planning Bylaw.

[P]

“Panhandle” means a narrow stretch of land forming part of a land unit and which provides a link with a street with the aim of providing access to the buildable portion of the land unit.

“Parapet” means a low projection, wall or moulding that finishes the uppermost edge of a building with a flat or low-pitched roof.

“Parking bay” means an area clearly outlined and demarcated for the parking of one motor vehicle and can include the area required for vehicle circulation into and out of such bay, and (when provided outside of a road reserve) a garage or carport that is accessible for easy and safe vehicle movement; to the satisfaction of the Municipality.

“Parking garage” means a building or part of a building set aside for the parking of roadworthy motor vehicles.

“Parsonage” means a residence for the housing of a spiritual leader, who is in the service of an organisation practising religion, including the housing of the family of the spiritual leader.

“Pedestrian mall” means an open space between buildings on a land unit, reserved for use by pedestrians together with landscaping therefor such as fountains, works of sculpture or ancillary decorations, and may include trading stalls, as approved by the Municipality.

“Pergola” means any unroofed horizontal or approximately horizontal grille or framework and associated vertical support structure of which the covering is visually permeable to the satisfaction of the Municipality.

“Place of assembly –

- (a) means a place that has a civic function to serve the social and community needs of an area, may attract people in relatively large numbers and is not used predominantly for a commercial enterprise;
- (b) includes a civic hall, concert hall, gymnasium, sport stadium, and club house; and
- (c) does not include a place of entertainment, or conference facility.

“Place of cultural significance” means a place of aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value or significance which qualifies for protection in terms of the provisions of the National Heritage Resources Act, 1999 (Act 25 of 1999).

“Place of education” –

- (a) means a place for education or training at pre-school, school or post-school levels;
- (b) includes a crèche, nursery school, primary school, secondary school, college, university, research institute or training facility;
- (c) includes ancillary uses including—
 - (i) a boarding house and administrative offices,
 - (ii) sports and recreation centre,
 - (iii) a cafeteria/coffee shop/restaurant/shop providing a direct service to the facility or used for in-house training,
 - (iv) a civic facility for the promotion of knowledge to the community including—
 - (aa) a public library,
 - (bb) place of worship,
 - (cc) public art gallery,
 - (dd) museum;
 - (ee) place of instruction in sport where the main objective is instruction rather than participation of the public as competitors or spectators;
- (d) does not include a reformatory.

“Place of entertainment” means a place where people participate in leisure activities (including gambling) and/or are entertained by means of shows, live music or through their own participation in activities and may include, combined or separately, a bar, stage or space for live music, dance floor areas, a disc jockey (DJ) facility, and which operate inside and outside of normal business hours and/or generate noise from music or revelry, including—

- (a) a nightclub;
- (b) disco;
- (c) dance club;
- (d) club;
- (e) casino
- (f) a cinema;
- (g) theatre;
- (h) electronic games arcade
- (i) amusement park/ centre;
- (j) dance hall;
- (k) ball room hall;
- (l) gymnasium;

- (m) sport centre;
- (n) skating rink;
- (o) pool room;
- (p) pub;
- (q) tavern, and
- (r) a sports and recreation centre

The Municipality can also classify any other use that in its opinion conforms to the characteristics of a place of entertainment, as such.

“Place of worship” means a church, mosque, temple, synagogue, chapel or other place for practising religion,

- (a) and includes the following in addition to the main use: a parsonage or any such relating residential unit and any building or structure ancillary thereto,
- (b) but does not include a funeral parlour or crematorium or a garden- or wall of remembrance

“Planning law” means the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), Land Use Planning Act, Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the Municipal Land Use Planning Bylaw or succeeding legislation governing land use planning in the Western Cape, whichever is applicable;

“Policy” means a deliberate system of written principles adopted by the Municipality or the Provincial Government or National Government with the purpose of achieving a desired land development objective.

“Porch” means a roof (not being the floor of a balcony) projecting from the outside of a building above a doorway, and forming a covered entrance to the building, and includes any paved area underneath the roof, and any low walls or railings enclosing that paved area, and any pillars supporting the roof.

“Pornographic / adult entertainment” means a business where, for any form of consideration, books, films, photographs, magazines or objects are hired out or sold or live performances occur, with such actions being characterised by an emphasis upon the display or description of pornographic or erotic sexual activities or human genitals; it includes an escort agency and a massage parlour where massaging or manipulation of the human body is administered with the purpose of obtaining an erotic response.

“Previous zoning scheme” means a zoning scheme or town planning scheme referred to in section 33(1) or (2) of the Land Use Planning Act;

“Primary use” means any land use herein specified as a primary right without any further permission or consent from the Municipality having to be obtained in terms of this Scheme.

“Private open space” means land not designated as public open space that is used primarily as a private site for sport, play or rest or recreation facilities or as a park, botanical garden, nature conservation area, and includes any ancillary buildings, infrastructure, and public land that is or will be leased on a long-term basis, but does not include shops, restaurants and gymnasiums.

“Private parking” means land or a building or part of a building which is utilised for parking purposes, under the control of a private person or organisation.

“Private street” —

- (a) means privately owned land designated as a private street that provides vehicle access to a separate cadastral property or properties;
- (b) includes utility services and ancillary access control infrastructure, including a gatehouse, guardhouse, refuse room and utility room; and

- (c) does not include a driveway on a property, or a servitude right of way over a property as these do not constitute private streets for the purpose of this zoning scheme.

“Property” refer to the definition for “land unit”.

“Prospecting” means the first stage of physical search for minerals, fossils, precious metals or mineral specimens and may be granted as a temporary departure from this Bylaw by the Municipality since it does not constitute a primary, consent or occasional use right in terms of this Bylaw.

“Provincial road” means a road that is under the jurisdiction of the provincial roads authority;

“Pub” means an establishment for the sale of predominantly alcoholic beverages, and sometimes also food, to be consumed on the premises and is also known as a tavern or bar; but excludes a night club and music for entertainment aside from background music for ambience not audible outside of the property boundaries;

“Public nuisance” means any act or omission or condition on any premises, street or public place, including any building, structure or growth thereon, which is offensive or dangerous, or which materially interferes with the ordinary comfort, convenience, peace or quiet of a person or which may adversely affect the safety of people.

“Public open space” means land of which ownership vests in the Municipality or another public authority, which is not leased on a long term basis and which is set aside for the public as an open space, park, garden, picnic area, playground or square, and includes, additionally to the main use, any facilities for use by the public (e.g. ablution facilities, parking, etc) which are ancillary to the main use.

“Public parking” means land or a building or part thereof that is accessible to the general public for parking purposes with or without a fee and/or access control.

“Public street” means any land indicated on an approved plan, diagram, general plan or map as having been set aside as a public thorough way for vehicles, of which the ownership as such vests in the Municipality and includes parking.

[Q]

“Quarry” means a place from which stone, rock, construction aggregate, riprap, sand, gravel or slate is excavated from the ground. A quarry is a type of open pit mine that produces building materials and dimension stone.

[R]

“Railway” means a permanent rail track line for the transport of passengers and/or goods in trains and includes stations as boarding and alighting points for passengers and the loading and unloading of goods.

“Rear boundary” means any boundary of a land unit which is furthest away from a street boundary of such land unit and which does not join a street boundary. Where panhandle properties are concerned, the Municipality must determine where the rear boundary is.

“Reformatory” means a correctional institution for the treatment, training, and social rehabilitation of young offenders.

“Refuse room” means a defined refuse receptacle from where refuse is collected, the content of which is screened from view to the satisfaction of the Municipality;

“Register” means a collection of documents kept and maintained by the Municipality in connection with all departures, consent uses or other permissions granted and non-conforming uses applicable to a land unit.

“Registered land surveyor” means a professional land surveyor, registered in terms of the Geomatics Profession Act, 2013 (Act 19 of 2013);

“Rehabilitation centre” means a facility providing treatment for substance abuse.

“Renewable energy structure” —

- (a) means any wind turbine, solar energy generating apparatus, including solar photo-voltaic and concentrated solar thermal, hydro turbines or biomass facility or any grouping thereof, that captures and converts wind, solar radiation or biomass into energy for commercial gain or domestic use; and
- (b) includes any appurtenant structure necessary for, or directly associated with, generation of renewable energy, or any test facility or structure that may lead to the generation of energy on a commercial basis, excluding electrical grid connections.

“Renting” means to make right of occupation available to a specific person and at payment of rent.

“Retaining structure” means a wall or structure constructed to hold back earth or loose rock;

“Residential building” means a building such as, inter alia, a boarding house, a hostel, residential rooms, a youth hostel or a backpackers’ establishment which is used for long-term accommodation and lodging or for short-term accommodation for tourists, with or without the provision of meals, and where communal facilities and services (for example lounges, dining halls, communal kitchens, etc) are available to the occupants:

- (a) and includes, in addition to the main use, outbuildings and facilities (including sports facilities) which are normally associated with this use;
- (b) but excludes institutions.

“Resort” means development where more than one of the following land use types are combined to create a facility for the accommodation, entertainment and recreation of tourists: guesthouse, hotel, camping site and resort accommodation, and may include additional ancillary tourist facilities and a dwelling house for the resort manager.

“Resort accommodation” means a harmoniously designed and built holiday development, used for holiday or recreational purposes, whether in private or public ownership, that—

- (a) consists of a single enterprise that provides overnight accommodation by means of short-term rental or time sharing only;
- (b) excludes the alienation of units by means of sectional title ownership, the sale of block shares and subdivision of the particular land unit,
- (c) may include the provision of a camping site, caravan park, chalets or mobile home park, resort shop, private or public roads; and
- (d) does not include a hotel or wellness centre.

“Resort facilities” means amenities for tourists or visitors and includes lecture rooms, restaurants, gift shops, restrooms, farmers’ market, wellness centre and recreational facilities.

“**Restaurant**” means a commercial establishment where meals and liquid refreshments are prepared or served or prepared and served to paying customers primarily for consumption on the property, and may include licensed provision of alcoholic beverages for consumption on the property, and the option for customers to purchase food for consumption off the property, and coffee shop has the corresponding meaning.

“**Restrictive condition**” means any condition registered against the title deed of land restricting the use, development or subdivision of the land concerned.

“**Retail trade**” means the use of land or a building for the sale of goods to the general public.

“**Retirement village**” means flats, group housing or town housing that conforms to the following additional conditions:

- (a) with the exception of staff accommodation, each dwelling unit must be occupied by a retiree or pensioner or by a family of which at least one member is a retiree or pensioner;
- (b) care and recreational facilities can be provided to the satisfaction of the Municipality, and includes an Old age home. “Retirement resort” will have the corresponding meaning

“**Rezoning**” means an amendment of a zoning scheme in order to effect a change of zoning in relation to a land unit or a particular portion of a land unit to another zoning provided for in the zoning scheme;

“**Riding school**” means a business for teaching and practising horse riding and includes hiring out of horses for payment and the care and stabling of horses.

“**Road reserve**” means the designated area of land that contains a public street or private street (including the road and associated verge) and that may be defined by cadastral boundaries;

“**Rooftop base telecommunication station**” means a support structure attached to the roof, side or any part of a building and used to accommodate telecommunication infrastructure for the transmitting or receiving of electronic communication signals.

[S]

“**Sanatorium**” means an establishment for the medical treatment of people who are convalescing or have a chronic illness.

“**Satellite dish antenna**” means apparatus fixed to a structure or mounted permanently on the ground and that is capable of receiving or transmitting communications from a satellite;

“**Scrap yard**” means a property that is utilised for one or more of the following purposes:

- (a) storing, depositing or collecting of junk, scrap material or articles that have value depending mainly or entirely on the material used during their manufacture;
- (b) the dismantling of second-hand vehicles or machines to recover components or material; and
- (c) the storage or sale of second-hand parts, poles, steel, wire, lumber yards, tyres, bricks, containers or other articles suited to being left in the open.

“**Semi-detached dwelling**” means a house for a single family, built as one of a pair that share one common wall and each house's layout can be a mirror image of the other. Each house can be on its own cadastral portion sharing a common wall on the common boundary.

“**Service industry**” means an enterprise or trade primarily aimed at the rendering of a service for the local community or the local retail market (e.g. the repair of household appliances, a laundry business, a bakery and similar use types), and:

- (a) is not a source of disturbance to surrounding properties;

- (b) employs at most 15 people, and
 - (c) is not liable, in the event of fire, to cause excessive combustion, give rise to poisonous fumes or cause explosions;
- and includes, in addition to the primary use, trade relating to the primary use, but excludes an abattoir, a brick- or cement-making site, sewage works, a filling station and a service station.

“Service station” means property for the retail supply of fuel, and—

- (a) may include uses including washing of vehicles, a convenience shop and a fast food outlet; and
- (b) does not include spray-painting, panel beating, motor repair garage, open air motor vehicle display or a truck stop.

“Service yard” means a defined screened area providing utility services including washing line facilities for, amongst others, general residential developments;

“Servitude” means a registered right that grants the use of a portion of land for specified purposes.

“Shebeen” means an enterprise conducted from a dwelling unit or shelter only for the retail sales of liquor and which has been legalised by means of a liquor licence in terms of the Liquor Act or in terms of the Sorghum Beer Act provided that:

- (a) the dominant use of the dwelling unit shall remain the living accommodation of a single family;
- (b) the land unit complies with the conditions contained in this Scheme for a shebeen enterprise, and
- (c) no alcoholic beverages may be consumed on the premises (a tavern is therefore excluded).

“Shelter” means a unit of accommodation intended for human occupation, constructed of any material whatsoever, even though such material may not comply with the standards of durability intended by the National Building Regulations.

“Shipping or transport container” means a large, weatherproof container used for the transport of goods by sea, rail or road and that is usually stored in the open when not in use;

“Shooting range” means an enclosed indoor facility or demarcated outdoor area designed, built or constructed and utilised by a person as a firing range with targets for the usual, regular, and primary activity of controlled firearm practice, shooting competitions, or firearm training on a commercial basis, and—

- (a) may be restricted to certain types of arms, handguns or rifles, or can specialize in certain shooting sports;
- (b) must be constructed or designed in such a way, or where the improvements, size, geography, and vegetation of the area are such that any misdirected shot, that can reasonably be expected to be fired towards the targets, would not reasonably be expected to leave the range or otherwise pose a threat to life or property; and
- (c) may include ancillary activities, buildings and structures as determined by the Municipality.

“Shop” means a building or portion of a building where goods are displayed and sold, and:

- (a) includes a place where goods sold from the premises are manufactured or repaired provided that the manufacture or repair shall not be the dominant use,
- (b) excludes a restaurant, supermarket, place of entertainment, institution, service station, service industry, filling station, industry, pornographic / adult entertainment enterprise, crematorium, workshop, place of assembly, the sale of motor vehicles and any other use the Municipality may deem not to be in accordance with this definition.

“Showroom” means a building or part of a building which is used to display goods (e.g. a building stock sales area, a furniture sales area or motor showroom).

“**Sign**” means any object, product, replica, advertising structure, mural, device or board which is used to publicly display a sign or which is in itself a sign and includes a poster, billboard and an advertisement which is included in the architectural design of a building or structure.

“**Site development plan**” means a dimensioned plan drawn to scale that indicates details of the proposed land development, including the site layout, positioning of buildings and structures, property access, building designs and landscaping, or any development parameter that the Municipality may impose.

“**Slope**” means the extent of deviation of an inclined surface from the horizontal, expressed as a ratio (vertical height as a ratio to horizontal distance).

“**Smallholding**” means a land unit as part of a group of extensive land units inside or outside the urban edge, that is primarily a place of residence on which small scale agricultural activities may take place.

“**Spatial development framework**” refers to a provincial spatial development framework, a provincial regional spatial development framework, or a municipal spatial development framework or municipal local spatial development framework, that lays down strategies, proposals and guidelines for the future spatial development of the area to which it relates.

“**Specific business**” means a business of a specific nature which is prescribed by the Municipality for specific premises.

“**Special use**” means a land use that is such or of which the development rules are such that provision is not made therefor in this Scheme, and which is fully described by means of conditions of approval which include the land use measures which are applicable to the particular premises for the exercising of the use.

“**Sports facility**” means land planned, designed and used for sports activities, whether indoors or outdoors.

“**Stoep**” means an uncovered paved area or projecting floor outside and immediately adjoining a building, at or below the level of the ground floor of the building, and includes any low walls or railings enclosing the paved areas or floors;

“**Storey**” means a level of a building included between the surface of any floor and the surface of the next floor above or, if there is no storey above, then the ceiling, provided that:

- (a) a basement does not constitute a storey;
- (b) a roof or a dome which forms part of a roof, shall not constitute a separate storey, unless the space within the roof or dome is designed or used for human occupation, in which case it is deemed to be a storey,
- (c) the utilisation of an open roof area does not constitute a separate storey; however, should any means of coverage or fixtures such as a Jacuzzi, swimming pool or built-in braai be added to the roof of a building in a single residential zone, the area is regarded as an additional storey;
- (d) any storey with a vertical height of more than 3m but not more than 6m, will be regarded as two storeys for the purpose of height measurement, and a still higher storey than that, will be regarded as so many storeys as the number of times that 3m or a part thereof can be divided into the height concerned; and
- (e) in counting the number of storeys of a building, the ground floor is the first storey and the next floor above is the second storey;

“**Storm water**” has the meaning corresponding to Council’s Storm Water Management Bylaw

“**Street boundary**” means the common boundary of a land unit and a public street or private street, provided that where a part of a land unit has been reserved for a street or street widening in terms of this Scheme or any other law, the street boundary of the land unit is the boundary thereof with such proposed street or proposed street widening included.

“**Structure**” without in any way limiting its ordinary meaning, includes any building, wall, fence, pillar, pergola, staircase, landing, terrace, swimming pool, petrol pump or underground tank and any portion of a structure, whether permanent or temporary, made or constructed from any material or combination of materials, with or without a roof, including a boundary wall.

“**Subdivide**” in relation to land, means the division of a land unit into more land units, and includes any physical activity on the land to prepare the land for subdivision, but does not include the preparation of a subdivisional plan.

“**Subdivisional area**” means an overlay zone that permits subdivision for the purposes of a subdivision application involving a change of zoning, which are subject to conditions that make provision for:

- (a) a density requirement;
- (b) main land uses and the extent thereof;
- (c) a detailed phasing plan or a framework including:
 - (i) main transport routes
 - (ii) main land uses
 - (iii) bulk infrastructure
 - (iv) requirements of organs of state
 - (v) public open space requirements
 - (vi) physical development constraints
- (d) any other conditions imposed by the Municipality when approving a land use application.

“**Subdivision plan**” means a plan that is to scale and which reflects prescribed information, including, without being limited to, the proposed location and extent of subdivided land units, public places, public streets and the zoning of land which will be applicable after confirmation of the subdivision, on a land unit that will be or has been subdivided.

“**Substation**” means a structure erected with the primary function of the distribution of electricity or water or the collection of sewage.

“**Supermarket**” means a shop having a total floor space in excess of 400 m², where a range of goods, including foodstuff and household goods, is offered for sale on a predominantly self-service basis.

[T]

“**Tavern**” refer to the definition of “pub”.

“**Taxi facility**” means land where taxi's park to load or off-load passengers and can include a taxi shelter.

“**Tea garden**” means a small-scale restaurant where light meals and refreshments are supplied in an external garden environment to guests, business is not done later than 18:00 and alcoholic refreshments are not sold.

“**Telecommunication infrastructure**” –

- (a) means any part of the infrastructure of a telecommunication network for radio or wireless communication used for commercial purposes and part of a commercial network (excluding a satellite dish for household or business recreational purpose);
- (b) includes voice, data and video telecommunications, including antennae, any support structure, equipment room, radio equipment or optical communications equipment (laser or infra-red);

- (c) includes ancillary structures needed for the operation of telecommunication infrastructure; and
- (d) does not include fibre optic installations and point-to-point copper (cable) installation and rooftop base telecommunication stations.

“Terrace” means an area to which occupants of a building have access, created on a flat roof over a portion of the building, resulting from the setting back of part of the building above that portion;

“This Scheme” means the Saldanha Bay Zoning Scheme Bylaw, including the register and zoning map.

“Tourism accommodation” means the use of individual bedrooms in a dwelling house to provide formal short term stay opportunities characterised by the charging of daily or weekly tariffs and/or the advertising of such opportunities in the general and travel media, where the rooms rented out for such purposes is restricted to a maximum of 8, the rooms do not contain kitchen or cooking facilities but can contain on-suite bathrooms, the owner or a manager is resident in the dwelling, meals can be served to guests for whom lodgement is provided, includes a bed-and-breakfast establishment, an air b&b and a guest house and complies with the provisions of schedule 3 of this bylaw.

“Tourist facility” means amenities for tourists or visitors and—

- (a) includes conference facility, lecture rooms, restaurants, gift shops, restrooms, farmers’ market and recreational facilities, or such uses as may be defined by the Municipality; and
- (b) does not include a hotel, wellness centre; or tourist accommodation.

“Town housing” means a row or group of linked or attached dwelling units, planned, designed and built as a harmonious architectural entity where every dwelling unit has a ground floor and dwelling units may be cadastrally subdivided.

“Transport purposes” means the use of land for the rendering of a transport service, including by public or private undertakings, for the transport of goods (including liquids and gases) or passengers by rail, air, pipeline, sea or road, and includes any such use or uses (including business use) which directly relate to the transport interests of particular consumers, including communications, stations, ports, transport accommodation and facilities, sheds, container terminals, workshops, offices and directly-related buildings normally associated with security and entrance control.

“Truck stop” means a facility with direct access from a freeway, inner city road or major transport route that—

- (a) provides a range of rest, service and fuelling facilities for heavy duty, long haul vehicles and trucks: and
- (b) does not include accommodation.

[U]

“Urban edge” means a demarcated line and inter-related policy which serves to determine, manage, guide, and control the outer limit of urban development.

“Urban fabric” means the pattern of urban development taking into account the size of buildings, the nature and number of spaces between buildings and the street network serving buildings (e.g. buildings with large spaces between them and few roads, create a coarse urban fabric).

“Use right” in relation to land, means the right to utilise that land in accordance with its zoning, a departure, consent use, condition of approval or any other approval granted in respect of the rights to utilise the land.

“Utilisation”, in relation to land, means the lawful use of land for a purpose or the improvement of land as prescribed, and "utilise" has a corresponding meaning.

“Utility services” means a use or infrastructure that is required to provide engineering and associated services for the proper functioning of urban development and—

- (a) includes a water reservoir and purification works, electricity substation, storm water retention facilities, and a waste-water pump station and treatment works, rooftop base telecommunication station and freestanding base telecommunication station; and
- (b) does not include renewable energy structures or transport use; and
- (c) provided that a road is not regarded as a utility service.

[V]

“Veranda” means a roofed, open-air structure or porch, attached to the outside of a building on ground floor level and is often partly enclosed by a railing and frequently extends across the front and sides of the structure

“Veterinary building” means a building and associated use of land, used for the treatment of diseases and /or injuries of domestic animals

[W]

“Wall of remembrance” means a memorial wall for keeping of human ashes after cremation.

“Wall plate” means the lowest point of a longitudinal member, bar, rafter, beam, truss, bracket, pillar, post, structure or any other similar device that supports a roof, as determined by the Municipality.

“Warehouse” means a building used primarily for the storage of goods, except for goods that are offensive or dangerous and—

- (a) includes property used for business of a predominantly wholesale nature, and
- (b) does not include property used for business of a predominantly retail nature.

“Wellness centre” means a business that provides a variety of services for the purpose of improving health, beauty and relaxation through personal care treatments including massages, rehabilitation, exercise programmes, diet, instruction on wellness, life coaching, and facials and includes—

- (a) facilities like saunas, pools, steam rooms, gymnasiums, treatment rooms, relaxation areas and whirlpools; and
- (b) the provision of meals to guests.
but excludes any pornographic / adult entertainment.

“Wendy house” means a temporary wooden structure mainly used for playing or storage purposes.

“Wilderness area” means a predominantly natural and unmodified area upon which the impact of modern humans has been minimal, retaining its primeval and pristine character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions.

“Winery” means a place where wine is made and/or bottled and may include a selling point to the general public, wine-tasting and conference facilities as well as a restaurant.

“Workshop” means a building or portion of a building in which any one or more of the activities referred to in paragraph (a) of the definition of 'Industry' are conducted. Offices relating to the use, and accommodation for caretakers and security personnel, may also be provided.

[Z]

“**Zoning**”, when used as a noun, means a land use category regulating the utilisation and development of land and setting out the purposes for which land may be utilised and the development parameters applicable to that land use category as determined by the applicable zoning scheme.

“**Zoning map**” means a zoning map as contemplated in Section 24(d) of the Land Use Planning Act.

“**Zoning scheme**” means a land use scheme as defined in section 1 of the Spatial Planning and Land Use Management Act and includes the components referred to in section 9 of this Bylaw.

CHAPTER 2

GENERAL OVERVIEW

Application of zoning scheme

2. The zoning scheme applies to the entire municipal area.

Objective of zoning scheme

3. The zoning scheme has as its objective the co-ordinated and harmonious development of the Municipality's area of jurisdiction, in such a way as will most effectively tend to achieve sustainable development and promote the health, safety, order, amenity, convenience and general welfare of the inhabitants of the area to which it applies.

Purpose of zoning scheme

4. The purpose of the zoning scheme is to:
 - (a) give effect to the municipal spatial development framework;
 - (b) make provision for orderly development and the welfare of the community; and
 - (c) determine use rights and development parameters, with due consideration of the principles referred to in the Land Use Planning Act.

Institutional framework

- 5.(1) The Municipality is responsible for the administration of the zoning scheme in accordance with the executive authority granted by the National Constitution to administer municipal planning.
 - (2) The implementation of the zoning scheme and execution of planning functions in terms of the zoning scheme are the responsibility of the municipal manager and officials.

Legal effect

- 6.(1) The zoning scheme has the following legal effect:
 - (a) It has the force of law and all owners and users of land, including a municipality, a state-owned enterprise and organs of state within the municipal area are bound by the provisions of the Scheme.
 - (b) It replaces all existing zoning schemes within the municipal area.
 - (c) It provides for land use and development rights in the area of jurisdiction of the Municipality.
- (2) A permitted land use may be changed in accordance with the provisions of Saldanha Bay Municipality Land Use Planning Bylaw.
- (3) An approval issued in terms of the provisions of Saldanha Bay Municipality Land Use Planning Bylaw may contain conditions stipulating stricter land use measures or requirements than provided for in this Bylaw.
- (4) The use of land in accordance with the provision of this Bylaw does not exempt a owner from complying with the statutory requirements of any other legislation.

Enforcement

- 7.(1) A person who contravenes any provision or fails to comply with any provision of this zoning scheme commits an offence and the enforcement provisions and penalties of Chapter IX of the Land Use Planning Bylaw will apply.

Implementation effect

- 8.(1) Implementation of the zoning scheme facilitates the following:
- (a) The management of the use of land within the municipal area.
 - (b) The evaluation of land use applications.
 - (c) The formulation of recommendations on land use change.
 - (d) The making of decisions on land use planning matters.
 - (e) The rendering of advice on land use planning matters.
 - (f) Effecting the spatial vision of Council in terms of the Municipal Spatial Development Framework.

Review and amendment of the zoning scheme

- 9.(1) The zoning scheme must be reviewed at least every five years to ensure consistency with the municipal spatial development framework.
- (2) The zoning scheme may be amended in the following instances after following the legislative procedures set out in the planning legislation:
- (a) if it in the public interest;
 - (b) to advance, or is in the interest of, a disadvantaged community; and
 - (c) in order to further the vision and development goals of the Municipality.

Components of zoning scheme

10. The zoning scheme consists of the following components:
- (a) this Bylaw which sets out the procedures and conditions for the use and development of land in specific zones;
 - (b) the zoning scheme register which records land use changes such as rezonings, departures, consent uses, etc to properties;
 - (c) the zoning scheme maps which records the following:
 - i. the zoning of land units and references to records in the register, and
 - ii. rezonings and amendments to references to the register, where a land use planning application is approved by the Municipality or where a use right has lapsed.

Definitions and descriptions

11. The definitions of words and descriptions of land uses that apply in this Bylaw are set out in Chapter 1.

Zonings

- 12.(1) The zonings applicable in the municipal area are set out in column 1 of Table A in Schedule 1.
- (2) Each use zone makes provision for primary and consent uses.
- (3) Primary uses are set out in column 3 of Table A included in Schedule 1 and can be exercised as of right subject to compliance with the development parameters specified for each use zone.
- (4) Consent uses is set out in column 4 of Table A included in Schedule 1 and require the submission of a land use application in terms of the Land Use Planning Bylaw to obtain the Municipality's permission for implementation to occur.
- (5) The transition of zonings from the former zoning schemes to this zoning scheme bylaw is indicated in Table B of Schedule 1.

- (6) The general purpose of each use zone together with the development parameters applicable to the zone is set out in Schedule 2.
- (7) The primary and consent uses applicable to each use zone are subject to the development parameters specified for each use zone as set out in Schedule 2.
- (8) Specific land use provisions for specific land uses are elaborated on in Schedule 3.
- (9) Implementation of the uses allowed in terms of the zoning scheme remains subject to compliance with the statutory requirements of any other applicable legislation.
- (10) The location, boundaries and extent of each use zone is depicted on the zoning scheme maps.

Overlay zones

- 13.(1) The Municipality may adopt, review or amend overlay zones for specific areas in the Municipality in accordance with subsection 7, in order to-
 - (a) identify areas with unique characteristics and provisions, and to impose specific development parameters and land use measures applicable to that area only in order to protect the continued retention of such unique characteristics;
 - (b) make provision for additional approval procedures as deemed necessary to protect areas, and
 - (c) create a mechanism for the future implementation of specific planning policy in order to achieve certain planning objectives for specifically identified areas.
- (2) An overlay zone does not establish a new zoning and all the relevant zones and provisions applicable to the various land units in the overlay area remain in place, unless specifically amended by means of the parameters, rules or provisions of the specific overlay area.
- (3) The same set of parameters can be made applicable to more than one geographical area subject to a clear distinction in the description of the overlay areas.
- (4) The overlay zones applicable in the municipal area are listed in Schedule 4 to this Bylaw.
- (5) The area of an overlay zone must be clearly demarcated on the zoning maps and fully described in Schedule 4 together with the development parameters and measures therefor.
- (6) Any new designation of an overlay zone must be recorded on the zoning map and must be listed in an annexure to this zoning scheme.
- (7) An overlay zone is adopted, reviewed or amended by the Municipality as an amendment of this Bylaw in accordance with sections 12 and 13 of the Municipal Systems Act and section 25 of the Land Use Planning Act.

Zoning scheme map

- 14.(1) The zoning scheme map depicts—
 - (a) the zoning of land in accordance with the use zone in which the land is located; and
 - (b) overlay zones, if applicable to the land.
- (2) The official version of the zoning scheme map must be kept on file at the Municipality and is available for inspection during normal office hours.
- (3) The official version of the zoning scheme map as approved together with this Bylaw must be certified by the Municipal Manager.

- (4) The official version of the zoning scheme map depicts the status of the zoning classification of land in the Municipality at the time of approval of this Bylaw and may only be amended as provided for in this Bylaw and the Land Use Planning Bylaw.
- (5) The official version of the zoning scheme map is incorporated in and made part of this Bylaw and publication of this Bylaw in the *Provincial Gazette* constitutes notice of the approval of the zoning scheme map.
- (6) The Municipality must update the zoning scheme map within a reasonable time after use rights have been granted or have lapsed.
- (7) The Municipality may keep the updated zoning scheme map in an electronic format.
- (8) The Municipality may provide an extract of the zoning scheme map to members of the public on payment of a fee determined by the Municipality in terms of the Municipality's tariff policy.

Zoning scheme register

15. The Municipality—
 - (a) must record all land use changes or amendments including departures, consent uses, or other permissions granted as well as non-conforming uses in the register;
 - (b) may keep the register from the date of commencement of the zoning scheme in an electronic format; and
 - (c) must make the register available to members of the public for viewing on request.

CHAPTER 3

GENERAL DEVELOPMENT RULES

Aesthetics and Architectural guidelines

- 16.(1) The interrelationship, with particular but not exclusive reference to balance, proportion, scale, appearance and harmony, between two or more proximate buildings or groups of buildings shall be to the satisfaction of the Municipality.
- (2) The siting of individual or groups of buildings and the structural design, elevation, composition, materials, colour, texture, architectural treatment and appearance of the external elements as well as of any element of such building or buildings which are visible to the public shall be to the satisfaction of the Municipality.
- (3) Where architectural guidelines are required in terms of this Scheme or arising from a condition of approval, the Municipality may at its discretion require that these guidelines be submitted together with the submission of a land use application in terms of the Land Use Planning Bylaw, and that the architectural guidelines are made available for scrutiny during the public participation process.
- (4) Architectural guidelines include (but are not limited to) aspects relating to the following:
- (a) Architectural sketches defining the type of style.
 - (b) Typical unit types, floor plans and facades.
 - (c) Schedules of finishing and materials.
 - (d) The colour scheme with regard to buildings, roofs, windows and doors.
 - (e) Any other requirements of the Municipality.
- (5) The architectural guidelines must be compiled by a suitable qualified architectural professional.
- (6) The architectural guidelines become part of the constitution of an owners' association where applicable.

