



**GREATER TZANEEN  
MUNICIPALITY**

**LAND USE SCHEME**

**2023**

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**GLOSSARY OF TERMS AND ABBREVIATIONS**

Airbnb	Air bed and breakfast
Building Act	National Building Regulations and Building Standards Act 103 of 1977
CBD	Central Business District
FAR	Floor Area Ratio
GIS	Geographic Information System
GLA	Gross leasable area
LUS, the scheme	Greater Tzaneen Municipality Land Use Scheme 2023 compiled in terms of SPLUMA
MPRDA	Mineral and Petroleum Resources Development Act 28 of 2002
NEMA	National Environmental Management Act 107 of 1998
NHRA	National Heritage Resources Act 25 of 1999
SAHRA	South African Heritage Resources Agency
SDF	Spatial Development Framework
SDP	Site Development Plan
SPLUMA	Spatial Planning and Land Use Management Act 16 of 2013
SMME	Small, medium and micro enterprises
The By-law	Greater Tzaneen Municipality Spatial Planning and Use Management By-law 2016
TIA	Traffic Impact Assessment

## CHAPTER 1: INTRODUCTION

### 1. TITLE

This document shall be known as the Greater Tzaneen Municipality Land Use Scheme, 2023 (**the scheme**).

### 2. STATUS

This land use scheme is prepared in terms of:

- (1) Section 24(1) of the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA); and
- (2) Chapter 3 of the Greater Tzaneen Municipality Spatial Planning and Land Use Management By-law 20 of 2016 (published by means of Provincial Gazette Number PD17/2017 on 25 August 2017) (**the By-law**).
- (3) The scheme substitutes the following town planning schemes previously in operation in the area of jurisdiction of the Greater Tzaneen Municipality (**the municipality**):
  - (a) Tzaneen Town Planning Scheme, 2000.

### 3. AREA OF THE SCHEME

The scheme applies to all land or properties within the area of the municipality, as determined by the Municipal Demarcation Board.

### 4. INTERPRETATION

In this scheme, unless a contrary intention clearly appears:

- (1) Words importing -
  - (a) any one gender includes the other gender;
  - (b) the singular includes the plural and vice versa; and
  - (c) natural persons include created entities (corporate or non-corporate) and vice versa.

### 5. PRINCIPLES

- (1) Any land development application in terms of this scheme must give effect to the development principles as set out in section 7(1) of Chapter 2 of SPLUMA.
- (2) Any land development application in terms of this scheme shall be guided and informed by the municipality's integrated development plan and municipal spatial development framework as adopted and approved in terms of section 20 of SPLUMA and the By-law.
- (3) Any land development application in terms of this scheme must address need, reasonableness, desirability and public interest.
- (4) Any land development application in terms of this scheme shall have as its main purpose the co-ordinated and harmonious development of the area to which the application relates in such a way as will most effectively tend to promote the health, safety, good order, amenity, convenience and

general welfare of such specific area as well as efficiency and economy in the process of such development.

## **6. DEFINITIONS AND CONDITIONS APPLICABLE TO SPECIFIC LAND USES**

- (1) Unless otherwise defined by SPLUMA, SPLUMA Regulations or the By-law, the words used in the scheme shall have the meaning set out in column 2 of Table 1.
- (2) Column 3 of Table 1 sets out conditions applicable to specific land uses, where applicable.
- (3) The definitions and conditions in Table 1 should be read in conjunction with Table 2: Use zones and development controls.

Unless otherwise defined by SPLUMA, SPLUMA Regulations or the By-law, words used in the scheme shall have the meaning set out in column 2 of Table 1. The table also sets out specific development controls applicable per land use, for ease of reference.

**Table 1: Definitions and Conditions Applicable to Specific Land Uses**

<b>COLUMN 1: WORD</b>	<b>COLUMN 2: DEFINITION</b>	<b>COLUMN 3: CONDITIONS</b>
Aerodrome	Means land used for the landing, departure, storage and maintenance of aircraft. This may include landing fields, runways, taxiways, heliports, hangars, control towers, fuel storage and supply areas, public enclosures, place of refreshment and a place of instruction and other uses considered as ancillary to the main use. The establishment and operation of the aerodrome shall be in accordance with the provisions of the Civil Aviation Act 13 of 2009.	<ul style="list-style-type: none"> <li>a) Manufacturing of aviation related products will be permitted with the consent of the municipality.</li> <li>b) All development on site shall be in accordance with an approved site development plan.</li> <li>c) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.</li> </ul>
Agricultural building	Means land used for agricultural use/purposes including any structures, buildings and dwelling units reasonably necessary for or related thereto.	
Agricultural holding	Means land for which a certificate has been issued in terms of section 1 of the Agricultural Holdings (Transvaal) Registration Act 22 of 1919.	The residential component is limited to a maximum of two dwelling houses, as well as dwelling units for the employees residing on the property, but the dwelling units may not be sectionalised.
Agricultural industry	Means land used for: <ul style="list-style-type: none"> <li>a) the large-scale intensive rearing of poultry, gamebirds, livestock or similar animals and allied products, such as broiler farms, battery farms and other concentrated animal feeding operations;</li> </ul>	<ul style="list-style-type: none"> <li>a) All development on the site shall be in accordance with an approved site development plan.</li> <li>b) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.</li> </ul>



COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
	<ul style="list-style-type: none"> <li>b) aquaculture activities;</li> <li>c) the large-scale servicing or repairing of plant or equipment used in agriculture;</li> <li>d) the handling, treatment, processing, or sorting and packaging of agricultural products, which could include a sawmill and similar activities;</li> <li>e) wind turbines;</li> <li>f) winery; distillery and brewery;</li> <li>g) abattoir;</li> <li>h) agri-processing, including the processing of animal matter, but excluding noxious industries.</li> </ul>	
Agricultural use/ agricultural purposes	Means the use of land for purposes normally or otherwise reasonably associated with the use of land for agricultural activities. This includes the use of land for the processing and packaging of own produced goods subsidiary to the farming activities, a farm stall, a nursery, animal care centre, horse riding facilities and related uses. Residential use in the form of a dwelling house or homestead is included.	<ul style="list-style-type: none"> <li>a) The residential component is limited to a maximum of two dwelling houses, as well as dwelling units for the employees involved in the farm activities, but the dwelling units may not be sectionalised. Written consent for additional dwelling houses and units is required.</li> <li>b) Where a site development plan is required in terms of the scheme for a consent use on land zoned Agriculture, only the section showing the proposed use, including ingress and egress, needs to be shown.</li> <li>c) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.</li> </ul>
Ancillary or subsidiary use	Means uses which support (ancillary) or are subservient (subsidiary) to the main use on the property and which shall	Ancillary or subsidiary uses shall not exceed 30% of the lawful dominant use of the property.

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
	not exist on their own when the main use on the property is discontinued.	
Animal institution	Means land used for a veterinary practice, kennels and boarding for domestic pets, pet training centre, animal welfare institution and the keeping and care of rescued animals. This includes a retail component ancillary to the main use.	a) The activities shall not cause a public nuisance; b) All development on the site shall be in accordance with an approved site development plan.
Annexures to the land use scheme	Means documents containing, inter alia, special rights, stipulations, restrictions or conditions applicable to specific properties shown on the scheme map by encircled figures. This is done for an amendment scheme (rezoning) where a deviation is required from the rights as per the scheme in operation.	
Application register	Means a record of all applications submitted and considered in terms of the provisions of the relevant planning by-law and this land use scheme or any amendments thereof.	
Approval	Means any approval granted by the municipality in writing with or without conditions.	
Areas of Environmental Significance and Bio-diversity	Means places of scenic beauty, natural vegetation, rivers, streams, wetlands and other significant topographical features, including the habitat of rare or endangered fauna and flora.	
Basement	Means any storey of a building which is below the level of the ground storey of the building and of which no part of the	

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
	ceiling is more than one metre above the natural ground level.	
Boarding house	Means a dwelling house where the habitable rooms are rented out for an extended period by the owner/occupant to a maximum of ten persons who share the communal facilities such as the kitchen, lounge, dining room and bathrooms.	<ul style="list-style-type: none"> <li>(a) This includes students' accommodation (commune).</li> <li>(b) The owner or manager of the house shall reside on the property and shall also conduct the boarding house.</li> <li>(c) Not permitted in a second dwelling unit, nor as backyard dwelling units.</li> <li>(d) All amenities and the provision of meals and beverages shall be for the sole benefit of bona fide tenants and the resident household/person.</li> <li>(e) The use is only permitted with the consent of the municipality in accordance with an approved site development plan.</li> </ul>
Boundary	Means the cadastral line separating a land unit from another land unit or public street, as depicted on the approved surveyor general diagram.	
Builder's yard	Means land used for the storage and sale of materials which: <ul style="list-style-type: none"> <li>(a) are commonly used for building work; and/or</li> <li>(b) resulted from demolition or excavation works; and/or</li> <li>(c) are commonly used for other civil engineering works such as installation of services.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Ancillary offices are also permitted.</li> <li>(b) All development on the site shall be in accordance with an approved site development plan.</li> </ul>
Building	Means a structure erected on land, irrespective of the materials used in the erection or construction thereof that	

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
	conforms to the National Building Regulations and Building Standards Act 103 of 1977 (the Building Act).	
Building line	Means a line indicating the limits of a building restriction area as measured from a street boundary (or other boundary of a property which does not border on a street) and which runs parallel to and at a fixed distance from such boundary.	
Building restriction area	Means an area of an erf or portion of land on which no buildings may be erected, except as allowed in the scheme or with the consent of the municipality.	
Business purposes	<p>Means land used for business activities and related uses such as:</p> <ul style="list-style-type: none"> <li>(a) shops,</li> <li>(b) offices, postal services,</li> <li>(c) showrooms, motor showroom, vehicle sales lot,</li> <li>(d) filling station, public garage,</li> <li>(e) restaurants, drive-through restaurants, bakeries, fast food outlets, places of refreshment,</li> <li>(f) dry-cleaners, launderette,</li> <li>(g) hairdressers, beauty salons,</li> <li>(h) tailors,</li> <li>(i) dispensing chemists, medical consulting rooms,</li> <li>(j) hotels, guesthouses, communal residential buildings, boarding houses and flats,</li> <li>(k) dwelling units,</li> </ul>	<ul style="list-style-type: none"> <li>a) A tavern and funeral services are permitted with the consent of the municipality in terms of an approved site development plan.</li> <li>b) All development on the site shall be in accordance with an approved site development plan.</li> <li>c) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.</li> </ul>

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
	(l) places of amusement (m) places of public worship, (n) places of instruction, institution, social halls, (o) transport uses (bus and taxi rank) or similar business activities and any other uses permitted with the consent of the municipality, other than industrial uses.	
Cadastral line	Means a line representing the official boundary of a land unit or portion as registered in the Deeds Office in accordance with a plan approved by the Surveyor- General.	
Car wash	Means the use of land to clean cars automatically or by hand for payment.	a) There shall be a hard surface (cement or paving) in the wash and dry areas and provision should be made for treatment of dirty water and oil to prevent pollution of stormwater runoff. b) All development on the site shall be in accordance with an approved site development plan.
Caretaker's unit	Means a dwelling unit for a person employed to take care of a building or property and who deals with the cleaning, maintenance and security.	a) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply. b) All development on the site shall be in accordance with an approved site development plan.
Cemetery	Means land used for burials. This includes ancillary buildings and uses such as a building for religious purposes and serving of refreshments, prayer area, funeral services and a wall of remembrance.	a) All development on the site shall be in accordance with an approved site development plan. b) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
Clinic	Means land used as an institution where human illness is diagnosed treated or human health is improved, with limited facilities and an emphasis on outpatients.	a) The use includes medical consulting rooms, outpatients' centre, a wellness centre with associated uses and a primary healthcare centre open to the public. b) All development on the site shall be in accordance with an approved site development plan.
Commencement date	Means the date that the municipality gave notice of the approval of the scheme in the <i>Provincial Gazette</i> and the date it came into operation.	
Commercial use	Means land used for such purposes as distribution centres, wholesale trade, storage, warehouses, packing store, cartage and transport services, laboratories and computer centres.	a) This may include offices, retail and industries which are directly related and subservient to the main use carried out on the land or in the building, b) All development on the site shall be in accordance with an approved site development plan.
Communal farming	Means a farming system in which multiple farmers operate their farming activities on communal land. This includes the use of land for processing and packaging of own produced goods subsidiary to farming activities, a farm stall, a nursery, horse riding facilities and related uses. Residential use in the form of a dwelling house or homestead is included.	a) The following uses are permitted as primary rights: <ul style="list-style-type: none"> <li>(i) The use of land for an agricultural industry not exceeding 2 000 m<sup>2</sup>. An industry in excess of 2 000m<sup>2</sup> will only be permitted with the consent of the municipality.</li> <li>(ii) The use of land for the processing and packaging of own produced goods subsidiary to the farming activities, a farm stall (with maximum floor area of 250 m<sup>2</sup>), a nursery, horse riding facilities and related uses.</li> </ul>

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
		<p>b) Where a site development plan is required in terms of the scheme for a consent use on land zoned Agriculture, only the section where the use applied for (including ingress and egress, needs to be shown).</p> <p>c) Applications for consent for subdivision of farm land must be referred to the National Department of Agriculture for comment, prior to consideration by the municipality.</p>
Communal land	As defined by the By-law	
Communal residential building	Means the use of a building, excluding a dwelling house and/or dwelling unit, that contains habitable rooms, with or without common ablution facilities and with common kitchen-, dining- and lounge facilities such as hostels and dormitories.	<p>a) This definition includes, but is not restricted to hostels and tenements, dormitories, communal old age homes that may or may not include ancillary frail care facilities.</p> <p>b) All development on the site shall be in accordance with an approved site development plan.</p>
Conference facility	Means land used for a lecture hall, training facility, workshops, meetings, conferences, weddings, symposiums and related uses, but does not include an institution or place of instruction.	<p>a) This use must be applied for separately in any land use application to allow for adequate parking provision.</p> <p>b) The provisions relating to the use of land for more than one purpose shall apply.</p> <p>c) All development on site shall be in accordance with an approved site development plan.</p>
Consent	Defined in terms of the By-law	
Conservation purposes	Means the use, protection or maintenance of land and/or buildings in terms of its natural, cultural, historical or built	(a) These areas, which are to be identified through the National Heritage Resources Act 25 of 1999 or National Environmental Management Act 107 of 1998, can

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
	environmental significance, with the object of preserving the identified special characteristics.	include but are not limited to water courses, wetlands and sensitive eco-systems, heritage sites, historical buildings or sites of cultural significance. (b) These areas, erven or buildings need special management and maintenance in order to preserve the identified natural, historical or cultural characteristics. (c) Development, if permitted, shall be in accordance with an approved site development plan.
Consolidation	Defined in terms of the By-law	
Construction of a building or structure	In relation to a building or structures includes: a) The building of a new building or structure; b) The alteration, conversion or addition to, a building or structure; c) The re-erection of a building or structure which has completely or partially been demolished.	
Contiguous properties	Means property sharing a common border, without regard to interruptions in contiguity caused by roads, servitudes, thoroughfares, panhandles, service lanes or any other public land less than 10 metres wide.	
Coverage	Means the total two dimensional space occupied by a building, as seen vertically from the air and is expressed as a percentage of the property area. It is calculated as follows: Coverage = $\left[ \frac{\text{Two dimensional space occupied by a building}}{\text{Total area of the property upon which the building(s) are erected}} \right] \times 100$	



COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
Day	Means a calendar day, and when any number of days is prescribed in terms of this land use scheme for the doing of any act, it must be calculated by excluding the first day and including the last day, provided that, if the last day falls on a Sunday, Saturday or public holiday, the number of days must be calculated by excluding the first day and also the Sunday, Saturday or public holiday and if the date on which any notice must appear in any media or Provincial Gazette such notice may not appear on a Sunday, Saturday or public holiday and shall for purposes of calculation be excluded.	
Development	Means the development of land, changes in the use of land, or intensification of that use and includes any matter in relation to land for which a development application is required.	
Development parameters	Means development provisions used to regulate the erection and use of buildings and/or land in relation to coverage, FAR, maximum GLA, height, parking and loading requirements, minimum property size, density, building lines, entrances and exits, as well as any other special conditions laid down in terms of this land use scheme.	
Diesel depot	Means land used for a wholesale diesel filling station.	a) Diesel may only be sold on a wholesale basis (thus only in large quantities for heavy duty vehicles, $\geq 1\ 500\ \ell$ ).

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
		<ul style="list-style-type: none"> <li>b) This may include a facility where truck drivers can overnight (truck stop) with ablution facilities and a canteen.</li> <li>c) The entire development will be fenced off and there will be a single entrance manned by a security guard around the clock.</li> <li>d) All development on the site shall be in accordance with an approved site development plan.</li> </ul>
Domestic worker's accommodation unit	A dwelling unit attached from a dwelling house or dwelling unit meant for occupation by a cleaner, domestic worker or gardener.	<p>The following limitations shall apply:</p> <ul style="list-style-type: none"> <li>a) A maximum of two per erf is permitted.</li> <li>b) No kitchen is permitted.</li> <li>c) The unit shall be attached to the main dwelling house or dwelling unit.</li> </ul>
Drive through restaurant	Means land used for the preparation and consumption of food and liquid refreshments for the general public. Consumption may take place on the site or away from the site.	<ul style="list-style-type: none"> <li>a) This excludes the sale of any form of alcoholic beverages, a shop and a place of amusement.</li> <li>b) All development on the site shall be in accordance with an approved site development plan.</li> </ul>
Dwelling house	Means a single, detached building designed and used for habitation by one household containing one kitchen, together with such outbuildings as are reasonably necessary for use therewith.	

<b>COLUMN 1: WORD</b>	<b>COLUMN 2: DEFINITION</b>	<b>COLUMN 3: CONDITIONS</b>
Dwelling unit	Means a unit designed and used for habitation by one household containing one kitchen and includes such outbuildings as are ordinarily incidental thereto.	<ul style="list-style-type: none"> <li>a) The dwelling units may be attached or detached.</li> <li>b) This includes a flat and semi-detached house, group housing, social and institutional housing.</li> <li>c) All development on the site shall be in accordance with an approved site development plan.</li> </ul>
Educational purposes	Means the use of land primarily for instruction or teaching purposes, including crèches, schools, lecture halls, monasteries, public libraries, art galleries, museums, colleges and universities.	<ul style="list-style-type: none"> <li>a) All development on the site shall be in accordance with an approved site development plan.</li> <li>b) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.</li> </ul>
Environmental control area	Means an area defined by the municipality within which any development shall be subject to a site development plan and any other requirement as determined by the municipality.	
Erection of a building	Means construction of a building and includes the structural alteration of or the making of any addition to a building other than a structural alteration which, in the opinion of the municipality, is of a limited extent.	This includes, as an example, the removal of non-weight bearing internal walls, the erection of removable partitioning, safes and toilets inside an existing building, or repair work inside or outside a building.
Erf	Means a portion of land in a proclaimed township identified in terms of a description and extent on a general plan or surveyor-general diagram and deed of transfer.	
Existing erf	Means any erf shown on an approved general plan of a township and registered in the Deeds Office. This includes the subdivided portions of the erf registered with the Deeds Office prior to the commencement date of the scheme.	

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
Farm portion	Means a portion of land which is not an erf, agricultural holding or road and which is registered as a separate unit in the Deeds Office.	
Farm stall	Means a commercial undertaking on agricultural land or farm portion of which the main business is the sale of, but not limited, to farm produce to passing traffic, and may include groceries, curios, cold drinks, and indigenous artworks	<ul style="list-style-type: none"> <li>a) The municipality may grant consent for the operation of a place of refreshment or restaurant under this definition.</li> <li>b) All development shall be in accordance with an approved site development plan.</li> </ul>
Farmworker's dwelling unit	Means a dwelling unit for an employee located on a farm or smallholding that is not the primary dwelling house, and that is only occupied by a person engaged in legal farming occupations on that land and this person's household.	<ul style="list-style-type: none"> <li>a) The unit shall be a single building designed and used for habitation by one household containing one kitchen.</li> <li>b) This excludes a domestic worker's accommodation unit as defined by this scheme.</li> <li>c) A maximum of four bona fide farm workers' dwelling units is permitted per farm or smallholding.</li> <li>d) The written consent of the municipality is required for more than four farm workers' dwelling units.</li> <li>e) The dwelling units may not be sectionalised.</li> </ul>
Filling station	Means land used for fuelling, washing, polishing and lubricating of motor vehicles, as well as incidental and routine maintenance, a café/convenience store subservient to the main use, office subservient to the main use, automatic teller machine and a drive-through restaurant, but excluding a "Public Garage", panel beating, spray painting or any major repair work.	<ul style="list-style-type: none"> <li>(a) The shop and a drive- through restaurant shall not exceed 250m<sup>2</sup>.</li> <li>(b) No material or equipment of any nature shall be stored or stacked outside the building except in an area which is screened to the satisfaction of the municipality for that purpose: Provided that fuel pumps or oil and fuel installations shall be sited outside the building to the</li> </ul>

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
		<p>satisfaction of the municipality: Provided further that the municipality may relax this condition where the erf is situated within, adjacent to or surrounded by industrial uses.</p> <p>(c) The entire site shall be paved and maintained by the owner to the satisfaction of the municipality.</p> <p>(d) Provision should be made for treatment of dirty water and oil to prevent pollution of stormwater runoff.</p> <p>(e) All development on the site shall be in accordance with an approved site development plan.</p> <p>(f) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.</p>
Flats	Means dwelling units that form part of a building that consists of two or more storeys.	All development on the site shall be in accordance with an approved site development plan.
Floodlines	Means, in accordance with section 144 of the National Water Act 36 of 1998, lines indicating the maximum level likely to be reached by floodwaters on average once in every 100 years.	<p>a) The 1 in 50 and 1 in 100 year floodlines must be indicated on a layout plan for township establishment and certified by a registered professional engineer.</p> <p>b) No development is permitted below the 1 in 50 year floodline and no land may be excavated or removed within the floodline area.</p> <p>c) The municipality may prohibit or restrict the use of land situated between the 1 in 50 and 1 in 100 year floodline.</p> <p>d) Any permission to utilize land between these two floodlines must be authorized by the municipality subject</p>

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		to a written motivation compiled by a registered professional engineer.
Floodwater mark	Means the floodlines as contemplated in section 144 of the National Water Act 36 of 1998.	
Floor area	Means the sum of the gross area occupied in a building at the floor level of each storey.	<p>In the calculation of the floor area the following areas shall not be included:</p> <ul style="list-style-type: none"> <li>a) Unroofed buildings, open roofs and areas occupied by external fire-escapes.</li> <li>b) Parking spaces for the occupants of the building.</li> <li>c) Entrance passages and corridors (excluding entrance halls, porches and corridors in a dwelling unit or a residential building where such entrance halls, porches and corridors are enclosed by outer walls or windows).</li> <li>d) Housing for caretaker and/or sanitary staff on the roof of a building; Provided that the floor area thus excluded shall not exceed three percent of the permissible floor area of such building.</li> <li>e) A veranda or balcony in a building; Provided that such veranda or balcony shall not be enclosed except to conform to safety precautions listed in the National Building Regulations.</li> <li>f) Areas reasonably used for the cleaning, maintenance and care of the building or buildings, except dwelling units for supervisors, cleaners and caretakers.</li> </ul>

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Floor area ratio (FAR)	<p>Means the ratio obtained by dividing the gross floor area of a building or buildings, by the total area of the property on which the building is erected, thus –</p> $\text{F.A.R.} = \frac{\text{Gross floor area of building or buildings}}{\text{Total area of property on which building is erected}}$ <p>Refer to chapter 3 for more details.</p>	
Funeral services	<p>Means land used for an undertaker, including a building used for religious purposes and serving of refreshments, and ancillary retail trade. An undertaker includes keeping and preparing the deceased for burial and cremation, but excludes a crematorium.</p>	<p>All development on the site shall be in accordance with an approved site development plan.</p>
General Plan	<p>Means a cadastral plan of a township, which has been approved in terms of the Land Survey Act 8 of 1997, or any amendment or review thereof.</p>	
GIS – geographic information system	<p>Means an electronic system designed to capture, store, manipulate, analyze, manage, and present spatial or geographic data.</p>	
Government purposes	<p>Means land used for purposes normally or otherwise reasonably associated with government to give effect to its government role. This may include a court room, town hall, police station and post office.</p>	<p>All development on the site shall be in accordance with an approved site development plan, subject to the provisions of the Building Act.</p>
Granny flat	<p>Means land used for a dwelling house with a small, secondary dwelling unit on the erf.</p>	<p>(a) Only one permitted per erf on erven larger than 1 000m<sup>2</sup>. (b) The size of the unit, excluding the garage, may not exceed 120 m<sup>2</sup>.</p>

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		<p>(c) No second dwelling unit is permitted on erven with a granny flat.</p> <p>(d) The granny flat may or may not be structurally linked to the first house.</p> <p>(e) The permissible height, floor area and coverage shall not be exceeded.</p> <p>(f) The granny flat may not be sectionalised.</p>
Gross leasable floor area (GLFA)	Means the floor area of a building designed or suitable for occupation and control by an occupant, measured from the centre line of the common internal walls, and, where applicable, the internal surface of the external walls, respectively.	Refer to chapter 3 for more details.
Ground floor or ground storey	Means the storey of a building with direct access or entrance from the street or the lowest natural ground level.	The ground floor or storey shall be indicated on a site development plan or building plans.
Guesthouse	Means accommodation provided in a house, renovated house or a specifically designed building with rooms let out on a temporary basis to transient guests, and where meals are served to the residing guests only.	<p>(a) A maximum of <b>sixteen guest rooms</b> is permitted.</p> <p>(b) The owner or manager of the dwelling house shall reside on the property and shall also conduct the guesthouse.</p> <p>(c) The guesthouse may include self-catering suites, but may not be converted into dwelling units or be sectionalised.</p> <p>(d) All amenities and the provision of meals and beverages shall be for the sole benefit of bona fide guests and the resident household/person.</p> <p>(e) The use shall not cause a public nuisance.</p>



COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
		<p>(f) All development on the site shall be in accordance with an approved site development plan.</p> <p>(g) The provision of engineering services shall be to the satisfaction of the municipality and the municipality may, where necessary, require a financial contribution.</p>
Gymnasium	Means land used as a place of instruction for physical and aerobic exercise with or without apparatus, which include ancillary retail trade and a place of refreshment.	<p>a) All development on the site shall be in accordance with an approved site development plan.</p> <p>b) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.</p>
Habitable room	Means a room designed or used for human habitation in accordance with the Building Act, but excludes a kitchen, scullery, bathroom, toilet, storeroom or other spaces defined for a particular purpose on the building plan.	
Height	Means the vertical dimensions of the building from the natural ground level to the highest point of the building measured in meters or in number of storeys.	
Helipad	Means land and/or buildings used and designed for landing and taking off of helicopters and may include a terminal for passengers. This use is permitted in all Use Zones other than "Residential 1, 2, 3, 4 and 5" with the consent of the municipality.	
Heritage resource	Means any land, place or object of cultural significance as defined by the National Heritage Resources Act 25 of 1999 (NHRA).	

