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(*Afskrifte is verkrygbaar by Kamer M21, Provinsiale Wetgewer-gebou, Waalstraat 7, Kaapstad 8001.)

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PROVINCIAL NOTICE**PROVINSIALE KENNISGEWING**

The following Provincial Notices are published for general information.

ADV. B. GERBER,
DIRECTOR-GENERAL

Provincial Building,
Wale Street,
Cape Town.

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Die volgende Provinsiale Kennisgewings word vir algemene inligting gepubliseer.

ADV. B. GERBER,
DIREKTEUR-GENERAAL

Provinsiale-gebou,
Waalstraat,
Kaapstad.

29 November 2013

PROVINCIAL NOTICE**OVERSTRAND MUNICIPALITY****REPEAL AND REPLACEMENT OF ZONING SCHEME REGULATIONS IN THE OVERSTRAND MUNICIPAL AREA**

In terms of sections 8A and 9(2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the Minister of Local Government, Environmental Affairs and Development Planning has repealed the Scheme Regulations set out in paragraph 1 of **Schedule A** insofar as they apply to the Municipal area of the Overstrand Municipality, and replaced them with the Scheme Regulations set out in **Schedule B**, which comes into effect on 1 January 2014.

SCHEDULE A

1. The following Zoning Scheme Regulations, as amended, are repealed and/or withdrawn:
 - 1.1 The Zoning Scheme Regulations promulgated in terms of section 7(2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) in Provincial Notice No. 1047/1988 as published in *Provincial Gazette* No. 4563 of 5 December 1988, where they are applicable to the Overstrand Municipal area.
 - 1.2 The Zoning Scheme Regulations promulgated in terms Section 8 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) in Provincial Notice No. 1048/1988 as published in *Provincial Gazette* No. 4563 of 5 December 1988, where they are applicable to the Overstrand Municipal area.
 - 1.3 Regulations promulgated in terms of section 66(1) of the Black Communities Development Act, 1984 (Act No.4 of 1984) and published in Government Notice R1897/1986 in *Government Gazette* No. 10431 of 12 September 1986, and Provincial Notice 733/1989 in *Provincial Gazette* No. 4606 of 22 September 1989, in respect of the Zwelihle Town Planning Scheme.
2. The Regulations promulgated in terms of section 47(1) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) in Provincial Notice No. 1050/1988 as published in the *Provincial Gazette* No. 4563 of 5 December 1988, (as amended by the Provincial Notice No. 8 of 2013 as published in the *Provincial Gazette* No. 256 of 8 August 2013), where they are applicable to the Overstrand Municipal area, relating to appeals and other operational issues, will not be amended, and will therefore still be operational in the jurisdiction area of the Overstrand Municipality.

3. The Regulations approved in terms of Provincial Notices No's 1047 and 1048 of 5 December 1988, as amended by Provincial Notice No. 177 of 29 May 2009, regarding the powers of Municipalities in terms of the Ordinance to grant or refuse applications for departures and subdivisions, including instances where restrictive title conditions are involved, were amended by Provincial Notice No. 7 of 2013 as published in the *Provincial Gazette* No. 257 of 8 August 2013, will still be operational in the jurisdiction area of the Overstrand Municipality.

SCHEDULE B

Overstrand Zoning Scheme Regulations

(final regulations and table to be inserted – English version)

SCHEDULE B



**OVERSTRAND MUNICIPALITY
ZONING SCHEME**

JUNE 2013

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DEFINITIONS

In this zoning scheme:

A

"abattoir" means a place where livestock or poultry is slaughtered and processed for the distribution thereof to butcher shops and food markets and is subject to any applicable health requirements;

"additional dwelling units" means dwellings in the Agriculture Zone 1, which are not required for the accommodation of bona fide persons involved in the agricultural practice on the property concerned; and additional dwelling units may be used for long or short term accommodation purposes;

"additional use rights" means the use of the property for purposes that are of an associated social and civic nature of the primary or consent use in Community Zone 1 and the Less Formal Development Zone, where such uses are not the primary function of the social or civic institution concerned, but is to the benefit of the institution concerned or the community it serves;

"adult entertainment business" means an establishment, where for any form of consideration, erotic apparatus, films, photographs, books, magazines and live performances are hired, sold or occur, which are characterised by an emphasis on the display or description of pornographic sexual activities. Adult entertainment business includes a massage parlour or escort agency where massage or manipulation of the human body is administered for the purpose of obtaining erotic response.

"advertise" in relation to making known a matter referred to in this zoning scheme, means one or more of the methods of making known, as determined by the Municipal Manager or his delegate, as the most suitable method to reach as many people as possible who may have an interest in or are directly affected by the matter, including:

- (i) Serving a notice; or
- (ii) Displaying a notice board on a land unit; or
- (iii) Publishing a notice in the press; or
- (iv) Holding public meetings; or
- (v) Having radio broadcasts; or
- (vi) Constituting and implementing consultative forums; or
- (vii) Entering into social compacts whether before or after the submission of an application and "advertising" has a corresponding meaning;

"advertisement" when used in the context of outdoor advertising, means any visible representation of a word, symbol, name, letter, figure or object or of an abbreviation of a word or name, or of any sign or symbol, or light which is not intended solely for illumination or warning against danger, or identification of the name and street address of the property;

"Advertising on Roads and Ribbon Development Act" means the Advertising on Roads and Ribbon Development Act, 1940 (Act 21 of 1940);

"agricultural industry" means an enterprise for the processing of agricultural related products on or close to the land unit where these agricultural products are grown, harvested and raised where processing in such proximity is necessary due to the nature, perishability and fragility of such agricultural products, and includes, inter alia: dairies, wineries, distilleries, olive processing facilities, breweries and other facilities required for the processing of agricultural products, where produce packed is not produced on the land unit, but does not include service trades;

"agriculture" means the cultivation of land for crops and plants including plantations, the keeping and breeding of animals, beekeeping, bird farming or the operation of a game farm, and comprises natural veld, and includes only such activities and buildings as are reasonably connected to the main farming activities such as residential accommodation for the farmer, farm manager and farm labourers, the packing of agricultural produce grown on the property; but excludes intensive horticulture, intensive animal farming, agricultural industry, and a farm shop;

"agri-village" means a private settlement of restricted size, established and managed as a legal entity in a rural or agricultural area, specifically developed for the bona fide accommodation of the local rural community of the farms, forestry and conservation enterprises situated in the area,

"animal care centre" means a place for the care of pets and other animals, operated on either a commercial or welfare basis and includes boarding kennels, a commercial kennel and pet training centres; and includes a crematorium for animals;

"animal park" means a land unit or land units or a portion of a land unit where animals (domestic or otherwise) are kept in a controlled environment primarily for display to the general public for educational and tourism purposes, but does not include a game farm;

"applicant" means a person, his legally empowered representative or entity that makes an application in terms of planning law or this zoning scheme;

"aquaculture" means the cultivation and breeding of water-flora and –fauna, and the harvesting thereof, under controlled circumstances:

- (i) In artificially built dams or holding tanks; or
 - (ii) Suspended from floating supports
- for commercial purposes;

"associated" when used in the context of an associated use or purpose, means use, purpose, building or activity which is normally ancillary and subservient to the lawful primary use of the property;

"atrium" means a covered courtyard comprising a void within a building that extends for one or more floors in height, but does not contain floors that penetrate into the void. An atrium consists of a floor and a roof or ceiling;

"attic room" means an area/room in the roof of a building, designed for, or used for, human habitation;

"authority use" means a use which is practiced by or on behalf of a public authority, and characteristics of which are such that it cannot be classified or defined under other uses in this zoning scheme, and includes a use practiced by:

- (i) The State, such as a military training centre and installation, police station and prison;
- (ii) The Provincial Government, such as a road station and road camp;

- (iii) The Local Government, such as fire services and municipal depot with related uses or any use necessary to provide (including limited accommodation for staff who are required for standby emergencies, municipal offices, clinics, library and any other associated use approved by Council) required services;

"average ground level" means the average of the highest and lowest ground level immediately abutting the outer perimeter of a building or vertical division of a building and the Council may:

- (i) Determine the average ground level from measurements supplied on a building plan; or
(ii) Deem a level to be the average ground level from the contour plan, local height bench mark or other information held by Council; or
(iii) Require the owner or applicant to commission a registered land surveyor to measure levels of the ground or interpolate levels, in order to provide the Council with sufficient information so that it can determine the average ground level for the purposes of this zoning scheme;

B

"balcony" means a floor projecting outside a building at a level higher than that of the ground floor, enclosed only by low walls or railings or by the main containing walls of rooms abutting such projecting floor, and may include a roof over such floor and pillars supporting such roof in which event it will be included in the calculation of the coverage applicable to the land unit;

"bar" means an enterprise for the sale and consumption of alcoholic beverages by customers upon the premises where the liquor is sold and may include the offering of food to customers, but does not include the sale of alcoholic beverages for off-site consumption and a place of entertainment; and pub and tavern have the same meaning;

"base level" of a building means an imaginary plane drawn horizontally at the average ground level of the building or vertical division;

"base zone" means that zone which determines the basic and most primary land use and development rules for that land unit in terms of this zoning scheme, before the application of any overlay zone;

"basement" means that space in a building between the floor and ceiling which is partly or completely below the average ground level; provided that a basement shall be deemed to be a storey for the purpose of the measurement of height where any portion extends more than 1,0 m above the lowest level of the ground immediately contiguous to the building;

"boat yard" means a property or portion of a property which is used for the display, storage, construction and repair of motorized and non motorized watercraft;

"bottle store" means an establishment where the dominant use is the retail sale of alcoholic beverages for consumption off the property, and includes an off-sales facility which is under the same management as a licensed hotel;

"boundary" in relation to a land unit means one of the cadastral lines shared by such land unit with any other land unit or with a public street/road/open space, etc.

"brewery" means a place where beer or wine is made and may include a selling point to the general public, tasting and conference facilities, as well as the provision of light meals, but does not include a distillery;

"builder's yard" means a land unit which is used for the storage of material and equipment which:

- (i) Is required or normally used for construction work;
- (ii) Was obtained from demolitions of structures or excavations of ground;
- (iii) Is necessary for or is normally used for land development, such as storage of material used for building roads, for installing essential services, or for any other construction work (e.g. sand or bricks), whether for public or private purposes; and

it includes the administrative component of such undertaking but does not include any accommodation, other than a caretaker's accommodation;

"building" in addition to its ordinary meaning, includes:

- (i) Any roofed structure;
- (ii) Any gallery, canopy, balcony, stoep, verandah, porch or similar feature of a building;
- (iii) Any walls or railings enclosing any feature referred to in (ii); and
- (iv) Any other portion of a building;

"building line" means an imaginary line on a land unit, which defines a distance from a specified cadastral line, within which the erection of buildings and structures are prohibited, except with the necessary Council approval;

"building platform" means a defined and demarcated area or areas on a land unit, beyond the boundaries of which no building may be erected;

"bulk" has the same meaning as floor space

"business premises" means a property from which business or services is conducted and includes a shop, supermarket, restaurant, sale of alcoholic beverages, plant nursery, offices, service trade, financial institution and building for similar uses, sale of any small and big items; but does not include a place of assembly, place of entertainment, institution, service station, motor repair garage, industry, industrial hive, noxious trade, risk activity, adult entertainment business, or bottle store;

C

"cadastral line" means a line representing the official boundary of a land unit as registered in the Deeds Office or which is shown as a record on a diagram or general plan approved by the Surveyor General;

"camping site" means a property or part thereof in which tents or caravans are used for the short term accommodation of visitors and holiday makers, and includes ablution, cooking and other associated facilities for the use of such visitors and infrastructure related to the operation of the camping site, and may include accommodation facilities for the owner, manager and staff with the permission of Council;

"canopy" means a cantilevered or suspended roof, slab or covering (not being the floor or balcony) projecting from the wall of a building;

"caravan" means a vehicle which has been equipped or converted for living and sleeping purposes and which is mobile;

"carport" means a building or structure, covered or uncovered, and includes a shade port, with two open sides, primarily used for the storage of a motor vehicle's and/or the storage of trailers and boats;

"carriageway crossing" in relation to a vehicle carriageway crossing, means an entrance or exit way, or combined entrance or exit way, from a land unit onto a roadway;

"car wash" means any structure or structures where vehicles are washed and valeted;

"cemetery" means a place where the dead are buried and may include buildings that are necessary for the administrative and clerical uses associated therewith, but does not include a crematorium;

"clinic" means an institution where public are given medical treatment or medical related advice, and may include a medical centre, an outpatients' centre and a wellness centre with associated uses; provided that a clinic shall not contain live-in facilities for more than thirty persons, including patients and staff;

"combined building line" means a side building line provision that permits a structure close to or on the property boundary, but requires that the sum of the two side building lines on either side of a common boundary, add up to a minimum distance;

"commencement date" means the date on which this zoning scheme came into operation;

"commercial kennel" means commercial kennel services for dogs, cats and pets, and includes commercial breeding or boarding kennels, veterinary practices and dog training centres;

"community facilities" means a property or place that provides for a range of social uses and functions generally directed at serving community needs such as educational, religious, welfare or health.

"conference facility" means a place of commercial nature where information is presented and ideas exchanged among groups of people or delegates whose normal place of work is elsewhere, and may include overnight accommodation and the supply of meals and beverages to delegates;

"consent" means special permission granted by the Municipality, after due consideration of all relevant facts and after following the lawful process, in terms of which a specific type of land use or activity is permitted, in addition to the primary uses applicable to the property concerned;

"consent use" means the secondary use right that is permitted in terms of the provisions pertaining to a particular zone, only with the consent of the Council ;

"conservation use" means the use or maintenance of land in its natural state, or rehabilitation to its natural state, with the objective of preserving the biophysical and heritage characteristics of that land including flora and fauna on the land and includes associated infrastructure required for such use, such as roads, pathways, water reservoirs and underground infrastructure;

"consolidation" means the process of preparing a diagram for approval by the Surveyor General without any resurvey from two or more diagrams representing several pieces of land and which have been prepared for the purpose of obtaining a consolidated title thereto from the Registrar of Deeds, and "consolidate" has the same meaning;

"Council" means the Council of the Overstrand Municipality and includes a councillor, the Municipal Manager, a committee, or an official where delegated authority is granted to decide a matter on behalf of the Council;

"coverage" means the total area or percentage area of a land unit which may be covered by buildings and covered by a roof; provided that the following portions of buildings shall be disregarded in the calculation of coverage:

- (i) Entrance steps and landings less than 1 m²;
- (ii) Retractable awnings;
- (iii) Cornices, chimney breasts, pergolas, flower boxes, water pipes, drain pipes and minor decorative features not projecting more than 500 mm from the wall of the building;
- (iv) Eaves not projecting more than 1 m from the wall of the building;
- (v) A portion of a building where the ceiling is at ground level or lower;

"crèche" means a facility for the day care of young children in the absence of their parents, and may provide care for more children than are permitted in a day care centre, subject to any applicable legislation of the Department of Education, provided that the primary use of the property shall prevail;

"crematorium" means a building where the dead are reduced to ash, and includes facilities for associated religious and administrative functions;

D

"dairy" means a building for the storage, processing and distribution of milk and its products, but does not include an agricultural building where cows or other animals are milked;

"day care centre" means the use of a portion of a dwelling house or outbuildings by the occupant to provide day care, pre-school, play group or after school care services for a limited number of children provided that the primary use of the property shall prevail;

"departure" has the meaning assigned to it by Planning Law;

"develop land" means to prepare and develop land for occupation or utilisation, inter alia by filling up, digging out, draining or levelling of areas; the removal of vegetation; the installation of engineering services; the subdivision of land or the erection, alteration or extension of buildings and structures on land, and "development of land" and "developing land" have a corresponding meaning;

"development framework" means a plan and supporting documentation, which reflects the overall policy, broad goals and principles for a proposed development within a specified planning area and includes the broad development and environmental considerations, including the natural and heritage components of the site. It identifies the range of uses, general spatial distribution of uses, major linkages, and any limits to the development of the land units concerned, including but not limited to defining the density and maximum floor space;

"development rule" means a rule, restriction, provision, or requirement in terms of this zoning scheme, which sets out the permissible extent of use or development of a property to which it relates;

"distillery" means a place where hard liquor is distilled and may include a selling point to the general public, tasting facilities and the provision of light meals;

"dominant use" means the primary or consent uses permitted on the property;

"dwelling house" means a self contained inter-leading group of rooms, used for the accommodation and housing of one family, together with adequate sanitary facilities and kitchen, and such outbuildings as are ordinarily used therewith, provided further that a dwelling house may not have more than two kitchens;

"dwelling unit" means a unit containing one or more rooms, with adequate sanitary facilities and a kitchen, which may be used for long or short term accommodation purposes, and may be included in or separate from the main building on the property;

E

"eaves" means a portion of the roof projecting beyond the face of the building, including any gutters;

"encroachment agreement" means an agreement between an owner and the Overstrand Municipality relating to the projection of portions of a building or structure from the owner's property onto or over the Council's property;

"engineering service" means infrastructure for the provision of water, electricity, sewerage, stormwater management, streets, roads and pedestrian walkways, including all related services and equipment;

"environment" means the aggregate of surrounding objects, conditions and influences that affect the life and habits of humans or any other organism or collection of organisms;

"environmental conservation use" means the use or maintenance of land in a sustainable natural state with the objective of preserving the biophysical and heritage characteristics of that land (as well as flora and fauna living on the land); and includes associated infrastructure for such use;

"environmental facilities" means facilities for the management, study, interpretation, education and public appreciation of a predominantly natural area or heritage site; and includes accommodation of staff, support services and associated infrastructure;

"environmental impact assessment" means a report as stipulated in terms of applicable environmental legislation concerning the impact on the environment of specified proposed activities, or any other studies required by the Council and includes heritage issues;

"environmental management plan" means a report concerning the impact on the environment of specified, proposed activities and monitoring measures in order to guide the implementation of a

proposal, ongoing maintenance after implementation and sustainable utilisation of the resources on the land unit; and shall include:

- (i) A description of any construction works to be implemented;
- (ii) Explanation of the responsibilities and obligations of role players;
- (iii) Mitigation measures of potential impacts;
- (iv) Rehabilitation of the property after any construction work;
- (v) Provisions for financing of rehabilitation works;
- (vi) Provisions for monitoring, auditing and amending the environmental management plan; and
- (vii) Provisions for dispute resolution and penalties;

"erection" in relation to a building or structure includes:

- (i) The building of a new building or structure;
 - (ii) Alteration or conservation or renovation, or addition to, a building or structure;
 - (iii) The re-erection of a building or structure which has completely or partially been demolished;
- and "erect" has a corresponding meaning;

"erf" has the same meaning as land unit;

"existing ground level" means the level of the land surface on a land unit:

- (i) In its unmodified/natural state; or
- (ii) As established from a plan containing contours lodged with an official agency such as the Municipality or government department which, in Council's opinion, depicts the existing level of the ground at or before the commencement date; or
- (iii) In a state which has been graded, with Council's approval, for the purpose of development; or
- (iv) As determined by Council, if in its opinion it is not possible to ascertain the existing level of the ground due to irregularities or disturbances of the land, and the Council may require the owner or applicant to commission a registered land surveyor to measure levels of the ground or interpolate levels, in order to provide the Council with sufficient information so that it can determine the most appropriate existing ground level for the purpose of administering this zoning scheme;