Air and underground rights

- 17.(1) The Municipality may give permission for the construction of buildings and/or structures above or below land zoned Transport.
- (2) The Municipality must be satisfied that the clearing, structural components and operational characteristics are sufficient in terms of the recommendation to ensure safe and efficient operations.
- (3) An agreement defining the extent of rights, ownership and responsibility for maintenance:
- (a) must be concluded between the parties who will own or rent properties and conduct business above or below the land unit, and
 - (b) must be approved by the Municipality to become effective.
- (4) The Municipality may require in writing that an owner submit a survey diagram or any other such plans deemed suitable by the Municipality, which must be prepared by a properly qualified person within a period prescribed by the Municipality and which must indicate the different approved or accepted zonings or approved uses of the various parts of the land or combined buildings on such land unit.

Animals kept for commercial breeding purposes

18. Animals may be kept for commercial breeding purposes only on a land unit zoned Agricultural or Smallholding.

Boundary walls and fences

19. The erection of boundary walls and fences are subject to the provisions of the Municipality's Fences and Walls Bylaw.

Building Lines

- 20.(1) Where a building line is required regarding any existing or proposed street or street widening boundary, rear boundary, side boundary or any other boundary line, no building or structure may be erected between such building line and the boundary provided that:
- (a) boundary walls, fencing-walls, fences, uncovered patio (stoep) on ground level (which have not been manipulated to exceed the surrounding natural ground level), paving, access gates (including one access gate with a roof not exceeding 2.1m and not larger than 5m²), decorative characteristics and similar structures may be erected between a building line and a land unit boundary;
 - (b) temporary structures relating to building structures constructed and buildings which were in use before this Scheme came into effect and have remained so in use, may be located between the building line and land unit boundary, and
 - (c) where street widening is proposed in terms of this Scheme, the building line is measured from the street boundary, as widened.
- (2) The Municipality may approve a carport which exceeds a side or street building line subject to:
- (a) the conditions of construction contained in section 21, and
 - (b) written permission must be obtained from the owners adjacent to the structure where a building line needs to be exceeded to the effect that they have no objection to the proposed carport.
- (3) For the purposes of the implementation of building lines, the portion of a land unit regarded by the Municipality as a panhandle for access purposes falls outside any developable area of the relevant erf and the provisions of subsection (1)(a) are applicable to the panhandle area.

Carports

- 21.(1) Refer to the provisions for building lines for carports in section 20(2).
- (2) The minimum standard requirements for the construction of carports are as follows:
- (a) The width of the carport measured parallel with the street boundary may not exceed 6 metres.
 - (b) Carport roofs must be supported by metal, wood, brick or cement poles or pillars. These poles or pillars may have a maximum measurement of 360mm horizontally (or in cross-section in the event of a pipe) and no more than four poles or pillars may be erected on one side of the carport.
 - (c) No walls, except boundary walls and bona fide outer walls of the dwelling house, may be erected to enclose the carport.

- (d) The height of the carport, measured from the floor to the top of the roof, may not exceed 3 metres.
- (e) The sides of the roof must be neatly finished with a fascia that does not exceed a depth of 250mm.
- (f) The facade of the roof may not be closer than 300mm from the street boundary.
- (g) No gates may open on the sidewalk.
- (h) Standard precautions must be taken to contain and remove water fall off without detriment to adjoining neighbours.

Chimneys

22. Chimneys and other like features above the roof level of a dwelling house or dwelling unit may be disregarded from the determination of height.

Coverage

23. The coverage of structures on a land unit is calculated in accordance with the definition set out in Chapter 1 of this bylaw.

Density

- 24.(1) Notwithstanding the density requirements for any development contained in this Scheme, the Municipality may, as a condition of approval of a rezoning or subdivision application, or by implementation of an overlay zone, require that any development comply with the following requirements besides the normal zoning parameters:
- (a) Density requirements determined by the Municipality in accordance with the Spatial Development Framework for a defined geographical area expressed as the number of dwelling units per hectare for the gross or nett area.
 - (b) Minimum size of land units in accordance with municipal planning;
- (2) If density requirements and minimum size of land units are applied in terms of an overlay zone, such requirements override the normal requirements.

Determining boundaries of use zones

25. If uncertainty exists as to the boundaries of use zones, the following parameters apply in the order listed:
- (a) boundaries shown as following or approximately following any public street or road must be construed as following the street cadastral boundary;
 - (b) boundaries shown as following or approximately following any land unit boundary must be construed as following that boundary;
 - (c) boundaries shown as following or approximately following natural features must be construed as following those features; and
 - (d) in the event of further uncertainty as to the boundaries of a use zone, the Municipality must make a determination.

Determination of natural ground level

- 26.(1) The Municipality may request the submission of a registered land surveyor's certificate to determine the natural ground level before building plan approval or any construction activities may commence.
- (2) Where the level of the land has been altered with the approval of the Municipality—
- (a) any grading for the purpose of development must connect evenly with the existing levels of abutting land units; and

- (b) the Municipality may approve the altered ground level to be the natural ground level.
- (3) Where it is not possible to determine the natural ground level due to irregularities or disturbances of the land, the Municipality may—
 - (a) determine the natural ground level from measurements supplied on a building plan;
 - (b) deem a level to be the natural ground level based on measurements interpolated from a contour plan, local height benchmark or other information held by the Municipality; or
 - (c) require the owner or applicant to commission a registered surveyor at the cost of the owner or applicant to measure levels of the ground or interpolate levels, in order to provide the Municipality with sufficient information to determine the natural ground level for the purpose of administering this Bylaw.
- (4) Where a building site is elevated, filled or extended with excavated or any other material, the natural ground level is not altered unless approved by the Municipality in which case the Municipality must define a ground level for the purposes of administering the height restriction of the building.

Earth banks and retaining structures

27. Unless the prior approval of the Municipality has been obtained—
- (a) no earth bank, retaining structure, column, suspended floor, other device or series of such devices may be constructed that enables the ground floor of a building to be raised more than 0,5 metres above natural ground level, provided that where the raising takes place, the height must still be measured from natural ground level, excluding infill for a driveway;
 - (b) no earth bank or retaining structure used for holding back earth or loose rock, whether associated with a building or not, may be constructed to a height of more than 2 metres above natural ground level; and
 - (c) no series of earth banks or retaining structures may be constructed to a cumulative height of more than 2,5 metres above natural ground level, unless an approximately level area of at least 2 metres wide is incorporated between successive embankments or retaining structures for every 2 metres of cumulative height

Entrance and exit

28. The Municipality may, in public interest, prohibit access to or egress from a public street at specific places on a land unit on own initiative or as a result of complaints received.

Equipment on top of building

29. No elevator motor rooms, satellite dishes, ventilation shafts, water tanks, air conditioning plants or other equipment on top of a flat roofed building or adjoining a pitched roof structure may, subject to the definition of “height”, exceed a height of 2 metres above the wall plate

Flood risk areas

- 30.(1) The Municipality may declare an area a flood danger area where there must be compliance with special requirements during the construction of a building or earthworks or any activity which in the Municipality’s opinion may increase the flood risk.
- (2) The Municipality may require that the lowest floor level of any buildings or structures (including new additions to existing buildings or structures) are above the flood line.
 - (3) For the construction of a building or earthwork as defined in the National Building Regulations, within a watercourse or near a watercourse as determined by the Municipality, the requirements of every other relevant act are applicable, including the following:

- (a) A permit must be obtained from the Department of Water Affairs as required in terms of the Water Act.
 - (b) A certificate must be obtained from a professional engineer, which must comply with requirements regarding a flood danger area;
 - (c) The applicant must on the Municipality's request provide all required hydrological information, which must have been certified by a professional engineer.
- (4) A person may be prohibited from constructing a building or to carry out any earthworks if such building or earthworks are, in the Municipality's opinion, to be constructed on a site which is subject to flooding or drainage problems or which has not been properly filled or covered.

Floor area

- 31.(1) Subject to subsection (2), the total area of each storey of each building on a particular land unit is included when the floor area is calculated, including the following:
- (a) Portions covered by walls of buildings.
 - (b) Floors or paved areas which, even though they may be completely or partially open on the sides, are covered by a portion of a building.
 - (c) Floors of stairs and landings.
 - (d) Any mezzanine.
 - (e) Covered balconies
 - (f) Stair shafts, elevator shafts and other shafts in the case of multi-storey buildings, but only calculated once and not on each storey.
- (2) The surfaces of the following portions of buildings are excluded when the floor area is calculated:
- (a) Open patios (stoeps).
 - (b) Entrance stairs and landings.
 - (c) Any area covered by external fire stairs.
 - (d) Uncovered balconies
 - (e) Any separate air supply opening without a roof, with a smaller than 10m² inside measurement.
 - (f) Any open window maintenance platform in an air supply opening.
 - (g) Any projection of less than 1m from an outside wall.
 - (h) Any area including a basement, meant only for the parking and loading of vehicles.
 - (i) Any arcade supplying access and circulation of public parking, street or open space through the particular building and which is always open to the public, to a maximum of 50% of the total floor area which is used for such access and circulation purposes.
 - (j) Any covered, paved area outside or directly adjoining a building or below ground floor level where such paved area forms part of a courtyard, pedestrian road, parking area or vehicular access.
 - (k) Swimming pools, fish dams and fountains that are not covered by a roof.
- (3) Maximum floor area is calculated by multiplying the floor area factor with the area of the land unit or that portion of the land unit which is situated within the particular zone, provided that where a land unit is situated within two or more zones to which different floor factors apply, the maximum floor space for the whole land unit shall be the total of the maximum floor space for each portion of the land unit.

Geotechnical report

- 32.(1) If required by the Municipality, when development on unstable soil or dunes is to be undertaken, applicants must submit a geotechnical report certified by a professional geotechnical engineer indicating inter alia the suitability of the soil for construction purposes (including recommendations with regard to construction methods).

Geysers and solar panels or similar infrastructure affixed to roofs of buildings

33. The placement and height of external geysers and associated equipment or solar panels or similar infrastructure affixed to the roof of a building must be to the satisfaction of the Municipality.

Height of buildings

- 34.(1) Height of buildings is measured from the average natural ground level, as described and contained in the definitions. The average natural ground level is determined by measuring the natural ground level from a representative number of points and to determine the average level thereof. The survey must be made at every corner where the boundaries intersect and must be evenly spread over the land unit to the satisfaction of the Municipality. Any such survey must be done by a registered land surveyor. At the submission of a building plan the Municipality may determine in which cases such surveying is necessary and in which not and can require that a land surveyor's certificate accompany such building plan before it is approved.
- (2) If the Municipality is of the opinion that the height of buildings in a specific area should be less or more restrictive for the purposes of conservation or to achieve an increase in the intensity of land unit use, such a restriction may be implemented in terms of an overly zone.
- (3) To enable the Municipality to ensure that a building complies with the requirements of the height restrictions in this scheme, the Municipality may, if regarded as necessary, require that the owner who has constructed such building, submit a certificate from a land surveyor at the cost of the applicant, confirming that the building complies with the height restrictions. In the case of non-compliance, the enforcement processes of the Land Use Planning Bylaw will apply.

Heritage resources

- 35.(1) Subject to the provisions of the National Heritage Resources Act 25 of 1999, the Municipality may, in addition to its powers in terms of the relevant legislation:
- (a) Declare a heritage resource as an overlay area.
 - (b) Declare a heritage resource as provisionally protected for a period longer than six months.
 - (c) Note a heritage resource in a heritage register.
 - (d) Participate in a heritage pact with regard to a heritage resource for a period longer than six months.
 - (e) Authorise an order of no-development.
 - (f) Determine more restrictive development rules as preventative measures.
- (2) No listed building or portion thereof may be demolished or built without written permission submitted to the Municipality and the Municipality having given special approval.
- (3) The Municipality may not give special permission for the erection, demolition, alteration, chopping off, derooting or destruction of structures or plants (depending on the case) if it may be detrimental to the protection or maintenance of architectural, aesthetic or historic interest, depending on the case, of the area where such erection, demolition, alteration, chopping off, derooting or destruction are proposed.

- (4) The Municipality must consider the effect the development suggestions might have on the object or place of cultural interest, as well as any objection or request by a registered conservation body.

Hobbies in single and general residential zones

36. When exercising a hobby in all single and general residential zones, the dominant use of the dwelling house or dwelling unit must be for the living accommodation of a single family, provided that—
- (a) no portion of the dwelling, may be used for the purposes of a noxious trade, risk activity or sale of alcoholic beverages;
 - (b) in addition to paragraph (a), the following uses are not classified as hobbies:
 - (i) activities conforming to the definition of a shop;
 - (ii) animal care centres;
 - (iii) butcheries;
 - (iv) coal and wood merchants;
 - (v) escort agencies or adult entertainment;
 - (vi) fishmongers;
 - (vii) hospitals or clinics;
 - (viii) house shops;
 - (ix) taverns;
 - (x) manufacturing of concrete products;
 - (xi) motor vehicle repairs;
 - (xii) panel beating or spray painting;
 - (xiii) parcel delivery services;
 - (xiv) places of entertainment;
 - (xv) places of instruction
 - (xvi) shooting ranges or shooting instructions;
 - (xvii) taxi businesses;
 - (xviii) tow-in services;
 - (xix) transport contractors;
 - (xx) undertakers;
 - (xxi) vehicle rental agencies; and
 - (xxii) any other activity that in the opinion of the Municipality does not fit in the particular environment or is of a nature that it must be located on a suitably zoned premises;
 - (c) no goods may publicly be displayed, and no external evidence of the hobby may be visible from the street;
 - (d) no advertising may be displayed;
 - (e) any public exhibition of hobby items or activities on the residential property must:
 - (i) be preceded by a written consent from the Municipality; and
 - (ii) during the public exhibition, temporary parking must be provided on the land unit in accordance with the parking requirements of this Bylaw and appropriate traffic regulating measures must be put in place;
 - (f) an activity associated with a hobby may not occupy more than 25% of the total floor area of the dwelling on the property or 60 m², whichever is more restrictive, including storage;
 - (g) the Municipality may restrict the operating hours relating to the hobby, if the activity proves to be a nuisance to residents in the area; and
 - (h) any new structure, or alteration to the existing dwelling or outbuilding, must conform to the residential character of the area concerned.

Loading zones

- 37.(1) Before approving a site development plan or building plan for specific premises, the Municipality may, if deemed necessary, require that one or more (depending on the land use requirements) loading zones be supplied on the particular land unit for purposes of loading and delivery of goods to and from the premises.
- (2) Non-residential loading activity may not occur within the road reserve unless so approved by the Municipality.

Maintenance of property

- 38.(1) The owner of a land unit is responsible for the maintenance of such land unit and all improvements (including the garden and boundary structures) to a reasonable standard which the Municipality may require from time to time in terms of its Public Nuisance bylaw.

Measuring distances and levels

39. The following provisions apply with regard to the method of measuring distances and levels:
- (a) when reference is made or implied to the distance between boundaries or between a building and a boundary, this distance must be measured in the following manner:
 - (i) the boundary or boundaries and all points of the building must be projected onto a horizontal plane, and all measurements must be made in the plane; and
 - (ii) the distance between a point on a building and a boundary must be measured at right angles to the erf boundary;
 - (b) when reference is made to a portion of a boundary opposite a building, that portion must be defined by drawing lines in a manner described in paragraph (a) from points on the building, at right angles to the boundary;
 - (c) when reference is made to natural ground level or of a roof wall plate, parapet or other things, the level must be calculated in accordance with recognised geometric principles; and
 - (d) when the levels involved are so irregular that calculation in accordance with the principles in paragraphs (a) to (c) is impractical or leads to a result that is not in accordance with the intent of the zoning scheme, the Municipality must determine the level.

Occasional uses

- 40.(1) The occasional use of land for specific events not accommodated in the zoning applicable to the property may be accommodated by means of a temporary departure granted in terms of the Land Use Planning Bylaw and includes:
- (a) craft markets;
 - (b) circuses;
 - (c) religious gatherings;
 - (d) film shoots;
 - (e) builder's yards;
 - (f) seasonal camping sites; and
 - (g) other outdoor events
- (2) The Municipality must record the relevant information relating to the permission for occasional uses applicable to a land unit in the zoning scheme register.
- (3) Approval of a temporary departure for an occasional use in terms of the Land Use Planning Bylaw must specify the development parameters and measures applicable to the use.
- (4) The applicant must provide parking and toilet facilities to the satisfaction of the Municipality.

- (5) The temporary activities may not extend for a continuous period of more than 30 days;
- (6) Despite paragraph (5), the Municipality may determine a longer period for a builder's yard; and
- (7) The Municipality may withdraw the approval by written notice to the applicant if any condition of approval is not complied with or if, in the opinion of the Municipality, the occasional use concerned creates a public nuisance.

Open space

- 41.(1) Subject to subsection 2, open space must be provided on the basis of 1.8ha per 1000 persons in accordance with a ratio of 4 persons per dwelling unit, or 10% of the area being developed or as determined by the Municipality.
- (2) The Municipality may on application in terms of the Land Use Planning Bylaw depart (partially or totally) from the requirement of sub-section (1) if it is of the opinion that:
 - (a) sufficient open spaces have been provided in the vicinity of the land unit;
 - (b) it is impractical to provide open spaces;
 - (c) sufficient areas in the vicinity qualify for protection or are protected as conservation areas;
 - (d) sufficient private open space is provided within the development to make the provision of public open space excessive.
- (3) The following is excluded from the calculation of open space which must be provided:
 - (a) Undeveloped land resulting from steep slopes, storm water areas, geotechnically unstable land, conservation areas and any similar areas;

Outbuildings

- 42.(1) The Municipality may determine the size and number of outbuildings.
- (2) Outbuildings must be constructed in relation to and must relate to the main building.
- (3) An outbuilding is regarded as being in the same category as the building in regard of which it forms part as an outbuilding.
- (4) A Wendy house is regarded as an outbuilding unless used for occupational purposes in which case it is regarded as an additional dwelling unit.
- (5) An outbuilding may not exceed 4 metres in height to the top of the roof.
- (6) Garages may not be used for occupational purposes.
- (7) Except with the Municipality's permission:
 - (a) no outbuilding may be used for any other purpose except as approved in the building plans, and
 - (b) no outbuilding may be used until the main building has been completed or occupied.

Owners association

- 43.(1) An owners' association must comply to the provisions of Section 29 of the Land Use Planning Bylaw.

Panhandles

- 44.(1) The minimum width of a panhandle is 3m along its total length, and the general slope of a panhandle may not exceed 1:4 without the Municipality's approval;
- (2) The owner of the land unit on which the panhandle is situated, must construct the driveway of the panhandle to the Municipality's satisfaction before or during the construction of any building on such land unit, and must maintain the panhandle to the Municipality's satisfaction.
- (3) No structures except for access purposes are allowed within the narrow access portion of a panhandle (refer to Section 20 for building lines and structures in panhandles).

Parapet walls

45. Parapet walls are restricted to 300 millimetres in height above the finished roof level immediately contiguous to the parapet.

Parking

- 46.(1) Land may be used for parking insofar as the parking relates to the main use on the premises.
- (2) Where land is used solely for parking purposes it has to be zoned accordingly.
- (3) Parking as required in Table 1, must be accommodated on the land unit.
- (4) The layout of parking areas and entrances and exits to and from such parking areas must be indicated on a building plan (or a site development plan, if required).
- (5) Parking areas must be designed and constructed according to the Municipality's requirements. The Municipality's Engineering Section may determine requirements and standards with which parking, entrances and exits and circulation on the premises must comply. The Municipality may require parking provision in accordance with the definition of gross parking area.
- (6) The parking and circulation areas must be provided with a permanent surface and parking spaces must be permanently demarcated.
- (7) All parking spaces and entrances and exits must be effectively drained.
- (8) The Municipality may, if deemed necessary, require that parking spaces be provided for disabled persons.
- (9) Parking may not cause any irregular or unacceptable delays in any public street.
- (10) Entrance to parking areas may not cause any dangerous situations for pedestrians or vehicles.
- (11) If a land owner can prove that it is unfeasible or impractical from a planning point of view to supply the required parking space, the prescribed area of land for such parking may be obtained elsewhere at a location approved by the Municipality; provided that the owner, at his own cost, register a notarial deed or servitude against such land stating that the Municipality and the public may have access thereto for the purposes of parking. The owner must have such land levelled, paved, landscaped and maintained and such land may not be sold separately.
- (12) The cost of registration of the notarial tie or servitude referred to in subsection (11) must be borne by the owner.

- (13) Alternatively, an owner may, with the Municipality's permission, pay a cash amount to the Municipality equal to the estimated market value per m² of the land plus the construction costs of a parking space multiplied by the number of parking spaces which are short. The Municipality is then responsible to obtain the necessary land for such parking purposes and to supply the required public parking.
- (14) If two or more uses combine to share a common parking area, the Municipality may approve parking requirements that provide less than the quantum of the parking required for individual uses provided that:
- (a) the Municipality is satisfied that the utilisation of the same parking area by the different use types or activities in the zones will not result in a concurrent use of the parking area; and
 - (b) bays intended for combined uses may not subsequently be reallocated to other uses without the approval of the Municipality.
- (15) The Municipality may, by means of overlay areas, demarcate special parking priority areas as special areas for increased available public parking (e.g. a parking garage) or decrease in parking requirements (e.g. encouraging public transport).
- (16) The requirements for off-street parking are determined in terms of Table 1.
- (17) The owner of a private land unit used for public parking may levy parking fees or limit the period of free public parking provided that the public parking is accessible to the general public.

TABLE 1 OFF-STREET PARKING REQUIREMENTS		
	Land use category	Parking requirements (Parking spaces)
Low density housing	Additional dwelling unit Semi-detached dwelling Shelter Dwelling house	<ul style="list-style-type: none"> • 1 per additional dwelling unit • 2 per dwelling unit (1 per dwelling unit in Res IV) • Nil • 2 per dwelling house
Enterprises from a dwelling house	Tourism accommodation Occupational practice Day care facility House shop Shebeen	<ul style="list-style-type: none"> • 1 additional parking space per guest bedroom • ADM (if necessary) • 1 parking space per staff member plus 1 parking space per 6 children. • ADM • 2 parking spaces or ADM
General housing	Retirement village Residential building Group housing	<ul style="list-style-type: none"> • Dwelling unit: 1 parking space per unit plus 0.25 bays per unit for visitors • Old age home: 0,5 parking space per bedroom plus 0,25 bays per bedroom for visitors • Frail care: 0,5 parking space per bed • 1 parking space per bedroom plus 0.25 parking spaces per bedroom for visitors or ADM • 2 parking spaces per dwelling unit plus 0.25 parking spaces per dwelling unit for visitors

TABLE 1 OFF-STREET PARKING REQUIREMENTS		
	Land use category	Parking requirements (Parking spaces)
	Flats	<ul style="list-style-type: none"> • One bedroom: 1 space per dwelling unit • Two bedrooms: 1.25 per dwelling unit • Three bedrooms: 1.5 per dwelling unit • Four bedrooms: 1.75 per dwelling unit • Plus 0.25 spaces per dwelling unit for visitors
Tourism related accommodation and uses	Tourism accommodation	<ul style="list-style-type: none"> • 1 additional parking space per guest bedroom
	Hotel	<ul style="list-style-type: none"> • 1 parking space per bedroom plus 0.5 parking spaces per bedroom for visitors
	Camping site	<ul style="list-style-type: none"> • ADM
	Resort	<ul style="list-style-type: none"> • ADM
	Resort accommodation	<ul style="list-style-type: none"> • 1 parking space per dwelling unit plus 0.25 per dwelling unit for visitors
	Tourist facilities	<ul style="list-style-type: none"> • ADM
Communal facilities	Place of worship	<ul style="list-style-type: none"> • 1 parking space per 4 seats
	Cemetery	<ul style="list-style-type: none"> • ADM
	Animal sanctuary	<ul style="list-style-type: none"> • ADM
	Communal open space	<ul style="list-style-type: none"> • NA
	Institution – Hospital	<ul style="list-style-type: none"> • 1 parking space per bed
	Institution – Clinic and medical consulting rooms	<ul style="list-style-type: none"> • 4 parking spaces per consulting room
	Place of education – school	<ul style="list-style-type: none"> • 2 parking spaces per classroom plus 1 per staff member
	Place of education – Training centre	<ul style="list-style-type: none"> • 1 parking space per staff member plus 1 space per 6 students
	Place of assembly	<ul style="list-style-type: none"> • 1 parking space per 4 seats or ADM
Business and commercial uses	Business – all except below:	<ul style="list-style-type: none"> • 1 parking space per 25m² floor area
	Business – restaurant	<ul style="list-style-type: none"> • 1 parking space per 4 seats plus 1 for every two staff members of the restaurant
	Business – motor showroom	<ul style="list-style-type: none"> • 1 parking space per 25m² floor area, excluding area used exclusively for vehicle display
	Funeral parlour	<ul style="list-style-type: none"> • ADM
	Builder’s yard	<ul style="list-style-type: none"> • ADM
	Informal trade	<ul style="list-style-type: none"> • Nil or ADM
	Pornographic/adult entertainment	<ul style="list-style-type: none"> • ADM (refer to place of entertainment for guideline)
	Specific business	<ul style="list-style-type: none"> • 1 parking space per 25m² floor area
	Service station	<ul style="list-style-type: none"> • 4 parking spaces plus 1 parking space per 25m² shop floor area
	Place of entertainment	<ul style="list-style-type: none"> • 1 parking space per 25m² floor area

TABLE 1		OFF-STREET PARKING REQUIREMENTS
Industrial uses	Service industry	<ul style="list-style-type: none"> • 1 parking space per 50m² floor area plus 1 parking space per 25m² for office portions of building.
	Noxious industry	<ul style="list-style-type: none"> • ADM
	Industry	<ul style="list-style-type: none"> • 1 parking space per 100m² floor area to 1500m² plus 1 parking space per 200m² for >1500m² floor area.
	Crematorium	<ul style="list-style-type: none"> • ADM
	Warehouse, scrapyard, fishing enterprise	<ul style="list-style-type: none"> • 1 parking space per 100m² floor area to 1500m² plus 1 parking space per 200m² for >1500m² floor area
	Workshop	<ul style="list-style-type: none"> • 1 Parking space per 50m² floor area plus 1 parking space per 25m² for office portions of building.
Conservation, Sport and Recreation	Nature area, public open space, private open space, sports facility, wilderness area	ADM
Transport uses	Transport purposes	Parking for this zone is calculated according to the type of use with reference to parking requirements of other use categories in this Scheme (e.g. workshop, industry or warehouse, etc). For any other uses that are not indicated here, ADM.
Agricultural related uses	All types of agricultural uses	ADM
Other	For any other use not listed above, the Municipality may, as conditions of approval, impose further parking requirements as the Municipality deems fit.	

ADM = As determined by the Municipality: The Municipality must, depending on the case and considering the relevant enterprise, determine parking requirements for the use on approval of a land use application or building plan.

- (17) If a calculation as required in the above table leads to a fraction, the parking requirements must be rounded off as follows:
- The fraction higher than 0 and lower than 0.5 is rounded off to the lower number
 - The fraction from 0.5 upwards to below the next integer is rounded off to the higher number

Parking layout requirements

- 47.(1) The following parking layout requirements apply unless otherwise stated in this zoning scheme:
- parking layout configurations, minimum dimensions and ramps to a parking area must be in accordance with this zoning scheme or an approved site development plan;
 - the layout of any parking area, except for parking in Residential Zone I and II must ensure that vehicles can readily leave the site without reversing across the sidewalk, unless otherwise approved by the Municipality;
 - a tandem bay accommodating two motor vehicles is regarded as one bay for the purposes of this zoning scheme;
 - visitor parking bays must be clearly demarcated, readily visible and accessible to visitors, and preferably grouped together;
 - parking areas must be used for the parking of vehicles which are lawfully allowed on them, and any activity which causes an obstruction for vehicular traffic or pedestrian use of the sidewalk is prohibited;
 - parking areas must be constructed and maintained in a state suitable for the parking and movement of vehicles;

- (g) control of access to and reservation of parking bays or areas is not permitted unless written approval has been obtained from the Municipality, either through an approved site development plan or other written approval; and
 - (h) despite paragraphs (a) to (g), the Municipality may lay down more restrictive requirements related to parking, site access or motor vehicle carriageway crossing, if it considers this to be necessary from a pedestrian or traffic safety point of view.
- (2) The Municipality may require an applicant to submit a parking layout plan indicating—
- (a) the way in which it is proposed that motor vehicles park;
 - (b) the means of entrance and exit from parking areas;
 - (c) landscaping proposals; and
 - (d) construction details.

Parking for physically disabled

- 48.(1) The Municipality may require parking suitable for use by persons with physical disabilities to be provided on any land unit in order to ensure easy and convenient access for such persons to services and facilities generally open to the public and to residential uses.
- (2) In any parking facility serving the public, parking for persons with physical disabilities must be provided in accordance with the table entitled “Physically disabled accessible parking”.

Physically disabled accessible parking

Total no of parking bays	Required number of bays accessible to the physically disabled
1–50	1
51–100	2
101–150	3
151–200	4
For every additional 100 bays	1 additional parking bay

- (3) Parking for the physically disabled must comply with the following requirements:
- (a) parking bays must be a minimum of 3,7 metres in width and 5 metres in length;
 - (b) parking and access aisles must be level;
 - (c) parking bays must be located as near as possible to accessible building or site entrances, and must be located to provide convenient access to kerb ramps;
 - (d) each parking bay reserved for physically disabled persons must be marked on the parking surface with the international symbol for disabled accessibility;
 - (e) additional signage indicating the parking bay as reserved for exclusive use by persons with physical disabilities may be required by the Municipality; and
 - (f) if five or fewer parking bays are provided, at least one bay must be 4 metres wide and marked to provide a parking bay of 2,5 metres with an access aisle of 1,5 metres, but the bay need not be reserved exclusively for persons with physical disabilities.
- (4) Parking for persons with physical disabilities must count towards fulfilling on-site parking requirements.

Motorcycle and bicycle parking spaces

- 49.(1) The Municipality may require that parking be provided for motorcycles and bicycles.
- (2) For every 4 motorcycle and 6 bicycle parking spaces provided, a credit of 1 parking bay may be given towards applicable parking requirements, provided that—
- (a) the total credit may not exceed 2,5% of the parking bays required;

- (b) the minimum dimension for a motorcycle space is 2,2 metres in length and 1 metre in width; and
 - (c) the minimum dimension for a bicycle space is 2 metres in length and 0,6 metres in width.
- (3) Signage, bollards and racks or other devices for storing bicycles and enabling motorcyclists to make use of the motorcycle and bicycle parking spaces must be installed.

Parking of vehicles in residential zones

- 50.** A motor vehicle of an occupant of a dwelling unit and used for commercial activities conducted away from the dwelling unit may be parked on the property where the occupant resides, provided that:
- (a) there is adequate space on the property concerned;
 - (b) no more than one commercial vehicle per dwelling unit may be parked on the property; and
 - (c) the gross weight of any such commercial vehicle may not exceed 3 500 kg.

Rooftop base telecommunication stations and satellite dish antenna systems

- 51.(1)** A rooftop base telecommunication station may not extend more than 3 metres in height above the building that it is attached to without the prior approval of the Municipality.
- (2) No rooftop base telecommunication station or transmission tower granted as a consent use in terms of this Bylaw may be modified or have its radio-frequency emissions altered without prior written approval from the Municipality.
- (3) The following provisions apply with regard to decommissioned antennae or rooftop base telecommunication stations:
- (a) the owner or operator must remove all decommissioned infrastructure;
 - (b) if the site has been disturbed, the owner or operator must rehabilitate the site to its original state or to a state acceptable to the Municipality; and
 - (c) if the owner or operator fails to comply with paragraphs (a) or (b), the Municipality may remove that infrastructure, and rehabilitate the site at the expense of the owner or operator.
- (4) Any satellite dish antenna with a diameter in excess of 1,5 metres must be placed in a position that minimises the visual impact on the surrounding area, to the satisfaction of the Municipality.
- (5) Satellite dish antennas of 1,5 metres in diameter and smaller and used solely for the purposes of television reception or telecommunication, do not require the Municipality's approval and are excluded from height restrictions.

Refuse rooms

- 52.** The Municipality may, for the purposes of collecting refuse, require the owner to install a refuse receptacle on a property and require the refuse receptacle to—
- (a) be of sufficient size to accommodate the refuse generated from the property for one week;
 - (b) be located adjacent to a public street, or in a position which will provide acceptable access to a refuse collection vehicle;
 - (c) be designed in a manner that is architecturally compatible with the other structures on the property and will screen refuse bins from public view; and
 - (d) to comply with any other conditions, standard requirements or applicable bylaw that the Municipality may impose relating to access, health, pollution control, recycling, safety or aesthetics.

Service yards

- 53.(1) The Municipality may require the owner to install a screened area accommodating utility services, including washing lines, for residential developments.
- (2) The utility services must—
- be designed in a manner that is architecturally compatible with the other structures on the property and in the case of refuse bins must be screened from public view; and
 - comply with any other conditions or standard requirements that the Municipality may impose relating to access, health, pollution control, safety or aesthetics.

Screening

54. The Municipality may require screening in accordance with the following provisions:
- any part of a land unit that is used for the storage or loading of goods must be enclosed with a suitable wall or landscape screening or both; and
 - any external utility service or equipment that is required for a building must be appropriately screened from view from a public street, and the screening must be integrated with the building in respect of materials, colour, shape and size.