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Heritage resource authority	Means the South African Heritage Resources Agency, established in terms of section 11, or, insofar as the National Heritage Resources Act 25 of 1999 is applicable in or in respect of a province, a provincial heritage resources authority.	
Heritage site	Means a place declared to be a national heritage site by the South African Heritage Resources Agency (SAHRA) or a place declared to be a provincial heritage site by a provincial heritage resources authority, or a place declared to be a local/municipal heritage site by the municipality.	
High impact development	As defined in terms of the By-law	
Holiday resort	Means land that, due to its natural or human made attractions, is used for purposes normally or otherwise reasonably associated with leisure, recreation and relaxation activities.	<p>a) The following uses may be permitted in accordance with an approved site development plan:</p> <ul style="list-style-type: none"> <li>(i) holiday accommodation for temporary visitors such as chalets, lodges, boutique hotels, hotels, camping grounds and caravan parks;</li> <li>(ii) recreation area;</li> <li>(iii) wedding chapel, conference facility;</li> <li>(iv) curio shop, art gallery;</li> <li>(v) one or more places of refreshment;</li> <li>(vi) wellness centre;</li> <li>(vii) management and security facilities (accommodation, offices) and a caretaker's dwelling unit; and</li> </ul>

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
		<p>(viii) other uses reasonably required for and associated with a holiday resort.</p> <p>b) The provisions regarding the use of land for more than one purpose apply.</p> <p>c) Long term or permanent occupation of accommodation is prohibited, and chalets/units may not be sectionalized.</p> <p>d) All development on site shall be in accordance with a site development plan.</p> <p>e) The application should address the adequate provision of engineering services and a services agreement is required. The municipality may, where necessary, require a financial contribution.</p>
Home enterprise	Means the use of a dwelling house by the owner for conducting a small service business with the aim of deriving income.	<p>(a) Only permissible with the consent of the municipality on erven zoned Residential 1, Residential 5, Agriculture 1 and Agriculture 2.</p> <p>(b) This includes the provision of services to the local community such as professional and administrative services, hairdressers, beauty salons, tailors and places of instruction, but excludes a shop, motor vehicle workshop, noxious industry, place of refreshment, guesthouse, place of amusement or the bulk preparation and selling of food or alcoholic products.</p> <p>(c) A maximum of three people may be employed by the enterprise, of which one is the owner or full time occupant of the property</p>

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
		<p>(d) The home enterprise shall not exceed 20% of the floor area of the dwelling house.</p> <p>(e) Retail trade in goods directly related to or produced by the home enterprise is permitted as a subsidiary use.</p> <p>(f) The residential character of the building shall be retained and the immediate residential environment shall not be detrimentally affected.</p> <p>(g) All parking shall be provided on site and no street parking will be permissible.</p> <p>(h) The use shall not cause a public nuisance;</p> <p>(i) All development on the site shall be in accordance with an approved site development plan.</p>
Homestead	Means land, buildings and structures used for the accommodation of an extended traditional family, who has been allocated the land by means of customary law.	(a) The use is only permitted in traditional authority areas.
Hospital	Means land used as an institution for medical purposes for the diagnosis and treatment of human illness; with integrated facilities such as operating theatres and live-in accommodation for patients and staff; and includes a clinic, dispensary, medical consulting rooms and a place of refreshment.	<p>a) All development on the site shall be in accordance with an approved site development plan.</p> <p>b) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.</p>
Hospitality establishment	Means a farm portion or agricultural holding used for entertainment, recreation and gathering purposes, such as	<p>(a) This may include:</p> <p>(i) farm stall;</p> <p>(ii) wedding chapel and reception area;</p>

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
	a children's party venue, conference facility or wedding venue.	<ul style="list-style-type: none"> <li>(iii) conference facility;</li> <li>(iv) wellness centre;</li> <li>(v) curio shop and art gallery;</li> <li>(vi) place of refreshment;</li> <li>(vii) recreation area;</li> <li>(viii) nursery;</li> <li>(ix) petting zoo;</li> <li>(x) facilities that are subservient and ancillary to the dominant use of the property as a farm or agricultural holding.</li> </ul> <p>(b) All development on the site shall be in accordance with an approved site development plan.</p> <p>(c) The provision of engineering services shall be to the satisfaction of the municipality and the municipality may, where necessary, require a financial contribution.</p>
Hotel	Means a temporary residence for an unlimited number of transient guests, where lodging and meals are provided.	<p>a) This may include:</p> <ul style="list-style-type: none"> <li>(i) wedding chapel and reception area;</li> <li>(ii) conference facility;</li> <li>(iii) wellness centre;</li> <li>(iv) curio shop and art gallery;</li> <li>(v) one or more places of refreshment;</li> <li>(vi) recreation area;</li> <li>(vii) facilities that are subservient and ancillary to the dominant use of the property as a hotel.</li> </ul>

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
		<p>b) All development on the site shall be in accordance with an approved site development plan.</p> <p>c) The provision of engineering services shall be to the satisfaction of the municipality and the municipality may, where necessary, require a financial contribution.</p>
Household	A household is limited to a nuclear family (two parents and their children) plus a maximum of four additional persons (extended family members or unrelated persons).	No more than one household (as defined by this scheme), together with four other persons, or a maximum of ten persons, may live on a permanent basis in one dwelling house or one dwelling unit.
Industrial purposes	<p>Means land used for purposes normally or otherwise reasonably associated with:</p> <p>a) activities where an article is manufactured, produced, built, assembled, disassembled, compiled, printed, ornamented, processed, treated, adapted, repaired, renovated, rebuilt, altered, painted (including spray painting), polished, finished, cleaned, dyed, washed, sorted, packed, chilled, frozen or stored in cold storage.</p>	<p>a) The use includes storage, distribution and cartage services.</p> <p>b) The use includes offices and wholesale trade, caretaker's dwelling unit or other uses which are subservient to the use of the property as a factory; and includes a warehouse, the generation of electricity; refuse disposal sites; recycling and abattoir.</p> <p>c) All development on the site shall be in accordance with an approved site development plan.</p> <p>d) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.</p>
Informal trade	Means the legal selling of products as street trading in terms of the applicable municipal by-law.	

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Initiation school	Means land use as a place of instruction for registered cultural institution or a place where cultural initiation into manhood/womanhood (that may also involve circumcision), including teachings of cultural practices and behaviours.	a) The use may only be permitted with the consent of the municipality in accordance with an approved site development plan.
Institutional purposes	Purposes normally or otherwise reasonably associated with the use of land for charitable institutions, orphanages, hospitals, nursing homes, old-age homes, orphanages, clinics and sanatoriums, either public or private.	a) Excluding institutions which primarily use offices perform administrative work but include doctors' consulting rooms. b) All development on the site shall be in accordance with an approved site development plan. c) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.
Kitchen	Means any room or area in a dwelling unit where food is prepared and cooked on a regular basis.	
Land	Defined in terms of the By-law	
Landscaping	Means the placement of plants, contoured features, water features, paving, street furniture and other soft and hard elements, for the purposes of enhancing aesthetic appeal, environmental management, storm water management, amenity and value of property, subject to geotechnical conditions.	
Light industry	Means land used as light industries and includes, inter alia, uses or activities specified in Schedule 2 to the Scheme.	a) This land use is not permitted to operate from a residential property.

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		<ul style="list-style-type: none"> <li>b) Panel beating and spray painting may only be allowed as a consent for a secondary right, subject to the issuing of a certificate by the relevant Health authority.</li> <li>c) All development on the site shall be in accordance with an approved site development plan.</li> </ul>
Limited overnight accommodation	Means land used for rooms that form part of a permanently occupied dwelling house, designed for accommodation of a small number of transient guests.	<ul style="list-style-type: none"> <li>a) The use is only permitted with the consent of the municipality.</li> <li>b) A maximum of four guest rooms is permitted.</li> <li>c) This includes concepts such as bed and breakfast suites and self-catering suites.</li> <li>d) The self-catering suites may not be converted into dwelling units or be sectionalised.</li> <li>e) The use shall not interfere with the amenity of the surrounding properties by virtue of noise, appearance, smell or any other activities whatsoever or cause a public nuisance.</li> <li>f) All development on the site shall be in accordance with an approved site development plan.</li> </ul>
Line of no access	Means a line along any street, erf or site boundary or portion thereof prohibiting any vehicular access.	
Lodge	Means the use of land for accommodation for transient guests in self-catering rooms or chalets situated in natural surroundings.	<ul style="list-style-type: none"> <li>a) A maximum of twenty guest rooms or chalets is permitted.</li> <li>b) This may include: <ul style="list-style-type: none"> <li>(i) wedding chapel and reception area;</li> </ul> </li> </ul>



COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
		<ul style="list-style-type: none"> <li>(ii) conference facility;</li> <li>(iii) wellness centre;</li> <li>(iv) curio shop and art gallery;</li> <li>(v) place of refreshment;</li> <li>(vi) recreation area;</li> </ul> <p>but the facilities are not open to the general public.</p> <ul style="list-style-type: none"> <li>c) Long term or permanent occupation of accommodation is prohibited, and chalets/units may not be sectionalized.</li> <li>d) All development on site shall be in accordance with a site development plan.</li> <li>e) The application should address the adequate provision of engineering services and a services agreement is required on land that does not form part of a township. The municipality may, where necessary, require a financial contribution.</li> </ul>
Low impact use	Means, in relation to a traditional authority area, a land use that could not negatively impact on the health and welfare of the traditional community concerned.	<p>Land development applications for these uses will be dealt with in terms as a category 2 application in terms of chapter 5 of the By-law.</p> <ul style="list-style-type: none"> <li>a) A list of low impact is set out in Schedule 1 of this scheme.</li> </ul>
Medical consulting rooms	Means land used as an institution for professional rooms for medical practitioners associated with restoring or preserving health but excluding overnight facilities.	<ul style="list-style-type: none"> <li>(a) The uses should be compatible with business and office uses.</li> <li>(b) The following uses may be permitted with the consent of the municipality: <ul style="list-style-type: none"> <li>(i) A place of instruction;</li> </ul> </li> </ul>

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
		<ul style="list-style-type: none"> <li>(ii) A dispensing chemist; and</li> <li>(iii) A clinic</li> <li>(c) No institutional or residential buildings shall be permitted.</li> <li>(d) All development on the site shall be in accordance with an approved site development plan.</li> </ul>
Mining purposes	<p>Means land used for:</p> <ul style="list-style-type: none"> <li>(a) Any excavation in the earth or any tailings, whether being worked or not, made for the purpose of searching for or winning a mineral; or</li> <li>(b) The exploitation of a mineral deposit, including the mining area and all buildings, structures, machinery, mine dumps, access roads or objects situated on such area and which are used or intended to be used in connection with such searching, winning or exploitation or for the processing of such mineral.</li> </ul> <p>These uses must be authorized in terms of section 5 of the Mineral and Petroleum Resources Act 28 of 2002.</p> <p>This includes agriculture as a primary right, as well as ancillary uses such as residential areas, community facilities, medical uses, local business and uses required for the operation of the mine.</p>	<ul style="list-style-type: none"> <li>(a) Mining includes prospecting rights, mining rights, mining permits, retention permits, exploration rights, production rights, reconnaissance permits or technical co-operation permits in terms of the MPRDA.</li> <li>(b) The mining land use zoning is a temporary right applied by means of a split zoning.</li> <li>(c) The mining land use zoning shall lapse upon the issuing of a closure certificate in terms of section 44 of the MPRDA and the zoning shall revert to Agriculture.</li> <li>(d) Nothing in this provision should be considered as preventing the formalisation of land use rights prior to the issuing of a closure certificate under the MPRDA.</li> <li>(e) Land uses considered to be viable beyond the life of mine should be formalised.</li> <li>(f) The applicant must satisfy the municipality as part of the land use development application that the land concerned has been properly rehabilitated to allow for the intended use, after a closure certificate has been issued.</li> </ul>

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
		<p>(g) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.</p> <p>(h) Land use approval by the municipality may not be exercised until all other statutory requisites have been obtained.</p>
Mobile dwelling unit	Means land developed with a prefabricated combined suite of rooms, which may not include more than one kitchen, designed for occupation and use by a single household as a residence, which has been provided with the necessary service connection points and is so manufactured that it can be moved as a unit or units on wheels.	
Modal transfer point	Means land used for transport purposes with area designated by the municipality from time to time, where one mode of public transport is exchanged for another.	<p>a) Provided in areas where the majority of residents make use of public transport or where the use of private motor vehicles is very limited.</p> <p>b) Provision shall be made for adequate shelter, security and ablution facilities for commuters.</p> <p>c) All development on site shall be in accordance with an approved site development plan.</p>
Motor showroom	Means land used for business purposes for the display and sales of motor vehicles (new or used) and accessories and ancillary offices.	Workshops may only be permitted with the consent of the municipality in accordance with an approved site development plan.
Motor workshop	Means land used for the repair, maintenance and servicing of all types of motor vehicles and heavy-duty vehicles, including the installation and fitting of parts, security systems	All development on the site shall be in accordance with an approved site development plan.

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	and accessories and ancillary offices. This excludes a scrap yard, panel beater and spray painter.	
Multi-purpose community centre	Means land used for a one stop community service centre for purposes normally or otherwise reasonably associated with public services and activities serving the local community, concentrated at a public transport connectivity point.	<p>(a) This may include, but is not limited to, the following uses:</p> <ul style="list-style-type: none"> <li>(i) Station, bus and taxi rank;</li> <li>(ii) Informal trade area;</li> <li>(iii) Place of instruction;</li> <li>(iv) Social hall,</li> <li>(v) Place of public worship,</li> <li>(vi) Institution,</li> <li>(vii) Municipal clinic or provincial hospital;</li> <li>(viii) Government purposes such as a home affairs office, police office, municipal satellite office, library, magistrates court, post office;</li> <li>(ix) Any other reasonably related used permitted with the consent of the municipality, but excluding a place of amusement.</li> </ul> <p>b) All development on the site shall be in accordance with an approved site development plan.</p> <p>c) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.</p>
Municipal purposes	Means land used for purposes normally or otherwise reasonably associated with a municipality to give effect to its powers and duties.	All development on the site shall be in accordance with an approved site development plan, subject to the provisions of the Building Act.

<b>COLUMN 1: WORD</b>	<b>COLUMN 2: DEFINITION</b>	<b>COLUMN 3: CONDITIONS</b>
Natural ground level	Means the level of the land surface in its unmodified state as established from a contour plan and is used for measuring the height of a building.	To be indicated by a suitably qualified professional on a site development plan and building plans.
Noxious industry	Means land used for an industry considered to be harmful and/or negative to the amenity of the area by the municipality for reasons of danger, noise, smells, pollution or general amenity. This includes, but is not limited to panel-beating, spray-painting, scrap yard, blood boiling, bone boiling, tallow melting, fat melting or extracting, soap boiling, tripe boiling or cleaning, skin storing, bone storing, fellmongering, skin curing, blood drying, gut scraping, leather dressing, tanning, glue making, size making, charcoal burning, brick burning, lime burning, manure making, manure storing, parchment making, malt making, yeast making, cement works, coke ovens, salt glazing, sintering of sulphur bearing materials, viscose works, smelting of ores and minerals, calcimining, puddling and rolling of iron and other metals, conversion of pig iron into wrought iron, reheating, annealing, hardening, forging, converting and carburising iron and other metals, works for the production of, or which employ carbon bisulphate, cellulose lacquers, cyanogen or its compounds, hot pitch of bitumen, pulverised fuel, pyridine, liquid or gaseous sulphur dioxide and sulphur chlorides, works for the production of amyl-acetate, aromatic ethers, butyric acid, caramel, enamelled wire, glass, hexamine, iodoform,	All development on the site shall be in accordance with an approved site development plan.

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	<p>lampblack, B-naphthol, resin products, salicylic acid, sulphated organic compounds, sulphur dyes, ultramarine, zinc chloride and zinc oxide and oil refining and works dealing with the processing or refining of petrol or oil or their products. Provided that where the municipality adds to the list of noxious purposes, such additions shall also be deemed to be included in the above definition and that all health requirements are complied with.</p>	
Nursery	<p>Means land used for the purposes of growing plants or seed for horticulture, growing of vegetables, flowers or any other shrub or tree or the purchasing of plants and/or retail trading therein, including retail trading in related gardening equipment, garden furniture or decorations, as well as irrigation equipment, excluding, however, agricultural implements.</p>	<p>(a) A place of refreshment may be included with the consent of the municipality as an ancillary use.            (b) All development on the site shall be in accordance with an approved site development plan.            (c) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.</p>
Occupant	<p>Means in relation to any building, property or land means a person:</p> <p>(a) who permanently and physically inhabits or occupies a property;</p> <p>(b) is legally entitled to occupy it;</p> <p>is in charge thereof or manages the property, including the agent of such a person who is absent from the property or whose whereabouts are unknown.</p>	

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Office	Means land used for business purposes associated with administrative, professional and related businesses, including a bank, insurance company, building society, medical consulting rooms and related offices or rooms.	All development on the site shall be in accordance with an approved site development plan.
Outbuilding	Means a building, whether attached or separate from the main building, which is ancillary and subservient to the main building, and in the opinion of the municipality, is ordinarily necessary in relation to the use of the main building.	This includes the storage of motor vehicles, storage areas, sheds and external toilets. This excludes a dwelling unit, but includes a bona fide domestic worker's accommodation unit.
Owner	<p>In relation to any building or land:</p> <ul style="list-style-type: none"> <li>a) the person registered in the Deeds Office as the owner of land and also any successor in title;</li> <li>b) the registered holder of a right of leasehold as contemplated in the Black Communities Development Act, 1984;</li> <li>c) the person administering the estate of any persons mentioned in (a) or (b) above, whether as executor, administrator, guardian or any other capacity whatsoever;</li> <li>d) a duly authorised agent of such person as mentioned in (a), (b) and (c).</li> </ul>	
Panel beater	Means land used as an industry for the replacement, reparation, panel beating and spray painting of vehicles. This includes the storage and sale of spare parts and ancillary offices.	All development on the site shall be in accordance with an approved site development plan.

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
Panhandle	The access section of a panhandle erf to a public street.	
Panhandle erf or panhandle portion	Means that part of a property to which access is gained by means of a panhandle	
Panhandle subdivision	Means a subdivision which results in one or more of the portions created by such subdivisions that gain access by means of a panhandle or panhandles.	<ul style="list-style-type: none"> <li>a) The area of the subdivided portion does not include the area of the panhandle.</li> <li>b) The panhandle shall not exceed 35 metres in length, provided that the municipality may, under exceptional circumstances and at its sole discretion, approve a maximum length in excess of 35 metres.</li> <li>c) The panhandle shall have a minimum width of: <ul style="list-style-type: none"> <li>(i) not less than 4 metres for a single residential property; or</li> <li>(ii) not less than 5 metres for two or more residential properties or for non-residential uses.</li> </ul> provided that the municipality may, in its sole discretion, approve an access portion of 3 metres wide.</li> <li>d) The panhandle shall be constructed, paved and maintained by the owner to the satisfaction of the municipality.</li> <li>e) No building or other structure shall be erected within the panhandle area and no large-rooted trees shall be planted within the panhandle area.</li> <li>f) The owner shall erect a permanent fence along the panhandle, which shall be completed and finished off on both sides to the satisfaction of the municipality.</li> </ul>



COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
Parking area	Means land comprising parking space and sufficient manoeuvring space.	a) The parking bays, together with room for entrance and manoeuvring must, in the opinion of the municipality, be functional and accessible and must be maintained to the satisfaction of the municipality. b) The said parking together with the necessary manoeuvring area are to comply with Table 4.
Parking bay	Means an area measuring not less than 5,0m x 2,5m for perpendicular or angled parking and 6,0 m x 2,5 m for parallel parking, which is clearly outlined and demarcated for the parking of one motor vehicle and which is accessible to the satisfaction of the municipality.	
Parking garage	Means land (excluding a road, street and on-site parking associated with a primary right or consent use), that is used exclusively for the parking of motor vehicles not intended for sale or trade.	All development on the site shall be in accordance with an approved site development plan.
Place of amusement	Means the use of land as a public hall, theatre, cinema, music-hall, concert hall, billiard saloon, sports stadium, showgrounds, skating rink, dance hall, electronic games and gaming machines or for other recreational purposes, or for trade or industrial exhibitions.	a) All development on the site shall be in accordance with an approved site development plan. b) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.
Place of instruction	Means the use of for teaching purposes, including a crèche, day mother and day care centre, early childhood development centre; school and after care centre, tertiary education centre, college, academy, vocational training,	a) The following uses may be included with the consent of the municipality: (i) A place of refreshment;

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
	university, research institutes, technical institutes, lecture rooms, convent and monastery, public library, art gallery and museum, gymnasium.	<ul style="list-style-type: none"> <li>(ii) Residential buildings, staff accommodation units; and</li> <li>(iii) All uses which in the opinion of the municipality are directly related to and subservient to the main use.</li> <li>b) All development on the site shall be in accordance with an approved site development plan.</li> <li>c) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.</li> </ul>
Place of public worship	Means land used for religious purposes such as a chapel, church, oratory, house of worship, parsonage, synagogue, mosque or other place of public devotion.	<ul style="list-style-type: none"> <li>(a) This includes: <ul style="list-style-type: none"> <li>(i) a building designed and used for a place of instruction,</li> <li>(ii) an institution related to the religious purposes,</li> <li>(iii) a wall of remembrance, and</li> <li>(iv) other buildings used for social gatherings and recreation on the property.</li> <li>(v) but excludes a funeral chapel, which is only permitted with the consent of the municipality.</li> </ul> </li> <li>(b) All development on the site shall be in accordance with an approved site development plan.</li> <li>(c) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.</li> </ul>
Place of refreshment	Means land used for the preparation, sale and consumption of refreshments on the property such as a café, coffee shop, tea garden, restaurant and food truck. It includes the retail	<ul style="list-style-type: none"> <li>a) The place of refreshment is permitted as an ancillary use to a primary use such as a nursery, hospital, institution, gymnasium, sport club, resort or similar use and will only be permitted with the consent of the municipality.</li> </ul>

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
	sale of meals and refreshments, fresh produce, mineral waters, tobacco, reading material and sweets.	b) All development on the site shall be in accordance with an approved site development plan.
Primary right	Means in relation to buildings or land means any use specified in the scheme as a primary use, being a use that is permitted without the need to obtain consent or permission from the municipality.	
Private club	Means land used for a private meeting place for a group of people with a common objective.	a) A place of refreshment may be included with the consent of the municipality. b) All development on the site shall be in accordance with an approved site development plan.
Private open space	Means private land used for a sport-, play-, or rest and recreation area, conservation purposes or as an ornamental garden whereto the public does not have a right of access, except by consent.	All development on the site shall be in accordance with an approved site development plan.
Private road	Means a private right of way and includes the whole or part of any street, road, bridge, subway, tunnel, avenue, lane, alley, arcade, servitude of right-of-way or passage, shown on a general plan of a township, agricultural holdings or other division of land.	
Professions and occupations	Means land used for a paid occupation that involves training and a formal qualification regulated by a professional body or institution.	Subject to conditions set out under “Protection for professions and occupations” in this land use scheme. The practice shall not involve any of the following: (a) The use of the dwelling house as a service industry, light industry or noxious activity;

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
		<p>(b) The public display of goods whether in a window or otherwise;</p> <p>(c) display of any notice or sign, except such notice or sign as is commonly displayed at a dwelling house to indicate the profession or occupation of the occupant; provided that it shall not exceed 450 mm x 900 mm in size, unless mounted on a permanent structure constructed of clay bricks and/or plastered to the satisfaction of the municipality;</p> <p>(d) logos or sign boards illuminated by neon lights;</p> <p>(e) Interference with the amenities of the neighbourhood or causing of a public nuisance;</p> <p>(f) The employment of more than 2 employees;</p> <p>(g) The use of not more than 20% of the floor area of the house, including outbuildings, for the purpose of an occupation or profession, subject to the condition that such portion or portions shall be determined by including therein all areas used in conjunction therewith, such as offices, work areas, storerooms, public toilets, corridors and reception area;</p> <p>(h) the storage, display or repairing of any goods of whatever nature, outside a building.</p> <p>(i) All parking associated with the profession or occupation, its employees and visitors shall be provided on site to the satisfaction of the municipality.</p>

