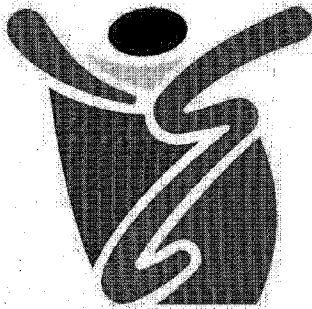


**EKURHULENI**  
**TOWN PLANNING SCHEME,**  
**2014**



**Ekurhuleni**  
METROPOLITAN MUNICIPALITY

**COMPILED BY:**  
**CITY PLANNING DEPARTMENT**

**SCHEME APPROVED BY COUNCIL:**  
**ITEM A-CPED(09-2014) – 30 OCTOBER 2014**

**PROMULGATION DATE – 14 JANUARY 2015**

*VERSION DATE: 06/05/2015*

## **GENERAL INFORMATION**

1. The Ekurhuleni Town Planning Scheme, 2014 is established, in terms of Section 18 of the Town Planning and Townships Ordinance, 1986 (15 of 1986).

In terms of Section 19 of said Ordinance, the general purpose of a Town Planning Scheme is "... shall be the co-ordinated and harmonious development of the area to which it relates in such away as will most effectively tend to promote the health, safety, good order, amenity, convenience and general welfare of such area as well as efficiency and economy in the process of such development."

2. The Ekurhuleni Town Planning Scheme, 2014, was drafted from a consolidation of the Town Planning Schemes, operational within the boundaries of the Municipality. The incorporated Schemes are shown in Figure 1 overleaf.

- 2.1 The following Schemes have been incorporated in their entirety:

- (a) Alberton Town Planning Scheme, 1979
- (b) Bedfordview Town Planning Scheme, 1995
- (c) Benoni Town Planning Scheme, 1947
- (d) Benoni Interim Town Planning Scheme, 1992 (A/S 1/175)
- (e) Boksburg Town Planning Scheme, 1991
- (f) Brakpan Town Planning Scheme, 1980
- (g) Edenvale Town Planning Scheme, 1980
- (h) Germiston Town Planning Scheme, 1985
- (i) Greater Germiston Town Planning Scheme No. 2, 1999
- (j) Kempton Park Town Planning Scheme, 1987
- (k) Lethabong Town Planning Scheme, 1998
- (l) Nigel Town Planning Scheme, 1981
- (m) Springs Town Planning Scheme, 1996
- (n) Tembisa Town Planning Scheme, 2000

- 2.2 The following Schemes have been partially incorporated insofar as they fall within the boundaries of the Municipality:

- (a) Halfway House and Clayville Town Planning Scheme, 1976
- (b) Lesedi Town Planning Scheme, 2003
- (c) Peri-Urban Areas Town Planning Scheme, 1975
- (d) Randvaal Town Planning Scheme, 1994

- 2.3 The following Land Use Legislation has the force of a Scheme in certain areas as indicated in Figure 1:

- (a) The Black Communities Development Act, 1984 (Act 4 of 1984)
- (b) The Less Formal Township Establishment Act, 1991 (Act 113 of 1991)

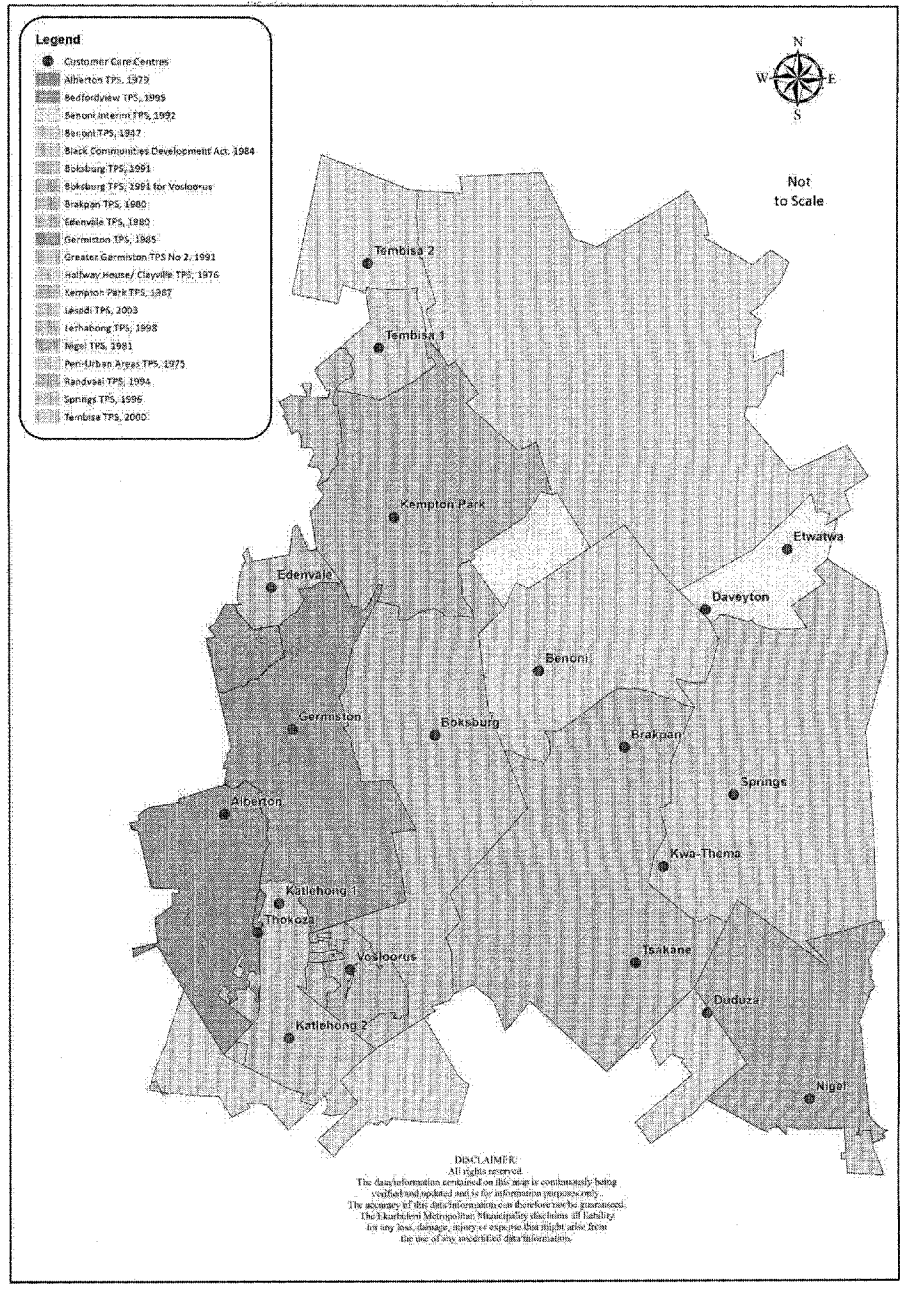


Figure 1: Boundaries of Former Town Planning Schemes

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## **PART 1: INTRODUCTION**

### **1. TITLE OF SCHEME**

This Scheme shall be known as the Ekurhuleni Town Planning Scheme, 2014, as approved by virtue of Local Authority Notice No 10, dated 14 January 2015, and is applicable to all land and buildings within the area of jurisdiction of the Ekurhuleni Metropolitan Municipality.

### **2. RESPONSIBLE AUTHORITY**

The Ekurhuleni Metropolitan Municipality shall be the authority responsible for enforcing and carrying into effect the provisions of the Scheme.

### **3. ARRANGEMENT OF THE SCHEME**

The Scheme consists of the following documents:

#### **3.1 The Map which consists of:**

- (a) The Index Sheet
- (b) The Reference to the System of Notation
- (c) Zoning Sheets

#### **3.2 The Clauses which are divided into Parts relating to the following matters:**

- Part 1: Introduction
- Part 2: Building Lines and Lines of No Access
- Part 3: Use of Land or Buildings
- Part 4: Development Conditions
- Part 5: Parking and Loading Facilities
- Part 6: Amenity and Appearance of Buildings
- Part 7: Administration of Land Development Rights
- Part 8: Law Enforcement
- Schedules

### **4. TRANSITION CLAUSE**

#### **4.1 Any consent, permission or approval granted in terms of the provisions of a Town Planning Scheme in force for the erection or use of buildings or for the use of land, or any rights legally exercised in terms of such Scheme, shall be deemed to be a consent, permission or approval in terms of the provisions of this Scheme: Provided that any such consent, permission or approval shall continue to be of force subject to the provisions of Section 43 of the Town Planning and Townships Ordinance, 1986 (15 of 1986) to the extent that the same may be in conflict with this Scheme.**

#### **4.2 Where any application is, on the date of commencement of this Scheme, pending before the Local Authority in terms of a Scheme substituted by this Scheme, it shall be dealt with as if this Scheme has not been promulgated and be finalised accordingly.**

- 4.3 Save that alterations or additions to existing buildings shall be carried out in compliance with the provisions of this Scheme, existing buildings shall not be affected by the provisions of this Scheme. For the purposes of this clause, should a building in the opinion of the Municipality be substantially altered, such buildings shall be subject to the provisions of this Scheme.
- 4.4 Should an existing building be built across erf boundaries, any changes to that building shall require that a consolidation first be approved and registered prior to the approval of any alterations or additions to the building(s), unless the erven have been notorially tied.

**5. GENERAL PROVISIONS**

- 5.1 If any provision of this Scheme is struck down as invalid by a court of law in South Africa, such provision shall be severed from the Scheme, and shall not affect the validity of the remaining provisions.
- 5.2 Where the provisions of the Scheme are in conflict with any municipal by-law in operation in the Municipality, the provisions of the Scheme shall prevail.
- 5.3 Where reference is made in the Scheme to a policy of the Ekurhuleni Metropolitan Municipality, such reference shall be construed as a reference to the formally approved policies (listed in Schedule A), as may be adopted by the Ekurhuleni Metropolitan Municipality from time to time and which is applicable at that particular time: Provided that nothing in the Scheme shall prevent the Ekurhuleni Metropolitan Municipality from amending a policy, whenever it deems it appropriate.
- 5.4 Any approval granted in terms of this Scheme shall in no way exempt any property owner nor applicant from compliance with any other law, by-law, regulation, title deed or other restriction applicable to any property and an owner of land shall accordingly not be entitled to utilise any rights granted in terms of this Scheme until such time as such owner or applicant has complied with any such other law, by-law, regulation or restrictive condition.
- 5.5 The English version of this Scheme, including notices published in terms of this Scheme, shall always be the official text.

## 6. DEFINITIONS

In this Scheme, except where the context otherwise indicates or it is otherwise expressly stipulated, the following words and expressions have the respective meanings hereinafter assigned to them and any other word or expression to which a meaning has been assigned in the Ordinance, shall bear that meaning:

**ABATTOIR:** *land* or *buildings* used for the slaughter of animals and may include the processing of animal products.

**ADJOINING PROPERTY:** *land* which has a common *boundary* with a *land* area for which an application is made and includes an *erf* or portion only separated by a street from such *land* area.

**AGRICULTURAL USES:** arable, meadow and/or pasture *land* used for *bona fide* farming activities, such as crop or grain farming, grazing, *land* used for bee-keeping, bird and animal breeding and keeping, livestock farming, dairy farming, game farming, aquaculture, nursery gardens, plantations, orchards, market gardens and such other *ancillary* uses and *buildings*, normally regarded as incidental thereto.

**AGRICULTURAL HOLDING:** *land* laid out in terms of the Agricultural Holdings (Transvaal) Registration Act, 1919 (Act 22 of 1919).

**AIRPORT:** *land* or *buildings* used for aviation purposes for which a licence is required, in terms of the Civil Aviation Act, 2009 (Act 13 of 2009), together with any *ancillary buildings* and facilities.

**ANCILLARY:** a use, purpose, *building* or activity which in the opinion of the *Municipality* is related and subservient to the lawful, *dominant use* of the *property*.

**ANIMAL CARE CENTRE:** *land* or *buildings* used or designed for the keeping, nursing, grooming, breeding, boarding and training of animals, including catteries and kennels and may include the sale of *ancillary* products.

**ANNEXURES TO THE SCHEMES:** the document containing site specific stipulations, *inter alia* special rights, conditions and restrictions applicable to those properties indicated on the *Map*.

**APPLICANT:** an applicant as defined in the relevant legislation.

**APPROVAL:** the approval, in writing, by the *Municipality* of an application, in terms of the *Scheme* or the Town Planning and Townships *Ordinance*, 1986 (15 of 1986), or any succeeding legislation, including any conditions of that approval.

**AREA OF THE SCHEME:** the area of the *Municipality* to which the Scheme applies.

**BALCONY:** a platform projecting from a *building*, usually having access from an upper *storey*.



**BASEMENT:** the *storey* of a *building* which is below the ground *storey*, provided that a basement shall be counted as a *storey*, where any portion extends more than 1m above the lowest level of the *natural ground level*, immediately adjacent to the *building*.

**BOARDING HOUSE:** a *building* or *buildings*, other than a *Dwelling House*, *Dwelling Unit* or *Hotel*, designed for use, or used for human habitation, comprising a number of *Boarding Rooms* and associated communal facilities such as a *kitchen* and ablution blocks and/or any other communal facilities that the *Municipality* may require for use by the *occupants*, provided that the number and extent of *Boarding Rooms* and the nature and extent of associated communal facilities shall be to the satisfaction of the *Municipality*.

**BOARDING ROOM:** a room or rooms with a minimum size of 6m<sup>2</sup>, with adequate sanitation facilities which may be shared. The maximum number of inhabitants shall not exceed those contemplated in the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), which is designed for habitation and is not a *Dwelling Unit*, provided that such *boarding room* be rented out only and that it be erected simultaneously with or after the main *Dwelling House*.

**BOUNDARY:** the cadastral line shown on a *Diagram* or *General Plan* depicting the boundary of the *land*.

**BRICK MAKING:** *land* used for the manufacturing of bricks, tiles, pottery and ceramic products.

**BUILDER'S YARD:** *land* or *buildings* used for the storage and sale of materials and equipment used in building *construction*.

**BUILDING:** any *structure* or building for which building plans are required to be submitted to a *Municipality*, for approval, in terms of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), as amended.

**BUILDING LINE:** a line at a stipulated distance or position, in relation to a *property boundary*.

**BUILDING REGULATIONS:** refers to the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), as amended and its regulations.

**BUILDING RESTRICTION AREA:** the area between a *building line* and a *site boundary* or a natural water course or wetland area on which no *building* may be erected, except as may be provided for in the *Scheme*.

**BUSINESS PURPOSES:** *land* or *buildings* used for *offices*, banks, hair and beauty salons, and any other business activity not elsewhere defined or listed in the *Scheme*, but excludes a *Shop*, *Warehouse*, *Industry* and *Filling station*.

**BY-LAWS:** the municipal *by-laws* or regulations which are in force within the *area of the Scheme*, by virtue of the legislative competence afforded to the Municipalities in the Constitution of the Republic of South Africa, 1996.

**CANOPY:** a horizontal projection from the external wall of a *building*, at a *height* below the roof of the *building*, for the purpose of creating shade, or shelter over an area outside the *building*, but excludes a *balcony*.

**CANTEEN:** a communal facility for providing meals and refreshments to **occupants** or employees in a **building**, including their guests, but which is not open to the general public.

**CAR WASH:** **land** or **buildings** used for the washing, polishing and cleaning of motor vehicles.

**CASINO:** **land** or **buildings** used for gambling activities, contemplated by the Gauteng Gambling Act, 1995 (Act 85 of 1995) which are permitted, in accordance with a licence granted in terms thereof and includes **ancillary** activities.

**CELLULAR MAST:** **land** or **buildings** used for cellular reception masts, base stations and all other related mobile telecommunication **infrastructure** (including other antennae), excluding public telephones operated from temporary **structures**.

**CEMETERY:** **land** or **buildings** used for burials and which can include **ancillary** uses such as a crematorium, chapel, **funeral parlour**, wall of remembrance and an **ancillary shop**.

**CHILD CARE FACILITY:** **land** or **buildings** used as a child care centre for more than 6 (six) children including a crèche, nursery school, pre-school, playgroup, after school care centre, pre-primary school or similar facilities.

**CLINIC:** **land** or **buildings** used for the medical treatment of day patients, but excludes overnight facilities.

**COMMENCEMENT DATE:** the date on which this **Scheme** comes into operation, as prescribed in the relevant legislation.

**COMMERCIAL PURPOSE:** **land** or **buildings** used for purposes such as assembling and packaging, distribution centres, wholesale trade, storage, mini storage units, **warehouses**, cartage and transport services, laboratories and computer centres, and may include a **canteen**, **offices** and **ancillary** retailing of their products.

**CONFERENCE CENTRE:** **land** or **buildings** used for congresses, conferences, meetings, seminars, training purposes, weddings, as well as cultural or social gatherings.

**CONSENT:** the consent, in writing, by the **Municipality** for any activity on, or use of **land** or **buildings** for which an application, in terms of the **Scheme** or the relevant legislation is required.

**CONSERVATION AREA:** **land** or **buildings** used for the protection of biological diversity, natural or built environments, such as but not limited to conservancies, protected environments, nature reserves, national parks, museums, monuments, **heritage sites** and historical **buildings**, as defined in the National Environmental Management Act, 1998 (Act 107 of 1998) and related national, or provincial legislation.

**CONSTRUCTION:** the erection of any **building** or alterations to **buildings**, including the excavation, filling or preparation of **land** or the laying of **building** foundations.

**CONTROLLING AUTHORITY:** the authorised body appointed by legislation to administer a particular procedure, or requirements specified in such legislation.

**COVERAGE:** the area of *land*, which may be covered by *buildings*, as seen vertically from above and is expressed as a percentage of the area of the *property*.

**CULTIVATION SHED:** a *building* used for *agricultural uses*.

**DAYS:** reference to time periods in *days* shall be construed as calendar *days*.

**DAY CARE FACILITY:** *land* or *buildings* used as a child care centre, including a day mother, taking care of 6 (six) or less children, in compliance with Public Health *By-laws* and relevant legislation.

**DISPENSING PHARMACY:** part of a *building* used for the sale of medicines, as defined in the Control of Medicine and Related Materials Act, 1965 (Act 101 of 1965), as prescribed by a registered medical practitioner.

**DIAGRAM:** a diagram, as approved by the Surveyor-General, in terms of the Land Survey Act, 1997 (Act 8 of 1997).

**DOMINANT USE:** the use which, in the opinion of the *Municipality*, is the main function or which is the more dominant use on the *land* or *building*.

**DRY CLEANER:** a *building* used or designed for the purpose of cleaning textiles with chemical solvents, which dissolve dirt and grease from fabrics.

**DWELLING HOUSE:** a *dwelling unit* which has no other *dwelling unit* above or below it, but which may abut or be physically connected with one or more dwelling houses and may include related *outbuildings*.

**DWELLING UNIT:** an interconnected suite of rooms including one *kitchen*, designed for occupation normally by a *household* and may include such *outbuildings* as are ordinarily incidental thereto. A flat, cluster unit and duplex dwelling may also constitute a *dwelling unit* and shall have a minimum size of 30m<sup>2</sup>.

**ENGINEERING SERVICES:** *infrastructure* for the provision of water, sewer, electricity, municipal *roads* and stormwater drainage and where applicable, gas and solid waste disposal.