Site access and exits

- 55.(1) The Municipality may require compliance with standard municipal or provincial access spacing guidelines.
- (2) No access may be closer than 10 metres from an intersection as defined by the prolongation of street boundaries, except for industrial-zoned properties, where the distance must be 15 metres.
- (3) The Municipality may restrict or prohibit access if a pedestrian or traffic hazard is created or is likely to be created.
- (4) Vehicle entrances and exit ways to and from a property must conform to the following requirements:
- motor vehicle carriageway crossings must be limited to one per site per public street or road abutting the site;
 - despite paragraph (a), where the total length of any street boundary of a site exceeds 30 metres in length, one additional carriageway crossing may be permitted, provided that no two carriageway crossings are closer than 12 metres to each other;
 - the minimum and maximum widths of motor vehicle carriageway crossings must be in accordance with the table, titled “Width of motor vehicle carriageway crossings”; and
 - the minimum width of a panhandle access may not be less than 4 metres wide.

Width of motor vehicle carriageway crossings

Type of carriageway crossing	Minimum width	Maximum width
Single entrance or exit way	2,7 metres	4,0 metres
Combined entrance and exit way	5,0 metres	8,0 metres

Site development plans

- 56.(1) The Municipality may require a site development plan in respect of any development application where land use rights are amended.

- (2) The Municipality may require the following information to be depicted on a site development plan:
- (a) existing bio-physical characteristics of the property;
 - (b) existing and proposed cadastral boundaries;
 - (c) the layout of the property, indicating the use of different portions of the property;
 - (d) the massing, position, use and extent of buildings;
 - (e) sketch plans and elevations of proposed structures, including information about their external appearance;
 - (f) cross-sections of the site and buildings on site;
 - (g) the alignment and general specification of vehicle access, roads, parking areas, loading areas, pedestrian flow and footpaths;
 - (h) measures of access control to parking areas and reservation of parking areas;
 - (i) the position and extent of private, public and communal space;
 - (j) typical details of fencing or walls around the perimeter of the land unit and within the property;
 - (k) electricity supply and external lighting proposals;
 - (l) provisions for the supply of water, management of storm water, and disposal of sewage and refuse;
 - (m) external signage details;
 - (n) general landscaping proposals, including vegetation to be preserved, removed or to be planted, external paving, and measures for stabilising outdoor areas where applicable;
 - (o) the phasing of a development;
 - (p) the proposed development in relation to existing and finished ground levels, including excavation, cut and fill;
 - (q) statistical information about the extent of the proposed development, floor area allocations and parking supply;
 - (r) relationship of the proposed development to the quality, safety and amenity of the surrounding public environment;
 - (s) relationship of the proposed development to adjacent sites, especially with respect to access, overshadowing and scale;
 - (t) illustrations in a three-dimensional form depicting visual impacts of the proposed development on the site and in relation to surrounding buildings;
 - (u) any other details as may reasonably be required by the Municipality.
- (3) The Municipality may require that the area covered by a site development plan must extend beyond the site under consideration if, in its opinion, the proposed development will have a wider impact.
- (4) The Municipality may determine the extent of the area covered by a site development plan.
- (5) An applicant must submit a site development plan to the Municipality if it is required before any development on the relevant land unit may commence or in accordance with the prescriptions of a land use approval in terms of the Saldanha Bay Municipality Land Use Planning Bylaw.
- (6) The Municipality may require amendments of detail to the site development plan to address reasonable concerns relating to access, parking, architectural form, urban form, landscaping, environmental management, Utility services or similar concerns.
- (7) The following provisions apply regarding site development plans:
- (a) the property must be developed generally in accordance with an approved site development plan;
 - (b) if the Municipality considers it necessary, a transport or traffic impact statement or assessment may be required in conjunction with a site development plan, the extent of which must be determined by the Municipality, depending on the size of the development;

- (c) if the Municipality considers it necessary, a storm water impact assessment or storm water management plan or both may be required in conjunction with a site development plan, the extent of which must be determined by the Municipality, depending on the size of the development;
- (d) if the Municipality considers it necessary, a visual impact assessment, which may include a landscape character analysis, may be required in conjunction with a site development plan, the extent of which must be determined by the Municipality, depending on the size of the development; and
- (e) an approved site development plan must be considered as setting additional development parameters applicable to the base zone, and any application for amendment must comply with the Municipality's requirements for the amendments.

Steep land

57.(1) The following minimum requirements are applicable to development of land on slopes steeper than 1:4.

- (a) That the construction is safe and certified as such by an independent registered professional person.
 - (b) That limited levelling and terrace development take place to the Municipality's satisfaction to retain the natural characteristics of the landscape.
 - (c) That sufficient provision is made to the Municipality's satisfaction in regard of retaining walls (where required), measures to implement storm water drainage and measures to protect the upper soil layer and stabilise terraces and walls.
 - (d) That a satisfactory geotechnical report certified by a registered professional person is submitted, containing the geological conditions of the premises and the suitability thereof for the proposed development.
- (2) A site development plan must be submitted before buildings plans are approved for any development where the slope of the land unit is steeper than 1:4.
- (3) The following provisions apply to the development of terraces and gardens:
- (a) Terrace work or levelling of the site must be done in such a manner that it results in a decrease of the weight against the slope. Excess material may not be dumped on the slope.
 - (b) Removal of natural vegetation on slopes steeper than 1:4 may not be done without the Municipality's approval.
 - (c) In the planning of a garden, the distribution of storm water and not concentration thereof must be strived towards.
- (4) The following provisions apply to the construction of private access streets and retaining walls:
- (a) Street development on slopes steeper than 1:4 is prohibited unless approved by the Municipality.
 - (b) Private access to streets which dissect natural slopes steeper than 1:4 must be dealt with sensitively and all banks formed as such, must be kept in place by suitably designed retaining walls. Excess excavation material may not be dumped on the slope.

Storage and refuse

58.(1) Refuse containers must be screened off sufficiently to the Municipality's satisfaction.

- (2) All storage areas for equipment, hardware and refuse must be placed and/or screened off so as to not be visible from any public streets;

- (3) All storage uses must be carried out within closed buildings to the Municipality's satisfaction unless the Municipality approves otherwise, in which case the Municipality may impose conditions.

Telecommunication and electrical transmission lines

59. Telecommunication and electrical transmission lines may be permitted by the Municipality to traverse a land unit, as may be reasonably required by the Municipality or an organ of state in accordance with and subject to expropriation laws, other applicable laws and the registration of the necessary servitudes.

Temporary structures

- 60.(1) The construction and maintenance of temporary structures must be carried out in accordance with the requirements and to the satisfaction of the Municipality.
 - (2) The use of temporary structures (including for residential purposes) is subject to the Municipality's approval.
 - (3) A temporary structure may not be used as a primary dwelling, except in the case of Residential Zone IV properties.
 - (4) Should the Municipality receive any complaints, written directives may be issued to the owner to utilise the structure in line with certain conditions or, if deemed necessary by the Municipality, to have the structure removed within a certain period.

Utilisation of outbuildings

61. No outbuilding may be utilised for any purpose other than the purpose submitted in the building plans and approved by the Municipality, and an outbuilding may not be utilised until the main buildings are completed or occupied, unless approved by the Municipality.

CHAPTER 4

ZONING ADMINISTRATION

Advisory committee

- 62.(1) Council may appoint one or more than one advisory committee regarding any development aspect in the area, which may also include the aesthetical, natural-environment and historical aspects of development.
- (2) Council must clearly prescribe the extent of the committee's activities and which matters will be considered by such committee, when Council establishes an advisory committee. Guidelines can include the following:
- (a) Buildings/structures and premises with a prominent location and prominent buildings which have an impact on a specific street image.
 - (b) Buildings/structures and the development of premises which may have an impact on the immediate surroundings.
 - (c) Any changes or alterations to listed buildings and places of cultural interest.
 - (d) Change in use of land zoned conservation or regarded worthy of conservation.
 - (e) Buildings exceeding a floor area of 500m².
 - (f) Conservation of the built and natural environment.
 - (g) The demarcation of a Special Planning Area and provisions relating thereto.
 - (h) Special zoning.
 - (i) Any other technical purpose which Council may determine.
- (3) Council may determine the powers and functions of an advisory committee provided that an aesthetics advisory committee may also compile its own additional set of principles and procedures for considering an application.
- (4) Council must clearly describe the procedures of the committee including the compilation of the committee, how input may be obtained, to whom the committee must report and in which way the report must be done.
- (5) An advisory committee may obtain input from interested parties, as well as professional advice, to enable the committee to take an informed decision, to provide the applicant with any negative comment and to provide the applicant with the opportunity to deal with it.

Transitional measures and savings

63. (1) Upon the date of commencement of this Bylaw, land that is zoned in terms of the previous zoning schemes is translated or reclassified to one of the use zones referred to in Table A of Schedule 1.
- (2) Table C in Schedule 1, Zoning Transition Table, summarises the translation or reclassification of the use zones used in the previous zoning schemes to the use zones used in this Bylaw.
- (3) Despite the translation or reclassification of the use zones used in the previous zoning scheme to the use zones used in this Bylaw:
- (a) any condition of approval or validity period that is applicable to a land unit in terms of the previous zoning scheme applicable immediately before the coming into effect of this Bylaw, remains applicable and in so far as it determines development parameters that are different from the development parameters applicable in terms of this Bylaw, it is not to be considered an offence but a lawful non-conforming use;

- (b) the Municipality must record any condition of approval referred to in paragraph (a) in the register together with any applicable validity period applicable to the zoning in terms of the previous zoning scheme;
- (c) a zoning approved and the rights afforded thereto in terms of the previous zoning scheme that has been exercised within its validity period, cannot lapse, and is translated or reclassified as determined in this Bylaw. Where rights have not been exercised in full the remaining extent available is subject to the provisions of this bylaw.
- (d) a zoning approved in terms of the previous zoning scheme that has not been exercised, lapses after the expiry of the validity period applicable to that zoning in terms of the previous zoning schemes
- (e) in the event of the lapsing of a zoning as contemplated in paragraph (d), the land unit reverts back to the use zone applicable to it in terms of the previous zoning scheme before it was rezoned and is automatically translated or reclassified as determined in Table C of Schedule 1.
- (f) A building plan application that was formally submitted and accepted with the purpose to act on an approval in terms of a previous planning law –
 - (i) immediately before the coming into effect of this Bylaw and which is still being processed; or
 - (ii) on or after the date of coming into effect of this Bylaw, must be assessed in accordance with that approval provided that such building plan application is submitted within the validity period of said approval.
- (g) any rezoning or consent use application which was submitted prior to the date of coming into effect of this Bylaw, must be finalized in terms of the previous zoning scheme, and thereafter is translated or reclassified as determined in Table C in Schedule 1 and subject to subsection (3), or as determined by the Municipality.

Rectification of errors on zoning scheme map

- 64.**(1) If the zoning of a land unit is incorrectly indicated on the zoning scheme map, the owner of an affected land unit may submit an application to the Municipality to correct the error.
- (2) An owner contemplated in subsection (1) must apply to the Municipality in the form determined by the Municipality and must—
 - (a) submit written proof of the lawful zoning rights; and
 - (b) indicate the correct zoning that should be allocated.
 - (3) The onus of proving that the zoning is incorrectly indicated on the zoning scheme map is on the owner.
 - (4) The owner is exempted from paying application fees.
 - (5) If the zoning of a land unit is determined to be incorrectly indicated on the zoning scheme map, the Municipality must amend the zoning scheme map to reflect the correct zoning.
 - (6) If the correct zoning of a land unit cannot be ascertained from the information submitted to the Municipality or the records of the Municipality, the zoning must be determined in terms of the Land Use Planning Bylaw and the zoning as determined must be recorded on the zoning scheme map and the zoning register.
 - (7) In the event that the Municipality or any person identifies an error on the zoning map; the Municipality must—
 - (a) inform the owner of the affected land unit of the error;
 - (b) investigate and indicate the correct zoning that should be allocated;
 - (c) follow a public participation process;
 - (d) submit an amended zoning scheme map to Council for adoption; and
 - (e) amend the zoning register and map accordingly.

Non-conforming uses

65. Non-conforming uses must be dealt with in accordance with the provisions of Section 14 of the Land Use Planning Bylaw.

Amendment or change of zoning rights

66. Applications for land use changes or amendments involving the use rights prescribed by this Bylaw may be lodged in terms of the Saldanha Bay Municipality Land Use Planning Bylaw and are subject to the prescriptions of that Bylaw.

Lapsing of approvals

67. A land use approval granted by the Municipality expires under the circumstances and provisions set out in the Land Use Planning Bylaw.

Closure of public street or public open space

- 68.(1) Land which consists of public street or public place and which is either zoned Transport II or Open Space I and is closed, is to be dealt with in the following way:
- (a) If such land is consolidated with the adjoining land unit it will be deemed to be zoned in accordance with the zoning of the land unit with which it is being consolidated, from the date when the published and prescribed statutory closure notice has been confirmed.
 - (b) If the consolidation contemplated in (b) results in the accrual of additional development rights the Municipality may charge additional development charges to cover the increased development impact.
 - (c) If such land is not consolidated with the adjoining land unit, it must be rezoned in terms of the Saldanha Bay Municipality Land Use Planning Bylaw.

Zoning of state land

- 69.(1) Any land belonging to a government body must be zoned in accordance with the provisions of this Scheme and the Land Use Planning Bylaw. The zone allocated to government land is the relevant zone accommodating the legal utilisation of the land. The land may only be zoned Authority Use if there is not a suitable zone within which to include the use.
- (2) The rezoning of land to Authority Use must include the submission and approval of a site development plan.

Multiple zonings

- 70.(1) More than one zoning may be allocated to a land unit.
- (2) Before an approval for multiple zonings on a land unit may be issued, the Municipality may require of an owner or applicant in writing to submit a survey diagram or other such plans deemed applicable by the Municipality within the period which may be stipulated, compiled by a suitably qualified person and which indicates the various approved or allocated zonings or approved uses of the various portions of the land or buildings on a particular land unit. The zoning map and zoning register must be updated to accordingly reflect such information.

SCHEDULE 1**USE ZONES****1. Land use zones**

1.1 The land use zones applicable in the Saldanha Bay municipal area is set out in Table A.

1.2 Table A provides a summary of the purpose of the zoning and the land uses which are or may be allowed as primary or consent uses within a particular zone. The table also indicates what the colour notations of the various zones should be on the zoning map.

TABLE A: USE ZONES AND LAND USES ALLOWED

ZONING	PURPOSE FOR THE USE OF LAND	PRIMARY USES	CONSENT USES	COLOUR NOTATION
Agriculture	Bona-fide farming	<ul style="list-style-type: none"> • Agriculture • Agricultural building • Dwelling house • Additional dwelling unit • Intensive animal farming • Intensive horticulture • Tourism accommodation • Occupational practice 	<ul style="list-style-type: none"> • Agricultural industry • Agri-village • Airfield • Animal care centre • Animal sanctuary • Backpackers lodge • Camping site • Day care facility • Farm stall • Game farm • Guest lodge • House shop • Nursery • Place of education • Place of worship • Quarry • Renewable energy structures • Residential building • Resort accommodation • Riding school • Shooting range 	Dark Green outline

ZONING	PURPOSE FOR THE USE OF LAND	PRIMARY USES	CONSENT USES	COLOUR NOTATION
			<ul style="list-style-type: none"> • Special use • Tourist facility • Telecommunication infrastructure • Utility services 	
Smallholdings	Smallholdings for small scale agricultural, conservation or extensive residential purposes	<ul style="list-style-type: none"> • Smallholding • Additional dwelling unit • Dwelling house • Nature conservation • Riding school • Veterinary building 	<ul style="list-style-type: none"> • Agricultural building • Backpackers lodge • Day care facility • Utility services • Farm stall • Guest lodge • Intensive animal farming • Intensive horticulture • Nursery • Occupational practice • Special use • Tourism accommodation • Tourist facility • Telecommunication infrastructure 	Light green with dark green outline
Residential Zone I	Single residential	<ul style="list-style-type: none"> • Dwelling house • Additional dwelling unit • Occupational practice • Home childcare 	<ul style="list-style-type: none"> • Day care facility • Residential building • Home care facility • House shop • Place of assembly • Place of education • Place of Worship • Special use 	Light yellow

ZONING	PURPOSE FOR THE USE OF LAND	PRIMARY USES	CONSENT USES	COLOUR NOTATION
			<ul style="list-style-type: none"> • Tourism accommodation • Telecommunication infrastructure • Utility services 	
Residential Zone II	Medium density residential development with ground level access to each unit	<ul style="list-style-type: none"> • Group housing • Dwelling house • Town housing • Semi-detached dwelling 	<ul style="list-style-type: none"> • Home childcare (dwelling house only) • Occupational practice • Residential building • Retirement village • Special use • Tourism accommodation (dwelling house only) • Telecommunication infrastructure • Utility services 	Light orange
Residential Zone III	Medium to high density residential development	<ul style="list-style-type: none"> • Flats • Dwelling house • Group housing • Town housing • Semi-detached dwelling 	<ul style="list-style-type: none"> • Residential building • Occupational practice • Retirement village • Special use • Tourism accommodation (dwelling house only) • Telecommunication infrastructure • Utility services 	Dark orange

ZONING	PURPOSE FOR THE USE OF LAND	PRIMARY USES	CONSENT USES	COLOUR NOTATION
Residential Zone IV	Residential occupation for incremental housing	<ul style="list-style-type: none"> • Shelter • Dwelling house • Semi-detached dwelling 	<ul style="list-style-type: none"> • Additional dwelling unit • Day care facility • Utility services • Flats • Residential building • House Shop • Shebeen • Special use • Telecommunication infrastructure • Tourism accommodation 	Light Coral
Residential Zone V	Tourism accommodation of a specific scale	<ul style="list-style-type: none"> • Guest lodge • Dwelling house 	<ul style="list-style-type: none"> • Residential Building • Hotel • Restaurant • Special use • Tourist facility • Wellness centre 	Dark Coral
Resort Zone	Tourist and holiday related development	<ul style="list-style-type: none"> • Resort accommodation • Dwelling house • Nature conservation • Private open space 	<ul style="list-style-type: none"> • Residential building • Utility services • Hotel • Place of assembly • Place of entertainment • Resort facilities • Special use • Tourist facility • Telecommunication infrastructure • Wellness centre 	Light pink

ZONING	PURPOSE FOR THE USE OF LAND	PRIMARY USES	CONSENT USES	COLOUR NOTATION
Business Zone I	High intensity commerce and business use	<ul style="list-style-type: none"> • Business • Dwelling house • Flats above ground floor • Hotel • Parking garage • Residential building above ground floor 	<ul style="list-style-type: none"> • Authority use • Day care facility • Utility services • Funeral parlour • Nursery • Place of assembly • Place of education • Place of entertainment • Place of worship • Pornographic / adult entertainment • Service industry • Service station • Special use • Tourist facility • Telecommunication infrastructure 	Medium blue
Business Zone II	Lower intensity business use	<ul style="list-style-type: none"> • Shop • Dwelling house • Restaurant 	<ul style="list-style-type: none"> • Day care facility • Guest lodge • Hotel • Nursery • Place of assembly • Place of education • Place of entertainment • Place of worship • Residential building • Special use • Supermarket • Tourist facility • Telecommunication infrastructure • Utility services 	Light Blue

ZONING	PURPOSE FOR THE USE OF LAND	PRIMARY USES	CONSENT USES	COLOUR NOTATION
Business Zone III	Only for approved business uses	<ul style="list-style-type: none"> • Specific business • Dwelling house 	<ul style="list-style-type: none"> • Special use • Telecommunication infrastructure • Utility services 	Dark blue
Industrial Zone I	Service industries and low intensity industries	<ul style="list-style-type: none"> • Light industry • Parking garage • Service industry • Warehouse • Workshop • Telecommunication infrastructure 	<ul style="list-style-type: none"> • Builders yard • Funeral parlour • Place of entertainment • Pornographic / adult entertainment • Restaurant • Service station • Shop • Special use • Utility services 	Light Purple
Industrial Zone II	General industrial uses of medium intensity	<ul style="list-style-type: none"> • Industry • Builders' yard • Parking garage • Service industry • Transport purposes • Warehouse • Workshop • Telecommunication infrastructure 	<ul style="list-style-type: none"> • Crematorium • Container terminal • Utility services • Fishing enterprise • Funeral parlour • Place of entertainment • Pornographic / adult entertainment • Restaurant • Scrapyard • Service station • Shop • Special use 	Dark Purple

ZONING	PURPOSE FOR THE USE OF LAND	PRIMARY USES	CONSENT USES	COLOUR NOTATION
Industrial Zone III	Offensive industries and high intensity industries	<ul style="list-style-type: none"> • Noxious industry • Crematorium • Funeral parlour • Industry • Service station • Transport purposes • Telecommunication infrastructure 	<ul style="list-style-type: none"> • Scrapyard • Special use • Utility services 	Light pink outline
Industrial Zone IV	Mining	<ul style="list-style-type: none"> • Mine • Telecommunication infrastructure 	<ul style="list-style-type: none"> • Industry • Special use • Utility services 	Light pink outline with dark purple cross-hatching
Institutional Zone I	Education	<ul style="list-style-type: none"> • Place of education 	<ul style="list-style-type: none"> • Cemetery • Institution • Place of assembly • Place of worship • Special use • Telecommunication infrastructure • Utility services 	Light Grey
Institutional Zone II	Worship	<ul style="list-style-type: none"> • Place of worship 	<ul style="list-style-type: none"> • Boarding house • Cemetery • Garden- or wall of remembrance • Institution • Place of assembly • Place of education • Special use • Telecommunication infrastructure • Utility services 	Medium Grey with black cross-hatching

ZONING	PURPOSE FOR THE USE OF LAND	PRIMARY USES	CONSENT USES	COLOUR NOTATION
Institutional Zone III	Health, welfare, etc.	<ul style="list-style-type: none"> • Institution 	<ul style="list-style-type: none"> • Cemetery • Correctional facility • Place of assembly • Place of education • Place of worship • Psychiatric hospital • Sanatorium • Special use • Telecommunication infrastructure • Utility services 	Dark Grey
Open space Zone I	Public open spaces and recreational area	<ul style="list-style-type: none"> • Public open space • Public Parking • Nature conservation 	<ul style="list-style-type: none"> • Animal sanctuary • Cemetery • Special use • Sports facility • Tourist facility • Telecommunication infrastructure • Utility services 	Dark green
Open space Zone II	Private open spaces and recreational areas	<ul style="list-style-type: none"> • Private open space • Private parking • Nature conservation 	<ul style="list-style-type: none"> • Animal sanctuary • Camping site • Cemetery • Special use • Sports facility • Tourist facility • Telecommunication infrastructure • Utility services 	Light Green

ZONING	PURPOSE FOR THE USE OF LAND	PRIMARY USES	CONSENT USES	COLOUR NOTATION
Open space Zone III	Conservation of the natural environment	<ul style="list-style-type: none"> • Nature conservation • Wilderness area 	<ul style="list-style-type: none"> • Animal sanctuary • Camping site • Dwelling house • Resort accommodation • Special use • Tourism accommodation • Tourist facility • Telecommunication infrastructure • Utility services 	Olive Green
Authority Zone	Municipal utility services and other authority facilities	<ul style="list-style-type: none"> • Authority use • Utility services 	<ul style="list-style-type: none"> • Special use • Telecommunication infrastructure 	Red
Transport Zone I	Transport purposes	<ul style="list-style-type: none"> • Transport purposes • Utility services 	<ul style="list-style-type: none"> • Business • Builders yard • Filling station • Industry • Parking garage • Service industry • Service station • Special use • Telecommunication infrastructure • Warehouse • Workshop 	Light brown
Transport Zone II	Public street and parking	<ul style="list-style-type: none"> • Public street • Public parking • Utility services 	<ul style="list-style-type: none"> • Special use • Telecommunication infrastructure 	White with light grey outline
Transport Zone III	Private street and parking	<ul style="list-style-type: none"> • Private street • Private parking • Utility services 	<ul style="list-style-type: none"> • Special use • Telecommunication infrastructure 	Dark brown

ZONING	PURPOSE FOR THE USE OF LAND	PRIMARY USES	CONSENT USES	COLOUR NOTATION
Special Zone	Unique projects which do not fit under other zones	<ul style="list-style-type: none"> • As determined by special zoning 	<ul style="list-style-type: none"> • As determined by special zoning 	Turquoise
Undetermined	No land use rights except legal use	<ul style="list-style-type: none"> • Existing legal uses 	<ul style="list-style-type: none"> • Special use • Telecommunication infrastructure • Utility services 	Dark Purple outline

2. Zoning transition

- 2.1 Table B summarises the transition or reclassification of the use zones used in the previous zoning schemes to the use zones used in this By-law.
- 2.2 Section 63 of the Bylaw contains the saving measures and conditions for the transition of the zonings.

TABLE B: ZONING TRANSITION TABLE

NEW ZONING	FORMER ZONING SCHEME					
	HOPEFIELD	ST HELENABAAL	VREDENBURG-SALDANHA	LANGEBAAAN	SECTION 8	
Agriculture	Agriculture Zone	Agriculture	Agricultural	Agriculture Zone	Agriculture Zone 1	
Smallholdings		Smallholdings	Smallholdings			
Residential Zone I	Single Dwelling Zone	Single Dwelling	Single Residential 1 Single Residential 2	Residential Zone 1 Residential Zone 2	Residential Zone 1	
Residential Zone II		Group Housing	General Residential	Residential Zone 3 Residential Zone 4	Residential Zone 2	
Residential Zone III	General Residential Zone	General residential	General Residential	Residential Zone 5	Residential Zone 3 Residential Zone 4 Residential Zone 5	
Residential Zone IV	Informal residential Zone	Informal residential Zone	Informal residential Zone	Informal residential Zone	Informal residential Zone	
Residential Zone V				Residential Zone 6		
Resort Zone			Resort Zone 1 Resort Zone 2	Resort Zone 1 Resort Zone 2	Resort Zone 1 Resort Zone 2	

NEW ZONING	FORMER ZONING SCHEME					SECTION 8
	HOPEFIELD	ST HELENABAAL	VREDENBURG-SALDANHA	LANGEBAAN		
Business Zone I	Business Zone	General Business	Business	Business Zone 1	Business Zone 1 Business Zone 3	
Business Zone II	Minor Business Zone	Minor Business	Minor Business	Business Zone 2	Business Zone 2	
Business Zone III		Specific Business Special Business		Business Zone 3	Business Zone 5	
Industrial Zone I	Light Industrial Zone	Light Industries	Light Industry	Industrial Zone Business Zone IV	Industrial Zone 1 Business Zone 4	
Industrial Zone II	Industrial Zone	Factories Fishing industry	Industrial Special Industrial	Industrial Zone	Industrial Zone 1	
Industrial Zone III		Noxious Industry			Industrial Zone 2	
Industrial Zone IV			Mining		Industrial Zone 3	
Institutional Zone I	Reservation for educational purposes	Reservation for educational purposes	Institution Reservation for educational purposes	Institutional Zone 1	Institutional Zone 1	
Institutional Zone II		Worship	Place of Public Worship	Institutional Zone 2	Institutional Zone 2	

FORMER ZONING SCHEME					
NEW ZONING	HOPEFIELD	ST HELENABAAL	VREDENBURG-SALDANHA	LANGEBAAN	SECTION 8
Institutional Zone III		Institution	Institution		Institutional Zone 3
Open space Zone I	Reservation for public place or public open space Reservation for public parking Reservation for cemetery purposes	Reservation for public place or public open space Reservation for public parking Reservation for cemetery purposes	Reservation for public place or public open space Reservation for cemetery purposes	Open Space Zone 1	Open Space Zone 1
Open space Zone II	Reservation for private open space	Reservation for private open space Reservation for private parking	Reservation for private open space	Open Space Zone 2	Open Space Zone 2
Open space Zone III			Reservation for Amenity Uses	Open Space Zone 3	Open Space Zone 3
Transport Zone I	Reservation for railroad purposes	Reservation for railroad purposes	Reservation for railroad purposes		Transport Zone 1

		FORMER ZONING SCHEME				
NEW ZONING	HOPEFIELD	ST HELENABAAL	VREDEBURG-SALDANHA	LANGEBAAN	SECTION 8	
Transport Zone II	Reservation for new streets and street widening Reservation for street closures Reservation for existing streets Reservation for public parking purposes	Reservation for new streets and street widening Reservation for street closures Reservation for existing streets Reservation for public parking purposes	Reservation for new streets and proposed street widening Reservation for street closures Reservation for existing streets Reservation for public parking purposes	Transport Zone	Transport Zone 2 Transport Zone 3	
Transport Zone III		Reservation for private parking purposes Reservation for pedestrian mall				
Authority Zone	Reservation for local government purposes Reservation for authority purposes	Reservation for local government purposes Reservation for government purposes	Reservation for local government purposes Reservation for government purposes	Authority Zone	Authority Zone	
Special Zone			Special Zone	Special Zone	Special Zone	
Undetermined	Undetermined Zone	Undetermined	Undetermined	Undetermined Zone	Undetermined Zone	

SCHEDULE 2

DEVELOPMENT PARAMETERS FOR USE ZONES

The development parameters for each zone are set out into sections as follows:

(a) **Objective**

This section describes the objective and main characteristics of the zone and may also serve as guidelines with regard to the application of the zone when a choice has to be made to amend zoning.

(b) **Land use classification**

This section lists the land use allowed in the zone and their classification as either primary or consent uses.

(d) **Development rules**

This section describes the rules which regulate the development of a property in the zone and construction and placing of buildings, and includes provisions regarding prescribed building lines, height, coverage, floor area, density and parking requirements.

(e) **Land use management provisions**

This section highlights specific land use management provisions which apply to the zone.

The development parameters for each zone is summarised on an accompanying table.

The following abbreviations has the corresponding meaning in the attached tables:

ADM – as determined by the Municipality

NA – not applicable

AGRICULTURE		PURPOSE FOR THE USE OF LAND: Bona fide farming					
TABLE C1		DEVELOPMENT PARAMETERS					
PRIMARY USE		CONSENT USE					
<ul style="list-style-type: none"> • Agriculture • Agricultural building • Dwelling house • Additional dwelling unit • Intensive animal farming • Intensive horticulture • Tourism accommodation 	<ul style="list-style-type: none"> • Agricultural industry • Agri-village • Airfield • Animal care centre • Animal sanctuary • Backpackers lodge • Camping site • Day care facility • Utility services • Farm stall • Game farm • Guest lodge • House shop • Nursery 	<ul style="list-style-type: none"> • Occupational practice • Place of education • Place of Worship • Quarry • Renewable energy structures • Residential building • Resort accommodation • Riding school • Shooting range • Special use • Tourist facility • Telecommunication infrastructure 					
DEVELOPMENT RULES							
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS
30m	30m	30m	Dwelling unit: 8m Agricultural building, Agricultural industry: 13.5m	ADM	NA	Additional dwelling unit: 150m ²	<ul style="list-style-type: none"> • Additional dwelling unit (schedule 3, para 1) • Agri-village (schedule 3, para.2) • Occupational practice (schedule 3, para 11) • Day care facility (schedule 3, para 4) • Tourism accommodation (schedule 3, para 18) • House shop (schedule 3, para 9) • Telecommunication infrastructure (schedule 3, para 19) • Airfield and airports (schedule 3, para 3)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 1.

1. AGRICULTURE

1.1 Objective

The purpose of this zone is to make provision for:

- The use of land for the purposes of *bona fide* agricultural production and sustainable agricultural units.
- Conservation of suitable agricultural land.
- Buildings and structures which can be erected for reasonable and normal use for agricultural purposes.

1.2 Development parameters

1.2.1 Primary uses

Agriculture
Agricultural building
Dwelling house
Additional dwelling unit
Intensive animal farming
Intensive horticulture
Tourism accommodation

1.2.2 Consent uses

Agricultural industry
Agri-village
Airfield
Animal care centre
Animal sanctuary
Backpackers lodge
Camping site
Day care facility
Utility services
Farm stall
Game farm
Guest lodge
House shop
Nursery
Occupational practice
Quarry
Place of education
Place of worship
Renewable energy structures
Residential building
Resort accommodation
Riding school
Shooting range
Special use
Tourist facility
Telecommunication infrastructure

1.3 Development rules

1.3.1 Building lines

Street, side and rear building line: 30 metres

1.3.2 Height

- (a) The height of a dwelling house and additional dwelling unit may not exceed 8 metres.
- (b) The height of an agricultural building and agricultural industry may not exceed 13.5 metres.

1.3.3 Coverage

The maximum coverage of all buildings must be determined by the Municipality when approving building plans and land use applications.

1.3.4 Floor area

The floor area of an additional dwelling unit in this zone is limited to 150m².

1.3.5 Parking

A detailed explanation regarding parking requirements in this Scheme is contained in Table 1 (section 46) Parking requirements for consent uses may be determined by the Municipality by application but the standard parking requirement in Table 1 must be noted.

1.3.6 Additional dwelling unit

The provisions of schedule 3, section 1 regarding an additional dwelling unit on agricultural land are applicable.

1.3.7 Health regulations: Intensive farming, nursery, riding school, agricultural industry

The relevant legislation regarding *inter alia* the control of diseases, insects and plagues is applicable.

1.3.8 Agri-village

The boundaries of an agri-village must be clearly indicated on the zoning map and the provisions of schedule 3, sections 2 are applicable.

1.3.9 Site development plan

For any development in this zone, including any part of the land not zoned Agriculture, a site development plan must be submitted to the Municipality for its approval taking specific cognisance of visual impact given the size and scale of the agricultural buildings and facilities and their location in a rural landscape, and their proximity to tourist routes.