<b>COLUMN 1: WORD</b>	<b>COLUMN 2: DEFINITION</b>	<b>COLUMN 3: CONDITIONS</b>
Property	Means a farm portion, agricultural holding, erf, leasehold site or portion of land which is demarcated by the approved Surveyor General diagram and registered as a separate unit in the Deeds Office. This includes all buildings, structures or natural elements on the property.	
Protected area	<p>Means land used for the following purposes that includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>(a) Nature reserves, including wilderness areas and protected environments, as declared in terms of the National Environmental Management: Protected Areas Act 57 of 2003;</li> <li>(b) Specially protected forest areas, forest nature reserves and forest wilderness areas declared in terms of the National Forests Act 84 of 1998;</li> <li>(c) Mountain catchment areas declared in terms of the Mountain Catchment Areas Act 63 of 1970;</li> <li>(d) Heritage sites declared in terms of the National Heritage Resources Act, 25 of 1999 (NHRA);</li> <li>(e) World heritage sites declared in terms of the World Heritage Convention Act 49 of 1999; and</li> <li>(f) Provincial nature reserves, sites of ecological importance, protected environments, private nature reserves or resource use areas as indicated in the provincial conservation plan, as amended.</li> </ul>	

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
Public garage	Means land used for business purposes for the following: a) a filling station as defined by this land use scheme; b) maintaining and repairing of motor vehicles and related purposes; c) parking or storage of motor vehicles, sale of spare parts, accessories, fuel and lubricants for vehicles; d) sale of new or used vehicles; e) a café or convenience store subservient to the main use which shall not exceed 250 m <sup>2</sup> f) an office subservient to the main use but excluding panel beating and spray painting and a scrap yard.	(a) The shop and a drive- through restaurant shall not exceed 250m <sup>2</sup> . (b) A workshop (enclosed building) for the maintenance and repair of vehicles (excluding panel beating and spray painting) may only be permitted with the consent of the municipality in accordance with an approved site development plan. (c) Provision should be made for treatment of dirty water and oil to prevent pollution of stormwater runoff. (d) All development on the site shall be in accordance with an approved site development plan. (e) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.
Public nuisance	Refer to By-law	
Public open space	Means land used by members of the public as undeveloped land, a park, garden, conservation area, playground, square or recreation area and sports ground.	a) The following uses may be permitted with the consent of the municipality in accordance with an approved site development plan: (i) a place of instruction; (ii) social hall; (iii) restaurant or place of refreshment; and (iv) municipal uses. b) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
Quarrying	Means a land use where an artificial hole is made in the ground where stone, sand, clay and other materials is dug for use as building materials and other purposes.	<ul style="list-style-type: none"> <li>(a) This land use will have a high impact on the community as defined by the By-law and is dealt with as a category 1 application in terms of the By-law.</li> <li>(b) The land use will only be permitted as a consent use in accordance with an approved site development plan.</li> <li>(c) The applicant must satisfy the municipality as part of the consent use application that the land concerned will be properly rehabilitated after the quarrying has ceased.</li> <li>(d) The application must address environmental considerations, specifically (but not limited to) dust pollution, water source, runoff, erosion prevention measures and rehabilitation to the satisfaction of the municipality.</li> <li>(e) Land use approval by the municipality may not be exercised until all other statutory requisites have been obtained.</li> </ul>
Recreation area	Means land that, due to its natural or man-made attractions, is used for purposes normally or otherwise reasonably associated with recreation, entertainment, leisure and sport activities.	<ul style="list-style-type: none"> <li>a) The following uses may be included: <ul style="list-style-type: none"> <li>(i) swimming pools,</li> <li>(ii) water slides,</li> <li>(iii) braai facilities,</li> <li>(iv) picnic sites,</li> <li>(v) adventure and sport activities;</li> <li>(vi) wedding chapel and reception area;</li> <li>(vii) conference facility;</li> <li>(viii) curio shop and art gallery;</li> </ul> </li> </ul>

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
		<p>(ix) place of refreshment.</p> <p>b) All development on the site shall be in accordance with an approved site development plan.</p> <p>c) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.</p> <p>d) The application should address the adequate provision of engineering services and a services agreement is required. The municipality may, where necessary, require a financial contribution.</p>
Renewable energy infrastructure	Means land with a structure and/or building used for the purpose of generating, distributing and transmission of renewable energy from biomass and non-biomass renewable sources such as hydropower, geothermal, wind, and solar.	This excludes solar panels or renewable energy infrastructure used for own consumption (where energy is not distributed outside the property where it is generated). The renewable energy infrastructure shall be in accordance with an approved site development plan.
Restaurant	Means land used as a business for the preparation and consumption of food and liquid refreshments for the general public on the site and may include a children's play area. This may include a separate service counter for take away food. The on-site consumption of liquor must be legalised by means of a liquor licence issued in terms of relevant legislation.	All development on the site shall be in accordance with an approved site development plan.
Retail trade	Means land used as a business involved in commercial trading in end products and includes an accompanying store room and a small workshop which is reasonably necessary	All development on the site shall be in accordance with an approved site development plan.



COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
	and incidental to the specific retail business, such as a manufacturing jeweler, excluding however wholesale trade as defined in this scheme.	
Retirement village	Means the use of land for dwelling units intended for the accommodation or settlement of persons upon their retirement and may include an administrative building and community facilities such as a dining hall, sick-bay, sport and recreation facilities or such other facilities, approved by the local municipality.	<ul style="list-style-type: none"> <li>a) All development on the site shall be in accordance with an approved site development plan.</li> <li>b) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.</li> </ul>
Rooms to let	Means the use of land for a dwelling house with habitable rooms detached from the main dwelling house available for rental on a short or long term basis.	<ul style="list-style-type: none"> <li>c) Only permitted as a written consent.</li> <li>d) The rooms may have separate or shared kitchen and ablution facilities.</li> <li>e) The occupancy per room is limited to one household.</li> <li>f) A maximum of eight persons may share a single toilet.</li> <li>g) Only four rooms to let per erf and all parking must be provided on site.</li> <li>h) The total development on the site shall not exceed the permissible rights and development controls as per land use scheme.</li> </ul>
Rural general dealer	Means the use of land with a building or part of a dwelling unit situated on an agricultural holding or farm portion used for the purposes of selling basic groceries (daily convenience goods) and fresh produce.	<ul style="list-style-type: none"> <li>(a) The use may only be permitted with the consent of the municipality and a site development plan may be required at the discretion of the municipality;</li> <li>(b) The sale of liquor is prohibited;</li> </ul>

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
		<p>(c) The area used for the rural general dealer shall not exceed a total floor area of 250m<sup>2</sup>.</p> <p>(d) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.</p>
Sand washing	Means land used for surface mining to remove sand. The sand is screened and washed to remove silt and clay and allowed to drain.	<p>(a) This land use will have a high impact on the community as defined by the By-law and is dealt with as a category 1 application in terms of the By-law.</p> <p>(b) The land use will only be permitted in accordance with an approved site development plan.</p> <p>(c) The applicant must satisfy the municipality as part of the consent use application that the land concerned will be properly rehabilitated after the sand washing has ceased.</p> <p>(d) The application must address environmental considerations, specifically (but not limited to) dust pollution, water source, runoff, erosion prevention measures and rehabilitation to the satisfaction of the municipality.</p> <p>(e) Land use approval by the municipality may not be exercised until all other statutory requisites have been obtained.</p>
Scheme	Means the Greater Tzaneen Local Municipality Land Use Scheme and includes the definitions, clauses, scheme maps and annexures.	

<b>COLUMN 1: WORD</b>	<b>COLUMN 2: DEFINITION</b>	<b>COLUMN 3: CONDITIONS</b>
Scrap yard	Means land used for industrial purposes as a junk yard or scrap yard for the dismantling, stacking, storing or preparation for resale of any used material, waste materials, vehicles, machinery or any other scrap material, regardless of whether or not such dismantling or storage takes place with a view to disposal or re-use. Subsidiary offices are also permitted.	All development on the site shall be in accordance with an approved site development plan.
Second dwelling unit	Means land used for a dwelling house with a second complete single dwelling unit on the erf.	<ul style="list-style-type: none"> <li>(a) Only one per erf permitted with consent.</li> <li>(b) The second unit may or may not be structurally linked to the first house.</li> <li>(c) The permissible height, floor area and coverage shall not be exceeded.</li> <li>(d) A minimum of one parking bay shall be provided on the erf to serve the exclusive needs of the second dwelling unit.</li> <li>(e) The design of the dwelling unit including any garage or carport associated therewith, as well as the location thereof, access to and egress from the site and parking arrangements shall be architecturally integrated with and harmoniously related to the dwelling house, to the satisfaction of the municipality.</li> <li>(f) The second dwelling unit may not be sectionalised.</li> <li>(g) All development on the erf shall be in accordance with an approved site development plan.</li> </ul>

<b>COLUMN 1: WORD</b>	<b>COLUMN 2: DEFINITION</b>	<b>COLUMN 3: CONDITIONS</b>
Service industry	<p>Means land used for a small-scale industry including small-scale manufacturing, servicing and repairs with a subsidiary retail component, incidental to the needs of the community, which will not:</p> <ul style="list-style-type: none"> <li>a) impair the amenities of surrounding properties or create a nuisance;</li> <li>b) be a source of disturbance to surrounding properties;</li> <li>c) be liable, in the event of fire, to cause excessive combustion, give rise to poisonous fumes or cause explosions.</li> </ul> <p>Refer to the list in Schedule 3.</p>	<ul style="list-style-type: none"> <li>(a) The use shall not have a detrimental effect on the surrounding area or cause any public nuisance or disturbance such as noise, odour, appearance or any undesirable activities whatsoever.</li> <li>(b) The use is only permitted with the consent of the municipality in accordance with an approved site development plan.</li> <li>(c) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.</li> <li>(d) Excluding a public garage and filling station</li> </ul>
Shebeen	<p>Means land used for a dwelling house with part of the house constructed, designed or adapted for the sale of liquor for off-site consumption.</p>	<ul style="list-style-type: none"> <li>a) The sale of liquor must be legalised by means of a liquor licence issued in terms of the Liquor Act, 1997 (Act 87 of 1997).</li> <li>b) On site consumption of liquor is prohibited.</li> <li>c) Social gatherings are prohibited.</li> <li>d) Preparation and consumption of food for the shebeen are prohibited.</li> <li>e) The dominant use shall remain residential for the owner or occupant.</li> <li>f) All Health and Safety By-laws shall be complied with.</li> <li>g) Signage shall be to the satisfaction of the municipality.</li> <li>h) The use shall not interfere with the amenity of the surrounding properties by virtue of noise, appearance,</li> </ul>

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
		<p>smell or any other activities whatsoever or cause a public nuisance.</p> <p>i) The use may only be permitted with the consent of the municipality and a site development plan may be required at the discretion of the municipality.</p>
Shop	Means land used for business purposes for the carrying on of retail trade and the necessary accompanying storage and packing, and includes any accompanying use on the same site which is incidental and subordinate to the conduct of the retail business.	<p>(a) The storage, packaging and accompanying use shall not comprise more than 30% of the floor space or give rise to any disturbance or public nuisance.</p> <p>(b) The following uses are not considered as incidental to a shop:</p> <ul style="list-style-type: none"> <li>(i) Noxious activity;</li> <li>(ii) Place of refreshment;</li> <li>(iii) Scrap yard;</li> <li>(iv) Commercial use or warehouse;</li> <li>(v) Public garage or filling station;</li> <li>(vi) Parking garage;</li> <li>(vii) Place of amusement;</li> <li>(viii) Vehicle sales lot.</li> <li>(ix) Restaurant;</li> <li>(x) Residential uses.</li> </ul> <p>(c) All development on the site shall be in accordance with an approved site development plan.</p>
Site	A property or part thereof, registered in the Deeds Office with cadastral boundaries and includes all natural and man-made features. This generally refers to a property subject to	

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
	development proposals. A site can be publicly or privately owned, but excludes any public road or street.	
Site Development Plan	Refer to the By-law	
Social hall (community hall)	Means land used for social gatherings, meetings and recreation (without board and lodging). A place of refreshment may be included with the consent of the municipality.	(a) All development on the site shall be in accordance with an approved site development plan. (b) A place of refreshment may be included with the consent of the municipality.
Spaza shop	Refer to the By-law	
Special development zone	Means a clearly defined geographical area that the municipality has delineated for focused planning and development intervention and investment.	
Special use	Means land used for any use other than one of the uses defined in this LUS or mentioned in any definition.	Only if used in the LUS
Sports facility	Means the use of land for public or private games, sport, competitions or other physical activities and can include inter alia a golf course, athletic stadium, gymnasium and a social hall.	(a) A place of refreshment may be included with the consent of the municipality; (b) All development on site shall be in accordance with an approved site development plan. (c) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.
Storey	Means the space within a building between one floor level and the next, or ceiling or roof above, including the ground floor.	
Street or road	Means the area or portion occupied by any street, road, bridge, subway, avenue, lane, thoroughfare or right of way	

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
	shown in the General Plan of a township or farm portion or in respect whereof the public has acquired a right of way by prescription or otherwise.	
Subdivision	Refer to By-law	
Tavern	Means land where the on-site consumption of liquor has been legalised by means of a liquor licence and includes a restaurant, café or pub designed and used for the preparation and on-site consumption of meals, refreshments and liquor as well as retail sale of cold drink and smoking requisites.	<ul style="list-style-type: none"> <li>(a) A hotel, residential use and drive through restaurant are excluded.</li> <li>(b) The use may not interfere with the amenity of surrounding properties or be of nuisance value by virtue of noise, appearance, smell or activities or any other public nuisance.</li> <li>(c) The use may only be operated from a structure approved in terms of the National Building Regulations and Building Standards and therefore no informal, temporary structures or containers will be permitted.</li> <li>(d) No tavern is permitted in flats or municipal rental units or allowed to encroach upon public open spaces or road reserves.</li> <li>(e) This use may only be permitted with the consent of the municipality in terms of an approved site development plan.</li> </ul>
Taxi terminus	Means land with a demarcated part of a parking lot which may be used by minibuses (taxis) aiming to provide a public transport service.	This may include informal retail, the provision of parking places for taxis shall be deemed to constitute provision of parking spaces for the purposes of determining parking provision on any property.

<b>COLUMN 1: WORD</b>	<b>COLUMN 2: DEFINITION</b>	<b>COLUMN 3: CONDITIONS</b>
Telecommunication infrastructure	Means land used for telecommunication purposes, which includes inter alia radio and/or microwave technology, cellphone technology or other technology as may be permitted in terms of the relevant legislation.	The telecommunication infrastructure shall be in accordance with an approved site development plan.
Temporary building	Means a building designated as such by the owner and which is used, or will be used, for a specified limited period for a specified purpose, but does not include a building shed.	Refer to chapter 6, General conditions applicable to all erven.
Temporary use	Means land temporarily used for purposes which are in conflict with the applicable zoning and general provisions of the scheme, but which the Municipality has approved for a specific period.	Use of land or buildings for another purpose such as inter alia concerts, fairs, fetes, circuses, bazaars, parking, food trucks, place of public worship, public gatherings or meetings, social halls and any other use which the municipality deems fit in the interest of the community
Township	Means land that: (a) is laid out or divided or subdivided into or developed or to be developed, as a single property or multiple properties for residential, business, industrial, institutional, educational, community services and/or similar or other purposes or land uses, as may be contained in a land use management scheme; (b) are arranged in such a manner as to have the character of what constitutes a township, in the opinion of the municipality, including:	a) Township establishment is only permitted inside the urban development boundary. b) The application should address the adequate provision of engineering services and a services agreement is required.



COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
	<p>(i) intended or actual single or multiple ownership of erven, land or units, and or multiple land use rights; and/or</p> <p>(ii) which may or may not be intersected or connected by or abut on any public or private street or roadway, in the case of a proposed sectional title scheme; and</p> <p>(iii) public or private streets or roadways shall for the purposes of this definition include a right of way or any land used for purposes of a street, road, or roadway whether surveyed and/or registered, which is only notional in character;</p>	
Traditional authority area	Means land which falls within the municipal area and which is occupied by traditional community and falls under the jurisdiction of a traditional council.	
Traditional settlement area	Means the section of a traditional authority area that is occupied by dwelling houses and dwelling units.	
Transport uses	Means land used for the transportation of goods and/or passengers by rail, air, road and pipelines.	a) This includes uses such as stations, aerodromes, transportation amenities and facilities, modal transfer points, parking, terminus (bus, taxi, minibus taxis), loading bays, administrative offices, a place of refreshment, place of instruction, warehouses, container parks, workshops as well as residential uses and amenities for personnel.

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
		b) All development on the site shall be in accordance with an approved site development plan. c) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.
Urban agriculture	Means the use of land to cultivate crops and rear small numbers of livestock, on relatively small areas within towns, for own consumption or sale in neighbouring markets.	
Use zone	Means a zone indicated with a specific notation in the scheme that is subject to the restrictions imposed on the erection and use of buildings or the use of land contained as detailed in the scheme.	
Wall of remembrance	Means land with a structure where containers with the ashes of the deceased are inserted in openings or niches in the structure and thereafter sealed and/or on which appropriate commemorative plaques can be attached.	This use forms part of a cemetery and/or religious sites and should enjoy public access during the day.
Warehouse	Means land used for storing goods. This includes enterprises that usually require extensive areas such as the business of a wholesaler, cartage contractor, building contractor, building materials dealer, agricultural requisites dealer and/or a dealer in other heavy equipment. This excludes storage and trade in goods that are, in the opinion of the municipality, dangerous, noxious or unsightly.	All development on the site shall be in accordance with an approved site development plan.
Wellness centre	Means land used for a place of relaxation and rejuvenation.	a) This includes a combination of the following uses: (i) hair salon;

COLUMN 1: WORD	COLUMN 2: DEFINITION	COLUMN 3: CONDITIONS
		<p>(ii) nail bar;            (iii) beauty salon;            (iv) spa, and            (v) place of refreshment            but excludes medical procedures performed in a medical theatre.</p> <p>b) The centre may function as a stand-alone facility or a subsidiary use to an accommodation establishment.</p> <p>c) Parking, ingress and egress shall be to the satisfaction of the municipality.</p> <p>a) All development on site shall be in accordance with a site development plan.</p>
Wine, beer and liquor tasting	Means land used for informal, recreational tasting of wine, beer and liquor as part of tourism activities.	<p>a) This use is only permitted with the consent of the municipality as a subsidiary use to a winery brewery or distillery.</p> <p>b) All development on the site shall be in accordance with an approved site development plan.</p> <p>c) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.</p>
Workshop	Means land used for conducting a retail business in goods manufactured, processed, assembled or repaired wholly or partially on the property and in any case a building not classified as a factory.	All development on the site shall be in accordance with an approved site development plan.

<b>COLUMN 1: WORD</b>	<b>COLUMN 2: DEFINITION</b>	<b>COLUMN 3: CONDITIONS</b>
Zoning	When used as a noun, means a category of directions regulating the development of land and setting out the purposes for which the land may be used and the land use or development rules applicable in respect of the said category of directions, as determined by this scheme.	

**CHAPTER 2: LAND USE SCHEME ARRANGEMENT****7. THE SCHEME HAS BEEN ARRANGED INTO FOUR MAIN SECTIONS:**

- (1) Land use zones and development controls.
  - (a) Table 2 sets out the land use zones, primary and secondary rights, density, floor area, coverage, height and parking requirements applicable to all erven. Table 2 provides the definitions of land uses and corresponding conditions.
  - (b) Table 2 forms an integral part of the scheme and has the same legality as the rest of the scheme, provided that in the event of a conflict between the provisions of Chapter 3 and any provision in an annexure and/or approved conditions, the provisions of the annexure or conditions shall prevail.
  
- (2) Scheme provisions and conditions.
  - (a) Chapter 4: Provisions to promote certain principles in land development.
  - (b) Chapter 5: Provisions to promote conservation and sustainable use of resources.
  - (c) Chapter 6: Conditions applicable to all erven or categories of erven.
  
- (3) Provisions for land development applications.
  - (a) Chapter 7:
    - (i) Applications permitted in terms of the land use scheme.
    - (ii) Application procedure.
    - (iii) Public notice procedure.
  
- (4) Scheme map.
  - (a) The scheme map indicating the use zones in accordance with Table 2 is available in hard copy and electronic format as part of a GIS database, separate to this document.
  - (b) The GIS database is available at the municipality, and includes:
    - (i) Annexures approved previously and now incorporated into the scheme;
    - (ii) Overlay zones indicating:
      - a. environmental protection areas where specific precautionary measures apply in accordance with the scheme;
      - b. traditional authority areas where specific development guidelines apply; and
      - c. density zones for erven zoned Residential 1 and 5.
  - (c) In the event of a conflict between the provisions of the scheme and the scheme maps, the scheme shall prevail.

## **8. ORIGINAL SCHEME AND AMENDMENT SCHEME**

- (1) This land use scheme shall be known as the original scheme of the municipality or the land use scheme in operation.
  
- (2) Any land use scheme which-
  - (a) is an amendment or extension of the original scheme;
  - (b) is a new scheme substituting the original scheme;
  - (c) is an amendment or extension of a new scheme contemplated in subparagraph 2(b);shall be known as an amendment scheme.

## **9. REGISTER OF AMENDMENTS**

- (1) The municipality must keep a register of-
  - (a) The amendments to this scheme effected after the commencement date;
  - (b) Applications brought in terms of the By-law; and
  - (c) Applications brought in terms of the scheme;in accordance with the By-law.

**CHAPTER 3: LAND USE RIGHTS AND DEVELOPMENT CONTROLS****10. INTERPRETATION OF USE ZONES**

(1) The purposes –

- (a) for which land may be used;
- (b) for which land may be used only with the consent of the municipality; and
- (c) for which land may not be used;

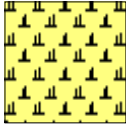
are indicated in each of the use zones specified in **Table 2** (overleaf).