**ERF:** *land* in an approved township registered in a deeds registry as an *erf*, lot, plot or stand or as a portion or the remainder of any *erf*, lot, plot or stand or *land* indicated as such on the *general plan* of an approved township, and includes any particular portion of *land* laid out as a township which is not intended for a public place, whether or not such township has been recognized, approved or established as such in terms of the *Ordinance* or any repealed law.

**EXISTING BUILDING:** *buildings* erected or partially erected, prior to the *Commencement Date*, in accordance with plans approved by the *Municipality* and includes *buildings* to be erected after the *Commencement Date* for which *building* plans have been approved by the *Municipality*.

**EXISTING PROPERTY:** any *erf*, *agricultural holding* or *farm portion* depicted on an approved Surveyor General *Diagram* or *General Plan*.

**FARM PORTION:** any portion of *land* which is not an *erf*, *agricultural holding*, *road* or street and which is registered as a separate entity in the Deeds Registry.

**FARM WORKER ACCOMMODATION:** a room or rooms, designed for the occupation of *bona fide* farm workers which shall have a minimum habitable room size of 6m<sup>2</sup> and a maximum size of 29m<sup>2</sup>, with adequate sanitation facilities which may be shared.

**FILLING STATION:** *land* or *buildings* used for the purpose of fuelling of motor vehicles and may include a *Car Wash*, as well as an *ancillary Shop* and/or *Restaurant* and/or Confectionary with a combined maximum *gross floor area* of 250m<sup>2</sup> (including associated storage and *kitchen* areas), but excludes *Motor Workshops*, *Motor Dealers* and *Panel Beaters*.

**FITMENT CENTRE:** *buildings* used for the fitting of exhausts, tow bars, radios, shock absorbers, tyres and other vehicle parts, but excludes *Motor Workshops* and *Panel Beaters*.

**FLOOD LINE:** refers to a line indicating the 1:50 or 1:100 year flood, as defined in the National Water Act, 1998 (Act 36 of 1998).

**FLOOR AREA RATIO (FAR):** a ratio of the *Gross Floor Area* of a *building* to the total area of the *property*, including any servitudes, on which such *building* is erected or is to be erected, therefore FAR = *Gross Floor Area* divided by the area of the *property*.

**FUNERAL PARLOUR:** *land* or *buildings* used for the administration of funeral arrangements, according to compulsory environmental health requirements and may include *ancillary showrooms*, *offices*, storage space, refrigeration rooms, a preparation area, viewing area, waiting room, the sale of flowers, coffins, gravestones and other related products, as well as, a chapel, but excludes a mortuary and crematorium.

**GAMING MACHINES:** electronic equipment used for entertainment purposes, including Limited Payout Machines (LPMs) as defined in the Gauteng Gambling Act, 1995 (Act 4 of 1995).

**GENERAL PLAN:** a cadastral plan of a township which has been approved by the Surveyor General in terms of the Land Survey Act, 1997 (Act 8 of 1997).

**GROSS FLOOR AREA:** the total floor area designed for the use and control by *occupants*, measured from the centre line of the joint partitions to the outer face of the exterior walls, but shall exclude toilets, lift shafts, service ducts, and vertical penetrations of floors, interior parking and loading bays.

**GROUND FLOOR:** the floor of a *building* which is the entry point into the *building* and which is at or closest to the *natural ground level* of the *property*, but excludes a *basement*.

**GUEST HOUSE:** *buildings* with communal dining and *kitchen* facilities used for temporary paid accommodation, for a maximum of 8 (eight) rooms, including: backpackers, bed and breakfast establishments and other similar facilities, but excludes *Hotels*, *Conference Centres*, self-catering units, chalets and *boarding houses*.

**GYMNASIUM:** a *building* for physical exercise, training and physical fitness purposes and may include the sale of related merchandise.

**HEIGHT:** the vertical dimension of a **building**, expressed in the number of **storeys** or metres of which it consists.

**HERITAGE SITE:** **land** or **buildings** declared as such, in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999).

**HOME CARE FACILITY:** a **dwelling house** used as a care centre, such as a nursing home, hospice, orphanage, or similar residential facility to the satisfaction of the **Municipality** and may include an **ancillary office** and other uses which are incidental thereto, but excludes **medical consulting rooms, clinics** and hospitals.

**HOME ENTERPRISE:** a **dwelling house/unit** used for a small scale enterprise, practice or occupation for economic gain, by the permanent resident(s) of the **property**.

**HOME OWNERS ASSOCIATIONS:** an association of **property owners** (usually within a security township) where membership is compulsory for all **owners**. The association shall be registered as a Non Profit Company (NPC) in terms of the Companies Act, 2008 (Act 71 of 2008) and may also regulate aesthetics and design guidelines for all member **owners** which shall apply in addition to the provisions of the **Scheme**.

**HOTEL:** **buildings** used for the temporary accommodation of visitors, including a **restaurant**, meeting rooms, entertainment areas and other related facilities.

**HOUSEHOLD:** an individual or a couple with or without their family and may also include a group of not more than 4 (four) unrelated **persons** living together as a family.

**INDUSTRY:** **land** or **buildings** used for the manufacturing, processing and assembly of products but excludes any **noxious industry** as defined in this **Scheme**.

**INFORMAL TRADING:** the selling of products or services from **land** not necessarily zoned for this purposes, in accordance with the relevant Municipal policy and/or **by-laws**.

**INSTITUTION:** a **building** designed and used as a public or private charitable **institution**, nursing home, orphanage or similar residential facility, sanatorium, and includes **offices**, a **canteen** and other uses which are incidental and **ancillary** thereto.

**INTERESTED AND AFFECTED PARTY:** any **person** or body who, in accordance with the provisions of this **Scheme** has lawfully submitted, in writing, any objection, comment or representation, in respect of any matter in this **Scheme**, providing for objections, comments or representations.

**INFRASTRUCTURE:** see **Engineering Services**.

**KITCHEN:** a room or part of a **building** which is used for the preparation and cooking of food and provided with waste water drainage.

**LAND:** any **erf, agricultural holding** or **farm portion** or any part thereof including any improvement or **buildings** erected thereon, and any real right or servitude in or over land.

**LAND USE RIGHTS:** means the purpose for which *land* is or may be used lawfully in terms of this *Scheme*, or in terms of any other authorisation, permit or *consent* issued by a *Controlling Authority*, including any conditions related to such *land* use purposes.

**LAND USE CATEGORY:** that part of the *Scheme*, which has been shown on the *map* by a specific notation or bordering or any other distinguishing manner, in order to identify the permitted use of the *land*.

**LANDSCAPING PLAN:** a plan indicating the topography of a site, together with the proposed open space layout and may include the placement of plants, contoured features, water features, paving, street furniture and other soft and hard elements, for the purposes of enhancing aesthetic appeal, functional environmental management and amenity of a *property*.

**LINE OF NO ACCESS:** a line along a *boundary* or part of a *boundary* of a site as shown on the *map* or described in the *Scheme* across which vehicular movement or access is not permitted.

**LIGHT INDUSTRY:** *land* or *buildings* used for, *inter alia*, bakeries, dry-cleaners, carpet cleaners, joinery workshops, laundries, lawnmower workshops, plumber's workshops, publication works, and any other such industries, workshops or yards which, in the opinion of the *Municipality*, do not cause a nuisance to the environment.

**LIVING ACCOMMODATION FOR DOMESTIC WORKERS:** a room or rooms, designed for the occupation of *bona fide* domestic workers which shall have a minimum habitable room size of 6m<sup>2</sup>, with adequate sanitation facilities, which may be shared and this shall not be regarded as a *dwelling unit*.

**LOFT:** the space contained within a pitched roof volume of a *building* which is used for habitable purposes.

**MAP:** a map as defined in the relevant legislation and which forms part of this *Scheme*, including any amendment thereof.

**MEDICAL CONSULTING ROOMS:** a *building*, other than a Hospital, *Clinic* or *Institution*, used for the provision of any medical or health services by a registered health or medical practitioner and includes a *Veterinary Clinic* or *Dispensing Pharmacy*.

**MEZZANINE:** a floor within the *storey* of a *building*, but which has an area of not more than 50% of the area of the floor of the *storey* in which it is situated.

**MINING:** the actual *land* area which is used for operations and activities for the purposes of searching for and extracting any material on, in or under the earth, water or any residual deposit, whether by underground, or open working, or otherwise and includes any operation, or activity incidental thereto, as defined and granted, in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), or related and succeeding legislation.

**MOTOR DEALER:** *land* or *buildings* used for the display and sale of motor vehicles and may include an *ancillary motor workshop* and *offices*.

**MOTOR WORKSHOP:** *land* or *buildings* used for the servicing, maintenance and repair of motor vehicles and/or the sale and/or fitment of motor vehicle parts but excludes a *Panel Beater*.

**MUNICIPALITY:** the Ekurhuleni Metropolitan Municipality or its successor or predecessor in title and Local Authority and Council shall have the same meaning.

**NATIONAL BUILDING REGULATIONS:** see *Building Regulations*.

**NATURAL GROUND LEVEL:** the existing ground level at any point, unless there has been excavation or filling in which case the original ground level shall be determined by a land surveyor or geotechnical specialist.

**NEIGHBOUR:** see *Adjoining Property*.

**NOXIOUS INDUSTRY:** an activity where any one or more of the following activities are carried out: Blood boiling; tallow melting; fat melting or extracting; soap boiling; bone 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; calcining; puddling and rolling of iron and other metals; conversion of pig-iron into wrought iron; re-heating; annealing; hardening; forging; converting and carburizing iron and other metals; works for the production of or which employ carbon disulphide, cellulose lacquers, cyanogens or its compounds, hot pitch or bitumen, pulverized fuel, pyridine, liquid or gaseous sulphur dioxide, sulphur chlorides; works for the production of amyl acetate, aromatic esters, butyric acid, caramel enameled wire, glass, hexamine, iodoform, lamp-black, B-naphthol, resin products, salicylic acid, sulphonated organic compounds, sulphur dyes, ultramarine, zinc chloride, zinc oxide; and all 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 trades, such additions shall also be deemed to be included in the above definition and that all Health requirements are complied with.

**OCCUPANT:** any *person* occupying any *building, structure* or *land* on a continuous or regular basis, or anybody having the charge or management thereof.

**OFFICE:** a *building* or part of a *building* used for administration or management of a company, business, *industry*, organ of state, profession or other similar undertaking, excluding banks.

**OLD AGE HOME:** *buildings* used for the permanent accommodation and care of the elderly which may include a frail care centre, *clinic* and associated uses.

**ORDINANCE:** refers to the Town Planning and Townships Ordinance, 1986 (15 of 1986).

**OUTBUILDING:** *buildings* other than the main building which, in the opinion of the *Municipality*, is ordinarily necessary in connection with the use of the main building.

**OWNER:** a *person* registered in the Deeds Registry as the owner of *land*, or any rights associated with such *land*, or who is the beneficial owner in law, or their duly appointed representative.

**PANEL BEATER:** *land* or *buildings* used for the replacement of parts, repairs and/or restoration of vehicles, including spray painting.

**PANHANDLE:** a portion of *land* not less than 3m wide, which provides the *land* with access to a *road* or street.

**PEDESTRIAN MALL:** any part of *land* used as a thoroughfare for pedestrians, with no or limited vehicular access, which may include *buildings*, *restaurant*, *shops*, *informal trading*, *business purposes*, and such other uses, as the *Municipality* may permit.

**PERSON:** any natural or juristic *person*, including an organ of state.

**PET PARLOUR:** *land* or *buildings* used for pet grooming, including the *ancillary* sale of related products.

**PLACE OF EDUCATION:** *land* or *buildings* used for educational purposes and may include a *Child Care Facility*, school, college, technical institute, university, academy, academic research institute, lecture hall, monastery, convent or other academic establishment.

**PLACE OF ENTERTAINMENT:** *land* or *buildings* used for entertainment purposes and includes a theatre, cinema, concert hall, live music performances, indoor sports, dance hall, *casino*, night club, discotheque, adult entertainment, more than 5 *Gaming Machines*, and other entertainment purposes, including the *ancillary* preparation and sale of food or drinks.

**PLACE OF INSTRUCTION:** *land* or *buildings* used for lessons in dancing, swimming, arts and crafts, music and any other similar use.

**PLACE OF PUBLIC WORSHIP:** *land* or *buildings* used for religious purposes, such as a church, temple, synagogue, mosque, or other religious activities, and may include a wall of remembrance, as well as one *ancillary dwelling unit*, but excludes a *Funeral Parlour* and a *Cemetery*.

**PLANT NURSERY:** *land* or *buildings* where plants or seeds are cultivated, grown and sold, and includes the selling of products or items that are related to horticulture, as well as a *Restaurant*, which is subservient to the main use and other *ancillary* uses.

**PREVIOUS SCHEME:** a Town Planning Scheme or similar regulation which governed and controlled the use of *land*, prior to the promulgation of this Scheme.

**PRIMARY USE:** any use specified in the *Scheme* as a primary use, being a use that is permitted without the need to first obtain the *consent* of the *Municipality*.

**PRIVATE OPEN SPACE:** any *land* not owned by or vested in the *Municipality*, or organ of state used for recreation purposes.



**PRIVATE ROAD:** *land* used for access purposes of which ownership is vested in a legal entity other than the **Municipality** or **Controlling Authority** and shall be regarded as a street for the purposes of **building lines** and servitudes.

**PROPERTY:** see *Land*.

**PUBLIC OPEN SPACE:** any *land* defined in Section 63 of the Local Government Ordinance, 1939 (17 of 1939), which is owned by or vested in the **Municipality** to which the public has access, or any *land* for similar purposes owned by the state.

**PUBLIC WALKWAY:** a path designed and sometimes landscaped for pedestrian usage.

**RAILWAY PURPOSES:** *land* or **buildings** used for the movement of trains and busses and includes inter alia **shops**, workshops, industries related to railways, stations and inter modal transport facilities and may include **ancillary** and subservient uses for staff and passengers, but excludes a **Place of Entertainment** and noxious industries.

**REFUSE COLLECTION POINT:** *land* or **buildings** used for the collection of refuse, but excluding a waste sorting and recycling facility.

**REGULATIONS:** the regulations promulgated in terms of the **Ordinance** or other succeeding legislation.

**RESIDENTIAL BUILDING:** a **building**, other than a **Dwelling House**, **Dwelling Unit** or **Hotel**, designed for use, or used for human habitation and includes a **boarding house**, a hostel or tenements, **Old Age Home**, self-catering accommodation, but does not include any **building** mentioned in the definitions of **Place of Education**, **Institution** or **Guest House** whether by way of inclusion or exclusion.

**RESORT:** *land* or **buildings** used for holiday, tourist or recreation purposes and may include a caravan park, **Hotel**, chalets, temporary visitor accommodation and **Conference Centre** facilities, but excludes a **Place of Entertainment**.

**RESTAURANT:** *land* or **buildings** used for the preparation and sale of food or drink, whether or not consumed on the site, and includes inter alia a Pub, Take-Away and Drive-Through **Restaurant**, as well as an **ancillary** children's play area; but excludes a **Canteen**, **Tavern**, **Place of Entertainment** or live performances.

**RETIREMENT VILLAGE:** *land* or **buildings** designed or used to provide residential accommodation for the elderly and may include **dwelling units**, as well as an assembly hall with recreational facilities, sick bay, **Medical Consulting Rooms**, exercise and treatment rooms, dining facilities, a library, **Canteen**, launderette, hairdressing facilities, banking facilities, an automatic teller machine and other **ancillary** uses, for the exclusive use of the residents.

**ROAD:** *land* used for access purposes of which ownership is vested in the **Municipality** or a **Controlling Authority** and shall be regarded as a street for the purposes of **building lines** and servitudes. A lane, way, avenue, cul-de-sac, close, boulevard, drive, crescent and freeway shall also be regarded as a **Road**.

**SCHEDULE:** a supplement(s) to the **Scheme**, containing special procedures, conditions and/or some areas or **land** to which specific rights or provisions are applicable. Schedules may from time to time be amended by the **Municipality** and where any discrepancies exist between the Schedules and provisions of the clauses and tables, the more restrictive condition shall prevail.

**SCHEME:** refers to the Ekurhuleni Town Planning Scheme, 2014.

**SCRAP YARD:** **land** used for the dismantling, recycling or storage of scrap materials, machinery, vehicles and used **building** materials.

**SECOND DWELLING UNIT:** an additional **Dwelling Unit**, which may be attached to or detached from the original **Dwelling House**, as contemplated in the **Scheme**.

**SERVICE INDUSTRY:** **buildings** used for the repair and maintenance of **household** or **office** goods and equipment or appliances on a small scale, as determined by the **Municipality** and includes a confectionary, but excludes a **Motor Workshop**, **Fitment Centre** and **Light Industry**.

**SHOP:** buildings used for retail trade, confectionaries, postal services, small scale printing services and dry cleaning depots, excluding a **Motor Dealer** and the sale of earthmoving and agricultural, industrial and **construction** equipment, as well as heavy vehicles.

**SHOWROOM:** **land** or **buildings** used for the display of products or materials, including **ancillary offices**, but excluding a **Shop**.

**SIDE BOUNDARY:** any **boundary** of **Land** which is not a **street boundary**.

**SITE DEVELOPMENT PLAN (SDP):** a plan showing the layout, extent, position and elevations of **buildings** in the proposed development of a site, including such other information, as prescribed in this **Scheme**.

**SOCIAL HALL:** a **building** used for social or cultural purposes, including a community centre, but excludes a **Place of Entertainment**.

**SPAZA SHOP:** part of a **dwelling house**, not more than 20m<sup>2</sup> in extent, used mainly for the sale of consumable products including groceries, stationary, reading material and tobacco products, as well as other similar goods. The retail activity shall be in accordance with Municipal policy and shall remain **ancillary** to the main use, but may not include the sale of liquor.

**SPECIAL USE:** **land** or **buildings** used for any land use not defined in the **Scheme** and which in the opinion of the **Municipality** is compatible to the particular **land use category**.

**SPORT AND RECREATION CLUB:** **land** or **buildings** used as a **sports ground** and may include **Restaurants** and **Social Halls** for use solely by members of the club and their guests.

**SPORTS GROUND:** **land** or **buildings** used for sporting activities such as soccer, rugby, cricket, netball, hockey, tennis, golf, or swimming and may include grandstands, stadiums, change rooms and ablution facilities **ancillary** thereto.

**STOREY:** the vertical dimension of a **building** between a floor level and the next floor level above or, if there is no floor level above, the ceiling above.

**STREET BOUNDARY:** the **boundary** of **Land** which is common to the **boundary** of a street.

**STRUCTURE:** see **Building**.

**TAVERN:** **buildings** used for the licensed sale of liquor for the purpose of on-site consumption, as contemplated in the Gauteng Liquor Act, (Act 2 of 2003) and may include the preparation and sale of food to patrons, provided that the tavern shall remain **ancillary** to the main residential use.

**TOTAL BUILDING FLOOR AREA:** the total floor area of a **building**, expressed as the sum of all the **storeys**, including the **mezzanine** level and **basement**, but excluding any area solely used for parking.

**TRANSPORT CENTRE:** **land** or **buildings** used in relation to transport as a depot, station, terminal, taxi rank or collection and distribution area for passengers and/or goods.

**VETERINARY CLINIC:** **buildings** used for the treatment and care of animals, excluding any overnight facilities.

**VETERINARY HOSPITAL:** **buildings** used as a **Veterinary Clinic**, together with such overnight facilities.

**WAREHOUSE:** **buildings** used for the storage of products or materials for distribution or collection, in relation to any wholesale trade, or in relation to any manufacturing **industry**.