1. AGRICULTURE

1.1 Objective

The purpose of this zone is to make provision for:

- The use of land for the purposes of *bona fide* agricultural production and sustainable agricultural units.
- Conservation of suitable agricultural land.
- Buildings and structures which can be erected for reasonable and normal use for agricultural purposes.

1.2 Development parameters

1.2.1 Primary uses

Agriculture
Agricultural building
Dwelling house
Additional dwelling unit
Intensive animal farming
Intensive horticulture
Tourism accommodation

1.2.2 Consent uses

Agricultural industry
Agri-village
Airfield
Animal care centre
Animal sanctuary
Backpackers lodge
Camping site
Day care facility
Utility services
Farm stall
Game farm
Guest lodge
House shop
Nursery
Occupational practice
Quarry
Place of education
Place of worship
Renewable energy structures
Residential building
Resort accommodation
Riding school
Shooting range
Special use
Tourist facility
Telecommunication infrastructure

- (i) a distance equal to 1,5 times the overall blade tip height of the turbine, measured from the nearest residential, commercial or critical agricultural structures including animal housing, outbuildings, storerooms, excluding structures such as water troughs, feed dispensers, and windmills;
 - (ii) a distance of 100m from the cadastral boundary of the land unit, unless the renewable energy structure straddles two or more cadastral boundaries, in which case no setback applies;
 - (iii) a distance of 100m from any public road or private or public right of way, unless it provides access to the turbine;
 - (iv) a distance of 100m from any electrical infrastructure; and
 - (v) a distance of 1000m from towns, settlements or urban areas.
- (c) **Site development plan**
- (i) A site development plan must be submitted to the Municipality for its approval.
 - (ii) The site must be surveyed, and the exact delineation of the construction footprint must be shown in the site development plan.
 - (iii) To the extent necessary, any relevant measures contained in these scheme provisions must be incorporated into the site development plan submitted to the Municipality for approval.
- (d) **Land clearing, soil erosion and habitat impact**
- (i) The clearing of natural vegetation is limited to that which is necessary for the construction, operation and maintenance of the renewable energy structure as regulated by applicable environmental legislation.
 - (ii) Wind turbines, solar structures, access roads and other infrastructure must be located to minimise damage to natural vegetation, water courses and wetlands.
 - (iii) All land cleared that does not form part of the footprint of a renewable energy structure must be rehabilitated according to a rehabilitation plan for the land concerned, approved by the Municipality.
 - (iv) Constructing or operating the renewable energy structure may not cause soil erosion, and any high-risk erosion areas must be rehabilitated by the operator, to the satisfaction of the Municipality.
 - (v) The applicant/owner must prove, to the satisfaction of the Municipality, that planning for the renewable energy structure concerned has taken into account and mitigated the risk of all impacts on, and necessary distances that should be maintained from, wetlands, water bodies, threatened ecosystems, mountains, ridges, hills, coastal buffers, settlements, telecommunication towers, and power lines.
 - (vi) The applicant/owner must provide exact coordinates relevant to land clearing, soil erosion and habitat impact to assist the Municipality to evaluate the risk of possible negative environmental impacts of the renewable energy structure concerned.
- (e) **Noise, air quality and nuisance**
- The renewable energy structure may not exceed a noise limit of 45 dB(A) during the night and 55 dB(A) during the day at the nearest dwelling.
- (f) **Finishing, colour and design**
- (i) A wind turbine structure must be treated with a neutral, non-reflective exterior colour and designed to blend in with the surrounding natural environment, to the satisfaction of the Municipality.
 - (ii) A solar structure must minimise any adverse effects related to its reflective surfaces and must be designed and built in a way that mitigates this impact, as required by the Municipality.

(g) **Appurtenant structures**

- (i) All appurtenant structures to a renewable energy structure prescribed by the Municipality concerning bulk, height, yard sizes, building lines, open space, parking and building coverage requirements are subject to applicable Bylaws.
- (ii) Appurtenant structures, including equipment shelters, storage facilities, transformers and sub-stations must be architecturally compatible with the receiving environment as required by the Municipality, and contained within a renewable energy structure site development plan submitted for approval by the Municipality.
- (iii) Appurtenant structures may only be used for the storage of equipment or other uses directly related to the operation of the particular facility that they are associated with.
- (iv) Appurtenant structures must be screened from view by indigenous vegetation or be joined and clustered to minimise adverse visual impacts.

(h) **Lighting**

- (i) A renewable energy structure or any part of such a structure may only be lit for safety and operational purposes and the lighting must be appropriately screened from abutting land units.
- (ii) A renewable energy structure must comply with the lighting air safety requirements of the South African Civil Aviation Authority in terms of the Civil Aviation Act, 2009 (Act 13 of 2009).

(i) **Signage and advertising**

Signs on renewable energy structures must comply with the bylaw of the Municipality regulating signage and be limited to signage necessary to—

- (i) identify the operator;
- (ii) provide 24-hour emergency contact numbers; and
- (iii) provide warning of any dangers associated with the structure.

No commercial advertising, including advertising for the provider or operator, may be displayed on any renewable energy structure.

(j) **Maintenance**

The owner is responsible for maintaining a renewable energy structure in good condition, including any access road, unless deemed a public way, and for paying the cost of repairing any damage resulting from construction or operation. Maintenance includes—

- (i) painting;
- (ii) structural repairs;
- (iii) rehabilitation measures; and
- (iv) the upkeep of security and safety measures.

(k) **Modification**

Any modification to a renewable energy structure, excluding inconsequential *in situ* technical improvements, made after approval and that is not in accordance with the approval and conditions of approval, requires authorisation from the Municipality within the parameters of these scheme provisions by means of—

- (i) the amendment of approved conditions;
- (ii) a new consent use approval;
- (iii) amendment of the approved site development plan; or
- (iv) amendment of the approved building plan.

(l) **Decommissioning**

- (i) Any renewable energy structure and associated infrastructure that has reached the end of its productive life or has been abandoned, including buildings, cables and roads, must be removed by the owner.
- (ii) A renewable energy structure is considered abandoned when the structure fails to continuously operate for more than two years.

- (iii) When a renewable energy structure is scheduled to be decommissioned or operations have been discontinued or it has been abandoned, the land owner must, by registered mail, notify the Municipality within 30 days after the operation ceased, and of plans for removal of the structure and infrastructure referred to in subparagraph (i).
- (iv) The owner is responsible for the removal of the structure in all its parts, within 150 days after the date of discontinued operation, or as agreed upon by the Municipality after submission of a plan for decommissioning. The Municipality may grant an extension of the deadline for removing the structure and its parts. The land must then be rehabilitated by the owner, to the satisfaction of the Municipality, to the condition prescribed in the approved environmental management plan and the approved decommissioning plan.
- (v) Decommissioning must include—
 - (aa) the removal of all renewable energy structures and appurtenant structures, including equipment, bases, foundations, security barriers and transmission lines directly related to the renewable energy;
 - (bb) disposal of all solid and hazardous waste in accordance with provincial and local waste disposal regulations; and
 - (cc) the stabilisation and re-vegetation of the site with indigenous vegetation to minimise erosion.
- (vi) The Municipality may, in order to minimise erosion and disruption to natural vegetation and habitats, grant permission to the owner to depart from the decommissioning plan in respect of removing landscaping, underground foundations or other underground components, provided these do not cause any pollution.
- (vii) Before the construction of the renewable energy structure commences, the owner must make financial provision or an alternative reasonable arrangement, to the satisfaction of the Municipality, for protection against failure by the owner to comply with the obligations in terms of this Bylaw and in the event of the owner being unable to fulfil the necessary financial obligations for the rehabilitation or management of the negative environmental impact of decommissioning or of abandonment.
- (viii) If the owner fails to remove the structure or its parts in accordance with the requirements of these scheme provisions within 150 days of abandonment or the date of decommissioning or an approved extension date, the Municipality may enter the property and remove the structure and its parts, and recover all removal costs incurred from the owner.
- (ix) If the owner fails to meet the requirements of sub item (i), the Municipality may, after written notice to the owner, use all or part of the financial provision or other provision referred to in sub item (vii) to rehabilitate or manage the negative environmental impact concerned, or to remove the facility.

1.4 General provisions, policies and guidelines

The following general management provisions, policies and guidelines are applicable regarding the use of land units in this zone:

- Additional dwelling unit (schedule 3, para 1)
- Agri-village (schedule 3, para.2)
- Occupational practice (schedule 3, para 11)
- Day care facility (schedule 3, para 4)
- Tourism accommodation (schedule 3, para 18)
- House shop (schedule 3, para 9)
- Greenhouse (schedule 3, para 6)
- Development rules (chapter 3)
- Telecommunication infrastructure (schedule 3, para 19)
- Airfield and airports (schedule 3, para 3)

SMALLHOLDING							
TABLE C2		PURPOSE FOR THE USE OF LAND:		Smallholdings for agriculture, conservation or extensive residential purposes			
DEVELOPMENT PARAMETERS							
PRIMARY USE		CONSENT USE					
<ul style="list-style-type: none"> • Smallholding • Additional dwelling unit • Dwelling house • Nature Conservation • Riding school • Veterinary building 	<ul style="list-style-type: none"> • Agricultural building • Backpackers lodge • Day care facility • Utility services • Farm stall • Guest lodge • Intensive animal farming • Intensive horticulture 	<ul style="list-style-type: none"> • Nursery • Occupational practice • Special use • Tourism accommodation • Tourist facility • Telecommunication infrastructure 					
Development rules							
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS
20m	10m	10m	8m	5%	ADM	Additional dwelling unit: 150m ²	<ul style="list-style-type: none"> • Additional dwelling unit (schedule 3, para 1) • Occupational practice (schedule 3, para 11) • Day care facility (schedule 3, para 4) • Tourism accommodation (schedule 3, para 18) • General development rules (Chapter 3) • Telecommunication infrastructure (schedule 3, para 19)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 2.

2. SMALLHOLDING

2.1 Objective

The purpose of this zone is to make provision for:

- The use of land for extensive residential purposes applicable to properties of at least one hectare or bigger.
- Mixed land use activities which can make provision for combining residential use with other activities such as agriculture and/or conservation or any other extensive use.
- Activities, infrastructure and buildings which fit in with the rural character of the area.
- Management of the area, which is essential to ensure that no activity has any negative impact on the environment.

2.2 Development parameters

2.2.1 Primary uses

Smallholding
Additional dwelling unit
Dwelling house
Nature Conservation
Riding school
Veterinary building

2.2.2 Consent uses

Agricultural building
Backpackers lodge
Day care facility
Utility services
Farm stall
Guest lodge
Intensive animal farming
Intensive horticulture
Nursery
Occupational practice
Special use
Tourism accommodation
Tourist facility
Telecommunication infrastructure

2.3 Development rules

2.3.1 Building lines

- 20m street building line
- 10m side and rear building lines.

2.3.2 Height

No building may exceed a height of 8m.

2.3.3 Coverage

The maximum coverage for all buildings may not exceed 5% of the extent of the property.

2.3.4 Parking

- (a) Dwelling house: 2 parking spaces per dwelling house
- (b) Additional dwelling unit: 1 parking space per dwelling unit
- (c) Tourism accommodation: 1 parking space per unit
- (d) Farm labourer housing: 1 parking space per unit

A detailed explanation regarding parking requirements in this Scheme is contained in Table 1 (section 46). Parking requirements for consent uses may be determined by the Municipality by application but the standard parking requirement in Table 1 must be noted.

2.3.5 Farm labourer housing

- (a) The provision of labourer housing must relate to the agricultural activities on that smallholding.
- (b) An application for labourer housing (Agricultural building) must be accompanied by copies of the employment contracts for the labourers for whom the housing is provided as well as an affidavit from the owner declaring the relation between the housing applied for and the agricultural activity on the property.
- (c) Building plans for labourer housing must clearly indicate such description for the structure proposed.
- (d) Labourer housing may not be used for holiday accommodation or tourism accommodation purposes without the necessary approval from the Municipality.
- (e) The Municipality may refuse to approve any housing for labourers if the Municipality believes the housing does not relate to – or is not relative to – the agricultural activities.

2.3.6 Additional dwelling unit

- (a) Notwithstanding the provisions of this subsection, the provisions of schedule 3, point 1 are applicable.
- (b) A dwelling unit which is used for labour accommodation, is not regarded as an additional dwelling unit.

2.4 General provisions, policies and guidelines

The following general management provisions, policies and guidelines are applicable regarding the use of land in this zone:

- Additional dwelling unit (schedule 3, para 1)
- Occupational practice (schedule 3, para 11)
- Day care facility (schedule 3, para 4)
- Tourism accommodation (schedule 3, para 18)
- General development rules (Chapter 3)
- Telecommunication infrastructure (schedule 3, para 19)

RESIDENTIAL ZONE I						
TABLE C3		PURPOSE FOR THE USE OF LAND: Low density single residential development				
DEVELOPMENT PARAMETERS						
PRIMARY USE		CONSENT USE				
<ul style="list-style-type: none"> • Dwelling house • Occupational practice • Home childcare • Additional dwelling unit 	<ul style="list-style-type: none"> • Day care facility • Residential building • House shop • Place of assembly • Engineering services • Place of education 	<ul style="list-style-type: none"> • Place of worship • Semi-detached dwelling • Special use • Tourism accommodation • Telecommunication infrastructure 				
DEVELOPMENT RULES						
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA
Dwelling house: 2 – 3m Garage: 1 - 4.5m	1 – 2.5m	1 – 3m	8m	30 – 75%	ADM	NA
						OTHER APPLICABLE PARAMETERS <ul style="list-style-type: none"> • Additional dwelling unit (schedule 3; para 1) • Day care facility (schedule 3; para 4) • Greenhouse (schedule 3; para 6) • Home childcare (schedule 3; para 8) • House shop (schedule 3; para 9) • Occupational practice (schedule 3; para 11) • Tourism accommodation (schedule 3; para 18) • General development rules (Chapter 3)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 3.

3. RESIDENTIAL ZONE I

3.1 Objective

The purpose of this zone is to make provision for:

- The use of land for the purposes of low density, single residential development where the neighbourhood is characterised by single dwelling houses spaced apart from each other through the imposition of building lines that is generally more extensive than in other residential zones.
- Limited allowance of uses that can be implemented ancillary to the primary residential use without detracting from the residential character on the provision that the prominent use remains residential.

3.2 Land use classification

3.2.1 Primary use

Dwelling house
Additional dwelling unit
Occupational practice
Home childcare

3.2.2 Consent uses

Day care facility
Engineering services
Residential building
House shop
Place of assembly
Place of education
Place of worship
Semi-detached dwelling
Special use
Tourism accommodation
Telecommunication infrastructure

3.3 Development rules

3.3.1 Street building lines

- (a) Subject to the provisions of section 20 the following street building lines are applicable to main buildings:

Property extent	Street building lines
250m ² and smaller	2m
larger than 250m ²	3m

- (b) For outbuildings or garages, a distance of 4.5m must be maintained from the street boundary, except in the case of Residential Zone IV where a 1m street building line can be maintained.

3.3.2 Side building lines

- (a) Subject to the provisions of section 20, the following side buildings lines are applicable:

(b) Main buildings:

Average width of property	Side building lines
10m and less	1m, but less than 1m on one of the boundaries with the Municipality's consent provided that no doors or windows are installed in such wall.
More than 10m, up to 16m	1.5m
Larger than 16m	2.5m

(c) Outbuildings or an additional dwelling unit:

The Municipality may approve the construction of an outbuilding or additional dwelling unit which exceeds a side building line, provided that:

- (i) the street building line is maintained;
- (ii) a maximum height of one storey is applicable to such building;
- (iii) there is a prohibition on doors and windows in any wall that is built such and faces the side boundary;
- (iv) a throughway is provided, not through a building and at least 1m wide, from a street to each vacant portion of the relevant property with the exception of a courtyard, and
- (v) permission is obtained from the owners adjoining that particular side boundary as well as from any other owner who, in the opinion of the Municipality, may be detrimentally affected by the placing of the particular portion of the building.

(d) Semi-detached dwelling:

The side building line requirements are not applicable to semi-detached dwellings on those boundaries which are internal to the semi-detached dwelling. Side building lines are applicable to side boundaries adjoining other external land units.

3.3.3 **Rear building lines**

(a) The following rear building lines are applicable subject to section 20:

Property (m ²)	Rear building lines (m)
250 and smaller	1
larger than 250	3

(b) The Municipality may require a rear boundary line of 2 or more metres if a midblock sewerage system or any other midblock services are provided.

3.3.4 **Relaxation of building lines**

On application the Municipality can, at their discretion, relax a building line restriction where special circumstances warrant such relaxation, provided that in no circumstance the encroachment of the full extent of a double storey structure will be allowed into the building line.

3.3.5 **Height**

No building may exceed a height of 8 metres.

3.3.5 Coverage

The maximum coverage of all buildings, including an additional dwelling unit, is limited as follows:

Property (m ²)	Maximum coverage (% of the area of the land unit)
smaller than 250	75%
250 – under 500	60%
500 – under 750	50%
750 – under 1500	40%
1500 and larger	30%

3.3.6 Parking

The following parking requirements apply to this zone:

- Dwelling house: 2 parking spaces per dwelling house (including covered bays/garage)
- Additional dwelling unit: 1 parking space per additional dwelling unit
- Semi-detached dwelling: 2 parking spaces per dwelling unit
- House shop: 2 additional parking spaces

A detailed explanation regarding parking requirements in this Scheme is contained in Table 1 (section 46). Parking requirements for consent uses may be determined by the Municipality on application, but the standard required parking contained in Table 1 must be noted.

3.3.7 Open space provision

Open space is to be provided in accordance with the requirements of Section 41.

3.3.8 Lodging

Lodging is allowed inside a dwelling house with a family subject to the following land use management provisions:

- (a) A maximum of 3 lodgers who are not members of such family are allowed per dwelling house (and per land unit).
- (b) Rooms which are utilised for lodging must be inter-accessible to the dwelling house.
- (c) No cooking facilities except for a kettle may be provided in bedrooms.
- (d) At least 1 additional parking space must be provided for lodgers.

3.4 Land use management provisions

The following general management provisions are applicable for the use of land in this zone:

- Additional dwelling unit (schedule 3, para 1)
- Day care facility (schedule 3, para 4)
- Greenhouse (schedule 3, para 6)
- Home childcare (schedule 3, para 8)
- House shop (schedule 3, para 9)
- Occupational practice (schedule 3, para 11)
- Tourism accommodation (schedule 3, para 18)
- General development rules (Chapter 3)

RESIDENTIAL_ZONE_II						
TABLE C4		PURPOSE FOR THE USE OF LAND:		Low to medium density residential development		
DEVELOPMENT PARAMETERS						
PRIMARY USE		CONSENT USE				
<ul style="list-style-type: none"> • Group housing • Town housing • Dwelling house • Semi-detached dwelling 		<ul style="list-style-type: none"> • Utility services • Residential building • Occupational practice • Retirement village • Special use • Tourism accommodation (dwelling house only) • Telecommunication infrastructure 				
Development rules						
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA
External streets: 3m Internal streets: 0m	External boundaries: 3m Internal boundaries: 0 – 1m	External boundaries: 3m Internal boundaries: 2m	8m	60%	30 u/ha (group) 50 u/ha (town)	NA
OTHER APPLICABLE PARAMETERS						
<ul style="list-style-type: none"> • Occupational practice (schedule 3; para 11) • Group/Town housing (schedule 3; para 7) • General development rules (Chapter 3) • Tourism accommodation (schedule 3, para 18) • Telecommunication infrastructure (schedule 3, para 19) • Semi-detached dwelling (schedule 3, para 5) 						

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 4.

4. RESIDENTIAL ZONE II

4.1 Objective

The purpose of this zone is to make provision for:

- Low to medium density residential development with a uniform group character where ownership can be freehold or sectional title subject to forming part of an approved home owners' association.
- The use of land for the purposes of harmonious architectural development with or without communal areas such as streets and open spaces.
- Areas identified by the Municipality for densification, including areas near main streets, areas near business concentrations or commercially related developments, and areas which offer a desirable transition between low intensity and higher intensity development.
- Housing development of medium scale, medium fabric and limited height where the dwelling units must be on ground level (separate dwelling units above ground floor is not allowed) and the units may be dwelling houses, semi-detached dwellings and/or double dwellings.

4.2 Land use classification

4.2.1 Primary uses

Group housing
Dwelling house
Town housing
Semi-detached dwelling

4.2.2 Consent uses

Utility services
Residential building
Occupational practice
Retirement village
Special use
Tourism accommodation (dwelling house only)
Telecommunication infrastructure

4.3 Development rules

A dwelling house is subject to the development rules as contained in section 3.3 of this schedule. For all other uses the development rules that are applicable are as follows:

4.3.1 Building lines

(a) **Street building lines:**

- (i) External public streets: 3 metres
- (ii) Internal or private streets: Nil, provided that the Municipality may require a street building line to ensure safe traffic movement or for any other reasons considered necessary by the Municipality.

(b) Side building lines:

- (i) External boundaries: 3 metres
- (ii) Internal boundaries: Nil, provided that the Municipality may require a 1m side building line for firefighting purposes.

(c) Rear building lines:

- (i) External boundaries: 3 metres
- (ii) Internal boundaries: 2 metres (in the case of a sectional title development where no internal cadastral boundaries are applicable, the rear of dwelling units must be spaced at least 4 metres apart)

4.3.2 Height

No building may exceed a height of 8 metres.

4.3.4 Coverage

The maximum coverage for all buildings is 60% of the area of the land unit.

4.3.5 Parking

The following parking requirements are applicable to this zone:

- Dwelling house: 2 parking spaces per dwelling house (including covered bays/garage)
- Group and town housing: 2 parking spaces per dwelling unit (including covered bays/garage) plus 0.25 demarcated parking spaces per dwelling unit for visitors
- Retirement village: Dwelling unit: 1 parking space per unit plus 0.25 bays per unit for visitors
Old age home: 0,5 parking space per bedroom plus 0,25 bays per bedroom for visitors
Frail care: 0,5 parking space per bed

A detailed explanation regarding parking requirements in this Scheme is contained in Table 1 (Chapter 3, section 46). Parking requirements for consent uses may be determined by the Municipality by application but the standard parking requirements in Table 1 must be noted.

4.3.6 Density

Group housing: maximum density of 30 units /gross hectare

Town Housing: maximum density of 50 units/gross hectare

4.3.7 Extent

No site for group or town housing development may exceed an area of 2ha.

4.3.8 Owners association

- (a) An owners' association must be established in accordance with Section 29 of the Land Use Planning Bylaw for each group housing development.

- (b) The general provisions for an owners' association are applicable in terms of Chapter 3, section 46 of this Bylaw.

4.3.9 Design principles

The following design principles must guide the planning and development of group and town housing development and/or a retirement village:

- (a) The development must be designed as an architectural entity consisting of basic unit types;
- (b) Communal open spaces must form an integral part of the design, and
- (c) Each unit must have a ground storey.

4.3.10 Architectural guidelines

The establishment of a group and town housing development and/or a retirement village must include architectural guidelines and/or unit types indicating finishes, colour schemes and material, approved by the Municipality.

4.3.11 Site development plans

The establishment of a group and town housing development and/or a retirement village must include a site development plan inclusive of unit placements, approved by the Municipality.

4.3.12 Open space

- (a) Communal open space:
At least 80m² must be provided per dwelling unit.
- (b) Private outdoor space:
Aside from the communal open space requirement, at least 40m² of the gross floor area of each unit must be provided as a private outdoor space per dwelling unit. For the purposes of this subsection "private outdoor space" means the area adjoining any dwelling unit in a group/town house complex, including a service yard, which has been set aside for the exclusive use of the occupants of the relevant dwelling unit, to be used for:
 - private outdoor liveability and recreation, and
 - drying of washing, storing of refuse bins and other domestic storage and service functions.
- (c) Combined open space:
With permission from the Municipality, a distinction need not be made between communal open space and private outdoor space, provided that in such an event, a combined open space requirement of at least 120m² per dwelling unit will apply.

4.3.13 Landscaping

The Municipality may require that a landscape plan be submitted to its satisfaction with a view to:

- (a) evaluate landscaping and management measures for the communal open spaces in the development,
- (b) evaluate landscaping of the public streetscape adjoining the development.

4.3.14 Lodging

Lodging in a dwelling house is allowed, subject to the land use management provisions as contained in section 3.3.7.

Lodging is allowed inside a group/town housing unit, subject to the following land use management provisions:

- (a) A maximum of 2 lodgers who are not members of such family are allowed per dwelling house (and per land unit).
- (b) Rooms which are utilised for lodging must be inter-accessible to the dwelling house.
- (c) No cooking facilities may be provided in bedrooms.
- (d) At least 1 additional parking space must be provided for lodgers.

4.3.15 Street access

The Municipality may require that street access to a group/town housing unit is only allowed from the internal streets.

4.4 General provisions, policies and guidelines

The following general management provisions, policies and guidelines are applicable regarding the use of land in this zone:

- Occupational practice (schedule 3; para 11)
- Group/Town housing (schedule 3; para 7)
- General development rules (Chapter 3)
- Tourism accommodation (schedule 3, para 18)
- Telecommunication infrastructure (schedule 3, para 19)
- Semi-detached dwelling (schedule 3, para 5)

RESIDENTIAL_ZONE III						
TABLE C5		PURPOSE FOR THE USE OF LAND:		Medium to high density residential development		
DEVELOPMENT PARAMETERS						
PRIMARY USE		CONSENT USE				
Flats		Utility services				
Group housing		Residential building				
Town housing		Occupational practice				
Dwelling house		Retirement village				
Semi-detached dwelling		Special use				
		Tourism accommodation (dwelling house only)				
		Telecommunication infrastructure				
Development rules						
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING G LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA
5m	4.5m or 6m	4.5m or 6m	13.5m	60% (Flats)	30 u/ha (group) 50 u/ha (town)	NA
						<ul style="list-style-type: none"> • Occupational practice (schedule 3; para 11) • Group/Town housing (schedule 3; para 7) • General development rules (Chapter 3) • Tourism accommodation (schedule 3, para 18) • Semi-detached dwelling (schedule 3, para 5) • Telecommunication infrastructure (schedule 3, para 19)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 5.

5. RESIDENTIAL ZONE III

5.1 Objective

The purpose of this zone is to make provision for:

- Medium to high density residential development.
- A variation in housing types.
- Housing development on a medium to large scale with multiple storeys.
- Areas identified by the Municipality for densification and high intensity mixed uses, including areas near main streets, buildings near business concentrations or commercially related development and areas which offer a desirable transition between medium intensity and high intensity development.
- An integrated and mixed land use diversity in order to increase the population threshold values in corridors, activity spines or activity streets.

5.2 Development parameters

5.2.1 Primary uses

Flats
Group housing
Town housing
Dwelling house
Semi-detached dwelling

5.2.2 Consent uses

Utility services
Residential building
Occupational practice
Retirement village
Special use
Tourism accommodation (dwelling house only)
Telecommunication infrastructure

5.3 Development rules

A dwelling house is subject to the development rules as contained in section 3.3 and group and town housing is subject to the development rules as contained in section 4.3 of this schedule, unless where otherwise stated in this section. For all other uses the development rules that are applicable are as follows:

5.3.1 Building lines

- (a) Street building line: All storeys: 5 metres
- (b) Side and rear building line: Ground and first storey: 4.5 metres
Second storey and higher: 6 metres.

5.3.2 Height

No building may exceed a height of 13.5 metres to the top of the roof.

5.3.3 Coverage

The maximum coverage for all buildings is 60% of the area of the land unit.

5.3.4 Parking

The following parking requirements are applicable in this zone:

- | | | |
|-----|---------------------------|--|
| (a) | Dwelling house: | 2 parking spaces per dwelling house (including covered bays) |
| (b) | Group housing: | 2 parking spaces per dwelling unit (including covered bays) plus 0.25 parking spaces per dwelling unit for visitors |
| (c) | Flats: One bedroom: | 1 parking space per dwelling unit |
| | Two bedrooms: | 1.25 parking space per dwelling unit |
| | Three bedrooms: | 1.5 parking space per dwelling unit |
| | Four bedrooms: | 1.75 parking space per dwelling unit plus 0.25 parking spaces per dwelling unit for visitors |
| (d) | Additional dwelling unit: | 1 parking space per additional dwelling unit |
| (e) | Retirement village: | Dwelling unit: 1 parking space per unit plus 0.25 bays per unit for visitors
Old age home: 0,5 parking space per bedroom plus 0,25 bays per bedroom for visitors
Frail care: 0,5 parking space per bed |
| (f) | Semi-detached dwelling: | 2 parking spaces per dwelling unit |

A detailed explanation regarding parking requirements in this Scheme is contained in Table 1 (Chapter 3, section 46). Parking requirements for consent uses may be determined by the Municipality by application but the standard parking requirement in Table 1 must be noted.

5.3.5 Open space

- (a) An area equal to at least 10% of the nett erf area shall be provided for open space and may include private-communal open space or public open space.
- (b) Such open space must be functional open space to the Municipality's satisfaction, for example open space which can be developed as a garden area or used for recreation.

5.3.6 Landscaping

The Municipality may require that a landscape plan be submitted to its satisfaction with a view to:

- (a) evaluate landscaping and management measures for the communal open spaces in the development,
- (b) evaluate landscaping of the public streetscape adjoining the development.

5.3.7 Site development plan

The establishment of a group housing, town housing and/or flats development (including a retirement village) must include a site development plan, approved by the Municipality.

5.3.8 Design principles

The following design principles must guide the planning and development of group and town housing development and/or a retirement village:

- (a) The development must be designed as an architectural entity consisting of basic unit types;
- (b) Communal open spaces must form an integral part of the design, and
- (c) Each unit must have a ground storey.

5.3.9 Architectural guidelines

The establishment of a group housing development and/or a retirement village must include architectural guidelines and/or unit types indicating finishes, colour schemes and material, approved by the Municipality.

5.4 General provisions, policies and guidelines

The following general management provisions, policies and guidelines are applicable in terms of the use of land within this zone:

- Occupational practice (schedule 3; para 11)
- Group/Town housing (schedule 3; para 7)
- General development rules (Chapter 3)
- Tourism accommodation (schedule 3, para 18)
- Semi-detached dwelling (schedule 3, para 5)
- Telecommunication infrastructure (schedule 3, para 19)

RESIDENTIAL ZONE IV																
TABLE C6		PURPOSE FOR THE USE OF LAND: Residential occupation for incremental housing														
DEVELOPMENT PARAMETERS																
PRIMARY USE					CONSENT USE											
<ul style="list-style-type: none"> • Shelter • Dwelling house • Additional dwelling unit • Semi-detached dwelling • Occupational practice • Home childcare <p>(See management provisions for enterprises such as day care facility, tourism accommodation, occupational practice and house shop)</p>					<ul style="list-style-type: none"> • Day care facility • Utility services • Flats • Residential building • House shop • Shebeen • Special use • Telecommunication infrastructure • Tourism accommodation 											
Development rules: DWELLING UNIT																
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS									
2 – 3m	1 – 2.5m	1 – 3m	8m	75%	ADM	NA	<ul style="list-style-type: none"> • Additional dwelling unit (schedule 3; para 1) • Shebeen (schedule 3; para 16) • General development rules (Chapter 3) • Day care facility (schedule 3, para 4) • House shop (schedule 3, para 9) • Telecommunication infrastructure (schedule 3, para 19) • Semi-detached dwelling (schedule 3, para 5) 									
Development rules: SHELTER																
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA										
1m	1m	1m	8m	80%	None	NA										

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 6.

6. RESIDENTIAL ZONE IV

6.1 Objective

The purpose of this zone is to make provision for the following:

- The use of land for informal and/or subsidised housing.
- Where conditions so determine, accommodating persons residing in areas where financial constraints lead to less strict land use management provisions being applied.
- The stimulation of informal-sector economic activity through residences being used at a higher frequency for the purposes of a business or occupation.
- Housing development in the medium to high density range.
- Dwelling units on a small scale with a low height and a fine urban fabric with mainly ground storey units which may be semi-detached dwellings or double dwellings.
- Certain areas with housing developments where the provisions of the National Building Regulations and Standards Act, 1977 (Act 103 of 1977) do not apply.

6.2 Development parameters

6.2.1 Primary uses

Shelter
Dwelling house
Additional dwelling unit
Semi-detached dwelling
Occupational practice
Home childcare

6.2.2 Consent uses

Day care facility
Utility services
Flats
Residential building
House shop
Shebeen
Special use
Telecommunication infrastructure
Tourism accommodation

6.3 Development rules

6.3.1 Building lines

- (a) All buildings excluding shelters: The provisions of section 3.3 are applicable.
- (b) Shelter:
 - (i) The following provisions will apply where Residential IV zoned land has been subdivided to create residential erven:
 - A street building line of at least 1m, if required by the Municipality.

- A side building line of at least 1m on one boundary provided that where a building is erected less than 1m from a side boundary, no doors or windows may be allowed in the relevant wall.
 - A rear building line of 1m, provided that if a mid-block sewerage system is provided, the Municipality may require a rear building line of up to 2m.
- (ii) In the case where Residential IV zoned land is utilised for informal housing without subdivision, the siting of shelters should be undertaken to provide for the future imposition of the building lines prescribed above when individual residential erven are created.

6.3.2 Height

No structure may exceed a height of 8m.