"existing use" means the use or uses which, in the opinion of Council, is or are practiced lawfully on the land unit, structure or building or part thereof;

F

"farm shop/stall" means a building, located on a farm, where a farmer sells produce and other goods, to the general public;

"flats" means a building containing three or more dwelling units, together with such outbuildings as are ordinarily associated therewith; provided that in those zones where flats are permissible, less than three dwelling units shall also be permitted;

"floor" means the inner, lower surface of a room, garage or basement and includes a terrace or atrium to which occupants of a building have access;

"floor factor" means a factor (expressed as a numerical factor) which is prescribed for the calculation of the maximum floor space of a building or buildings permissible on a land unit, and if

the floor factor is known, the maximum permissible floor space can be calculated by multiplying the floor factor by the area of the land unit;

"floor space" in relation to any building means the area of the floor which is covered by a slab, roof or projections; provided that:

- (i) Any area, including a basement, which is reserved solely for the parking or loading of vehicles shall be excluded;
- (ii) External entrance steps and landings, any stoep and any area required for external fire escapes shall be excluded;
- (iii) A projection of eaves, and a projection which acts as a sunscreen or an architectural feature, which projection does not exceed 1,0 m beyond the exterior wall or similar support shall be excluded;
- (iv) Any common pedestrian thoroughfare which is not covered by a roof, which provides access through a building concerned from parking, public street or open space, to some other parking, public street or open space, and which is accessible to the general public during normal business hours, shall be excluded;
- (v) Any covered area outside and immediately adjoining a building at or below the ground floor level, where such paved area is part of a forecourt, yard, external courtyard, pedestrian walkway, parking area or vehicular access, and which is permanently open to the elements on at least the front or the side(s), shall be excluded;
- (vi) Subject to clause (vii), any stairs, stairwells and atriums that are covered by a roof, shall be included;
- (vii) In the case of multi-level buildings, any stairwells, lift wells, light wells or other wells, and any atrium, shall only be counted once;

and provided further that floor space shall be measured from the outer face of the exterior walls or similar supports of such building, and where the building consists of more than one level, the total floor space shall be the sum of the floor space of all levels, including that of basements;

"funeral parlour" means property or premises where the dead are prepared for burial or cremation and includes facilities for associated administrative and religious functions;

G

"garage" means a building for the storage of one or more vehicles, which does not include a motor repair garage or service station, and may include a workspace for the owner's hobby;

"gazebo" means a lightweight freestanding open sided structure or pavilion for use in the garden, usually as a sunshade;

"greenhouse" means a structure with the sides predominantly made of transparent material; such as glass, perspex, shaded cloth or plastic for the purpose of growing plants under controlled environmental conditions;

"gross density" means a measure of the number of dwelling units in a specified area, and is calculated, for the purposes of this zoning scheme as follows:

$$\text{Gross density of dwelling units per hectare} = \frac{\text{Total number of dwelling units in a specified area}}{\text{Extent of the specified area in hectares}}$$

"gross leasable area" means the area of a building designed for, or capable of, occupancy and control by owners or tenants, measured from the centre line of the joint partitions to the inside finished surface of the outside walls, and shall exclude the following:

- (i) All exclusions from the definition of floor space;
- (ii) Toilets;
- (iii) Lift shafts, service ducts, vertical penetrations of floors;
- (iv) Lift motor rooms and rooms for other mechanical equipment required for the proper functioning of the building; and
- (v) Interior parking and loading bays;

"ground floor" means the lowest floor of a building that is not a basement;

"guest house" means a dwelling house, or second dwelling unit which is used for the purpose of temporary lodging of guests or lodgers on compensation, the provision of meals for guests, visitors or tourists, and is occupied by the owner or occupant, or manager of the property, and may include an in-house cash bar and restaurant, provided that these facilities are only for the use of the bona fide guests or lodgers and may not be accessible to the general public, but does not include a hotel, guest rooms, residential building or boarding house;

"guest rooms" means a limited number of rooms forming part of a dwelling unit that are let on a permanent or temporary basis to paying lodgers or guests, provided that the dominant use of the dwelling unit concerned shall remain for the living accommodation of a single family;

H

"harbour usage" means a building, structure or structures or areas for the docking, launching and mooring of boats and yachts, shops, boat yard and includes supplementary and associated uses such as boat houses, boat repair facilities, slip ways, dry docks, harbour offices, fuelling facilities, warehousing, piers, naval infrastructure and utilities, and cranes;

"harvesting of natural resources" means the gathering of flora and/or fauna for sale to or use by a person or agency other than a recognised environmental agency; provided that such harvesting is:

- (i) Sustainable;
- (ii) Does not deplete the resources below acceptable levels; and
- (iii) Is not detrimental to the eco-system;

"height" of a building means no point on any building shall exceed the maximum height prescribed in the development rules, measured from the base level to the top of the roof directly above that point in meters;

"holiday accommodation" means a harmoniously designed and built development, used for holiday and recreational purposes, whether in private or public ownership, which:

- (i) Consists of a single enterprise in which accommodation is supplied by means of short term renting and time sharing only;
- (ii) May include the provision of a camping site, mobile home park and dwelling units;
- (iii) May also accommodate a restaurant and indoor and outdoor recreation facilities; but
- (iv) Does not include a hotel or conference centre;

"holiday housing" means dwelling units, mobile homes or camping sites that are harmoniously designed and built, for holiday or recreational purposes, and which may be separately alienated by means of sectional title division, fractional title, the selling of shareblocks or the subdivision of property;

"home occupation" means the practicing of an occupation, profession, art or trade, or the conducting of an enterprise, which includes an estate agency, from a dwelling unit by one or more of the occupants of a dwelling unit; provided that the dominant use of the dwelling concerned shall remain for the living accommodation of a single family, and the property complies with the requirements contained in this zoning scheme for a home occupation; but does not include adult entertainment;

"hospital" means a place, in public or private ownership, for the diagnosis and treatment of human illness, with integrated facilities such as operating theatres, laboratories, pharmacies, cafeteria, kiosks, and the live-in accommodation for patients, and includes a clinic and medical consulting rooms and such accommodation which is required for the temporary housing of staff;

"hotel" means a property used as a temporary residence for transient guests, where lodging and meals are provided, and may include;

- (i) A restaurant or restaurants;
- (ii) Associated conference and entertainment facilities that are subservient and ancillary to the dominant use of the property as a hotel; and
- (iii) Premises which are licensed to sell alcoholic beverages for consumption on the property; but does not include an off-sales facility;

"house shop" means the conducting of a retail trade from a dwelling house, or outbuilding by one or more occupants of the dwelling house concerned, who shall reside on the premises, provided that the dominant use of the property concerned shall remain for the living accommodation of a single family;

I

"industrial café" means an enterprise that provides pre-prepared food and beverages for sale to the public in an industrial zone for off site consumption;

"industry" means a property, which in the Council's opinion, is used as a factory or workshop and in which an article or part of such article is made, manufactured, produced, built, assembled, compiled, printed, ornamented, processed, treated, adapted, repaired, renovated, rebuilt, altered, painted (including spray painting), polished, finished, cleaned, dyed, washed, broken up, disassembled, sorted, packed, chilled, frozen or stored in cold storage; including offices, caretaker's quarters or other uses which are subservient and ancillary to the use of the property as a factory; and includes a warehouse, and mechanical workshop, but does not include a service station, noxious trade or risk activity;

"informal trading" means the selling of products in areas demarcated by Council specifically for those purposes, such as markets and other demarcated areas;

"institution" means a property used as a social, health or welfare facility, or for the administration thereof and includes a hospital, special needs school, clinic, homes for the aged, indigent or

handicapped, a reformatory or place of detention, whether of commercial or charitable nature, but does not include a jail;

"intensive animal farming" means breeding, feeding and keeping of animals and birds on an intensive basis and includes feedlots and poultry batteries;

"intensive horticulture" means the cultivation of plants and indigenous flora on an intensive scale, where plants are cultured under a roof or on open land, or in greenhouses, and includes the sale of self-produced plants from the land;

J

"jail" means the same as prison;

K

"kennel" means a facility that is used for the temporary accommodation, housing and care of animals;

"kiosk" means a small permanent or temporary structure from which items such as newspapers, food and drinks are sold to the public;

"kitchen" means a room or a part of a room equipped for the preparation and cooking of meals;

L

"land" means a tract of ground capable of being owned as a property and includes land covered by water;

"land unit" means a portion of land registered in the Deeds Registry, or shown on a valid plan of subdivision approved by Council or other competent authority, as an erf, stand, lot or plot;

"land use" means the name of the use rights listed in this zoning scheme and can be a collective description for one or a number of land use activities and ancillary uses;

"Land Use Planning Ordinance" means the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);

"landscaping" means the placement of plants, water features, paving, street furniture and other soft and hard elements, for the purposes of enhancing aesthetic appeal, environmental management, amenity and the value of the property;

"lapa" means a partially fenced or thatched enclosure, used for outdoor meals and informal social gatherings;

"lawful non-conforming use" means an existing use of property that was lawful before the commencement date of this zoning scheme, but does not conform to the use or development rules stipulated in this zoning scheme;

"Less Formal Township Establishment Act" means the Less Formal Township Establishment Act, 1991 (Act 113 of 1991);

"level of the footway" means:

- (i) In the case of a footway or pedestrian sidewalk which has been constructed within the road reserve, the level of the back of the footway, and
- (ii) In the case of a footway or pedestrian sidewalk that has not been constructed within the road reserve or is to be constructed, such level as Council may determine;

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

"lodging" means bedroom accommodation which is available for payment, and the services ordinarily related to such accommodation, and lodger has a corresponding meaning;

M

"main road" means a public street that is defined as a main road in terms of Section 4 the Roads Ordinance 1976 (Ordinance No 19 of 1976);

"market" means an outdoor venue permitted by Council for the sale to the public of fresh produce, food and beverages, crafts, art and manufactured goods;

"maximum floor space" means the greatest total floor space which is allowed for a building or buildings on a land unit, and is calculated by multiplying the floor factor by the area of the land unit or that portion of the land unit which is situated within a particular zone; provided that:

- (i) Where a land unit has more than one primary use or departure or consent use, and the the uses are combined, then the highest permissible floor factor is the average of the floor factors of the different primary uses, and the consent or departure uses; and
- (ii) Where a land unit is situated within two or more zones to which different floor factors apply, the maximum floor space for the whole land unit shall be the total of the maximum floor space for each portion of the land unit;

"medical consulting rooms" means an office or offices and associated rooms used by a registered medical professional for human medical related consultation, where such office is not attached to a hospital or clinic; and includes a laboratory and pharmacy;

"mine" has the same meaning as stipulated in the Mineral and Petroleum Resources Development Act No 28 (Act No 28 of 2002);

"mining" means an enterprise which practices the extraction of raw materials, whether by means of surface or underground methods, and includes, but is not limited to, prospecting, the removal of stone, sand, clay, kaolin, ores, minerals, gas and precious stones;

"mobile home" means a transportable, prefabricated structure, with the necessary service connections, which is designed so that it can be used as a permanent dwelling;

"motel" means a licensed hotel which is specifically designed and intended for the motoring public by means of provision of parking facilities at every unit and includes other facilities normally associated with a hotel;

"motor repair garage" means a commercial enterprise where motor vehicles are provided with fuel, and or motor services such as engine overhauling, spray painting, panel beating, exhaust fitment, shock absorber fitment or body work, and includes a service station;

"motor vehicle" means a vehicle designed or used for propulsion by other than human or animal power and includes a motor cycle, a trailer or caravan, but does not include a vehicle moving exclusively on rails;

"multiple parking garage" means a place, excluding a road, street and on-site parking associated with a primary or consent use, that is used for parking of motor vehicles by the public, with or without a fee, and may include parking within a building;

"multi-purpose centre" means a building utilised and designed for the purpose of accommodating a range of compatible institutional and community services permitted in the CO1 zone, provided that the Council's consent is required to include any of the consent uses as part of the multi-purpose centre;

"Municipal Manager" means the person, and includes the department head, charged with responsibility to administer this zoning scheme;

"Municipality" has the same meaning as Council;

N

"National Building Act" means the National Building Regulations and Standards Act, 1977 (Act 103 of 1977);

"nature reserve" means a national park or environmental conservation area that has been declared or registered as a nature reserve in terms of legislation whether in public or private ownership, for the purpose of conserving and managing wild life, flora and fauna, in a predominantly natural habitat; it includes conservation use but does not include tourist facilities or tourist accommodation;

"noxious trade" means offensive, poisonous or potentially harmful trade, use or activity which, because of fumes, emissions, smell, vibration, noise, waste products, nature of materials used, processes employed, or other cause, is considered by the Council to be a potential source of danger, nuisance or offence to the general public or persons in the surrounding area and noxious industry has the same meaning;

O

"occupant" means any person who physically inhabits a building, structure or land, or any person having the charge or management thereof and includes the agent of any person absent from the area or whose whereabouts are unknown;

"office" means property used for the conducting of an enterprise primarily concerned with administrative, clerical, financial or professional duties, and includes medical consulting rooms;

"organ of state" means an "organ of state" as defined in Section 239 of the National Constitution;

"outbuilding" means a structure, whether attached or separate from the main building, which is ancillary and subservient to the main building on a land unit, and includes a building which is designed to be normally used for the garaging of motor vehicles, for storage purposes and any normal activities in so far as these are usually and reasonable required in the connection with the main dwelling, and includes the accommodation of recreational activities such as a pool room, braai room; lapa and the practicing of hobbies but does not include a dwelling unit; and outbuildings are primary uses under each zoning except open space zones, where Council may permit outbuildings should it be deemed necessary;

"overlay zone" means a category of zoning applicable to a particular land unit or area, which:

- (i) Stipulates development rules for a land unit or area, in addition to the underlying zoning or base zone requirements;
- (ii) May include further development rules in a particular area or zone which may be more or less restrictive than for land units which are not covered by the overlay zoning;

and "overlay zoning" has a corresponding meaning;

"owner" in relation to property, means a person or entity in whose name the property is registered in the deeds registry, and may include the holder of a registered servitude or lease or usufructuary, and any successor in title;

"owners' association" means an association as contemplated in Planning Law for the administration of common property and common interests of property owners, membership of which is compulsory for all owners of property for which it is established;

P

"parapet" means a low projection or moulding which finishes the uppermost edge of a building with a flat or low pitched roof;

"parking area" means a practical parking layout approved by Council;

"parking bay" means an area measuring no less than 5,0 m × 2,5 m for a perpendicular or angled parking and 6,0 m × 2,5 m for parallel parking, which is clearly outlined and demarcated for parking of one motor vehicle and which is accessible to the satisfaction of Council;

"pergola" means any unroofed horizontal or approximately horizontal grille or framework and associated vertical support structure, such that the area of horizontal projection of the solid portions thereof does not exceed 50% of the area thereof;

"place of assembly" means a public hall, a hall for social functions, a music hall, an exhibition hall, a club house, a town hall, civic centre, which is not directly related to a commercial undertaking and excludes a place of entertainment;

"place of entertainment" means a place used for commercial entertainment which may attract large numbers of people, operate outside normal business hours or generate noise from music or

revelry on a regular basis, including a cinema, theatre, amusement park, dance hall; night club, gambling and live music;

"place of instruction" means a place for education at pre-school, school or post school levels, including a day care centre, a crèche, farm school, nursery school, primary school, secondary school, college, lecture hall, university, research institute, environmental research, or other educational centre and associated uses such as boarding hostels; or a civic facility for the promotion of knowledge to the community such as a convent, monastery, public library, public art gallery, museum; or a place of instruction in sport or other physical discipline where the main objective is instruction as opposed to participation by the public sector as competitors or spectators, but excludes a reformatory, industrial school, commercial conference facility, institution, health centre or in-house business training centre;

"Planning Law" means the Townships Ordinance, the Land Use Planning Ordinance; the Planning Act or succeeding legislation governing the preparation and administration of zoning schemes in the Western Cape, whichever is applicable;

"plant nursery" means a property or part thereof which is utilised primarily for the propagation and sale of plants and sale of gardening products;

"precinct plan" means plans that apply to a defined local area within a development framework area that have common features or functional relationships, and describe particular objectives and intentions for a particular precinct, and include principles for urban design, land use, movement and strategic implementation;

"primary natural area" means land which contains natural resources that are considered important for the well being of human and natural communities, by Council and comprise protected natural land, and "virgin land" as defined in environmental legislation, in either public or private ownership, as well as land earmarked for inclusion in such area; excluding agriculture activities, other than the sustainable harvesting of natural products;

"primary use" in relation to land or buildings means any use specified in this zoning scheme as a primary use, being a use that is permitted without the need to first obtain the Council's consent;

"private open space" means land which is in private ownership, used primarily for outdoor sports, play, rest or recreation, or as a park area or nature area, and includes associated buildings, infrastructure and uses, and may include an indoor or outdoor swimming pool and facilities, with the consent of Council;

"public open space" means land which is in public ownership, used primarily for outdoor sports, play, rest or recreation, or as a park area or nature area, and includes associated buildings, infrastructure and uses;

Q

R

"recreational facilities" means the use of land, including stretches of coastline, for large uncovered or open areas developed or undeveloped to practice a particular sport or combination of

sports and general recreation, and includes a clubhouse, associated infrastructure and buildings, indoor and outdoor swimming pools and associated infrastructure and includes a firing range and driving range, but does not include any building or structure that is used for business or any other use not aligned to or dependant on the sport concerned;

"register" means the record held by Council in connection of all departures, certification uses, consent uses, site development plans, conditions relating to use rights or special zone development rules;

"registered surveyor" means a professional land surveyor or surveyor, registered as such in terms of the Professional and Technical Surveyor's Act 40 of 1984;

"residential building" means a building where lodging is provided, other than a dwelling house, block of flats, or licensed hotel, for human habitation, together with such outbuildings as are ordinarily used therewith and includes residential rooms that are rented, boarding houses, hostels, old age homes and residential clubs, but does not include a retirement village, institution, guest rooms, tourist accommodation, or a place of instruction;

"restaurant" means a licensed business in which mainly meals and beverages are primarily sold to seated patrons, and includes the on-site consumption of liquor but does not include premises used exclusively as a bar, a pub or tavern;

"retaining structure" means a wall or structure constructed to hold back earth or loose rock;

"retirement village" means a development for the purposes of accommodating retired persons and associated facilities and conforms to the following conditions:

- (i) Other than staff accommodation, each dwelling unit shall be occupied by at least one person who is 50 years or older;
- (ii) A range of care and other facilities shall be provided to the satisfaction of Council;
- (iii) Additional development management provisions may be determined by Council in respect of a retirement village;

"rezoning" means the change in zoning in relation to a particular land unit or units or portion of a land unit in terms of Planning Law;

"riding stables" means a commercial undertaking for the stabling of horses and includes riding instruction, the care and hiring of such horses;