**WAREHOUSE RETAIL:** **buildings** used for the purposes of wholesale or retail trade, specialising in single themed goods, from a custom-built, stand-alone **warehouse**-type **building** or **warehouse**-scaled environment. Single themes exclude groceries and other goods or consumables purchased on a regular basis, as well as departmental **shops**. Examples of single themed **buildings** may include a tiling, lighting, camping, and bathroom or furniture **warehouse**.

**WASTE DISPOSAL SITE:** **land** used for the dumping of refuse and rubble, subject to such conditions as may be required by the relevant **Controlling Authority** and may include a waste sorting and recycling facility.

## **PART 2: BUILDING LINES AND LINES OF NO ACCESS**

### **7. BUILDING RESTRICTION AREAS**

- 7.1 The area between the **property boundary** and the **building line** described in Clause 8 shall be deemed a **building restriction area**.
- 7.2 Any 1:100 floodline determined to demarcate a flood area shall be deemed to be a **building restriction area** where no **building** shall be erected without prior **approval** by the **Municipality** of special precautionary measures.
- 7.3 Any geological constraints, such as certain dolomitic areas, shall be deemed to be a **building restriction area** where no **building** shall be erected without prior **approval** by the **Municipality** of special precautionary measures.

### **8. BUILDING LINES**

- 8.1 **Building lines** applicable to street boundaries, boundaries not abutting streets, floodlines, or geological constraint areas shall be as indicated in Tables A and B below, unless otherwise specified in an **Annexure** or **Schedule** to the **Scheme**.
- 8.2 Where **building lines** are specified in a Title Deed of an **erf**, the more restrictive **building line** condition between the **Scheme** and the Title Deed shall apply, provided that should the applicable condition be removed from the Title Deed, by application (in terms of applicable legislation), the **building lines** depicted in Table A or an **Annexure** shall remain in force.

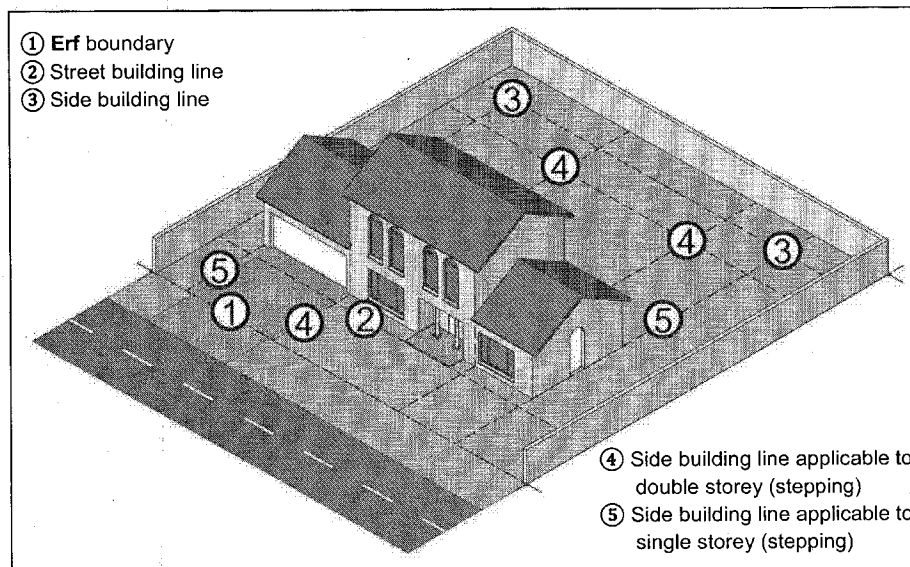


Figure 2: Building Lines (must be read with Table A)

Table A: Standard Building Lines

STANDARD BUILDING LINES (IN METRES) PER LAND USE CATEGORY		
Column 1	Column 2	Column 3
LAND USE CATEGORY	STREET BOUNDARY	OTHER BOUNDARIES
Residential 1 & 2:		
Single Storey (Erf < 500m <sup>2</sup> )	3m	1m on 2 sides
Single Storey (Erf ≥ 500m <sup>2</sup> )	5m	2m on 2 sides
Double Storeys	5m	4m on all sides
Triple Storeys	5m	6m on all sides
Residential 3 & 4	5m	2m per storey (to a maximum of 10m)
Business 1	0	0
Business 2	3m	0
Business 3	5m	2m
Industrial 1 & 2	6m	0
Public Garage	3m	5m
Mining	10m	5m
Agriculture	10m	5m
Public & Private Open Space	10m	5m
Recreation	10m	5m
Community Facility	5m	3m
Social Services	5m	3m
Public Services	5m	3m
Parking	0	0
Roads	0	0
Transportation	0	0
Special	5m or As per Annexure	3m or As per Annexure

- 8.3 Except for the physical barrier referred to in Clause 11, no swimming pool, tennis court, **building** or **structure** which is attached to the **land** shall be erected nor shall anything be constructed or laid under or below the surface of the **property** at a distance less than those depicted in Table B; nor shall any alteration or addition be made to any existing **structure** or **building** so situated, without the Written Consent (in terms of Clause 34) of the **Municipality** after consultation with the relevant **Controlling Authority**.

Table B: Special Building Lines

SPECIAL BUILDING LINES (IN METRES)		
	Single Storey	Multiple Storey
An erf adjacent to a Provincial Road <i>(measured from the road reserve)</i>	16m	16m
A farm portion or agricultural holding adjacent to a Provincial Road <i>(measured from the centreline of the road)</i>	95m	95m
A farm portion or agricultural holding adjacent to a Provincial Road <i>(measured from a point of intersection of a provincial and any other road, or of a provincial road and a railway line)</i>	500m	500m
An erf at an interchange between two provincial freeways or national freeway <i>(measured from the ramp of the roads)</i>	20m	30m
A farm portion or agricultural holding at an interchange between two provincial freeways or national freeway <i>(measured from the ramp of the roads)</i>	95m	95m
An erf, farm portion or agricultural holding adjacent to a National Road	20m	30m
An erf, farm portion or agricultural holding abutting a railway line	6m	6m
An erf, farm portion or agricultural holding abutting the Gautrain railway line	6m	8m

- 8.4 **Land** reserved for future **road** widening shall be indicated on the **Map**. No new **structures** shall be permitted within the **road** widening area, provided that the **building lines** shall apply from the existing **road** and not the **road** widening area, except in the case of future provincial or national roads where the **building line** shall apply from the future **road** reserve area as approved by the **Controlling Authority**.
- 8.5 The **Municipality** may indicate or cancel future **road** widening areas on the **Map**, as and when it is necessary, provided that all affected **property owners** shall be directly notified of this intention. This clause shall not apply to provincial or national roads.
- 8.6 **Buildings** may be stepped, in order to meet the requirements of Table A at each **storey**.

9. EXCLUSIONS FROM BUILDING LINES

9.1 Clause 8 above shall not be applicable to the following **structures**:

Garden ornaments, entrance **structures**, guard houses, **boundary fences**, garden walls, fences, pergolas, external stairs, an advertising sign (as approved, in terms of the Outdoor Advertising Policy and the **By-laws** of the **Municipality**) and any other **structure** which is not covered by a roof, provided that overhanging eaves, shade netting, or a porte-cochere do not require a building line relaxation application.

9.2 For the purpose of this clause, a sanitary lane shall not be regarded as a street.

9.3 **Existing buildings** within the **building restriction area** are not subject to compliance, or are deemed compliant if affected by a newly established **building restriction area**, resulting from an approved subdivision: Provided that any additions to such **existing buildings** shall be subject to the limitations of the **building restriction area**.

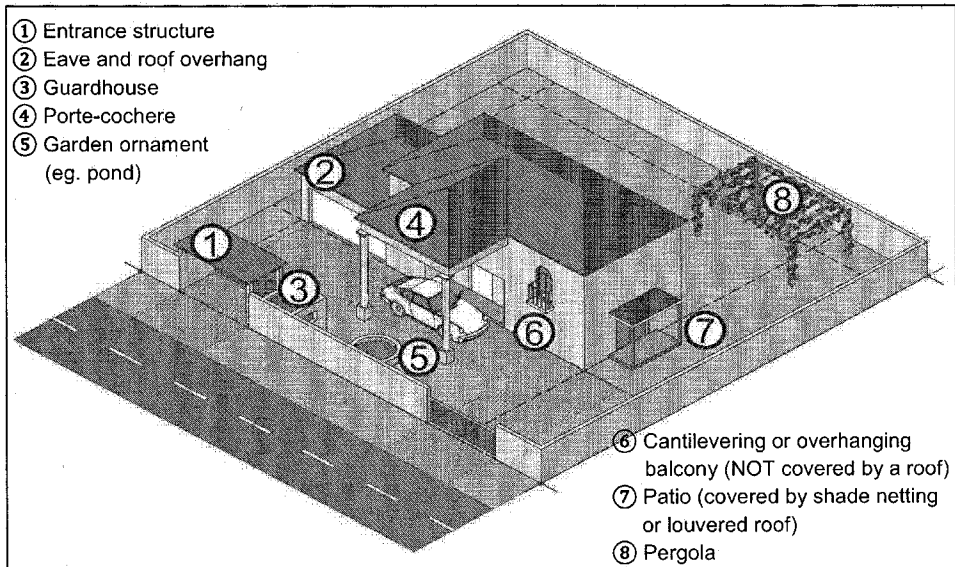
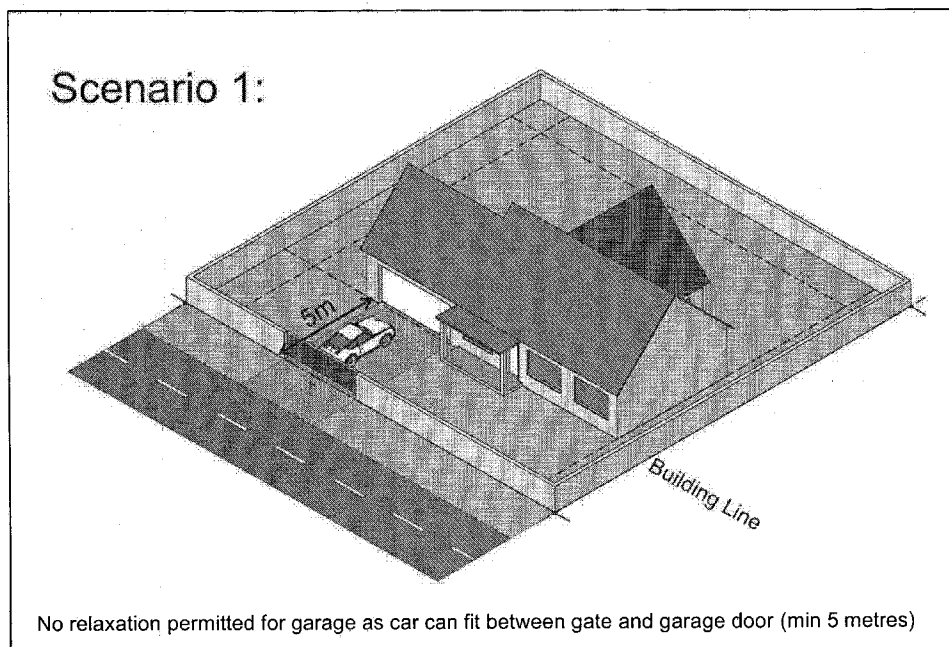


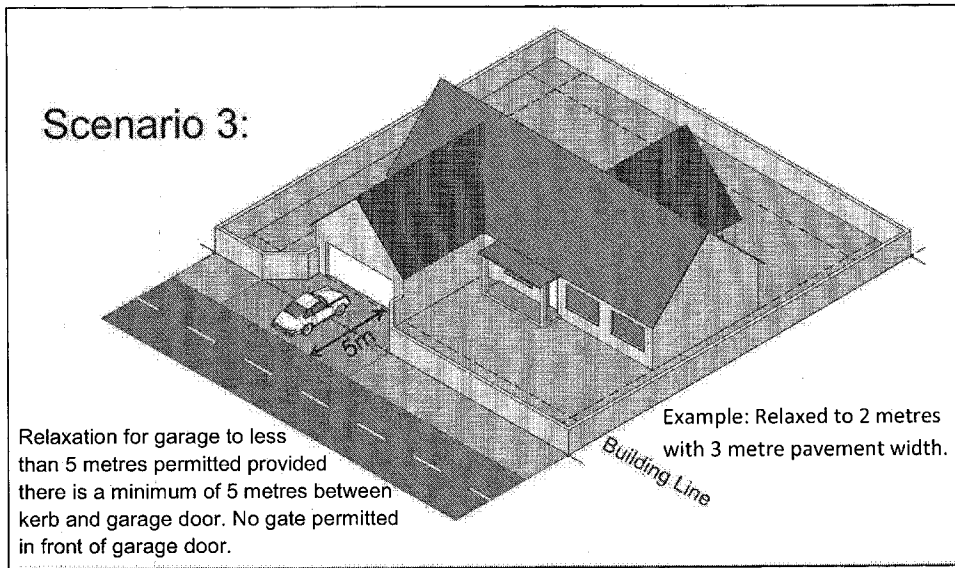
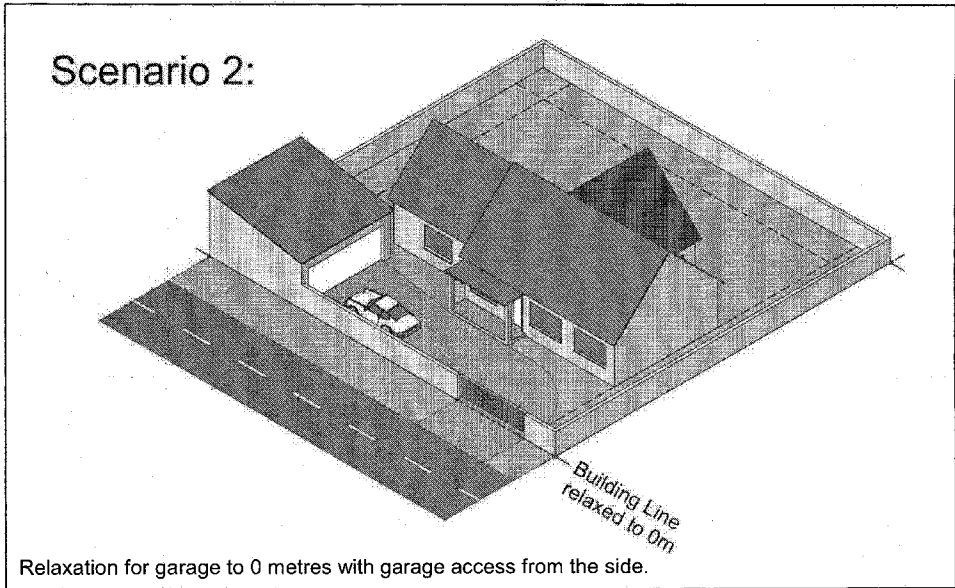
Figure 3: Exclusions from Building Lines

## 10. RELAXATION OF BUILDING LINES

- 10.1 Permission granted by the **Municipality**, for the relaxation of a **building line** or encroachment on a **building restriction area**, shall be valid for the life of the **building**, in respect of which the **consent** was granted and does not result in a permanent relaxation of the **building line**.
- 10.2 The **building lines**, as stated in Table A may be relaxed by means of a Building Line Relaxation application, in accordance with Clause 34. Garages on Residential 1 and 2 zoned erven >500m<sup>2</sup> in extent to be in accordance with Figure 4.
- 10.3 The **Municipality** may not approve relaxations or encroachments on any **building line** or **building restriction area**, listed in Table B, without the agreement of the relevant **Controlling Authority**.







**Figure 4: Relaxation of Building Lines for Garages (Scenarios 1, 2 and 3)**

11. **PHYSICAL BARRIERS AND FENCING ALONG NATIONAL AND PROVINCIAL ROADS**

The registered **owner** of an **erf** or **property**, abutting a Provincial and/or a National Road shall erect a physical barrier or a barrier of such other material, as may be approved by the relevant **Controlling Authority** and/or **Municipality**, in accordance with the standards laid down by the relevant **Controlling Authority** and/or **Municipality**, before or during the development of the **property** along the **boundary** of the **property** abutting the National and/or Provincial Road and shall maintain such physical barrier to the satisfaction of the relevant **Controlling Authority** and/or **Municipality**.

12. **LINES OF NO ACCESS**

- 12.1 Vehicular entrances to and exits from a **property**, from or to a public street or **road** may be prohibited across any **boundary** or part thereof. Any **boundary** so designated shall be shown on the **Map**.
- 12.2 The **Municipality** may, on receipt of a Written Consent A application, relax the access restriction contemplated in Clause 12.1, subject to such conditions as it may deem necessary, if as a result of exceptional circumstances, observance of the access restriction would interfere with the development of the **erf** to an unreasonable degree.
- 12.3 The **Municipality** may not approve relaxations of the **line of no access** affecting Provincial or National roads without the agreement of the relevant **Controlling Authority**.

### **PART 3: USE OF LAND OR BUILDINGS**

#### **13. USE OF LAND OR BUILDINGS**

13.1 **Land** or **buildings** shall only be used as stipulated in each column of Table C.

Column 1: The Use Zone number (as referred to in this document)

Column 2: The Use Zone name

Column 3: The purposes for which **buildings** or **land** may be used

Column 4: The purposes for which **buildings** or **land** may be used only with the Special Consent of the **Municipality**

Column 5: The purposes for which **buildings** or **land** may be used only with the Written Consent A or B of the **Municipality**

Column 6: Provisos

13.2 The Provisos shown in Column 6 of Table C indicate land uses that are permitted, provided that they are **ancillary** to the use being exercised in Columns 3 and 4 only.

The following additional Provisos also apply:

(a) **Living Accommodation for Domestic Workers** shall be limited to 6m<sup>2</sup> per **dwelling unit**, collectively for the entire residential development, with respect to any Use Zone permitting **Residential Buildings**, except where the **Municipality** permits otherwise by means of Written Consent B.

(b) The letting of a **dwelling house** or unit in such a manner, that not more than one **household**, together with 4 (four) other **persons** or guests may reside therein: Provided that if any additional **persons** and guests are to be accommodated, the use will be construed as that of a **Guest House, Boarding House** or **Residential Building** and the relevant permissions therefore must be obtained.

13.3 Notwithstanding the **land use category** of the **property** in question, the **Municipality** may permit by **Consent** the temporary use of **land** for purposes, such as concerts, fairs, circuses, bazaars, church tents, **informal trading**, parking, **Places of Entertainment**, public gatherings, emergency services or meetings for a period not exceeding 30 **days**.

13.4 The following uses are not considered as a land use, but may need to comply with other legislation.

(a) The erection or use of **structures** for the purpose of advertising, subject to the provisions of the approved Municipal and Provincial policies.

(b) Post-boxes and public phones.

(c) Access control in terms of **temporary road** closures.

(d) A guard house shall be regarded as an **ancillary** use in all use zones.

(e) The placing of public recycling collection bins is permitted on all erven, except on Residential 1, 2 and 3 zoned erven.

(f) The erection of alternative energy generation equipment, which may include solar panels, wind turbines and generators.

(g) Refuse removal points.





13.5 A **cellular mast** shall not be considered as a land use, but may only be erected by means of Written Consent B of the **Municipality**, except when:

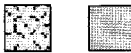

- (a) An existing mast is being replaced by a new mast, or
- (b) An additional antennae is being added to an existing mast or site, or
- (c) A public participation process in terms of the National Environmental Management Act 1998 (Act 107 of 1998) has already been undertaken.