(2) Table 2 contains the following information relating to use zones and development controls:

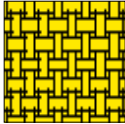

- (a) Column 1: The use zone
- (b) Column 2: Notation on the map
- (c) Column 3: Primary rights: the purposes for which land may be used
- (d) Column 4: Secondary rights: the purposes for which land may be used only with the consent of the municipality in terms of Chapter 7
- (e) Column 5: Instances where the municipality may agree to an exemption in terms of Chapter 7
- (f) Column 6: The purposes for which land may not be used
- (g) Column 7: Height provisions
- (h) Column 8: Coverage provisions
- (i) Column 9: Floor area ratio provisions
- (j) Column 10: Density provisions


**Table 2: Use Zone Table**

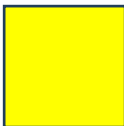
\*This land use is only allowed, subject to a Policy pertaining to a Specific Area and /or Overlay Zone

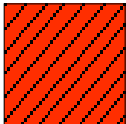
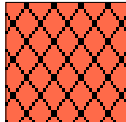
Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Residential 1	(255,255,128) (Swamp 3) 				Uses not under columns (3),(4), (5)				
		Dwelling House Granny Flat Domestic Worker's Accommodation Unit				2	50%	1.0	'Density Overlay Zone
		Second Dwelling House				2	50%	1.0	
		Boarding house				2	50%	1.0	
		Limited Overnight Accommodation				2	50%	1.0	
		Guesthouse				2	50%	1.0	
		Home Enterprise*				2	20% of floor area of House	1.0	
		Institution				2	50%	1.0	
		Place of Instruction				2	50%	1.0	
		Place of Public Worship				2	50%	1.0	
		Social Hall				2	50%	1.0	
		Spaza shop*				2	20% of floor area of House	1.0	
		Renewable Energy Infrastructure					SDP	SDP	SDP
Telecommunication Infrastructure					SDP	SDP	SDP		

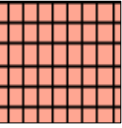
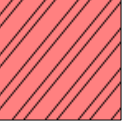


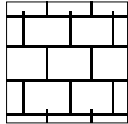
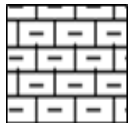
Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)		
<b>Residential 2</b>	(255,232,0) (Weave 2) 				Uses not under columns (3),(4), (5)						
		Dwelling Unit/s				2	50%	1.0	20 u/ha may relax to 40		
		Limited Overnight Accommodation					2	50%	1.0		
		Guesthouse					2	50%	1.0		
			Retirement Village					2	50%		1.0
			Institution					2	50%		1.0
			Place of Instruction					2	50%		1.0
			Place of Public Worship					2	50%		1.0
			Social Hall					2	50%		1.0
			Renewable Energy Infrastructure					SDP	SDP		SDP
	Telecommunication Infrastructure					SDP	SDP	SDP			
<b>Residential 3</b>	(Grid 1, 255,185,0) (Soccerball) 				Uses not under columns (3),(4), (5)						
		Dwelling Unit/s				2	60%	1.2	40 u/ha may relax to 64		
		Retirement Village					2	60%	1.2		
		Communal Residential Building					2	60%	1.2		
		Hotel (excluding off-sales)					2	60%	1.2		
			Limited Overnight Accommodation					2	50%		1.0
			Guesthouse					2	60%		1.2
	Institution					2	60%	1.2			

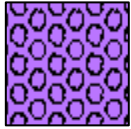
Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
			Place of Instruction			2	60%	1.2	
			Place of Public Worship			2	60%	1.2	
			Social Hall			2	60%	1.2	
			Renewable Energy Infrastructure			SDP	SDP	SDP	
			Telecommunication Infrastructure			SDP	SDP	SDP	
<b>Residential 4</b>	(255,164,72) (Stairs 2) 				Uses not under columns (3),(4), (5)				64 u/ha or less, relaxed to 65+
		Dwelling Unit/s				3	60%	1.8	
		Communal Residential Building				3	60%	1.8	
		Retirement Village				3	60%	1.8	
		Hotel (excluding off-sales)				3	60%	1.8	
		Place of Public Worship				3	60%	1.8	
			Institution			3	60%	1.8	
			Place of Instruction			3	60%	1.8	
			Social Hall			3	60%	1.8	
			Renewable Energy Infrastructure			SDP	SDP	SDP	
			Telecommunication Infrastructure			SDP	SDP	SDP	

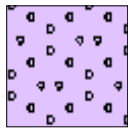
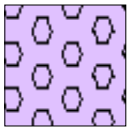
Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<b>Residential 5</b>	(255,255,0) 				Uses not under columns (3),(4), (5)				
		Dwelling House Granny Flat Domestic Worker's Accommodation Unit Homestead				2	50%	1.0	'Density Overlay Zone'
			Second Dwelling House			2	50%	1.0	
			Boarding house			2	50%	1.0	
			Rooms to let*	Rooms to let*		2	50%	1.0	
			Limited Overnight Accommodation			2	50%	1.0	
			Guesthouse			2	50%	1.0	
			Home Enterprise*	Home Enterprise*		2	20% of floor area of House	1.0	
			Institution			5	50%	1.0	
			Place of Instruction			5	50%	1.0	
			Place of Public Worship			2	50%	1.0	
			Social Hall			2	50%	1.0	
			Spaza shop*	Spaza shop*		2	20% of floor area of House	1.0	
			Shebeen*	Shebeen*		2	Part of Dwelling House	1.0	
			Renewable Energy Infrastructure				SDP	SDP	SDP
			Telecommunication Infrastructure				SDP	SDP	SDP

Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)		
<b>Business 1</b>	(255,46,0) (Diagonal 2) 				Uses not under columns (3),(4), (5)						
		Business Purposes				6	90%	3.0			
		Parking Garage					6	90%	3.0		
		Service Industry					2	70%	1.5		
		Commercial					2	70%	1.5		
		Funeral Services					2	70%	1.5		
			Animal Institution					2	70%	1.5	
			Conference Facility					2	70%	1.5	
			Sports Facilities					SDP	SDP	SDP	
			Renewable Energy Infrastructure					SDP	SDP	SDP	
		Telecommunication Infrastructure				SDP	SDP	SDP			
<b>Business 2</b>	(255,106,73) (Diagonal grid 1) 				Uses not under columns (3),(4), (5)						
		Business Purposes				3	75%	2.0			
		Service Industry					2	70%	1.0		
		Commercial					2	70%	1.0		
		Funeral Services					2	70%	1.0		
			Animal Institution					2	70%	1.0	
			Conference Facility					2	70%	1.0	
			Nursery					2	70%	1.0	
			Sports Facilities					SDP	SDP	SDP	
			Renewable Energy Infrastructure					SDP	SDP	SDP	
		Telecommunication Infrastructure				SDP	SDP	SDP			


Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	
<b>Business 3</b>	(255,166,146) (Grid 1) 				Uses not under columns (3),(4), (5)					
		Business Purposes				2	60%	1.2		
		Service Industry					2	70%	1.0	
		Funeral Services					2	50%	1.0	
		Animal Institution					2	50%	1.0	
		Conference Facility					2	50%	1.0	
		Nursery					2	50%	1.0	
		Sports Facilities					SDP	SDP	SDP	
		Renewable Energy Infrastructure					SDP	SDP	SDP	
		Telecommunication Infrastructure				SDP	SDP	SDP		
<b>Business 4</b>	(255,128,128) (Diagonal 5) 				Uses not under columns (3),(4), (5)					
		Offices				2	60%	1.2		
		Dwelling Unit/s					2	60%	1.2	40 u/ha may relax to 64
		Place of Refreshment					2	60%	1.2	
		Conference Facility					2	60%	1.2	
		Place of Instruction					2	60%	1.2	
		Renewable Energy Infrastructure					SDP	SDP	SDP	
				Telecommunication Infrastructure				SDP	SDP	SDP

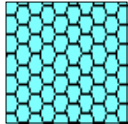
Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	
<b>Public Garage</b>	(Brick wall 1) 				Uses not under columns (3),(4), (5)					
		Public Garage				2	40%	0.8		
		Vehicle Sales Lot					2	70%	1.0	
		Offices					2	70%	1.0	
			Place of Refreshment				2	50%	1.0	
			Workshop				SDP	SDP	SDP	
			Caretaker Dwelling Unit				SDP	SDP	SDP	
			Ancillary Uses				SDP	SDP	SDP	
			Car wash				SDP	SDP	SDP	
			Renewable Energy Infrastructure				SDP	SDP	SDP	
		Telecommunication Infrastructure				SDP	SDP	SDP		
<b>Parking</b>	(Brick wall 8) 				Uses not under columns (3),(4), (5)					
		Parking Garage				SDP	SDP	SDP		
		Parking Area					SDP	SDP	SDP	
		Ancillary Uses and subservient to the main use					SDP	SDP	SDP	
			Bus & Taxi Terminus				SDP	SDP	SDP	
			Car wash				SDP	SDP	SDP	

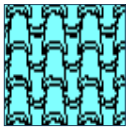
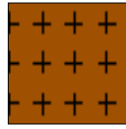
Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	
<b>Industrial 1</b>	(186,117,255) (Circles 2) 				Dwelling Units					
					Residential Buildings					
							Noxious Industries			
				Industrial Purposes (excl. Noxious)					80%	
				Public Garage				2	40%	0.8
				Light Industry	Panel beating/Spray painting				80%	
				Service Industry					80%	
				Commercial Use					80%	
				Workshop					80%	
				Funeral Services				2	70%	1.0
					Parking Garage			SDP	SDP	SDP
					Scrap Yard			1	85%	0.85
					Diesel Depot			2	40%	0.8
					Builder's Yard			1	85%	0.85
					Shops			2	70%	1.0
					Car Sales Lot			2	70%	1.0
					Auction Premises			2	70%	1.0
					Place of Refreshment for own employees only			2	70%	1.0
					Place of Public Worship			2	70%	1.0
					Place of Amusement			2	70%	1.0
			Renewable Energy Infrastructure			SDP	SDP	SDP		
			Telecommunication Infrastructure			SDP	SDP	SDP		

Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)		
<b>Industrial 2</b>	(225,196,255) (Circles 1) 				Dwelling Units						
					Residential Buildings						
		Industrial Purposes						80%			
		Noxious Industries					2	80%	1.5		
		Light Industry	Panel beating/Spray painting						80%		
		Service Industry							80%		
		Commercial Use							80%		
		Abattoir							50%	0.5	
		Funeral Services	Crematorium				2		70%	1.0	
		Workshop							80%		
			Public Garage				2		40%	0.8	
			Parking Garage					SDP	SDP	SDP	
			Scrap Yard				1		85%	0.85	
			Diesel Depot				2		40%	0.8	
			Builder's Yard				1		85%	0.85	
			Place of Refreshment for own employees only					2		70%	1.0
			Place of Public Worship					2		70%	1.0
	Place of Amusement					2		70%	1.0		
	Renewable Energy Infrastructure					SDP	SDP	SDP			
	Telecommunication Infrastructure					SDP	SDP	SDP			
<b>Industrial 3</b>	(224,193,255) (Hexagons) 				Noxious Industries						
		Light Industry	Panel beating/Spray painting				2	70%	1.0		
		Service Industry					2	70%	1.0		
		Commercial Use					2	70%	1.0		
	Public Garage					2	40%	0.8			





Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
			Place of Refreshment for own employees only			2	70%	1.0	
			Shops			2	70%	1.0	
			Place of Public Worship			2	70%	1.0	
			Place of Amusement			2	70%	1.0	
			Renewable Energy Infrastructure			SDP	SDP	SDP	
			Telecommunication Infrastructure			SDP	SDP	SDP	
<b>Commercial</b>	(Rocks) 				Noxious Industries				
		Commercial Use	Retail trade subservient to main use			2	75%	1.5	
		Auction Premises				2	75%	1.5	
		Vehicle Showroom/Dealership				2	75%	1.5	
			Public Garage			2	40%	0.8	
			Diesel Depot			2	40%	0.8	
			Builder's Yard			1	85%	0.85	
			Scrap Yard			1	85%	0.85	
			Place of Refreshment for own employees only			2	70%	1.0	
			Renewable Energy Infrastructure			SDP	SDP	SDP	
		Telecommunication Infrastructure			SDP	SDP	SDP		

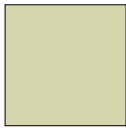
Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)		
<b>Institutional</b>	(128,255,255) (Honeycomb) 				Uses not under columns (3),(4), (5)						
		Institution				4	70%	2.0			
		Place of Public Worship					4	70%	2.0		
		Place of Instruction					4	70%	2.0		
		Social Hall					4	70%	2.0		
			Dwelling unit/s related to the main use					4	70%	2.0	64 u/ha or less, relaxed to 65+
			Residential Building related to the main use					4	70%	2.0	
			Place of Refreshment					SDP	SDP	SDP	
			Wellness Centre					SDP	SDP	SDP	
			Sport Facilities					SDP	SDP	SDP	
			Multi-Purpose Community Centre					SDP	SDP	SDP	
			Private Club					SDP	SDP	SDP	
			Place of Amusement					SDP	SDP	SDP	
			Funeral Services					SDP	SDP	SDP	
			Wall of Remembrance					SDP	SDP	SDP	
	Renewable Energy Infrastructure					SDP	SDP	SDP			
	Telecommunication Infrastructure					SDP	SDP	SDP			

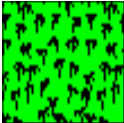
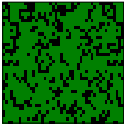
Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)		
<b>Educational</b>	(128,255,255) (Roof tile 3) 				Uses not under columns (3),(4), (5)						
		Place of Instruction				4	70%	2.0			
		Place of Public Worship					4	70%	2.0		
		Social Hall					4	70%	2.0		
			Dwelling unit/s related to the main use					4	70%	2.0	64 u/ha or less, relaxed to 65+
			Residential Building related to the main use					4	70%	2.0	
			Sport Facilities					SDP	SDP	SDP	
			Place of Refreshment					SDP	SDP	SDP	
			Institution					4	70%	2.0	
			Multi-Purpose Community Centre					SDP	SDP	SDP	
			Recreation Purposes					SDP	SDP	SDP	
			Renewable Energy Infrastructure					SDP	SDP	SDP	
	Telecommunication Infrastructure					SDP	SDP	SDP			
<b>Municipal</b>	159,80,0) (Crosses 3) 				Uses not under columns (3),(4), (5)						
		Municipal Purposes				SDP	SDP	SDP			
		Agricultural Purposes									
		Multi-Purpose Community Centre					SDP	SDP	SDP		

Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
		Dwelling unit/s related to the main use				4	70%	2.0	64 u/ha or less, relaxed to 65+
		Communal Residential Building				4	70%	2.0	
		Retirement Village				4	70%	2.0	
		Institution				4	70%	2.0	
		Place of Instruction				4	70%	2.0	
		Place of Public Worship				SDP	SDP	SDP	
		Social Hall				SDP	SDP	SDP	
		Place of Amusement				SDP	SDP	SDP	
		Place of Refreshment				SDP	SDP	SDP	
		Sport Facilities				SDP	SDP	SDP	
		Public Open Space				SDP	SDP	SDP	
		Recreation Purposes				SDP	SDP	SDP	
		Transport Uses				SDP	SDP	SDP	
		Commercial Use				SDP	SDP	SDP	
		Service Industry				SDP	SDP	SDP	
		Parking Garage				SDP	SDP	SDP	
		Parking Area				SDP	SDP	SDP	
		Cemetery, Wall of Remembrance				SDP	SDP	SDP	
		Agricultural Purposes							
		Urban Agriculture							
		Informal Trade*				By-Law			
		Renewable Energy Infrastructure				SDP	SDP	SDP	
		Telecommunication Infrastructure				SDP	SDP	SDP	



Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	
<b>Government</b>	(0,0,0) 				Uses not under columns (3),(4), (5)					
		Government Purposes				SDP	SDP	SDP		
			Multi-Purpose Community Centre				SDP	SDP	SDP	64 u/ha or less, relaxed to 65+
			Dwelling unit/s related to the main use				4	70%	2.0	
			Communal Residential Building				4	70%	2.0	
			Retirement Village				4	70%	2.0	
			Institution				4	70%	2.0	
			Place of Instruction				4	70%	2.0	
			Community Hall				SDP	SDP	SDP	
			Place of Public Worship				SDP	SDP	SDP	
			Social Hall				SDP	SDP	SDP	
			Place of Amusement				SDP	SDP	SDP	
			Place of Refreshment				SDP	SDP	SDP	
			Sport Facilities				SDP	SDP	SDP	
			Public Open Space				SDP	SDP	SDP	
			Recreation Purposes				SDP	SDP	SDP	
			Transport Uses				SDP	SDP	SDP	
			Commercial Use				SDP	SDP	SDP	
			Service Industry				SDP	SDP	SDP	
			Parking Garage				SDP	SDP	SDP	
	Parking Area				SDP	SDP	SDP			
	Cemetery, Wall of Remembrance				SDP	SDP	SDP			

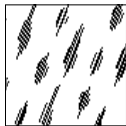
Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
			Agricultural Purposes						
			Urban Agriculture						
			Informal Trade*				By-Law		
			Renewable Energy Infrastructure				SDP	SDP	SDP
			Telecommunication Infrastructure				SDP	SDP	SDP
<b>Agricultural 1</b>	(148,148,73) 				Uses not under columns (3),(4), (5)				
		Agricultural Purposes	Agricultural Industry						2 dwelling houses and 4 dwelling units for bona fide farm workers
			Commercial Use				SDP	SDP	SDP
			Animal Institution				SDP	SDP	SDP
			Limited Overnight Accommodation				SDP	SDP	SDP
			Guesthouse				SDP	SDP	SDP
			Lodge				SDP	SDP	SDP
			Hospitality Establishment				SDP	SDP	SDP
			Wellness Centre				SDP	SDP	SDP
			Restaurant				SDP	SDP	SDP
			Wine, beer, liquor tasting				SDP	SDP	SDP
			Recreation Area				SDP	SDP	SDP
			Place of Instruction				SDP	SDP	SDP
			Place of Public Worship				SDP	SDP	SDP

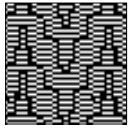
Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
			Cemetery			SDP	SDP	SDP	
			Rural General Dealer			SDP	SDP	SDP	
			Home Enterprise			SDP	SDP	SDP	
			Renewable Energy Infrastructure			SDP	SDP	SDP	
			Telecommunication Infrastructure			SDP	SDP	SDP	
<b>Agricultural 2</b>	(214,214,173) 				Uses not under columns (3),(4), (5)				
		Agricultural Purposes	Agricultural Industry						
		Communal Farming	Agricultural Industry						
		Homestead							
		Spaza/Tuckshop							
		Street/Road							
		Sports field							
		Social Hall							
			Commercial Use			SDP	SDP	SDP	
			Animal Institution			SDP	SDP	SDP	
			Limited Overnight Accommodation			SDP	SDP	SDP	
			Guesthouse			SDP	SDP	SDP	
			Lodge			SDP	SDP	SDP	
			Hospitality Establishment			SDP	SDP	SDP	
			Wellness Centre			SDP	SDP	SDP	
			Restaurant			SDP	SDP	SDP	
			Wine, beer, liquor tasting			SDP	SDP	SDP	
			Recreation Area			SDP	SDP	SDP	
			Place of Instruction			SDP	SDP	SDP	
			Place of Public Worship			SDP	SDP	SDP	
	Cemetery			SDP	SDP	SDP			





Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
			Rural General Dealer	Rural General Dealer		SDP	SDP	SDP	
			Home Enterprise*	Home Enterprise*		SDP	SDP	SDP	
			Low Impact Uses in Traditional Authority areas (see schedule 1)	Low Impact Uses in Traditional Authority areas (see schedule 1)		Schedule 1			
			Renewable Energy Infrastructure	Renewable Energy Infrastructure		SDP	SDP	SDP	
			Telecommunication Infrastructure			SDP	SDP	SDP	
<b>Public Open Space</b>	(0,255,0) (Palm trees) 				Uses not under columns (3),(4), (5)				
		Public Open Space							
			Place of Refreshment			SDP	SDP	SDP	
			Social Hall			SDP	SDP	SDP	
			Place of Instruction			SDP	SDP	SDP	
			Municipal Purposes			SDP	SDP	SDP	
			Renewable Energy Infrastructure			SDP	SDP	SDP	
	Telecommunication Infrastructure			SDP	SDP	SDP			
<b>Private Open Space</b>	(0,128,0) (Bushes) 				Uses not under columns (3),(4), (5)				
		Private Open Space							
		Caretaker Dwelling Unit				SDP	SDP	SDP	
			Private Club			SDP	SDP	SDP	
		Place of Amusement			SDP	SDP	SDP		



Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
			Place of Refreshment			SDP	SDP	SDP	
			Renewable Energy Infrastructure			SDP	SDP	SDP	
			Telecommunication Infrastructure			SDP	SDP	SDP	
<b>Protected Area (Declared Provincial Nature reserves, Declared Private Nature Reserves, All other Protected Areas as defined)</b>	(0,128,0) (Diagonal dashed line) 				Uses not under columns (3),(4), (5)				
		Conservation Purposes				SDP	SDP	SDP	
		Offices subservient to main use				SDP	SDP	SDP	
		Recreation Area				SDP	SDP	SDP	
		Curio Shop/Art Gallery				SDP	SDP	SDP	
		Place of Instruction				SDP	SDP	SDP	
		Place of Refreshment				SDP	SDP	SDP	
		Other uses as permitted in terms of relevant declaration legislation				SDP	SDP	SDP	
		Renewable Energy Infrastructure				SDP	SDP	SDP	
Telecommunication Infrastructure				SDP	SDP	SDP			
<b>Resort</b>	(0,255,0) (Footprint) 				Uses not under columns (3),(4), (5)				
		Holiday Resort				SDP	SDP	SDP	
		Nature Reserve				SDP	SDP	SDP	
			Renewable Energy Infrastructure			SDP	SDP	SDP	

Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	
			Telecommunication Infrastructure			SDP	SDP	SDP		
<b>Mining</b>	(192, 192, 192) (Glass 2) 				None					
		Mining Purposes				SDP	SDP	SDP		
		Agricultural Purposes					SDP	SDP	SDP	
			Uses ancillary to mining:				SDP	SDP	SDP	
			- Dwelling houses				SDP	SDP	SDP	
			- Dwelling Unit/s				SDP	SDP	SDP	
			- Communal Residential Building				SDP	SDP	SDP	
			- Shops				SDP	SDP	SDP	
			- Public Garage				SDP	SDP	SDP	
			- Institution				SDP	SDP	SDP	
			- Medical Consulting Rooms				SDP	SDP	SDP	
			- Place of Instruction				SDP	SDP	SDP	
			- Place of Refreshment				SDP	SDP	SDP	
			- Hospitality Establishment				SDP	SDP	SDP	
			- Social Hall				SDP	SDP	SDP	
			- Private Open Space				SDP	SDP	SDP	
			- Conservation Area				SDP	SDP	SDP	
			- Water and Sanitation Infrastructure				SDP	SDP	SDP	
			Any other uses ITO a SDP				SDP	SDP	SDP	
			Sand washing				SDP	SDP	SDP	
	Quarrying				SDP	SDP	SDP			
	Renewable Energy Infrastructure				SDP	SDP	SDP			
	Telecommunication Infrastructure				SDP	SDP	SDP			

Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	
					Uses not under columns (3),(4), (5)					
		Aerodrome				SDP	SDP	SDP		
			Dwelling units for key personnel				SDP	SDP	SDP	20 u/ha may relax to 40
			Commercial Use				SDP	SDP	SDP	
			Shops				SDP	SDP	SDP	
			Ancillary uses, subordinate and related to main use				SDP	SDP	SDP	
			Renewable Energy Infrastructure				SDP	SDP	SDP	
<b>Transport</b>	(Waves 2) 				Uses not under columns (3),(4), (5)					
		Transport Uses				SDP	SDP	SDP		
		S.A.R.				SDP	SDP	SDP		
		Parking Garage				SDP	SDP	SDP		
			Dwelling units for key personnel				SDP	SDP	SDP	20 u/ha may relax to 40
			Filling station				SDP	SDP	SDP	
			Shops				SDP	SDP	SDP	
			Informal Trade*				By-Law			
			Renewable Energy Infrastructure				SDP	SDP	SDP	
			Telecommunication Infrastructure				SDP	SDP	SDP	

Use Zone	Notation on Map	Uses permitted as a primary right (to be read in conjunction with the conditions in chapters 6 and 7)	Uses permitted with consent in terms of par. 42	Uses where an exemption may be considered in terms of par. 50	Uses not permitted	Height (Storeys)	Coverage (%)	F.A.R.	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Cemetery	(Grid 159,80,0) (Crosses 1) 				Uses not under columns (3),(4), (5)				
		Cemetery, Wall of Remembrance				SDP	SDP	SDP	
		Municipal Purposes				SDP	SDP	SDP	
Public Roads	(0,0,0) 				Uses not under columns (3),(4), (5)				
		Street/Road							
		Municipal Purposes				SDP	SDP	SDP	
Private Roads	(192,192,192) 				Uses not under columns (3),(4), (5)				
		Private Street/Road							
		Access and Access control, and uses incidental thereto				SDP	SDP	SDP	
Special	(Diagonal 3) 	Uses not defined in LUS				SDP	SDP	SDP	

- (3) The use of land includes the erection and use of a building thereon.
- (4) No person shall use, or cause or permit the use of any building or part thereof for a purpose other than the purpose for which it was erected, except with the necessary consent of the municipality.
- (5) Special rights, conditions and restrictions, which may apply to any property, township or area within any use zone, may be indicated in an annexure to the scheme.
- (6) The special conditions and restrictions referred to in subparagraph (5) shall:
  - (a) Be in addition to the general conditions, restrictions and other provisions of the scheme.
  - (b) Prevail should they conflict with any such other condition, restriction or provision in the scheme.
- (7) An annexure contemplated in subparagraph (5) shall consist of:
  - (a) A sheet upon which is inscribed the number of such annexure, a description of the property, township or area to which it applies, the special rights, conditions and restrictions applying to the property, and the number and name of the relevant amendment scheme in terms of which the annexure was prepared.
  - (b) A diagram of the property concerned, which diagram shall accord with the layout shown on the map.
  - (c) An annexure number. This number is inscribed inside a double circle within or next to the figure of the relevant property on the map. It shall be joined to the figure by means of a line.
  - (d) Annexures previously approved were incorporated into the scheme.
  - (e) The municipality shall not, except as provided for in any of the conditions contained in an annexure, grant any consent for the relaxation or amendment thereof.

## **11. LAND USE ZONES**

- (1) Zoning means a statutory category of directions regulating the development of land and setting out the purposes for which the land may be used as determined by the scheme.
- (2) The use zones in terms of the scheme are categorized in column 1 of Table 2 and indicated on the map according to the notation in column 2.
- (3) The definitions of permissible uses listed in columns 3, 4 and 5 are set out in Table 1, with corresponding conditions.
- (4) Change of land use rights or rezoning shall be undertaken in accordance with the By-law.

## 12. HEIGHT

- (1) No land use development shall exceed the height as prescribed in Table 2 column 7.
- (2) A building shall have only one ground storey and, except for a building consisting of only one storey, the site development plan and building plans shall indicate the ground storey.
  - (a) The maximum height of a storey shall not exceed 6m in respect of the ground storey and 4,5m in respect of any other storey. This provision does not apply to buildings on land zoned for Industrial and Commercial purposes.
- (3) The following shall not be counted as a storey:
  - (a) Any chimney, ornamental tower, tower-like projection or similar architectural feature or lift servicing room or room wherein mechanical or electrical equipment is installed.
  - (b) A storey where 75% or more floor area is used for the parking of vehicles.
  - (c) Basements situated below natural ground level, provided further that the floor area ratio as determined in the scheme is not exceeded.

## 13. COVERAGE

- (1) No land use development shall be undertaken so as to exceed the coverage as prescribed in Table 2 column 8 of the scheme.
- (2) These provisions shall apply to every storey in a building, including a basement protruding above natural ground level, provided that the municipality may consent to exceed the coverage for any basement which is entirely below natural ground level in terms of a site development plan.
- (3) The following shall not be included in coverage calculations:
  - (a) All structures not covered by a roof;
  - (b) Solar panels used for carports on non-residential properties; and
  - (c) Swimming pools, tennis courts, garden ornaments, security structures (security control rooms, lookouts and boom gates), boundary fences, garden walls, garden fences and pergolas.
- (4) The municipality may grant approval for a 10% increase in the coverage of a building accordance with a site development plan.

## 14. FLOOR AREA

- (1) No land use development shall be undertaken as to exceed the floor area ratio as prescribed in column 9 of Table 2.
- (2) For the purposes of calculating floor area no account shall be taken of:
  - (a) Un-roofed buildings and areas occupied by external fire escapes and staircases;

- (b) A building used solely as parking garage and the floor area used for parking and circulation of motor vehicles;
  - (c) Accommodation for the lift motor and other mechanical or electrical equipment necessary for the proper use of the building;
  - (d) Accommodation for cleaners on the roof of a building: Provided that the floor area excluded in this manner shall not be exceed 10% of the permissible floor area for such building;
  - (e) Areas justifiable used for cleaning, maintenance and care of the buildings, excluding dwelling units for caretakers, supervisors, cleaners and maintenance staff.
- (3) The municipality may grant approval for a 10% variation in the floor area ratio of a building in accordance with a site development plan.