"risk industry" means an undertaking where material handled or the process carried out is liable to cause combustion with extreme rapidity and give rise to poisonous fumes or cause explosion, and includes major hazardous installations and activities involving dangerous and hazardous substances that are controlled in terms of national legislation;

"road" includes public street and private road;

"road reserve" means a designated area of land that includes a public street or private road (including the road and associated verge), where the land may or may not be defined by cadastral boundaries;

"rooftop base station" means a cell phone base station where antennae are attached to the roof or side of an existing building; provided that any antennae support structure or equipment room

that is not part of the building does not extend more than 2,5 m in height above the top of the building;

S

"sale of alcoholic beverages" means the sale or offering for sale to the public, of drinks capable of producing intoxication in a consumer, and may include bars, pubs and taverns;

"scheme area" means the jurisdictional area of the Overstrand Zoning Scheme;

"scrap yard" means a property which is utilised for one or more of the following purposes:

- (i) Storing, depositing or collecting of junk or scrap material or articles the value of which depends mainly or entirely on the material used in the manufacture thereof;
- (ii) The dismantling of second hand vehicles or machines to recover components or material; and
- (iii) The storing or sale of second hand parts, poles, steel, wire, lumber, tyres, bricks, containers or other articles which are suitable to be left out in the open without any serious damage being incurred; and includes blast furnaces for melting and moulding of metals;

"second dwelling unit" means an additional dwelling unit which may, in terms of this zoning scheme, be erected on a land unit where a dwelling house is also permitted, and such second dwelling unit may be a separate structure or may be contained in the same structure as the dwelling house; provided that:

- (i) The second dwelling unit shall remain on the same land unit;
- (ii) The second dwelling unit shall comply with the requirements specified in this zoning scheme;
- (iii) Council may require the payment of a bulk services levy or such other levy as it may determine when permitting the erection of a second dwelling unit;
- (iv) Where a wendy house, shelter or outbuilding is used for accommodation purposes, such wendy house, shelter or outbuilding shall be considered a second dwelling unit for the purpose of this scheme;

"Sectional Titles Act" means the Sectional Titles Act, 1986 (Act 95 of 1986);

"sectoral framework" means a broad policy plan and supporting documentation for a specified planning area and the surrounding area. It may include principles and broad heads of agreement summarising the general obligations of Council, the owner of property and/or developer of land in relation to the specified planning area. A contextual framework is prepared by Council, or a land owner or development agency under the supervision of Council, and may include a structure plan as defined in planning law;

"service agreement" means a written agreement which is concluded between a property developer and/or owner and Council, in terms of which the respective responsibilities of the two parties for the planning, design, provision, installation, financing and maintenance of internal and external infrastructure or engineering services and the standard of such infrastructure or services are determined; which agreement is also applicable on any successor/s in title of the developer;

"service station" means a property for the retail supply of fuel, and includes trading in motor vehicles, oil, tyres or motor spares, general motor repairs to motor vehicles, exhaust fitment,

washing of vehicles, and a shop which does not exceed 50% of the total floor space of all buildings on the land unit; but does not include spray-painting, panel beating, blacksmithery or body work;

"service trade" means an enterprise which is:

- (i) Primarily involved in the rendering of a service for the local community such as the repair of household and electrical appliances or the supply of household services; and
- (ii) Not likely to be a source of disturbance to surrounding properties;
- (iii) Not liable, in the event of fire, to cause excessive combustion, give rise to poisonous fumes or cause explosions; and
- (iv) Includes a builder's yard and allied trades, fitment centre for tyres, shocks or exhausts, and similar types of uses; but
- (v) Does not include an abattoir, brick-making site, sewage works, service station or motor repair garage;

"servitude" means a registered right that grants use of another's property or part thereof for specific purposes;

"setback" means a line on property delimiting the area measured from the centre line of a road, within which no building or other structure, including a boundary fence, may be constructed;

"shelter" means an informal structure or wendy house intended for human accommodation, irrespective of whether the material used does not comply with the standards of durability as intended by the National Building Regulations;

"shop" means a property or part of a property used for the retail sale of goods, items and services to the public, including a retail concern where goods which are sold are manufactured and repaired; provided that the floor space relating to such manufacture or repair shall not exceed 50% of the floor space of the shop; "shop" does not include an industry, service trade, motor repair garage, service station, restaurant, adult entertainment business or sale of alcoholic beverages, and if such uses are included on the property they shall be regarded as separate uses subject to such separate development rules as may be determined by Council;

"sign" means any sign, sign writing, mural, graphic design, signboard, screen, blind, boarding, symbol or other device by means of which an advertisement or notice is physically displayed, and includes any advertisement or object, structure or device which is in itself an advertisement or which is used to display an advertisement;

"single storey" means that no vertical division of the building or part thereof will exceed 5,5 m from the base level to the top of the roof;

"site development plan" means a scaled and dimensioned plan which shows details of proposed development and may include the following:

- (i) Existing bio-physical characteristics of the property;
- (ii) Existing and proposed cadastral boundaries;
- (iii) The layout of the property indicating the use of different portions of the property;
- (iv) The position, use and extent of buildings;
- (v) Architectural and landscape design guidelines;
- (vi) Sketch plans and elevations of proposed structures including information about their external appearance;
- (vii) Cross sections of the site and buildings on site;

- (viii) The alignment and general specification of vehicle access, roads, parking areas, loading areas and pedestrian footpaths;
- (ix) The position and extent of private, public and communal open space;
- (x) Typical details of fencing or walls around the perimeter of the land unit and within the property;
- (xi) Electricity supply and external lighting proposals;
- (xii) Provisions for the management of stormwater, and disposal of sewage and refuse;
- (xiii) Water supply;
- (xiv) External signage details;
- (xv) General landscaping proposals including vegetation to be preserved, vegetation to be removed, vegetation to be planted, external paving, and measures for stabilising outdoor areas where applicable;
- (xvi) The phasing of the development;
- (xvii) The proposed development in relation to existing and finished ground levels, including excavation, cut and fill;
- (xviii) Statistical information about the extent of the proposed development, floor area allocations and parking supply; and
- (xix) Any other details as may reasonably be required by the Council such as co-ordinates;

"slope" means the degree of variation of a surface from the horizontal, usually expressed as a ratio and calculated for the purpose of this zoning scheme as follows:

$$\text{Slope} = 1 \text{ in } \frac{\text{Horizontal distance}}{\text{Vertical difference}}$$

"special usage" means a use which is such, or in respect of which land use rules are such, that it is not otherwise provided for or permitted in this zoning scheme, but which is deemed desirable in a specific location, and in respect of which specific land use rules are set out in detail through the provisions of a Special Zone;

"staff quarters" means a building, whether attached or detached from the main unit for the sole purpose of the housing of staff, and where Council can request proof of necessity of staff quarters;

"stoep" means an uncovered paved area or projecting floor outside and immediately adjoining a building, at or below the level of the ground floor thereof, and includes any low walls or railings enclosing such paved areas or floors;

"storey" means that portion of a building included between the surface of any floor and the surface of the next floor above, or if there is no floor above, the ceiling; provided that:

- (i) A basement does not constitute a storey;
- (ii) A roof, or dome which forms part of a roof, shall not constitute a separate storey, unless the space within the roof or dome is designed for, or used for human habitation, in which case it will be deemed to be a storey; and
- (iii) Any storey which is greater than 3,0 m but equal to or less than 6,0 m in height shall for the purposes of the height measurement, be deemed to be two storeys, and every additional 3,0 m in height or a portion thereof, shall be deemed to be a storey;
- (iv) Where the floor or ceiling of a storey is not level or has different levels the average level shall be taken;
- (v) In counting the number of storeys of a building, the ground floor is one storey and the next floor above is the second storey;

"stormwater" means water resulting from natural processes, precipitation and/or the accumulation thereof, and includes groundwater and springwater ordinarily conveyed by the stormwater system, as well as sea water within estuaries, but excludes water in a drinking-water or waste-water reticulation system;

"stormwater system" means constructed and natural facilities, including pipes, culverts and water courses, used or required for the management, collection, conveyance, temporary storage, control, monitoring, treatment, use and disposal of stormwater;

"street" in the context of the development rules pertaining to street building lines, setbacks, street boundaries, street corners or off-street parking, site access or loading requirements, includes a private street and a public road;

"street boundary" means the boundary which separates a land unit and a public street or private road; provided that the boundary of a pedestrian way or service lane that, in the opinion of the Council, is not and never will be used by motor vehicles, shall be deemed to be a common boundary for the purpose of determining building lines, street centreline setback and site access requirements;

"structure" without in any way limiting its ordinary meaning, includes any building, shelter, wall, fence, pillar, pergola, steps, landing, surfaced or covered driveway, terrace, sign, ornamental architectural feature, swimming pool, fuel pump and underground tank, and any portion of a structure;

"structure plan" means a plan approved in terms of section 4(6) or 4(10) of the Planning Ordinance;

"subdivide", in relation to a land unit, means to subdivide the land unit whether by means of:

- (i) Survey;
- (ii) The allocation, with view to a separate registration of land units, of undivided portions thereof in any manner; or
- (iii) The preparation thereof for such subdivision;

"subdivisional area" means a land unit or land units zoned in a manner permitting subdivision as contemplated in the Planning Law and which has been made subject to:

- (i) A use determination;
- (ii) A density determination;
- (iii) Relevant conditions and stipulations contained in this zoning scheme;
- (iv) The planning stipulations of any applicable structure plan; and
- (v) Any other conditions laid down at the time of the approval for the rezoning;

"subdivision plan" means a plan which depicts the relative location of proposed land units on a land unit that is to be subdivided;

"substitution scheme" means a zoning map or development rules which replace, in terms of the Planning Law, any other zoning map or portion thereof, or which replace the Subdivisional Area Zoning allocated in terms of the Planning Law;

"supermarket" means a shop having a total floor space in excess of 350 m², in which a range of goods, items, including foodstuff and household goods, are offered for sale on a predominantly self service basis;

"sustainable development" means development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs;

T

"terrace" means an area to which occupants of a building have access, created on a flat roof over a portion of a building, resulting from the setting back of part of the building above such portion;

"this zoning scheme" means the zoning scheme of the Overstrand Municipality;

"top of the roof" means the top of the roof ridge in the case of a pitched roof and the top of the parapet where a parapet extends above the roof;

"total floor space" means the sum of the floor space of all levels of a particular building, including basements;

"tourist accommodation" means the letting of rooms or individual units on a temporary basis to paying lodgers or guests, and includes a guest house, bed and breakfast, backpackers establishment, and camp sites, provided that the use complies with the requirements of any other relevant legislation;

"tourist facilities" means amenities for tourists or visitors such as lecture rooms, restaurants, picnic areas, gift shops, cafés, restrooms, recreational facilities, animal parks (domestic or otherwise), but does not include a hotel or overnight facilities;

"townhouse" means a dwelling unit which forms part of a town housing scheme;

"town house site" means one or more land units on which a town housing scheme has been or is to be erected;

"town housing" and **"town housing scheme"** means a row or group of linked, attached or detached dwelling units, which are designed and built as a harmonious architectural entity of which every dwelling unit has a ground floor; such dwelling units may be cadastrally subdivided or be sold individually in some other manner;

"Townships Ordinance" means the Townships Ordinance, 1934 (Ordinance 33 of 1934) and includes all regulations made there under;

"transmission tower" means any support structure and associated infrastructure more than 3 m in height, that is used for the transmission and/or reception of electromagnetic waves; and includes telecommunication, cellular telecommunication, radio, television and satellite transmission;

"transport impact assessment" means a study of the transport impact generated by a proposed development on the existing and planned road system, and recommendations of mitigating measures required as a result of the impact;

"transport use" means a transport undertaking based on the provision of a transport service and includes a public or private undertaking such as airport, railway station, bus depot, taxi rank, public transport interchange, harbour and associated uses, including communications, transport

accommodation and facilities, sheds, container depots, workshops, offices and directly related shops;

U

"urban agriculture" means the cultivation of crops, on relatively small areas within urban areas, for own consumption or sale in neighbouring markets, provided that cultivation of a garden by an occupant shall not be regarded as urban agriculture for the purposes of control in terms of this zoning scheme;

"used" in addition to its ordinary meaning includes designed or intended to be used;

"use right" in relation to a land unit, means the right to utilise the land unit in accordance with its zoning including any lawful departure there from;

"use zone" means that part of the scheme, which has been shown on the zoning map by means of a specific notation or bordering or symbol or any other distinguishing manner, in order to identify the permitted land use;

"utilisation" in relation to land means the lawful use of land for the purpose or for the improvement of land as prescribed, and "utilise" has a corresponding meaning;

"utility service" means a use or infrastructure that is required to provide engineering and associated services for the proper functioning of urban development and includes a water reservoir and purification works, electricity substations and transmission lines, waste water pump stations and treatment works, renewable energy infrastructure such as wind turbines and solar panels, whether above or below ground or water, and may include such sustainable service delivery technology as the Council may approve, but does not include road, or transport use;

V

"verandah" means a covered area (not being an area which is part of a yard or parking area) or a projecting roof outside and immediately adjoining a building at or below the level of the ground floor thereof, and includes both such area or floor and the roof or other feature covering it, as well as any low walls or railings enclosing such paved area;

"vertical division" of a building means a portion of the building bounded by external and internal walls, with or without openings, which portion is clearly identifiable as a logical vertical component from the other portions of the building, and Council may deem that a building is divided in vertical divisions where every such division shall have a separate base level for the purpose of administrating this zoning scheme;

"veterinary practice" means an enterprise where sick animals are treated and hospitalised, and the science of animal illness studied;

W

"warehouse" means a building primarily used for the storage of goods for distribution to retailers, and includes a property used for a business of predominantly wholesale nature or where a service trade is conducted, but does not include a business of a predominantly retail nature;

"waste disposal site" means a place where household, commercial and industrial waste is stored, salvaged, treated or disposed of in a lawful manner and includes a sanitary infill site;

"wellness centre" means a place where health related treatments and services such as meditation, massage, beauty treatments and exercise regimes, including yoga, are provided, for the general health and wellbeing of clients, it includes a health spa, retreat and the provision of meals to clients, but does not include accommodation facilities or provide for medical treatment of patients;

"wendy house" means a wooden structure used primarily for the storage of goods, and can be regarded as an outbuilding, provided that:

- (i) When it exceeds 18 m² in size, building plans must be submitted to Council for consideration;
- (ii) Where it is used for accommodation purposes, as permitted in this zoning scheme, it is considered to be a second dwelling unit, on the land unit concerned;

"winery" means a place where wine is made and may include a selling point to the general public, tasting facilities and the provision of light meals: but does not include a distillery;

"workshop" means a building or a part of a building of which the net floor area does not exceed 200 m², where articles are produced, repaired, restored and assembled, but does not include a noxious trade, abattoir, brickyard, sewerage works, service station, motor repair garage, industry or agricultural industry, but may include a service trade;

X

Y

Z

"zone" when used as a noun, means land that has been designated for a particular zoning, irrespective of whether it consists of one or more properties or a portion of a property;

"zone" when used as a verb in relation to land, means to designate the land for a particular zoning;

"zoning", when used as a noun, means the category of directives regulating the development of land and setting out the purpose for which the land may be used, as determined by this zoning scheme;

"zoning map" means an approved map or maps showing the land units within the Council's area of jurisdiction and applicable zoning and overlay zones;

"zoning scheme" means the law for the zoning of land which has been approved in terms of Planning Law, consisting of zoning scheme regulations and a register, with or without a map;

"zoo" has the same meaning as "animal park".

PART 1: ADMINISTRATION

CHAPTER 1: INTRODUCTION

1.1 APPLICATION OF THE ZONING SCHEME

Commencement and validity

- 1.1.1 This document forms part of the zoning scheme of the Overstrand Municipality, and applies to the area of jurisdiction of the Overstrand Municipality with effect from the date that notice of adoption is published in the Provincial Gazette.
- 1.1.2 If any provision in this zoning scheme is struck down as invalid by a court of law, such provision shall be severed from the zoning scheme, but shall not affect the validity of the remaining provisions.

Components of the Zoning Scheme

- 1.1.3 The zoning scheme consists of the rules contained in this document, the zoning map or maps which indicate the zoning of property, and the record of all approved departures, special consents and conditions.

1.2 GENERAL PURPOSE OF THE ZONING SCHEME

Purpose of the Scheme

- 1.2.1 The general purposes of the zoning scheme are:
- (a) To promote and implement the applicable planning and development principles as adopted by the relevant national, provincial and municipal spheres of government from time to time; and
 - (b) To determine land use rights, to provide control over use rights, to manage urban growth and development, and to manage conservation of the natural and cultural environment, in order to:
 - (i) Achieve co-ordinated and harmonious development in a way that will most effectively promote public health, safety, good order, amenity, convenience and general welfare of the community of the municipal area;
 - (ii) Promote integrated and sustainable development;
 - (iii) Promote sound environmental management and where appropriate, conservation of natural and cultural resources;
 - (iv) Enhance the quality of the built environment;
 - (v) Promote a mutually supportive mix of land uses managed in an orderly manner;
 - (vi) Promote employment and the opportunity for affordable and accessible housing in appropriate places;
 - (vii) Guide urban growth and contain urban sprawl; and

- (viii) Manage and control the functioning and appearance of the natural and built environment.

CHAPTER 2: REQUIREMENTS RELATING TO APPLICATIONS

2.1 SUBMISSION OF APPLICATIONS

Submission of applications

- 2.1.1 In addition to the requirements stipulated in any other law, the following requirements relate to applications submitted in terms of this zoning scheme.
- (a) Applicants shall ensure that applications submitted to the Municipality are:
 - (i) Clearly and legibly written or typed and explained in plain language;
 - (ii) Fully completed and properly motivated, in the required format and accompanied by the fees and other documents as required by the Council from time to time; and
 - (iii) Accompanied by a conveyance's certificate, if required by the Municipal Manager, relating to the existence of restrictive title deed conditions, or servitudes.
 - (b) The Municipal Manager or his delegate shall, within fourteen calendar days from the date of receipt of an application, notify the applicant in writing of any aspects that require additional information or documentation, if any.
 - (c) If additional information is required, the date on which the application is resubmitted with the additional information to the satisfaction of the Municipal Manager or delegate, shall be the date of the application.

2.2 APPLICATION FOR A CONSENT USE

Application for a consent use

- 2.2.1 The owner of a property may apply to the Council to use the property concerned, for the purposes of a consent use that is permitted in a particular zone with the Council's special consent;
- 2.2.2 Where the Council is of the opinion that any land owner may have an interest in the application, the Council may first advertise the application concerned, and the provisions of 2.4 apply.
- 2.2.3 The Council may grant or refuse its consent and the provisions of 2.4 apply.

Conditions applicable to consent uses

- 2.2.4 Any consent use in a primary zone shall be subject to the development rules of that zone and to the particular restrictions provided for a particular use in the zone concerned, unless special land use restrictions apply in respect thereof; and
- 2.2.5 The Council may impose other conditions with regard to the specific property concerned.