Notwithstanding the above, no lattice **cellular mast** may be erected on erven zoned Residential 1 or 2, except where the dominant land use is not residential in nature. In exceptional cases and where there is no other suitable **property** within a 200m radius, only rooftop or flagpole **cellular masts** may be considered on Residential 1 and 2 zoned properties.





A base station erected to serve a mast shall comply with all requirements of Clause 8 (**Building Lines**).

Table C: Land Uses


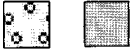
	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	Land Use Category	Primary Rights: Purposes for which land and/or buildings may be used	Special Consent of Municipality Land Use Application Land and/or Buildings which may be erected and purposes for which they may be used only with the Special Consent of the Municipality	Written Consent A and B of the Municipality Land and/or Buildings which may be erected and purposes for which they may be used only with the Written Consent of the Municipality	Provisos: Ancillary Uses applicable to Columns 3 & 4 (see Clause 13.2)
1	Residential 1  	Dwelling House, Private Roads	Places of Public Worship, Places of Instruction, Social Halls, Child Care Facilities, Guest Houses, Home Care Facilities, Catteries, Special Uses	Written Consent A Home Enterprises (Subject to Clauses 14.2 and 14.3)  Written Consent B Second Dwelling Unit	Day Care Facilities, Living Accommodation for Domestic Workers limited to a maximum size (including a kitchen and bathroom) of 29m <sup>2</sup> or 10% of the Dwelling House whichever is the greater (provided that it is developed as a single functional unit.)
2	Residential 2  	Dwelling House, Private Roads	Places of Public Worship, Places of Instruction, Social Halls, Child Care Facilities, Taverns, Guest Houses, Home Care Facilities, Catteries, Special Uses	Written Consent A Spaza Shops, Home Enterprises (Subject to Clauses 14.2 and 14.3)  Written Consent B Second Dwelling Unit, Maximum of three (3) Boarding Rooms.	Day Care Facilities, Living Accommodation for Domestic Workers limited to a maximum size (including a kitchen and bathroom) of 29m <sup>2</sup> or 10% of the Dwelling House whichever is the greater. (provided that it is developed as a single functional unit.)


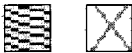
	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	<b>Land Use Category</b>	<b>Primary Rights: Purposes for which land and/or buildings may be used</b>	<b>Special Consent of Municipality - Land Use Application</b> Land and/or Buildings which may be erected and purposes for which they may be used only with the Special Consent of the Municipality	<b>Written Consent A and B of the Municipality</b> Land and/or Buildings which may be erected and purposes for which they may be used only with the Written Consent of the Municipality	<b>Provisos: Ancillary Uses applicable to Columns 3 &amp; 4</b> (see Clause 13.2)
3	<b>Residential 3</b> 	Dwelling House, Dwelling Units, Residential Buildings, Retirement Villages, Private Roads	Old Age Homes, Hotels (excluding Off-Sales), Social Halls, Places of Public Worship, Places of Instruction, Institutions, Child Care Facilities, Special Uses	<b>Written Consent A</b> Home Enterprises (Subject to Clauses 14.2 and 14.3) <b>Written Consent B</b> Day Care Facilities	Living Accommodation for Domestic Workers limited to 6m <sup>2</sup> per Dwelling Unit for the entire residential development Ancillary Offices, Laundrette
4	<b>Residential 4</b> 	Dwelling House, Dwelling Units, Residential Buildings, Private Roads	Hotels (excluding Off-Sales), Social Halls, Places of Public Worship, Places of Instruction, Institutions, Restaurants, A Tuck Shop, Child Care Facilities, Old Age Homes, Special Uses	<b>Written Consent A</b> Home Enterprises (Subject to Clauses 14.2 and 14.3) <b>Written Consent B</b> Day Care Facilities	Living Accommodation for Domestic Workers limited to 6m <sup>2</sup> per Dwelling Unit for the entire residential development Ancillary Offices, Laundrette



	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	Land Use Category	Primary Rights: Purposes for which land and/or buildings may be used	Special Consent of Municipality Land Use Application Land and/or Buildings which may be erected and purposes for which they may be used only with the Special Consent of the Municipality	Written Consent A and B of the Municipality Land and/or Buildings which may be erected and purposes for which they may be used only with the Written Consent of the Municipality	Proviso: Ancillary Uses applicable to Columns 3 & 4 (see Clause 13.2)
5	<b>Business 1</b>  	Business Purposes, Shops, Restaurants, Motor Dealers, Places of Entertainment, Hotels, Conference Centres, Service Industries, Dwelling Units, Residential Buildings, Institutions, Clinics, Police Stations, Post Offices, Sport and Recreation Clubs, Medical Consulting Rooms, Places of Public Worship, Places of Education, Places of Instruction, Social Halls, Plant Nurseries, Gymnasium, Auctioneers, Parking Bays, Parking Garages	Hospitals, Filling Stations, Panel Beaters, Motor Workshops, Special Uses, Light Industries, Any other Uses not in Columns 3 or 5	<b>Written Consent A</b> Fitment Centres, Funeral Parlours, Transport Centres, Builder's Yards, Veterinary Hospitals  <b>Written Consent B</b> Car Wash	Automatic Teller Machines (ATMs) Canteens 5 Gaming Machines

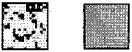
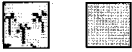
	COLUMN 2:	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	<b>Land Use Category</b>	<b>Primary Rights: Purposes for which land and/or buildings may be used</b>	<b>Special Consent of Municipality Land Use Application</b>  Land and/or Buildings which may be erected and purposes for which they may be used only with the Special Consent of the Municipality	<b>Written Consent A and B of the Municipality</b>  Land and/or Buildings which may be erected and purposes for which they may be used only with the Written Consent of the Municipality	<b>Provisos: Ancillary Uses applicable to Columns 3 &amp; 4 (see Clause 13.2)</b>
6	<b>Business 2</b>  	Business Purposes, Shops, Places of Public Worship, Places of Instruction, Places of Education, Dwelling Units, Residential Buildings, Restaurants, Medical Consulting Rooms, Gymnasium, Plant Nurseries, Service Industries, Parking Bays, Parking Garages	Filling Stations, Motor Dealers, Fitment Centres, Places of Entertainment, Funeral Parlours, Social Halls, Institutions, Auctioneers, Hotels, Special Uses	<b>Written Consent A</b> Veterinary Hospitals, Taxi Ranks  <b>Written Consent B</b> Car Wash	Automatic Teller Machines (ATMs) Canteens 5 Gaming Machines
7	<b>Business 3</b>  	Offices, Medical Consulting Rooms, Dwelling House	Business Purposes, Hotels, Restaurants, Gymnasium, Institutions, Veterinary Hospitals, Service Industries, Guest Houses, Conference Centres	<b>Written Consent A</b> Places of Public Worship, Places of Instruction, Child Care Facilities.	Automatic Teller Machines (ATMs) Canteens






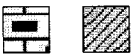

	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	<b>Land Use Category</b>	<b>Primary Rights: Purposes for which land and/or buildings may be used</b>	<b>Special Consent of Municipality Land Use Application</b> Land and/or Buildings which may be erected and purposes for which they may be used only with the Special Consent of the Municipality	<b>Written Consent A and B of the Municipality</b> Land and/or Buildings which may be erected and purposes for which they may be used only with the Written Consent of the Municipality	<b>Provisos: Ancillary Uses applicable to Columns 3 &amp; 4 (see Clause 13.2)</b>
8	<b>Industrial 1</b> 	Industries, Offices, Commercial Purposes, Showrooms, Motor Dealers, Panel Beaters, Builder's Yards, Service Industries, Fitment Centres, Motor Workshops, Light Industries, Auctioneers	Noxious Industries, Places of Entertainment, Waste Disposal Sites, Brick Making, Filling Stations, Special Uses	<b>Written Consent A</b> Warehouse Retail, Car Wash, Scrap Yards, Sale and Maintenance of Earthmoving Equipment, Agricultural Equipment and Heavy Vehicles, Places of Education  <b>Written Consent B</b> Caretaker's Unit,	Automatic Teller Machines (ATMs) Canteens Only one ancillary Shop 5 Gaming Machines
9	<b>Industrial 2</b> 	Commercial Purposes, Offices, Showrooms, Motor Dealers, Builder's Yards, Service Industries, Auctioneers	Panel Beaters, Filling Stations, Motor Workshops, Car Wash, Light Industries, Fitment Centres, Restaurants, Scrap Yards, Places of Entertainment, Special Uses	<b>Written Consent A</b> Warehouse Retail, Sport and Recreation Clubs, Places of Education, Sale and Maintenance of Earthmoving Equipment, Agricultural Equipment and Heavy Vehicles, Animal Care Centre  <b>Written Consent B</b> Caretaker's Unit,	Automatic Teller Machines (ATMs) Canteen. Only one ancillary Shop 5 Gaming Machines





	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	<b>Land Use Category</b>	<b>Primary Rights: Purposes for which land and/or buildings may be used</b>	<b>Special Consent of Municipality Land Use Application</b> Land and/or Buildings which may be erected and purposes for which they may be used only with the Special Consent of the Municipality	<b>Written Consent A and B of the Municipality</b> Land and/or Buildings which may be erected and purposes for which they may be used only with the Written Consent of the Municipality	<b>Provisos: Ancillary Uses applicable to Columns 3 &amp; 4 (see Clause 13.2)</b>
10	<b>Public Garage</b> 	Filling Stations, Car Wash, Motor Dealers, Motor Workshops	Business Purposes	<b>Written Consent A</b> Ancillary Shops & Facilities (ATM, Restaurant & Confectionary) (greater than 250m <sup>2</sup> )  <b>Written Consent B</b> Caretaker's Unit	Automatic Teller Machines (ATM's) Canteens Ancillary Offices
11	<b>Mining</b> 	Mining, Agricultural Uses, Brick Making, Conservation Areas, Open Spaces, Sport and Recreation Clubs	Uses not in Column 2 as determined by the Municipality	None	Ancillary Dwelling Units

	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	<b>Land Use Category</b>	<b>Primary Rights: Purposes for which land and/or buildings may be used</b>	<b>Special Consent of Municipality Land Use Application</b> Land and/or Buildings which may be erected and purposes for which they may be used only with the Special Consent of the Municipality	<b>Written Consent A and B of the Municipality</b> Land and/or Buildings which may be erected and purposes for which they may be used only with the Written Consent of the Municipality	<b>Provisos: Ancillary Uses applicable to Columns 3 &amp; 4 (see Clause 13.2)</b>
12	<b>Agriculture</b> 	Agricultural Uses, Plant Nurseries, Dwelling House, Agricultural Outbuildings, Cultivation Sheds, Conservation Areas.	Compost making for Commercial Purposes, Institutions, Places of Public Worship, Guest Houses, Sport and Recreation Clubs, Abattoirs, Places of Education and Places of Instruction ancillary to Agricultural Uses, Conference Centres, Auctioneers, Special Uses	<b>Written Consent A</b> Ancillary Shops (greater than 150m <sup>2</sup> ), Animal Care Centres, Veterinary Hospitals, Home Enterprises (Subject to Clauses 14.2 and 14.3)  <b>Written Consent B</b> Farm Worker Accommodation, One Additional Dwelling House	Automatic Teller Machines (ATM's) Canteens Ancillary Offices Ancillary Shops (limited to 150m <sup>2</sup> )
13	<b>Recreation</b> 	Resorts, Conference Centres, Guesthouses, Conservation Areas, Play Parks, Botanical Gardens, Social Halls	Hotels, Places of Entertainment, Restaurants, Art Galleries, Sport and Recreation Clubs, Special Uses	<b>Written Consent A</b> Ancillary Shops	Automatic Teller Machines (ATM's) Canteens Ancillary Offices Caretaker's Unit 5 Gaming Machines

	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	Land Use Category	Primary Rights: Purposes for which land and/or buildings may be used	Special Consent of Municipality: Land Use Application Land and/or Buildings which may be erected and purposes for which they may be used only with the Special Consent of the Municipality	Written Consent A and B of the Municipality Land and/or Buildings which may be erected and purposes for which they may be used only with the Written Consent of the Municipality	Provisos: Ancillary Uses applicable to Columns 3 & 4 (see Clause 13.2)
14	Private Open Space 	Parks, Gardens, Botanical Gardens, Conservation Areas, Play Parks, Open Spaces, Squares and Buildings used in connection therewith, Sports Grounds, Swimming Pools, Stormwater Retention and Attenuation Ponds.	Zoological Gardens, Restaurants, Agricultural Uses, Plant Nurseries, Special Uses	Written Consent A Museums, Sport and Recreation Clubs, Social Halls, Additional Ancillary Shops  Written Consent B Caretaker's Unit	Automatic Teller Machines (ATM's) Canteens Only one ancillary Shop Ancillary Offices  Security Buffer Strip
15	Public Open Space 	Parks, Gardens, Botanical Gardens, Zoological Gardens, Conservation Areas, Art Galleries, Sport and Recreation Clubs, Social Halls, Open Spaces, Play Parks, Squares and Buildings used in connection therewith, Municipal Purposes, Sports Grounds, Swimming Pools, Stormwater Retention and Attenuation Ponds.	Places of Entertainment, Restaurants, Agricultural Uses, Resorts, Caravan Parks, Plant Nurseries, Special Uses	Written Consent A Informal Trading  Written Consent B Caretaker's Unit	Automatic Teller Machines (ATM's) Canteens Ancillary Shops Ancillary Offices

	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	<b>Land Use Category</b>	<b>Primary Rights: Purposes for which land and/or buildings may be used</b>	<b>Special Consent of Municipality Land Use Application</b> Land and/or Buildings which may be erected and purposes for which they may be used only with the Special Consent of the Municipality	<b>Written Consent A and B of the Municipality</b> Land and/or Buildings which may be erected and purposes for which they may be used only with the Written Consent of the Municipality	<b>Provisos: Ancillary Uses applicable to Columns 3 &amp; 4 (see Clause 13.2)</b>
16	<b>Community Facility</b> 	Places of Instruction, Places of Education, Social Halls, Places of Public Worship, Libraries, Child Care Facilities, Sport and Recreation Clubs, Sports Grounds, Monasteries, Convents	Institutions, Special Uses	<b>Written Consent A</b> Restaurants, Ancillary Dwelling Units, Ancillary Residential Buildings  <b>Written Consent B</b> Caretaker's Unit	Automatic Teller Machines (ATM's) Canteens Ancillary Shops Ancillary Offices Ancillary Restaurants
17	<b>Social Services</b> 	Hospitals, Clinics, Libraries, Police Stations, Law Courts, Fire Stations, Municipal and Government Offices, Institutions, Places of Public Worship, Places of Instruction, Child Care Facilities, Social Halls, Old Age Home	Museums, Post Offices, Correctional Facilities, Military Facilities, Sport and Recreation Clubs, Municipal Purposes, Special Uses	<b>Written Consent A</b> Any other Use ancillary to the Uses in Columns 3 and 4, Animal Care Centres, Medical Consulting Rooms, Informal Trading  <b>Written Consent B</b> Caretaker's Unit	Automatic Teller Machines (ATM's) Canteens Ancillary Shops Ancillary Restaurants Ancillary Offices

	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	<b>Land Use Category</b>	<b>Primary Rights: Purposes for which land and/or buildings may be used</b>	<b>Special Consent of Municipality Land Use Application</b> Land and/or Buildings which may be erected and purposes for which they may be used only with the Special Consent of the Municipality	<b>Written Consent A and B of the Municipality</b> Land and/or Buildings which may be erected and purposes for which they may be used only with the Written Consent of the Municipality	<b>Provisos: Ancillary Uses applicable to Columns 3 &amp; 4 (see Clause 13.2)</b>
18	<b>Public Services</b> 	Produce Markets, Abattoirs, Cemeteries, Water Works, Reservoirs, Gas Works, Power / Sub Stations, Mortuaries, Sewage Disposal Works, Waste Disposal Sites, Municipal Purposes, Postal Depots, Telecommunications, Parking, Swimming Pools, Stormwater Retention and Attenuation Ponds	Special Uses, Any other Use not in Columns 3 and 5.	<b>Written Consent A</b> Animal Care Centres	Automatic Teller Machines (ATM's) Canteens Ancillary Offices Produce Markets: Ancillary Shops Cemeteries: Only one ancillary Shop
19	<b>Parking</b> 	Parking Bays, Parking Garages, Ancillary Offices	Business Purposes, Shops, Special Uses	<b>Written Consent A</b> Informal Trading, Car Wash <b>Written Consent B</b> Caretaker's Unit	Automatic Teller Machines (ATM's) Canteens Ancillary Offices Rest Rooms and Public Conveniences
20	<b>Roads</b> 	Streets/Roads, Private Roads, Toll Gates, Weigh Bridges, Parking, Cycle Lanes, Bus Lanes, Municipal services and Infrastructure	Special Uses	<b>Written Consent A</b> Informal Trading, Road Depots, Transport Centres, Pedestrian Malls, Public Walkways and Bridges <b>Written Consent B</b> Access Control and Ancillary Uses as approved by the Municipality	Automatic Teller Machines (ATM's) Canteens Ancillary Offices and Boardrooms for the purposes of the Home Owners Association on private roads only. Refuse Collection Points, Post boxes Rest Rooms and Public Conveniences

	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
	<b>Land Use Category</b>	<b>Primary Rights: Purposes for which land and/or buildings may be used</b>	<b>Special Consent of Municipality Land Use Application</b> Land and/or Buildings which may be erected and purposes for which they may be used only with the Special Consent of the Municipality	<b>Written Consent A and B of the Municipality</b> Land and/or Buildings which may be erected and purposes for which they may be used only with the Written Consent of the Municipality	<b>Provisos: Ancillary Uses applicable to Columns 3 &amp; 4 (see Clause 13.2)</b>
21	<b>Transportation</b>  	Railway Purposes, Airports, Transport Centres, Taxi Ranks, Parking Bays, Parking Garages	Hotel, Filling Station, Commercial Purposes, Uses which are subservient and ancillary to that which are mentioned in Column 2, Special Uses	<b>Written Consent A</b> Informal Trading, Dwelling Units for Key Personnel, Restaurants, Shops (greater than 150m²) <b>Written Consent B</b> Car Wash	Automatic Teller Machines (ATM's) Canteens Ancillary Offices Shops (limited to 150m²) 5 Gaming Machines Rest Rooms and Public Conveniences
22	<b>Special</b>  	As shown on relevant Annexure	As shown on relevant Annexure	As shown on relevant Annexure (Written Consent A for all uses)	As shown on relevant Annexure

## 14. HOME ENTERPRISE

- 14.1 A **Home Enterprise** is a **dwelling house/unit** used for a small scale enterprise, practice or occupation for economic gain, by the permanent resident(s) of the **property**, subject to such requirements and conditions imposed by the **Municipality**.

The following activities are seen as a primary right (no **Consent** Use procedure is required) if the resident(s) are the only **person(s)** involved in the **Home Enterprise** on a Residential 1, 2, 3, 4 or Agriculture zoned **property**:

- (a) Administrative and Professional Services e.g.: insurance agent, financial services, clerical work, editor, translator, secretarial work, debt collector, counsellor, architect, engineer, draughtsman, photographer, broker, bookkeeper, attorney, town planner, etc.
- (b) Home Industries e.g.: embroidery, knitting, needlework, sewing, dressmaking, tailoring, baking, catering, biltong making, pottery, artist, framing, jewellery making, etc.