## 15. DENSITY

- (1) Density refers to a limitation on the number of dwelling houses or dwelling units on a property.
- (2) No land use development shall be undertaken to exceed the permissible density set out in column 10 of Table 2, provided that-
- a) In use zone Residential 1 and 5 the density provisions are set out in the overlay zone.
- (3) The municipality may grant its consent to the subdivision of land zoned in accordance with the By-law, Table 2 and the provisions of Chapter 7.
- (4) **Table 3** indicates the erf sizes in m<sup>2</sup> with corresponding density in hectares:

**Table 3: Dwelling units per hectare and corresponding erf sizes**

DWELLING UNITS PER HECTARE	CORRESPONDING ERF SIZE M <sup>2</sup>
50	200
33	300
25	400
20	500
14.3	700
10	1 000

## 16. PARKING AND LOADING

- (1) Effective and paved parking spaces as set out in **Table 4** together with the necessary manoeuvring area shall be planned, provided and maintained on the property to the satisfaction of the municipality at the cost of the land owner.

- (2) Instead of the provision of parking as required in Table 4, the owner may, with the consent of the municipality in accordance with a site development plan, pay a cash contribution to the engineering services department of the municipality in lieu of parking, and such contribution per parking bay is to be determined by the municipality from time to time. The said contribution shall be used solely for the provision and maintenance of public parking areas.
- (3) In the case of a place of instruction, institution, place of worship, multi-purpose community centre and social hall, any parking areas required by this scheme may be relaxed by the municipality in accordance with a site development plan and in accordance with a report and recommendations prepared by a qualified Traffic Engineer.
- (4) If the municipality is convinced that special circumstances exist, it may consent to the relaxation of the provisions in Table 4 in accordance with a site development plan.
- (5) A concession of three parking bays will be made for a “drop and go” zone provided on-site by the owner of a building on “Business 1, 2 or 3” land: with the proviso that this concession applies only to buildings with a floor area in excess of 500 m<sup>2</sup> and that a maximum of two “drop and go” zones qualify for this concession.
- (6) Should alterations be effected to any existing business building (limited to the existing structure and its interior) the municipality may, at its discretion, relax the stipulations of Table 4 for business zoned erven in the Tzaneen CBD insofar as that section of the building which is to be demolished is concerned, provided that at least as many parking spaces which existed previously are provided within six months of the completion of the demolition of the building. This provision does not apply to single dwelling units.

**Table 4: Parking requirements**

<b>LAND USE (ALPHABETICAL ORDER)</b>	<b>STANDARD PARKING REQUIREMENT (PARKING BAYS)</b>
Abattoir	1 loading zone per 1000 m <sup>2</sup> floor area plus 2 parking bays per 100m <sup>2</sup> office floor area
Agricultural Industry / Business	2 parking bays per 100 m <sup>2</sup>
Auctioneer premises	2 parking bays per 100 m <sup>2</sup> (including outside exhibition areas)
Caravan Park	1 parking bay per stand
Caretaker's unit	1 parking bay per unit
Chalets	1 covered bay and 1 uncovered bay per chalet
Club house	1 per 6 seats
Commercial use	3 per 100 m <sup>2</sup> gross leasable floor area Associated retail: 2 per 100 m <sup>2</sup> gross floor area



LAND USE (ALPHABETICAL ORDER)	STANDARD PARKING REQUIREMENT (PARKING BAYS)
Communal residential building and boarding house	1 parking space per room for tenants 1 parking space for visitors
Community and social halls	1 per 6 seats or 3 bays/100m <sup>2</sup> of gross floor area, whichever to deemed more applicable by the municipality
Conference facilities	1 parking bay per 4 seats
Crematorium	3 per 100 m <sup>2</sup> gross leasable floor area
Dry cleaner	3 per 100 m <sup>2</sup> gross floor area
Dwelling house office	2 bays per 100 m <sup>2</sup>
Dwelling units	1 covered bay, and if so required by the municipality 1 paved bay per dwelling unit or room
Educational – residential uses related to the main use	1 bay per bedroom suite plus 4 per 100 m <sup>2</sup> public room area
Farm stall	3 bays per 100 m <sup>2</sup> of leasable floor area
Fast-food restaurant	3 bays per 100 m <sup>2</sup> gross floor area
Funeral services	3 bays per 100 m <sup>2</sup> gross leasable floor area
Granny flat	1 covered bay
Guesthouse	1 per bedroom suite
Gymnasium	4 parking bays per 100 m <sup>2</sup>
Hairdressers, beauty salons and spas	4 parking bays per 100 m <sup>2</sup>
Home enterprise	2 bays per 100 m <sup>2</sup>
Hospitality Establishment, Boutique Hotel	1 covered bay, and if so required by the municipality, 1 paved bay per dwelling unit or room
Hotel	1 per bedroom suite plus 6 per 100 m <sup>2</sup> public room floor area
Industrial uses	2 loading zones per 1 000 m <sup>2</sup> floor area plus 2 parking bays per 100 m <sup>2</sup> office floor area
Institution	1 per 2 beds where applicable or 1 per 100 m <sup>2</sup> floor area
Laundrette	2 bays per 100 m <sup>2</sup> gross floor area
Libraries and museums	2 bays per 100 m <sup>2</sup> GLA
Light industries	2 loading zones per 1000 m <sup>2</sup> floor area plus 2 parking bays per 100 m <sup>2</sup> office floor area

LAND USE (ALPHABETICAL ORDER)	STANDARD PARKING REQUIREMENT (PARKING BAYS)
Limited overnight accommodation	1 covered bay, and if so required by the municipality, 1 paved bay per dwelling unit or room
Manufacturing	2 bays per 100 m <sup>2</sup>
Medical consulting rooms	3 bays per 100 m <sup>2</sup>
Noxious industries	2 loading zones per 1 000 m <sup>2</sup> floor area plus 2 parking bays per 100 m <sup>2</sup> office floor area
Nursery	1 parking bay per 100 m <sup>2</sup>
Offices	3 bays per 100 m <sup>2</sup> gross leasable floor area
Place of amusement	1 bay per 6 seats where applicable or 2 per 100 m <sup>2</sup> gross floor area
Place of instruction	1 bay per 6 seats
Place of public worship	1 bay per 6 seats
Place of refreshment/restaurant	3 bays per 100 m <sup>2</sup> gross floor area
Public and private hospitals, clinics, step-down or frail care facility	2 bays per bed 3 bays per 100 m <sup>2</sup> for consulting rooms Provision must be made for public transport. A hospital may include a helipad in the parking area.
Professional uses and medical rooms	3 bays per 100 m <sup>2</sup> gross leasable floor area.
Residential buildings	1 covered bay, and if so required by the local authority, 1 paved bay per dwelling unit or room
Retirement homes, place of safety, orphanage, institutions (other than medical)*	1 bay per 2 beds where applicable or 2 per 100m <sup>2</sup> floor area
Retirement village*	1 covered parking bay per unit and 0,5 uncovered parking bays per unit
Scrapyard	2 bays per 100 m <sup>2</sup> office floor area
Self-storage facility	1 bay per unit
Service industry	3 bays per 100 m <sup>2</sup> gross floor area
Service station, vehicle workshop, car wash and fitment centre	40% of area of site paved parking
Shops	3 bays per 100 m <sup>2</sup> gross leasable floor area
Showrooms, motor showrooms, vehicle sales*	40% of area of site paved
Spaza shop	6 bays per 100 m <sup>2</sup> . May be relaxed
Sport stadiums*	1 per 4 seats. Provision must be made for public transport.

LAND USE (ALPHABETICAL ORDER)	STANDARD PARKING REQUIREMENT (PARKING BAYS)
Sports club/academy*, recreation	1 bay per 3 seats
Tavern/pub	8 bays per 100 m <sup>2</sup>
Warehouse, wholesale warehouse and distribution centre	2 loading zones per 1000 m <sup>2</sup> floor area plus 2 parking bays per 100 m <sup>2</sup> office floor area

- (7) The loading and off-loading of goods shall take place only within the boundaries of the erf to the satisfaction of the municipality unless the municipality has provided loading facilities in the street reserve. (this condition shall not apply to erven zoned Residential 1, 2 and 5 if subdivision into separate dwelling units has taken place).
- (8) Loading areas shall be provided as follows:
- The municipality may, upon submission of site development plans and/or building plans, require the owner to submit proposals for the provision of appropriate and sufficient on-site facilities for loading and off-loading of goods. This includes bays for waiting, off-loading or parking of service vehicles or fuelling of vehicles.
  - If the municipality requires proposals in terms of subparagraph 7(a) to be submitted; or should the owner submit such proposals for consideration in conjunction with a site development plan and/or building plan, the municipality shall within a reasonable time approve or reject such proposals, and in the event of rejection, provide written reasons for its decision, to the applicant.
  - No owner or occupant of a building may undertake or permit the loading, off-loading, parking or fuelling of vehicles otherwise than in accordance with the written approval of the municipality.
  - In every commercial and industrial zoning, there shall be provided one loading area per erf, regardless of the size of the building erected thereon. If the buildings are 1 000 m<sup>2</sup> or more in size, one loading area per 1 000 m<sup>2</sup> of building area or part thereof, shall be provided.

## 17. BUILDING LINES AND BUILDING RESTRICTION AREAS

- (1) No building shall be erected to exceed the building lines as prescribed in **Table 5**.

**Table 5: Building Lines**

USE ZONE	ERF SIZE (M <sup>2</sup> )	STREET BUILDING LINE	SIDE BUILDING LINE	REAR BUILDING LINE
Residential 1 and 5	<499	2	1	2
	500 – 800	3	2	2
	801 - 1 000	4	2	3
	1 001 +	5	2	3
Business 1	-	0	0	0
Business 2	-	5	0	3
All other use zones	-	5	3	3

- (2) No building or structure other than boundary walls, guard houses, fences or temporary buildings or structures required in connection with building operations on the property, shall be erected within any building restriction area.
- (3) The municipality may, after receipt of an application in terms of chapter 7 from the owner:
- relax the street building line for all erven, where it is of opinion that such relaxation would result in an improvement in the development of the erf;
  - relax a building line to permit a swimming pool or tennis court;
  - relax the building line other than a street boundary of any erf if it is evident that infrastructural maintenance or access would not be impaired;
  - relax the building line for corner erven if it is evident that this would not impair the line of sight at the intersection. The corner must be splayed and a transparent fence must be used to ensure that sight distances are maintained.
- (4) No material or goods of any nature whatsoever shall be dumped or placed in the building restriction area along any street, and such area shall not be used for any purpose other than the laying out of lawns, gardens, parking or access roads: Provided that if it is necessary for a screen wall to be erected on such boundary, this condition may be relaxed by the municipality on such conditions as it may deem fit.
- (5) No building or structure which is attached to the land, even though it does not form part of that land, shall be erected nor shall anything be constructed or laid under or below the surface of the property at a distance less than the specified building restriction area abutting the national road or provincial road, nor shall any alteration or addition to any existing structure or building situated within the building restriction area be made except with the written consent of the controlling authority, except for the following:
- the physical structures referred to in regulation 17(2).
  - a swimming pool; or
  - any essential stormwater drainage structure;

**Table 6** indicates specific building restrictions and physical barriers applicable to specific properties.

**Table 6: National and Provincial Roads - building lines, physical barriers and lines of no access**

Property Description	Building Restriction		Physical Barrier		National/ Provincial Road
	Building Line	Position	Barrier Requirement	Description	
Politsi Extension Erven 3, 4, 11 and 12	16 m	Provincial Road Boundary	-	No direct access	Provincial Road 1801
Politsi Extension Erf 2	16 m	Provincial Road Boundary		No direct access except at position directly across access from erven 3 - 15	Provincial Road 1801
Politsi Extension Erf 1 and 2	8 m	Communal boundary with Portion 41 Dwarsfontein 541 LT			Railway line reserve
Tzaneen X 4	-	-		No access except at intersection flanked by Erven 382, 383, 384 and 385 and also between Erven 400 and 429	Provincial Road P17-3
Tzaneen X 4 Portions 1 and 2 Erf 2363	3 m	South-eastern boundary			Provincial Road P17-3
Tzaneen X 6 Erf 2628	30 m	South- western boundary			Provincial Road P43-3
Tzaneen X 10	16 m	Provincial road boundary	Determined by Northern Province Roads Agency	No access	Provincial Road P43-3
Tzaneen X10 Erf 738	9,15 m	Street boundary	-	-	Provincial Road P43-3
	10.67 m	Side and rear boundary			

Property Description	Building Restriction		Physical Barrier		National/ Provincial Road
	Building Line	Position	Barrier Requirement	Description	
Tzaneen X10 Erf 706	9,15 m	Street boundary			Provincial Road P43-3
	10.67 m	Side and rear boundary			Provincial Road P43-3
Tzaneen X11 Erf 2308	16 m	Provincial Road boundary	Determined by Northern Province Roads Agency	No access except at intersection flanked by Erven 2308 and 867	Provincial Road P17-3
Tzaneen X 13	16 m	Provincial Road boundary	Determined by Northern Province Roads Agency	No access	Provincial Road P17-3
	16 m	Provincial Road boundary	Determined by Northern Province Roads Agency	Access only by way of Aalwyn-crescent	Provincial Road 589
Tzaneen X16 Erven R/1901, 1902, 1914, 1917, 1918 and 1920	16 m	Provincial Road boundary	Determined by Northern Province Roads Agency	Along Provincial Road boundary	Provincial Road P43-3
Tzaneen X 18 All erven	16 m	Provincial Road boundary	Determined by Northern Province Roads Agency	Access only by way of Mica Street	Provincial Road 523
Tzaneen X 18 All erven	16 m	Provincial Road boundary	Determined by Northern Province Roads Agency	Access only by way of Ferro Street	Provincial Road 589
Tzaneen X 18 Erven 1927- 1932, 2029, 2039 and 2040	32 m	Western boundary	-	No direct access	Provincial Road 523
Tzaneen X 18 Erven 1994- 1997 and 2023	16 m	Eastern boundary		No direct access	Provincial Road 589
Tzaneen X 18 Erf 2041	32 m	Western boundary		No direct access	Provincial Road 589

Property Description	Building Restriction		Physical Barrier		National/ Provincial Road
	Building Line	Position	Barrier Requirement	Description	
Tzaneen X 18 Erven 1/1992, 1/1993 and 2/1993	16 m	Eastern boundary		No direct access	Provincial Road 589
Tzaneen X 21	16 m	Along Provincial Road boundary	Determined by Northern Province Roads Agency	No direct access	Provincial Road P43-3
Tzaneen X21 Erven 2206-2209	16 m	Northern boundary		No direct access	Provincial Road P43-3
Tzaneen X21 Re/2276 and 1/2276	30 m	Southern boundary		No direct access	Provincial Road P43-3
Tzaneen X22	16 m	Provincial road boundary	Determined by Northern Province Roads Agency	No access	Provincial Road P17-3
Tzaneen X22 Erf 2283	16 m	Provincial road boundary		No direct access	Provincial Road P17-3
Tzaneen X27	16 m	Provincial road boundary		No access	Provincial Road P17-3
Tzaneen X27 Erf 2294	8 m	North-eastern boundary		No access except at a point directly opposite Station Street	Provincial Road P17-3
Tzaneen X34				Access limited to Danie Joubert Street, Old Gravelotte Road and Makakota Street	Provincial Road P43-3
Tzaneen X34 Erf 2658, 2659	19,5 m from the middle of the road	Northern boundary	2 m high brick or concrete wall	Northern boundary	Provincial Road P43-3
Tzaneen X36 Erven 2371-2373	16 m	Eastern boundary	2 m high brick or concrete wall	Boundary of road reserve	Provincial Road 589
Tzaneen X40 Erf 2640	16 m	Eastern boundary	Determined by Northern Province Roads Agency	Western boundary	Provincial Road 589

Property Description	Building Restriction		Physical Barrier		National/ Provincial Road
	Building Line	Position	Barrier Requirement	Description	
Tzaneen X48 Erven 2842, 2843, 2845, 2846 and 2847	16 m	Provincial Road boundary	Determined by Northern Province Roads Agency	Along Provincial Road boundary	Provincial Road 43-3
Tzaneen X50 Erven 2719 and 2725	16 m	North-eastern boundary	-	Line of no access along North-eastern and Eastern boundary	Provincial Road P43-3
Tzaneen X53 Erven 2931-2934, 2940-2942, 2946 and 2947	16 m	Provincial Road Boundary	Determined by Northern Province Roads Agency	Along Provincial Road Boundary	Provincial Road P43-3
Tzaneen X67 Erven 4596 and 4597	10 m	Southern and Northern Boundary of National Road R71	As and where stipulated by SANRAL 1.2 m high wire fence	Line of no access along National Road boundary	National Road R71
Tzaneen X68 Erf 3149	20 m	Provincial Road Boundary	1.2 m high wire fence	Along Provincial Road Boundary	Provincial Road P43-3
Tzaneen X74 Erf 4593	10 m	Mutual boundary with National Road	As and where stipulated by SANRAL	Egress in a left turn direction only, to R71 as per specific points may be approved by the municipality on receipt of written consent of SANRAL	National Road P43/3 (R71)
Tzaneen X74 Erf 4594	The building line for any building including outbuildings shall be approved by SANRAL	Northern boundary	As and where stipulated by SANRAL	Refer to Erf 4593	National Road P43/3 (R71)



Property Description	Building Restriction		Physical Barrier		National/ Provincial Road
	Building Line	Position	Barrier Requirement	Description	
Tzaneen X75 Erven 4413, 4414, 4461 – 4469, 4590 - 4591	10 m	Northern Boundary of National Road R71	As and where stipulated by SANRAL 1.2 m high wire fence	Line of no access along National Road boundary, except approved access points	National Road R71
Tzaneen X75 Erf 4413	16 m	Western Boundary of Provincial Road D978	As and where stipulated by the Roads Agency Limpopo Province	Line of no access along Provincial Road boundary, except approved access points	Provincial Road D978
Tzaneen X78 Erven 3416-3420, 3422, 3423, 4373	20 m	Southern and Northern boundary of Road P17-3	As and where stipulated by SANRAL 1.2 m high wire fence	Line of no access along road boundary	Road P17-3
Tzaneen X78 Erven 3466 – 3452, 3457 – 3462, 3470 – 3474, 3830 – 3839, 3907, 3923 – 3930, 3937 – 3958, 3961 – 3962, 4099, 4375, 4377 – 4384	16 m	Western and Eastern boundary of Road 523	As and where stipulated by the Roads Agency Limpopo Province	Line of no access along Provincial Road boundary	Road D523
Tzaneen X81 Erven 4680, 4721 – 4723, 4730, 4732 and 4733	16 m	Western boundary of Provincial Road D978	As and where stipulated by the Roads Agency Limpopo Province	Line of no access along Provincial Road boundary, except approved access points	Provincial Road D978

(6) A sanitary lane will not be considered a public street for the purposes of this regulation.

(7) For new township establishments the building restrictions applicable to national and provincial roads shall be shown on an annexure under specific conditions as part of the zoning certificate of affected erven (refer to Schedule 8).

**18. LINES OF NO ACCESS**

- (1) Entrance to and exit from a property to any public street or road, shall, where it is prohibited across a boundary line, be indicated by the following symbol:



- (2) Provided that the municipality may, upon receipt of an application in terms of Chapter 7, permit its relaxation upon such conditions as it may deem fit, if, due to extraordinary circumstances, compliance with such restriction of access, will hamper development of the property to an unusual degree: Provided further that no relaxation of a restriction on access to or exit from a property, to a provincial or national road, shall be permitted without the consent of the controlling authority.

**CHAPTER 4: PROMOTION OF LAND DEVELOPMENT****19. SPECIAL DEVELOPMENT ZONES**

- (1) The municipality may, from time-to-time, designate special development zones. The purpose of these zones is to implement the priorities of the municipality outlined in its integrated development plan and spatial development framework. These zones include a number of erven with their individual land use zonings.
- (2) The special development zones may include, but are not limited to:
  - (a) Previously disadvantaged areas; and
  - (b) Industrial symbioses areas.
- (3) A special development zone, which has to be approved and advertised, shall have a specific function and include a number of developmental tools, to achieve desired priorities and objectives.
- (4) The special development zone shall comprise inter alia the following, in order to be advertised:
  - (a) A geographical delineation, ensuring that the boundaries are cadastrally based or geographically identifiable;
  - (b) Statement of policy and intention that elaborates on the developmental perspective and which will be used by the municipality in the assessment of land development applications within the special development zone;
  - (c) A public participation result, which elaborates on the participation process with interested and affected parties within the proposed special development zone, as well as their response and uptake;
  - (d) Development standards and proposed land management tools that will be in force in the special development zone;
  - (e) A monitoring and assessment mechanism along with the municipality's investment commitment for the public areas and facilities within and supporting the special development zones, including proposed achievement timeframes.
- (5) A resolution adopting a special development zone containing the minimum elements detailed above shall be passed at a meeting of the municipal council and follow the process detailed below:
  - (a) After the passing of a resolution by the municipality, the special development zone shall be advertised in the *Provincial Gazette* and a local newspaper and shall simultaneously be open for inspection at the municipal office during normal working hours for not less than 28 days;
  - (b) Further, the municipality shall notify all ward councillors and residents associations within the special development zone on or before the date of advertisement;
  - (c) Written representations, comments or objections on the said special development zone or any proposal contained therein may be lodged, with the municipality on or before a certain date.

Such date shall not be less than 28 days after the date of the closure of the advertisement period stated above;

- (d) The municipality shall consider each representation, comment or objection received within the stipulated period and approve or amend the special development zone, stipulating the date of commencement in a notice in the *Provincial Gazette*;
  - (e) The municipality may at any time amend a special development zone, subject to compliance with the procedures set out above;
- (6) After a special development zone has been approved by the municipality, it shall be deemed to be the overriding guidelines in terms of the spatial development framework for the erven falling within its boundaries;
- (7) The municipality may revoke a special development zone by passing a resolution and should give notice in accordance with paragraph 5 above.

## **20. INCLUSIONARY HOUSING**

- (1) Inclusionary housing shall be provided in terms of the provisions of:
- (a) SPLUMA;
  - (b) the By-law;
  - (c) the municipality's spatial development framework and linkage plan;
  - (d) the municipality's housing plan;
  - (e) detailed guidelines or a policy to be fully determined by the municipality, which shall address the methodology for levying inclusionary housing contributions and the calculation thereof.
- (2) In developments where at least 20% of the dwelling units consist of inclusionary housing units, the inclusionary units shall be exempt from the density, coverage and floor area ratio calculations.

**CHAPTER 5: PROMOTION OF CONSERVATION AND SUSTAINABLE USE OF RESOURCES****21. HERITAGE**

All development shall meet all the criteria set out in the National Heritage Resources Act 25 of 1999 (NHRA).

- (1) The municipality may insist on proof of compliance with the NHRA prior to issuing a demolition permit in terms of the Building Act.

**22. ENVIRONMENT AND AESTHETICS**

- (1) The following categories of land use rights for open spaces and environmental areas are provided for in Table 2:

- (a) Public open space and private open space; and
- (b) Conservation areas and protected areas.

- (2) The following conditions apply to land listed above:

- (a) All development shall be in accordance with an approved site development plan. Any information in relation to flood lines, wetlands and riparian zones shall be taken into consideration during the development of a site. Such information shall be clearly indicated on the site development plan.
- (b) No recycling facilities are permitted;
- (c) No development shall be permitted within the area which is subject to flooding by a 1:100 year flood or within the riparian zone and a buffer area of 30 metres from the edge of the riparian zone or river bank where this is clearly identifiable, whichever is the greater.

- (3) The Critical Biodiversity Areas and Ecological Support Areas in the municipal area are indicated as an overlay on the scheme map.

**23. ENERGY AND WATER EFFICIENCY**

- (1) The assessment of applications in terms of the By-law and the scheme shall be done in accordance with the guidelines and criteria as adopted by the municipality to promote energy and water efficiency.

- (2) Owners will be encouraged to consider alternative forms of energy, renewable sources of energy and building design parameters that embrace energy efficiency, provided that:

- (a) For the purpose of this subparagraph no account shall be taken of solar panels used for car ports in coverage calculations on non-residential properties.
- (b) The municipality may consent to a 10% increase in the coverage and floor area ratio in accordance with a site development plan in any development that takes significant and bona fide measures to conserve energy and water.

- (3) The visual impact of the energy efficiency measures shall be indicated on the site development plan and the design materials/screening shall be specified.

**CHAPTER 6: CONDITIONS APPLICABLE TO ALL ERVEN OR CATEGORIES OF ERVEN****24. PROTECTION OF EXISTING BUILDINGS AND USES**

- (1) Existing lawful buildings and land uses shall not be affected by the provisions of the scheme which render such buildings and land uses illegal.
- (2) Where existing lawful buildings are altered or added to and where such altered use, alteration, rebuilding or construction is in the opinion of the municipality substantial, the scheme will be binding in respect of those parts that are changed, altered, transformed or rebuilt: Provided that additions, transformations and constructions less than 10m<sup>2</sup> in total are not considered to be substantial.

**25. NON-CONFORMING USES**

- (1) A non-conforming use provides that land that is being used lawfully in terms of an existing zoning for a purpose that does not comply with a zoning in terms of this scheme may continue to be used for that purpose when the new land use scheme comes into operation.
- (2) A non-conforming use does not constitute an offence in terms of the By-law.
- (3) A non-conforming use may continue as long as it remains otherwise lawful, subject to the following:
  - (a) if the non-conforming is not exercised for a continuous period of 18 months, the right to continue using the land shall lapse at the expiry of that period and any subsequent use of the land must conform to the requirements of the By-law and this scheme, with or without temporary uses;
  - (b) the owner bears the onus of proving that the non-conforming use right exists;
  - (c) the use right is limited to the area of the building or land on which the proven use right is in existence.
  - (d) if an existing building, which constitutes a non-conforming use, is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building, the municipality may grant permission for the reconstruction of such building subject to conditions.
  - (e) the right to continue using the land shall lapse at the expiry of a period of 15 years from the date of commencement of this scheme, in which case no compensation shall be payable.