2.3 APPLICATION FOR THE CONSOLIDATION OF LAND UNITS

Application for the consolidation of two or more properties

- 2.3.1 No person shall from the commencement of these regulations consolidate any land except in accordance with an application granted under 2.3.6 by the Council.
- 2.3.2 An owner of land may apply in writing to the Municipal Manager for the granting of approval to consolidate land.
- 2.3.3 The Municipal Manager may:
- (a) Require that the application be advertised if, in the opinion of the Municipal Manager, the proposed consolidation may adversely affect the character of the area or the interests that any person has in land; and
 - (b) Request the comment of any person or entity that in the opinion of the Municipal Manager has an interest in the application.
- 2.3.4 If the Municipal Manager acted in terms of 2.3.3 he or she shall submit copies of the objections or comments received to the applicant for comment.
- 2.3.5 The Municipal Manager shall submit the application and all relevant documents to the Council for consideration.
- 2.3.6 The Council may grant or refuse an application under 2.3.2; provided that such an application may only be refused on the basis of its effect on existing rights concerned or to preserve the built form and character of the surrounding area.
- 2.3.7 When the Council grants an application for consolidation it:
- (a) May do so subject to such conditions as it deems fit;
 - (b) Shall notify the applicant and the Surveyor-General concerned of the Council's decision and where applicable furnish them with a copy of the conditions imposed by the Council.

2.4 ADDITIONAL REQUIREMENTS RELATING TO PUBLIC PARTICIPATION

Advertisements

- 2.4.1 Advertising of all applications shall take place in accordance with the requirements of applicable Planning Law, applicable legislation and Council's advertising policy, as approved by the Council from time to time.

Petitions

- 2.4.2 In addition to requirements stipulated in any other law, the following requirements relate to objections submitted in the form of a petition.

- (a) All petitions shall clearly indicate:
 - (i) The full name, national identity number and physical address of each signatory;
 - (ii) The full name, postal address, telephone number and facsimile of no more than two specified persons to whom further communication relating to the application may be directed; provided that where such information is not made available, the Council shall direct further communication only to the first person who signed such petition and whose address is known; and only the first objector will be recorded as the legal objector; and
 - (iii) Each page of a petition containing the signature of a petitioner shall contain at least a summary of the objection.
- (b) Any written notification by the Council to petitioners shall be regarded as sufficient if such notification is sent to the persons contemplated in 2.4.2(a)(ii) above.
- (c) Any petition that does not comply with the above requirements will not be considered and processed as valid objection.
- (d) Any petition submitted in terms of 2.4.1 establishes a single right of appeal with respect to decisions taken in terms of this zoning scheme.

2.5 DECISIONS

Procedures for decisions

- 2.5.1 Council may approve or refuse an application submitted in terms of this zoning scheme, and may impose conditions on approval.
- 2.5.2 The Council shall, when considering an application in terms of this zoning scheme, take into account, but not be limited by the following:
 - (a) The general purpose of the zoning scheme;
 - (b) Principles and policies established for such applications in terms of relevant legislation by national, provincial and municipal spheres of government, as may be amended from time to time;
 - (c) Any objections received on or before the closing date in response to an advertisement of the application, as well as comments received from other organs of state;
 - (d) Any response received from the applicant to objections and comments;
 - (e) Any approved integrated development plan, structure plan or sectoral plan that applies to the application or area concerned; butprovided that Council shall not refuse any application solely on the basis of trade competition.

2.6 CONDITIONS OF APPROVAL

Conditions of approval

- 2.6.1 The Council may impose conditions of approval for applications submitted in terms of this zoning scheme, including approval for a consent use, and such conditions may include

provisions not contained in this zoning scheme but which are consistent with the general purposes of the zoning scheme and requirements of the Planning Law, or any other requirements deriving from the circumstantial factors surrounding the application.

- 2.6.2 If the Council grants its consent in terms of this zoning scheme it may, in addition to any other conditions, impose conditions of approval that:
- (a) Limit the consent use for a specific period of time;
 - (b) Limit the consent use to a specific activity described in the definition of the use in this zoning scheme;
 - (c) Require that a consent use does not adversely affect the potential of the property to be used for its primary uses in terms of this zoning scheme.
- 2.6.3 If Council grants its consent in terms of this zoning scheme, it may require that a copy of the approved general plan or section plan be submitted to Council, prior to clearance certificates being issued for the purpose of transfer.

2.7 VALIDITY OF INFORMATION

Validity of information

- 2.7.1 Any information in connection with this zoning scheme, that is given by an official to a person making enquiries, shall only be valid if it is in writing, signed by the official with the delegated power of the Council, and if such information is not in conflict with the provisions of this zoning scheme, the zoning map, or an approval granted by the Council, or any applicable legislation.

2.8 APPEALS

Appeals

- 2.8.1 An applicant or person who has objected to an application may submit an appeal against a decision relating to the application in terms of this zoning scheme, and the appeal procedures as stipulated in Planning Law will *mutatis mutandis* apply for processing appeals submitted in terms of this regulation.
- 2.8.2 An objection submitted in the form of a petition establishes a single right of appeal and will be considered and processed as a single appeal.

2.9 ERRORS ON ZONING MAPS

Procedures for corrections to zoning maps

- 2.9.1 In the event that a zoning has been wrongly allocated on the zoning map or wrongly converted from a former zoning map associated with a former zoning scheme, the owner of the property, or Council, after consultation with the owner, may submit an application to Council to correct such error, subject to the following provisions:
- (a) The applicant must submit material proof of an error and proof of the lawful land use rights;
 - (b) The applicant must propose a suitable zoning to be allocated to the property;
 - (c) The application procedures in 2.1, 2.4 and 2.5 shall *mutatis mutandis* apply; and
 - (d) The applicant will be exempted from the payment of any application fee.
- 2.9.2 Council shall consider an application submitted in terms of 2.9.1 and if such application is approved, shall amend its zoning maps in accordance with the approval.

CHAPTER 3: ZONING AND THE USE OF PROPERTY

3.1 USE ZONES

Use zones

- 3.1.1 All properties within the municipal area shall be allocated a zone, as listed in this zoning scheme, for the purpose of managing land use, the use of buildings, and the extent of development.
- 3.1.2 A land unit may be zoned:
- (a) With a single base zone that applies to the entire land unit; or
 - (b) With a split-zoning where one base zone applies to a portion of the land unit and one or more other base zones apply to other defined portions of the land unit, provided that where a split-zoning is envisaged the applicant must submit a plan prepared by a suitably qualified land surveyor, clearly identifying the area of each base zone concerned, to the satisfaction of Council; and
 - (c) In addition to the above, with one or more overlay zones, which may be more restrictive or permissive in terms of its specifications than the base zones.
- 3.1.3 The Municipal Manager shall ensure that the zoning of all properties within the municipal area are determined and depicted on the zoning map and/or recorded in the register.
- 3.1.4 Property with a particular zoning, is subject to the provisions specified for that zone in this document.
- 3.1.5 In addition to the provisions specified in a particular zone, the general provisions stipulated in this document shall apply to all zones, and the provisions of any applicable overlay zone shall also apply to the land units concerned.

Bulk-zones

- 3.1.6 Certain use-zones make provision for different bulk-zones that distinguish between different building forms or intensity of land use, through different development rules. In order to change or relax the development rules applicable to a property regulated by a bulk-zone:
- (a) An application for a departure from the development rules or bulk-zone; or
 - (b) An application for a rezoning to another use-zone;
- must be submitted and approved, and Council may determine which method shall be used.

3.2 CATEGORIES OF USES

Primary uses

- 3.2.1 The use of a property for any purposes specified as a primary use in this zoning scheme for that property is permitted without the consent of Council, provided that such use conforms

with the provisions specified in the particular zone, overlay zone where applicable and definitions in this zoning scheme.

Consent uses

- 3.2.2 The use of a property for any purposes specified as a consent use in this zoning scheme for that property is permitted only if the Council grants its prior written consent.
- 3.2.3 The Council may grant or refuse an application for a consent use.
- 3.2.4 The Council may limit its approval of a consent use application to one or more uses included within the definition of the consent use.

Additional use rights

- 3.2.5 An activity or use described as an "Additional Use Right" in a particular zone is a primary use in that zone, provided that any conditions specified for such activity or use are adhered to. In this scheme additional use rights are only applicable to Community Zone 1 and the Less Formal Development Zone.

Uses not permitted

- 3.2.6 Subject to any provisions to the contrary in Planning Law, property may not be used for any purpose which is not specified in this zoning scheme.
- 3.2.7 A property shall only be used for the purposes set out in the primary or consent use provisions for a particular zone.

Special uses

- 3.2.8 A special use may be permitted in the Special Zone with the consent of the Council.
- 3.2.9 The classification of any special use shall be included as a supplement to the zoning scheme, and listed in Annexure B.

Occasional uses

- 3.2.10 The Council may permit the occasional use of a property for infrequent, short term activities such as craft markets, public meetings, festivals, religious gatherings, fund raising projects, garage sales, bazaars, shows, film shoots or other events even though these are not in accordance with the use rights of the property concerned provided that, in the Council's opinion:
 - (a) The occasional use will not have a significant negative impact on surrounding areas, or on the natural and cultural environment;

- (b) The occasional use is genuinely of a temporary and short term nature; and it is not appropriate to process an application for the use as a temporary departure; and
- (c) The occasional use conforms with the Council's policy, if such policy exists; provided that the approval does not absolve the applicant from compliance with any other relevant legislation.

3.2.11 Approval granted under 3.2.10 shall be subject to such conditions as the Council may impose, which may include, but are not limited to, the following:

- (a) That the applicant provides parking and toilet facilities to the Council's satisfaction;
- (b) That such occasional use does not extend beyond the hours of operation or duration in terms of days as determined by the Council; and
- (c) That such approval may be withdrawn by written notice to the applicant, if in the opinion of the Council, any condition of approval is not complied with or if a public nuisance is created.

Associated uses

3.2.12 If in the opinion of the Council a use, activity, building or structure falls within the meaning of associated use, as defined in this zoning scheme, such associated use is permitted together with the lawful primary or consent use.

Uses shown on building plans

3.2.13 A building plan may not be considered and approved in terms of the National Building Act where the uses indicated on the property or within the proposed building or structures are in contradiction with this zoning scheme, or any other legislation.

3.2.14 If any building plan is approved showing uses on a property, such uses are not considered to have been approved in terms of this zoning scheme, and uses indicated on a building plan do not constitute a limitation on the use of the property permitted in terms of this zoning scheme.

Non conforming uses

3.2.15 A lawful non-conforming use shall not constitute an offence in terms of this zoning scheme.

CHAPTER 4: SUMMARY OF USE ZONES

4.1 SUMMARY OF USE ZONES AND DEVELOPMENT RULES

- 4.1.1 Table A overleaf contains a summary of the zones and development rules contained in this zoning scheme. This table is provided for ease of reference, but the detailed development rules are contained in Part 2 of this document. In the event of a difference between Table A and Part 2, the provisions of Part 2 shall prevail.

PART 2: USE ZONES

CHAPTER 5: AGRICULTURAL AND RURAL ZONES

5.1 AGRICULTURE ZONE 1: AGRICULTURE (AGR1)

Use of the property

5.1.1 The following use restrictions apply to property in this zone:

- (a) **Primary uses** are: agriculture, dwelling house, day care centre, guest rooms, home occupation;
- (b) **Consent uses** are: additional dwelling units, agricultural industry, animal care centre, aquaculture, crèche, farm shop/stall, guest house, hotel, institution, intensive animal farming, intensive horticulture, mining, place of assembly, place of entertainment, place of instruction, plant nursery, riding stables, rooftop base station, service trade, tourist accommodation, tourist facilities, transmission tower, utility services, wellness centre, 4 x 4 trail.

Development rules

5.1.2 The following development rules apply:

(a) **Floor space**

The total floor space of all buildings on the land unit, may not exceed 5 000m²; provided that Council may relax this requirement if it is satisfied that such buildings are required for genuine farming activities on the land unit.

(b) **Building lines**

- (i) The street and common boundary building lines are determined in accordance with the area of the land unit as specified in the table below; and
- (ii) The general building line exemptions in 16.1 apply.

Area of land unit	Street boundary building line	Common boundary building lines
Greater than 10 ha	30,0 m	30,0 m
≤10 ha and ≥1 ha	10,0 m	10,0 m
< 1 ha	4,0 m	4,0 m

(c) **Height**

- (i) The maximum height of a building, measured from the base level to the top of the roof is 8,0 m, provided that;
- (ii) Agricultural buildings other than dwelling units shall not exceed a height of 12,0 m measured from the base level to the top of the roof; and where Council is satisfied that a greater height is necessary for the agricultural function of the building, it may permit such greater height; and

- (iii) Earth banks and retaining structures shall comply with 16.6, provided that earth banks and retaining structures, which in the opinion of Council are associated with the bona fide agricultural activities, are exempt from the requirements of 16.6.

(d) **Parking**

Parking and access shall be provided on the land unit in accordance with 17.1.

Additional dwelling units

5.1.3 The Council may approve additional dwelling units in Agricultural Zone I provided that:

- (a) The additional dwelling units shall remain on the same cadastral units as the primary dwelling unit;
- (b) The number of additional dwelling units shall not exceed the 1 unit per 10,0 ha, up to a maximum of five additional dwelling units per land unit, and
- (c) No additional dwelling units may be erected within 100 m of the high water mark on the coast, other than where additional dwelling units are provided as an integral part of an existing farmstead or with the special consent of Council.

Farm shop/stall

5.1.4 The Council may approve a farm shop provided that:

- (a) The maximum floor area is 300m²;
- (b) The maximum height does not exceed 8,0 m, measured from the base level to the top of the roof;
- (c) Sufficient parking is provided to the satisfaction of Council; and
- (d) The access requirements of the relevant roads authority must be complied with.

Agricultural industry

5.1.5 The Council may approve an agricultural industry, if it is satisfied that the proposed use or activity is desirable, provided that:

- (a) The area affected by the agricultural industry must be clearly identified on a land survey diagram or other plan prepared by a suitably qualified person to Council's satisfaction, and endorsed by Council; and
- (b) The following development rules apply:
 - (i) A site development plan, must to be submitted to Council's satisfaction, in terms of 16.3, for all new development or extensions within an area determined in terms of (a) above; and
 - (ii) Parking and access shall be provided on the identified portion in terms of Chapter 17, provided that Council may require additional parking and loading requirements in response to the operational requirements of a particular agricultural industry.

Guest rooms

- 5.1.6 The following provisions shall apply where a portion of a property is used for the purposes of guest rooms or where rooms are let by an occupant of that property to paying guests or lodgers:
- (a) No more than two rooms per property shall be used for the bedroom accommodation for paying guests or lodgers, and no more than 5 guests or lodgers shall be supplied with lodging or meals at any one time;
 - (b) Guest rooms may not be converted to, or used as, separate dwelling units, and there shall be no cooking facilities in the guest rooms, apart from a kettle;
 - (c) Meals shall only be supplied by the landowner or manager to guests or lodgers who are staying on the property;
 - (d) No advertising sign shall be displayed without the written approval of Council other than a single un-illuminated sign or notice affixed to the building or boundary wall or fence, and such sign must be in line with the Overstrand Signage By-Law; and
 - (e) One on-site parking bay shall be provided per guest room.

Day care centre

- 5.1.7 The following provisions shall apply where a portion of the property is used by the occupant of the property for the purposes of a day care centre:
- (a) No more than 5 children are permitted at any one time;
 - (b) A register of children must be kept, and completed, and the register must be produced for inspection on the request of Council;
 - (c) The services shall be primary day care or educational and not medical;
 - (d) The hours of operation shall be restricted to 07h00 and 18h00 from Mondays to Friday and from 07h00 to 13h00 on Saturdays;
 - (e) The proprietor of the day care centre shall reside on the property;
 - (f) No more than two assistants may be employed at the day care centre; and
 - (g) The minimum indoor and outdoor play space shall be provided as follows:

Indoor Play Space	Outdoor Play Space
1,5 m ² per child	2,0 m ² per child

Home occupation

- 5.1.8 The following provisions shall apply where a portion of the property is used for the purposes of home occupation:
- (a) The dominant use of the dwelling house or dwelling unit shall be for the living accommodation of a single family;
 - (b) The total area used for a home occupation shall not exceed 25% of the total floor area of the buildings on the property;
 - (c) No more than 5 persons in total shall be engaged in home occupation activities on the property, including the occupants or the occupant and any assistants;
 - (d) No portion of such dwelling, and no home occupation shall be used for the purposes of noxious trade, risk activity or sale of alcoholic beverages;
 - (e) No advertising sign shall be displayed without the written consent of the Council other than a single un-illuminated sign or notices affixed to the building or boundary

wall or fence, and such sign must be in line with the Overstrand by-law relating to outdoor advertising and signage;

- (f) The storage of products, goods, or supplies connected to the home occupation shall be inside a building or screened from neighbours and public streets;
- (g) The hours of operation are restricted to 07h30 and 17h30 Monday to Friday and 7h30 to 13h00 on Saturdays;
- (h) On site parking must be provided to the satisfaction of Council, provided that at least two on site parking bays are provided;
- (i) No more than one vehicle, not exceeding 3 500 kg gross weight, shall be utilised for the home occupation; and
- (j) The Council may impose additional conditions in order to minimise any potential public nuisance.

Site development plan

- 5.1.9 Council may require that a site development plan be submitted for approval in accordance with 16.3.

RURAL ZONES

5.2 RURAL ZONE 1: AGRICULTURAL SMALL HOLDINGS (R1)

Use of the property

5.2.1 The following use restrictions apply to property in this zone:

- (a) **Primary uses** are: agriculture, dwelling house, day care centre, guest rooms, home occupation;
- (b) **Consent uses** are: agricultural industry, animal care centre, aquaculture, conservation use, crèche, farm shop/stall, intensive animal farming, intensive horticulture, place of assembly, place of entertainment, place of instruction, plant nursery, recreational facilities, riding stables, rooftop base station, second dwelling unit, tourist accommodation, tourist facilities, transmission tower, utility services.

Development rules

5.2.2 The following development rules apply:

(a) **Floor space**

The total floor space of all buildings on the land unit, may not exceed 2 000m²; provided that Council may relax this requirement if it is satisfied that such buildings are required for genuine farming activities on the land unit.

(b) **Coverage**

The maximum coverage for all buildings on the land unit is 25%.

(c) **Building lines**

- (i) The building lines shall be 10,0 m;
- (ii) Where the configuration of the land unit, is of such a nature that alternative building lines need to be considered, Council may approve such alternative building lines to permit the use of the property as defined in this zone, provided that where Rural Zone 1 abuts an urban area the building lines of the adjacent property shall apply along the shared boundary; and
- (iii) The general building line exemptions in 16.1 shall apply.

(d) **Height**

- (i) The maximum height of a building, measured from the base level to the top of the roof is 8,0 m;
- (ii) Agricultural buildings other than dwelling units shall not exceed a height of 10,0 m measured from the base level to the top of the roof; provided that

- where Council is satisfied that a greater height is necessary for the agricultural function of the building, it may permit such greater height; and
- (iii) Earth banks and retaining structures shall comply with 16.6, provided that earth banks and retaining structures, which in the opinion of Council are associated with the bona fide agricultural activities, are exempt from the requirements of 16.6.