- 14.2 The following activities are only permitted with the Written Consent A of the **Municipality** on a Residential 1 and 2 zoned **erf**:

- (a) Support Services e.g.: hairdresser, beauty and massage therapist, laundry and ironing services, garden and pool services, off-site contracting services, renting out of catering and party equipment, clothes and costume hire, etc.
- (b) Manufacturing and Workshop e.g.: woodwork, metal work, printing and book binding, dental laboratory, maintenance of electronic components and computers, etc.

- 14.3 The employment of a maximum of two additional **persons** on the **erf** (excluding domestic workers) for activities contemplated in Clauses 14.1 (a) & (b) and 14.2 (a) & (b) is only permitted by means of Written Consent A of the **Municipality**.

- 14.4 The following activities are not permitted as a **Home Enterprise**:

**Medical consulting rooms**, estate agency, employment agency, travel agency, security services, bank, **shop, spaza shop, taverns, restaurant**, butchery, **place of entertainment, service industry**, undertaker, **animal care centre**, escort agency, **place of instruction, child care facility, place of education, home care facility, panel beater**, spray painter, vehicle rental, **motor workshop**, tow-in-service, cartage and transport services, manufacturing of concrete products, noxious activity and/ or any such use or industries which, in the opinion of the **Municipality**, does not conform to the definition of a **Home Enterprise**.

- 14.5 The **Home Enterprise** may be approved by the **Municipality**, provided it conforms to the following conditions:



- (a) The proprietor(s) of the **Home Enterprise** shall permanently reside on the **property**.
  - (b) The **dominant use** of the **property** shall remain residential.
  - (c) An interference with the amenities of the neighbourhood by means of noise, smell, dust, aesthetic appearance or any other manner, shall not be permitted.
  - (d) The size of the **Home Enterprise** shall not exceed 40m<sup>2</sup> of the **property** or 25% of the floor area of the **dwelling unit** and **outbuildings** on the **property**, whichever is the smallest, including **ancillary** storage.
  - (e) No retail trade may take place on the **property**, however, the occasional and incidental selling of related goods is permitted, provided that it is **ancillary** to the **Home Enterprise** and does not exceed 10% of the area allowed under condition (d).
  - (f) No goods may be stored or displayed in such a manner that it will be visible from outside the **property**.
  - (g) Parking, as well as loading and off-loading activities (including employees) directly related to the **Home Enterprise**, shall only take place on the **property**.
  - (h) Loading and off-loading of goods may only be done with a vehicle, not exceeding a gross mass of 3 500kg.
  - (i) A maximum of 2 (two) vehicles (excluding client vehicles) relating to the **Home Enterprise** shall be permitted on the **property**.
  - (j) The exhibition of only one sign at the main entrance to the **property** is permitted. Signs or plaques must be placed on the **boundary** fence, **building** or a free standing sign on the **property**, to indicate only the name, profession/occupation, business logo and telephone number of such a permanent resident shall be permitted: Provided that the aforementioned notice/sign or plaque shall not exceed 420mm x 594mm (A2) in size. This may not be erected on the **road** reserve or encroach any **road** reserves bordering on the **property**.
- 14.6 All relevant legislation in respect of Trading Licences, Health and **Building Regulations** are applicable to the **Home Enterprise** (if an application for a **Home Enterprise** is approved, an application for a trading licence where applicable must be lodged).
- 14.7 On receipt of a complaint of whatever nature, the **Municipality** reserves the right to impose further conditions and/ or requirements, or to withdraw the **consent** completely without any liability for compensation for damages, or losses thus incurred, but only after the matter has been investigated and the 'offender' has been afforded a reasonable time to rectify the situation.
- 14.8 The necessary amendments must be affected to the building plans, in accordance with provisions of the **National Building Regulations**; be it for new additions or for the amended use of existing rooms.

- 14.9 Any Written Consent granted in terms of Clause 14 shall lapse if the resident vacates the **erf** and may not be transferred to a new **owner** / resident.
- 14.10 Any Written Consent granted in terms of Clause 14 shall automatically lapse if the **Home Enterprise** has not commenced within 12 (twelve) months or operated for a continuous period of 12 (twelve) months.

## **PART 4: DEVELOPMENT CONDITIONS**

### **15. CONDITIONS APPLICABLE TO ALL PROPERTIES**

- 15.1 Subject to the **Consent** of the **Municipality** and such conditions as it may impose:
- (a) Neither the **owner** nor any other **person** shall have the right, except to prepare a **property** for **building** purposes, to excavate therefrom any materials.
  - (b) Neither the **owner** nor any other **person** shall sink any wells or boreholes on a **property** or abstract any subterranean water therefrom, without the **consent** of the relevant **Controlling Authority**, provided that in dolomite areas, Clause 18 (Conditions Applicable to Dolomite Areas) shall be applicable.
  - (c) Neither the **owner** nor any other **person** shall have the right to make or permit to be made upon the **property**, for any purposes whatsoever, any tiles, bricks or earthenware, pipes or other articles of a like nature, provided that this condition is not applicable to Industrial 1 or **Mining** zoned properties.
- 15.2 The siting of all **buildings**, including **outbuildings**, fences and walls erected on the **property** and the entrance(s) shall be approved by the **Municipality**, in terms of the **National Building Regulations** and any other appropriate legislation.
- 15.3 A **boundary** wall or fence shall be erected to the satisfaction of the **Municipality**, as and when required.
- 15.4 If a **property** is fenced or otherwise enclosed, such fence or other enclosure shall be completed and maintained to the satisfaction of the **Municipality**.
- 15.5 The main **building**, which shall be a completed **building** and not one partly erected and intended for completion at a later date, shall be erected simultaneously with or before the erection of any **outbuildings**, except with the Written Consent B of the **Municipality**.
- 15.6 Where, in the opinion of the Local Authority, it is impracticable for stormwater to be drained from a higher-lying **property** directly to a public street, the **owner(s)** of the lower-lying **property** shall be obliged to accept and permit the passage over the **property** of such stormwater, provided that the **owner(s)** of any higher-lying **property**, the stormwater from which is discharged over any lower-lying **property**, shall be liable to pay a proportionate share of the cost of any pipeline or drain, which the **owner(s)** of such lower-lying **property** may find necessary to lay or construct, for the purpose of conducting the water so discharged over the **property**.

**16. CONDITIONS APPLICABLE TO RESIDENTIAL 3 AND 4 ERVEN**

- 16.1 The internal **roads**, internal street lights and stormwater management system on the **erf** shall be constructed and maintained by the registered **owner(s)**, to the satisfaction of the **Municipality**.
- 16.2 The registered **owner** of the **erf** shall make available and accessible, to the satisfaction of the **Municipality**, at least 15m<sup>2</sup> per unit, as a functional children's play area.
- (a) This requirement is not applicable to **old age homes** and **retirement village** developments.
  - (b) Playground equipment, according to the requirements of the residents, shall be provided on the **erf** by the **owner** or body corporate.
  - (c) The developer may not offset the play area provided, in *lieu* of parks and open space contributions, in accordance with the policy of the **Municipality**.
  - (d) A minimum of 10% of the area of the **erf** shall be landscaped, which may include the 15m<sup>2</sup> play area per unit described above, provided that landscaping may include any permeable surface to ensure stormwater drainage.
  - (e) This requirement may be relaxed by the **Municipality**, in terms of a **Site Development Plan**, based on the exceptional characteristics of the **erf**.
- 16.3 Should residential developments occur in any other zoning category, sub-clause 16.2 above shall apply.
- 16.4 Should the **erf** be subdivided into individual portions, developed with a single **Dwelling Unit**, sub-clause 16.2 shall not be applicable.

**17. CONDITIONS APPLICABLE TO FILLING STATIONS, MOTOR DEALERS AND MOTOR WORKSHOPS**

- 17.1 Screen walls shall be erected by the **owner(s)** of the **property**, where required by the **Municipality** and shall be maintained by the registered **owner(s)**, to the satisfaction of the **Municipality**.
- 17.2 No material of any kind, whatsoever shall be stored or stacked to a **height** greater than any screen wall on the **property**.
- 17.3 No repairs to vehicles or equipment of any kind may be conducted outside the **building**, unless approved by the **Municipality** by means of Written Consent B.

## 18. CONDITIONS APPLICABLE TO DOLOMITE AREAS

The **Municipality** may be means of an application in terms of Written Consent B agree to any deviation from the following requirements.

- 18.1 Any proposed development on **land** (Municipal or privately owned) within a dolomite area shall require a dolomite stability report containing recommendations by a competent dolomite specialist on founding and other conditions and requirements to the satisfaction of the **Municipality**, complying with Municipal policy and **regulations** on dolomite areas.
- 18.2 The dolomite stability investigation, including the drilling of boreholes, to determine the Inherent Hazard Class and the allowable land use of the **land**, will be conducted by the **owner** at his/her expense. The site plan/building plan should be certified by a competent dolomite **person**.
- 18.3 No French Drains are allowed except for **land** designated as D1 (SANS 1936). Conservancy tanks linked to a low flush system complying with the requirements of SANS 10400-P may be used where municipal waterborne sewerage connections are not available. If no alternative is available, French Drains in accordance with the requirements of SANS 10400-Q may be utilized and considered on **land** designated as D1 and D2 (SANS 1936 specification), provided no geotechnical constraints related to soils or a shallow water table exist on site, influencing the correct functioning of such a system or pollution of shallow groundwater. The design and implementation of French Drains will be conducted by a competent **person** i.e. geo-professional or engineer and approved by the **Municipality**.
- 18.4 All trenches and excavations made for foundations, water and sewerage pipes, sewers and cables, or for any other purpose shall be backfilled in such a manner that the backfill is less permeable than the surrounding natural soil. Backfilling and compaction will be done to the satisfaction of the **Municipality**, under the supervision of a competent **person** i.e. geo-professional or engineer.
- 18.5 Foundations of all **building** to be erected on the **land** hereafter shall be designed in accordance with the allocated D-designation, presented in the dolomite stability report. All steel reinforcement used in footings and at lintel level will be to the satisfaction of the **Municipality**.
- 18.6 Foundations of all **buildings** hereafter erected on the **land** shall be taken through the top layer of loose silt sand; foundations shall be to the satisfaction of the **Municipality**, taking into consideration foundation recommendations provided in the dolomite stability and geotechnical report therein.
- 18.7 Special **building** methods, such as split **construction** expansion joints and reinforcing of walls between joints, if specified in the geotechnical report and taking into consideration the allocated D-designation and potential loss of support to design for, provided in the dolomite stability report shall be employed in the erection of **buildings** on the **land** and shall be to the satisfaction of the **Municipality**.
- 18.8 Split **construction** or other **building** techniques, as approved by the **Municipality** to counter the possible effects of heaving or settlement of the soil shall be employed in the erection of **buildings** on the **land** and shall be to the satisfaction of the

**Municipality**, if the dolomite stability conditions allow for such a foundation design in terms of the allocated D-designation.

- 18.9 Sewers and stormwater pipes must be of a durable material and provided with flexible sealing joints or HDPE butt-welded, to the satisfaction of the **Municipality**.
- 18.10 The **owner(s)** of the **land** must make necessary arrangements to the satisfaction of the **Municipality**, in order to ensure that drain pipes convey water away from the foundations of **buildings**. Drain pipes running parallel to **structures** will be placed as and at a distance, as specified by the **Municipality**.
- 18.11 The collection of water shall not be permitted on **land** without the **Consent** of the **Municipality** and the **land** shall be drained to the satisfaction of the **Municipality**.
- 18.12 All dolomitic areas shall be subject to conditions above, as well as those which may be imposed by the **Municipality**.
- 18.13 All new developments located on dolomite **land** must comply with SANS 1936 or succeeding standards and legislation.

## 19. HEIGHT

- 19.1 The number of **storeys**, excluding **basement storeys**, **mezzanine** floors and **lofts** which may be contained in a **building** shall not exceed those determined by the **height** detailed in Table D: Provided that:
  - (a) In a **Dwelling Unit** or a **Residential Building**, no **storey** may have a vertical dimension greater than 4m, excluding double volume rooms; and
  - (b) In any other **building**, a **storey** may not exceed a vertical dimension of 6m with the exception of any Industrial 1 or 2 **buildings**, which may not exceed 10,5m for the **ground floor** and 6m for subsequent **storeys**, provided that the total **height** of the **building** shall not exceed 15m, provided further that the **Municipality** may **consent** to the increase thereof by means of Written Consent A.
- 19.2 Notwithstanding any other requirements for **height**, the **height** in areas of influence relating to **airports**, as determined by the relevant **Controlling Authority**, shall be limited to such specified requirements.
- 19.3 In determining the **height of buildings**, account shall be taken of parapets, but not of chimneys, ornamental towers, tower like projections or similar architectural features, lift service rooms or lift shafts, turrets and church spires: Provided that for the purpose of an application, in terms of sub-clause 19.2 such chimneys, towers, turrets and spires shall be taken into account.

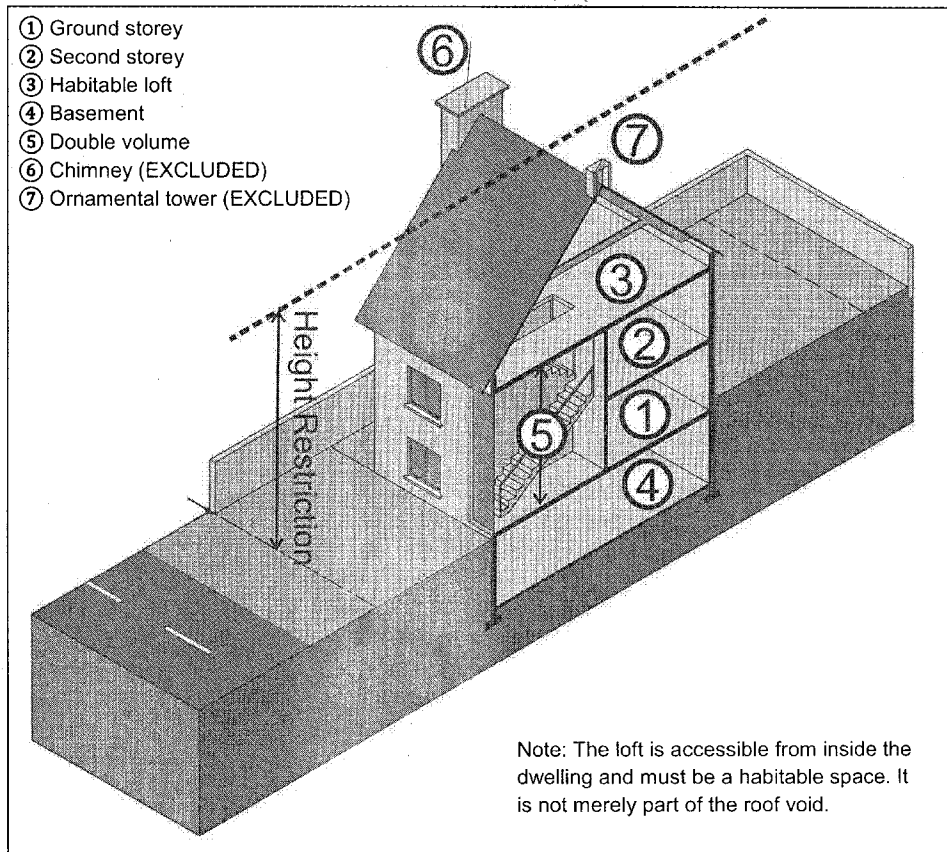


Figure 5: Height restrictions and certain exclusions (Residential scenario)

- 19.4 Subject to the provisions of this Part of the **Scheme**, no **buildings** shall be erected so as to contain a number of **storeys**, in excess of the number specified in Table D.
- 19.5 The provision of a **loft(s)** in a **building** shall only be permitted by means of Written Consent B of the **Municipality**.
- 19.6 Subject to the maximum **height** restrictions, a **mezzanine** level may be permitted.
- 19.7 Towers, advertising **structures**, architectural features and **basements**, which are not designed for living, working, sleeping or storage purposes, shall not be regarded as **storeys** for the purpose of this **Scheme**, except with the **Consent** of the **Municipality**.

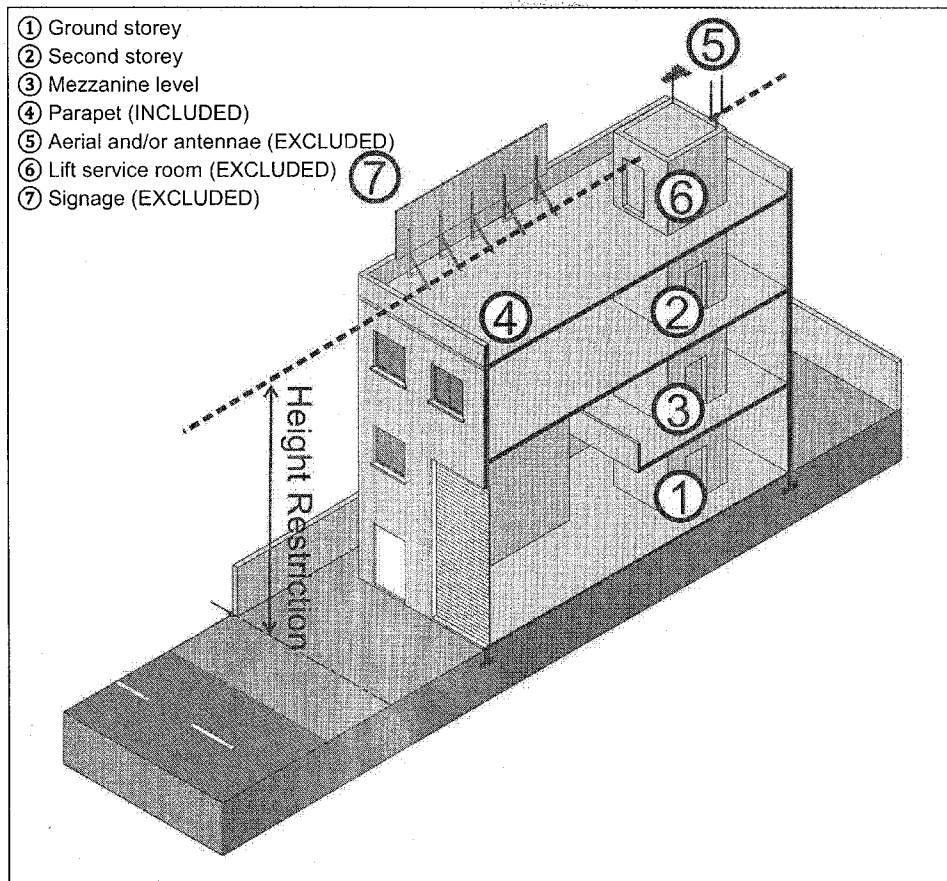


Figure 6: Height restrictions and certain exclusions (Industrial scenario)

## 20. FLOOR AREA RATIO (FAR)

20.1 **Floor Area Ratio (FAR)** shall be calculated as defined.

20.2 **FAR** may only be specified in an **Annexure**, Special Consent, or Written Consent A to the **Scheme** and shall be calculated as per 20.1 above.

20.3 For all other purposes, FAR shall be regarded as a product of the **height** and **coverage** shown in Table D and is therefore not prescribed by this **Scheme**, unless it is contained in an **Annexure**, Special Consent, or Written Consent A to the **Scheme** as per Clause 20.2.