6.3.3 Coverage

- (a) All buildings excluding shelters:
The maximum coverage of all buildings is 70% of the area of the land unit.
- (b) Shelter:
The maximum coverage of all structures is 80% of the area of the land unit.

6.3.4 Parking

- Shelter: Nil
- Dwelling house: One parking space per dwelling house
- Semi-detached dwelling : One parking space per dwelling unit
- Additional dwelling unit: One parking space per additional dwelling unit
- House shop: 1 parking space or ADM

A detailed explanation regarding parking requirements in this Scheme is contained in Table 1 (Chapter 3, section 46). Parking requirements for consent uses may be determined by the Municipality by application but the standard parking requirements in Table 1 must be noted.

6.3.5 Use

An occupant of a shelter, dwelling house, double dwelling, semi-detached dwelling or additional dwelling unit may use it for any social, lodging, educational, religious, occupational or business purposes subject to the following conditions:

- (i) the dominant use of the property must remain residential;
- (ii) the relevant use may not disturb the neighbours;
- (iii) the relevant use may not disturb the appearance of the immediate environment.

6.4 General provisions, policies and guidelines

The following general management provisions, policies and guidelines are applicable to the use of land within this zone:

- Additional dwelling unit (schedule 3; para 1)
- Shebeen (schedule 3; para 16)
- General development rules (Chapter 3)

Day care facility (schedule 3, para 4)

House shop (schedule 3, para 9)

Telecommunication infrastructure (schedule 3, para 19)

Semi-detached dwelling (schedule 3, para 5)

RESIDENTIAL ZONE V						
TABLE C7		PURPOSE FOR THE USE OF LAND: <i>Tourism accommodation of a specific scale</i>				
DEVELOPMENT PARAMETERS						
PRIMARY USE		CONSENT USE				
<ul style="list-style-type: none"> • Guest lodge • Dwelling house 		<ul style="list-style-type: none"> • Residential building • Restaurant • Special use • Tourist facility • Wellness centre • Hotel 				
Development rules						
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA
5 m	4,5 m	4,5 m	8m	75%	NA	Floor factor of 1
						<ul style="list-style-type: none"> • General development rules (Chapter 3)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 7.

7. RESIDENTIAL ZONE V

7.1 Objective

The objective of this zone is to provide a temporary residence for transient guests in an establishment with an extent larger than average tourism accommodation facilities, where lodging and meals are provided.

7.2 Development parameters

7.2.1 Primary uses

Guest lodge
Dwelling house

7.2.2 Consent uses

Hotel
Residential building
Restaurant
Special use
Tourist facility
Wellness centre

7.3 Development rules

7.3.1 A dwelling house is subject to the development rules as contained in section 3.3. For all other uses, the development rules reflected below are applicable:

7.3.2 Building lines

- (a) Street building line: 5m
- (b) Side and rear building lines: 4,5m

7.3.3 Height

No structure may exceed a height of 8m, except in the case of a hotel where a height of 11m may be utilised.

7.3.4 Coverage

The maximum coverage of all buildings is 75% of the area of the land unit.

7.3.5 Floor area

The floor factor may not exceed 1.

7.3.6 **Parking**

1 Parking bay per guest room and an additional 4 parking bays for staff including the resident owner/manager.

A detailed explanation regarding parking requirements in this Scheme is contained in Table 1 (Chapter 3, section 46). Parking requirements for consent uses may be determined by the Municipality by application but the standard parking requirements in Table 1 must be noted.

7.3.7 **Open space**

An outdoor living area of at least 10% of the total erf area must be provided (excluding roads, service yards and parking areas); the outdoor living area may include private or communal open space; the outdoor living area(s) must be of reasonable proportions and location to allow for leisure or recreational use by guests and lodgers and may include open courtyards within the complex.

7.3.8 **Site development plan**

A site development plan must be submitted for approval by the Municipality.

7.3.9 **Refuse room**

A refuse room must be provided on the land unit to the satisfaction of the Municipality.

7.3.10 **Service yard**

A service yard must be provided on the property to the satisfaction of the Municipality.

7.3.11 **General use provisions**

- (a) A register of guests and lodgers must be kept and completed when rooms are let.
- (b) No more than 20 rooms per land unit may be used for bedroom accommodation for paying guests or lodgers, and no more than 40 paying guests or lodgers may be supplied with lodging or meals at any time.
- (c) No alcoholic beverages may be served except to resident guests for consumption on the premises.
- (d) Guest rooms may not be converted to, or used as, separate self-catering dwelling units.
- (e) Meals may only be supplied to guests or lodgers who have lodging on the property, employees, and the family residing in the guest lodge.
- (f) Advertising and signage must be in accordance with the applicable Municipal bylaw in this regard.

7.4 **General provisions, policies and guidelines**

The following general management provisions, policies and guidelines are applicable to the use of land within this zone:

- General development rules (Chapter 3)

RESORT ZONE

TABLE C8		PURPOSE FOR THE USE OF LAND:	Tourist and holiday related development				
DEVELOPMENT PARAMETERS							
PRIMARY USE		CONSENT USE					
<ul style="list-style-type: none"> • Resort accommodation • Nature Conservation • Private open space 	<ul style="list-style-type: none"> • Utility services • Hotel • Place of assembly • Place of entertainment • Residential building • Resort facilities • Special use • Tourist facility • Telecommunication infrastructure 	<ul style="list-style-type: none"> • Wellness centre 					
Development rules							
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS
ADM	ADM	ADM	8m	ADM	ADM	ADM	<ul style="list-style-type: none"> • Tourism accommodation (schedule 3, para 18) • Place of entertainment (schedule 3, para 12) • Multiple zoning (Chapter 4, section 76) • Telecommunication infrastructure (schedule 3, para 19)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 8.

8. RESORT ZONE

8.1 Objective

The purpose of this zone is to make provision for:

- The use of land for short term holiday accommodation purposes.
- The use of land for recreational purposes and purposes aimed at the aesthetical and biophysical quality of the area.
- Accommodation which may be leased by a single enterprise (public or private ownership)
- Land uses which include the following: caravan park, chalets, mobile homes, etc. of a semi-permanent nature.

8.2 Development parameters

8.2.1 Primary uses

Resort accommodation
Nature conservation
Private open space

8.2.2 Consent uses

Backpackers lodge
Utility services
Hotel
Place of assembly
Place of entertainment
Residential building
Resort facilities
Special use
Tourist facility
Telecommunication infrastructure
Wellness centre

8.3 Development rules

8.3.1 Building lines

The street, side and rear building lines regarded by the Municipality as being applicable to the use of a specific development in this zone, shall be applied.

8.3.2 Height

No building or structure may exceed a height of 8m, provided that the Municipality may impose other height restrictions when approving any rezoning application for specific development within this zone.

8.3.3 Coverage

The maximum coverage for all buildings shall be determined by the Municipality when an application is approved.

8.3.4 **Parking**

Resort accommodation: 1 parking space per holiday unit or holiday stand plus 0.25 per holiday unit or holiday stand for visitors

A detailed explanation regarding parking requirements in this Scheme is contained in Table 1 (section 46). Parking requirements for consent uses may be determined by the Municipality by application but the standard parking requirements in Table 1 must be noted.

8.3.5 **Manager's accommodation**

One dwelling house is allowed for the resort manager's accommodation.

8.3.6 **Facilities**

The Municipality may specify types of accommodation and facilities which may be erected on a land unit in this zone.

8.3.7 **Mobile homes**

The provisions of bylaw PN 73/1983, as published in the Official Gazette on 18 February 1983, regarding caravan parks and mobile homes, are applicable.

8.3.8 **Site development plan**

The Municipality may require a site development plan to accompany any application in the event of a rezoning to this zone, or a concomitant application in terms of this Scheme.

8.3.9 **Open spaces**

The Municipality may determine open space requirements in terms of the site development plan.

8.3.10 **Special parameters**

The Municipality may impose special development parameters and development rules in the event of a rezoning to this zone, or a concomitant application in terms of this Scheme.

8.4 **General provisions, policies and guidelines**

The following general management provisions, policies and guidelines are applicable to the use of land units in this zone:

- Tourism accommodation (schedule 3, para 18)
- Place of entertainment (schedule 3, para 12)
- Multiple zoning (Chapter 4, section 76)
- Telecommunication infrastructure (schedule 3, para 19)

BUSINESS ZONE I									
TABLE C9		PURPOSE FOR THE USE OF LAND: High intensity commerce and business							
DEVELOPMENT PARAMETERS					CONSENT USE				
PRIMARY USE					CONSENT USE				
<ul style="list-style-type: none"> • Business • Dwelling house • Flats above ground floor • Hotel • Parking garage • Residential building above ground floor 	<ul style="list-style-type: none"> • Authority use • Day care facility (in dwelling house) • Utility services • Funeral parlour • Nursery • Pornographic / adult entertainment • Service industry • Service station 	<ul style="list-style-type: none"> • Special use • Tourist facility • Telecommunication infrastructure • Place of assembly • Place of education • Place of entertainment • Place of worship 							
Development rules									
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS		
0m (3m for 4th floor)	0m (3m for 4th floor)	0m (3m for 4th floor)	13.5m	100%	NA	2.5 x erf area	Service station & filling station (schedule 3; para 15) Development rules (Chapter 3) Tourism accommodation (schedule 3, para 18) Place of entertainment (schedule 3, para 12) Occupational practice (schedule 3; para 11) Day care facility (schedule 3; para 4) Pornographic/adult entertainment (schedule 3; para 13) Telecommunication infrastructure (schedule 3, para 19)		

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 9.

9. BUSINESS ZONE I

9.2 Objective

The purpose of this zone is to make provision for:

- A variety of business based and other land uses to address needs in the local context.
- Development with a high intensity and high activity situated within central business areas. An urban form which represents high intensity built areas, consists of high buildings and reflects a fine urban fabric.
- Development with a mixed-use character situated in areas with characteristics similar to current / future activity streets.

9.3 Development parameters

9.3.1 Primary uses

Business
Dwelling house
Flats above ground floor
Hotel
Parking garage
Residential building above ground floor

9.3.2 Consent uses

Authority use
Day care facility
Utility services
Funeral parlour
Nursery
Place of assembly
Place of education
Place of entertainment
Place of worship
Pornographic / adult entertainment
Service industry
Service station
Special use
Tourist facility
Telecommunication infrastructure

9.4 Development rules

9.4.1 For a dwelling house, the development rules as contained in section 3.3 of this Scheme are applicable.

9.4.2 For flats, the development rules as contained in section 4.3 of this Scheme are applicable.

9.4.3 For all other uses, the development rules reflected below are applicable:

9.4.4 Building lines

- (a) Street building line: Ground, first, second and third storey: nil
Fourth storey and higher: 3 metres.
- (b) Side building line: Ground, first, second and third storey: nil
Fourth storey and higher: 3 metres
- (c) Rear building line: Ground, first, second and third storey: nil
Fourth storey and higher: 3 metres
- (d) Other restrictions: Filling stations: 3 metres on all boundaries on all storeys
- (e) Basement storeys: Nil on all boundaries, provided that such storeys are completely below ground level
- (f) Protection of surrounding properties:
Where a land unit with a Business I zoning adjoins any other zone except a business or industrial zone, a 3m side and rear building line will be applicable to each storey on such communal boundary.
- (g) Public interest:
Notwithstanding the provisions of subsections (a) to (f), the Municipality may prescribe more restrictive building lines in the interest of public health or safety or in order to impose any relevant act or right.

9.4.5 Height

No buildings may exceed a height of 13.5 metres.

9.4.6 Coverage

The maximum coverage of all buildings is 100% of the area of the land unit.

9.4.7 Floor area

The maximum floor area is equal to 2.5 times the area of the land unit.

9.4.8 Parking

Business:	1 Parking space per 25 m ² floor area.
Business (Restaurant):	1 Parking space per 10 m ² of the seating area.
Business: (Motor Showroom/Car Dealership)	2 Parking spaces per 100m ² floor area (excluding display areas for motor vehicles)
Flats:	1 to 1.75 parking spaces per dwelling unit plus 0.25 parking spaces per unit for visitors
Residential building:	1 parking space per bedroom plus 0.25 parking spaces per bedroom for visitors
Tourism accommodation:	1 Parking space per guest bedroom
Service station:	4 Parking spaces plus 1 parking space per 25m ² shop floor area

A detailed explanation regarding parking requirements in this Scheme is contained in Table 1 (section 46). Parking requirements for consent uses may be determined by the Municipality by application but the standard parking requirement in Table 1 must be noted.

A loading zone may be required in terms of section 39.

9.4.9 Openings in wall on side or rear boundary

No door, window or opening of any nature that opens is permissible in a wall on a side or rear boundary where such wall is built closer than 1m from the boundary. Windows that cannot open may be allowed in walls within 1m of the boundary, but not in walls closer than 0.5m to the boundary.

9.4.10 Separation between business and residential land units

On newly established business sites or when an existing business site is redeveloped and when such sites adjoin a residential land unit, the erection of a wall of at least 1.8m high, finished in terms of the standards required by the Municipality, is required on the communal boundary between such land units, unless the owner of the residential land unit releases this requirement in writing to the Municipality.

9.4.11 Site development plan

The Municipality may require a site development plan to accompany any application in the event of a rezoning to this zone, or a concomitant application in terms of this Scheme.

9.5 General provisions, policies and guidelines

The following general management provisions, policies and guidelines are applicable to the use of land in this zone

- Service station & filling station (schedule 3; para 15)
- Development rules (Chapter 3)
- Tourism accommodation (schedule 3, para 18)
- Place of entertainment (schedule 3, para 12)
- Occupational practice (schedule 3; para 11)
- Day care facility (schedule 3; para 4)
- Pornographic/adult entertainment (schedule 3; para 13)
- Telecommunication infrastructure (schedule 3, para 19)

BUSINESS ZONE II									
TABLE C10		PURPOSE FOR THE USE OF LAND:				Lower intensity retail			
DEVELOPMENT PARAMETERS					CONSENT USE				
PRIMARY USE					CONSENT USE				
<ul style="list-style-type: none"> • Shop • Dwelling house • Restaurant • Tourism accommodation (in dwelling house) 	<ul style="list-style-type: none"> • Day care facility • Guest lodge • Hotel • Nursery • Place of assembly • Place of education • Place of entertainment • Place of worship 	<ul style="list-style-type: none"> • Residential building • Service station • Special use • Supermarket • Telecommunication infrastructure • Tourist facility • Utility services 							
Development rules									
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS		
0m (3m for 4th floor)	0m (3m for 4th floor)	0m (3m for 4th floor)	13.5m	80%	NA	1 x erf area	Service station (schedule 3; para 15) Development rules (Chapter 3) Tourism accommodation (schedule 3, para 18) Place of entertainment (schedule 3, para 12) Occupational practice (schedule 3; para 11) Day care facility (schedule 3; para 4) Telecommunication infrastructure (schedule 3, para 19)		

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 10.

10. BUSINESS ZONE II

10.2 Objective

The purpose of this zone is to make provision for:

- A variety of business based and other land uses to address needs in the local context.
- Development with a high intensity and high activity situated within central business areas. An urban form which represents high intensity built areas, consists of high buildings and reflects a fine urban fabric.
- Development with a mixed-use character situated in areas with characteristics similar to current / future activity streets.

10.3 Development parameters

10.3.1 Primary uses

Shop
Dwelling house
House shop
Restaurant
Tourism accommodation (in dwelling house)

10.3.2 Consent uses

Day care facility
Guest lodge
Hotel
Nursery
Place of assembly
Place of education
Place of entertainment
Place of worship
Residential building
Service station
Special use
Supermarket
Telecommunication infrastructure
Tourist facility
Utility services

10.4 Development rules

10.4.1 For a dwelling house, the development rules as contained in section 3.3 of this Scheme are applicable.

10.4.2 For all other uses, the development rules reflected below are applicable:

10.4.3 Building lines

- (a) Street building line: Ground, first, second and third storey: nil
Fourth storey and higher: 3 metres.
- (b) Side building line: Ground, first, second and third storey: nil
Fourth storey and higher: 3 metres
- (c) Rear building line: Ground, first, second and third storey: nil
Fourth storey and higher: 3 metres
- (d) Other restrictions: Filling stations: 3 metres on all boundaries on all storeys
- (e) Basement storeys: Nil on all boundaries, provided that such storeys are completely below ground level
- (f) Protection of surrounding properties:
Where a land unit with a Business II zoning adjoins any other zone except a business or industrial zone, a 3m side and rear building line will be applicable to each storey on such communal boundary.
- (g) Public interest:
Notwithstanding the provisions of subsections (a) to (f), the Municipality may prescribe more restrictive building lines in the interest of public health or safety or in order to impose any relevant act or right.

10.4.4 Height

No buildings may exceed a height of 13.5 metres.

10.4.5 Coverage

The maximum coverage of all buildings is 80% of the area of the land unit.

10.4.6 Floor area

The maximum floor area is equal to 1.0 times the area of the land unit.

10.4.7 Parking

Business:	1 Parking space per 25 m ² floor area.
Business (Restaurant):	1 Parking space per 10 m ² of the seating area.
Tourism accommodation:	1 Parking space per guest bedroom

A detailed explanation regarding parking requirements in this Scheme is contained in Table 1 (section 46). Parking requirements for consent uses may be determined by the Municipality by application but the standard parking requirement in Table 1 must be noted.

A loading zone may be required in terms of section 39.

10.4.8 Openings in wall on side or rear boundary

No door, window or opening of any nature that opens is permissible in a wall on a side or rear boundary where such wall is built closer than 1m from the boundary. Windows that cannot open may be allowed in walls within 1m of the boundary, but not in walls closer than 0.5m to the boundary.

10.4.9 Separation between business and residential land units

On newly established business sites or when an existing business site is redeveloped and when such sites adjoin a residential land unit, the erection of a wall of at least 1.8m high, finished in terms of the standards required by the Municipality, is required on the communal boundary between such land units, unless the owner of the residential land unit releases this requirement in writing to the Municipality.

10.4.10 Site development plan

The Municipality may require a site development plan to accompany any application in the event of a rezoning to this zone, or a concomitant application in terms of this Scheme.

10.5 General provisions, policies and guidelines

The following general management provisions, policies and guidelines are applicable to the use of land in this zone

- Service station (schedule 3; para 15)
- Development rules (Chapter 3)
- Tourism accommodation (schedule 3, para 18)
- Place of entertainment (schedule 3, para 12)
- Day care facility (schedule 3; para 4)
- Telecommunication infrastructure (schedule 3, para 19)

BUSINESS ZONE III

TABLE C11		PURPOSE FOR THE USE OF LAND:	<i>Only for specific approved business uses</i>			
DEVELOPMENT PARAMETERS						
PRIMARY USE		CONSENT USE				
<ul style="list-style-type: none"> • Specific Business • Dwelling house 		<ul style="list-style-type: none"> • Utility services • Special use • Telecommunication infrastructure 				
Development rules						
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA
ADM	ADM	ADM	ADM	ADM	ADM	ADM
						OTHER APPLICABLE PARAMETERS
						<ul style="list-style-type: none"> • Development rules (Chapter 3) • Telecommunication infrastructure (schedule 3, para 19)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 11.

11. BUSINESS ZONE III

11.1 Objective

The purpose of this zone is to make provision for:

- A variety of business based and other land uses to address needs within a local context.
- A zone where the Municipality can limit business activities to a specific nature and extent.
- Development with a medium intensity and business services situated outside development nodes or central business nodes.
- An urban form representing medium intensity built areas and which has medium high buildings and a medium fine rural structure in harmony with the existing environment.
- Development with a mixed-use character situated within park developments such as for offices, light industry or business, or in CBD fringe areas and industrial areas.

11.2 Development parameters

11.2.1 Primary use

Specific Business
Dwelling house

11.2.2 Consent uses

Utility services
Special use
Telecommunication infrastructure

11.3 Development rules

11.3.1 General

- (a) For a dwelling house, the development rules as contained in section 3.3 of this Scheme are applicable.
- (b) The development rules for Business III land shall be determined by the Municipality when approving land use applications. The Municipality may use the development rules of Business Zone I or II as a guideline.

11.3.2 Parking

A detailed explanation regarding parking requirements in this Scheme is contained in Table 1 (section 46). Parking requirements for consent uses may be determined by the Municipality by application but the standard parking requirement in Table 1 must be noted.

11.3.3 Loading zones

Loading zones can be required in terms of section 37.

11.3.4 Prescription of use

The Municipality must, when approving an application, at least prescribe the nature (specific type) and scale (floor area) of the particular activity by means of conditions. The Municipality may furthermore impose any other conditions to define the type of business use.

11.3.5 Amending existing restrictions on use

In cases where an owner of a land unit which has already been zoned for Specific Business purposes wants to change the nature and extent of the business activity, an application must be submitted to the Municipality for amendment of the conditions in terms of the Land Use Planning Bylaw. The Municipality may require that an amended site development plan be submitted together with an application for the amendment of conditions, if any amendment to the building or parking is required.

11.3.6 Separation between business and residential land units

On newly established business sites or when an existing business site is redeveloped and when such sites adjoin a residential land unit, the erection of a wall of at least 1.8m high, finished in terms of the standards required by the Municipality, is required on the communal boundary between such land units, unless the owner of the residential land unit releases this requirement in writing to the Municipality.

11.3.7 Site development plan

The Municipality may require a site development plan to accompany any application in the event of a rezoning to this zone, or a concomitant application in terms of this Scheme

11.4 General provisions, policies and guidelines

The following general management provisions, policies and guidelines are applicable with regard to the use of land units in this zone:

- Development rules (Chapter 3)
- Telecommunication infrastructure (schedule 3, para 19)

INDUSTRIAL ZONE I

TABLE C12		PURPOSE FOR THE USE OF LAND: Service industry and low intensity (light) industrial uses					
DEVELOPMENT PARAMETERS							
PRIMARY USE		CONSENT USE					
<ul style="list-style-type: none"> • Light industry • Service industry • Parking garage • Warehouse • Workshop 	<ul style="list-style-type: none"> • Builders yard • Utility services • Funeral parlour • Place of entertainment • Pornographic / adult entertainment • Restaurant • Service station • Shop • Special use • Telecommunication infrastructure 						
Development rules							
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS
5m	0m or 3m, not in-between	0m or 3m, not in-between	13.5m	70%	None	1.5 x erf area	<ul style="list-style-type: none"> • Development rules (Chapter 3) • Pornographic / adult entertainment (schedule 3; para 13) • Service station (schedule 3; para 15) • Telecommunication infrastructure (schedule 3, para 19) • Place of entertainment (schedule 3, para 12)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 12.

12. INDUSTRIAL ZONE I

12.1 Objective

The purpose of this zone is to make provision for:

- Development of low intensity industrial use, situated within development nodes, central business nodes or industrial areas.
- A variety of small production-based and other similar land uses to address needs on a local and sub regional level.
- An urban form with low to medium intensity built areas, medium height buildings and a fine urban fabric.
- Development with mixed land uses situated in areas with characteristics similar to current / future development corridors.

12.2 Development parameters

12.2.1 Primary uses

Light industry
Service industry
Parking garage
Warehouse
Workshop

12.2.2 Consent uses

Builders yard
Utility services
Funeral parlour
Place of entertainment
Pornographic / adult entertainment
Restaurant
Service station
Shop
Special use
Telecommunication infrastructure

12.3 Development rules

12.3.1 Building lines

- (a) Street building line: All storeys: 5 metres
- (b) Side and Rear building line: All storeys: 0m or 3m, not in-between
- (c) Other restrictions: Filling stations: 3 metres on all boundaries on all storeys
Basements: Nil on all boundaries provided that such storeys are completely below the ground

(d) Protection of adjoining properties

Where a land unit with an Industrial I zone adjoins any other zone except a business or industrial zone, a 3m side and rear building line will apply to each storey on such communal boundary.

(e) Public interest

Notwithstanding the provisions of section 12.3.1(a) – (e), the Municipality may prescribe more restrictive building lines in the interest of public health or safety or in order to impose any relevant law or right.

12.3.4 Height

No building may exceed a height of 13.5 metres.

12.3.5 Coverage

The maximum coverage for all buildings is 70% of the area of the land unit.

12.3.6 Floor area

The maximum floor area is equal to 1.5 times the area of the land unit.

12.3.7 Parking

Service industry:	1 parking space per 50m ² floor area
Warehouse:	1 parking per 100m ² floor area to 1500m ² plus 1 parking space per 200m ² floor area for an area above 1500m ² floor area
Workshop:	1 parking space per 50m ²
Funeral parlour:	As determined by the Municipality
Builders yard:	As determined by the Municipality
Business (restaurant)	1 parking space per 10m ² floor area of the seating area of the restaurant
Business (shop)	1 parking space per 25m ² floor area

A detailed explanation regarding parking requirements in this Scheme is contained in Table 1 (section 46). Parking requirements for consent uses may be determined by the Municipality by application but the standard parking requirement in Table 1 must be noted.

12.3.8 Loading zones

Loading zones can be required in terms of section 37.

12.3.9 Openings in walls on side or rear boundary

No door, window or opening of any nature which can open is permitted in a wall on a side or rear boundary where such wall is erected closer than 1m to the boundary. Windows which cannot open, are allowed in walls within 1m of the boundary, but not in walls closer than 0.5m from the boundary.

12.3.10 Separation of industrial and other zones

On newly established industrial sites or when an existing industrial site is redeveloped and when such sites adjoin a land unit that is not zoned for industrial purposes, the erection of a wall of at least 1.8m high, finished in terms of the standards required by the Municipality, is required on the communal boundary between such land units, unless the owner of the adjoining land unit releases this requirement in writing to the Municipality.

12.3.11 Fencing

The Municipality may require that any land adjoining any other zone, or land which is used in conjunction with a builder's yard, is completely or partially fenced to the Municipality's satisfaction.

12.3.12 Site development plan

In the event of rezoning to this zone, or a concomitant application in terms of this Scheme, the Municipality may require that a site development plan accompanies the application.

12.4 General provisions, policies and guidelines

The following general management provisions, policies and guidelines are applicable to the use of land units in this zone:

- Development rules (Chapter 3)
- Pornographic / adult entertainment (schedule 3; para 13)
- Service station (schedule 3; para 15)
- Telecommunication infrastructure (schedule 3, para 19)
- Place of entertainment (schedule 3, para 12)

INDUSTRIAL ZONE II

TABEL C13		PURPOSE FOR THE USE OF LAND: <i>General industrial uses of medium intensity</i>					
DEVELOPMENT PARAMETERS							
PRIMARY USE		CONSENT USE					
<ul style="list-style-type: none"> • Industry • Builder's yard • Parking garage • Service industry • Transport purposes • Warehouse • Workshop 	<ul style="list-style-type: none"> • Business (restaurant and shop) • Crematorium • Utility services • Fishing enterprise • Funeral parlour • Place of entertainment • Pornographic / adult entertainment • Scrapyard • Service station • Special use • Telecommunication infrastructure 						
Development rules							
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS
4.5m	0m	0m	13.5m	70%	NA	2.0 x erf area	<ul style="list-style-type: none"> • Development rules (Chapter 3) • Pornographic / adult entertainment (schedule 3; para 13) • Service station (schedule 3; para 15) • Telecommunication infrastructure (schedule 3, para 19) • Place of entertainment (schedule 3, para 12) • Scrap yard (schedule 3, para 17)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 13.

13. INDUSTRIAL ZONE II

13.1 Objective

The purpose of this zone is to make provision for:

- The use of land for manufacturing purposes and for any industrial activity exercised in connection therewith or additional thereto.
- Location of land use in areas where the negative impact of the land uses is limited to the immediate site.

13.2 Development parameters

13.2.1 Primary uses

Industry
 Builder's yard
 Parking garage
 Service industry
 Transport purposes
 Warehouse
 Workshop

13.2.2 Consent uses

Business (restaurant and shop)
 Container terminal
 Crematorium
 Utility services
 Fishing enterprise
 Funeral parlour
 Place of entertainment
 Pornographic / adult entertainment
 Scrapyard
 Service station
 Special use
 Telecommunication infrastructure

13.3 Development rules

13.3.1 Building lines

- (a) Street building line: On all storeys: 4.5 metres
- (b) Side building line: On all storeys: Nil
- (c) Rear building line: On all storeys: Nil
- (d) Other restrictions: Filling stations: 3 metres on all boundaries on all storeys.
 Container terminal: 3 metres on all boundaries

Basements: Nil on all boundaries, provided that such storeys are completely below ground level.

(e) Protection of adjoining land units

Where a land unit with an Industrial II zoning adjoins any other zone except a Business or Industrial zone, a 3m side and rear building line will apply to each storey on such communal boundary.

(f) Public interest

Notwithstanding the provisions of section 13.3.1, the Municipality may impose more restrictive building lines in the interest of public health or safety or to impose any relevant law or right.

13.3.2 Height

No building may exceed a height of 13.5 metres. In the case of a container terminal no more than two containers may be stacked on top of each other.

13.3.3 Coverage

The maximum coverage for all buildings is 70% of the area of the land unit.

13.3.4 Floor area

The maximum floor area for all buildings is 2 times the area of the land unit.

13.3.5 Parking

Builder's yard:	As determined by the Municipality
Container terminal:	As determined by the Municipality
Service industry:	1 parking space per 50m ² floor area
Industry:	1 parking space per 100m ² floor area to 1500m ² plus 1 parking space per 200m ² floor area above 1500m ² floor area
Warehouse:	1 parking space per 100m ² floor area to 1500m ² plus 1 parking space per 200m ² floor area above 1500m ² floor area
Transport purposes:	Parking for this zone is calculated resulting from the type of use with reference to parking requirements of other uses in this Scheme (e.g. workshop, industry or warehouse etc.), or ADC
Workshop:	1 parking space per 50m ² floor area.
Funeral parlour:	As determined by the Municipality
Crematorium:	As determined by the Municipality
Business (restaurant):	1 parking space per 10m ² floor area of the seating area of the restaurant
Business (shop):	1 parking space per 25m ² floor area

A detailed explanation regarding parking requirements in this Scheme is contained in Table 1 (section 46). Parking requirements for consent uses may be determined by the Municipality by application but the standard parking requirement in Table 1 must be noted.

13.3.6 Loading zones

Loading zones can be required in terms of section 7.7.

13.3.7 Openings in walls on side and rear boundaries

No door, window or opening of any nature which can open is permitted in a wall on a side or rear boundary where such wall is erected closer than 1m to the boundary. Windows which cannot open, are allowed in walls within 1m of the boundary, but not in walls closer than 0.5m from the boundary.

13.3.8 Separation of industrial and other zones

On newly established industrial sites or when an existing industrial site is redeveloped and when such sites adjoin a land unit that is not zoned for industrial purposes, the erection of a wall of at least 1.8m high, finished in terms of the standards required by the Municipality, is required on the communal boundary between such land units, unless the owner of the adjoining land unit releases this requirement in writing to the Municipality.

13.3.9 Fencing

The Municipality may require that any land adjacent to any other zone or land which is used in conjunction with a builder's yard, a scrap yard or transport purposes, must be completely or partially fenced to the Municipality's satisfaction.

13.3.10 Site development plan

In the event of rezoning to this zone, or a concomitant application in terms of this Scheme, the Municipality may require that a site development plan accompanies the application.

13.4 General provisions, policies and guidelines

The following general management provisions, policies and guidelines are applicable regarding the use of land in this zone.

- Development rules (Chapter 3)
- Pornographic / adult entertainment (schedule 3; para 13)
- Service station (schedule 3; para 15)
- Telecommunication infrastructure (schedule 3, para 19)
- Place of entertainment (schedule 3, para 12)
- Scrap yard (schedule 3, para 17)

INDUSTRIAL ZONE III

TABEL C14		PURPOSE FOR THE USE OF LAND: Noxious industries and high intensity industry					
DEVELOPMENT PARAMETERS							
PRIMARY USE		CONSENT USE					
<ul style="list-style-type: none"> Noxious industry Crematorium Funeral parlour Industry Service station Transport purposes 	<ul style="list-style-type: none"> Scrapyard Special use Telecommunication infrastructure Utility services 						
Development rules							
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS
8m	3m	3m	ADM	75%	NA	2 x erf area	<ul style="list-style-type: none"> Development rules (Chapter 3) Service station (schedule 3; para 15) Telecommunication infrastructure (schedule 3, para 19) Scrap yard (schedule 3, para 17)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 14.

14. INDUSTRIAL ZONE III

14.1 Objective

The purpose of this zone is to make provision for:

- The use of land for manufacturing purposes or any accompanying activity which has the potential to be offensive, dangerous or damaging as described in the definition of "Noxious industry".

14.2 Development parameters

14.2.1 Primary uses

Noxious industry
 Crematorium
 Funeral parlour
 Industry
 Service station
 Transport purposes

14.2.2 Consent uses

Scrapyard
 Special use
 Telecommunication infrastructure
 Utility services

14.3 Development rules

14.3.1 Building lines

- (a) Street building lines: 8 metres provided that if the street is less than 15 metres wide, the Municipality may determine that the street building line be 10.5 metres from the centre line of such street
- (b) Side and rear building line: 3m, except that where an Industrial III land unit adjoins another zone and that zone has a more restrictive building line, the more restrictive building line will be applicable

14.3.2 Height

The maximum height for buildings is not restricted provided that the Municipality may impose a height restriction at its own discretion when approving rezoning applications. (a)

14.3.3 Coverage

The maximum coverage for all buildings on the land unit is 75%.