(e) **Parking**

Parking and access shall be provided on the land unit in accordance with 17.1.

Minimum subdivision size

5.2.3 The following development rules apply:

- (a) No new subdivision or any remainder to be zoned Rural Zone 1 shall be less than:
- (i) 5,0 ha, if no minimum subdivision size is specified on the zoning map; or
- (ii) Where Council has specified a minimum subdivision size, as indicated on the zoning map in terms of an overlay zone for the area concerned, that minimum subdivision size applies.

Second dwelling unit

5.2.4 The following development rules apply to a second dwelling unit:

- (a) The floor area of the second dwelling unit shall not exceed 250 m² in area;
- (b) A second dwelling unit shall be constructed in a similar architectural style and with external material, finishes and colour similar to the primary dwelling unit;
- (c) A second dwelling unit may be contained within the same building as a primary dwelling unit and may be either on the ground or first floor; and
- (d) A second dwelling unit may not be separately alienated in terms of the Sectional Title Act.

Farm shop/stall

5.2.5 The provisions of 5.1.4 apply.

Agricultural industry

5.2.6 The provisions of 5.1.5 apply.

Guest rooms

5.2.7 The provisions of 5.1.6 apply.

Day care centre

5.2.8 The provisions of 5.1.7 apply.

Home occupation

5.2.9 The provisions of 5.1.8 apply.

Site development plan

5.2.10 Council may require that a site development plan be submitted for approval in accordance with 16.3.

5.3 RURAL ZONE 2 : CONSERVATION USAGE (R2)

Use of the property

5.3.1 The following use restrictions apply to property in this zone:

- (a) **Primary uses** are: conservation use, dwelling house, guest rooms, home occupation;
- (b) **Consent uses** are: agriculture, aquaculture, day care centre, harvesting of natural resources, intensive animal farming, intensive horticulture, place of assembly, place of entertainment, place of instruction, plant nursery, recreational facilities, rooftop base station, second dwelling unit, tourist accommodation, tourist facilities, transmission tower, utility services.

Development rules

5.3.2 The following development rules apply:

(a) **Floor space**

The total floor space of all buildings on the land unit, may not exceed 800m²; provided that Council may relax this requirement if it is satisfied that such accommodation is required for genuine conservation and/or farming activities on the land unit.

(b) **Coverage**

The maximum coverage for all buildings on the land unit is 25%.

(c) **Building lines**

- (i) The building lines shall be 10,0 m;
- (ii) Where the configuration of the land unit, is of such a nature that alternative building lines need to be considered, Council may approve such alternative building lines to permit the use of the property as defined in this zone, provided that where Rural Zone 2 abuts an urban area the building lines of the adjacent property shall apply along the shared boundary; and
- (iii) The general building line exemptions in 16.1 shall apply.

(d) **Height**

- (i) The maximum height of a building, measured from the base level to the top of the roof is 8,0 m; provided that;
- (ii) Where Council is satisfied that a greater height is necessary for the agricultural function of the building, it may permit such greater height; and
- (iii) Earth banks and retaining structures shall comply with 16.6.

(e) **Parking**

Parking and access shall be provided on the land unit in accordance with 17.1.

Minimum subdivision size

5.3.3 The following development rules apply:

- (a) No new subdivision or any remainder to be zoned Rural Zone 2 shall be less than:
 - (i) 5,0 ha, if no minimum subdivision size is specified on the zoning map; or
 - (ii) Where Council has specified a minimum subdivision size, as indicated on the zoning map in terms of an overlay zone for the area concerned, that minimum subdivision size applies.

Second dwelling unit

5.3.4 The provisions of 5.2.4 apply.

Guest rooms

5.3.5 The provisions of 5.1.6 apply.

Day care centre

5.3.6 The provisions of 5.1.7 apply.

Home occupation

5.3.7 The provisions of 5.1.8 apply.

Site development plan

5.3.8 Council may require that a site development plan be submitted for approval in accordance with 16.3.

5.4 RURAL ZONE 3: AGRI-VILLAGE (R3)

Use of the property

5.4.1 The following use restrictions apply to property in this zone:

- (a) **Primary uses** are: agriculture, dwelling house, town housing, home occupation, day care centre, private open space, private road, second dwelling unit;
- (b) **Consent uses** are: agricultural industry, clinic, community facility, crèche, farm shop/stall, guest house, house shop, intensive animal farming, intensive horticulture, market, place of assembly, place of instruction, plant nursery, restaurant, retirement village, rooftop base station, shelter, shop, tourist accommodation, tourist facility, transmission tower, utility service, and any other ancillary use determined by Council.

Development rules

5.4.2 The following development rules apply:

(a) **Density**

The maximum gross density in this zone is 50 units per hectare.

(b) **Coverage**

The maximum coverage for all buildings on the land unit is 50%.

(c) **Height**

- (i) The maximum height of a building, measured from the base level to the top of the roof is 8,0 m; provided that
- (ii) Where Council is satisfied that a greater height is necessary for the agricultural function of a building, it may permit such greater height; and
- (iii) Earth banks and retaining structures shall comply with 16.6.

(d) **Building lines**

The following building lines apply:

- (i) The street building line is 2,0 m;
- (ii) The side building line is 1,0 m, unless dwellings are linked, in which case no more than 4 dwellings shall be linked without a break of 3,0 m between buildings;
- (iii) The rear building line is 2,0 m; provided that
- (iv) Council may require a 3,0m combined building line between structures for reasons of health and safety.

(e) **Open Space**

Within an agri-village site, private outdoor space of at least 50m² per dwelling unit must be provided.

(f) **Parking and access**

Parking and access shall be provided on the land unit in accordance with 17.1

(g) **Additional Requirements**

The following additional requirements apply in this zone:

- (i) The property must be developed, owned and managed by a legally constituted institution, which may include a trust, section 21 company or owners' association, and may represent a partnership between farmer/s, farm workers and a government authority;
- (ii) Occupation of housing shall be restricted to rural workers and their dependants, or retired rural workers and their dependants;
- (iii) Security of tenure shall be offered by way of a trust, a section 21 company, owners' association or sectional title; and
- (iv) Engineering services must be provided to the satisfaction of Council.

Second dwelling unit

5.4.3 The provisions of 5.2.4 apply, provided that:

- (a) Where a wendy house or shelter is utilised for accommodation uses, such wendy house or shelter shall be regarded as a second dwelling unit; and
- (b) A second dwelling unit may not exceed 120 m².

Farm shop/stall

5.4.4 The provisions of 5.1.4 apply.

Agricultural industry

5.4.5 The provisions of 5.1.5 apply.

Guest rooms

5.4.6 The provisions of 5.1.6 apply.

Day care centre

5.4.7 The provisions of 5.1.7 apply.

Home occupation

5.4.7 The provisions of 5.1.8 apply, provided that:

- (a) No more than 5 persons in total shall be engaged in home occupation activities in a dwelling unit, including occupants or the occupant and any assistants; and
- (b) On site parking shall be provided to the satisfaction of Council.

House shop

5.4.9 The following provisions shall apply where a portion of a dwelling unit or outbuilding is used for the purposes of a house shop, by one or more occupants of a property:

- (a) The maximum floor area of that portion of a dwelling unit or second dwelling unit that is used for the purposes of a house shop shall not exceed 30,0m² or 25% of the floor area of the dwelling unit, whichever is the most restrictive;
- (b) No more than 3 persons, including the occupant or occupants of the dwelling unit, are permitted to be engaged in retail activities on the property, other than with the consent of Council;
- (c) No portion of the house shop shall be used for the purposes of noxious trade, risk activity, sale of alcoholic beverages, place of entertainment or gambling purposes;
- (d) No products, goods, or supplies connected to the house shop may be stored on the property outside a building;
- (e) Any new structure or alteration to the existing structure must conform to the residential character of the area concerned;
- (f) Only one un-illuminated sign, shall be permitted, which shall be fixed to the building or boundary wall or fence, and such sign shall be in line with the Overstrand by-law relating to outdoor advertising and signage;
- (g) The hours of operation and trading shall be restricted to 8h00 to 17h00 from Monday to Friday and from 8h00 to 13h00 on Saturday, and does not include public holidays or Sundays, or such trading hours as permitted by Council;
- (h) On site parking shall be provided to the satisfaction of Council;
- (i) Permission to operate a house shop is granted to a particular operator and is not transferable
- (j) No more than one vehicle, not exceeding 3 500 kg gross weight shall be utilised for the house shop; and
- (k) Permission may only be granted for a fixed period, not exceeding 5 years and may on application, be extended by the Council, for a period determined by the Council.

Site development plan

5.4.10 Council may require that a site development plan be submitted for approval in accordance with 16.3.

CHAPTER 6: RESIDENTIAL ZONES

6.1 RESIDENTIAL ZONE 1: SINGLE RESIDENTIAL (SR1)

Use of the property

6.1.1 The following use restrictions apply to property in this zone:

- (a) **Primary uses** are: day care centre, dwelling house, guest rooms, home occupation, second dwelling unit;
- (b) **Consent uses** are: crèche, green house, guest house, house shop, institution, place of instruction, place of worship, residential building, tourist accommodation.

Development rules

6.1.2 The following development rules apply:

(a) **Coverage**

The maximum coverage for all buildings on the land unit is determined in accordance with the net erf area as listed in the table below:

Net erf area	Maximum coverage
Less than 400m ²	65%
400m ² and greater	50%

(b) **Building lines**

- (i) **Street building line**
The street building line is determined in accordance with the net erf area as listed in the table below:

Net erf area	Street building line
Less than 400 m ²	2,0 m
400 m ² and greater	4,0 m

provided that:

- a corner plot with an average depth of 20,0 m or less has a 3,0 m street building line; and
- where a garage obtains direct access off the street a 4,0 m building line applies.

- (ii) **Side and Rear building line:**
The side and rear building lines are determined in accordance with the net erf area as listed in the table below:

Net erf area	Side and Rear building lines
Up to 400m ²	1,0 m
Greater than 400m ²	2,0 m

(iii) The general building line exemptions of 16.1 apply.

(c) **Height**

- (i) The maximum height of a building measured from the base level to the top of the roof is 8,0 m; and
- (ii) Earth banks and retaining structures shall comply with 16.6.

(d) **Garages and carports**

Garages and carports may be constructed within building lines in accordance with 16.1.2.

(e) **Parking**

Parking and access shall be provided on the land unit in accordance with 17.1.

Subdivision and density standards

6.1.3 The following subdivision and density provisions apply:

(a) **Minimum subdivision area**

Council may specify the minimum size of a subdivisional area in terms of an overlay zone and may prescribe the minimum size of subdivided portions to be achieved in such zone.

(b) **Maximum density**

Council may specify a maximum density for a land unit in terms of an overlay zone.

Second dwelling unit

6.1.4 The provisions of 5.2.4 apply; provided that:

- (a) The total floor area of the second dwelling units shall not exceed 120m²;
- (b) The same development rules apply as for the primary dwelling unit;
- (c) One on-site parking bay must be provided to the satisfaction of Council; and
- (d) Confirmation of the availability of services shall be obtained from the Director of Infrastructure and Planning or his successor in title.

Guest rooms

6.1.5 The provisions of 5.1.6 apply.

Day care centre

6.1.6 The provisions of 5.1.7 apply, provided that:

- (a) No more than 3 persons in total shall be engaged in the day care centre activities on the property, including the occupants or occupant and any assistants.

Home occupation

6.1.7 The provisions of 5.1.8 apply, provided that:

- (a) No more than 3 persons in total shall be engaged in the home occupation activities on the property, including the occupants or occupant and any assistants; and
- (b) On site parking must be provided to the satisfaction of Council, provided that at least one on-site parking bay is provided.

House shop

6.1.8 The provisions of 5.4.9 apply.

6.2 GENERAL RESIDENTIAL ZONE 1: TOWN HOUSING (GR1)

Use of the property

6.2.1 The following use restrictions apply to property in this zone

- (a) **Primary uses** are: dwelling house in accordance with 6.1.2, town housing, private road, private open space;
- (b) **Consent uses** are: crèche, day care centre, flats, green house, home occupation, residential building, retirement village, tourist accommodation.

Development rules

6.2.2 The following development rules apply:

(a) **Density**

The maximum gross density in this zone is 35 units a hectare.

(b) **Coverage**

The maximum coverage for all buildings on the land unit is 50%.

(c) **Height**

- (i) The maximum height of a building, measured from the base level to the top of the roof is 8,0 m;
- (ii) Earth banks and retaining structures shall comply with 16.6.

(d) **Building lines on the perimeter of a town housing development**

The following building lines apply on the perimeter of a town housing site:

- (i) The street building line is 5,0 m;
- (ii) The side building line is 3,0 m;
- (iii) The rear building line is 3,0 m; and
- (iv) The general building line exemptions of 16.1 apply.

(e) **Building lines within the town housing development**

The following building lines apply within a town housing site:

- (i) The street building lines on internal roads are 1,0 m provided that garages must be set back at least 5,0 m from the road kerb;
- (ii) The rear building line is 1,0 m, provided that Council may require a greater rear building line for safety or health considerations, in which case it is 3,0 m;
- (iii) A building may be constructed at 0 m on one internal side boundary and 0 m on the internal rear boundary, provided that the building does not occupy more than 50% of such internal side or rear boundary; and

- (iv) The combined side space between buildings on adjacent land units may not be less than 2,0 m;
- (v) The general building line exemptions of 16.1 apply.

(f) **Parking**

- (i) Parking and access shall be provided on the land unit in accordance with 17.1; and
- (ii) Parking may be provided at the town house concerned, or form part of a communal parking or a combination of the two.

(g) **Internal roads**

The minimum internal road reserve width is 8,0 m; provided that Council may require a greater road reserve width where it is of the opinion that the vehicular use or length of the road requires a greater road reserve width.

Flats within a town housing development

6.2.3 The following development rules apply:

- (a) Flats must form an integrated component of the town housing development and the development rules for town housing apply, provided that;
- (b) The total floor area of flats shall not exceed 40% of the total floor space of all buildings on the town housing site; and
- (c) The open space requirements for dwelling units in a town housing site apply.

Day care centre

6.2.4 The provisions of 5.1.7 apply.

Home occupation

6.2.5 The provisions of 5.1.8 apply, provided that in this zone:

- (a) No more than two persons, including the proprietor may be employed within a dwelling unit;
- (b) The required parking provision does not apply; and
- (c) Where a home occupation is conducted from a flat, no more than 2 persons in total shall be engaged in the home occupation activities within the dwelling unit, including occupants or occupant and assistants.

Site development plans

6.2.6 Council may require that a site development plan be submitted for approval in accordance with 16.3.

6.3 GENERAL RESIDENTIAL ZONE 2: TOWN HOUSING (GR2)

Use of the property

6.3.1 The following use restrictions apply to property in this zone:

- (a) **Primary uses** are: dwelling house in accordance with 6.1.2, town housing, private open space, private road;
- (b) **Consent uses** are: crèche, day care centre, flats, green house, home occupation, residential building, retirement village, tourist accommodation.

Development rules

6.3.2 The following development rules apply:

(a) **Density**

The maximum gross density in this zone is 50 units a hectare.

(b) **Coverage**

The maximum coverage for all buildings on the land unit is 65%.

(c) **Height**

- (i) The maximum height of a building, other than flats, measured from the base level to the top of the roof is 8,0 m; provided that;
- (ii) The maximum height for flats, measured from the base level to the top of the roof is 11,0 m; and
- (iii) Earth banks and retaining structures shall comply with 16.6.

(d) **Building lines on the perimeter of a town housing development**

The building line on the perimeter of the property is 3,0 m.

(e) **Building lines within the town housing site**

The following building lines apply within a town housing site:

- (i) The street building lines on internal roads are 1,0 m;
- (ii) The side building line is 0 m, provided that Council may require a greater side building line for safety or health considerations, in which case it is 3,0 m;
- (iii) The rear building line is 1,0 m, provided that Council may require a greater rear building line for safety or health considerations, in which case it is 3,0 m.
- (iv) An outbuilding may be constructed 0 m on one internal side boundary and 0 m on the internal rear boundary, provided that no more than one third of the boundary concerned may be utilised; and
- (v) The general building line exemptions of 16.1 apply.

(f) **Parking**

- (i) Parking and access shall be provided on the land unit in accordance with 17.1; and
- (ii) Parking may be provided at the group house concerned, or form part of a communal parking or a combination of the two.

(g) **Internal roads**

The minimum internal road reserve width is 8,0 m; provided that Council may require a greater road reserve width, where it is of the opinion that the vehicular use or length of the road requires a greater road reserve width.

Flats within a town housing development

6.3.3 The following development rules apply:

- (a) Flats, if provided, must form an integrated component of the town housing development and the development rules for town housing apply, provided that;
- (b) The total floor area of flats shall not exceed 60% of the total floor space of all buildings on the town housing site; and
- (c) The open space requirements for town housing units in a town housing site apply.

Day care centre

6.3.4 The provisions of 5.1.7 apply.

Home occupation

6.3.5 The provisions of 5.1.8 apply, provided that:

- (a) No more than two persons, including the proprietor may be employed within a dwelling unit;
- (b) The required parking provision does not apply; and
- (c) Where a home occupation is conducted from a flat, no more than 2 persons in total shall be engaged in the home occupation activities within the dwelling unit, including occupants or occupant and assistants.

Site development plans

6.3.6 Council may require that a site development plan be submitted for approval in accordance with 16.3.

6.4 GENERAL RESIDENTIAL ZONE 3: FLATS (GR3 and GR4)

Use of the property

6.4.1 The following use restrictions apply to property in this zone:

- (a) **Primary Uses** are: blocks of flats, town house in accordance with 6.3.2, residential buildings;
- (b) **Consent Uses** are: crèche, day care centre, home occupation, hotel, institution, place of assembly, place of instruction, place of worship, retirement village, rooftop base station, tourist accommodation, transmission tower.

Development rules

6.4.2 The following development rules apply:

- (a) **Floor factor and coverage**

The maximum floor factor and coverage is determined in accordance with bulk zone as specified in the table below:

Bulk Zone	Floor factor	Coverage
Bulk Zone 1 (GR3)	3	100%
Bulk Zone 2 (GR4)	1.5	80%

- (b) **Height**

- (i) The maximum height of a building measured from the base level to the top of the roof is determined in accordance with the bulk zone as specified in the table below:

Bulk Zone	Height	Storeys
Bulk Zone 1 (GR3)	12,5 m	4
Bulk Zone 2 (GR4)	9,0 m	3

- (ii) Earth banks and retaining structures shall comply with 16.6.

(c) **Setback**

- (i) The Council may require an 8,0 m setback from the centre line of the abutting street, provided that Council may permit stoeps to be located within the setback line; and
- (ii) The general provisions of 16.2 apply.

(d) **Building lines**

- (i) The street building line is 4,0 m;
- (ii) The side building line is 4,5 m, provided that where a fourth storey is provided, Council may require the fourth storey to be set back 6,0 m from the property boundary;
- (iii) The rear building line is 3,0 m provided that where a fourth storey is provided, Council may require the fourth storey to be set back 6,0 m from the property boundary; and
- (iv) The general building line exemptions of 16.1 apply.