## 21. BASEMENTS

- 21.1 All **storeys** below the ground **storey** shall be indicated as a **basement** on building plans, provided that such **storeys** comply with the definition of a **basement**.
- 21.2 **Basements** shall not be taken into account in the determination of the permissible number of **storeys** in a **building**.
- 21.3 **Basements** shall be taken into account in the determination of the floor area of a **building**, if prescribed in an **Annexure to the Scheme**, or if used for purposes other than parking, storage or **infrastructure**.

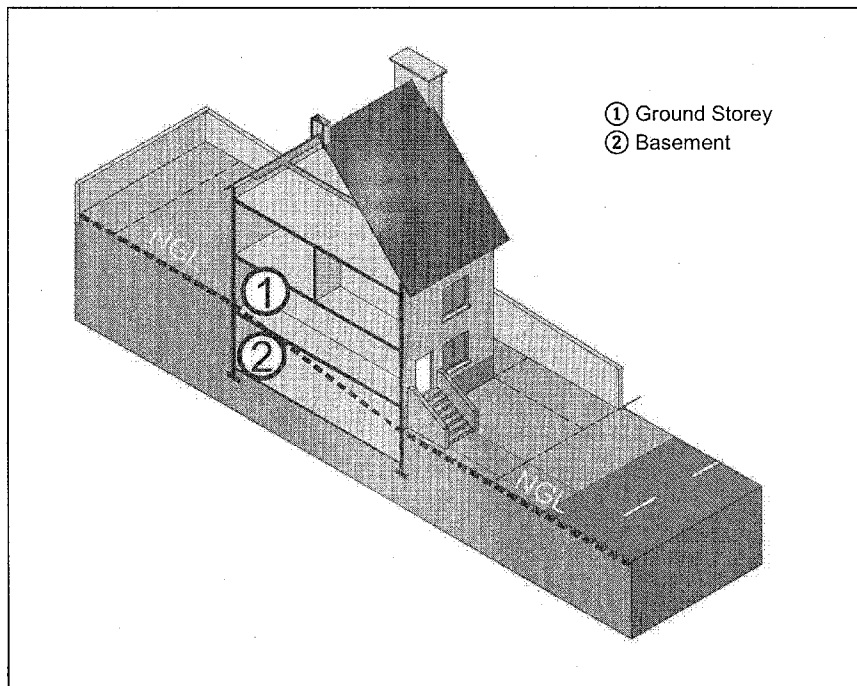


Figure 7: Storeys relative to Natural Ground Level (NGL) – 2 Storeys with Basement

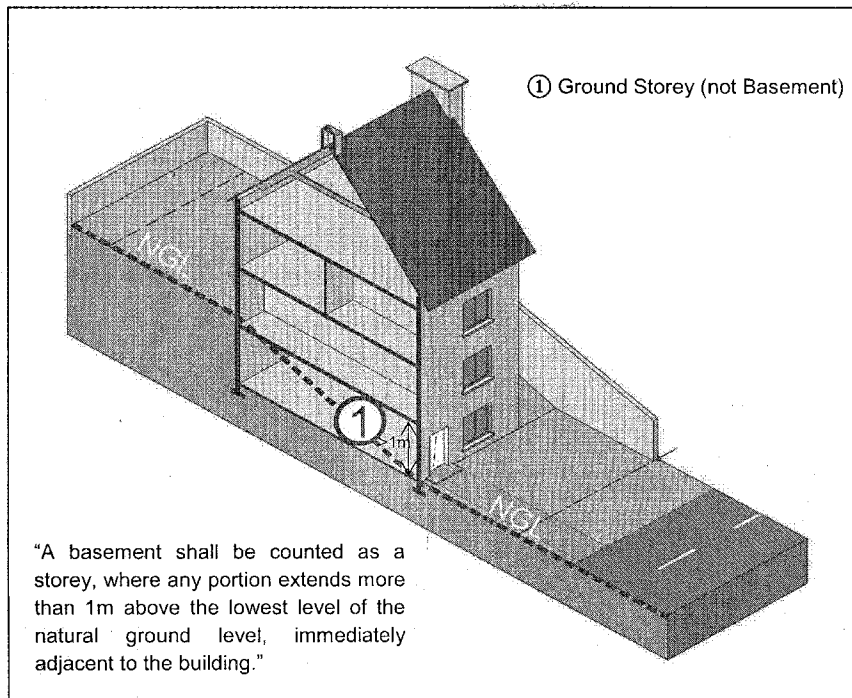


Figure 8: Storeys relative to Natural Ground Level (NGL) – 3 Storey building

## 22. COVERAGE

- 22.1 No **building** shall be erected so as to cover a greater percentage of **land** than is permitted in terms of Table D.
- 22.2 Where more than one use zone applies to **land**, the **coverage** shall be determined for each separately zoned portion of that **land**.
- 22.3 The provisions of Table D shall apply to every **storey** in a **building**, including any **basement storey**.
- 22.4 Shade netting or other similar synthetic material and a louver or opening roof shall not be considered as **coverage**.
- 22.5 A **canopy** or cantilever shall not be considered as **coverage**.
- 22.6 Overhanging eaves, porte-cochere, balconies and porches are considered as **coverage**.

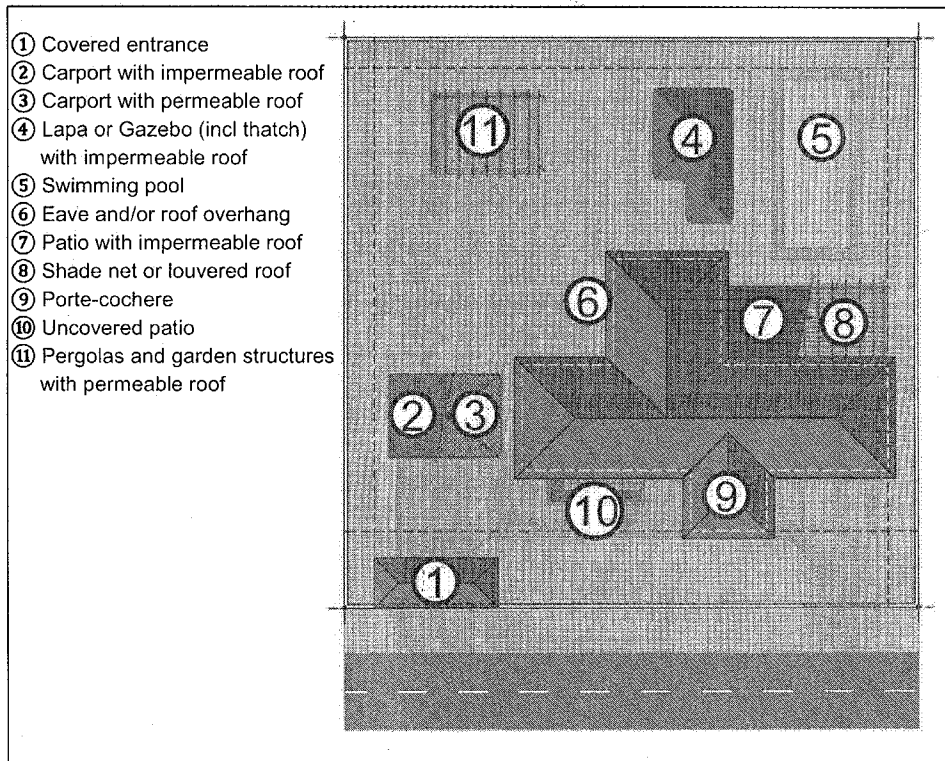


Figure 9: **Coverage** (Features in red are included in coverage, those in grey are excluded from coverage)

## 23. DENSITY

23.1 The number of **dwelling units** which may be erected on an **erf** shall be in accordance with Table D.

23.2 For Residential 1 and 2 zoned erven, the number of **Dwelling Units** permitted shall not exceed one dwelling per **erf**, provided that the **erf** may be subdivided, in accordance with Clause 35, to a density that does not exceed:

- (a) The density prescribed by an approved LSDF of the **Municipality**; or
- (b) That prescribed by an approved density policy of the **Municipality**; or
- (c) If there is no policy applicable to the subject **erf**, no portion created by the subdivision shall be less than 40% of the prevailing size of the surrounding erven, as determined by the **Municipality**.

- 23.3 In accordance with Clause 23.2, the resultant portions shall retain a density of one dwelling per *erf*. Additional **dwelling units** (excluding those contemplated in Clause 23.5) on Residential 1 and 2 zoned erven shall not be permissible without a subdivision application having first being approved. No Sectional Title Schemes shall be permissible on Residential 1 and 2 zoned erven.
- 23.4 Notwithstanding Clause 23.2, the maximum density for Residential 1 and 2 zoned erven shall not exceed one dwelling per 250m<sup>2</sup> (40 units per hectare), provided that Clause 35.5 shall be applicable.
- 23.5 On Residential 1 and 2 zoned erven, a **Second Dwelling Unit** shall be permitted with the Written Consent B of the **Municipality**, subject to the following:

ERF SIZE	MAXIMUM SIZE OF SECOND DWELLING UNIT
0m <sup>2</sup> – 249m <sup>2</sup>	No <i>Second Dwelling Unit</i> permitted
250m <sup>2</sup> - 499m <sup>2</sup>	On Residential 2 zoned erven a <i>Second Dwelling Unit</i> limited to 50m <sup>2</sup> (which shall exclude garages and <i>outbuildings</i> , but shall include covered patios)
500m <sup>2</sup> - 800m <sup>2</sup>	<i>Second Dwelling Unit</i> limited to 100m <sup>2</sup> (which shall exclude garages and <i>outbuildings</i> , but shall include covered patios)
801m <sup>2</sup> +	<i>Second Dwelling Unit</i> unlimited provided that the coverage and height in Table D is not exceeded on the erf

- (a) The **Second Dwelling Unit** may not be subdivided or separated by a Sectional Title Scheme, unless the resultant density complies with 23.2 and 23.3 above.
- (b) The **erf** shall comply with the applicable **coverage** and **height** restrictions in terms of Clauses 20 and 22, as well as Table D.
- 23.6 In all other Use Zones where residential dwellings are permitted, **Dwelling Units** shall only be erected in accordance with the provisions relating to **height, coverage** and FAR, applicable to the **erf** or site concerned.
- 23.7 If an **erf** or site is situated in more than one Land Use Zone, **buildings** may be erected without subdivision of the **erf** or site, in accordance with purposes permitted in each use zone, on the various parts of such **erf** or site.

#### 24. HEIGHT, COVERAGE AND NUMBER OF DWELLING UNITS

- 24.1 Table D sets out the **height, coverage** and number of **dwelling units** per hectare, permitted in the corresponding Use Zones and no **building** may be erected in a manner that exceeds the limitations as stipulated therein, provided that approved development controls, in terms of an erstwhile Town Planning Scheme shall remain valid for a period of 5 years from the date of coming into operation of this **Scheme**.

Table D: Permissible Height, Coverage and Density

	USE ZONES	PRIMARY RIGHTS		MAY BE INCREASED BY MEANS OF WRITTEN CONSENT A TO:		MAXIMUM PERMISSIBLE DENSITY		
	Land Use Controls	Height in Storeys	Coverage %		Max Height in Storeys	Max Coverage %	Density	
1	Residential 1	2	0 – 300m <sup>2</sup> 301 – 500m <sup>2</sup> 501 – 1000m <sup>2</sup> 1001m <sup>2</sup> above	60% 55% 50% 50%	3	0 – 300m <sup>2</sup> 301 – 500m <sup>2</sup> 501 – 1000m <sup>2</sup> 1001m <sup>2</sup> above	70% 60% 55% 50%	One dwelling per erf
2	Residential 2	2	0 – 300m <sup>2</sup> 301 – 500m <sup>2</sup> 501 – 1000m <sup>2</sup> 1001m <sup>2</sup> above	60% 55% 50% 50%	3	0 – 300m <sup>2</sup> 301 – 500m <sup>2</sup> 501 – 1000m <sup>2</sup> 1001m <sup>2</sup> above	70% 60% 55% 50%	One dwelling per erf
3	Residential 3	2	50%		3	60%		Up to a maximum of 85 dwelling units/ha
4	Residential 4	3	60%		As per policy	90%		Greater than 60 dwelling units/ha



	USE ZONES	PRIMARY RIGHTS		MAY BE INCREASED BY MEANS OF WRITTEN CONSENT A TO:		MAXIMUM PERMISSIBLE DENSITY
		Land Use Controls	Height in Storeys	Coverage %	Max Height in Storeys	Max Coverage %
5	Business 1 – CBD	Unrestricted	90%	Unrestricted	100%	Greater than 60 dwelling units/ha
	Business 1 - Other Areas	4	70%	As per Annexure	As per Annexure	As per Annexure
6	Business 2	2	70%	4	80%	Up to a maximum of 85 dwelling units/ha
7	Business 3 - CBD	3	60%	4	70%	One dwelling per erf
	Business 3 - Other Areas	2	40%	4	70%	One dwelling per erf
8	Industrial 1	2	70%	3	85%	N/A
9	Industrial 2	2	60%	3	70%	N/A
10	Public Garage	2	60%			N/A
11	Mining	As Determined by the Municipality	As Determined by the Municipality			As Determined by the Municipality



	USE ZONES	PRIMARY RIGHTS		MAY BE INCREASED BY MEANS OF WRITTEN CONSENT A TO:		MAXIMUM PERMISSIBLE DENSITY
	Land Use Controls	Height in Storeys	Coverage %	Max Height in Storeys	Max Coverage %	Density
12	<b>Agriculture</b>	2	1) 5% for Farm Portions 2) 30% on Agricultural Holdings	3	1) 10% for Farm Portions 2) 40% on Agricultural Holdings	
13	<b>Recreation</b>	As Determined by the Municipality	As Determined by the Municipality			N/A
14	<b>Private Open Space</b>	As Determined by the Municipality	As Determined by the Municipality			N/A
15	<b>Public Open Space</b>	As Determined by the Municipality	As Determined by the Municipality			N/A
16	<b>Community Facility</b>	3	50%	4	60%	As Determined by the Municipality
17	<b>Social Services</b>	As Determined by the Municipality	As Determined by the Municipality			As Determined by the Municipality
18	<b>Public Services</b>	As Determined by the Municipality	As Determined by the Municipality			N/A

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	USE ZONES	PRIMARY RIGHTS		MAY BE INCREASED BY MEANS OF WRITTEN CONSENT A TO:		MAXIMUM PERMISSIBLE DENSITY
	Land Use Controls	Height in Storeys	Coverage %	Max Height in Storeys	Max Coverage %	Density
19	<b>Parking</b>	As Determined by the Municipality	As Determined by the Municipality			As Determined by the Municipality
20	<b>Roads</b>	As Determined by the Municipality	As Determined by the Municipality			N/A
21	<b>Transportation</b>	As per SDP	As per SDP			As Determined by the Municipality
22	<b>Special</b>	Annexure	Annexure			Annexure





## **PART 5: PARKING AND LOADING FACILITIES**

### **25. PARKING REQUIREMENTS**

25.1 Parking, including disabled parking bays, together with suitable manoeuvring space, in accordance with standards, as determined by the **Municipality** and drop off areas and loading zones shall be provided on the **land**, in respect of the uses listed in Table E: Provided that:

- (a) The layout, accessibility and maintenance of the parking shall be to the satisfaction of the **Municipality**.
- (b) Direct access to parking bays or parking garages from any **road** shall be in accordance with an approved **Site Development Plan**; and
- (c) The area (in m<sup>2</sup>) referred to in Table E applies to the **total building floor area**.

**Table E: Parking Requirements per Land Use**

<b>LAND USES</b>	<b>PARKING RATIOS</b>
<b>RESIDENTIAL USES</b>	
Dwelling Houses (Residential 1)	Sufficient space for the parking of two vehicles (not exceeding 2,5 tonnes)
Dwelling Houses (Residential 2)	Sufficient space for the parking of one vehicle (not exceeding 2,5 tonnes); or No parking for erven less than 100m <sup>2</sup> in extent
Taverns (Residential 2)	To the satisfaction of the Municipality
Dwelling Units and Residential Buildings	1,5 parking spaces per dwelling unit with 1 or 2 bedrooms; or 2,5 parking spaces per dwelling unit with 3 or more bedrooms
Boarding Houses	To the satisfaction of the Municipality
Hostels (excl. school hostels)	0,5 parking spaces per bedroom
Day Care Facilities: Residential 1	Drop-off and manoeuvring space on site to the satisfaction of the Municipality
Day Care Facilities: Residential 2	No parking or drop-off required
Home Enterprises	Refer to Clause 14.5(g)

LAND USES	PARKING RATIOS
<b>BUSINESS USES</b>	
Home Care Facilities	A minimum of 2 parking spaces; and Additional parking to the satisfaction of the Municipality
Retirement Villages	1,5 parking spaces per dwelling unit
Old Age Homes	0,5 parking spaces per bed
Frail Care	0,3 parking spaces per bed
Guest Houses	1,5 parking spaces per guest room or suite
Business 1 - CBD's	No parking is required, provided that sufficient on-street parking is provided, to the satisfaction of the Municipality
Business 1 – Other Areas	
Subservient Offices (where permitted)	2 parking spaces per 100m <sup>2</sup>
All other Offices	4 parking spaces per 100m <sup>2</sup>
Shops	6 parking spaces per 100m <sup>2</sup>
Business Purposes (excl offices)	6 parking spaces per 100m <sup>2</sup>
Restaurants	10 parking spaces per 100m <sup>2</sup>
Places of Entertainment	12 parking spaces per 100m <sup>2</sup>
Gymnasiums	10 parking spaces per 100m <sup>2</sup>
Conference Centres	10 parking spaces per 100m <sup>2</sup> public room floor area
Hotels	1,5 parking spaces per bedroom or suite
Related Conference Centres	10 parking spaces per 100m <sup>2</sup> public room floor area
Related Restaurants	10 parking spaces per 100m <sup>2</sup>
Resorts	1 parking space per bedroom or chalet; and 4 parking spaces per 100m <sup>2</sup> public room floor area; and Sufficient staff parking to be provided to the satisfaction of the Municipality
Funeral Parlours	6 parking spaces per 100m <sup>2</sup>
Plant Nurseries	4 parking spaces per 100m <sup>2</sup> total display and retail areas
Related Restaurants	10 parking spaces per 100m <sup>2</sup>
Showrooms (Business 1 and 2)	4 parking spaces per 100m <sup>2</sup>

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LAND USES	PARKING RATIOS
<b>BUSINESS USES</b>	
Motor Dealers	2 parking spaces per 100m <sup>2</sup> showroom floor area
Filling Stations	No parking required for the refuelling of motor vehicles
Ancillary Shop	6 parking spaces per 100m <sup>2</sup>
Related Restaurant	10 parking spaces per 100m <sup>2</sup>
Related Car Wash	4 parking spaces per wash bay
<b>MEDICAL USES</b>	
Medical Consulting Rooms	6 parking spaces per consulting room
Veterinary Clinics and Veterinary Hospitals	6 parking spaces per 100m <sup>2</sup>
Hospitals, Clinics and Institutions	1 parking space per bed; and 6 parking spaces per 100m <sup>2</sup>
<b>INDUSTRIAL USES</b>	
Industries and Noxious Industries	1 parking space per 100m <sup>2</sup>
Light Industries	2 parking spaces per 100m <sup>2</sup>
All Industrial Uses:	
Subservient Offices (where permitted)	2 parking spaces per 100m <sup>2</sup>
All other Offices	4 parking spaces per 100m <sup>2</sup>
Showrooms (Industrial 1 and 2)	2 parking spaces per 100m <sup>2</sup>
Service Industries	4 parking spaces per 100m <sup>2</sup>
Commercial Purposes, Builder's Yards and Scrap Yards	10% of the erf for parking and loading purposes
Warehouse Retail	3 parking spaces per 100m <sup>2</sup>
Filling Stations	No parking required for the refuelling of motor vehicles
Ancillary Shop	6 parking spaces per 100m <sup>2</sup>
Related Restaurant	10 parking spaces per 100m <sup>2</sup>
Related Car Wash	4 parking spaces per wash bay