14.3.4 Floor area

The maximum floor area for buildings on the land unit is a factor of 2 (i.e. the extent of the land unit multiplied by 2).

14.3.5 Parking

Funeral parlour:	As determined by the Municipality
Noxious industry:	As determined by the Municipality
Industry:	1 parking space per 100m ² floor area up to 1500m ² plus 1 parking space per 200m ² floor area above 1500m ² floor area
Crematorium:	As determined by the Municipality
Transport purposes:	Parking for this zone is calculated by the type of use relating to parking requirements of other uses in this Scheme (e.g. workshop, industry or warehouse, etc.), or ADC
Scrapyard:	1 parking space per 100m ² floor area up to 1500m ² plus 1 parking space per 200m ² floor area above 1500m ² floor area
Fishing enterprise:	1 parking space per 100m ² floor area up to 1500m ² plus 1 parking space per 200m ² floor area above 1500m ² floor area
Business (shop)	1 parking space per 25m ² floor area

A detailed explanation regarding parking requirements in this Scheme is contained in Table 1 (section 46). Parking requirements for consent uses may be determined by the Municipality by application but the standard parking requirement in Table 1 must be noted.

14.3.6 Loading zone

Loading zones may be required in terms of section 37.

14.3.7 Separation of industrial and other zones

On newly established industrial sites or when an existing industrial site is redeveloped and when such sites adjoin a land unit that is not zoned for industrial purposes, the erection of a wall of at least 1.8m high, finished in terms of the standards required by the Municipality, is required on the communal boundary between such land units, unless the owner of the adjoining land unit releases this requirement in writing to the Municipality.

14.3.8 Fencing

The Municipality may require that any land adjacent to any other zone or land used in conjunction with a noxious industry, a scrapyard or transport purposes, be completely or partially fenced to the Municipality's satisfaction.

14.3.9 Site development plan

In the event of rezoning to this zone or a concomitant application in terms of this zone, the Municipality may require that a site development plan accompanies the application.

14.4 General provisions, policies and guidelines

The following general management provisions, policies and guidelines are applicable regarding the use of land units in this zone:

- Development rules (Chapter 3)
- Service station (schedule 3; para 15)
- Telecommunication infrastructure (schedule 3, para 19)
- Scrap yard (schedule 3, para 17)

INDUSTRIAL ZONE IV

TABEL C15		PURPOSE FOR THE USE OF LAND: Mining					
DEVELOPMENT PARAMETERS							
PRIMARY USE		CONSENT USE					
<ul style="list-style-type: none"> Mine 		<ul style="list-style-type: none"> Industry Utility services Special use Telecommunication infrastructure 					
Development rules							
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS
30m	30m	30m	ADM	ADM	NA	NA	<ul style="list-style-type: none"> Development rules (Chapter 3) Telecommunication infrastructure (schedule 3, para 19)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 15.

15. INDUSTRIAL ZONE IV

15.1 Objective

The purpose of this zone is to make provision for:

- The use of land for the extraction of minerals and raw materials and, to a limited extent, associated business operations.
- Operations of a more permanent nature as opposed to temporary, short-term mining or prospecting activities

15.2 Development parameters

15.2.1 Primary use

Mine

15.1.2 Consent uses

Industry
Utility services
Special use
Telecommunication infrastructure

15.3 Development rules

15.3.1 Building lines

Street, lateral and rear building line: 30 metres (access control structures may be erected within the building line)

15.3.2 Height

As determined by the Municipality

15.3.3 Coverage

As determined by the Municipality

15.3.4 General

The following development management provisions apply:

- (a) the owner must comply with national and provincial statutory requirements applicable to mining;
- (b) any application to rezone land to Industrial Zone IV must contain an explanation of the measures that will be implemented to address safety and environmental concerns that may be imposed as conditions of approval by the Municipality, including—
 - (i) control of drainage, sedimentation and erosion;
 - (ii) preservation of surface and substance water;
 - (iii) preservation of topsoil;
 - (iv) provision for restoration and the re-use of the site;
 - (v) provision for noise and visual buffering;
 - (vi) accommodation of heavy traffic and vehicles on roadways; and
 - (vii) a phased programme for rehabilitation; and
- (c) a site development plan must be submitted to the Municipality for its approval.

INSTITUTIONAL ZONE I

TABLE C16		PURPOSE FOR THE USE OF LAND: Education uses					
DEVELOPMENT PARAMETERS							
PRIMARY USE		CONSENT USE					
<ul style="list-style-type: none"> Place of education 		<ul style="list-style-type: none"> Cemetery Utility services Institution Place of assembly Place of worship Special use Telecommunication infrastructure 					
DEVELOPMENT RULES							
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS
5m	5m	5m	12m	60%	NA	1.2 x erf area	<ul style="list-style-type: none"> Development rules (chapter 3) Telecommunication infrastructure (schedule 3, para 19)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 16.

16. INSTITUTIONAL ZONE I

16.1 Objective

The purpose of this zone is to make provision for:

- Buildings which are used for educational purposes, such as tertiary institutions (university, college), pre-primary, primary and secondary schools, campus buildings, buildings for adult education and training centres.
- Educational uses in neighbourhoods and other areas where consideration is given to a safe environment, limited impact, safety as well as the combination of community-based land uses which make use of shared facilities.
- Other institutional uses as secondary and consent uses so that multi-functional uses can take place on the premises with the Municipality's consent. *The primary use of the premises must, however, be educational purposes.*

16.2 Development parameters

16.2.1 Primary use

Place of education

16.1.2 Consent uses

Cemetery
 Utility services
 Institution
 Place of assembly
 Place of worship
 Special use
 Telecommunication infrastructure

16.3 Development rules

16.3.1 Building lines

Street, lateral and rear building line: 5 metres

16.3.2 Height

- (a) The highest point of a building to the top of the roof may not exceed 12 metres, provided that there is no height limit for a bell tower, steeple, minaret or similar architectural feature designed to accentuate the significance of a building.
- (b) The height of a parsonage may not exceed 8 metres.

16.3.3 Coverage

The maximum coverage for all buildings is 60% of the area of the land unit.

16.3.4 Floor factor

The maximum floor factor is 1,2.

16.3.5 Parking

Place of education – School:	1 parking space per classroom plus 10
Place of education – Tertiary:	1 parking space per classroom plus one space per 6 students
Place of education: Training centre,	1 parking space per classroom plus one space per 6 Adult education, etc. students
Place of worship:	1 parking space per 8 seats
Institution – Hospital:	1 parking space per bed
Institution – Clinic and medical rooms:	4 parking spaces per consulting room
Place of assembly:	As determined by the Municipality

A detailed explanation regarding parking requirements in this Scheme is contained in Table 1 (section 46). Parking requirements for consent uses may be determined by the Municipality by application but the standard parking requirement in Table 1 must be noted.

16.3.6 Place of education

Buildings which have been erected or altered for educational use, may include uses where there is valid approval or certification as issued by the responsible government department (e.g. National Qualification Framework Certificate).

16.3.7 Residential areas

Where educational buildings are situated in residential areas and utilised after working hours (i.e. 17h00-08h00), sufficient motivation must be submitted to the Municipality regarding considerations and measures to lessen or soften the potential impact of noise, parking, lighting and other nuisance.

16.3.8 Safety

Where buildings are erected or altered for use by schoolchildren, a report must be submitted to the Municipality's satisfaction regarding additional safety measures including those regarding fencing, vehicular access, pedestrian crossing as well as loading and unloading, but not thus restricted.

16.3.9 Place of worship

- (a) No after-hours activities in a church or accompanying hall may cause a public disturbance.
- (b) Sufficient parking must be supplied on site to prevent overflow parking in the immediate neighbourhood.

16.3.10 Site development plan

The Municipality may require a site development plan to accompany any application in the event of a rezoning to this zone, or a concomitant application in terms of this Scheme.

16.4 General provisions, policies and guidelines

The following general management provisions, policies and guidelines are applicable to the use of land in this zone:

- Development rules (chapter 3)
- Telecommunication infrastructure (schedule 3, para 19)

INSTITUTIONAL ZONE II

TABLE C17		PURPOSE FOR THE USE OF LAND: <i>Worship</i>					
DEVELOPMENT PARAMETERS							
PRIMARY USE		CONSENT USE					
<ul style="list-style-type: none"> • Place of Worship 		<ul style="list-style-type: none"> • Boarding house • Cemetery • Utility services • Garden- or wall of remembrance • Institution • Place of assembly • Place of education • Special use • Telecommunication infrastructure 					
DEVELOPMENT RULES							
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS
5m	5m	5m	12m	60%	NA	1.2 x erf area	<ul style="list-style-type: none"> • Development rules (chapter 3) • Telecommunication infrastructure (schedule 3, para 19)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 17.

17. INSTITUTIONAL ZONE II

17.1 Objective

The purpose of this zone is to make provision for:

- Buildings that accompany a place of worship with ancillary educational uses.
- Other institutional uses as secondary and consent uses so that multi-functional uses may take place on the premises with the Municipality's approval. *The primary use of the premises must, however, be worship purposes.*

17.2 Development parameters

17.2.1 Primary use

Place of worship

17.2.2 Consent uses

Boarding house
Cemetery
Utility services
Garden- or wall of remembrance
Institution
Place of education
Place of assembly
Special use
Telecommunication infrastructure

17.3 Development rules

17.3.1 Building lines

Street, side and rear building line: 5 metres

17.3.2 Height

- (a) No buildings may exceed 12 metres provided that a church steeple, minaret or any other symbolic structure usually associated with the symbolism of a place of worship, may be higher.
- (b) A parsonage may not exceed 8 metres.

17.3.3 Coverage

The maximum coverage for all buildings is 60% of the area of the land unit.

17.3.4 Floor factor

The maximum floor factor is 1,2.

17.3.5 **Parking**

Place of worship:	1 parking space per 8 seats
Place of education – School:	1 parking space per classroom plus 10
Place of education – Tertiary:	1 parking space per classroom plus 1 space per 6 students
Place of education: Training centre:	1 parking space per classroom plus 1 space per adult education, etc. 6 students

A detailed explanation regarding parking requirements in this Scheme is contained in Table C (section 7.8) Parking requirements for consent uses may be determined by the Municipality by application but the standard parking requirement in Table C must be noted.

17.3.6 **Place of education**

Buildings which have been erected or altered for educational use, may include uses where there is valid approval or certification as issued by the responsible government department (e.g. National Qualification Framework Certificate).

17.3.7 **Residential areas**

Where religious-buildings are situated in residential areas and utilised after working hours (i.e. 17h00-08h00), sufficient motivation must be submitted to the Municipality regarding considerations and measures to lessen or soften the potential impact of noise, parking, lighting and other nuisance.

17.3.8 **Safety**

Where buildings are erected or altered for use by schoolchildren, a report must be submitted to the Municipality's satisfaction regarding additional safety measures including those regarding fencing, vehicular access, pedestrian crossing as well as loading and unloading, but not thus restricted.

17.3.9 **Place of Worship**

- (a) No after-hours activities in a church or accompanying hall may cause a public disturbance.
- (b) Sufficient parking must be supplied on site to prevent overflow parking into the immediate neighbourhood.

17.3.10 **Site development plan**

The Municipality may require a site development plan to accompany any application in the event of a rezoning to this zone, or a concomitant application in terms of this Scheme.

17.4 **General provisions, policies and guidelines**

The following general management provisions, policies and guidelines are applicable regarding the use of land in this zone:

- Development rules (chapter 3)
- Telecommunication infrastructure (schedule 3, para 19)

INSTITUTIONAL ZONE III

TABLE C18		PURPOSE FOR THE USE OF LAND: Social, welfare, health					
DEVELOPMENT PARAMETERS							
PRIMARY USE	CONSENT USE						
<ul style="list-style-type: none"> • Institution 	<ul style="list-style-type: none"> • Cemetery • Correctional facility • Utility services • Place of assembly • Place of education • Place of worship • Psychiatric hospital • Sanatorium • Special use • Telecommunication infrastructure 						
DEVELOPMENT RULES							
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS
5m	5m	5m	13.5m	60%	NA	1.2 x erf area	Development rules (chapter 3) Telecommunication infrastructure (schedule 3, para 19)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 18.

18. INSTITUTIONAL ZONE III

18.1 Objective

The purpose of this zone is to make provision for:

- Health purposes, including accompanying buildings associated with social, welfare and physical health such as clinics and nurses' homes.
- Other institutional uses as secondary and consent uses so that multi-functional uses can take place on the premises with the Municipality's consent.
- The location of uses in neighbourhoods and other areas that are easily accessible from a collector and distribution route and easily accessible to the broader community.

18.2 Development parameters

18.2.1 Primary use

Institution

18.2.2 Consent use

Cemetery
Correctional facility
Utility services
Place of assembly
Place of education
Place of worship
Psychiatric hospital
Sanatorium
Special use
Telecommunication infrastructure

18.3 Development rules

18.3.1 Building lines

Street, side and rear building line: 5 metres

18.3.2 Height

The height of buildings may not exceed 13.5 metres.

18.3.3 Coverage

The maximum coverage for all buildings is 60% of the area of the land unit.

18.3.4 Floor factor

The maximum floor factor is 1,2.

18.3.5 Parking

Institution – Hospital:	1 parking space per bed
Institution – Clinic:	4 parking spaces per consulting room
Place of worship:	1 parking space per 8 seats

A detailed explanation regarding parking requirements in this Scheme is contained in Table 1 (section 46). Parking requirements for consent uses may be determined by the Municipality by application, but the standard parking requirement in Table 1 must be noted.

18.3.6 Site development plan

The Municipality may require that a site development plan accompany any application in the event of a rezoning to this zone, or a concomitant application in terms of this Scheme.

18.4 General provisions, policies and guidelines

The following general management provisions, policies and guidelines are applicable regarding the use of land units in this zone:

- Development rules (chapter 3)
- Telecommunication infrastructure (schedule 3, para 19)

OPEN SPACE ZONE I

TABLE C19		PURPOSE FOR THE USE OF LAND: Public open spaces and recreation					
DEVELOPMENT PARAMETERS							
PRIMARY USE		CONSENT USE					
<ul style="list-style-type: none"> • Public open space • Public parking • Nature conservation 	<ul style="list-style-type: none"> • Animal sanctuary • Cemetery • Utility services • Special use • Sports facility • Tourist facility • Telecommunication infrastructure 						
DEVELOPMENT RULES							
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS
ADM	ADM	ADM	ADM	ADM	ADM	ADM	<ul style="list-style-type: none"> • Development rules (chapter 3) • Open space (Chapter 3, section 41) • Multiple zoning (Chapter 4, section 70) • Closure of public street or public open space (Chapter 4, Section 68) • Telecommunication infrastructure (schedule 3, para 19)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 19.

19. OPEN SPACE ZONE I

19.1 Objective

The purpose of this zone is to make provision for public open space.

- for recreational purposes;
- to create a desired rural property image, and
- to create visual and physical relief for the residents in a region.

19.2 Development parameters

19.2.1 Primary uses

Public open space
Public parking
Nature conservation

19.2.2 Consent uses

Animal sanctuary
Cemetery
Utility services
Special use
Sports facility
Tourist facility
Telecommunication infrastructure

19.3 Development rules

19.3.1 The development rules must be determined by the Municipality when approving land use applications.

19.3.2 The following general management provisions are applicable to land units which are utilised for open space / recreational area purposes:

- (a) no person may change, excavate or remove any part of the land unit;
- (b) dumping is prohibited, and
- (c) use of the land unit is subject to the parameters determined by the Municipality in respect of each land unit.

19.3.3 Site development plan

The Municipality may require a site development plan to accompany any application in the event of a rezoning to this zone, or a concomitant application in terms of this Scheme.

19.3.4 Landscaping plan

The Municipality may require a landscaping plan to be submitted per application.

19.4 General provisions, policies and guidelines

The following general management provisions, policies and guidelines are applicable regarding development:

19.4.1 Standard of provision

Open spaces must be provided in terms of section 41 when land is developed for the purposes of township establishment.

19.4.2 Designation of public and private open space

The zoning map must distinguish between private and public open space and this distinction must be shown on each subdivision plan.

19.5 Other provisions applicable

- Development rules (chapter 3)
- Open space (Chapter 3, section 41)
- Multiple zoning (Chapter 4, section 70)
- Closure of public street or public open space (Chapter 4, Section 68)
- Telecommunication infrastructure (schedule 3, para 19)

OPEN SPACE ZONE II

TABLE C20		PURPOSE FOR THE USE OF LAND:					
		<i>Private open space and recreational areas</i>					
DEVELOPMENT PARAMETERS							
PRIMARY USE		CONSENT USE					
<ul style="list-style-type: none"> • Private open space • Private parking • Nature conservation 		<ul style="list-style-type: none"> • Animal sanctuary • Camping site • Cemetery • Utility services • Special use • Sports facility • Tourism facility • Telecommunication infrastructure 					
DEVELOPMENT RULES							
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS
ADM	ADM	ADM	ADM	ADM	ADM	NA	<ul style="list-style-type: none"> • Development rules (chapter 3) • Telecommunication infrastructure (schedule 3, para 19) • Open space (Chapter 3, section 41)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 20.

20. OPEN SPACE ZONE II

20.1 Objective

The purpose of this zone is to make provision for the following:

- private active and passive recreational areas, in order to promote recreation and enhance the aesthetic appearance of an area.

20.2 Development parameters

20.2.1 Primary uses

Private open space
Private parking
Nature conservation

20.2.2 Consent uses

Animal sanctuary
Camping site
Cemetery
Utility services
Special use
Sports facility
Tourism facility
Telecommunication infrastructure

20.3 Development rules

20.3 Development rules

20.3.1 The development rules must be determined by the Municipality when approving land use applications.

20.3.2 The following general management provisions are applicable to land units which are utilised for open space / recreational area purposes:

- (a) no person may change, excavate or remove any part of the land unit;
- (b) dumping is prohibited, and
- (c) use of the land unit is subject to the parameters determined by the Municipality in respect of each land unit.

20.3.3 Site development plan

The Municipality may require a site development plan to accompany any application in the event of a rezoning to this zone, or a concomitant application in terms of this Scheme.

20.3.4 Landscaping plan

The Municipality may require a landscaping plan to be submitted per application.

20.4 General provisions, policies and guidelines

The following general management provisions, policies and guidelines are applicable regarding development:

20.4.1 Standard of provision

Open spaces must be provided in terms of section 41 when land is developed for the purposes of township establishment.

20.4.2 Designation of public and private open space

The zoning map must distinguish between private and public open space and this distinction must be shown on each subdivision plan.

20.5 Other provisions applicable

- Development rules (chapter 3)
- Telecommunication infrastructure (schedule 3, para 19)
- Open space (Chapter 3, section 41)

OPEN SPACE ZONE III

TABLE C21		PURPOSE FOR THE USE OF LAND: Conservation of natural environment					
DEVELOPMENT PARAMETERS							
PRIMARY USE		CONSENT USE					
<ul style="list-style-type: none"> Nature conservation Wilderness area 		<ul style="list-style-type: none"> Animal sanctuary Camping site Dwelling house Utility services Resort accommodation Special use Tourist facility Telecommunication infrastructure 					
DEVELOPMENT RULES							
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS
ADM	ADM	ADM	ADM	ADM	ADM	NA	<ul style="list-style-type: none"> Development rules (chapter 3) Telecommunication infrastructure (schedule 3, para 19)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 21.

21. OPEN SPACE ZONE III

21.1 Objective

The purpose of this zone is to make provision for the following:

- The use of land or an area for conservation purposes.
- Protection of the natural environment where land has been proclaimed for conservation purposes in terms of the relevant legislation in the national, provincial or municipal sphere.
- Conservation of the natural environment, including natural processes, networks and features of a land unit or area regarded by the Municipality as being worthy of conservation.
- The utilisation of these areas by the controlled provision of tourist accommodation and tourist facilities.
- Land in this zone may be privately or publicly owned.

21.3 Development parameters

21.2.1 Primary uses

Nature conservation
Wilderness area

21.3.2 Consent uses

Animal sanctuary
Camping site
Dwelling house
Utility services
Resort accommodation
Special use
Tourist facility
Telecommunication infrastructure

21.4 Development rules

21.4.1 General

The development rules must be determined by the Municipality when land use applications are approved.

21.4.2 Height

The Municipality must determine the maximum height of buildings and may limit the height of any further buildings on approval of a site development plan.

21.4.3 Dwelling house

Only one dwelling house may be erected with the Municipality's consent per land unit, subject to the development rules which the Municipality may determine, including a restriction on the location and size of such dwelling house.

21.4.4 Location of buildings

The Municipality may control the location of any buildings on the land unit to alleviate the impact on the environment.

21.4.5 Protection of Open Space II and site development plan

- (a) The Municipality may, on application by a land owner or on its own initiative with the permission of the land owner, zone land for Open Space III purposes when, in the Municipality's opinion, the area should be protected or to protect that part of the environment for which there is already a legal conservation status.
- (b) Land which is zoned for Open Space III purposes may:
 - not be subdivided for resort housing;
 - not be damaged, transformed, changed, altered or excavated;
 - be made subject to use and development conditions determined by the Municipality, and the Municipality may *inter alia* prescribe building lines, height, coverage, parking or density, regarded as applicable during approval of the land use.
- (c) The Municipality may require that a site development plan and any relevant document attached thereto, be submitted when considering any proposed development or land use or the erection of any structure.

21.4.6 Related uses and activities

The Municipality may allow related uses and activities which reasonably and normally relate to conservation purposes (offices, roads, access control, store-rooms, etc.), but which, in the Municipality's opinion, does not have a negative impact on the conservation of ecosystems and biodiversity, sustainable open air recreation and the limited sustainable use of natural resources.

21.5 General provisions, policies and guidelines

The following general management provisions, policies and guidelines are applicable to the use of land units in this zone:

- Development rules (chapter 3)
- Telecommunication infrastructure (schedule 3, para 19)

AUTHORITY USE									
TABLE C22			PURPOSE FOR THE USE OF LAND: <i>Municipal utility services and other authority facilities</i>						
DEVELOPMENT PARAMETERS									
PRIMARY USE			CONSENT USE						
<ul style="list-style-type: none"> • Authority use • Utility services 			<ul style="list-style-type: none"> • None • Special use • Telecommunication infrastructure 						
DEVELOPMENT RULES									
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS		
ADM	ADM	ADM	ADM	ADM	NA	ADM	<ul style="list-style-type: none"> • General development rules (chapter 3) • Telecommunication infrastructure (schedule 3, para 19) 		

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 22.

22. AUTHORITY ZONE

22.1 Objective

The purpose of this zone is to make provision for:

- The use of land for the provision and protection of any services (including infrastructural facilities) to the general public, whether for public or private use.
- Land used by government bodies for any of the uses in the definition of “authority use” or where the authority use is not included in terms of any of the other land use categories and thus cannot be classified in a suitable zone.

22.2 Development parameters

22.2.1 Primary uses

Authority use
Utility services

22.2.2 Consent uses

Special use
Telecommunication infrastructure

22.3 Development rules

22.3.1 Site development plan

The Municipality may require that a site development plan accompany any rezoning to this zone or a concomitant application in terms of this Scheme.

22.4 General provisions, policies and guidelines

The following general management provisions, policies and guidelines are applicable regarding the use of land in this zone:

- General development rules (chapter 3)
- Telecommunication infrastructure (schedule 3, para 19)

TRANSPORT ZONE I

TABLE C23		PURPOSE FOR THE USE OF LAND:	<i>Transport purposes</i>				
DEVELOPMENT PARAMETERS							
PRIMARY USE		CONSENT USE					
<ul style="list-style-type: none"> • Transport purposes • Utility services 		<ul style="list-style-type: none"> • Business • Builders yard • Filling station • Industry • Parking garage • Warehouse • Workshop 	<ul style="list-style-type: none"> • Service industry • Service station • Special use • Telecommunication infrastructure 				
DEVELOPMENT RULES							
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS
The same as adjoining zone	The same as adjoining zone	The same as adjoining zone	13.5m	50%	NA	NA	<ul style="list-style-type: none"> • General development rules (chapter 3) • Telecommunication infrastructure (schedule 3, para 19) • Service station and filling station (schedule 3, para 15)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 23.

23. TRANSPORT ZONE I

23.1 Objective

The purpose of this zone is to make provision for:

- The use of land for the provision of infrastructure for public transport of goods and passengers, with the exception of streets and parking.
- Railroad purposes and other related used approved by the Municipality.
- Any transport uses as described in the definition of “transport use”, with the exception of streets and parking.
- Any uses related to transport as described in the definition of “transport use”.
- Business and industrial uses (which do not relate to transport), with the Municipality’s consent.

23.2 Development parameters

23.2.1 Primary uses

Transport purposes
Utility services

23.2.2 Consent uses

Business
Builders yard
Filling station
Industry
Parking garage
Warehouse
Workshop
Service industry
Service station
Special use
Telecommunication infrastructure

23.3 Development rules

23.3.1 Building lines

The building lines on all boundaries are the same as for the adjoining land units. In cases where adjoining land units do not have a building line, or in cases where the Municipality regards it in the public interest, the Municipality may determine suitable building lines, based on sound urban structure principles.

23.3.2 Height

The height of buildings may not exceed 13,5 metres.

23.3.3 Coverage

The maximum coverage of all buildings on the land unit is 50% of the area of the land unit.

23.3.4 Parking

A detailed explanation regarding parking requirements in this Scheme is contained in Table 1 (section 46) Parking requirements for consent uses may be determined by the Municipality by application, but the standard parking requirements in Table 1 must be noted.

23.3.5 Site development plan

In the event of a rezoning to this zone or a concomitant application in terms of this Scheme, the Municipality may require that a site development plan accompany the application.

23.3.6 Taxi stand and bus terminal

The Municipality may, when approving a site development plan, determine conditions regarding the provision of a taxi stand or bus terminal.

23.3.7 Fencing

The Municipality may require that where transport uses adjoin any other zone, the land be partially or fully fenced to the satisfaction of the Municipality.

23.4 General provisions, policies and guidelines

The following general management provisions, policies and guidelines are applicable to the land units in this zone:

- General development rules (chapter 3)
- Telecommunication infrastructure (schedule 3, para 19)
- Service station and filling station (schedule 3, para 15)

TRANSPORT ZONE II

TABLE C24		PURPOSE FOR THE USE OF LAND: Public street and public parking					
DEVELOPMENT PARAMETERS							
PRIMARY USE		CONSENT USE					
<ul style="list-style-type: none"> • Public street • Public parking • Utility services 		<ul style="list-style-type: none"> • None • Special use • Telecommunication infrastructure 					
DEVELOPMENT RULES							
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS
NA	NA	NA	NA	NA	NA	NA	<ul style="list-style-type: none"> • General development rules (chapter 3) • Closure of public streets and open spaces (Chapter 4, section 68) • Telecommunication infrastructure (schedule 3, para 19)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 24.

24. TRANSPORT ZONE II

24.1 Objective

The purpose of this zone is to make provision for streets and parking areas publicly owned for:

- Public road and transport purposes.
- Parking of vehicles and public pedestrian areas.

24.2 Development parameters

24.2.1 Primary uses

Public street
Public parking
Utility services

24.2.2 Consent uses

Special use
Telecommunication infrastructure

24.3 Development rules

24.3.1 General

The Municipality may determine any development rules when a land use application is approved.

24.3.2 Design standards

- (a) The approved SABS standards for the design of streets are applicable.
- (b) The Municipality may prescribe the width of any road reserve during the subdivision of land.

24.4 General provisions, policies and guidelines

The following general management provisions, policies and guidelines are applicable in regard of the use of land in this zone:

- General development rules (chapter 3)
- Closure of public streets and open spaces (Chapter 4, section 68)
- Telecommunication infrastructure (schedule 3, para 19)

24.5 Closure of Transport II zone

The general provisions contained in Section 68 will be applicable where a Transport Zone II is closed as a public street.

TRANSPORT ZONE III

TABLE C25		PURPOSE FOR THE USE OF LAND: Private street					
DEVELOPMENT PARAMETERS							
PRIMARY USE		CONSENT USE					
<ul style="list-style-type: none"> • Private street • Private parking • Utility services 		<ul style="list-style-type: none"> • Special use • Telecommunication infrastructure 					
DEVELOPMENT RULES							
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS
ADM	ADM	ADM	NA	ADM	NA	NA	<ul style="list-style-type: none"> • General development rules (chapter 3) • Telecommunication infrastructure (schedule 3, para 19)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 25.

25. TRANSPORT ZONE III

25.1 Objective

The purpose of this zone is to make provision for streets in private common ownership:

- Private street and transport purposes.
- Parking of vehicles and private pedestrian areas.

25.2 Development parameters

25.2.1 Primary uses

Private street
Private parking
Utility services

25.2.2 Consent uses

Special use
Telecommunication infrastructure

25.3 Development rules

25.3.1 General

The Municipality may determine any development rules when approving a land use application.

25.3.2 Design standards

- (a) The approved SABS standards for the design of streets are applicable except if approved otherwise by the Municipality's engineers.
- (b) The Municipality may prescribe the width of any road reserve during the subdivision of land.

25.3.3 Other buildings allowed

The Municipality may allow buildings which relate to the surrounding development. The buildings must be of a communal nature and must be maintained by the owners' association and serve the members of such association. Examples of buildings include refuse rooms and access control buildings.

25.3.4 Site development plan

The Municipality may require that a site development plan accompany any application for rezoning to this zone or a concomitant application in terms of this Scheme.

25.4 General provisions, policies and guidelines

The following general management provisions, policies and guidelines are applicable to land in this zone:

- General development rules (chapter 3)
- Telecommunication infrastructure (schedule 3, para 19)

SPECIAL ZONE

TABLE C26		PURPOSE FOR THE USE OF LAND:		<i>Large scale unique uses / projects which do not fit into any other zone</i>			
DEVELOPMENT PARAMETERS							
PRIMARY USE		CONSENT USE					
As determined in terms of Special Zone		As determined in terms of Special Zone					
DEVELOPMENT RULES							
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT	COVERAGE	DENSITY	FLOOR AREA	OTHER APPLICABLE PARAMETERS
ADM	ADM	ADM	ADM	ADM	None	ADM	

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 26.

26. SPECIAL ZONE

26.1 Objective

The purpose of this zone is to make provision for:

- Special, unique developments which cannot be accommodated by means of any other zone or combination of zones.
- Developments of such a unique nature that they do not justify the creation of a new zone in this Scheme.
- Unique land use control and land use management measures which accompany such a specific unique development.

26.2 Development parameters

The Municipality may determine any development parameters when approving a land use application.

26.3 Development rules

26.3.1 General

- (a) The Municipality may determine any development rules when approving a land use application.
- (b) The Municipality may require that a site development plan accompany any application for rezoning to this zone or a concomitant application in terms of this Scheme.
- (c) The Municipality may determine the development rules in terms of the site development plan.

26.3.2 Subdivision of land

Land which has already been zoned Special Zone may be subdivided for development purposes, provided that the provisions of section 20(2) of the Land Use Planning Bylaw have been complied with.

26.3.3 Numbering and provisions

- (a) To each special zone where land use restrictions (development parameters, development rules and land use management provisions) differ from that of another Special Zone, a different number (1 upwards) is allocated and each such numbered zone will be regarded as a sub-zone of this Special Zone.
- (b) The sub-zone number and land use restrictions applicable to the sub-zone are noted in Schedule 5 of this Scheme.

26.3.4 Approval of a subzone of the Special Zone and establishment of land use restrictions and conditions

- (a) On approval, the land use restriction (development parameters, development rules and land use management provisions) must be established in the approval documentation for the specific sub-zone.

- (b) The Municipality may also impose further conditions which are only applicable to that specific land. Such conditions are imposed in terms of the Land Use Planning Bylaw and may also be amended in terms of the Land Use Planning Bylaw. Should the Municipality wish to apply the same sub-zone by means of rezoning with any project in the future, the conditions imposed on such previous projects will not automatically be applicable and a new set of conditions must be laid down when the new project is approved. The land use restrictions (development parameters, development rules and land use management provisions) will, however, be applicable.

UNDETERMINED

TABLE C27		PURPOSE FOR THE USE OF LAND: Existing legal usage	
DEVELOPMENT PARAMETERS			
PRIMARY USE		CONSENT USE	
<ul style="list-style-type: none"> Existing legal uses 		<ul style="list-style-type: none"> Utility services Telecommunication infrastructure 	
DEVELOPMENT RULES			
STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE	HEIGHT
ADM	ADM	ADM	ADM
COVERAGE		DENSITY	FLOOR AREA
ADM		ADM	ADM
OTHER APPLICABLE PARAMETERS			<ul style="list-style-type: none"> General development rules (chapter 3) Telecommunication infrastructure (schedule 3, para 19)

This table contains a summary, does not replace the provisions of the zoning and must therefore be read in conjunction with paragraph 27.

27. UNDETERMINED**27.1 Objective**

The purpose of this zone is:

- To enable the Municipality to defer a decision regarding a specific land use and its development management provisions until the conditions affecting the land have been thoroughly investigated or until the owner of the land has submitted an application for rezoning, or a zoning determination is made by the Municipality.

27.2 Development parameters**27.2.1 Primary uses**

Existing legal uses

27.2.2 Consent uses

Utility services
Telecommunication infrastructure

27.3 Development rules

27.3.1 The Municipality may determine any development rules when approving a land use application.

27.3.2 Existing legal uses may proceed unaltered. No new development may be allowed on land in this zone unless the Municipality has first approved the rezoning of the land.