(e) **Open space**

- (i) Every block of flats, residential building or hotel in this zone must have access to an outdoor living area, which may include private or communal open space, but excludes parking, service yards and roads; and
- (ii) May include gardens, balconies, courtyards and outdoor recreational areas.

(f) **Parking**

Parking and access shall be provided on the land unit in accordance with 17.1.

(g) **Screening**

Screening must be provided in accordance with 16.7.

Home occupation

6.4.3 Where a home occupation is conducted from a flat no more than 2 persons in total shall be engaged in the home occupation activities within the dwelling unit, including occupants or occupant and assistants.

Site development plan

6.4.4 Council may require that a site development plan be submitted for approval in accordance with 16.3.

6.5 LESS FORMAL DEVELOPMENT ZONE: (LFD)

Use of the property

6.5.1 The following use restrictions apply to property in this zone:

- (a) **Primary uses** are: day care centre, dwelling unit, guest rooms, home occupation, private road, private open space, second dwelling unit, shelter, other additional uses as stipulated in 6.5.1(c), informal trading subject to 6.5.10;
- (b) **Consent uses**, are: authority use, clinic, crèche, flats, house shop, institution, place of assembly, place of instruction, place of worship, residential building, service trade, urban agriculture, utility service;
- (c) **Additional use rights** which may be conducted by the occupant of any dwelling unit in this zone are: any other social, educational, religious, occupational or business purpose not listed in 6.5.1(b) above, provided that:
 - (i) The dominant use of the unit shall remain residential;
 - (ii) No sale of alcoholic beverages, noxious trade, risk activity or adult entertainment business is permitted;
 - (iii) The following are not permitted unless the prior written approval of the Council is obtained: storage or sale of fireworks, storage or sale of gas and gas containers, vending machines, gaming machines; paraffin or any fuel products for household usage;
 - (iv) No activities shall be carried out which constitute or are likely to constitute a source of public nuisance, including the use of equipment or any activity which results in the generation of dust, fumes, smoke, or waste material which could be detrimental to health or which requires special waste removal processes; and
 - (v) The Council may, at any stage, impose additional conditions in order to minimize any potential public nuisance.

Development rules

6.5.2 The following development rules apply:

(a) **Coverage**

The maximum coverage of all structures on the land unit is 65%.

(b) **Building lines**

The following building lines apply where the less formal settlement has occurred or is intended to occur in terms of an approved layout or cadastral plan:

- (i) The street building line is 2,0 m;
- (ii) The side building line is 1,0 m; and
- (iii) The rear building line is 1,0 m; provided that:
- (iv) Council may require a 2,0 m building line where a mid-block sewer system is installed or planned to be installed.

(c) Spaces between buildings and roads

The following spaces must be provided between buildings and roads, where the settlement has not occurred or is not intended to occur in terms of an approved layout or cadastral plan:

- (i) Every building shall be set back at least 2,0 m from the edge of a road or throughfare;
- (ii) No building shall be erected closer than 2,0 m to an adjacent building; and
- (iii) An uninterrupted space of at least 1,5 m shall be kept open from the front side of every dwelling to the rear side of every dwelling, unless dwellings are linked together, in which case no more than 4 dwellings shall be linked without a break of 3,0 m between buildings.

(d) Height

- (i) The maximum height measured from the base level to the top of the roof is 8,0 m; and
- (ii) The provisions relating to retaining structures and earth banks in 16.6 apply.

(e) Parking and loading

The provisions of 17.1 do not apply and parking must be provided in accordance with the following table:

Use of the property	Parking standard
Dwelling unit	One parking bay per unit
Second dwelling unit, home occupation	One parking bay per unit
Other primary or consent uses	As required by Council

Second dwelling unit

6.5.3 The provisions of 5.2.4 apply, provided that:

- (a) Where a wendy house or shelter is utilised for accommodation purposes, such wendy house or shelter shall be regarded as a second dwelling unit; and
- (b) A second dwelling unit may not exceed 120m².

Guest rooms

6.5.4 The provisions of 5.1.6 apply.

Day care centre

6.5.5 The provisions of 5.1.7 apply.

Home occupation

6.5.6 The provisions of 5.1.8 apply, provided that the parking requirements are in accordance with 6.5.2(e).

House shop

6.5.7 The provisions of 5.4.10 apply.

Constructed road or road reserve or land identified for roads

6.5.8 No building shall be erected on land which has been constructed as a road, set aside as a road reserve, or has been identified by Council as a future road.

Land reserved or identified for bulk services

6.5.9 No building shall be erected on land that is reserved, is identified for bulk services in a registered servitude or otherwise or accommodates bulk services.

Informal trading

6.5.10 Informal trading is permitted on land which has been set aside as a road reserve or identified by Council as a future road reserve provided that:

- (a) No permanent structures are to be erected on the land;
- (b) There is no interference with pedestrian or vehicular movement, the amenity of the neighbourhood, or with any Council utility service; and
- (c) There is, in Council's opinion, no threat to public health or safety.

Land used or identified for firebreaks

6.5.11 No building or structure may be erected on land which has been set aside or identified by the Council as a firebreak.

Approval of building plans

6.5.12 Notwithstanding the fact that individual land units may not have been created or transferred to individual beneficiaries, Council may approve building plans in terms of the National Building Act, subject to the requirements of the Act, for a building relating to a primary or consent use, with the exception of a shelter, provided that Council is satisfied that:

- (a) The proposed building is acceptable as a permanent structure in terms of location and use, taking into account any plans to upgrade the area; and
- (b) The applicant has permission from the owner.

CHAPTER 7: BUSINESS ZONES

7.1 BUSINESS ZONE 1 & 2: GENERAL BUSINESS (B1 and B2)

Use of the property

7.1.1 The following use restrictions apply to property in this zone:

- (a) **Primary uses** are: business premises, conference facility, flats (above ground floor), guest house, hotel, place of assembly, place of instruction, rooftop base station;
- (b) **Consent uses** are: adult entertainment business, bottle store, crematorium, dwelling unit, flats (on ground floor), funeral parlour, informal trading, institution, motor repair garage, place of entertainment, recreational facilities, residential building, second dwelling unit, service station, transmission tower, transport use, utility services, warehouse.

Development rules

7.1.2 The following development rules apply:

- (a) **Floor factor and coverage**

The maximum floor factor and coverage is indicated in the table below:

Sub-zone	Floor Factor	Coverage
Bulk Zone 1 (B1)	3	100%
Bulk Zone 2 (B2)	1.5	80%

- (b) **Setback**

- (i) Council may require that all buildings and structures on the property are set back at least 6,5 m from the centre line of the street;
- (ii) Where special circumstances exist, Council may require a wider setback; and
- (iii) The general provisions of 16.2 apply.

- (c) **Building lines**

- (i) The street building line is 0 m subject to:
 - the setback restriction if required by Council in terms of 7.1.2(b); and
 - the enclosed part of a building from the fourth storey must be set back 4,5 m.
- (ii) The side building line is 0 m subject to:

- the building or portion erected on the property boundary may have no windows, doors, ventilation or other openings in any wall on such boundary, without the consent of Council; and
 - where a property zoned Business Zone 1 and 2, abuts a residential or community zone, the building line is 3,0 m;
- (iii) The rear building line is 0 m subject to:
- the building or portion erected on the property boundary may have no windows, doors, ventilation or other openings in any wall on such boundary; and
 - where a property zoned Business Zone 1 and 2 abuts a residential or community zone, the building line is 3,0 m;
- (iv) The Council may impose more restrictive building lines in the interests of public health and safety; and
- (v) The general building line exemptions in 16.1 apply.

(d) **Height**

- (i) The maximum height of a building measured from the base level to the top of the roof is determined in accordance with the bulk zone as specified in the table below:

Bulk Zone	Height	Storeys
Bulk Zone 1 (B1)	14,0 m	4
Bulk Zone 2 (B2)	10,5 m	3

- (ii) Earth banks and retaining structures shall comply with 16.6.

(e) **Window and door placement**

- (i) Where a 0 m building line applies and where a wall of a building is erected 1,0 m or less from the side or rear building line, no door or window shall be permitted in the wall concerned; and
- (ii) Any portion of the building which contains a door or window onto a side or rear boundary, shall be placed at least 1,5 m away from such boundary. The portion of the building that is required to be set back shall include the door or window, together with such additional length of wall as is required to make up a total of 3,0 m.

(f) **Canopies and projections**

- (i) The Council may require, or permit a canopy or projection over the street boundary, provided that:
- (ii) The canopy or projection shall not project nearer than 500 mm to a vertical plane through the kerb line or proposed kerb line;
- (iii) No portion of the canopy or projection shall be less than 2,8 m above the pavement; and
- (iv) The owner shall enter into an encroachment agreement with Council in the case of a canopy projection.

(g) **Parking and access**

Parking and access shall be provided on the land unit in accordance with 17.1.

(h) **Loading bays**

Loading bays must be provided on the land unit in accordance with 17.2.

(i) **Screening**

Screening must be provided in accordance with 16.7.

Service station

7.1.3 The development rules of 7.3 apply to a service station in this zone.

Site development plan

7.1.4 Council may require that a site development plan be submitted for approval in accordance with 16.3.

7.2 BUSINESS ZONE 3: LOCAL BUSINESS (B3)

Use of the property

7.2.1 The following use restrictions apply to property in this zone:

- (a) **Primary uses** are: shops, flats (above ground floor), offices;
- (b) **Consent uses** are: bottle store, business premises, clinic, conference facility, flats (on ground floor), town housing, guest house, hotel, informal trading, institution, place of assembly, place of entertainment, place of instruction, place of worship, recreational facilities, residential building, restaurant, rooftop base station, sale of alcoholic beverages, service station, service trade, transmission tower.

Development rules

7.2.2 The following development rules apply:

(a) **Coverage**

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

(b) **Floor factor**

The maximum floor factor is 1.5.

(c) **Height**

- (i) The maximum height of a building, measured from the base level to the top of the roof is 8,5 m;
- (ii) The maximum number of storeys is 2; and
- (iii) Earth banks and retaining structures shall comply with 16.6.

(d) **Setback**

- (i) Council may require that all buildings and structures on the property are set back at least 6,5 m from the centre line of the street;
- (ii) Where special circumstances exist, Council may require a wider setback; and
- (iii) The general provisions of 16.2 apply.

(e) **Building lines**

- (i) The street building line is 0 m; provided that a 3,5 m building line applies where fuel pumps are erected;
- (ii) The side building line is 0 m provided that where any Business Zone 3 abuts another zone, the side building line is 3,0 m;
- (iii) The rear building line is 3,0 m; provided that where any Business Zone 3 abuts another zone, the rear building line is 4,5 m;

- (iv) Provided that Council may require more restrictive building lines in the interests of public health or safety or the environment or in order to enforce any applicable law or right; and
 - (v) The building line exemptions in 16.1 apply.
- (f) **Window and door placement**
- (i) Where a 0 m building line applies and where a wall of a building is erected 1,0 m or less from the side or rear building line, no door or window shall be permitted in the wall concerned; and
 - (ii) Any portion of the building which contains a door or window onto a side or rear boundary, shall be placed at least 1,5 m away from such boundary. The portion of the building that is required to be set back shall include the door or window, together with such additional length of wall as is required to make up a total of 3,0 m.
- (g) **Parking and access**
- Parking and access shall be provided on the land unit in accordance with 17.1.
- (h) **Loading Bays**
- Loading bays must be provided on the land unit in accordance with 17.2.
- (i) **Screening**
- (i) The Council may require screening in accordance with 16.7; and
 - (ii) Where a Business Zone 3 abuts a residential zone, Council may require a suitable wall of no less than 1,8 m in height to be erected on the common boundary.

Informal trading

7.2.3 Informal trading shall only be permitted in the area indicated on a plan submitted to and approved by Council.

Service station

7.2.4 The development rules of 7.3 apply.

Site development plan

7.2.5 Council may require that a site development plan be submitted for approval in accordance with 16.3.

7.3 BUSINESS ZONE 4: SERVICE STATION (B4)

Use of the property

7.3.1 The following use restrictions apply to property in this zone:

- (a) **Primary uses** are: service station, rooftop base station
- (b) **Consent uses** are: heavy vehicle service station, motor repair garage, multiple parking garage, restaurant, transmission tower, transport use, utility service.

Development rules

7.3.2 The following development rules apply:

(a) **Floor factor**

The maximum floor factor is 1.

(b) **Coverage**

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

(c) **Setback**

- (i) The Council may require that all buildings and structures are set back 8,0 m from the centre line of the abutting public street or streets; and
- (ii) The provisions of 16.2 apply.

(d) **Height**

- (i) The maximum height of a building, measured from the base level to the top of the roof is 8,5 m; and
- (ii) Earth banks and retaining structures shall comply with 16.6.

(e) **Building lines**

- (i) The street building line is 5,0 m;
- (ii) The side building line is 0 m; provided that when a property zoned Business Zone 4 abuts a residential or community zone, the side building line is 3,0 m;
- (iii) The rear building line is 0 m, provided that when a property zoned Business Zone 4 abuts a residential or community zone, the rear building line is 3,0 m;
- (iv) The Council may impose more restrictive building lines in the interests of public health and safety; and
- (v) The provisions of 16.1 apply.

(f) **Parking**

Parking and access shall be provided on the land unit in accordance with 17.1.

(g) **Loading bays**

Loading bays must be provided on the land unit in accordance with 17.2.

(h) **Site access requirements**

- (i) The width of the vehicular access and exits ways to and from the site shall not be more than 10,0 m where it crosses the street boundary;
- (ii) A wall, at least 100 mm thick and 200 mm high, must be erected on the street boundary or where applicable on the setback line, between different vehicle access and exit ways on the site. The wall must continue along such boundary unless the property is otherwise enclosed;
- (iii) The vehicular access or exit way crossings are restricted to two per site unless the total length of a street boundary exceeds 30,0 m, in which case one additional vehicular access or exit will be permitted;
- (iv) At the point where it crosses the street boundary, a vehicular access or exit way shall not be closer than:
 - 30,0 m to the intersection of an arterial road, with any other road of a similar status;
 - 30,0 m to the nearest point of an intersection where traffic is controlled or is proposed to be controlled, by a traffic signal or traffic island;
 - 10,0 m from the corner of an intersection, if such intersection is not splayed, or 5,0 m from the point where the splay meets the road boundary if such intersection is splayed; and
 - 1,5 m from a side boundary.

(i) **Storage**

Any part of the premises of a service station which is used for the storage purposes for empty containers such as oil drums or packing cases, or other scrap shall be enclosed with a suitable brick wall, at least 2,0 m high or contained in a building, to the satisfaction of Council.

(j) **Screening**

Screening must be provided in accordance with 16.7.

Site development plan

- 7.3.3 Council may require that a site development plan be submitted for approval in accordance with 16.3.

CHAPTER 8: INDUSTRIAL ZONES

8.1 INDUSTRIAL ZONE 1: GENERAL INDUSTRY (IND 1)

Use of the property

8.1.1 The following use restrictions apply to property in this zone:

- (a) **Primary uses** are: industry, agricultural industry, builder's yard, care taker's accommodation, factory shop, funeral parlour, heavy vehicle service station, industrial café, motor repair garage, rooftop base station, service trade, service station, transmission tower, transport use, utility services, warehouse, wholesale business, workshop;
- (b) **Consent uses** are: abattoir, adult entertainment business, aquaculture, business premises, container site, crematorium, dwelling unit, informal trading, mining, noxious trade, place of assembly, place of entertainment, place of instruction, recreational facilities, restaurant, sale of alcoholic beverages, scrap yard.

Development rules

8.1.2 The following development rules apply in this zone.

- (a) **Floor Factor**

The maximum floor factor on the land unit shall not exceed 2.
- (b) **Coverage**

The maximum coverage for all buildings on the land unit shall not exceed 75%.
- (c) **Height**
 - (i) The maximum height of any building measured from the base level to the top of the roof is 12,0 m, provided that;
 - (ii) Where a structure of greater height is required for the industrial function of the property, Council may grant approval for such greater height; and
 - (iii) The general provisions relating to retaining structures and earth banks in 16.6 apply.
- (d) **Building lines**
 - (i) The street building line shall be 5,0 m;
 - (ii) The side and rear building line shall be 2,0 m;
 - (iii) Where a land unit abuts a zone that is not an industry zone, the building lines of the particular zone, whichever is the greater shall apply;

- (iv) Notwithstanding the above, Council may stipulate greater building lines for considerations of public health and safety, fire control and in order to enforce any law or right; and
 - (v) The general building line exemptions in 16.1 apply.
- (e) **Setback**
- (i) A setback of 8,0 m from the centre line of the road applies;
 - (ii) Notwithstanding the above Council may stipulate a setback for considerations of public health and safety, fire control and in order to enforce any law or right; and
 - (iii) The provisions of 16.2 apply.
- (f) **Boundary walls**
- A wall of 2,5 m high to be erected where, a land unit has a common boundary with another land unit that is not zoned General Industry (IND1) or Risk Industry (IND2); or Hazardous substances are stored on site.
- (g) **Parking and access**
- Parking and access shall be provided on the land unit in accordance with 17.1.
- (h) **Loading bays**
- Loading bays must be provided in accordance with 17.2.
- (i) **Screening**
- Screening must be provided in accordance with 16.7.

Factory shop

- 8.1.3 The occupant of an industrial property or a portion of an industrial property may operate a shop for the sale of goods which have been completely or partially manufactured on the property, and such other goods as the Council may permit, provided that:
- (i) The total floor space of the property or portion thereof may be devoted to the sale of goods shall not exceed 10% of the total floor space of all buildings on the land unit; and
 - (ii) Such other goods that are offered for sale, but have not been manufactured on the property, are connected with the goods that are manufactured on the property.

Service station

- 8.1.4 The development rules in 7.3.2 apply.

Environmental considerations

- 8.1.5 An environmental study and/or environmental management plan may be required by Council for its consideration and approval in accordance with 16.4.
- 8.1.6 No activity that includes the storage of on-site hazardous substances shall be permitted unless a risk management and prevention plan has been approved by Council.
- 8.1.7 Council may impose conditions of approval to mitigate the environmental impact of industrial activities on adjacent properties, for considerations of public health and safety, fire control and in order to enforce any law or right.

Site development plans

- 8.1.8 Council may require that a site development plan be submitted for approval in accordance with 16.3.

8.2 INDUSTRIAL ZONE 2: NOXIOUS & RISK INDUSTRY (IND 2)

Use of the property

8.2.1 The following use restrictions apply to property in this zone:

- (a) **Primary uses** are: care taker's accommodation, factory shop, noxious trade, rooftop base station, risk industry, transmission tower;
- (b) **Consent uses** are: aquaculture, industry, informal trading, mining, scrap yard, service trade, shop, transport use, utility service, waste disposal site.