**26. PROTECTION FOR PROFESSIONS AND OCCUPATIONS**

Without prejudice to any of the powers of the municipality under the provisions of the scheme or any other law, no provision of the scheme prohibits or restricts the permanent occupant of a dwelling house in a Residential 1, Residential 5, Agriculture 1 or Agriculture 2 to practice a profession or professional occupation. This excludes a home enterprise as defined by the scheme.

## **27. USE OF LAND OR BUILDINGS FOR MORE THAN ONE PURPOSE**

- (1) Where a building, erf or site is used for more than one purpose – thus a mixed land use - the provisions of the scheme relating to parking requirements, loading and off-loading, height, floor area and coverage apply separately to the respective areas used for each of the purposes.
- (2) The municipality shall notify the applicant in writing of any decision under this section.

## **28. CONSOLIDATION AND NOTARIAL TIE OF ERVEN**

- (1) The owner of erven which are being consolidated must notify the municipality of such consolidation as soon as the consolidation has been approved by the Surveyor-General.
- (2) The owner of erven which are being notarially tied must notify the municipality as soon as such notarial tie has been approved by the Registrar of Deeds.
- (3) Spreading of rights in respect of a consolidation and notarial tie.
  - (a) Where two or more erven with different zonings are consolidated or notarially tied, the land use rights and development controls, including zoning, density, floor area, coverage, height and parking provisions, shall apply as if the consolidation or notarial tie has not taken place.
  - (b) Where consolidation of erven with different zonings takes place, each erf within the property must comply with the land use rights and development controls applicable to that specific erf and rights may not be spread across the entire site from one erf to another.
  - (c) Where erven were notarially tied prior to the commencement of the scheme and rights were spread, should the erven or any specific erf in the site be untied from the rest of the erven comprising the site, in so far as any of the development controls applicable to every erf proposed to be untied are exceeded, the owner shall simultaneously apply to rezone every erf necessary to regularize and legalize the development thereon.

## **29. MAINTENANCE OF PRIVATE PROPERTIES**

- (1) The owner is responsible for the maintenance of the property.
- (2) Where the amenity of any area is adversely affected by the general condition of any garden, courtyard, fence, building or development of any erf, or an injurious condition on the aforesaid, the municipality may serve a notice on the owner or occupant of the premises on which the conditions exist, requiring him to take action to abate the conditions.
- (3) The said notice can prescribe remedial actions to be taken and can also specify a time, limit within which the actions must be affected.
- (4) The municipality may also undertake any measures to abate such conditions at the cost of the owner.



### **30. ERVEN AFFECTED BY SPLAYS**

Where the area of an erf situated at the corner of two streets is reduced by the splaying of the street corner, the area of such erf shall be deemed to be the same as its area before it was reduced by the splay, for the purposes of calculating density, coverage and floor area ratio in Table 2.

### **31. ERVEN AFFECTED BY PUBLIC WORKS**

Upon the subdivision of any land, where any portion of such land is physically separated by the execution or proposed execution of public works, the portion so separated may be regarded as an existing erf (subdivision by means of severance).

### **32. CONFLICT BETWEEN SCHEME, TITLE CONDITIONS AND TOWNSHIP CONDITIONS**

No consent of the municipality given under the provisions of this scheme shall be construed as conferring upon any person the right to use any land or to erect or use any building thereon in any manner or for any purpose which is prohibited in any condition registered against the title deed of the land or imposed in respect of the land under any law relating to the establishment of townships or agricultural holdings.

### **33. GENERAL CONDITIONS APPLICABLE TO ALL ERVEN**

- (1) All erven shall be subject to a servitude, 2 metres wide along any two boundaries in favour of the municipality for sewerage and other municipal purposes and, in the case of a panhandle erf, an additional servitude for municipal purposes 2 metres wide across the access portion of the erf, if and when required by the municipality: Provided that the municipality may relax or grant exemption from the required servitudes.
- (2) No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2 metres thereof.
- (3) The municipality shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion, may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose, subject to any damage done during the process of construction, maintenance or removal of such sewerage mains and other works made good by the municipality.
- (4) Except with the written consent of the municipality and subject to such conditions as it may impose, neither the owner nor any other person shall:
  - (a) excavate any material from an erf except as may be necessary to prepare such erf for building purposes;
  - (b) sink wells or boreholes or extract any underground water therefrom; or

- (c) manufacture or permit the manufacturing of tiles or earthenware pipes or other articles of similar nature on the erf for any purpose whatsoever (this condition does not apply to properties zoned Industrial 1 and 2 and Commercial);
- (5) Where, in the opinion of the municipality, it is impracticable for stormwater to be drained from higher-lying erven directly to a public street, the owner of a lower-lying erf shall be obliged to accept and permit the passage over the erf of such storm water:
- (a) provided that the water from the higher lying erven may not be concentrated;
  - (b) provided that the owners of any higher-lying erven, the stormwater from which is discharged over any lower-lying erf, shall be liable to pay a proportionate share of the cost of any pipeline or drain which the owner of such lower-lying erf may find necessary to lay or construct for the purpose of conducting the water so discharged over the erf.
- (6) The siting of buildings, including outbuildings, on the erf and entrances to and exits from the erf to a public street system shall be to the satisfaction of the municipality.
- (7) The owner of any land upon which a building is to be erected shall, prior to the commencement of the erection of the building, submit to the municipality for its approval a site development plan (if so required) in terms of the Scheme and building plans in terms of the National Building Regulations and Building Standards Act 103 of 1979.
- (a) The building plans should indicate compliance with any specific architectural guidelines or aesthetic requirements.
  - (b) The building plans should indicate the external appearance of buildings with sufficient information to allow the municipality to consider the proposed external appearance, including a description of materials to be used.
  - (c) The main building, which shall be a completed building and not one which has been partly erected and is to be completed at a later date, shall be erected simultaneously with or before the outbuildings.
  - (d) The municipality may require the owner to submit for approval, within 28 days from receipt of building plans, proposals for provision or suitable and adequate facilities for loading, off-loading, parking or fuelling of vehicles on the erf.
- (8) The erection and use of a building shall also mean the transformation of the building for a specific use, whether such transformation will cause structural changes to the existing building or not.
- (9) Notwithstanding anything to the contrary contained in the scheme, it shall be competent for the municipality to give written consent to the use of any land or building within any use zone, for the erection and use of temporary buildings or the use of existing buildings for purposes of site offices, storerooms, workshops or such other uses as are, in the opinion of the municipality necessary

during the construction of any permanent building or structure on the land: Provided that such consent shall ipso facto lapse upon completion of the permanent building or structure.

(a) This includes the temporary storage of goods in a building restriction area during construction.

(10) A fence, which may consist of a wall, palisade fence or other suitable fence shall be erected and maintained to the satisfaction of the municipality as and when required by it. All fences and boundary walls shall be completed and finished off on both sides to the satisfaction of the municipality.

a) Boundary walls exceeding 1,8m in height require the written consent of the municipality.

(11) The registered owner or occupant is responsible for the maintenance of all the development on the property. If the municipality is of the opinion that the property, or any portion of the development, is not being satisfactorily maintained the municipality shall be entitled to undertake such maintenance at the cost of the registered owner.

(12) If an erf or site abuts a provincial road or a national road, a fence shall be erected along the boundary between the erf or site and such road in accordance with the standards laid down by the relevant national or provincial department. No direct access shall be permitted to the erf or site, unless permission has been obtained from the relevant department.

(13) No material or goods of any nature whatsoever shall be dumped or placed within the building restriction area along any street, and such area shall be used for no other purposes than the laying out of lawns, gardens, parking or access roads; Provided that if it is necessary for a screen wall to be erected on such a boundary, this condition may be relaxed by the municipality and subject to such conditions as may be determined by it.

### **34. CONDITIONS APPLICABLE TO DOLOMITIC AREAS**

(1) The South African National Standards for Dolomite Risk Management, SANS 1936 of 2012 apply to all erven affected by dolomite.

(2) SANS 1936 uses the following classification that determines the precautionary measures required:

(a) D1: No precautionary measures are required.

(b) D2: General precautionary measures, in accordance with the requirements of SANS 1936-3, that are intended to prevent the concentrated ingress of water into the ground, are required.

(c) D3: Precautionary measures in addition to those pertaining to the prevention of concentrated ingress of water into the ground, in accordance with the relevant requirements of SANS 1936-3, are required.

(d) D4: Additional site-specific precautionary measures are required.

(3) This classification shall be shown on an annexure under specific conditions as part of the zoning certificate of affected erven with new township establishments (refer to Schedule 8).

### 35. CONDITIONS APPLICABLE TO ERVEN AND TOWNSHIPS ON GROUND CHARACTERIZED BY UNSOUND FOUNDING CONDITIONS

- (1) Where it has been determined that adverse soil conditions affect an erf or township, such erf or, if no erf in a township is specified, all erven in such township, shall be subject to the following conditions with specific reference to erven and townships listed in **Table 7**.
- (2) These conditions shall be shown on an annexure under specific conditions as part of the zoning certificate of affected erven with new township establishments (refer to Schedule 8).
- (a) No French drain shall be permitted on the erf.
  - (b) Trenches and excavations for foundations, pipes, cables or for any other purposes, shall be properly refilled with damp soil in layers not thicker than 150mm, and compacted until the same grade of compaction as that of the surrounding material is obtained to the satisfaction of the municipality.
  - (c) All pipes which carry water shall be watertight and shall be provided with watertight flexible couplings.
  - (d) The entire surface of the erf shall be drained to the satisfaction of the municipality to prevent surface water from damming up, and water from roof-gutters shall be discharged away from the foundations.
  - (e) Proposals to overcome adverse soil conditions to the satisfaction of the municipality shall be contained in all building plans submitted to the municipality for approval and all buildings shall be erected in accordance with the precautionary measures accepted by the municipality.
  - (f) If required, a soil report drawn up by a professional engineer or other acceptably qualified person indicating the soil conditions of the erf and recommendations as to suitable founding methods and depths shall be submitted to the municipality simultaneously with the submission of building plans prior to the commencement of any building operation on the erf.

**Table 7: Conditions Applicable to Specific Erven with Unsound Founding Conditions**

TOWNSHIP	ERVEN	APPLICABLE CONDITIONS
Politsi Extension	All erven	All
Politsi Extension 1	All erven	(e)
Tzaneen Extension 20	Erven 2192 - 2194, 2197, 2198, R/2674, 1/2674 and 2667	(e)
Tzaneen Extension 21	All erven	(e)
Tzaneen Extension 26	All erven	(e)
Tzaneen Extension 27	All erven	(e)
Tzaneen Extension 52	All erven	All
Tzaneen Extension 53	All erven except Erven 2943 - 2947	(a), (d), and (e)
Tzaneen Extension 54	All erven	All

TOWNSHIP	ERVEN	APPLICABLE CONDITIONS
Tzaneen Extension 56	All erven	All
Tzaneen Extension 60	All erven	(e)
Tzaneen Extension 61	All erven, except Erf 3208	(e)
Tzaneen Extension 63	All erven, except Erf 3169	(e)
Tzaneen Extension 64	All erven, except Erf 3190	(e)
Tzaneen Extension 67	Erven 4596,4597	(e)
Tzaneen Extension 68	All erven	(e)
Tzaneen Extension 70	All erven	(e)
Tzaneen Extension 73	All erven, except Erf 3414	(e)
Tzaneen Extension 74	All erven	(e)
Tzaneen Extension 75	All erven, except Erf 4591	(e)
Tzaneen Extension 76	All erven, except Erf 4408	(e)
Tzaneen Extension 78	All erven	(e)
Tzaneen Extension 81	All erven, except Erven 4726-4730	(e)
Tzaneen Extension 84	All erven, except Erf 5120	(e)
Tzaneen Extension 85	All erven	(e)
Tzaneen Extension 93	All erven, except Erf 5505	(e)

### 36. BUILDING RESTRICTIONS DUE TO FLOOD AREAS

- (1) No building of any nature shall be erected within that portion of the erf as referred to in the **Table 8** which is likely to be inundated by flood waters of a public stream on an average of once in 50 years.
- (2) For new township establishments the building restrictions due to flood areas shall be shown on an annexure under specific conditions as part of the zoning certificate of affected erven (refer to Schedule 8).
- (3) The municipality may however consent to the erection of buildings on such portion of these erven if it is satisfied that the said portion will no longer be subject to inundation.

**Table 8: Conditions Applicable to Flood Areas**

TOWNSHIP	PROPERTY DESCRIPTION
Tzaneen Extension 4	Erf 427, 2136 - 2138
Tzaneen Extension 6	Erven R/1973, 1975, 2029, R/2034, 1/2034, 2036 - 2040 and 2042
Tzaneen Extension 8	Erven 703 – 704, 2194, 2197, 2198 and R/2674

TOWNSHIP	PROPERTY DESCRIPTION
Tzaneen Extension 13	Erven 2236, 2277 – 2279, 2617
Tzaneen Extension 15	Erven R/2298 and 2/2692
Tzaneen Extension 18	Erven 2656, 2661 - 2664
Tzaneen Extension 20	All Erven
Tzaneen Extension 21	Erven 2638 - 2639, 2651 - 2652
Tzaneen Extension 27	Erven 2992 - 2993
Tzaneen Extension 34	Erf 2848
Tzaneen Extension 37	Erven 2972 - 2973
Tzaneen Extension 40	Erven 2931 and 2932
Tzaneen Extension 47	Erven 3051 - 3064
Tzaneen Extension 48	Erven 2136 - 2138
Tzaneen Extension 51	Erven R/1973, 1975, 2029, R/2034, 1/2034, 2036 - 2040 and 2042
Tzaneen Extension 53	Erven 2194, 2197, 2198 and R/2674
Tzaneen Extension 59	Erven 2236, 2277 – 2279
Tzaneen Extension 48	Erven 2136 - 2138
Tzaneen Extension 60	Erven 3111, 3112, 3118 – 3120, 3122 – 3124 and 3132
Tzaneen Extension 74	Erven 4594 and 4595
Tzaneen Extension 75	Erven 4414, 4415, 4450 – 4453, 4549 and 4590
Tzaneen Extension 78	Erven 3416, 4375 – 4379 and 4381 - 4388
Tzaneen Extension 81	Erven 4642, 4678, 4682, 4696, 4706 – 4709, 4720, 4721, 4723 - 4728

### 37. CONDITIONS APPLICABLE TO RESIDENTIAL 2, 3 AND 4 ERVEN

- (1) The internal roads on the erf shall be constructed and maintained by the registered owner to the satisfaction of the municipality.
- (2) A site development plan shall be submitted to the municipality for approval prior to the submission of building plans.
- (3) No building shall be erected on the erf before such site development plan has been approved by the municipality and the whole development on the erf shall be in accordance with the approved site development plan, provided that:
  - (e) The approved site development plan may, from time to time be amended with the consent of the municipality.
  - (f) Amendments or additions to buildings which in the opinion of the municipality will have no influence on the total development of the erf (or the sectional title scheme, if applicable), shall be deemed to be in accordance with the approved site development plan.
- (4) Where the development takes place at a density greater than 20 dwelling units per hectare the following conditions shall apply:

- (a) The registered owner of the erf shall make available and accessible, to the satisfaction of the municipality, at least 250m<sup>2</sup> of the erf as children's play area which area may include paved areas and lawns.
- (b) Play apparatus, according to the requirements of the residents, shall be provided on the erf by the registered owner to the satisfaction of the municipality.

### **38. CONDITIONS APPLICABLE TO HOLIDAY RESORTS AND LODGES**

- (1) Over and above the definitions and guidelines in chapter 1 and Table 1 of this scheme, the following guidelines shall also apply:
  - (a) The location must include natural physical amenities such as a hot spring, lake, river or other unique feature that may become attractive as a location for a resort, should the development occur at a specific point. This point should be distinctly favourable where, for instance, the river widens considerably and displays both scenic and water recreation potential.
  - (b) Occasionally these settings may include already existing and established man-made features such as large dams, rock paintings or historic features that cannot be replicated while the water resource must also be perennial and stable. A golf course or specific view can add value, but cannot serve as an existing resource. In all cases a comprehensive motivation must accompany all applications.
  - (c) The resource for the purpose of a resort has to be unique, giving the property that it is attached to a comparative and distinct advantage without reasonable doubt, over other properties in the area. This should make the motivation for similar applications in the region notably difficult. In the case where the resource is a mountain, lake or a river, location advantages must be considered. When one site offers more than another does; for instance the widening of a river, less negative effects on the environment, better accessibility or more/better services, or a combination of these factors then these factors have to play a significant role.
- (2) The following criteria apply to this land use application:
  - (a) Only one application for resort utilization of a specific farm is allowed – the further development of the remainder of the farm for the purpose of a resort or other hospitality use is not permitted.
  - (b) The subdivided portion may only be registered after proof that the resort has been developed.
  - (c) The distance between the edge of any caravan stand and any dwelling or other permanent building must be a minimum of 10 metre.
  - (d) Ablution facilities: no facilities may be located more than 100 metres from any caravan stand.
  - (e) The development must adhere to the requirements of the South African Bureau of Standards (Publication SABS 092/1971- Code of Practice for Caravan parks).
  - (f) A dwelling unit in a resort may only be used for purposes of temporary overnight accommodation for transient guests.
  - (g) Occupancy of a dwelling unit, or camping stand by any one occupant or caravan shall be limited to an aggregate of three months in every twelve months.

- (h) Non-residential facilities (such as the kiosk, restaurant, pool etc.) must be complementary and subservient to the resort. The use thereof is restricted to residents unless written consent is granted by the municipality.
- (i) The same architectural style and building materials must be maintained for all buildings.
- (j) A site development plan must be submitted indicating the 1:50 and 1:100 year flood line as determined by a professional engineer or if the land is not subject to such flood lines, an indication by a professional engineer to such effect.
- (k) The application must address the adequate provision of engineering services and a services agreement with the municipality is required.
- (l) A geotechnical report with 1 test hole per 10 ha is required. If area to be utilized for resort development is smaller than 10 ha in size, 1 test hole also applies.
- (m) Land use approval by the municipality may not be exercised until all other statutory requisites have been obtained.



## CHAPTER 7: LAND DEVELOPMENT APPLICATIONS

### 39. APPLICATIONS PERMITTED IN TERMS OF THE LAND USE SCHEME IN OPERATION

- (1) In accordance with the provisions of the By-law, the following applications shall be undertaken in terms of the land use scheme in operation:
  - a) consent for a secondary right as listed in column 4 of Table 2.  
For applications on communal land the list of uses in **schedule 1** of this scheme that will have a low impact on the community concerned should be consulted;
  - b) written consent for specific purposes;
  - c) consent for a temporary use;
  - d) site development plans;
  - e) consolidation;
  - f) subdivision;
  - g) building line relaxation;
  - h) excision of land from agricultural holding register; and
  - i) exemption in a consent use application (only applicable as specified).
- (2) Applications mentioned in subparagraphs 1 may be submitted simultaneously as combined applications.
- (3) The application procedure and public notice procedure prescribed by this scheme for Category 2 applications referred to above are described below per land use application.

### 40. APPLICATION PROCEDURE

- (1) Pre-application.
  - (a) The municipality shall require an applicant who intends to submit an application in terms of this scheme to consult with a person/s appointed by the municipality for a pre-application consultation, before he submits an application to the municipality in order to determine the information to be submitted with the application.
  - (b) The municipality must keep minutes of the proceedings of a pre-application consultation.
- (2) Administrative phase (in accordance with SPLUMA may not exceed 12 months).
  - (c) On receipt of the application, the municipality must:
    - (i) register the application and allocate a registration number;
    - (ii) acknowledge receipt in writing of the application within 14 days after receipt of the application and proof of payment of the application fee;
    - (iii) notify the applicant within 14 days after receipt of the application (the **notification date**) whether the application contains all the information and documentation required in terms

- of the scheme, and stating that such notification is not to be construed as signifying that the application will or will not be approved. The notification will include instructions to proceed with the public notice procedures.
- (d) the planning department may at any time prior to a final decision being taken on an application, require the applicant, at the applicant's cost, to submit such further information or documentation as it may reasonably require in order to reach a decision on the application and will defer consideration of the application until such time as the further information required is submitted to its satisfaction.
- (i) if such further information is not submitted in accordance and within a time period stated in a written request addressed to the applicant, the municipality may return the application and all supporting documentation to the applicant without considering it.
- (e) To process the application the municipality shall:
- (ii) within 7 days from the notification date, circulate the application to the municipality's relevant departments and the ward councillor in the application area for their comments, to be provided within 90 days from the notification date;
- (iii) forward all comments, objections and representation to the applicant within 14 days after the 90 day period to submit any comments, objections or representations has expired;
- (iv) where objections, comments and/or representations have been received as a result of the advertisement procedure, the applicant may respond in writing thereto to the municipality within 28 days of date of receipt of such objection, comment and/or representation (or such further period as the municipality may allow).
- (3) Consideration phase (in accordance with SPLUMA may not exceed three months).
- (a) In the instance of an unopposed application, the authorised official specified in terms of the By-law, shall within 90 days of the receipt of comments from the municipal departments, take a decision on the application.
- (b) In the instance of an opposed application, the municipality shall within 90 days from the receipt of the response from the applicant referred to above, make a recommendation and refer the application to the Municipal Planning Tribunal for a hearing.
- (4) Decision phase (in accordance with SPLUMA may not exceed 30 days).
- (a) In the instance where an application was considered by the authorised official, the municipality shall notify all relevant parties of the decision in writing by registered post, by hand, by e-mail or by any other means available within 30 days from the date of the decision made by the authorised official.
- (b) In the instance where an application was considered by the Municipal Planning Tribunal, the municipality shall notify all relevant parties of the decision in writing by registered post, by hand, by e-mail or by any other means available within 30 days from the hearing held by the Municipal Planning Tribunal.

- (5) The municipality shall keep a proper record of each consent use application granted.
- (6) The contribution and amount of money payable as a condition of approval of any application brought in terms of the scheme shall become due and payable within 90 days from date of the approval of the application by the authorised official or the Municipal Planning Tribunal.

#### **41. PUBLIC NOTICE**

- (1) Only the following applications undertaken in terms of this scheme shall be subject these provisions:
  - (a) Consent for a secondary right; and
  - (b) Subdivision.

The public notice procedure to be followed for other applications is detailed per application.

- (2) The applicant shall give notice of the application:
  - (a) By publishing once a notice in such form and such manner in English and one other official language commonly spoken in the area, in two local newspapers circulating in the area.
  - (b) By posting a notice on the application property clearly visible to the general public. Such notice shall be in English and one other official language commonly spoken in the area shall be maintained for a period of at least 14 days from the date of first publication of the newspaper notice. The notices on the application property must be at least 594 mm x 420 mm each and the lettering on such notice shall be at least 6 mm high, legible, upright and in print.
  - (c) By sending a notice in English and one other official language commonly spoken in the area by registered mail or delivered by hand to the owners of all contiguous erven on the same date as the first publication of the newspaper notices.
- (3) The notice mentioned in subparagraph 37(2) shall contain at least the following information:
  - (a) The details of the application including the property description (erf number and township name) and street address of the application property;
  - (b) The nature and general purpose of the application (also in layman's terms);
  - (c) The date on which the application was lodged with the municipality and the name, contact number, email address and physical address of the applicant;
  - (d) That the application documents will be open for inspection at specified times and a specified place at the municipality's office and that any objections or representations in regard thereto must be submitted in writing to the municipality by means of registered mail, email or by hand within 28 days from the first publication of the newspaper notice.
- (4) The applicant shall submit the following to the municipality within 28 days from the first publication of the newspaper notice:
  - (a) Clear, legible copies of the notices published in the newspapers;
  - (b) A sworn statement that the notice was displayed on the property boundary in accordance with the requirements as stated above;

- (c) Proof of dispatch of the registered mail or hand delivery of notices.

## **42. CONSENT FOR A SECONDARY RIGHT**

- (1) The municipality may grant its consent for a secondary right as set out in column 4 of Table 2 and schedule 1 of the scheme (low impact uses) subject to such conditions as it may deem fit.
  - (a) The consent is granted to the owner of the property and for the lifetime of the buildings on the property. Should the property be sold or should the buildings be demolished, the consent shall automatically lapse. This provision however does not apply to a second dwelling unit and domestic worker's accommodation unit.
  - (b) The consent shall lapse if the land use concerned is not commenced with within the period stated in the condition of approval;
  - (c) The consent shall lapse if it is discontinued for a period stated in the condition of approval;
  - (d) The consent may be withdrawn if there has been non-compliance with any of the conditions of approval or because of change of circumstances.
  
- (2) A contribution shall be paid to the municipality in respect of engineering services where it will be necessary to enhance or improve such services as a result of the consent granted.
  
- (3) An amount of money shall be paid to the municipality in respect of open spaces or parks where the granting of the consent will bring about a higher residential density.
  
- (4) The municipality shall, when considering an application for consent for a secondary right (other than a second dwelling unit or a domestic worker's unit), in addition to other factors it must take into account, have regard to whether such use is likely:
  - (a) Mainly to serve the needs of the inhabitants of the immediate area in which it is or will be situated.
  - (b) To cause injury to the amenity of the area in which it will be situated including, without prejudice to the generality of the foregoing, increased traffic, parking difficulties and noise.
  