SCHEDULE 3

SPECIFIC LAND USE PROVISIONS

The purpose of this section is to provide additional land use management provisions for specific land uses of which some occur in more than one use zone.

1. ADDITIONAL DWELLING UNIT

1.1 The following development parameters apply to additional dwelling units in the **Residential zones**:

- (a) The additional dwelling unit may have a maximum floor area of 50% of that of the main dwelling house on the land unit, and for the calculation of such maximum floor area, undercover parking provision for the main dwelling where the cover is of a permanent nature (not shade cloth or similar) is included in the calculation.
- (b) The total floor space of a second dwelling may not exceed 150 m² including verandas and lean-tos and the floor space of all ancillary buildings;
- (c) One additional parking space must be provided on the land unit for the purposes of the additional land unit.
- (d) Where undercover parking is provided for the additional dwelling unit, such area is included in the calculation of the maximum floor area of the additional dwelling unit.
- (e) The building lines and height pertaining to the zone concerned, remains applicable.
- (f) In the event of an encroachment of the building lines, no double storeys or double volume roof space will be allowed for the portion encroaching into the building line.
- (g) An additional dwelling unit may be a separate structure or attached to an outbuilding or the main dwelling house or may be contained in the same structure as the main dwelling house.
- (h) An additional dwelling unit that is contained within the same building as a dwelling house must be designed so that the building appears to be a single dwelling house; both units may have a ground floor, or one unit may be on the ground floor and the other unit above.
- (i) The additional dwelling unit must be planned as a harmonious architectural entity with the main dwelling and its outbuildings and may not be detrimental to the ambience of the neighbourhood, at the Municipality's discretion.
- (j) The additional dwelling unit must have vehicular access from the street if so required by the Municipality.
- (k) An additional dwelling unit may not be converted into tourism accommodation or for any other purpose, unless the necessary application in this regard has been approved by the Municipality.
- (l) An additional dwelling unit must remain on the same land unit as the dwelling house and may not be alienated separately by means of subdivision or sectional title.
- (m) Where a wendy house or similar unconventional structure is used for accommodation purposes, such wendy-house or structure is regarded as an additional dwelling unit and the necessary application must be made to the Municipality for approval where required.
- (n) Unless provided for in conditions of land use approvals, overlay areas, integrated development plans spatial development plans or a specific density policy, the maximum number of additional dwelling units may not exceed one additional dwelling unit in the residential zones.
- (o) The addition of an additional dwelling unit is subject to adequate services capacity being available in the Municipality's civil services network, as determined with building plan submission.

1.2 The following development parameters apply to additional dwelling units in the **Agricultural zone**:

- (a) Additional dwelling units can be allowed at a ratio of one additional dwelling unit per 10 ha, up to a maximum of five (5) additional dwelling units per agricultural land unit.
- (b) In addition to (a) above, in all cases where a main dwelling house is located on the land unit one additional dwelling unit can be allowed irrespective of the size of the agricultural land unit.
- (c) The maximum number of dwelling units that can be accommodated on an agricultural property thus depends on the extent and whether a main dwelling house is located on the property but may not exceed six (6) dwelling units. If an agricultural land unit is thus smaller than 10 ha, the land unit can accommodate a main dwelling house and one additional dwelling unit. If the agricultural land unit is between 10 and 20 ha in extent, the land unit can accommodate a main dwelling house and two additional dwelling units, and so forth.
- (d) Note that for the calculation in (c) above, dwelling units for bona fide farm labourers is not included.
- (e) The Municipality can request proof of evidence of the bona fide use of dwelling units for farm labourers when determining the total number of allowed dwelling units on the property.
- (f) An additional dwelling unit on a land unit zoned agricultural are restricted to a maximum floor area of 150m².
- (g) The maximum height of an additional dwelling unit is limited to one storey.
- (h) An additional dwelling unit may not be erected within 1 km of the high-water mark of the sea or a tidal river except where a proclaimed township is situated between the additional dwelling unit and the sea or tidal river, or provided that the additional dwelling unit is attached to the main house and does not exceed a floor area of 60m²; and
- (i) No alienation of additional dwelling units will be permitted whether by cadastral subdivision or sectional title.

2. AGRI-VILLAGE

2.1 Agri-villages may be approved where Council is of the opinion that:

- (a) There is a meaningful need for such settlements in a farming area which has no established settlements within any practical commuter distance from the farming community and the Municipality has no viable way in which to establish and manage a new public town / settlement.
- (b) The owners and labour force of a company farm, or a group of adjacent farms, identify sufficient need as well as capacity for the establishment of a centrally situated settlement where housing and community facilities and services can cost-effectively be supplied to the farm labourers of surrounding farms.

2.2 An agri-village must be developed, owned and managed by a legally constituted body (e.g. a trust, Section 21 company or community property association) which represents a partnership between a farmer (or farmers), farm labourers and government. Tenure right does not include individual ownership.

2.3 Access to housing in an agricultural village is limited to *bona fide* farm labourers and their dependants.

- 2.4 Application to develop an agri-village must be submitted to the Municipality and considered in terms of the statutory township establishment procedures including, but not limited to, the National Environmental Management Act, 1998 (Act 107 of 1998).
- 2.5 To ensure the sustainability of a body which manages an agri-village, the developers must submit guarantees for the long-term provision and maintenance of services.
- 2.6 The dwelling units of an agri-village are not regarded as additional dwelling units on an agricultural unit.

3. AIRFIELDS AND AIRPORTS

- 3.1 The submission of a site development plan is required for the development or amendment to the development of an airfield or airport.
- 3.2 The site development plan as approved by the Municipality constitutes the development parameters.
- 3.3 The provisions for a site development plan in this Bylaw apply.

4. DAY CARE FACILITY

- 4.1 The owner of the land unit or the person who manages the day care facility must reside on the premises and the dominant use must be the housing of that person (and, if applicable, his/her family).
- 4.2 The provision of day care for six or fewer children (including any day-care-age children of the resident family) is allowed as a primary right. An application for consent must be submitted to the Municipality for a day care facility with more children and is subject to the requirements contained in this section.
- 4.3 A site development plan must be submitted to the Municipality indicating the parking layout, landscaping, street image, advertising signs, area for the day care facility and areas for private use.
- 4.4 The nature of any improvements to the dwelling house must be such that the building can at any time revert to the use of a normal dwelling house.
- 4.5 The maximum floor area which may be utilized for the day care facility must be determined by the Municipality when considering the application.
- 4.6 When approving the application, the Municipality must determine the maximum number of people who may be employed in this regard.
- 4.7 Parking must be provided in terms of Table 1, section 46.
- 4.8 Play areas must be provided in terms of the following guidelines:
 - Outside - 2 m² per child
 - Inside - 2 m² per child

- 4.9 Relevant and sufficient sanitary facilities must be provided on the premises to the Municipality's satisfaction at a ratio of 1 flushing toilet for each 10 persons of each sex. Such toilets must be supplied with sufficient and approved surrounding walls and must be clearly demarcated.
- 4.10 The Municipality's advertising Bylaw is applicable to any notices on the premises.
- 4.11 The use of the land unit may not cause a public nuisance and the site must always be clean and tidy.
- 4.12 All relevant safety, health and fire regulations are applicable.
- 4.13 The Municipality must ensure that the use is not detrimental to the residential character and entity of the street and neighbourhood.
- 4.14 If the activity is conducted in a manner which may be a nuisance to adjoining residents or has a negative impact on the area, the Municipality may instruct the resident in writing to take precautions against the impact of the activity and may prescribe any suitable conditions. If the activity continues to have a negative impact on the area or if the Municipality's instructions and conditions (or any of the conditions in sub-sections (1)-(13) are not complied with) the Municipality may instruct the resident in writing to cease the activity within a prescribed period.

5. SEMI-DETACHED DWELLING

- 5.1 A semi-detached dwelling is only allowed as part of a development scheme where multiple dwelling types of this nature are grouped together and may not be developed on an ad hoc basis.
- 5.2 The allowable coverage, building lines and height applicable in the particular zone, will apply, except for the common side boundary where a 0,0-meter building line will apply.
- 5.3 The semi-detached dwelling must form an architectural entity and be designed as a uniform building.
- 5.4 Parking must be supplied in terms of Table 1, section 46.
- 5.6 A semi-detached dwelling may not be altered into a tourism accommodation enterprise or for any other purpose.
- 5.7 A semi-detached dwelling may only be used to accommodate one family per dwelling unit, provided that a maximum of two lodgers are allowed per land unit.
- 5.8 Where a semi-detached dwelling has been erected on a land unit, a loose standing additional dwelling unit and/or loose standing outbuildings may not also be erected on the common boundary.

6. GREEN HOUSE

- 6.1 A green house may be erected on a residential site together with a dwelling house in Residential Zones I and IV, in the Smallholding Zone and in the Agricultural Zone.
- 6.2 The maximum allowable size is 20m² in the residential zones.

- 6.3 The maximum allowable height is: 2.4m
- 6.4 The development must be within the relevant building lines of the specific land unit and must be screened off from the street in an effective way to the Municipality's satisfaction.
- 6.5 The cooling and heating systems being used may not be a nuisance.

7. GROUP HOUSING / TOWN HOUSING

- 7.1 Where group housing development consists of more than four dwelling units, access for fire prevention purposes to such dwelling units must be supplied to the satisfaction of the Municipality's Fire Chief.
- 7.2 Independent and unrestricted access must be supplied from the nearest public street for the purposes of refuse removal. This access must be supplied to the Municipality's satisfaction, and the Municipality may impose conditions regarding storage of refuse and refuse bins and the necessary access for the Municipality's purposes.

8. HOME CHILD CARE

- 8.1 The dominant use of the property must be for accommodation of a single family.
- 8.2 The owner of the home childcare activity must live on the property.
- 8.3 Any new structure or alteration to the property to accommodate an additional use right must be compatible with the residential character of the area, particularly with regard to the streetscape, and must be capable of reverting to use as part of the dwelling house, additional dwelling unit, outbuilding, or shelter concerned.
- 8.4 No more than 2 employees may be engaged by the owner for the home childcare activity.
- 8.5 No more than 6 children may be enrolled at the home childcare facility at a time.
- 8.6 The home childcare services must primarily be day care or educational, not medical.
- 8.7 The home childcare services may not operate outside the hours 6:00 to 18:00 from Monday to Friday, and from 8:00 to 13:00 on Saturday. No home childcare services are permitted on public holidays or Sundays.
- 8.8 Areas for indoor play space and outdoor play space must be provided in accordance with any health requirement or a policy plan as might be approved by the Municipality from time to time, and outdoor play space must be fenced off from any public street or neighbouring property by a 1,8 metre-high fence or wall.
- 8.9 At least one off-street parking bay must be provided, plus one additional parking bay which is suitable for drop off and collection of children. The Municipality may at any stage require additional on-site parking where, in the opinion of the Municipality, the home childcare service does not have enough parking for its operations.

9. HOUSE SHOP

- 9.1 The owner of the land unit or the person who manages the enterprise, must reside on the premises and the dominant use must be the accommodation of such person (and if applicable, his or her family).
- 9.2 A site development plan must be submitted to the Municipality detailing the parking layout, landscaping, street image, advertising signs, area for the house shop and area for private use.
- 9.3 The nature of any alterations to the dwelling house must be such that the building can at any time revert to the use of a normal dwelling house.
- 9.4 On approval of the application, the Municipality must determine the maximum floor area of the dwelling unit which may be used for the purpose of the house shop.
- 9.5 The Municipality must determine the maximum number of persons employed regarding such use on approval of the application.
- 9.6 The Municipality must determine the number of parking spaces to be provided, on approval of an application, considering the reasonable need for parking required by the relevant enterprise and in accordance with the provisions of Table 1, section 46.
- 9.7 Council's advertising bylaw is applicable to any notices displayed on the premises.
- 9.8 The non-residential use may not cause any interference in radio or television reception in the surrounding neighbourhood.
- 9.9 No goods being displayed, whether in a window or in any other place on the land unit, may be visible from a public street.
- 9.10 The land use may not include the regular parking of vehicles or the keeping thereof for the purposes of loading goods, material or passengers for renting or payment on the land unit, excluding the vehicles which are necessary for the resident's personal use with regard to his/her occupation, business or private life.
- 9.11 Any material or equipment used must be stored out of sight from any street or adjacent land unit to the Municipality's satisfaction.
- 9.12 The sale of poisonous material is not allowed. A maximum of 190 litres of lamp oil may be stored on the premises, in one metal container.
- 9.13 All requirements regarding environmental health, safety and fire prevention must be complied with.
- 9.14 The use must not be detrimental to the residential character and entity of the street and neighbourhood.
- 9.15 No activities may be conducted which might be a source of public nuisance for a resident of another dwelling unit or portions thereof (e.g. noise pollution, traffic congestion, air pollution, assembly of people, excessive traffic generation, etc.).

- 9.16 If the activity is conducted in a manner which may be a nuisance to adjoining residents or has a negative impact on the area, the Municipality may instruct the resident in writing to take precautions against the impact of the activity and may prescribe any suitable conditions. If the activity continues to have a negative impact on the area or if the Municipality's instructions and conditions (or any of the conditions in sub-sections (1)-(15) are not complied with) the Municipality may instruct the resident in writing to cease the activity within a prescribed period.
- 9.17 The provisions of the Council's Bylaw relating to House Shops takes precedence in all instances.

10. MOBILE HOMES AND CARAVANS

- 10.1 A recreation vehicle, including a mobile home or caravan, may not be used for permanent habitation without the approval of the Municipality, unless the zoning lawfully allows the permanent habitation.
- 10.2 The following additional development parameters apply with regard to mobile homes approved to be placed on a land unit zoned for residential purposes:
- (a) the mobile home or caravan must be sited on a foundation slab and properly anchored;
 - (b) solid perimeter skirting, of material and colour complementary to the mobile home or caravan, must be provided from the bottom of the mobile home to the ground surface;
 - (c) the roof and exterior siding of the mobile home or caravan must be of a non-reflective material; and
- any structural additions must be of materials which, in the opinion of the Municipality, are compatible with the mobile home or caravan.

11. OCCUPATIONAL PRACTICE

- 11.1 The dominant use of the property must be for accommodation of a single family.
- 11.2 The proprietor of the occupational practice concerned must live on the property.
- 11.3 Any new structure or alteration to the property to accommodate an occupational practice must be compatible with the residential character of the area, particularly with regard to the streetscape, and must be capable of reverting to use as part of the dwelling house, additional dwelling unit or outbuilding concerned.
- 11.4 Not more than two employees may be engaged by the occupant in the occupational practice concerned.
- 11.5 No occupational practice may include a noxious trade, risk activity, adult entertainment, adult services, adult shop, sale of alcoholic beverages, motor repair garage, funeral parlour or activities that are likely to generate a public nuisance, including but not limited to panel beating and spray painting, auto electrician, builder's yard, welding works or joinery.
- 11.6 No goods for sale may be publicly displayed and no external evidence of the occupational practice may be visible from a public street, except for an advertising sign in accordance with paragraph 11.7.
- 11.7 No advertising sign may be displayed other than a single un-illuminated sign or notice not projecting over a public street and not exceeding 0,2 m² in area.

- 11.8 A “place of instruction” may be operated as an occupational practice, provided that no more than six students may be accommodated at any given time.
- 11.9 No activities that constitute or are likely to constitute a source of public nuisance or generate waste material that may be harmful to the area or requires special waste removal processes, may be carried out, to the discretion of the municipality.
- 11.10 Off-street parking must be provided at a ratio of 1 parking bay per 20 m² area used for occupational practice. The Municipality may at any stage require additional on-site parking where, in the opinion of the Municipality, there is not enough parking for the occupational practice concerned.
- 11.11 The total area used for all occupational practice activity on a land unit, including storage, may not consist of more than 25% of the total floor area of the dwelling units on the land unit .
- 11.12 The storage of all goods and equipment connected with the occupational practice concerned must be inside a building or screened from neighbours and the public street.
- 11.13 Not more than two vehicles may be used in connection with an occupational practice, and no one vehicle may exceed 3 500 kg in gross weight.
- 11.14 The hours of operation of an occupational practice may not extend beyond 8:00 to 18:00 from Monday to Friday, and 8:00 to 13:00 on Saturday. No occupational practice operations are permitted on public holidays or Sundays.
- 11.15 The Municipality may, at any stage, call for a cessation of the occupational practice activity or impose conditions in order to minimise any potential nuisance to surrounding neighbours or the general public.
- 11.16 When “occupational practice” is approved as a consent use right in any zone, the development parameters of “occupational practice” apply over and above the development parameters of the relevant land use allowed as a primary right in the zone.
- 11.17 In order to exercise the consent use right under paragraph 11.16, the owner must obtain the written consent, where applicable, of the relevant owners’ association or Body Corporate, or all the owners within a housing scheme if the owners’ association or Body Corporate is not functioning.

12. PLACE OF ENTERTAINMENT

- 12.1 Where the Municipality deems it is necessary, the land where a place of entertainment is situated, must be screened off and landscaped as prescribed by the Municipality.
- 12.2 A place of entertainment may not, in the Municipality’s opinion, cause a public nuisance or be detrimental to the residential character or ambience of the neighbourhood.
- 12.3 A site development plan must be submitted to the Municipality indicating the parking layout, landscaping, street image, advertising signs and layout of the building (or portion of a building) for the place of entertainment.

- 12.4 The Municipality may require, depending on the circumstances, that sound proofing be installed in the building. In such an event, all sound-proofing measures and materials must be indicated on the building plans and installed to minimise any impact that sound might have on the surrounding properties before a certificate of occupation for the building is issued.
- 12.5 The Municipality may limit the number of clients, the floor area and the business hours of the enterprise.
- 12.6 Parking must be provided in terms of Table 1, section 46.

13. PORNOGRAPHIC/ADULT ENTERTAINMENT

- 13.1 Such land use is not allowed within 100m of a place of worship, place of education or residential neighbourhood, unless the enterprise was already established and the place of worship, place of education or residential neighbourhood was only established afterwards.
- 13.2 The Municipality's pre-approval of such a use is a prerequisite for an applicable licence in terms of the relevant legislation.
- 13.3 Strict access control must be exercised, which must include a door with a doorbell, and a notice must be displayed prohibiting access to children under 18.
- 13.4 No window displays of any sexually explicit material (including words) or objects may be visible from the street.
- 13.5 Advertising on the premises is subject to Council's advertising bylaw.

14. QUARRY

- 14.1 The development parameters applicable to "agriculture" together with additional parameters determined by the Municipality apply.
- 14.2 If a quarry is approved as a consent use in Agricultural Zone, the consent may only be granted for the number of years equal to the expected lifetime of the quarry concerned.
- 14.3 The owner must comply with national and provincial statutory requirements applicable to mining.
- 14.4 Any application to rezone land to Industrial Zone IV must set out the measures that will be implemented to address safety and environmental concerns including—
- (i) control of drainage, sedimentation and erosion;
 - (ii) preservation of surface and substance water;
 - (iii) preservation of topsoil;
 - (iv) provision for restoration and the re-use of the site;
 - (v) provision for noise and visual buffering;
 - (vi) accommodation of heavy traffic and vehicles on roadways; and
 - (vii) a phased programme for rehabilitation.
- 14.5 The Municipality may impose the measures to address safety and environmental concerns as conditions of approval.

14.6 A site development plan must be submitted to the Municipality for its approval.

15. SERVICE STATION

15.1 A site development plan must accompany any application for a service station indicating the following:

- (a) the layout of the service station and any other uses and buildings on the land unit;
- (b) boundary walls or fences and facades of all buildings;
- (c) vehicular access, circulation and parking;
- (d) landscaping;
- (e) risk management of petrol pumps and petrol storage areas;
- (f) fencing-off of storage areas;
- (g) minimising visual deterioration or nuisance from the trade in regard of adjoining land units, and
- (h) the extent of the various activities.

15.2 Access shall be to the satisfaction of the Municipality's engineers where access will be off a municipal road.

15.3 Any portion of a service station which is used to store empty containers (e.g. oil and packaging containers) or any scrap, shall, unless fenced off by buildings, be fenced by suitable brick or cement walls of at least 2m in height.

16. SHEBEEN

16.1 The owner of the land unit or the person managing the enterprise, must reside on the premises and the dominant use must be the accommodation of such person (or, if applicable, his/her family).

16.2 Shebeens are only allowed to sell alcohol on the premises for retail purposes and no consumption is allowed on the premises.

16.3 The location of a shebeen must comply with municipal policy in this regard.

16.4 A site development plan must be submitted to the Municipality indicating the parking layout, landscaping, street image, advertising signs, shebeen area and area for private use.

16.5 The Municipality must determine the maximum floor area which may be set aside for the purpose of a shebeen on approval of the application.

16.6 The Municipality must determine the maximum number of persons who may be employed in such use on approval of the application.

16.7 The Municipality must determine the number of parking spaces to be provided on approval of an application, considering the reasonable need for parking required by the relevant enterprise and in terms of the conditions of Table 1.

16.8 The Municipality's advertising policy is applicable to any notices being displayed on the premises.

- 16.9 Shebeens must comply with all relevant safety, fire prevention and health regulations.
- 16.10 The use must not be detrimental to the residential character and entity of the street and neighbourhood. The Municipality may prescribe conditions to relieve the potential nuisance impact (e.g. in regard of sound, serving hours, boundary and screen walls, signs, etc).
- 16.11 If the activity is conducted in a manner which may be a nuisance to adjoining residents or has a negative impact on the area, the Municipality may instruct the resident in writing to take precautions against the impact of the activity and may prescribe any suitable conditions. If the activity continues to have a negative impact on the area or if the Municipality's instructions and conditions (or any of the conditions in sub-sections 16.1 – 16.10 are not complied with), the Municipality may instruct the resident in writing to cease the activity within a prescribed period.

17. SCRAP-YARD

- 17.1 A scrapyard may only be used for breaking down, taking apart, stacking, storing or preparation for resale of used material, scrap material and vehicles.
- 17.2 All scrapyards must be fenced in such a way that material being stored is screened off so as not to be visible from any public street to the Municipality's satisfaction.
- 17.3 Where scrap has accumulated on a property to such a degree that, in the Municipality's opinion, it might be a threat to public health and safety or is unsightly or offensive, the Municipality may serve the owner or resident a notice to remove such material within a prescribed period and the Municipality may take any further steps after the period has expired to address the situation.

18. TOURISM ACCOMMODATION

- 18.1 Tourism accommodation can only occur in a dwelling house; but group housing, town housing and flats may not be used for tourism accommodation.
- 18.2 The Municipality may require a site development plan to be submitted for a proposed tourism accommodation establishment and the establishment may not open for business until the plan is approved;
- 18.3 The owner or a manager of a proposed tourism accommodation establishment must live on the property and must have consent use approval from the Municipality before the tourism accommodation establishment may open for business;
- 18.4 Any new structure or alteration to the property related to its use as a tourism accommodation establishment must be compatible with the residential character of the area, particularly with regard to the streetscape, and must be capable of reverting to use as part of the dwelling house, additional dwelling unit or outbuilding concerned;
- 18.5 No more than 8 rooms per land unit may be used for bedroom accommodation for paying guests or lodgers, and no more than 16 paying guests or lodgers may be supplied with lodging or meals at any time, subject to the Municipality's consent;
- 18.6 The requirement in paragraph 18.6 is also applicable where a land unit contains both a tourism accommodation establishment and rooms which are available for letting to lodgers;

- 18.7 No alcoholic beverages may be served except to resident guests for consumption on the premises;
- 18.8 Guest rooms may not be converted to, or used as, separate self-catering dwelling units;
- 18.9 Meals may only be supplied to guests or lodgers who have lodging on the property, employees, and the family residing in the dwelling;
- 18.10 No weddings, receptions, conferences, training or any similar activities are permitted in a tourism accommodation establishment;
- 18.11 No activities that constitute, or are likely to constitute, a source of public nuisance may be carried out;
- 18.12 If the activity is conducted in a manner which is a nuisance to adjoining residents or has a negative impact on the area, the Municipality must instruct the owner in writing to take precautions against the impact of the activity and may prescribe any suitable conditions. If the negative impact on the area continues or if the Municipality's instructions or conditions or any of the conditions in the sub-sections above are not complied with, the Municipality may instruct the owner in writing to cease the activity within a prescribed period.
- 18.13 On-site parking must be provided in accordance with the provisions of this Bylaw, provided that the Municipality may at any stage require additional on-site parking if, in the opinion of the Municipality, the tourism accommodation establishment does not have enough parking.
- 18.14 Council's advertising bylaw is applicable to any notices which are displayed on the premises.

19. TELECOMMUNICATION INFRASTRUCTURE

- 19.1 The location of Telecommunication infrastructures, the design, safety and health aspects as well as the rehabilitation of the premises on removal of the installation, must be in accordance with Council's sectoral plan or policy as well as national and provincial legislation.

SCHEDULE 4

OVERLAY ZONES (approved in terms of Section 13)

This schedule contains the overlay zones approved for specific areas of control and providing additional land use management measures over and above the primary zoning

1. SUBDIVISIONAL AREA OVERLAY ZONE

1.1. General purpose of Subdivisional Area Overlay Zone

The subdivisional area overlay (SAO) zoning designates land for future subdivision with development rights by providing development directives through specific conditions as approved in terms of this Bylaw. The SAO zoning confirms the principle of development and acceptance of future subdivision of land; but not the detailed layout that will be determined when an actual application for subdivision is approved.

1.2. Use of the property

1.2.1 Land zoned as a subdivisional area may be subdivided as contemplated in the Land Use Planning Bylaw.

1.3. Development parameters

1.3.1 When the Municipality approves a subdivisional area overlay zone, it must impose conditions making provision for at least—

- (a) density requirements;
- (b) main land uses and the extent of the uses; and
- (c) a detailed phasing plan or a framework including—
 - (i) main transport routes;
 - (ii) main land uses;
 - (iii) bulk infrastructure;
 - (iv) requirements of organs of state;
 - (v) public open space requirements; and
 - (vi) physical development constraints.

1.4. General provisions

- (a) Existing uses may carry on unaltered until the subdivision plan for the relevant development has been approved.
- (b) The zoning of land in terms of this overlay zone expires after two years if the subdivision plan has not been submitted to the Municipality within the abovementioned two-year period and the conditions of approval has not been complied with.

2. LANGEBAAN COASTAL RESIDENTIAL HEIGHT RESTRICTION

2.1 Purpose of the Overlay Zone

The purpose of this overlay zone is to indicate residential zoned properties along the coastal stretch of the Langebaan township where a historic height restriction is applicable over and above the primary development parameters.

2.2 Properties affected

The following properties are included in this overlay zone, as delineated on the zoning map:

Erf, 10	Erf, 4100	Erf, 9169	Erf, 9300
Erf, 10189	Erf, 416	Erf, 9170	Erf, 9301
Erf, 10190	Erf, 417	Erf, 9171	Erf, 9302
Erf, 10199	Erf, 418	Erf, 9172	Erf, 9303
Erf, 10306	Erf, 419	Erf, 9173	Erf, 9304
Erf, 10307	Erf, 420	Erf, 9174	Erf, 9305
Erf, 10578	Erf, 421	Erf, 9175	Erf, 9306
Erf, 11	Erf, 422	Erf, 9176	Erf, 9307
Erf, 114	Erf, 423	Erf, 9177	Erf, 9308
Erf, 115	Erf, 4295	Erf, 9178	Erf, 9309
Erf, 116	Erf, 4296	Erf, 9179	Erf, 9310
Erf, 117	Erf, 43	Erf, 9180	Erf, 9311
Erf, 118	Erf, 432	Erf, 9181	Erf, 9312
Erf, 119	Erf, 437	Erf, 9182	Erf, 9313
Erf, 12	Erf, 438	Erf, 9183	Erf, 9314
Erf, 123	Erf, 439	Erf, 9184	Erf, 9315
Erf, 134	Erf, 44	Erf, 9185	Erf, 9316
Erf, 135	Erf, 45	Erf, 9186	Erf, 9317
Erf, 136	Erf, 46	Erf, 9187	Erf, 9318
Erf, 137	Erf, 4702	Erf, 9188	Erf, 9319
Erf, 138	Erf, 49	Erf, 9189	Erf, 9320
Erf, 139	Erf, 5	Erf, 9190	Erf, 9321
Erf, 14	Erf, 513	Erf, 9191	Erf, 9322
Erf, 140	Erf, 514	Erf, 9192	Erf, 9323
Erf, 141	Erf, 516	Erf, 9193	Erf, 9324
Erf, 144	Erf, 518	Erf, 9194	Erf, 9325
Erf, 145	Erf, 522	Erf, 9195	Erf, 9326
Erf, 146	Erf, 524	Erf, 9196	Erf, 9327
Erf, 147	Erf, 525	Erf, 9197	Erf, 9328
Erf, 15	Erf, 5335	Erf, 9198	Erf, 9329
Erf, 155	Erf, 5635	Erf, 9199	Erf, 9330
Erf, 158	Erf, 5653	Erf, 92	Erf, 9331
Erf, 16	Erf, 5656	Erf, 9200	Erf, 9332
Erf, 167	Erf, 5657	Erf, 9201	Erf, 9333

Erf, 168	Erf, 5658	Erf, 9202	Erf, 9334
Erf, 169	Erf, 5659	Erf, 9203	Erf, 9335
Erf, 17	Erf, 566	Erf, 9204	Erf, 9336
Erf, 170	Erf, 5660	Erf, 9205	Erf, 9337
Erf, 171	Erf, 5661	Erf, 9206	Erf, 9338
Erf, 176	Erf, 5662	Erf, 9207	Erf, 9339
Erf, 177	Erf, 5663	Erf, 9208	Erf, 9340
Erf, 178	Erf, 5664	Erf, 9209	Erf, 9341
Erf, 179	Erf, 5665	Erf, 9210	Erf, 9342
Erf, 18	Erf, 5666	Erf, 9211	Erf, 9343
Erf, 180	Erf, 5667	Erf, 9212	Erf, 9344
Erf, 184	Erf, 5668	Erf, 9213	Erf, 9345
Erf, 185	Erf, 5669	Erf, 9214	Erf, 9346
Erf, 186	Erf, 567	Erf, 9215	Erf, 9347
Erf, 187	Erf, 5670	Erf, 9216	Erf, 9348
Erf, 189	Erf, 5671	Erf, 9217	Erf, 9349
Erf, 19	Erf, 5672	Erf, 9218	Erf, 9350
Erf, 190	Erf, 5673	Erf, 9219	Erf, 9351
Erf, 191	Erf, 5674	Erf, 9220	Erf, 9352
Erf, 192	Erf, 5675	Erf, 9221	Erf, 9353
Erf, 193	Erf, 5676	Erf, 9222	Erf, 9354
Erf, 194	Erf, 5677	Erf, 9223	Erf, 9355
Erf, 198	Erf, 5678	Erf, 9224	Erf, 9356
Erf, 20	Erf, 5679	Erf, 9225	Erf, 9357
Erf, 200	Erf, 5745-3	Erf, 9226	Erf, 9358
Erf, 2025	Erf, 593	Erf, 9227	Erf, 9359
Erf, 204	Erf, 5945	Erf, 9228	Erf, 9360
Erf, 2072	Erf, 595	Erf, 9229	Erf, 9361
Erf, 2077	Erf, 5969	Erf, 9230	Erf, 9362
Erf, 2079	Erf, 5982	Erf, 9231	Erf, 9363
Erf, 2084	Erf, 599	Erf, 9232	Erf, 9364
Erf, 2085	Erf, 60	Erf, 9233	Erf, 9365
Erf, 2086	Erf, 605	Erf, 9234	Erf, 9366
Erf, 2087	Erf, 606	Erf, 9235	Erf, 9367
Erf, 2088	Erf, 607	Erf, 9236	Erf, 9368
Erf, 2090	Erf, 61	Erf, 9237	Erf, 9369
Erf, 21	Erf, 62	Erf, 9238	Erf, 9370
Erf, 22	Erf, 621	Erf, 9239	Erf, 9371
Erf, 2233	Erf, 622	Erf, 9240	Erf, 9372
Erf, 2234	Erf, 63	Erf, 9241	Erf, 9373
Erf, 226	Erf, 64	Erf, 9242	Erf, 9374
Erf, 228	Erf, 65	Erf, 9243	Erf, 9375
Erf, 23	Erf, 6575	Erf, 9244	Erf, 9376
Erf, 230	Erf, 66	Erf, 9245	Erf, 9377
Erf, 231	Erf, 67	Erf, 9246	Erf, 9378

Erf, 232	Erf, 68	Erf, 9247	Erf, 9379
Erf, 235	Erf, 69	Erf, 9248	Erf, 9380
Erf, 236	Erf, 6984	Erf, 9249	Erf, 9381
Erf, 237	Erf, 7	Erf, 9250	Erf, 9382
Erf, 238	Erf, 70	Erf, 9251	Erf, 9383
Erf, 24	Erf, 71	Erf, 9252	Erf, 9384
Erf, 240	Erf, 72	Erf, 9253	Erf, 9385
Erf, 241	Erf, 73	Erf, 9254	Erf, 9386
Erf, 242	Erf, 736	Erf, 9255	Erf, 9387
Erf, 244	Erf, 74	Erf, 9256	Erf, 9388
Erf, 245	Erf, 754	Erf, 9257	Erf, 9389
Erf, 246	Erf, 757	Erf, 9258	Erf, 9390
Erf, 247	Erf, 759	Erf, 9259	Erf, 9391
Erf, 25	Erf, 774	Erf, 9260	Erf, 9392
Erf, 250	Erf, 775	Erf, 9262	Erf, 9393
Erf, 251	Erf, 776	Erf, 9263	Erf, 9394
Erf, 2516	Erf, 777	Erf, 9264	Erf, 9395
Erf, 2517	Erf, 778	Erf, 9265	Erf, 9396
Erf, 2518	Erf, 779	Erf, 9266	Erf, 9397
Erf, 252	Erf, 780	Erf, 9267	Erf, 9398
Erf, 253	Erf, 781	Erf, 9268	Erf, 9399
Erf, 26	Erf, 788	Erf, 9269	Erf, 94-2
Erf, 28	Erf, 797	Erf, 9270	Erf, 9400
Erf, 29	Erf, 798	Erf, 9271	Erf, 9401
Erf, 2995	Erf, 8	Erf, 9272	Erf, 9402
Erf, 30	Erf, 801	Erf, 9273	Erf, 9403
Erf, 303	Erf, 804	Erf, 9274	Erf, 9404
Erf, 305	Erf, 805	Erf, 9275	Erf, 9405
Erf, 306	Erf, 806	Erf, 9276	Erf, 9406
Erf, 307	Erf, 81	Erf, 9278	Erf, 9407
Erf, 308	Erf, 810	Erf, 9279	Erf, 9408
Erf, 31	Erf, 819	Erf, 9280	Erf, 9409
Erf, 310	Erf, 82	Erf, 9281	Erf, 9410
Erf, 312	Erf, 820	Erf, 9282	Erf, 9411
Erf, 32	Erf, 821	Erf, 9283	Erf, 942
Erf, 33	Erf, 822	Erf, 9284	Erf, 943
Erf, 34	Erf, 823	Erf, 9285	Erf, 95
Erf, 35	Erf, 824	Erf, 9286	Erf, 9647
Erf, 36	Erf, 825	Erf, 9287	Erf, 9783
Erf, 39	Erf, 826	Erf, 9288	Erf, 9787-6
Erf, 399	Erf, 827	Erf, 9289	Erf, 98
Erf, 4	Erf, 83	Erf, 9290	Erf, 9883
Erf, 40	Erf, 84	Erf, 9291	Erf, 9894
Erf, 401	Erf, 85	Erf, 9292	Erf, 9895
Erf, 405	Erf, 8583	Erf, 9293	Erf, 9896

Erf, 406	Erf, 8584	Erf, 9294	Erf, 990
Erf, 407	Erf, 86	Erf, 9295	Erf, 9903
Erf, 408	Erf, 87	Erf, 9296	Erf, 9904
Erf, 4092	Erf, 89	Erf, 9297	Erf, 991
Erf, 4093	Erf, 9	Erf, 9298	Erf, 992
Erf, 4094	Erf, 90	Erf, 9299	
Erf, 4095	Erf, 91	Erf, 93	

2.3 Height restriction

Properties included in this overlay zone are subject to a 4m height restriction

3. LANGEBAAAN DECENTRALISED BUSINESS DISTRICT HEIGHT RESTRICTION

3.1 Purpose of the Overlay Zone

The purpose of this overlay zone is to indicate business zoned properties in the decentralised business district of the Langebaan township where a historic height restriction is applicable over and above the primary development parameters.