Development rules

8.2.2 The following development rules apply:

- (a) **Floor factor**

The maximum floor factor shall not exceed 2.
- (b) **Coverage**

The maximum coverage for all buildings on the land unit shall not exceed 75%.
- (c) **Height**
 - (i) No height restriction applies to noxious industry, risk activity and industry, provided that any other building on the land unit shall not exceed 12,0 m measured from the base level to the top of the roof;
 - (ii) Notwithstanding the above, where a structure of greater height is required for the industrial function of the property, Council may grant approval for such greater height; and
 - (iii) The general provisions of 16.7 apply.
- (d) **Building lines**
 - (i) The street building line shall be 7,5 m;
 - (ii) The side and rear building line shall be 5,0 m;
 - (iii) Notwithstanding the above, Council may stipulate greater building lines for considerations of public health and safety, fire control and in order to enforce any law or right; and
 - (iv) The general building line exemptions in 16.1 apply.
- (e) **Setback**
 - (i) A setback of 8,0 m from the centre line of the road applies;
 - (ii) Notwithstanding the above, the Council may stipulate a greater setback for considerations of public health and safety, fire control and in order to enforce any law or right; and
 - (iii) The provisions in 16.2 apply.

(f) **Boundary walls**

A wall of up to 2,5 m high to be erected where a land unit has a common boundary with another land unit that is not zoned General Industry (IND 1) or Risk Industry (IND 2); or hazardous substances are stored on site.

(g) **Parking and access**

Parking and access shall be provided on the land unit in accordance with 17.1.

(h) **Loading bays**

Loading bays shall be provided on the land unit in accordance with 17.2.

(i) **Screening**

Screening must be provided in accordance with 16.7.

Service station

8.2.3 The development rules in 7.3.2 apply.

Factory shop

8.2.4 The occupant of an industrial property or a portion of an industrial property may operate a shop for the sale of goods which have been completely or partially manufactured on the property, and such other goods as the Council may permit, provided that:

- (i) The total floor space of the property or portion thereof that may be devoted to the sale of goods shall not exceed 10% of the total floor space of all buildings on the land unit; and
- (ii) Such other goods that are offered for sale but have not been manufactured on the property are connected with the goods that are manufactured on the property.

Environmental impact

8.2.5 An environmental study and/or environmental management plan may be required by Council for its consideration.

8.2.6 No activity that includes the on-site storage of hazardous substances shall be permitted unless a risk management and prevention plan has been approved by the Council.

8.2.7 The Council may impose additional conditions of approval to mitigate the environmental impact of industrial activities on adjacent properties.

Site development plans

8.2.8 Council may require that a site development plan be submitted for approval in accordance with 16.3.

CHAPTER 9: COMMUNITY ZONES

9.1 COMMUNITY ZONE 1: COMMUNITY FACILITIES (CO1)

Use of the property

9.1.1 The following use restrictions apply to property in this zone:

- (a) **Primary uses** are: clinic, crèche, day care centre, multi-purpose centre, place of assembly, place of instruction, place of worship;
- (b) **Consent uses** are: dwelling units, cemetery, conference facility, dwelling house, hospital, institution, recreational facilities, residential building, rooftop base station, transmission tower, urban agriculture;
- (c) **Additional use:** A property in this zone may occasionally be used for fundraising or social functions provided that:
 - (i) Such functions are incidental and subsidiary to the uses permitted in this zone; and
 - (ii) Such functions do not, in the Council's opinion, generate excessive or prolonged disturbance including noise, traffic or other public nuisance.

Development rules

9.1.2 The following development rules apply in this zone, provided that the development rules for a dwelling house are determined by the development rules that apply to the Single Residential Zone (SR1):

- (a) **Floor factor**
 - (i) The floor factor on the land unit shall not exceed 1.2; provided that
 - (ii) The floor factor for a hospital is 2.
- (b) **Coverage**

The maximum coverage for all buildings on the land unit shall not exceed 60%
- (c) **Height**
 - (i) The maximum height of any building is 10,5 m measured from the base level to the top of the roof, provided that there is no height limit for a bell tower, steeple, minaret or similar architectural feature to accentuate the significance of a building; and
 - (ii) The general provisions for retaining structures and earth banks in 16.6 apply.

- (d) **Building lines**
 - (i) All building lines shall be 5,0 m; and
 - (ii) The general building line exemptions of 16.1 apply.
- (e) **Setback**
 - (i) A setback of 8,0 m measured from the centre line of the street applies, and must be provided; and
 - (ii) The provisions in 16.2 apply.
- (f) **Parking**

Parking and access shall be provided on the land unit in accordance with 17.1.
- (g) **Loading bays**

Loading bays shall be provided on the land unit in accordance with 17.2.
- (h) **Screening**

Screening must be provided in accordance with 16.7.

Dwelling units

9.1.3 The following development rules apply to dwelling units:

- (a) The height of a dwelling unit, which does not form part of a residential building, measured from the base level to the top of the roof is 8,0 m;
- (b) Dwelling units shall be for the bona fide accommodation of employees of the community facility concerned;
- (c) The dwelling units shall remain on the same cadastral unit as the community facility concerned; and
- (d) The additional dwelling units shall be developed as a harmoniously designed entity.

Site development plans

9.1.4 Council may require that a site development plan be submitted for approval in accordance with 16.3.

Landscape master plans

9.1.5 Council may require a landscape master plan to be submitted for approval in accordance with 16.4.

CHAPTER 10: AUTHORITY AND UTILITY ZONES

10.1 AUTHORITY ZONE: AUTHORITY USAGE (AU)

Use of the property

10.1.1 The following use restrictions apply to property in this zone:

- (a) **Primary uses** are: authority use, rooftop base station;
- (b) **Consent uses** are: cemetery, transmission tower, utility service, any other use determined by Council.

Development rules

10.1.2 The following development rules apply:

- (a) No structure shall be erected nor property used in this zone, unless it is considered by Council to be compatible or associated with the primary or consent use;
- (b) Council may require and approve a site development plan submitted in terms of 16.3 and/or an environmental management plan submitted in terms of 16.4; and
- (c) Council shall determine the development rules that apply to this zone when:
 - (i) Approving the zoning of a property to this zone;
 - (ii) Any site development plan or environmental management plan is considered;
or
 - (iii) Prior to the approval of any building plan or engineering services plan.

10.2 UTILITY ZONE: UTILITY SERVICES (UT)

Use of the property

10.2.1 The following use restrictions apply to property in this zone:

- (a) **Primary use** is: utility service;
- (b) **Consent uses** are: authority use, cemetery, crematorium, rooftop base station, transmission tower and any other associated use determined by Council.

Development rules

10.2.2 The following development rules apply:

- (a) No structure shall be erected nor property used in this zone, unless it is considered by Council to be compatible or associated with the permitted or consent use;
- (b) Council may require and approve a site development plan submitted in terms of 16.3 and/or an environmental management plan submitted in terms of 16.4; and
- (c) Council shall determine the development rules that apply to this zone when:
 - (i) Approving the zoning of any property to this zone;
 - (ii) Any site development plan or environmental management plan is considered;
or
 - (iii) Prior to the approval of any building plan or engineering services plan.

CHAPTER 11: TRANSPORT ZONES

11.1 TRANSPORT ZONE 1: TRANSPORT USAGE (TR1)

Use of the property

11.1.1 The following use restrictions apply to property in this zone:

- (a) **Primary uses** are: multiple parking garage, rooftop base station, transport use, utility service;
- (b) **Consent uses** are: informal trading, motor repair garage, service station, shops, transmission tower, any other use approved by the Council, provided that:
 - (i) Such other use does not detract from the transport use as the predominant use; and
 - (ii) The property shall be rezoned if the other use constitutes a significant and permanent change from the primary use, and if this zoning scheme provides a more suitable alternative.

Development rules

11.1.2 The following development rules apply:

- (a) **Coverage**

The maximum coverage for all buildings on the land unit is 80%.
- (b) **Floor factor**

The maximum floor factor is 2.5.
- (c) **Height**
 - (i) The maximum height of any building, measured from the base level to the top of the roof is 10,0 m; and
 - (ii) The provisions for retaining structures and earth banks in 16.6 apply.
- (d) **Setback**
 - (i) Council may require that all buildings and structures on the property are set back at least 6,5 m from the centre line of the street;
 - (ii) Where special circumstances exist, Council may require a wider setback; and
 - (iii) The provisions of 16.2 apply.

(e) **Building lines**

- (i) The street building line is 0 m; provided that a 3,5 m building line applies where fuel pumps are erected;
- (ii) The side building line is 0 m provided that where any Transport Zone 1 abuts a residential zone, the side building line is 3,0 m;
- (iii) The rear building line is 0 m; provided that where any Transport Zone 1 abuts a residential zone, the rear building line is 3,0 m;
- (iv) Provided that Council may require building lines in the interests of public health or safety or the environment or in order to enforce any applicable law or right; and
- (v) The building line exemptions in 16.1 apply.

(f) **Parking and access**

Parking and access shall be provided on the land unit in accordance with 17.1.

(g) **Loading bays**

Loading bays must be provided on the land unit in accordance with 17.2.

(h) **Screening**

- (i) The Council may require screening in accordance with 16.7; and
- (ii) Where a Transport Zone 1 abuts a residential zone a suitable wall of no less than 1,8 m must be erected.

Informal trading

11.1.3 Informal trading shall only be permitted on sites demarcated for informal trading in terms of a diagram prepared by a suitably qualified land surveyor submitted to the Council for approval, or in line with Council's by-law on informal trading.

Service station

11.1.4 The development rules of 7.3 apply.

Site development plan

11.1.5 Council may require that a site development plan be submitted for approval in accordance with 16.3.

11.2 TRANSPORT ZONE 2: ROAD AND PARKING (TR2)

Use of the property

11.2.1 The following use restrictions apply to property in this zone:

- (a) **Primary uses** are: private parking, private road, public road, public parking;
- (b) **Consent uses** are: informal trading, rooftop base station, transmission tower, any other uses determine by Council provided that:
 - (i) Such other use does not detract from the transport use as the predominant use; and
 - (ii) The property shall be rezoned if the other use constitutes a significant and permanent change from the primary use, and if this zoning scheme provides a more suitable alternative.

Development rules

11.2.2 The following development rules apply:

- (a) **Deemed zoning**

Any public street, or any portion of land indicated as a public road on an approved subdivision plan that has not lapsed, shall be deemed to be zoned as Transport Zone 2: Road.

- (b) **Construction and deposit of materials**

No person may:

- (i) Construct a private crossing, bridge or culvert onto or across a public street;
 - (ii) Construct or lay a sidewalk on a public street;
 - (iii) Construct a verandah, stoep, wall, steps or other projection in or over a public street; or
 - (iv) Deposit or leave any goods, articles, building materials or waste in a public street other than for a reasonable period of time during the course of loading, off-loading or removal thereof;
- except in accordance with the written permission and requirements of the Council.

Informal trading

11.2.3 Informal trading shall only be permitted on sites demarcated for informal trading in terms of a diagram prepared by a suitably qualified land surveyor summated to the Council for approval, or in line with Council's by-law on informal trading.

Site development plan

11.2.4 Council may require that a site development plan be submitted for approval in accordance with 16.3.

11.3 TRANSPORT ZONE 3: HARBOUR ZONE (TR3)

Use of the property

11.3.1 The following use restrictions apply to property in this zone:

- (a) **Primary use** is: harbour use;
- (b) **Consent uses** are: aquaculture, business premises, conference facilities, flats, holiday accommodation, hotel, industry, informal trading, institution, markets, multiple parking garage, offices, place of assembly, place of entertainment, place of worship, recreational facility, restaurant, rooftop base station, sale of alcoholic beverages, service station, tourist accommodation, tourist facility, transport use, town housing, utility service, transmission tower, provided that Council may approve any other use associated with waterfront development where:
 - (i) Such other use does not detract from the harbour use as a dominant use of the development; and
 - (ii) The property shall be rezoned if the other use constitutes a significant and permanent change from the primary use, and if this zoning scheme provides a more suitable alternative.

Development rules

11.3.2 The following development rules apply:

Harbour usage

11.3.3 The Council may require and approve a site development plan in terms of 16.3, or an environmental management plan in terms of 16.4.

11.3.4 The Council must determine the development rules applicable to a land unit when:

- (a) The zoning of a land unit to this zone is approved;
- (b) Any environmental impact report is considered;
- (c) Any environmental management plan is considered;
- (d) Any site development plan is approved; and
- (e) Prior to the approval of any building plans or engineering services.

11.3.5 Structures/buildings may be erected with the written consent of Council, should Council deem it necessary, provided that Council may impose conditions relating to design, architecture and developments parameters.

Consent uses

11.3.6 Other than for town housing and informal trading, the following development rules apply to all consent uses in this zone:

(a) **Coverage**

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

(b) **Floor factor**

The maximum floor factor is 1.5.

(c) **Height**

- (i) The maximum height of a building, measured from the base level to the top of the roof is 11,0 m; and
- (ii) Earth banks and retaining structures shall comply with 16.6.

(d) **Setback**

- (i) Council may require that all buildings and structures on the property are set back at least 6,5 m from the centre line of the street;
- (ii) Where special circumstances exist, Council may require a wider setback; and
- (iii) The general provisions of 16.2 apply.

(e) **Building lines**

- (i) The street building line is 0 m; provided that a 3,5 m building line applies where fuel pumps are erected;
- (ii) The side building line is 0 m provided that where any Transport Zone 3 abuts another zone, the side building line is 3,0 m;
- (iii) The rear building line is 3,0 m; provided that where any Transport Zone 3 abuts another zone, the rear building line is 4,5 m;
- (iv) Provided that Council may require more restrictive building lines in the interests of public health or safety or the environment or in order to enforce any applicable law or right; and
- (v) The building line exemptions in 16.1 apply.

(f) **Parking and access**

Parking and access shall be provided on the land unit in accordance with 17.1.

(g) **Loading Bays**

Loading bays must be provided on the land unit in accordance with 17.2.

(h) **Screening**

- (i) The Council may require screening, in accordance with 16.7; and
- (ii) Where a Harbour Zone abuts a residential zone a suitable wall of no less than 1,8 m must be erected.

Town housing

11.3.7 The development rules in 6.3.2 apply.

Informal trading

11.3.8 Informal trading shall only be permitted on sites demarcated for informal trading in terms of a diagram prepared by a suitably qualified land surveyor submitted to the Council for approval, or in line with Council's by-law on informal trading.

Site development plan

11.3.9 Council may require that a site development plan be submitted for approval in accordance with 16.3.

CHAPTER 12: OPEN SPACE AND NATURE ZONES

12.1 OPEN SPACE ZONE 1: NATURE RESERVE (OS1)

Use of the property

12.1.1 The following use restrictions apply to property in this zone:

- (a) **Primary use** is: nature reserve;
- (b) **Consent uses** are: dwelling units, environmental facilities, rooftop base station, transmission tower, tourist accommodation, tourist facilities, utility service, any other related use permitted by Council.

Development rules

12.1.2 The following development rules apply:

- (a) A site development plan must be submitted in terms of 16.3 to the satisfaction of Council;
- (b) Council may require an environmental study and/or environmental management plan in terms of 16.4;
- (c) The Council must determine the development rules applicable to a land unit, when:
 - (i) The zoning of a land unit to this zone is approved;
 - (ii) Any environmental impact report is considered;
 - (iii) Any environmental management plan is considered;
 - (iv) Any site development plan is approved;
 - (v) Prior to the approval of any building plans or engineering services; and
- (d) Structures/buildings may be erected with the written consent of Council, should Council deem it necessary, provided that Council may impose conditions relating to design, architecture, and developments parameters.

12.2 OPEN SPACE ZONE 2: PUBLIC OPEN SPACE (OS2)

Use of the property

12.2.1 The following use restrictions apply to property in this zone:

- (a) **Primary use** is: public open space;
- (b) **Consent uses** are: cemetery, environmental facilities, recreational facilities, rooftop base station, tourist facilities, transmission tower, urban agriculture, utility service, any other related use permitted by Council.

Development rules

12.2.2 The following development rules apply:

- (a) A site development plan must be submitted in terms of 16.3 to the satisfaction of Council;
- (b) The Council may require an environmental study and/or environmental management plan in terms of 16.4;
- (c) The Council must determine the development rules that apply when:
 - (i) The zoning of a land unit to this zone is approved;
 - (ii) Any environmental impact report is considered;
 - (iii) Any environmental management plan is considered;
 - (iv) Any site development plan is approved;
 - (v) Prior to the approval of any building plans or engineering services;
- (d) No structure shall be erected or use practiced except such as is compatible with "public open space" as defined; and
- (e) Structures/buildings may be erected with the written consent of Council, should Council deem it necessary, provided that Council may impose conditions relating to design, architecture and developments parameters.

12.3 OPEN SPACE ZONE 3: PRIVATE OPEN SPACE (OS3)

Use of the property

12.3.1 The following use restrictions apply to property in this zone:

- (a) **Primary use** is: private open space;
- (b) **Consent uses** are: cemetery, environmental facilities, recreational facilities, rooftop base station, tourist accommodation, tourist facilities, transmission tower, urban agriculture, utility service, any other related use permitted by Council.

Development rules

12.3.2 The following development rules apply:

- (a) A site development plan must be submitted in terms of 16.3 to the satisfaction of Council;
- (b) The Council may require an environmental study and/or environmental management plan in terms of 16.4;
- (c) The Council must determine the development rules that apply when:
 - (i) The zoning of a land unit to this zone is approved;
 - (ii) Any environmental impact report is considered;
 - (iii) Any environmental management plan is considered;
 - (iv) Any site development plan is approved;
 - (v) Prior to the approval of any building plans or engineering services;
- (d) No structure shall be erected or use practiced except such as is compatible with the "private open space" as defined; and
- (e) Structures/buildings may be erected with the written consent of Council, should Council deem it necessary, provided that Council may impose conditions relating to design, architecture and development rules.

CHAPTER 13: RESORT ZONE

13.1 RESORT ZONE: HOLIDAY RESORTS (RZ)

Use of the property

13.1.1 The following use restrictions apply to property in this zone:

- (a) **Primary uses** are: conservation use, holiday accommodation, private open space, private road, tourist accommodation;
- (b) **Consent uses** are: additional dwelling units, conference facilities, holiday housing, hotel, place of assembly, place of entertainment, recreational facilities, restaurant, rooftop base station, transmission tower, tourist facilities, any other use determined by Council.

Development rules

13.1.2 The following development rules apply:

- (a) The Council shall stipulate development rules with regard to density, height, coverage, layout, building design, landscaping, parking, access; signage and the use of the property when:
 - (i) The zoning of a land unit to this zone is approved;
 - (ii) Any environmental impact report is considered;
 - (iii) Any environmental management plan is considered;
 - (iv) Any site development plan and landscape master plan is approved; and
 - (v) Prior to the approval of any building or engineering services plan.
- (b) A site development plan must be submitted to the Council for approval in accordance with 16.3;
- (c) A landscape master plan and environmental management plan shall be submitted to the Council and approved in terms of provision stipulated in 16.4; and
- (d) The Council shall stipulate the required services and other infrastructure required to service the resort.

Identification of zoned area

13.1.3 The Council may approve a resort zoning on a portion of a land unit, if it is satisfied that the proposed use or activity is desirable, provided that:

- (a) The area affected by the activity must be clearly identified on a survey diagram or other plan prepared by a suitably qualified person to Council's satisfaction, and endorsed by Council; and
- (b) The area thus identified shall be clearly marked on the zoning map.