LAND USES	PARKING RATIOS
<b>INDUSTRIAL USES</b>	
Motor Workshops	4 parking spaces per service bay; and 2 parking spaces per 100m <sup>2</sup> for offices and spares
Fitment Centres	4 parking spaces per service bay; and 2 parking spaces per 100m <sup>2</sup> for offices and spares
<b>BUSINESS USES</b>	
Panel Beaters	4 parking spaces per service bay; and 2 parking spaces per 100m <sup>2</sup> for offices and spares
Motor Dealers Motor Dealers (Auctioneers)	2 parking spaces per 100m <sup>2</sup> showroom floor area 4 parking spaces per 100m <sup>2</sup> auction floor area (whether indoors or outdoors)
<b>COMMUNITY FACILITIES</b>	
Places of Public Worship	10 parking spaces per 100m <sup>2</sup> floor area
Social Halls	10 parking spaces per 100m <sup>2</sup> floor area
Child Care Facilities Residential 1 (more than 6 children); and Residential 2 (more than 30 children)	1 parking space per 10 children or portion thereof; and 1 parking space per teacher / admin. staff member; and Drop-off and manoeuvring space on site to the satisfaction of the Municipality
Child Care Facilities (Residential 2 less than 30 children)	Drop-off and manoeuvring space on site to the satisfaction of the Municipality
Places of Instruction	<b>Classes/lessons for adults:</b> 1 parking space per 2 students or portion thereof; or  <b>Classes/lessons for children under 18 years:</b> 1 parking space per 4 students or portion thereof
Place of Education - Primary and Secondary Schools	2 parking spaces per classroom; and 2 parking spaces per office; and Drop-off and manoeuvring space to the satisfaction of the Municipality
Place of Education - Universities, Colleges and Training Facilities	1 parking space per 3 students or portion thereof; and Sufficient on-site staff parking to be provided to the satisfaction of the Municipality

LAND USES	PARKING RATIOS
<b>SOCIAL SERVICES, PUBLIC SERVICES AND OPEN SPACE</b>	
Social Services Zoning	Parking to the satisfaction of the Municipality
Public Services Zoning	Parking to the satisfaction of the Municipality
Transportation Zoning	Parking to the satisfaction of the Municipality, at a ratio to be determined by the Municipality, in conjunction with the relevant agency (eg. ACSA, PRASA, Gautrain, etc.)
Public Open Space Zoning	Parking to the satisfaction of the Municipality
Private Open Space Zoning	Parking to the satisfaction of the Municipality
All other uses	Parking to the satisfaction of the Municipality, at a ratio to be determined by the Municipality

25.2 Alternatives to the Provision of On-site Parking:

Where the parking accommodation, in respect of a **property** has been determined in terms of Table E, the **Municipality** may, if satisfied of the necessity and desirability thereof and on account of the size of the **property**, the availability of public parking in the direct vicinity of the **property**, the nature of the **buildings** on the **property** and the likely parking demand, instead of the provision of the parking spaces on the **property**, grant Written Consent A for the provision of the required number of parking spaces elsewhere than on the **property** of the **building** concerned.

25.3 The **Municipality** may consider the provision of a fewer number of parking spaces required, in terms of Table E, by means of Written Consent A and shall in addition to any other relevant factors, have regard to the following, which shall be included in a report by a suitably qualified professional:

- (a) Accessibility of the **property** for private or public transport;
- (b) The availability of existing parking and/or public transport facilities in the vicinity of the **property**;
- (c) Availability of off-street parking in the vicinity of the **property**;
- (d) The number of staff members and customers related to the use of the **property**;
- (e) The socio-economic **structure** and density of the population which the development serves;
- (f) The size and nature of the proposed development and the size of vehicles likely to be used in connection with the proposed development;
- (g) The likelihood of a reduction in parking provision causing injury to the amenity of the area in which it is, or will be situated including, without prejudice to the generality of the foregoing, increased traffic and parking difficulties;
- (h) The likelihood of parking shared by different **land** uses;
- (i) The provision of a formal taxi rank provided for on Business 1 and 2 zonings only; or a taxi drop-off bay provided on a Residential 4 zoning; and
- (j) The provision of sufficient loading bays (refer to Clause 26) on Industrial 1 and 2 zoned erven.

**26. LOADING REQUIREMENTS**

26.1 All loading and off-loading facilities shall be provided on site with the ratios specified in Table F below.

26.2 The following minimum measurements shall apply to loading bays:

A loading bay shall measure not less than 4,5m x 10m for perpendicular loading and 2,5m x 12m for parallel loading, or as determined, to the satisfaction of the **Municipality**.

26.3 On Industrial 1 and 2 zoned erven the provision of loading facilities may off-set the requirements for parking facilities, in terms of Table E and in accordance with Clause 25.3(j), to the satisfaction of the **Municipality**.

**Table F: On-site Loading Requirements**

LAND USES	NUMBER OF LOADING BAYS REQUIRED
<b>BUSINESS 1</b>	
CBD	To the satisfaction of the Municipality
<u>OTHER AREAS:</u>	
Offices	2 bays per 1000m <sup>2</sup> or part thereof for the first 2000m <sup>2</sup> and 1 bay per 1000m <sup>2</sup> floor area thereafter
Business Purposes	1 bays per 1000m <sup>2</sup> or part thereof for the first 2000m <sup>2</sup> and 0,5 bays per 1000m <sup>2</sup> floor area thereafter
Shops	2 bays per 1000m <sup>2</sup> or part thereof for the first 1000m <sup>2</sup> and 3 bays per 1000m <sup>2</sup> floor area thereafter
Motor Dealers	2 bays per 1000m <sup>2</sup> or part thereof for the first 1000m <sup>2</sup> and 3 bays per 1000m <sup>2</sup> floor area thereafter

LAND USES	NUMBER OF LOADING BAYS REQUIRED
<p><b>BUSINESS 2</b></p> <p>Offices</p> <p>Business Purposes</p> <p>Shops</p>	<p>2 bays per 1000m<sup>2</sup> or part thereof for the first 2000m<sup>2</sup> and 1 bay per 1000m<sup>2</sup> floor area thereafter</p> <p>1 bays per 1000m<sup>2</sup> or part thereof for the first 2000m<sup>2</sup> and 0,5 bays per 1000m<sup>2</sup> floor area thereafter</p> <p>2 bays per 1000m<sup>2</sup> or part thereof for the first 1000m<sup>2</sup> and 3 bays per 1000m<sup>2</sup> floor area thereafter</p>
<p><b>BUSINESS 3</b></p> <p>Dwelling House Offices and Medical Consulting Rooms</p> <p>Office Blocks, Parks and Complexes</p>	<p>No loading bays required</p> <p>2 bays per 1000m<sup>2</sup> or part thereof for the first 2000m<sup>2</sup> and 1 bay per 1000m<sup>2</sup> floor area thereafter</p>
<p><b>INDUSTRIAL 1</b></p> <p>Industries, Showrooms, Motor Dealers, Fitment Centres</p> <p>Commercial, Builder's Yards and Scrap Yards</p> <p>Light Industries</p> <p>All other Uses</p>	<p>1 bay per first 1 000m<sup>2</sup> floor area, or part thereof and 2 bays per every 1000m<sup>2</sup> floor area thereafter</p> <p>10% of the erf for parking and loading purposes</p> <p>1 bay per 1 000m<sup>2</sup> floor area</p> <p>To the satisfaction of Council</p>
<p><b>INDUSTRIAL 2</b></p> <p>Commercial and Builder's Yards and Scrap Yards</p> <p>Office Blocks, Parks and Complexes</p> <p>Showrooms, Motor Dealers, Auctioneers</p>	<p>40% of the erf for parking and loading purposes</p> <p>2 bays per 1000m<sup>2</sup> or part thereof for the first 2000m<sup>2</sup> and 1 bay per 1000m<sup>2</sup> floor area thereafter</p> <p>1 bay per first 1 000m<sup>2</sup> floor area, or part thereof and 2 bays per every 1000m<sup>2</sup> floor area thereafter</p>



## **PART 6: AMENITY AND APPEARANCE OF BUILDINGS**

### **27. AMENITY**

- 27.1 The use on a **property** shall not interfere with the amenity, character and aesthetics of the neighbourhood. The **owner(s)** shall be responsible for the maintenance of the entire **property**, including landscaping.
- 27.2 Where the amenity of the area is, in the opinion of the **Municipality**, negatively affected by the conditions of any garden, **building**, **boundary** fence or wall, or any development or activity on any **land** in the area, the **Municipality** may serve a notice to the **owner(s)** of the **property**, on which the injurious condition exists, in order to take such action as may be necessary to abate the injurious condition. The said notice may specify the measures to be taken to abate the injurious condition and shall specify a time period within which such measures have to be undertaken.
- 27.3 Should the **owner(s)** fail to abide with the notice mentioned above, the **Municipality** shall be entitled to undertake such maintenance and/or measures at the cost of the **owner(s)**.
- 27.4 The notice mentioned in sub-clause 27.2 above, may be copied to the relevant **Controlling Authority**.

### **28. NEIGHBOURHOOD AESTHETICS**

The **Municipality** may require additional information in evaluating a **Site Development Plan** and/or building plan. The aesthetics of the development shall be to the satisfaction of the **Municipality** and may refer to the following, in addition to the **Building Regulations**:

- 28.1 Neighbourhood Integration
- (a) Linkage and Connectivity
  - (b) Distribution of Use and Activity (Parking, Non-residential Uses, Service Areas)
  - (c) Urban Character (Legibility, Image Ability, Landscaping, Building Form, Massing)
- 28.2 Site Planning
- (a) Public and Private Interfaces
  - (b) Communal/Site Facilities
  - (c) Parking Layout
  - (d) Landscaping
  - (e) Private/Communal Open Space
  - (f) Safety and Security
- 28.3 **Building** Guidelines
- (a) Massing, **Height** and Human Scale
  - (b) Frontages and Facades
  - (c) Entrances
  - (d) Walls and Fences



- (e) Parking
- (f) Visual Privacy
- (g) Acoustic Privacy
- (h) Energy Efficiency

## 29. SITE DEVELOPMENT PLAN (SDP)

The **Municipality** may require a **Site Development Plan** (SDP) to be submitted for **approval**, in respect of all Use Zones, excluding **dwelling houses** on Residential 1 and 2 zoned erven. Alternatively, the **Municipality** may allow a detailed site plan to be submitted as part of the building plans.

- 29.1 Where an SDP is required, it may be approved simultaneously with any building plan by the **Municipality**, as one set of plans, in connection with the proposed development.
- 29.2 The **Municipality** may approve or refuse a SDP, or may request amendments thereof.
- 29.3 Unless the **Municipality** determines otherwise, a SDP or a detailed site plan must show at least the following (where applicable):
  - (a) A scale of 1:500 or such other scale as may be approved by the **Municipality**.
  - (b) A north point.
  - (c) The siting, **height**, floor area and **coverage** of all **buildings** and **structures** (proposed extensions included).
  - (d) A **schedule** containing both the permitted/required development parameters and actual development parameters, including parking provision.
  - (e) The elevation and architectural treatment of all **buildings** and **structures**.
  - (f) Loading and off-loading areas.
  - (g) A minimum of 10% landscaped or permeable areas on all **land**, which may include functional recreational areas, but exclude parking.
  - (h) Entrances to and exits from the **land** (including access layout) and surrounding **land** and **buildings**.
  - (i) If the **erf** is to be subdivided, the proposed subdivision lines.
  - (j) Access to **buildings** and parking areas, as well as provision for the disabled.
  - (k) **Building restriction areas**.
  - (l) Parking areas (including surface treatment) and where required by the **Municipality**, circulation of vehicular and pedestrian traffic.
  - (m) Parking bays shall be numbered and be cross referenced with the schedules in (l) above.
  - (n) Public Transport Facilities (including taxi bays), where applicable.
  - (o) The phasing and programming of future development, if it is not proposed to develop the whole **property** simultaneously.
  - (p) Steps to be taken to control stormwater run-off, to the satisfaction of the **Municipality**.
  - (q) Contours and flood-lines.
  - (r) Existing and proposed **engineering services**.
  - (s) Cadastral information, including servitudes and adjoining properties, as well as **buildings**.
  - (t) Topographical and natural features, if so required by the **Municipality**.
  - (u) Refuse areas and/or **Refuse Collection Points**.

(v) Where the storage of dangerous and or poisonous substances/materials is to occur on the **property**, a descriptive table of all such substances/materials and the placing of all signs on the **property** and **buildings**, indicating the storage areas, including the floor area to be used, must be indicated.

(w) The location of emergency equipment, including fire hydrants and extinguishers.

29.4 If a SDP has been approved, the **owner(s)** of the application **property** shall, if he/she wishes to amend the SDP, submit the amended SDP to the **Municipality**.

29.5 The **Municipality** may approve or refuse the proposed amendment of the SDP.

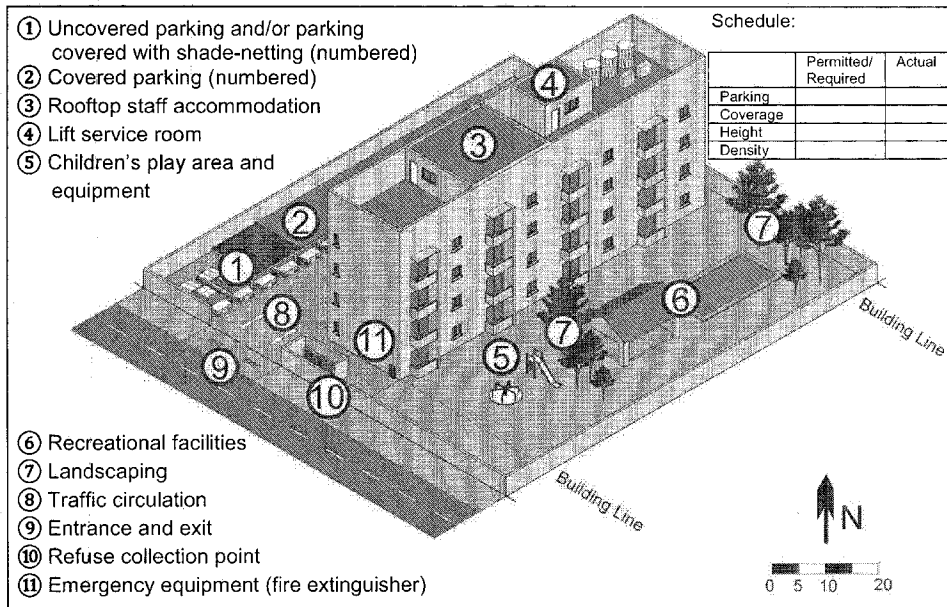


Figure 10: Site development principles (Residential scenario)

## **PART 7: ADMINISTRATION OF LAND DEVELOPMENT RIGHTS**

This section deals with the administration of *land use rights*. The **Municipality** may approve or refuse applications for the following categories of **consents** and may impose any such conditions it deems necessary:

- (a) Written Consent A of the **Municipality**
- (b) Written Consent B of the **Municipality**
- (c) Special Consent of the **Municipality**
- (d) Building Line Relaxation
- (e) Subdivision and Consolidation of Erven

### **30. WRITTEN CONSENT A OF THE MUNICIPALITY**

- 30.1 An application, in terms of this clause shall mean a memorandum, which may include explanatory **maps**, plans or **diagrams** (if necessary) in which the application is motivated, as well as the applicable application fee.
- 30.2 An **applicant** shall, at his/her own expense, hand deliver or dispatch by registered mail, notice to all **owners of land** abutting upon or sharing a common **boundary** with that **land** (specifically including any **land** which is only separated by a **road**), including home **owners** associations, or else as determined by the **Municipality**, within 7 (seven) **days** after submitting the application to the **Municipality**, informing them of the application, to the satisfaction of the **Municipality**.
- 30.3 The notice referred to in sub-clause 30.2 shall:
- (a) Reflect details of the application, including the street address, the name of the township and the number of the **property** concerned and the nature and general purpose of the application.
  - (b) Shall reflect that the application documents relating to the application will be open for inspection at specified times and at a specified place, at the **offices** of the **Municipality** and that any objections or representations must be substantiated with reasons and must be submitted, in writing, to the **Municipality** under cover of registered post, or by hand within a period of 28 (twenty eight) **days** from the date on which the application was submitted to the **Municipality**.
- 30.4 The **applicant** shall submit proof to the satisfaction of the **Municipality** that the provisions of sub-clause 30.2 have been complied with.
- 30.5 The **applicant** shall notify adjoining properties and any other any additional affected party(ies), as may be determined by the **Municipality**.
- 30.6 No Written Consent A may be approved by the **Municipality**, contrary to a restrictive condition contained within a Title Deed / Deed of Transfer to an **erf**.

### 31. WRITTEN CONSENT B OF THE MUNICIPALITY

- 31.1 Applications requiring only a SDP shall ensure that same complies with the requirements of Clause 29. Should the **Municipality** approve the SDP, it shall be regarded as a Written Consent B having been given, provided that the **Municipality** will require the **applicant** to additionally comply with Clause 30.5 and/or provide any additional information, if so required.
- 31.2 Applications requiring only a building plan shall ensure that same complies with the **National Building Regulations**. Should the **Municipality** approve the building plan, it shall be regarded as a Written Consent B having been given, provided that Land Use Management Division has recommended the building plan for **approval**. The **Municipality** will require the **applicant** to additionally comply with Clause 30.5 and/or provide any additional information, if so required.
- 31.3 No Written Consent B may be approved by the **Municipality**, contrary to a restrictive condition contained within a Title Deed / Deed of Transfer to an **erf**.

### 32. SPECIAL CONSENT OF THE MUNICIPALITY

An application for Special Consent shall be in accordance with Clauses 32.1 to 32.6, as listed in Table C, or any other Clause of this **Scheme**.

- 32.1 An application to the **Municipality** for its Special Consent, shall be:
- (a) Made in writing in the format prescribed in Clause 33;
  - (b) Submitted by the **owner(s)** of the **property** concerned, or his/her duly authorised representative;
  - (c) Accompanied by the applicable application fees, as prescribed from time to time.
- 32.2 An application received in terms of sub-clause 32.1 may be approved or refused by the **Municipality**. Any **person** who is aggrieved with a decision of the **Municipality** has the right to object to such decision in the manner described in Clause 36.
- 32.3 Where an application in terms of sub-clause 32.1 is approved:
- (a) The **Municipality** shall keep and maintain a Register of **consents** granted and such register shall be open for inspection to any **person**.
  - (b) The rights obtained in this manner shall lapse if:
    - (i) Not exercised within a period of 24 (twenty four) months from the date of **approval**; or
    - (ii) Exercised within the prescribed period, but interrupted for a continuous period of 18 (eighteen) months.
- 32.4 The **Municipality** may impose any such condition it deems necessary for the orderly use of the rights thus obtained and such conditions shall have the same force and effect as if they were part of the **Scheme** and shall be regarded as such.