- (5) The application shall comply with the following requirements:
  - (a) All copies of the application, must be submitted in writing to the authorised official specified in the By-law. The number of copies will be determined by the municipality.
  - (b) The application must be accompanied by proof of payment of the prescribed non-refundable administrative fee as determined by the municipality.
  - (c) The application shall consist of at least the following:
    - (i) Duly completed application form;
    - (ii) A report detailing the salient features of the application. This shall include details of the existing municipal services and additional service requirements as a result of the application;

- (iii) Proof of ownership of the application site, power of attorney and company resolution (where applicable) where the applicant is not the owner;
  - (iv) The name and contact details of the applicant;
  - (v) A locality plan drawn to an appropriate scale;
  - (vi) A zoning plan drawn to a scale of 1:500 or an appropriate scale;
  - (vii) A zoning certificate (obtainable from the municipality);
  - (viii) A site development plan (if so required in terms of the scheme);
  - (ix) Any other requirements in terms of an approved municipal policy.
- (6) The application shall comply with the procedure and public notice requirements as set out in this scheme.

### **43. WRITTEN CONSENT FOR SPECIFIC PURPOSES**

- (1) The municipality may grant its written consent as required in terms of the provisions of this scheme, a municipal policy or any other law, subject to such conditions as it may deem fit.
- (2) Written consent may not be considered for a secondary land use right, site development plan, consolidation, subdivision, building line relaxation or excision from the agricultural holdings register. Written consent may include, but is not limited to, the registration of servitudes or sinking of a borehole.
- (3) The application shall comply with the following requirements:
- (a) All copies of the application, must be submitted in writing to the authorised official specified in the By-law. The number of copies will be determined by the municipality.
  - (b) The application must be accompanied by proof of payment of the prescribed non-refundable administrative fee as determined by the municipality.
  - (c) The application shall consist of at least the following:
    - (i) Duly completed application form;
    - (ii) A motivation detailing the salient features of the application;
    - (iii) Proof of ownership of the application site and power of attorney where the applicant is not the owner; and
    - (iv) The name and contact details of the applicant;
    - (v) A locality plan drawn to an appropriate scale;
    - (vi) A zoning certificate (obtainable from the municipality);
    - (vii) Any other requirements in terms of an approved municipal policy.
- (4) The municipality shall within 14 days from the receipt of the application (and application fee), provide the applicant with proof of acceptance of the application, or inform the applicant of outstanding matters to be attended to.

- (5) A written consent granted by the municipality in terms of this scheme may be subject to termination by the municipality if any breach of a condition upon which such written consent was granted is not remedied in compliance with a notice served by the municipality upon the owner or occupier of the erf or site concerned after affording the applicant an opportunity for a hearing.
- (a) The notice shall require that the breach be remedied within a specific period.

#### **44. CONSENT FOR A TEMPORARY USE**

- (1) An applicant may submit a written consent for temporary use in terms of the scheme. The applicant shall at his own expense give notice once of the intended application to:
- (a) The adjoining and directly opposite land owners and obtain the comments from the surrounding land owners;
- (b) The ward councillor and residents' association, where applicable, and obtain their comments.
- (2) The application should address the following in terms of a report and a site plan (at the discretion of the municipality) drawn at a scale of 1:250 or such scale as required by the municipality:
- (a) The nature of the use;
- (b) Existing property boundaries and structures;
- (c) The extent of the use and demarcation of the area to be used;
- (d) The number of persons to be involved;
- (e) The operating hours;
- (f) Layout of the proposed use, including but not limited to the temporary structures to be erected (e.g. stage, stalls, tents);
- (g) Provisions for ingress, egress, vehicular flow and parking for visitors and emergency vehicles;
- (h) Indication of the level of municipal engineering services required;
- (i) Temporary ablution facilities and refuse collection facilities;
- (j) The responsible person to be contacted in the event of any transgressions or complaints including a cellphone number and email address; and
- (k) The person responsible for restoring the application site after the use has ceased or the consent has lapsed.
- (3) The municipality shall within 14 days from the receipt of the application (and application fee), provide the applicant with proof of acceptance of the application, or inform the applicant of outstanding matters to be attended to.
- (4) The municipality may impose any condition deemed necessary to ensure that:
- (a) The amenity of the surrounding area is protected;
- (b) No public nuisance arises from the temporary use;
- (c) The property is cleaned and maintained during the operation of the temporary use and is restored to its original state once the use has ceased;
- (d) Any other condition it may seem fit.

- (5) The written consent shall lapse automatically within a period of 12 months unless a written application with good reason was submitted for an extension of time.

#### **45. SITE DEVELOPMENT PLANS**

- (1) Site development plans are required by the municipality as a result of:
- (a) A condition of an application, including consent use applications, as and when required by the municipality; or
  - (b) On all use zones other than erven land zoned Residential 1, Residential 5, Agricultural 1 and Agricultural 2, or
  - (c) For the development of any structures by any party on erven or sites with a public open space zoning in terms of the scheme; or
  - (d) All erven within a registered special development zone; or
  - (e) On erven in an environmental control area, conservation or protected area; or
  - (f) Where required in any other part of the scheme or at the discretion of the municipality.
- (2) Such site development plans shall be drawn at a scale of 1:500 or such other scale as may be required by the municipality, and shall be approved by the municipality before any building plan in connection with the proposed development may be considered by the municipality.
- (3) Unless the municipality requires less information, a site development plan shall show at least the following:
- (a) Contours;
  - (b) The development controls applicable to the site, including the zoning as well as siting, height, floor area and coverage of all buildings and structures and compliance with these controls;
  - (c) Open spaces and landscaping of the site shall include but not be limited to:
    - (i) All landscaping and existing mature vegetation.
    - (ii) A minimum of 10% of the site shall be landscaped.
    - (iii) A minimum of 1 tree per 3 parking bays shall be provided.
    - (iv) All hydrological features including such as, but not limited to, pans, ponds, dams, drainage features, stormwater attenuation and wetlands.
    - (v) Natural environmental features such as, but not limited to, special geological formations and grassland.
  - (d) Energy efficiency and water saving measures.
  - (e) Entrances and exit from the site for vehicles and pedestrians, and also internal traffic systems and parking bays;
  - (f) Entrances to buildings and parking areas;
  - (g) Stormwater management measures;
  - (h) Building restriction areas; including floodlines or areas subject to poor geotechnical conditions;
  - (i) All elevations and typical elevation treatment of all the buildings;
  - (j) Subdivision lines if the property is to be subdivided;

- (k) Development phases where development will occur in phases;
  - (l) The layout of engineering services, refuse storage and collection areas (including provision for waste separation and recycling);
  - (m) Stormwater drainage measures to the satisfaction of the municipality; and
  - (n) Any other such information as considered necessary by the municipality.
- (4) The following applications may be submitted to the municipality and considered simultaneously with a site development plan:
- (a) Consent for a secondary right in terms of the scheme;
  - (b) Consent for building line relaxation in terms of the scheme;
  - (c) Approval of variation of floor area, coverage and density provisions;
  - (d) Consent for a second dwelling unit;
  - (e) Consent for subdivision or consolidation;
  - (f) Any other use requiring the consent of the municipality, as stipulated in terms of the scheme or the By-law;
- provided that this does not absolve the applicant from complying with the public notice requirements for the relevant applications, where applicable.

#### **46. CONSOLIDATION**

- (1) The municipality may grant its consent to the consolidation of any adjoining properties subject to such conditions as it may deem fit, provided that the properties are owned by the same owner.
- (2) The application shall comply with the following requirements:
- (a) All copies of the application, must be submitted in writing to the authorised official specified in the By-law. The number of copies will be determined by the municipality.
  - (b) The application must be accompanied by proof of payment of the prescribed non-refundable administrative fee as determined by the municipality.
  - (c) The application shall consist of at least the following:
    - (i) Duly completed application form;
    - (ii) A motivation detailing the salient features of the application;
    - (iii) Proof of ownership of the application site, power of attorney and company resolution (where applicable) where the applicant is not the owner;
    - (iv) Bondholder's consent;
    - (v) The name and contact details of the applicant;
    - (vi) A locality plan drawn to an appropriate scale;
    - (vii) A zoning plan of surrounding properties drawn to a scale of 1:500 or an appropriate scale;
    - and
    - (viii) A zoning certificate of the application property (obtainable from the municipality).



- (3) The municipality shall within 14 days from the receipt of the application (and application fee), provide the applicant with proof of acceptance of the application, or inform the applicant of outstanding matters to be attended to.
- (4) The applicant shall, within three months after approval of the consolidation by the Surveyor-General (or such further period as allowed by the municipality), submit two clear and legible copies of the approved consolidation diagram to the municipality. Failure to comply with this condition shall cause the consent to lapse.
- (5) The applicant shall, within three months after registration of the consolidated title deed, submit the following to the municipality:
  - (a) A copy of the consolidated title deed.
  - (b) Building plans endorsed with the new erf number, even if no alterations are made to the buildings.

#### **47. SUBDIVISION**

- (1) The municipality may grant its consent to the subdivision of land, other than:
  - (a) agricultural land as defined in the Subdivision of Agricultural Land Act 70 of 1970,
  - (b) state owned land under traditional authority leadership. In this instance the applicant shall obtain a letter from the municipality stating that the subdivision is exempt from approval by the municipality.
- (2) The municipality may grant its consent to:
  - (c) the subdivision of an erf zoned "Residential 1" or "Residential 5" in accordance with the density overlay zone; and
  - (d) the subdivision of any other land or property:
    - (i) for residential use in accordance with Table 2 column 12 relating to density and the general provisions of Table 2;
    - (ii) for non-residential use in accordance with the general provisions of Table 2; subject to any condition as it may seem fit.
- (3) The application shall comply with the following requirements:
  - (a) All copies of the application, must be submitted in writing to the authorised official specified in the By-law. The number of copies will be determined by the municipality.
  - (b) The application must be accompanied by proof of payment of the prescribed non-refundable administrative fee as determined by the municipality.
  - (c) The application shall consist of at least the following:
    - (iii) Duly completed application form;
    - (iv) A report detailing the salient features of the application;

- (v) Proof of ownership of the application site, power of attorney and company resolution (where applicable) where the applicant is not the owner;
  - (vi) Bondholder's consent;
  - (vii) The name and contact details of the applicant;
  - (viii) A locality plan drawn to an appropriate scale;
  - (ix) A zoning plan drawn to a scale of 1:500 or an appropriate scale;
  - (x) A zoning certificate (obtainable from the municipality);
  - (xi) A site development plan (if so required in terms of the scheme);
  - (xii) Any other requirements in terms of an approved municipal policy.
- (4) The applicant shall comply with the procedure and public notice requirements as set out in this scheme.
- (5) No application for subdivision shall be approved unless the municipality is satisfied that each proposed subdivided portion has satisfactory vehicular access to a public street, which may be provided by means of a panhandle or a servitude.
- (a) In the case where a proposed subdivided portion has access to a public street by means of a panhandle or servitude, the panhandle or servitude shall be constructed, paved and maintained by the owner to the satisfaction of the municipality.
  - (b) If access to a public street is to be provided to more than one subdivided portion by means of a single panhandle, the municipality shall, when it approves the application for subdivision, impose a condition that the applicant shall cause a servitude of right of way in favour of each such portion, other than the portion of which the panhandle forms a port, to be registered over the latter portion.
- (6) The applicant shall, within three months after approval of the subdivision by the Surveyor-General, submit two clear and legible copies of the approved plan to the municipality. Failure to comply with this condition shall cause the consent to lapse. The municipality may grant an extension of time based on merit.
- (7) The applicant shall, before he submits a deed of transfer or certificate of registered title in respect of the subdivided portion to the Registrar for registration in terms of the Deeds Registries Act, 47 of 1937, have the power of attorney in respect of the transfer or the application for such certificate endorsed by the authorised official specified in the By-law, to the effect that the applicant has complied with the conditions imposed by the municipality or that arrangements in respect of such compliance, including the furnishing of guarantees in respect of any condition requiring payment or an amount of money, have been made to the satisfaction of the municipality.

#### 48. BUILDING LINE RELAXATION

- (1) The municipality may grant its consent to relax a building line or build a building in a building restriction area subject to such conditions as it may deem fit, provided that no part of a building such as an air conditioner, balcony, overhang, gutter or satellite dish may extend across a property boundary.
- (2) The building line relaxation application shall comply with the following requirements:
  - (a) A report detailing the salient features of the application;
  - (b) A site development plan;
  - (c) Proof of ownership of the application site and power of attorney where the applicant is not the owner.
- (3) The applicant shall comply with the following advertisement procedures:
  - (a) A letter, accompanied by the proposed site development plan or building plan in the case of a Residential 1 and Residential 5 erf, shall be dispatched in writing and by registered post, by hand or by any other means available to all adjoining owners whom, at the discretion of the municipality, may possibly be adversely affected by the relaxation of the applicable building line restriction setting out the following:
    - (i) Full details of the application including, but not limited to, the street address, the name of the township, a clear erf description of the erf concerned and the nature and general purpose of the application with specific emphasis on which building lines – side, rear or street - are being applied for;
    - (ii) The date on which such application was submitted to the municipality and it shall reflect the name, postal address, telephone number and e-mail address of the person submitting the application; and
    - (iii) That any objection, comment or representation in regard thereto must be submitted timeously to both the municipality and the applicant in writing by registered post, by hand or by e-mail within a period of 28 days from date of receipt of the letter.
  - (b) Proof of compliance with the advertisement procedure in the form of a written affidavit and copies of the notices must be submitted to the municipality prior to consideration of the application.
- (4) The applicant shall comply with the following application procedures and provisions:
  - (a) The municipality shall forward all comments, objections and representation to the applicant within 14 days after the objection period has expired.
  - (b) Where objections, comments and/or representations have been received as a result of the advertisement procedure, the applicant may respond in writing to the municipality within 28 days (or such further period as the municipality may approve), of the date of receipt thereof from the municipality, where after the municipality shall refer the application to the Municipal Planning Tribunal for determination.

- (c) No decision shall be taken on the application unless due regard has been given to each objection, comment and representation lodged timeously.
- (d) In the instance of an unopposed application, a decision on the application shall be taken by the authorised official, within 60 days of expiry of the objection period.
- (e) Such building line relaxation may be refused or approved subject to any condition the municipality may deem fit.
- (f) Whether a decision was taken on the application by the authorised official or the Municipal Planning Tribunal, the municipality shall notify all relevant parties of the decision in writing by registered post, by hand, by e-mail or by any other means available within 30 days of the date of the decision.
- (g) The municipality shall keep a proper record of each building line relaxation application granted.
- (h) No building plans may be approved in terms of the Building Act showing a proposed building within a building line restriction area without the approval of such building line relaxation application in terms of this scheme.

#### **49. EXCISION OF LAND FROM AGRICULTURAL HOLDINGS REGISTER**

- (1) The municipality may grant its consent to the excision of an agricultural holding from the agricultural holding register subject to such conditions as it may deem fit.
- (2) The application shall comply with the following requirements:
  - (a) All copies of the application, must be submitted in writing to the authorised official specified in the By-law. The number of copies will be determined by the municipality.
  - (b) The application must be accompanied by proof of payment of the prescribed non-refundable administrative fee as determined by the municipality.
  - (c) The application shall consist of at least the following:
    - (i) Duly completed application form;
    - (ii) A motivation detailing the salient features of the application;
    - (iii) Proof of ownership of the application site, power of attorney and company resolution (where applicable) where the applicant is not the owner;
    - (iv) Bondholder's consent;
    - (v) The name and contact details of the applicant;
    - (vi) A locality plan drawn to an appropriate scale;
    - (vii) A zoning plan of surrounding properties drawn to a scale of 1:500 or an appropriate scale;
    - and
    - (viii) A zoning certificate of the application property (obtainable from the municipality); and
    - (ix) a draft surveyed diagram.
- (3) The municipality shall within 14 days from the receipt of the application (and application fee), provide the applicant with proof of acceptance of the application, or inform the applicant of outstanding matters to be attended to.

- (4) The municipality shall consider the information provided and for purposes of granting the excision application shall issue a certificate that excision of the Agricultural Holding has been approved.
- (5) The municipality shall provide a notice to the applicant of its decision and the applicant shall deliver to the Surveyor-General and the Registrar of Deeds a copy of the excision certificate.
- (6) The applicant shall submit the notice referred to above to the Surveyor-General, with a request for a new property description of the farm into which the Agricultural Holding will be incorporated.
- (7) The applicant shall upon receipt of a new farm description as contemplated from the Surveyor-General submit to the municipality for endorsement:
  - (a) the surveyed diagram with the new farm description.
- (8) If the excision of an Agricultural Holding is required as a result of a township establishment application it may be included as a pre-proclamation condition.
- (9) The endorsement of the Agricultural Holding Title by the Registrar of Deeds, to the effect that it is excised and known as a farm portion for purposes of a township establishment application, can be done simultaneously with the endorsement of the title deed of the farm portion and the opening of a township register.
- (10) The municipality shall issue a certificate certifying that the pre-proclamation conditions have been complied with and in so certifying it may require that certain conditions be complied with together with the opening of a township register, which may include the registration of the excision of an Agricultural Holding.
- (11) If an applicant wishes to excise an Agricultural Holding from the Agricultural Holding Register at the Registrar of Deeds for whatever purpose, including the removal of restrictive conditions of title applicable to Agricultural Holding, the municipality shall only regard proof of such excision as being the endorsed title deed of the Agricultural Holding by the Registrar of Deeds and a copy of the farm title deed created at the Registrar of Deeds as a result of the excision.

## **50. PROVISION FOR EXEMPTION IN A CONSENT USE APPLICATION**

- (1) The municipality may at its discretion permit exemption for:
  - (a) written consent for specific purposes;
  - (b) consent for a temporary use;
  - (c) consolidation of land;
  - (d) consent for building line relaxation;
  - (e) excision of land from agricultural holdings; and
  - (f) land development in traditional authority areas for uses set out in column 5 of Table 2 and the list of low impact uses in schedule 1.

- 
- (2) The exemption may apply to the following aspects:
- (a) Advertisement procedures. The municipality may exempt the applicant from advertising in newspapers.
  - (b) Application requirements:
    - (i) A report detailing the salient features of the application. The municipality may permit a letter setting out the salient features of the application.
    - (ii) A site development plan. The municipality may permit a site plan or a conceptual plan depicting the proposed use.
- (3) The municipality must provide the applicant in writing with the specifics of the aspects in terms of which exemption is permitted, subject to:
- (a) a pre-application consultation;
  - (b) consideration of the cultural customs and practices of traditional communities in land use management
  - (c) the principles contained in Chapter 1 of the scheme.

## CHAPTER 8: TRANSITIONAL ARRANGEMENTS AND COMMENCEMENT

### 51. TRANSITIONAL ARRANGEMENTS

- (1) In the event of a conflict between the provisions of the scheme and an annexure approved in terms of a previous scheme, the annexure shall apply.
- (2) Any town planning scheme in operation within the jurisdiction of the municipality shall remain in force until the adoption and approval of this land use scheme, which shall replace such schemes.
- (3) Within five years from the date of the coming into operation of this land use scheme (or such further time as the municipality may permit):
  - (a) The owner of any property may deliver a written notice to the municipality stating that he/she wishes to forfeit the additional land use rights arising from the application of the definitions in Table 1 of this scheme or the zoning and development controls in Table 2 of this scheme.
  - (b) Pursuant to the receipt of this notice, the municipality shall issue an annexure in terms of this scheme confirming that the property has the zoning and permissible rights that were applied before this scheme came into operation.

### 52. COMMENCEMENT

The scheme shall come into effect on the date that notice of its adoption by the municipal council is published in the *Provincial Gazette*.

## SCHEDULE 1: HIGH AND LOW IMPACT USES IN TRADITIONAL AUTHORITY AREAS

### 1. High impact land uses

- (1) In accordance with the By-law the amendment of the use of land in instances where such amendment will have a high impact development on the community is dealt with in terms of the By-law.
- (2) Land development that are considered to have a high impact on the community are listed below (in alphabetical order):\*

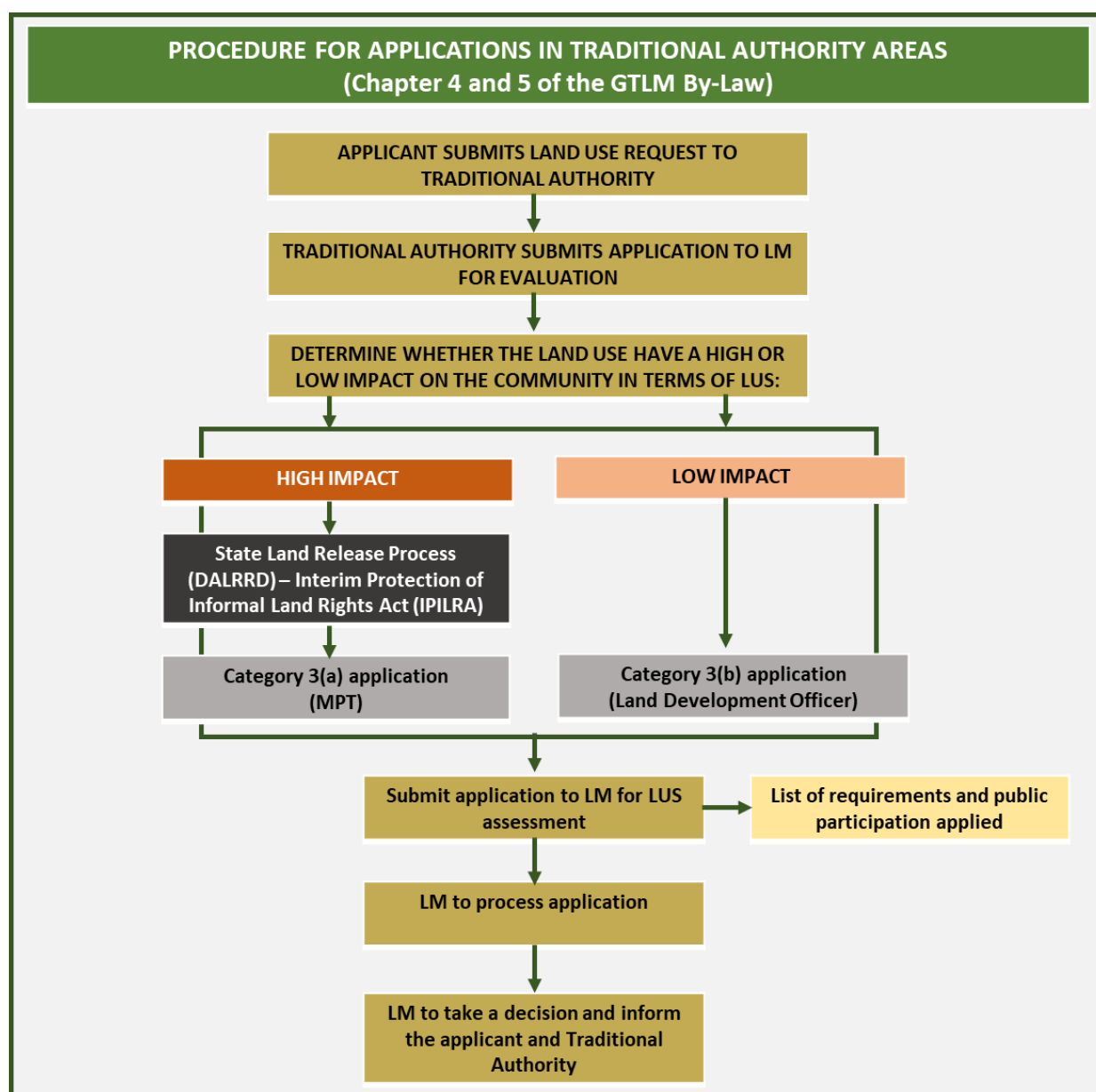
- |   |   |
|---|---|
| 1. Abattoir   | 29. Panel beater and spray painter  |
| 2. Aerodrome  | 30. Pharmacy  |
| 3. Agricultural industry                                  | 31. Police offices  |
| 4. Builder's yard   | 32. Primary school  |
| 5. Brick making business                                  | 33. Processing of hides/tannery   |
| 6. Butchery   | 34. Public garage   |
| 7. Casino   | 35. Quarrying   |
| 8. Cemetery, funeral services                             | 36. Railway and stations  |
| 9. Combined school  | 37. Refuse/landfill sites   |
| 10. Commercial/storage                                    | 38. Renewable energy infrastructure                                       |
| 11. Dry cleaner   | 39. Resort  |
| 12. Filling station                                       | 40. Restaurant/café/place of refreshment (G.L.A. $\geq 250 \text{ m}^2$ ) |
| 13. Flats   | 41. Sand mining   |
| 14. General dealer  | 42. Scrapyard   |
| 15. Government offices                                    | 43. Secondary school  |
| 16. Hardware store  | 44. Service industries  |
| 17. Hospital  | 45. Shops   |
| 18. Hostels   | 46. SMME incubators   |
| 19. Hotel   | 47. Stone crushing  |
| 20. Institution   | 48. Supermarket   |
| 21. Industrial and light industries                       | 49. Tavern  |
| 22. Liquor store  | 50. Taxi /bus rank  |
| 23. Mining  | 51. Telecommunication infrastructure                                      |
| 24. Motor spares  | 52. Transport/logistics   |
| 25. Multiple residential                                  | 53. Vehicle sales lot   |
| 26. Municipal offices                                     | 54. Water park  |
| 27. Night club/adult entertainment/<br>place of amusement | 55. Wholesale trade   |
| 28. Old age home  | 56. Workshop  |



*\*Note: any development that requires a specialist report such an environmental impact assessment or traffic impact study and in the opinion of the municipality could have a negative impact on the community will be dealt with in terms of the By-law.*

- (3) The following procedure applies to applications for the land uses listed above:
  - (a) The applicant firstly needs to obtain a resolution from the traditional authority to state that the proposed land use right will be supported. This resolution does not constitute approval to proceed with the land use, site preparation on building activities. It only permits the applicant to commence with application procedures in terms of relevant legislation.
  - (b) The applicant needs to follow the procedures for a state land release application (Diagrams 1 and 2).