3.2 Properties affected

The following properties are included in this overlay zone:

Erven 54, 55, 94, 396, 397, 753, 758, 791, 828, 922, 967, 968, 996, 1445, 2073, 3663, 4979, 5582, 5630, 5640, 5737, 5941, 5952, 9098, 9774 and 10193, as delineated on the zoning map.

3.3 Height restriction

Properties included in this overlay zone are subject to a 4m height restriction

4. EENZAAMHEID SMALL HOLDINGS OVERLAY ZONE

4.1. General purpose of Eenzaamheid Small Holdings Overlay Zone

The Eenzaamheid Small Holdings overlay zoning designates properties where the Council has approved special development parameters for the use of the properties.

4.2. Properties affected

The following properties are included in this overlay zone:

Portions 8, 18, 20-26, 30-31, 34, 37, 41-42, 44-48, 50, 52-56, 65-72, 75-83 and 84 of Farm No. 135, Erven 15619-15627 and 15630-15633, as delineated on the zoning map.

4.3 Use of the properties

The following consent uses may be applied for in the Eenzaamheid Overlay Zone

CONSENT	USES / CONDITIONS	MAX. SIZE OF BUILDINGS
<u>Primary Agriculture Use</u>		
Service Trade	Environmental Conservation Act (73 of 1989)	1000m ²
Pig Farming	Agricultural Pets Act (36 of 1983) for up to 10 pigs.	1000m ²
Compost production	Allowable under strict hygienic conditions.	1000m ²
<u>Secondary Agriculture Use</u>		
Agricultural Industry	Dairy manufacturing of cheese, butter, yoghurt, bakery, drying and milling of kelp, butchery, production of mushrooms and the packaging and distribution of agricultural products.	1400m ²
Agricultural Service Industry	Packaging of fish and meat products and foodstuffs for the agricultural industry and the mechanical servicing of agricultural implements.	1400m ²
<u>Secondary Business Use</u>		
Warehouse	Storage of furniture and the operation of a postal or courier service business	1400m ²
Place of assembly	Church	1400m ²
Place of entertainment	Games room, pinball, paintball, indoor cricket, etc.	1400m ²
Place of instruction	Conference facility, capacity building, etc.	1400m ²
<u>Secondary Industrial Use</u>		
Light Industrial Use	Including specialised engineering workshops and repair workshops for electrical appliances.	1400m ²
Transport Usage	Transport haulage business that may require storage of goods and service centre for service of its own vehicles. All work must be done indoors and vehicles must be screened from view.	1400m ²

Scrap Yard	Operation of scrap yard will only be allowed to recycle "clean" waste i.e. tins, drums, plastic, glass, paper and cardboard. Storing or recycling of steel, such as vehicle wrecks, salvaged ships, sheet metal, etc. will not be allowed. Storage to be screened and not visible from the road. All recycling to take place under indoors.	1400m ²
<u>Secondary Institutional Use</u> House of Worship		1400m ²
<u>Primary Resort Use</u> Holiday Accommodation	Chalets for short-term accommodation and a caravan park.	1000m ²
Hotel	Licensed Hotel or Motel may be accommodated.	1000m ²

4.4. Development parameters and rules

The following development rules apply in the Eenzaamheid Overlay Zone

CRITERIA	RULE	IMPLEMENTATION
All Activities	Consent Use	Submit applications to Council with site development plan and where applicable to DEA&DP
Size of Land Unit	Min. 5ha	
Size of Land Utilised by Activity	Max. 1ha	Remainder of smallholding to be developed for Agricultural /Smallholding purposes
Number of Units	Max. 3 units (Residential dwelling, outbuilding/additional dwelling unit and activity building)	Additional dwelling unit - Consent use, need to apply to Council. Activity building - May consist of more than one structure depending on the type of activity, i.e. holiday accommodation.
Coverage	5%	Max. 2500m ²
Landscaping	Planting of suitable trees and indigenous plants in terms of landscaping plan.	Planting of "clumps" along Main Road and intensive screen planting around proposed structure. Old fields can also be seeded with indigenous plants

Building lines	Buildings smaller than 400m ² and max height of 7,5m	Rear: 10m Side: 10m Internal Road: 20m Main Road: 30m
	Buildings larger than 400m ² and max height of 10m	Rear: 10m Side: 10m Internal Road: 20m Main Road: 95m
Visual/Aesthetics appearance	Predominant rural visual character	Buildings should be positioned so as to represent a traditional farm "werf"
Architectural Guidelines	All activities to take place within enclosed, covered areas.	Buildings to be designed as "agricultural buildings", i.e. visual appearance of farm shed or stable. Structure and colour scheme: -dark coloured pitched roofs with or without parapet walls, -walls to be white or an earth tone colour, -perimeter walls of 0.9m high to frame development.
Advertising	No large advertisement / name of activity on buildings	Small localised signboards max. 3m ² to be placed near entrance road.
Pollution	No chemical emissions No noise; No dust; No smoke; No water pollution No open lights (rural night ambiance) Removal of refuse	Provide details of activity and substantiating, scientific details as part of motivation report to DEA&DP and Council.
Engineering Services	Provide detail assessment of: -Roads: traffic study; -Electricity; -Water; -Telephone; -Waste disposal; -Recycling; -Communication (masts/antennae and aerals)	Provide details of activity and substantiating, scientific details as part of motivation report to DEA&DP and Council.

4.5 General provisions

- (a) a Special Management Committee must be established and its constitution submitted to Council for approval.
- (b) a set of Architectural Guidelines must be prepared and submitted to Councils Aesthetics Committee for approval.

- (c) Should any development on a smallholding use more water than a standard smallholding, standard capital contributions for the additional WATER consumption will be required.
 - (d) Should any development on a smallholding generate more sewage than a normal single dwelling would generate then standard capital contributions for the additional SEWAGE generated will be required.
 - (e) Should any development on a smallholding generate more vehicular traffic on municipal roads than would a normal smallholding normally generate then standard capital contributions for the additional load on municipal ROADS will be required.
 - (f) The Town Engineer will determine the amounts and it escalate annually.
 - (g) The roads, which serve the individual smallholdings, are all private and as such must be maintained by the users.
 - (h) Should a new activity be undertaken on a smallholding the applicant will be responsible for the provision of all internal and external services which will be required as a direct result of the new proposed activity / development.
-

5. BRITANICA HEIGHTS SMALL HOLDINGS OVERLAY ZONE

5.1. General purpose of Britannica Heights Small Holdings Overlay Zone

The Britannica Heights Small Holdings overlay zoning designates properties where special development parameters for the use of the properties has been approved.

5.2. Development control measures

5.2.1 Erven 1759 to 1773, 1798 to 1810 and 1812 to 1852, St Helena Bay:

- i) To retain a rural character in this zone, only 2500m² of the property may be “developed”. The remainder of the property must be retained in its natural state and no natural vegetation may be destroyed.

5.2.2 Erven 1759 to 1810 and 1812 to 1852, St Helena Bay:

- i) All structures which are erected must be constructed out of full round or half round wooden poles, clay face brick, plaster or stone. All woodwork must be oiled or varnished but may not be painted. Plastered structures must be painted in shades of brown or medium to dark grey. Only shades of brown face brick may be used.
 - ii) The colour finish of the roof covering is restricted to a shade of brown to black.
 - iii) All service pipelines on the property must be installed underground.
-

SCHEDULE 5

SPECIAL ZONES

This schedule contains the special zones approved for specific developments together with the information indicating the applicable properties and the land use management parameters for the specific zone.

Note: The information contained herein is not exhaustive, is intended to only summarise applicable land use parameters and in all cases the applicable land use approval decision and site development plan, as applicable, should be consulted for full development compliance requirements.

1. **SPECIAL ZONE 1**

1.1 **Property description:**

Erven 2112-2122, Langebaan (commonly known as “Penguin Place”)

1.2 **Uses allowed:**

Primary use: Dwelling house

Consent use: None

1.3 **Land use restrictions:**

Coverage: Maximum 50%

Height: At most 6m measured from the highest point on the back building line, but not exceeding 8m above the line from the natural ground level of the highest boundary peg on the back boundary to the natural ground level of the lowest boundary peg on the street boundary.

Street building line: at least 4m, subject to section 1.4.

Side building line: at least 2 m, subject to section 1.4.

Parking: at least 1 garage or carport and 1 additional parking bay on the land unit.

1.4 **Additional provisions:**

1.4.1 Notwithstanding section 1.2 -

(a) an eaves projection may exceed the prescribed street or side building line by at most 1 m; and
(b) the municipality may approve the erection of an outbuilding which exceeds the side building line, subject to -

(i) compliance with the street building line;

(ii) the building concerned having a flat roof which complies with the aesthetic requirements;

(iii) the height of the ceiling of the building concerned not exceeding 2,6 m and the total height of the structure, including a boundary wall, not exceeding 3,0 m above the natural ground level of the street building line at that point;

(iv) no doors or windows being permitted in any wall or such outbuilding which fronts onto the side boundary concerned;

(v) this departure from the side boundary only being allowed on one side boundary; and

(vi) the written permission of the adjoining owners being obtained.

- 1.4.2 Prior to the approval of the building plan, the owner shall submit a certificate from a land surveyor stating the level of each boundary peg. Upon completion of the building, the land surveyor shall submit a certificate stating that the building conforms to the height restrictions.
- 1.4.3 Notwithstanding sections 1.2, 1.3 and 1.4 the building shall comply with the stipulations of the architectural manual.

2. SPECIAL ZONE 2

2.1 Property description:

Erven 2096-2110, Langebaan (commonly known as “Penguin Place”)

2.2 Uses allowed:

Primary use: Dwelling house
 Consent use: None

2.3 Land use restrictions:

Coverage: Maximum 50%
 Height: At most 8m measured from the highest point on the back building line, but not exceeding 10m above the line from the natural ground level of the highest boundary peg on the back boundary to the natural ground level of the lowest boundary peg on the street boundary.
 Street building line: at least 4m, subject to section 2.4.
 Side building line: at least 2 m, subject to section 2.4.
 Parking: at least 1 garage or carport and 1 additional parking bay on the land unit.

2.4 Additional provisions:

- 2.4.1 Notwithstanding section 2.2 -
- (a) an eaves projection may exceed the prescribed street or side building line by at most 1 m; and
 - (b) the municipality may approve the erection of an outbuilding which exceeds the side building line, subject to -
 - (i) compliance with the street building line;
 - (ii) the building concerned having a flat roof which complies with the aesthetic requirements;
 - (iii) the height of the ceiling of the building concerned not exceeding 2,6 m and the total height of the structure, including a boundary wall, not exceeding 3,0 m above the natural ground level of the street building line at that point;
 - (iv) no doors or windows being permitted in any wall or such outbuilding which fronts onto the side boundary concerned;
 - (v) this departure from the side boundary only being allowed on one side boundary; and
 - (vi) the written permission of the adjoining owners being obtained.
- 2.4.2 Prior to the approval of the building plan, the owner shall submit a certificate from a land surveyor stating the level of each boundary peg. Upon completion of the building, the land surveyor shall submit a certificate stating that the building conforms to the height restrictions.

- 2.4.3 Notwithstanding sections 2.2, 2.3 and 2.4 the building shall comply with the stipulations of the architectural manual.

3. SPECIAL ZONE 3

3.1 Property description:

Portion 8 of Farm 957 (commonly known as “Motorcar Racetrack”)

3.2 Uses allowed:

Motorcar racetrack and associated infrastructure

3.3 Land use restrictions:

As above.

3.4 Additional provisions:

None

4. SPECIAL ZONE 4

4.1 Property description:

Portion 1 of Farm 190 (commonly known as “One-Stop Service Station”)

4.2 Uses allowed:

Service station and associated infrastructure

4.3 Land use restrictions:

As above.

4.4 Additional provisions:

None

5. SPECIAL ZONE 5

5.1 Property description:

Portion 1 of Farm 36 (commonly known as “Columbine Lighthouse”)

5.2 Uses allowed:

Lighthouse, training centre and tourism facility

5.3 Land use restrictions:

As per site development plan included in application.

5.4 Additional provisions:

None

6. SPECIAL ZONE 6**6.1 Property description:**

Farm Groot Paternoster 1014

6.2 Uses allowed:

Nature area
Dwelling units

6.3 Land use restrictions:

6.3.1 The architecture of the dwelling units must comply with the guidelines for Groot Paternoster Nature Reserve.

6.3.2 2 Dwelling units are allowed on each portion, 4 dwelling units in total.

6.4 Additional provisions:

None

7. SPECIAL ZONE 7**7.1 Property description:**

Remainder Portion 14 of Farm 38 (Commonly known as “Varswaterbaai”)

7.2 Uses allowed:

Nature area

7.3 Land use restrictions:

As above

7.4 Additional provisions:

None

8. SPECIAL ZONE 8**8.1 Property description:**

Erven 1774, 1775, 1777-1802, 1804-1829 and 2278 Hopefield (Commonly known as “Reservoir small holdings”) (Portions of former Erf 1773 Hopefield)

8.2 Uses allowed:

Primary use: Smallholding
Consent use: Additional dwelling unit

8.3 Land use restrictions:

Coverage: At most 25%
Height: At most one storey
Street building line: at least 8m
Side building line: at least 5m
Parking: at least 1 parking bay on the land unit

8.4 Additional provisions:

8.4.1 The following land use restrictions apply with regard to an additional dwelling unit over and above the other land use restrictions which apply and enjoys priority if the latter land use restrictions are in conflict:

Coverage: Together with all other buildings, at most 25%
Total floor area: At most 120m²
Parking: One additional parking bay on the land unit
Height: At most one storey

8.4.2 Notwithstanding sections 8.3 to 8.4.1, the following additional restrictions will also apply:

- (a) The minimum floor area of a dwelling house will be 90m² (outbuildings excluded).
 - (b) No flat roofs will be accepted with regard to dwelling houses.
 - (c) If walls are plastered, it must be painted white or cream.
 - (d) All boundary or garden walls must be of wire which allows small wild animals to move over the property. The erection of other types of walls is subject to the municipality’s written approval.
 - (e) At most 25% of the area of the property may be used for residential and/or agricultural purposes unless the municipality’s written approval is obtained.
 - (f) Only the following number and type of animals may be kept on the premises: 3 horses plus 3 sheep or 1 poultry.
 - (g) Outbuildings must comply with the requirements of tidiness and cleanliness and may not detract from the aesthetical value of the natural environment.
-

9. SPECIAL ZONE 9**9.1 Property description:**

Erf 1200 Paternoster (Commonly known as “Vismark”)

9.2 Uses allowed:

Tourism uses

9.3 Land use restrictions:

As above

9.4 Additional provisions:

None

10. SPECIAL ZONE 10**10.1 Property description:**

Erf 1569 Paternoster (a portion of Remainder Farm Paternoster no. 26)

10.2 Uses allowed:

Tourism facility

10.3 Land use restrictions:

As per site development plan approval dated 1 December 2017 allowing for 7 self-catering units; a communal restaurant, a laundry, an administrative office, an enclosed pool area and parking.

10.4 Additional provisions:

None

11. SPECIAL ZONE 11**11.1 Property description:**

Erf 8585 Langebaan (commonly known as “Flamingos”)

11.2 Uses allowed:

Night club
Commercial building
Boat storage
Storage units
Cell mast

11.3 Land use restrictions:

As per approved site development plan dated 29 November 2016.

11.4 Additional provisions:

- 11.4.1 The external appearance of the storage areas must be to the satisfaction of the Council's Aesthetics Committee and the Senior Manager: Land Use Planning & Development Control.
- 11.4.2 Only unserviced storage areas may be constructed.
- 11.4.2 Storage areas may only be used for storage purposes and may not be used for any other purpose.
- 11.4.3 No processing, manufacturing or sales may take place from the storage units.
- 11.4.4 Only the existing building which is utilised for a night club may be utilised for the commercial building and no additional structures may be erected or existing structures altered or converted to accommodate a commercial building without approval from the Municipality.
- 11.4.5 The development on the property must maintain a harmonious architectural and aesthetic theme in terms of style, finishes and character, to the satisfaction of Council's Aesthetics Committee and the Senior Manager: Land Use Planning & Development Control.
- 11.4.6 Provision for sufficient loading must be made on the property.
- 11.4.7 No signage or notice shall be placed within the road reserve/building lines without the necessary approval from the Senior Manager: Land Use Planning & Development Control and signage is to comply with all relevant policies.

12. SPECIAL ZONE 12**12.1 Property description:**

Portion 25 of Farm 346 and Portion 3 of Farm 307 (commonly known as "Hopefield Wind Farm")

12.2 Uses allowed:

Primary use: The zone shall be used for the generation of renewable energy, in the form of electricity

Consent Use: Conservation, Agriculture

12.3 Land use restrictions:**12.3.1 Building lines applicable to Masts and Turbines:**

110% of the topple height from all boundaries, access and other servitudes, railway lines, overhead power and telecommunication lines, other Telkom, FM and microwave masts or any other structure or amenity that, to the discretion of Council, requires such a safety distance.

12.3.2 Building lines applicable to auxiliary structures:

A building line of 30 metres shall be applicable to all boundaries and access servitudes.

12.3.3 All other parameters shall be as per the approved site development plan dated 10 May 2012 with project no. J30156/00_C_400-A0/5 accommodating 37 wind turbines, 2 monitoring masts and appurtenant structures.**12.3.4 The number of wind turbines is restricted to 37 and the number of monitoring masts to 2.****12.3.5 Appurtenant structures are restricted to those indicated on the site development plan.****12.3.6 The height of buildings is restricted to 8, 5m measured from the mean ground level of the footprint of the building to the highest point of the roof.****12.4 Additional provisions:****12.4.1 Topple height means the following: the total height of the structure which shall be calculated by adding the total height of the mast, as measured from natural ground level, to the length on one blade.****12.4.2 No pre-cast or vibracrete walls are permitted on the boundaries of the property adjoining roads.****12.4.3 An exclusion zone offset of 165m must be adhered to for critical rail infrastructure.****12.4.4 An exclusion zone offset of 165m must be adhered to for critical road infrastructure.****12.4.5 A cultural exclusion zone with a radius of 550m must be maintained surrounding culturally sensitive buildings and sites.****12.4.6 A noise exclusion zone of minimum 600m radius must be maintained.****12.4.7 A boundary exclusion zone with a 65m offset must be maintained.****12.4.8 A 30m offset from the 1:-100 year flood line must be maintained.****12.4.9 The height to the blade tip of the turbines may not exceed 145m.****12.4.10 The finishing of turbines and masts must be a neutral and nonreflective colour.**

- 12.4.11 The lighting on the wind turbines may only be for safety and operational purposes and must be screened from view of dwellings on abutting land units, to the extent that this will not conflict with the aforesaid safety and operational considerations.
- 12.4.12 Signage on wind turbines should comply with national and local signage regulations and be restricted to danger signs and those necessary for identification and emergency contact numbers.
- 12.4.13 No commercial advertising may be displayed on wind turbines.
- 12.4.14 The appurtenant structures must be architecturally compatible with the receiving environment.
- 12.4.15 The appurtenant structures shall be used only for purposes directly related to the operation of the facility, excluding residential purposes, save for that required for bona fide farming activities and the facility security manager.
-

13. SPECIAL ZONE 13

13.1 Property description:

Portion 4 of Farm 362, Skrywershoek, West Coast National Park

13.2 Uses allowed:

Holiday Housing (as per definition and restricted to the existing six houses and the permitted extensions thereof, no additional units are permitted.)

Conservation (as per definition and including all areas beyond the existing six houses and the permitted extensions thereof.)

Definitions:

Holiday Housing: Means a dwelling house which can be used on an intermittent basis by the owner and includes the use of the dwelling house for holiday accommodation, where the house as an entity is let for short terms stay opportunities characterised by the charging of a daily or weekly tariff, but the letting of individual bedrooms on such basis is not allowed as of right.

Conservation: Means land which has been set aside in this scheme for utilisation primarily for conservation purposes for the protection and management of natural resources aimed at long term sustainability retained in a natural and pristine condition

13.3 Land use restrictions:

13.3.1 Development is restricted to the development areas as delineated on the site development plan only.

13.3.2 No uses other than defined are allowed.

- 13.3.3 No additional dwelling units are permitted.
- 13.3.4 Any development on the property is subject to the approved architectural guidelines.
- 13.3.5 The total (new and existing) footprint is limited to a maximum floor area of 130m² (maximum floor area inclusions and exclusions as per the approved guidelines stipulations).
- 13.3.6 Outbuildings are limited to a maximum of 15m² (one outbuilding per dwelling). These buildings only perform an ancillary function and are not intended for habitation.
- 13.3.7 The maximum eaves height, to top of roof sheet, directly above the external walls: 3.2m above the finished ground level abutting the building facade at any point.
- 13.3.8 The maximum ridge height: 5.7m above ground level.
- 13.3.9 Gables may not exceed a height of 6.0m.
- 13.3.10 Chimneys are permitted to a height of 1m above the highest point of roof.
- 13.3.11 A maximum of one storey will be permitted.
- 13.3.12 Within the permitted one storey, a mezzanine level will be permitted within the internal volume of double pitched primary building elements.
- 13.3.13 Maximum primary courtyard size: 60m²
- 13.3.14 Secondary courtyards may not exceed 10m²

13.4 Additional provisions:

- 13.4.1 The area earmarked for conservation purposes must be retained in its natural form and state.
- 13.4.2 No additional dwelling units or subdivision of the property is permitted.

14. SPECIAL ZONE 14

14.1 Property description:

Portions of the Remainder of Paternoster A No. 34 (commonly known as “Paternoster Middedorp”) (Unregistered portions A, B and D zoned Special Zone)

14.2 Uses allowed:

The following land uses have been approved on unregistered portions A, B and D of the subject property, in accordance with the land use distribution as indicated on the Land Use Distribution Plan, Plan no.3.318.03.01, dated 10 November 2017:

Portion Number	Land Use
Portion 1-12	Business
Portion 13-22	Mixed Use (Residential and Business components)
Portion 23-47	Single Residential (T4)
Portion 48-55	Single Residential (T3)
Portion 56	Refuse Storage
Portion 57-64	Private Parking
Portion 65-73	Private street
Portion 74-75	Private Open Space

14.3 Land use restrictions:

- 14.3.1 The development must occur in compliance with the land use distribution as indicated on the Land Use Distribution Plan, Plan no. 3.318.03.01, dated 10 November 2017 bearing Council's date stamp and signature of the Senior Manager: Land Use Planning and Development Control.
- 14.3.2 Only such business uses as approved by the Senior Manager Land Use and Development Control will be allowed on the mixed use residential land portions (portions 13-22), excluding but not limited to, financial institutions; liquor stores; adult entertainment, service industrial, convenience retail, etc.
- 14.3.3 The business component of the mixed use residential land portions (portions 13-22) can be utilized for professional offices and tourism related uses such as guest accommodation, artist galleries, artist workshops, tourism curio shops, coffee shops, etc.
- 14.3.4 The business component of the mixed use residential land portions (portions 13-22) shall be limited to a maximum of 40% of the total area of the dwelling unit which is the primary right.
- 14.3.5 The following height restrictions will be applicable:
- 8m for business properties
 - 6,5m for residential properties
- 14.3.6 The height determination will occur as per the zoning scheme provisions, determined from average natural ground level to the roof ridge.
- 14.3.7 No double storeys shall be permitted on the residential land portions (portions 23-55), only single storey and loft rooms will be allowed.
- 14.3.8 The building lines applicable to the Mixed Use Residential and Business uses (Portion 13-22); T4 Residential uses (Portion 23-47) and T3 Residential uses (48-55) shall be as follows:
- Street building lines -
- 1,5m for dwelling units/buildings.
 - 0m for garages adjoining private internal road portions 68, 69, 70 and 73 on the provision that a paved parking bay be provided on site.
 - 4,5m for garages on all other road boundaries excluding the above.
 - 0m for uncovered unenclosed pergolas (gum pole and "latte" roof covering only) for a maximum of 50% of the width of the street frontage.

Lateral building lines -

- 0m for garages/pergolas//non habitable rooms for 30% of the perimeter (one side only) no windows/doors or openings on boundary.
- 1,5m for a dwelling unit/building.

Rear building lines -

- 1,5m for a dwelling unit/building.
- 3m for a building on Residential T3 portions only.

14.4 Additional provisions:

- 14.4.1 A Master Owners' Association must be established in accordance with the provisions of section 29 of the Saldanha Bay Municipal Land Use Planning By-law.
- 14.4.2 All private parking areas, private streets and private open spaces (Portions 57-75) shall vest in the owners' association.
- 14.4.3 The development of properties shall be in accordance with the approved architectural design parameters.
- 14.4.4 No materials, including waste products, shall be stored outside of buildings in an unenclosed manner and the content of such storage areas may not be visible to public view.
- 14.4.5 The storage areas must form an architectural extension of the main building in terms of finishes and design.

15. SPECIAL ZONE 15

15.1 Property description:

Portions 3 of the Farm Holvlei no. 120, Portion 2 of the Farm Trekoskraal no. 104, Portion 7 of the Farm Jacobs Baay no. 108 and Portion 1 of the Farm 1258 (commonly known as "Afrisam Nature Reserve") (New consolidated property no. Farm 1265)

15.2 Uses allowed:

Primary use: Nature Conservation

Secondary Use: Conservation Infrastructure

Consent Use: Engineering Services
Transmission tower

Definitions:

"Nature Conservation" is defined as: means the utilization of land to promote the protection and conservation of a natural environment, for example a nature park, a national park, mountain catchment areas, a game park, a reserve for flora and fauna in their natural habitat, a private

nature reserve or a coastal reserve, and also includes buildings associated with the control and maintenance of the nature conservation area.

"Development Parameters" is defined as: Development parameters (height, building lines, coverage, etc.) to be determined with approval of a site development plan for any structural development including boundary fencing with regard to aesthetics and height.

"Primary Use" is defined as: The primary use is defined as a land use specified as a primary right without any further permission required in terms of the zoning scheme, subject to compliance with the development parameters.

"Secondary Use" is defined as: a use inherently linked to the primary use but the development parameters of which requires scrutiny before approval.

"Conservation Infrastructure" is defined as: buildings and structures associated with the control and maintenance of the nature conservation use.

"Consent Use" is defined as: an additional use right which can be allowed only with the consent of the delegated authority and which will not detract from the primary use.

"Engineering Services" is defined as: means services, installed in the process of developing land, for the provision of water, electricity and sewerage and the building of streets, roads and storm water drainage systems, including all related services and equipment.

"Transmission Towers" is defined as: means a structure or facility external to a building, incorporating a high mast, antenna or dish for the transmission and/or receiving of radio, television, radar, cellular or micro waves and includes a base station and equipment room for that purpose.

15.3 Land use restrictions:

As above.

15.4 Additional provisions:

None.

16. SPECIAL ZONE 16

16.1 Property description:

Portions of Portion 18 of the Farm Oliphantskop No. 191, Portion I of Farm 196 and the Remainder of Portion 6 f the Farm Oliphantskop No. 191 (commonly known as "Mykonos")

16.2 Uses allowed:

The numbered areas shown on Map MTP.002-A-SK.06 will acquire the following parameters:

Area 1: Business A
Area 2: Resort Residential A
Area 3: Business B
Area 4 & 5: Resort Residential B
Area 6: Business C
Area 7: Resort Residential C
Area bordered purple: Government: (SATS)
Unmarked roads: Street

Definitions:

Except as hereunder described the definitions in this Special Zone shall correspond to the definitions set out in the Vredenburg-Saldanha Scheme Regulations as amended.

“Hotel suite” means a room or rooms let or occupied as a single unit and forming part of a registered hotel.

“Recreational area” means an area set aside for recreational, sports or play whether formally laid out or not, together with such club or recreational buildings, changerooms or restrooms directly related to the activities occurring within the area.

“Recreational centre” means land used for sports facilities and includes tennis courts, squash courts, volleyball courts, gymnasias, swimming baths and the administrative and ablution buildings associated therewith.

“Resort business” means shops less than 100m² in floor area whose specific function is to serve the resort activities in their immediate surroundings.

“Resort residential” means dwelling units and hotel suites with or without kitchens contained in a building comprising two or more such dwelling units or hotel suites.

“S.A. Transport Services navigational reserve” means the area set aside in this zone for navigational lights as required by the S.A. Transport Services Administration.

16.3 Land use restrictions:

16.3.1 The following table sets out the purpose for which land may be used and buildings erected in this special zone:

Areas as shown on map	Primary use	Permissible uses	Maximum density per ha	Coverage	Maximum height	Consent uses
1	Business A	Commercial building, Hotel	-	10% maximum	3 Storeys	-
		Visitor's car park	-	1,5ha minimum	-	-
		Recreation area	-	2ha minimum	-	Resort business
2	Resort residential A	Resort residential	50 Dwelling units	25% maximum	3 Storeys	Resort business, Hotel
		Recreation centre, Recreation area	-	50% minimum	-	-
3	Business B	Commercial building	-	20%	3 Storeys	-
		Resort residential	-			
4 & 5	Resort residential B	Resort residential	50 Dwelling units	25%	3 Storeys	Resort Business, Hotel
Purple border	Government (SATS)	S.A. Transport Service reserve	-	-	-	-
6	Business C	Public garage	-	50%	2 Storeys	-
		Parking garage	-	50%	2 Storeys	Restricted commercial
7	Resort residential C	Resort residential	50 Dwelling units	25%	2 Storeys	-

16.3.2 Parking provisions

Visitors parking: Sufficient area shall be reserved and landscaped for a minimum of 500 cars in sub-zone 1 to accommodate casual visitors.

Business: In sub-zone 3, 0,5 parking bays shall be reserved per 100m² business floor area for the parking of essential service and emergency vehicles. Casual parking shall be prohibited in this area. Where residential uses occur the provisions of the paragraph hereunder shall apply.

Resort residential: One parking bay shall be reserved for every dwelling unit and 0,5 parking bays shall be reserved for every hotel suite. For the purpose of determining coverage, covered parking bays and private garages shall not be taken into account.

16.4 **Additional provisions:**

- 16.4.1 A building line setback of 2 metres from the private street servitudes indicated on the subdivision plan of this special zone shall apply. No other building lines, side or rear spaces need be provided; provided that in the interest of acceptable access for emergency vehicles and for firefighting purposes appropriate spaces between buildings shall be provided to the satisfaction of the Municipality.
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