- 32.5 The **Municipality** may, should there be any breach of a condition imposed, reconsider its decision in this regard, and it may;
- (a) Serve a notice on the **owner(s)** to remedy any non-compliance within a period to be specified in the notice; and/or
  - (b) Impose further conditions; and/or
  - (c) Withdraw the **consent in toto** without recourse or compensation.
- 32.6 No Special Consent application may be approved by the **Municipality**, contrary to a restrictive condition contained within a Title Deed / Deed of Transfer to an **erf**.

### 33. SPECIAL CONSENT APPLICATION PROCESS

- 33.1 The **applicant** shall, within a period of 7 (seven) **days** of submitting an application to the **Municipality**, cause a site notice(s) of the application to be displayed on the **property**, in English and at the discretion of the **Municipality**, any other official language(s), which notice:
- (a) Shall be in a format as specified by the **Municipality**.
  - (b) Shall be posted in a conspicuous place on the **property**, where it is easily visible and can easily be read from each and every adjacent public street, or other public place: Provided that in the instance of an application, in respect of more than one **property** which is contiguous, but not notarially tied or consolidated the **Municipality** may, in its discretion, grant exemption from such display on certain of the properties concerned.
  - (c) Shall not be less or smaller than 594mm x 420mm and any letter thereon shall be at least 6 mm in **height**.
  - (d) Shall be maintained in a clearly legible condition for a period of 14 (fourteen) **days**.
  - (e) Shall reflect details of the application, including:
    - (i) the street address, the name of the township and the number of the **property** concerned and the nature and general purpose of the application.
    - (ii) the date on which the notice was posted on the **property** and the name, postal address and telephone number of the **applicant**.
    - (iii) that the application documents relating to the application will be open for inspection at specified times and at a specified place at the **Municipality offices**.
    - (iv) that any objection or representations must be substantiated with reasons and must be submitted, in writing, to the **Municipality** under cover of registered mail or by hand, within a period of 28 **days** from the date on which the site notice first appeared.
- 33.2 An **applicant** shall, at his/her own expense, hand deliver or dispatch by registered mail, notice to all **owners of land** abutting upon or sharing a common **boundary** with that **land** (specifically including any **land** which is only separated by a **road**), including home **owners** associations, or else as determined by the **Municipality**, within 7 (seven) **days** after submitting the application to the **Municipality**, informing them of the application, to the satisfaction of the **Municipality**.

- 33.3 The **applicant** shall submit proof, including an affidavit in respect of the site notices, to the satisfaction of the **Municipality** that the provisions of sub-clauses 32.1 and 32.2 have been complied with.
- 33.4 The **Municipality** will require the **applicant** to notify adjoining properties and any additional stakeholders and interested parties which may include a notice in a newspaper, circulating in the local area.

#### 34. BUILDING LINE RELAXATION

An application for Building Line Relaxation shall be in accordance with Clauses 7, 8, 9, 10, 34.1 and 34.2.

- 34.1 The **Municipality** may on application relax the **Building Line** stipulated in Table A for properties in any Use Zone, if such relaxation would, in its opinion, constitute an improvement in the development of the **property**.

- 34.2 The following provisos shall be applicable to the relaxation of **building lines**:

- (a) The relaxation of **building lines** may be approved on consideration of submitted building plans and/or SDP's, provided that provision is made for the affected **neighbour's** endorsement of the relaxation, on the building plan and/or SDP and an application form specifically for this purpose shall be submitted to the **Municipality**. The **Municipality** shall determine who the affected **neighbours** are.
- (b) If the **neighbour** refuses to sign in terms of (a) above, a registered copy of the application shall be posted to the affected **neighbour(s)** and the proof thereof shall be submitted to the **Municipality**. Should no response be received from the affected **neighbour(s)** within a period of 28 (twenty eight) **days** of receipt of the application so posted, the **Municipality** shall treat the application as if there is no objection.
- (c) Such a copy as referred to in (b) above shall inform the **neighbour's** that they have 28 (twenty eight) **days** to respond, in writing, to the **Municipality**, in the absence thereof, the **Municipality** shall deem the application as having had no objection.
- (d) In adjudicating the application for relaxation, the **Municipality** shall consider *inter alia* the following:
  - (i) The desirability of the relaxation, in relation to the size of the **property** and positioning and **height** of **buildings** thereon, the amenity of the neighbourhood, **road** reserve widths and sight distances, as well as possible adverse effects on neighbouring properties;
  - (ii) **Existing buildings** and **consents** for relaxations already granted in the immediate vicinity of the application;
- (e) If a valid objection is received, the matter will be referred to the relevant Tribunal/Appeal committee, for consideration.

## 35. SUBDIVISION AND CONSOLIDATION OF ERVEN

- 35.1 Subject to the provisions of Section 92 of the **Ordinance**, or any succeeding legislation, the **Municipality** may approve an application for the subdivision of any **erf** or the consolidation of erven, subject to such conditions as it may deem fit and in accordance with the density guidelines as per Clause 23, as well as the applicable policy of the **Municipality**.
- 35.2 In considering an application for consolidation and/or subdivision, as contemplated in sub-clause 35.1, the **Municipality** shall, in addition to any other relevant factors, have regard to:
- (a) Whether the said consolidation and/or subdivision is desirable, in relation to the location of **buildings** on the **erf** to be subdivided and/or consolidated.
  - (b) Whether there is adequate and unhindered access to and from the erven; where a **panhandle erf** or site is created through subdivision, the width of the **panhandle** shall not be less than 4m, provided that this may be relaxed to a minimum of 3m with the **Consent** of the **Municipality**.
  - (c) Where major vegetation is positioned on the **erf**, that the **applicant** and **owner(s)** retain such vegetation as far as possible.
- 35.3 A subdivision of an **erf** may be approved provided that provision is made for the affected **neighbour's** endorsement of the sketch plan and an application form specifically for this purpose shall be submitted to the **Municipality**. The **Municipality** shall determine who the affected **neighbours** are and the following provisions shall apply in this regard:
- (a) If a **neighbour** refuses to sign in terms of the above, a registered copy of the application shall be posted to the affected **neighbour(s)** and proof thereof shall be submitted to the **Municipality**. Should no response be received from the affected **neighbour(s)** within a period of 28 (twenty eight) **days** of the application being posted, the **Municipality** shall treat the application as if no objection has been received.
  - (b) Such a copy, as referred to in (a) above, shall inform the **neighbours** that they have 28 (twenty eight) **days** to respond, in writing, to the **Municipality**, in the absence thereof, the **Municipality** shall deem the application as having had no objection.
- 35.4 No consolidation of two or more erven with different Use Zones shall be permitted, unless appropriately rezoned. Notarial tie applications shall not be approved if a consolidation is possible.
- 35.5 All erven shown on a **General Plan**, as approved by the Surveyor General before 1 September 1970 shall be entitled to a relaxation of the density provision, not exceeding 1% of the area, as determined in Table D.
- 35.6 Should an application for subdivision be approved by the **Municipality** for Residential 1 and 2 zoned erven, in accordance with Clause 23, contributions in respect of **Engineering Services**, as determined by the **Municipality** are payable, in terms of Section 92(3)(a) of the **Ordinance**, or any succeeding legislation, prior to the **approval** of any building plans for the new portions. Provided that the Regulation

38 endorsement shall not be issued by the **Municipality** before all contributions have been paid.

### 36. OBJECTIONS OR REPRESENTATIONS

- 36.1 Any **person**/interested party may lodge an objection and/or representation, in writing, to the **Municipality** against any application that makes provision for objections to be submitted in terms of this **Scheme**.
- 36.2 The objection or representation, which must be substantiated with reasons, must be lodged with the **Municipality** within the specified period, as set out in the applicable section.
- 36.3 A copy of every objection or representation received by the **Municipality** shall be sent to the **applicant** by registered mail, within a period of 14 (fourteen) **days** after the closure of the period of objections and the **applicant** may respond to these objections, in writing, to the **Municipality**, within a period of 14 (fourteen) **days**.
- 36.4 On the expiry of the period specified above and after the **applicant** has been afforded an opportunity to respond, in accordance with sub-clause 36.3:
- (a) The **Municipality** shall set a day, time and place for the hearing of the **applicant**, objectors and other **persons** making representations, in respect to the application.
  - (b) The **Municipality** shall notify the **applicant**, every objector, every **person** who made representations and every other **person** who, in the opinion of the **Municipality**, has any interest in the matter, of the day, time and place of the hearing by registered mail, or by hand, as per the discretion of the **Municipality** at least 14 (fourteen) **days**, prior to the date of the hearing, provided that any notice sent by registered mail shall be deemed to have been received within 10 (ten) **days** from the date of posting, unless the contrary is proved by the addressee.

### 37. APPEALS

Appeals against any decision of the **Municipality** can be lodged, in terms of the **Ordinance** or succeeding legislation.



## **PART 8: LAW ENFORCEMENT**

### **38. OFFENCES**

Any **person** who:

- 38.1 Contravenes or fails to comply with any provision of the **Scheme**;
- 38.2 Contravenes or fails to comply with any requirement set out in a notice issued and served in terms of the **Scheme**;
- 38.3 Contravenes or fails to comply with any condition set out in terms of any provision of the **Scheme**; and
- 38.4 Knowingly makes a false statement in connection with any provision of the **Scheme**; shall be guilty of an offence.

### **39. FINES**

Where any **person** is convicted of an offence, in terms of Clause 38, such **persons** shall be liable on conviction of a fine or imprisonment, as determined in Section 134 of the **Ordinance**.

### **40. MUNICIPALITY'S RIGHT TO ENFORCE SCHEME THROUGH THE RELEVANT LEGAL STRUCTURE**

The provisions of Clauses 36 and 37 do not in any way detract from the **Municipality's** right, in terms of 'Common Law' to enforce the provisions of the **Scheme** through action *via* the Civil Courts.

### **41. ENTRY AND INSPECTION OF PROPERTIES**

- 41.1 The **Municipality** shall have the power, through its duly authorized officers, to enter a **property** at any reasonable time, having regard to the nature of the activity on the **property**, for the purposes of any inspection, which the **Municipality** may deem necessary or desirable for the purpose of this **Scheme**.
- 41.2 No **person** shall in any way hinder, obstruct or interfere with any authorized officer of the **Municipality**, or in so far as he/she has any authority, permit such officer to be hindered, obstructed or interfered with in the exercise of the powers hereby conferred upon him/her.

### **42. SERVING OF NOTICE**

- 42.1 Any order, notice or other documents required or authorized to be served under the **Scheme** shall be signed by the official, duly authorized thereto by the **Municipality** and shall be served by delivering such in one or other of the following manners:
  - (a) To the said **person** personally, or to his/her duly authorized agent.
  - (b) If service cannot be effected in terms of sub-clause (a) at his/her residence, or place of business, or employment, then to a **person** not less than 16 years of age and residing at or employed there, and/or –

- (i) If there is no such **person** as is mentioned above in sub-clause (b) on the premises, by fixing such order, notice or other document to some conspicuous part of the premises and by dispatching a copy of such order, notice or other document by prepaid, registered post in an envelope on which is written his/her last known address, which may be his/her last known abode, place of business or employment, or post office box number, and/or –
  - (ii) If such **person** to be served has chosen a *domicilium citandi*, at the domicile so chosen.
- 42.2 Where any service is effected in accordance with the provisions of the preceding sub-clause 42.1(b)(i), such service shall be deemed to have been effected at the time when the letter containing such order, notice or other document would have been deemed to have been received within 10 (ten) **days** from the date of posting, unless the contrary is proved by the addressee. In proving such service, it shall be sufficient to prove that the order, notice or other document was properly addressed and registered.
- 42.3 Any order, notice or other document, which in terms of the provisions of this **Scheme** is required to be given to the **owner** or **occupant** of any particular premises, it may be addressed to the **owner** or **occupant** of such premises, in respect of which the order, notice or other document is given, without any further name or description.
- 42.4 For the purposes of this section, a **person** shall include a juristic **person** and service on such juristic **person** shall be made on any **person** in authority at the premises.

**SCHEDULE "A"**

REFER TO CLAUSE 5.3 NAME	DATE APPROVED	COUNCIL ITEM NO.	GEOGRAPHICAL AREA
<b>LAND USE MANAGEMENT</b>			
Accommodation Establishment Policy	30 June 2003	B-DP (10-2003)	EMM
Cellular Mast Policy			EMM
Placement and use of shipping containers Policy	30 January 2003	B-DP (5-2003)	EMM
Rezoning of farm portions Policy	12 June 2003	B-DP (6-2003)	EMM
Spaza Shops Policy	12 June 2003	B-DP (1-2003)	EMM
Tavern Policy	12 June 2003	B-DP (4-2003)	EMM
LPM Policy	1 November 2010	A-CORP (118-2010)	EMM
Security Townships Policy	12 June 2003	B-DP (5-2003)	EMM
Payment of Open Space Contributions Policy	1 August 2010	A-CORP (62-2010)	EMM
<b>LOCAL SPATIAL DEVELOPMENT FRAMEWORKS</b>			
RSDf Region A	30 October 2014	A-CPED(08-2014)	
Area 1 Bonearo Park		Rescinded	Bonearo Park
Area 3		Rescinded	
Area 4 Aero Park			Aero Park
Area 5 Kempton Park Exts 2, 3, 4		Partially Rescinded (RSDf A)	Kempton Park Exts 2, 3, 4
Area 6 & 7 Glen Marais, Pomona & Bredell		Partially Rescinded (RSDf A)	Glen Marais, Pomona & Bredell
Area 8 R21 Corridor	March 2008		R21 Corridor
Area 9 Esselen Park			Esselen Park
Area 10 & 12 Van Riebeck Park & Birchleigh	October 2002		Van Riebeck Park & Birchleigh
Area 11 K60, Norkem Park, Birch Acres			K60, Norkem Park, Birch Acres
Area 13 Tenenure			Tenenure
Area 14 Ester Park		Partially Rescinded (RSDf A)	Ester Park
Area 15 Cresslawn, Croydon, Rhodesfield		Partially Rescinded (RSDf A)	Cresslawn, Croydon, Rhodesfield
Area 16 Ehlanzeni			Ehlanzeni
Area 17 Iggagga			Iggagga
Area 20 Winnie Mandela			Winnie Mandela
Area 26		Partially Rescinded (RSDf A)	

EKURHULENI TOWN-PLANNING SCHEME, 2014. (VERSION 6 MAY 2015)  
 APPROVED BY COUNCIL ITEM A-CPED (09-2014). PROMULGATION DATE 14 JANUARY 2015.



NAME	DATE APPROVED	COUNCIL ITEM NO.	GEOGRAPHICAL AREA
<b>LOCAL SPATIAL DEVELOPMENT FRAMEWORKS</b>			
Area 30 Boksburg North and Surroundings		Rescinded	Boksburg North and Surroundings
Area 33 Rynfield and Surrounding Areas	September 2008		Rynfield and Morehill Areas
Area 34 Benoni AH	March 2008	Partially Rescinded (RSDF A)	Brentwood Park, Benoni North A.H, Goedeburg Area, Nortons Home Estate
Area 51 Carnival City and Surroundings	March 2008		Carnival City and Surroundings
Area 52 Dalview			Dalview
Area 53 Brakpan Central	May 2008		Brakpan Central
Area 55 Brakpan East	March 2008		Dal Fouche, New states Areas, Krugersrus and Krugersrus Extension 1
Area 90 Tshongweni			Tshongweni
Area 79 Germiston CBD	March 2008	Rescinded	Germiston CBD
Area 80 Reiger Park		Rescinded	
Area 81 Boksburg	January 2008	Rescinded	Boksburg
Area 84 Germiston	20 November 2008	Partially Rescinded (RSDF A)	Germiston
Area 85 (previously 8) Alberton	2005		Alberton CBD and surroundings
Area 87 (previously 10) Alberton	2007		Brackenhurst & Brackendowns
Area 89 (previously 13) Tokoza			Thokoza-Natalspruit
Area 90 Tshongweni			Tshongweni
Area 101 (previously 18) Alberton Kwathema LSDF			Eden Park Greater part of Kwathema
<b>LOCAL POLICIES</b>			
<b>ALBERTON</b>			
Residential 1 Densification for Meyersdal	14 February 2000		Meyersdal Townships only
Residential Densification in Alberton	21 May 1996	Item 41	Alberton (now excludes all areas covered by LSDFs, and Meyersdal) Applies mainly to Mayberry Park & Albertsdal
Minimum size of residential dwellings	October 2000	Item 16	Alberton (now excludes all areas covered by LSDFs).

NAME	DATE APPROVED	COUNCIL ITEM NO.	GEOGRAPHICAL AREA
<b>LOCAL POLICIES</b>			
<b>BOKSBURG</b>			
Development Plan for the North Rand Road / N12 Corridor "Traffic Box"	July 1999	Rescinded	Pretoria Road in the west up to Atlas Road in the east all along North Rand Road (roughly)
Sunward Park x 4 Medical consulting rooms	24 May 1995		Albrecht Road, Sunward Park
Mapleton - Vosloorus Gold Spot	October 2000		Portion of Vosloorus/Mapleton
Mining Belt	June 1999	Rescinded	Gap between LSDF 80 and 81
Airport –East Rand Mall Corridor Development Plan		Rescinded	Area between airport and East Rand Mall
<b>BENONI</b>			
Main Road/ Fifth Avenue Activity Spine	May 2000		Northmead
Benoni Decentralized Office Policy	June 1996		Lakefield
Benoni CBD and Lakeshore D Frame Policy	November 1999		Benoni Town
Benoni A.H and Farm Portion Policy	May 1999		Benoni Agricultural Holdings, Marister, Zesfontein, Putfontein, Lily Valle
<b>BRAKPAN</b>			
Brakpan A	27 August 1991	Item 49	That the area between Sixteenth Road and Sallies Village be earmarked to include the following uses: (Rezoning application) 1) Transport companies 2) Warehouses 3) High Tech Industries
Brakpan B	30 September 1998	Item 33	Brakpan Suburbs: Policy for preservation of open spaces

EKURHULENI TOWN PLANNING SCHEME, 2014. (VERSION 6 MAY 2015)  
APPROVED BY COUNCIL ITEM A-CPED (09-2014). PROMULGATION DATE 14 JANUARY 2015.

NAME	DATE APPROVED	COUNCIL ITEM NO.	GEOGRAPHICAL AREA
<b>LOCAL POLICIES</b>			
<b>EDENVALE</b>			
Bedfordview Densification Policy			Bedfordview and its Extensions
Bedfordview Structure Plan		Partially Rescinded (RSDF A)	
<b>GERMISTON</b>			
Primrose Corridor Study	6 April 1998	Item 156/98	Primrose CBD and surrounding areas
Primrose East Development Plan	20 November 2000	Item 1357/2000	Primrose East area
Development Plan for Meadowbrook	20 November 2000	Item 1358/2000 Rescinded	Meadowbrook area
<b>SPRINGS</b>			
Pollak Park Extension 2 Structure Plan			Covers part of selection Park, Pollak Park Extension 2 in Springs
Springs Extension Structure plan			Springs Extension

**SCHEDULE "B" - GAZETTE NOTICES IN RESPECT OF SCHEME CLAUSES**

<b>CORRECTION NOTICE OR AMENDMENT SCHEME NO.</b>	<b>GAUTENG PROVINCIAL GAZETTE DATE</b>	<b>LOCAL AUTHORITY NOTICE NO.</b>
Scheme Promulgation	10 January 2015	10
C0005	6 May 2015	728