**Diagram 1: Procedure of applications in Traditional Authority Areas**



**Diagram 2: Steps to be followed with applications in Traditional Authority Areas**

Steps	Process / Steps to be Followed	Responsibility
1.	Written application from the applicant.	Applicant
2.	Acknowledgement of receipt and explanation of the process to be followed, as well as policy requirement, i.e. shareholding, benefits to the Community, etc. Verify whether any claims in terms of the <i>Restitution of Land Rights Act, 1994 (Act 22 of 1994)</i> have been registered against the subject property or the underlying property. <i>(Should there be any claims in terms of this legislation, written consent for the disposal from the claimants as well as the Regional Land Claims Commission (RLCC) should be obtained. The DLA should be involved in all the discussions).</i>	DLA Applicant
3.	Obtain relevant information regarding the property: <ul style="list-style-type: none"> <li>Any Powers of Attorney delegated to deal with the property.</li> <li>Long or short term lease agreements.</li> <li>Registered and unregistered servitudes.</li> <li>Vesting status in terms of Item 28(1) of Schedule 6 to the <i>Constitution of the Republic of South Africa, 1996 (Act 108 of 1996)</i>.</li> <li>Inclusion in the area of jurisdiction of a Traditional Authority in terms of a proclamation.</li> <li>Any Permissions to Occupy (PTOs).</li> </ul>	DLA
4.	Inspection of the subject property to be disposed of <i>(With the assistance of the applicant)</i> .	DLA
5.	Obtain written support for the proposed development from the Local Municipality, as well as an indication from the Department of Agriculture and Land Administration (DALA), after a preliminary investigation by DALA, that business rights will be allocated, subject to the approval for the disposal by the Minister of Land Affairs.	Applicant / DLA / DALA
6.	Obtain a Land Rights Holders Resolution in terms of the <i>Interim Protection of Informal Land Rights Act, 1996 (Act 31 of 1996)</i> in favour of the disposal and proposed development. <i>(The detail of the disposal should be explained to the Community, and should in full detail be captured in the Resolution)</i> .	Applicant / DLA
7.	Subdivision of the subject property, if applicable. <i>(The applicant should appoint a surveyor at own cost (except for land reform beneficiaries). Consent for the subdivision should be obtained from DLA in writing before the surveyor is appointed)</i> .	Applicant
8.	Market related valuation of the subject property, for <b>business</b> purposes. <i>(DLA to draw up the Terms of Reference (TOR) and appoint the valuer, but the applicant has to agree to the valuer selected, and be prepared to pay for the valuation as well)</i> .	DLA
9.	Request a written input / objections from relevant Government Departments regarding the proposed disposal, providing the following information: <ul style="list-style-type: none"> <li>Detail of the applicant, full and correct property description, and the reasons for the disposal of the subject property.</li> <li>Detail about the process followed and requirements already met.</li> <li>Location map, SG diagram and status report.</li> </ul>	DLA
10.	Application to the Provincial State Land Disposal Committee (PSLDC) for a recommendation for the disposal and/ or vesting of the property.	DLA
11.	Memorandum to the Minister of Land Affairs for approval for the disposal and/ or vesting of the subject property.	DLA
12.	After approval by the Minister, an instruction to the State Attorney for the transfer and registration of the subject property.	DLA

**2. Low impact land uses**

(1) Land development that will have a low impact on the community and are dealt with in terms of Category 2 of the By-law are listed below (in alphabetical order):

1. Animal institution
2. Car wash
3. Church
4. Clinic
5. Community hall
6. Crèche
7. Dwelling house office
8. Guesthouse
9. Home enterprise
10. Library
11. Limited overnight accommodation
12. Medical consulting rooms
13. Modal transfer point
14. Nursery
15. Park
16. Pre - primary school
17. Rental rooms
18. Rural general dealer
19. Shebeen
20. Sports and recreation

*Note that similar uses may be allowed at the discretion of the municipality.*

(2) The uses listed above are dealt with as consent uses applied for in section 42 of the Scheme. The provisions for exemption in land use application procedures (section 50) apply as well.

## SCHEDULE 2: LIGHT INDUSTRIES

(1) The following uses may be permitted as light industries in terms of this scheme:

CATEGORY	LIST OF LAND USES
Electrical services	Home/business electrical manufacturing, service and sales
Electronic services	Manufacturing and servicing of consumer electronics
Energy	Gas storage and sales as well as sale of gas products, solar panel manufacturing and sales
Engineering services/workshops	Welding, cutting, joinery, pumps, pipe fitting and similar
Quick vehicle service	Car wash
	Filling station
	Fitment center
	Public garage
Vehicle repairs	Motor vehicle/truck workshop and services
	Panel beater, spray painter
	Towing service and impound yard
	Vehicle testing grounds/vehicle emission test sites
Workshop	Lawnmower repairs, plumbers, household appliance repairs and sales

*Note that similar uses may be allowed at the discretion of the municipality.*

### SCHEDULE 3: SERVICE INDUSTRIES

(1) The following uses may be permitted as service industries in terms of this scheme:

LIST OF LAND USES
1. Bakery, confectionary, catering
2. Basket ware and cane furniture manufacturing
3. Cobbler/shoe repair
4. Distribution centers
5. Dress makers/tailors
6. Dairy depot
7. Dry cleaners
8. Engraving
9. Funeral services, undertaker, tombstone trader
10. Furniture repair and upholstery
11. Glass cutting
12. Grooming services for pets
13. Jewelry and watch manufacturing and repair
14. Key cutting
15. Laboratories
16. Outdoor, canvass goods and tents
17. Photographic processing
18. Printing (photocopying) and publishing
19. Restoration, lubrication and/or service of motor or leisure vehicles and/or parts thereof and/or electrical and/or mechanical equipment and may include facilities such as service bays, grease pits and wash bays, but shall not include facilities for panel beating or spray painting.
20. Servicing, repair and supply of office and domestic appliances
21. Storage (excluding bulk storage)
22. Transport and cartage activities, including a workshop for related repair
23. Window blinds manufacturing and sales

*Note that similar uses may be allowed at the discretion of the municipality.*

**SCHEDULE 4: APPLICATION FORM****GREATER TZANEEN MUNICIPALITY****APPLICATION IN TERMS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT BY-  
LAW 20 OF 2016 AND/OR  
LAND USE MANAGEMENT SCHEME, 2023****NOTES:**

- All sections of this form **MUST** be completed.
- Block letters **MUST** be used to type (*where applicable*)
- This form **MUST** be signed by the Registered Owner of the property *and/or* the Agent (*applicant representative*).

**1. PRE-APPLICATION CONSULTATION**

<b>Date</b>	<input type="text"/>
<b>Official</b>	<input type="text"/>
<b>Instructions</b>	<input type="text"/>
	<input type="text"/>
	<input type="text"/>
	<input type="text"/>

**2. APPLICANT/AGENT DETAILS**

**First names**

**Surname**

**Company Name**

**Registration no**

**VAT no**

<b>Business address</b>	<input type="text"/>	<b>Postal address</b>	<input type="text"/>
	<input type="text"/>		<input type="text"/>
	<input type="text"/>		<input type="text"/>

<b>Postal code</b>	<input type="text"/>	<b>E-mail</b>	<input type="text"/>
	<input type="text"/>		<input type="text"/>

**Professional Registration No.**

**3. SUBJECT PROPERTY DETAILS**

**Erf / Erven / Farm/Holding no**

**Street address**

**Suburb**

**Title deed no** T  /

**Age of existing buildings**  **Extent of Property**  **m<sup>2</sup>**

**Any restrictive title deed conditions?**

YES	NO
-----	----

**If yes, please specify**

**Is the property encumbered by a bond?**

YES	NO
-----	----

**If yes, please specify**

**Any unauthorized building work/structures on the property?**

YES	NO
-----	----

**Nature and extent of existing improvements on property:**

**4. OWNER DETAILS**

**Registered owner**

**Company name**

**Registration no**



Physical address  Postal address

VAT number

Postal code  E-mail

Tel

Cell

Other

Have there been any previous land use applications?

YES	NO
-----	----

If Yes, reference/application description

**5. APPLICATION TYPE (Please ✓ all the applicable blocks)**

CATEGORY 1 APPLICATIONS IN TERMS OF THE BY-LAW	
1. The establishment of a township or the extension of the boundaries of a township.	<input type="checkbox"/>
2. The amendment of the scheme by rezoning.	<input type="checkbox"/>
3. The removal, amendment or suspension of a restrictive or obsolete condition, servitude or reservation registered against the title of the land.	<input type="checkbox"/>
4. The amendment or cancellation in whole or in part of a general plan of a township.	<input type="checkbox"/>
5. The subdivision and consolidation of any land <b>other than</b> a subdivision and consolidation which is provided for in the land use scheme in operation;	<input type="checkbox"/>
6. Permanent closure of any public place.	<input type="checkbox"/>

7. All applications for the restriction of access to a public road in terms of the Rationalisation of Local Government Affairs Act 10 of 1998.	
8. Any consent or approval required in terms of a condition of title, a condition of establishment of a township or condition of an existing scheme or land use scheme <b>(other than consent in terms of the scheme).</b>	
9. Any consent or approval provided for in a provincial law.	
10. Land development on communal land that will have a high impact on the traditional community concerned according to Schedule 1.	
11. Other (describe)	
<b>CATEGORY 2 APPLICATIONS IN TERMS OF THE SCHEME</b>	
1. Consent for a secondary right.	
2. Written consent for specific purposes.	
3. Consent for a temporary use.	
4. Site development plan.	
5. Consolidation.	
6. Subdivision.	
7. Simultaneous consolidation and subdivision.	
8. Building line extension.	
9. Land development on communal land that will have a low impact on the traditional community concerned according to Schedule 1.	
10. Other (describe).	

<b>IS THIS A COMBINED APPLICATION (<i>Application Seeking more than one planning authorization for development</i>)?</b>	<b>YES</b>	<b>NO</b>
<b>WILL THE DEVELOPMENT APPLICATION ADOPT A PHASED APPROACH?</b>	<b>YES</b>	<b>NO</b>

**Full details in respect of nature / intent and purpose of application / description of proposed development:**


**6. DOCUMENTS SUBMITTED PER APPLICATION TYPE**

<b>Application Type</b>	
Please ✓ all the applicable blocks to indicate that it is included in your submission	
1. Completed and signed application form	
2. Receipt (application fee)	
3. Power of attorney	
4. Company/Close Corporation/Trust Resolution/Trustees authority by Master (if applicable) Company/Trust memo of association	
5. Motivational memorandum	
6. Copy of title deed and notarial deeds referred to	
7. Copy of a Deeds Office search (not older than one month)	
8. Conveyancer's certificate	
9. Land Surveyor's certificate	
10. Bondholder's Consent	
11. Comment abutting property owner/s	
12. Body Corporate / Home Owners' Association consent	
13. Locality Plan	
14. Site development plan/sketch/layout plan/diagram	
15. Surveyor General Diagram	
16. Surveyor-General Consent (Extension of Township Boundaries)	

17. Zoning plan	
18. Zoning Certificate	
19. Land use plan	
20. Environmental Authorization (If applicable – see notes below)	
21. Permit: Heritage Resources Act (If applicable – see notes below)	
22. Engineering Services Report (If applicable – see notes below)	
23. Geotechnical Report (If applicable)	
24. Traffic Impact Study (If applicable – see notes below)	
25. Other (specify)	

**Notes:**

1. Environmental Authorization – required in terms of relevant legislation. All applications have to address environmental issues.
2. Heritage Permit – only required if the application property is a proclaimed heritage site in terms
  - a. of the Heritage Resources Act, 1999 (Act 25 of 1999) or if the application is a
  - b. proposed township establishment.
3. Engineering Services Report – required for township establishment or for other applications, to be determined in terms of pre-application consultation.
4. Geotechnical report – required for township establishment or for other applications, to be determined in terms of pre-application consultation.
5. Traffic Impact Study - required for township establishment or for other applications, to be determined in terms of pre-application consultation.

**IMPORTANT TO NOTE:**

1. Applications which are not complete and in the form required or do not contain the documents required for the submission of such application shall not be accepted.
2. Commencement of application notification procedures as contemplated in the Greater Tzaneen Spatial Planning and Land Use Management Bylaw 2016 are strictly subject to the receipt of a complete application and full application fee.
3. Compilation of application should be overseen by either a registered (SACPLAN) professional planner and/or a registered geomatics professional, in terms of the Geomatics Profession Act, 2013 (act no. 19 of 2013).
4. Any application requiring approval/consent in terms of another legislation is permitted to submit without having fulfilled that requirement. The applicant will therefore be required to submit such approval/consent during the administrative phase.

### 7. DECLARATION

I/we hereby wish to confirm the following:

1. That the information contained in this application form and accompanying documents is complete and correct.
2. That I/we am/are properly authorized to make this application on behalf of the owner and (where applicable) that copies of such full relevant powers of attorney are attached hereto.
3. That where an agent is indeed appointed to submit this application on the owner's behalf, it is accepted that correspondence and formal notification as required in terms of planning law will only be sent to such consultant/agent and that the owner will regularly consult with the agent/consultant in this regard.
4. I/we specifically confirm that I/we have read the relevant title deed(s) and that there are no restrictive conditions which impact on this application, or alternatively where there are, removal/amendment/suspension of these form part of this submission.
5. That, as owner/applicant / developer, I am/we are aware of the state of existing bulk services provision and infrastructure availability in the subject area and any development contributions that might be payable in respect of the development proposed herein (if applicable).

# If the application is made by a person other than the registered owner (e.g. an agent / consultant), full power of attorney and both signatures below are required. If the property is owned by more than one person, the signature of each owner is required. Where the property is owned by a company / trust / other juristic person, a certified copy of the board of directors / members / trustees resolution/Masters authority for trustees is required.

Registered owner's signature		Date																	
---------------------------------	--	------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Full name	
-----------	--

or

Agent/Consultant's signature		Date																	
---------------------------------	--	------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Full name	
-----------	--

Professional capacity	
--------------------------	--

Professional  
Registration No.

**FOR OFFICE USE ONLY**

**RECEIPT OF COMPLETE APPLICATION**

Date received

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

Received  
by

Application number

APPLICATION FEE:

DATE RECEIVED:

RECEIPT NUMBER:

PAYMENT RECEIVED BY:

DELEGATED PLANNING OFFICIAL:

### **8. ADDITIONAL DOCUMENTS REQUIRED FOR APPLICATIONS (TO BE CONFIRMED WITH OFFICIALS IN PRE-APPLICATION CONSULTATION)**

<b>Required Documents</b>	<b>Please Tick</b>
1. The title deed of the land and a deed search.	
2. A copy of the diagram of every property concerned or, where such diagram is not available, a plot diagram to every piece of land concerned.	
3. If the land is encumbered by a bond, the consent of the bondholder	
4. A conveyancer's certificate.	
5. A surveyor's certificate.	
6. A locality plan, zoning plan and land use plan on an appropriate scale.	
7. A layout plan in the scale approved by the municipality and containing the information as considered necessary by the municipality.	
8. A description of all existing and proposed servitudes and/or services on the applicable land;	
9. Draft conditions of establishment for the proposed township in the format approved by the municipality.	
10. A copy of the appropriate zoning certificate of the applicable land.	
11. An engineering geological investigation and report compiled by a suitably qualified professional.	
12. Confirmation whether or not a mining or prospecting right or permit over the land is held or is being applied for in terms of the Mineral and Petroleum Resources Development Act, 2002.	
13. Confirmation of other limited real rights on the property.	
14. Confirmation and details of any land claims on the property.	
15. In the case of the extension of the boundaries of a township, the consent from the Surveyor-General to the proposed extension of boundaries.	
16. The amendment scheme map and schedule approved by the municipality.	
17. A site plan or site development plan.	
18. The appropriate consent where required in terms of the Subdivision of Agricultural Land Act, 1970 (Act No.70 of 1970);	
19. Copies of the relevant sheet of the general plan which may be reduced copies of the original;	
20. Copies of a plan of the township showing the posed alteration or amendment or, if partial cancellation is applied for, the portion of the plan cancelled.	
21. Other	

**9. ASPECTS TO BE ADDRESSED IN MOTIVATING MEMORANDUM (TO BE CONFIRMED WITH OFFICIALS IN PRE-APPLICATION CONSULTATION)**

Required Information	Please Tick
1. A description of all the documents and information contained in the application.	
2. The motivation in terms of the compliance with the municipality's integrated development plan and spatial development framework (and other relevant policies)	
3. Compliance with applicable norms and standards and development principles as set out in SPLUMA.	
4. The existing land use rights on the property.	
5. The need and desirability of the proposed land development.	
6. The effect of the development on the use or development of other land which has a common means of drainage and proposed stormwater attenuation measures.	
7. Any environmental implications of the proposed land development;	
8. An indication whether an application must be made for an environmental authorization in terms of the National Environmental Management Act (Act 107 of 1998).	
9. The development controls (FAR, coverage, height, density and parking requirements) of the proposed development.	
10. The area and dimensions of each erf in the proposed township;	
11. The layout of roads having regard to their function and relationship to existing roads.	
12. The provision and location of public open space and other community facilities.	
13. Any phased developments.	
14. Description and motivation of every specialist report submitted with the application.	
15. Other	



**SCHEDULE 5: COMPANY/ASSOCIATION RESOLUTION**

**EXTRACT FROM MINUTES OF A MEETING OF THE DIRECTORS OF  
ABC COMPANY (PTY) LTD\*  
REGISTRATION NUMBER**

**HELD ON** (insert date) **AT** (insert location)

**IT WAS RESOLVED THAT:**

1. **ABC COMPANY (Pty) Ltd\*** as the registered owner of \_\_\_\_\_ (insert property description) shall apply in terms of the relevant provisions of the Greater Tzaneen Municipality Land Use Planning By-law and/or Land Use Scheme for:

(Insert full description of application and relevant sections of By-law and Land Use Scheme)

2. **ABC COMPANY (Pty) Ltd\*** appoints \_\_\_\_\_ (insert full name and ID number of person and company details of consultant) and its employees to act as its authorised agent in order to give effect to the above-mentioned.
3. **Johan Major\*** (insert name of person) in his capacity as a Director of the Company is hereby authorised to sign all documents to give effect to the aforesaid.

**CERTIFIED A TRUE EXTRACT**

\_\_\_\_\_  
**DIRECTOR**

\*Amend as required

**SCHEDULE 6: POWER OF ATTORNEY**

I the undersigned, **John Major\***, Identity Number \_\_\_\_\_ in my capacity as director of **ABC Company (Pty) Ltd\***, Registration Number \_\_\_\_\_ being the registered owner of \_\_\_\_\_ (insert property description), as per Title Deed Number \_\_\_\_\_ (insert Title Deed Number), hereby nominate, constitute, and appoint \_\_\_\_\_ (insert name) (ID Number \_\_\_\_\_) from \_\_\_\_\_ (insert company name) with power substitution to be my lawful representative to make/withdraw any necessary applications to the Greater Tzaneen Municipality, specifically for the following:

1. (insert full description of application and relevant section of the By-law and/or Land Use Scheme.

Further, to take all steps, do all such acts, sign all such documents as may be requisite in order to give effect to the powers hereby granted and in general for effecting the purpose aforesaid, to do or cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes as I might or could do if personally present and acting herein – hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever the said representative shall lawfully do, or cause to be done, by virtue of these presents.

SIGNED at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ in the presence of undersigned witnesses.

\_\_\_\_\_  
NAME IN BLOCK LETTERS

\_\_\_\_\_  
SIGNATURE

Witnesses:

\_\_\_\_\_  
NAME IN BLOCK LETTERS

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
NAME IN BLOCK LETTERS

\_\_\_\_\_  
SIGNATURE

\*Amend as required

**SCHEDULE 7: PUBLIC NOTICE****NOTICE \_\_\_\_\_ OF \_\_\_\_\_****NOTICE OF APPLICATION IN TERMS OF THE GREATER TZANEEN MUNICIPALITY LAND USE SCHEME, 2023**

I \_\_\_\_\_ (name of applicant) of the firm \_\_\_\_\_ being the authorised agent of the owner of Erf \_\_\_\_\_ situated at \_\_\_\_\_ hereby give notice that I have applied for \_\_\_\_\_ (type of application) in terms of Chapter 7 paragraph \_\_\_\_\_ of the Greater Tzaneen Land Use Scheme 2023. The intention of the application is to:

\_\_\_\_\_ Particulars of the application will lie for inspection during normal office hours at The Registration Section: Planning and Economic Development Department, Greater Tzaneen Municipality, 1 Agatha St, Arbor Park, Tzaneen, 0850 for a period of 28 days from \_\_\_\_\_ (\*the date of first publication of this notice). Objections to or representations in respect of the applications together with full contact details of the person submitting the objection or making representations must be made in writing and lodged by hand to the above mentioned address, or by registered mail to P.O. Box 24 Tzaneen 0850, or via e-mail to \_\_\_\_\_, within 28 days from \*\_\_\_\_\_. Date of expiry of objection period:

\_\_\_\_\_  
Name and address of authorised agent:

Company name:

Physical address:

Postal address:

Tel:

Fax:

Date of first publication: \_\_\_\_\_

Date of Second Publication: \_\_\_\_\_

Registration Number: \_\_\_\_\_

**SCHEDULE 8: EXAMPLE OF AN AMENDMENT SCHEME AND ANNEXURE**

**GREATER TZANEEN LOCAL MUNICIPALITY LAND USE SCHEME, 2023**  
**AMENDMENT SCHEME \_\_\_\_\_**

The Greater Tzaneen Local Municipality Land Use Scheme, 2023 is hereby further amended and altered in the following manner:

1. The Map A and B series as shown on Map 3 Amendment Scheme XXXXXX.
2. By the addition of Annexure \_\_\_\_\_

APPROVED

\_\_\_\_\_  
Executive Director: Planning and Economic Development  
Greater Tzaneen Local Municipality

Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

CODE TMXXX • GREATER TZANEEN LAND USE SCHEME 2023 • MAP 3 A SERIES • AMENDMENT SCHEME XX • SHEET 1 OF 2

SCALE 1:2 500



USE ZONE



**TOWNSHIP**

EXTENSION

ERVEN

ANNEXURE

USE ZONE:

**APPROVED**

**EXECUTIVE DIRECTOR:**  
PLANNING AND ECONOMIC  
DEVELOPMENT  
GREATER TZANEEN  
LOCAL MUNICIPALITY

DATE ...../...../.....

CODE TMXXX    ● GREATER TZANEEN LAND USE SCHEME 2023    ● MAP 3 B SERIES ● AMENDMENT SCHEME XX    ● SHEET 2 OF 2

SCALE 1: 2 500



DENSITY AND HEIGHT

**TOWNSHIP**

EXTENSION

ERVEN

ANNEXURE



DENSITY:

HEIGHT:

**APPROVED**

**EXECUTIVE DIRECTOR:**  
PLANNING AND ECONOMIC  
DEVELOPMENT  
GREATER TZANEEN  
LOCAL MUNICIPALITY

DATE ...../...../.....

CODE TMXXX ● GREATER TZANEEN LAND USE SCHEME 2023 ● MAP 3 ANNEXURE ● AMENDMENT SCHEME XX ● SHEET 1 OF 1


**THE GREATER TZANEEN LAND USE SCHEME 2023 APPROVED BY VIRTUE OF PROVINCIAL GAZETTE NOTICE xxx, DATED xx xx xxxx IS HEREBY AMENDED AND ALTERED BY THE ADDITION OF ANNEXURE NUMBER \_\_\_\_\_ AND BY THE ADDITION OF THE FOLLOWING IN NUMERICAL SEQUENCE TO TABLE 2 OF THE SCHEME:**

<b>COLUMN 1</b>	<b>USE ZONE X</b> Xxxx
<b>COLUMN 3</b>	<b>PRIMARY RIGHTS</b> Xxxx (Specify exclusions/additions) / As per Scheme
<b>COLUMN 4</b>	<b>USES PERMITTED WITH CONSENT</b> Xxxx / As per Scheme
<b>COLUMN 5</b>	<b>INSTANCES WITH WHERE AN EXEMPTION MAY BE PERMITTED</b> As per Scheme
<b>COLUMN 6</b>	<b>USES NOT PERMITTED</b> Xxxx / As per Scheme
<b>COLUMN 7</b>	<b>BUILDING LINES</b> Xxxx / As per Scheme
<b>COLUMN 8</b>	<b>HEIGHT (storeys)</b> Xxxx / As per Scheme
<b>COLUMN 9</b>	<b>COVERAGE</b> Xxxx / As per Scheme
<b>COLUMN 10</b>	<b>F.A.R</b> Xxxx / As per Scheme
<b>COLUMN 11</b>	<b>DENSITY</b> Xxxx / As per Scheme
<b>PARKING</b>	Xxxxx / As per Scheme
<b>SPECIFIC CONDITIONS</b>	Xxxxx

**TOWNSHIP**

EXTENSION

ERVEN

ANNEXURE 

**APPROVED**

\_\_\_\_\_  
**EXECUTIVE DIRECTOR:**  
 PLANNING AND ECONOMIC  
 DEVELOPMENT  
 GREATER TZANEEN  
 LOCAL MUNICIPALITY

DATE ...../...../.....



**ANNEXURE**