Holiday housing

13.1.4 The following additional development rules apply to holiday housing:

- (a) Holiday housing shall not comprise more than 50% or a lesser percentage as determined by the Council of the units provided on the property concerned;
- (b) Height applicable to be applied in this zone shall be determined by Council but is restricted to maximum of two storeys; and
- (c) A home owner's association shall be established and the home owners' association constitution submitted to the Council for approval, where holiday housing is provided.

Additional dwelling units

13.1.5 Council may approve additional dwelling units; provided that:

- (a) Council is satisfied that additional dwelling units are for the normal accommodation of employees of the resort who are active in the normal resort practice conducted on the property;
- (b) These units shall be designed as an integral part of the resort; and
- (c) Be subject to the development rules as determined by Council.

Site development plan

13.1.6 Council may require that a site development plan be submitted for approval in accordance with 16.3

Environmental management plan

13.1.7 Council may require an environmental management plan to be submitted in accordance with 16.4.

CHAPTER 14: SPECIAL ZONES

14.1 SUBDIVISIONAL AREA ZONE (SA)

Development rules

14.1.1 The following development rules apply:

- (a) The zoning of a land unit as Subdivisional Area shall not exempt an owner from compliance with the provisions of relevant planning laws which govern the subdivision of land;
- (b) The density requirement and other conditions which are laid down at the time of approval of the rezoning to Subdivisional Area shall apply, and such conditions may include, but are not limited to, requirements for a development framework, environmental study and/or environmental management plan, transport impact assessment, landscape master plan, precinct plan and/or site development plan;
- (c) Any plan of subdivision submitted for a land unit that is zoned Subdivisional Area, shall stipulate the intended zoning of each proposed subdivision, or land portion, include a legend with a colour scheme and zoning in accordance with the zoning scheme, be properly numbered and may include retention of the Subdivisional Area Zone for specified land portions to be further subdivided and developed at later stages, provided that Council may request such additional information as it deems necessary to be included in the plan of subdivision; and
- (d) At the confirmation of a subdivision for property which has been zoned as Subdivisional Area, the zoning provisions approved by Council as conditions of the subdivision approval, shall be deemed to be a substitution scheme.

14.2 SPECIAL ZONE (SZ)

Use of the property

14.2.1 The following use restrictions apply to property in this zone:

- (a) **Primary use** is: none;
- (b) **Consent uses** are: special usage, which means any other use determined by Council when approving a Special Zone and which is not catered for under a primary or consent use contained in the scheme.

Development rules

14.2.2 The Council shall determine the development rules when the use of land is approved, provided that:

- (a) Special factors justify the creation of special development rules for a property, without justifying the creation of a new zone in this scheme;
- (b) When granting an application for a Special Zone, the Council must determine development rules with regard to maximum floor space, coverage, height, building lines, parking, density, layout and the use of the property;
- (c) The Council may determine the development rules in accordance with a Special Zone Annexure or Special Zone Site Development Plan; and
- (d) Special Zone Annexures and Special Zone Site Development Plans must be adopted and may be amended by the Council in terms of a Council resolution, and do not require the formal amendment of this zoning scheme.

Special zone annexure

14.2.3 When Council employs the Special Zone Annexure method of development management, Council must:

- (a) Identify the area concerned on the zoning map by way of a separate number, and must stipulate the development rules that apply for the area as a separate Special Zone in an annexure to this zoning scheme;
- (b) Give each Special Zone, where the development rules are unique, a separate number, and each number with the accompanying development rules, must be recorded as a separate Special Zone in the annexure to the zoning scheme; and
- (c) Compile a list of Special Zone Annexures established in terms of this zoning scheme and record these in Annexure B.

Special zone site development plans

14.2.4 When Council employs the Special Zone Site Development Plan method of development management, Council must:

- (a) Identify the area concerned on the zoning map by way of a separate number and shall require a site development plan to be submitted in accordance with 16.3;

- (b) Register the reference number of the site development plan approved by Council; and;
- (c) Compile a list of special zone site development plans established in terms of this zoning scheme and record these in Annexure B.

Landscape master plan

14.2.5 Council may require a landscape master plan to be submitted in accordance with 16.3.

Environmental management plan

14.2.6 Council may require an environmental management plan to be submitted in accordance with 16.4.

14.3 UNDETERMINED ZONE (U)

Use of the property

14.3.1 The following use restrictions apply to property in this zone:

- (a) **Primary uses** are limited to only lawful uses existing at the operative date of this zoning scheme;
- (b) **Consent uses** are: none.

Development rules

14.3.2 No change of an existing use or expansion of an existing building or structure is permitted.

No rezoning to this zone permitted

14.3.3 No rezoning of any property to this zone is permitted after the operative date of this zoning scheme, and

14.3.4 If additional uses or development rights are required, a rezoning application to another more appropriate zone in terms of this zoning scheme must be processed.

Reconstruction of destroyed property

14.3.5 Property that has been partially or completely destroyed by accidental causes may be reconstructed in accordance with the development rights that existed at the operative date of this zoning scheme, provided that building plans for such reconstruction are approved within 12 months from the date of the accidental destruction.

PART 3: OVERLAY ZONES

CHAPTER 15: GENERAL RULES FOR OVERLAY ZONES

15.1 PROCEDURES FOR OVERLAY ZONES

Adoption or amendment of overlay zones

15.1.1 The Council may prepare, approve, amend or delete overlay zones for specific areas in order to:

- (a) Give expression to the local needs and values of the communities concerned in a planning context;
- (b) Promote sustainable development and respond to current urban or conservation realities in a particular area; and
- (c) Respond to particular types of development, urban form, landscape character or environmental features, provided that the Council is satisfied the abovementioned objectives are appropriate for the area concerned, and the fulfillment of these objectives does not detract from the Council's ability to serve the needs of the municipal area as a whole.

15.1.2 If the Council intends to adopt, amend or delete an overlay zone, the Municipal Manager shall:

- (a) Cause the proposed adoption, amendment or deletion to be advertised in accordance with the public consultation policy of the Council, affording interested parties the opportunity to submit written comments or objections to the Municipal Manager within a period of not less than thirty days from date of such advertisement;
- (b) Obtain the relevant comment of any organ of state which, in his or her opinion, has an interest in the overlay zone concerned;
- (c) Submit the proposed overlay zone, amendment or deletion, and all relevant documentation to the Council for consideration and a decision;
- (d) Notify all persons who submitted comments relating to the adoption, amendment or deletion of the overlay zone within the prescribed period, of the Council's decision; and
- (e) Make known the adoption, amendment or deletion by publication of a notice in the press, confirming at which municipal office the relevant documentation may be inspected by interested parties.

Identification and numbering

15.1.3 The Council shall approve a distinctive name and number for each overlay zone and any sub-zone, when adopting such overlay zone or sub-zone.

15.1.4 The Council shall indicate the area of an overlay zone on the zoning map and:

- (a) Shall record the existence of a overlay zone in Annexure C to this zoning scheme, with reference to where any detailed provisions of the overlay zone may be found; and
- (b) Shall record the detailed provisions of the overlay zone in a separate Appendix document with a cross reference in that document to the annexure concerned.

15.2 STATUS OF OVERLAY ZONES

Status of overlay zones

- 15.2.1 An overlay zone applies in addition to the base zone (or underlying zoning) of the properties to which it relates, and may vary the development rules relating to these properties.
- 15.2.2 The provisions of an overlay zone may be more restrictive or more permissive than the provisions applicable to the base zone of the property concerned.
- 15.2.3 If the provisions of an overlay zone are different to, or in conflict with the provisions of a base zone, the more restrictive provisions shall apply, unless stated otherwise in the overlay zone concerned.
- 15.2.4 The provisions of an overlay zone do not in any way detract from any obligations in terms of national and provincial legislation.

PART 4: GENERAL PROVISIONS

CHAPTER 16: GENERAL PROVISIONS APPLICABLE TO ALL ZONES

16.1 ENCROACHMENT OF BUILDING LINES

Encroachment of building lines

16.1.1 The following additional development rules apply with regard to encroachment of building lines:

General encroachments

- (a) Notwithstanding the building line requirements set out in Part 2, the following structures or portions of structures may, provided they do not extend beyond the boundaries of the land unit, be erected over the prescribed building lines:
 - (i) Boundary walls, retaining walls, screen walls, fences and gates not exceeding 2,1m in height above the existing ground level abutting such wall; ;
 - (ii) Open and uncovered stoeps lower than 1,0 m above the existing ground level;
 - (iii) Entrance steps, landings and entrance porches; lower than 1m above the existing ground level;
 - (iv) A covered pedestrian entrance or gatehouse that has a roofed area not exceeding 5,0 m² and a roof height not exceeding 3,0 m from floor to highest point of the roof;
 - (v) Eaves and awnings projecting no more than 1,0 m from the wall of the building;
 - (vi) Cornices, chimney breasts, flower boxes, water pipes, drain pipes and minor decorative features not projecting more than 500 mm from the wall of the building;
 - (vii) Swimming pools not closer than 1,0 m from any boundary, provided that where a swimming pool is designed closer to the erf boundary an engineering certificate is required;
 - (viii) A basement, provided that the top of the basement roof slab does not project above the existing ground level;
 - (ix) A refuse room that has an area not exceeding 5 m² and if covered a roof height not exceeding 3,0 m or as required by the Council in terms of 17.4; and
 - (x) Built braais up to a maximum of 1,0 m in height above the existing ground level, with the consent of affected neighbours.

Encroachment of side and rear building lines

- (b) The Council may approve the erection of an outbuilding, which encroaches into the side and rear building lines, provided that:
 - (i) No building exceeds a height of one storey;
 - (ii) No wall on the property boundary may be higher than 3,50 m above the existing ground level, provided that the height may increase at a 40 degree angle away from such boundary;
 - (iii) The length of the structure does not exceed one third of the boundary concerned or 9,0 m, whichever is the lesser distance,;

- (iv) No doors and windows shall be permitted in any wall closer than 1,0 m to the rear or side boundary;
- (v) In the event of a property being accessed via a private street an access way of at least 1,0 m shall be provided from the private street to every vacant portion of the land unit concerned other than a courtyard;
- (vi) No runoff of rainwater from a roof shall be discharged directly onto adjoining properties;
- (vii) The outbuilding shall be included in the calculation of coverage on the land unit;
- (viii) The Council is satisfied that the structure does not pose a fire hazard and is constructed of appropriate material to its satisfaction; and
- (ix) Where the written consent of the immediate neighbours is obtained the Council need not advertise the application further.

Encroachment of the street building line

- (c) The Council may relax the street building line under the following circumstances:
 - (i) In the case of a garage or carport subject to 16.1.2;
 - (ii) If, in its opinion, the architectural effect of the building line relaxation will enhance the appearance of a street;
 - (iii) If, in its opinion, there are special circumstances, motivated to its satisfaction by the property owner, such as the topography of the site; and
 - (iv) All other buildings and outbuildings to comply with the street building line applicable within the zone concerned.

Garages and carports within building lines

16.1.2 The following development rules apply with regard to garages and carports within building lines:

- (a) The Council may permit the erection of a garage over a street building line, if in the Council's opinion, the garage cannot reasonably be sited at the prescribed distance due to the slope of the land unit, or for other reasons provided:
 - (i) The height of such garage from the natural ground level to the top of its roof does not exceed 4,5 m; and
 - (ii) The garage may not be closer than 5,0 m to the road kerb/surface;
- (b) A carport may be erected on the street boundary provided that:
 - (i) The width of such carport shall not exceed 6,5 m;
 - (ii) The roof of the carport shall be supported by metal or timber post or brick, concrete or masonry pillars;
 - (iii) The carport shall not be enclosed on any side except by:
 - a boundary fence or wall;
 - wall which forms the external wall of a building; or
 - security or automated gate.
 the height of such carport measured from the natural ground level to the highest point of the structure over the building line may not exceed 3,0 m, but the height may increase at a 40 degree angle away from such boundary(roof); and
 - (iv) The edges of the roof sheeting must be trimmed with a fascia board not less than 150 mm in width.

16.2 SETBACKS

16.2.1 The portions of any land unit falling within a setback area shall be excluded for the purpose of determining coverage and maximum floor space, unless the owner transfers the portion concerned to the Council free of any charge. In that case the portion shall be included for the purpose of determining the coverage or maximum floor space on the land unit.

16.3 SITE DEVELOPMENT PLANS

16.3.1 The Council may require a site development plan to be submitted to its satisfaction for any land unit provided that:

- (a) The site development plan shall not be unreasonably refused if it is consistent with the development rules approved in terms of a base zone, overlay zone or rezoning approval; but
- (b) The Council may require amendments of detail to the site development plan to address reasonable concerns relating to access, parking, architectural form, urban design, landscaping, environmental management, engineering services or similar concerns, and
- (c) Council may cause the site development plan to be advertised, where it is of the opinion that advertisement of the proposed development is in the public interest.

16.3.2 The following provisions shall apply with regard to site development plans:

- (a) A site development plan shall show the details referred to in the definition of "site development plan", unless the Council agrees to waive certain requirements;
- (b) If the Council considers it necessary, a transport impact assessment may be required in conjunction with a site development plan, the extent of which shall be determined by the Council depending on the magnitude of the development;
- (c) If the Council considers it necessary, a stormwater management assessment and management plan may be required in conjunction with a site development plan, the extent of which shall be determined by the Council depending on the magnitude of the development;
- (d) The Council may approve a site development plan which is submitted for its approval, or may require amendments before it is approved, or may refuse it.
- (e) In circumstances where a site development plan is required in terms of this zoning scheme, no application for building plan approval in terms of the National Building Act, shall be granted by the Council, unless a site development plan has first been approved;
- (f) The property shall be developed generally in accordance with the site development plan as approved by the Council, and to the satisfaction of the Council;
- (g) Application may be submitted to the Council for amendment of an approved site development plan;
- (h) The Council shall process an application to approve or amend a site development plan in accordance with its policy for transparency, public consultation and administration of such applications; and
- (i) When approving a site development plan or amendment to a site development plan, the Council may impose conditions of approval.

16.4 ENVIRONMENTAL MANAGEMENT PLANS

16.4.1 The following provisions shall apply with regard to environmental management plans:

- (a) An environmental management plan shall contain the information specified in the definition of "environmental management plan" unless the Council agrees to waive certain requirements;
- (b) An environmental management plan must be compiled by a suitably qualified or registered environmental specialist;
- (c) The Council may approve an environmental management plan which is submitted for its approval, or may require amendments before it is approved, or may refuse it;
- (d) If an environmental management plan is required in terms of this zoning scheme, no site works are permitted, and no application for subdivision of land, transfer of land units, or building plan approval in terms of the National Building Act, shall be granted by the Council, until it has first approved an environmental management plan;
- (e) The property shall be developed and managed generally in accordance with the environmental management plan as approved by the Council, and to the satisfaction of the Council;
- (f) Application may be submitted to the Council for amendment of an approved environmental management plan;
- (g) The Council shall process an application to approve or amend an approved environmental management plan in accordance with its policy for transparency, public consultation and administration of such applications; and
- (h) When approving an environmental management plan or amendment to an environmental management plan, the Council may impose conditions of approval.

16.5 OWNERS' ASSOCIATION OR BODY CORPORATE

16.5.1 If the Council requires an owners' association to be established for any development, either an owners' association in terms of the Planning Law, or a body corporate in terms of the Sectional Title Act, may satisfy this requirement.

16.5.2 In addition to the requirements of any other law, the following provisions shall apply to an owners' association or body corporate in terms of this zoning scheme.

- (a) Every owner of property in a development, to which the owners' association or body corporate applies, shall be a member of the owners' association or body corporate;
- (b) The owners' association or body corporate shall maintain all common property owned by the owners' association or body corporate including private roads, private utility services and infrastructure, private open spaces and perimeter fences;
- (c) The owners' association or body corporate shall be responsible for control and adherence to the design requirements approved in terms of its constitution or articles of association; and
- (d) The constitution or articles of association must clearly define the responsibilities and requirements of the home owner's association (or body corporate) with respect to building plan submission, deviations from approved development guidelines and development rules, the need for endorsement of the home owner's association or board of trustees on any application submitted to Council by a property owner within the development concerned, provided that:

- (i) Nothing in this provision will preclude the Council from advertising an application submitted, in respect of which Council is of the opinion that it is in the interests of the public and that an endorsement by the body corporate or the board of trustees as the case may be does not compel Council to approve an application.

16.6 BOUNDARY WALLS, EARTH BANKS AND RETAINING STRUCTURES

16.6.1 Without the prior written consent of the Council no boundary wall or fence shall exceed 2,1 m in height above the existing ground level abutting such wall or fence, provided that where the ground levels on opposite sides of the wall or fence are unequal, the height of the wall or fence shall be measured from the higher of the two levels.

16.6.2 Without the prior written consent of the Council:

- (a) No earth bank, retaining structure, column, suspended floor, other device or series of such devices, shall be constructed that enables a ground floor of a building to be raised more than 1,5 m above the base level;
- (b) No earth bank or retaining structure used for holding back earth or loose rock, whether associated with a building or not, shall be constructed to a height of more than 1,5 m above the base level; and
- (c) No series of earth banks or retaining structures shall be constructed to a cumulative height of more than 1,5 m above the base level, unless an approximately level area of at least 3,0 m wide is incorporated between successive embankments or retaining structures for every 1,5 m of cumulative height.

16.7 SCREENING

16.7.1 The Council may require screening in accordance with the following:

- (a) Any part of the land unit which is used for the storage or loading of goods, shall be enclosed with a suitable wall and/or landscape screening; and
- (b) Any external utility service or equipment which is required for a building, shall be appropriately screened from view from a public street, and such screening shall be integrated with the building in terms of materials, colour, shape and size, and shall be to the Council's satisfaction.

16.8 MAINTENANCE OF PROPERTY AND PLACEMENT OF VEHICLES

Maintenance of property

16.8.1 Property shall be properly maintained by the owner or occupant and shall not be left in a neglected or offensive state;

- (a) Contain an unsightly accumulation of papers, cartons, garden refuse rubble and/or other waste material;

- (b) Contain an accumulation of motor wrecks or used motor parts, unless these are part of a primary or consent use in terms of this zoning scheme; or
- (c) Contain outdoor storage of building material, appliances or similar items unless these are:
 - (i) Part of a primary or consent use in terms of this zoning scheme;
 - (ii) Being temporarily stored for the purpose of construction in accordance with a valid building plan approval; or
 - (iii) In conjunction with a yard or garage sale with a duration of not more than two consecutive days.

Placement of vehicles in residential zones

16.8.2 The following development rules apply to the placement of vehicles in the Single Residential Zones and General Residential Zones:

- (a) A motor vehicle owned by an occupant of a dwelling unit and used for commercial activities conducted away from the dwelling unit, may be parked on the property where the occupant resides provided that:
 - (i) There is adequate space on the property concerned;
 - (ii) No more than one commercial vehicle per dwelling unit shall be parked on the property; and
 - (iii) The gross weight of any such commercial vehicle shall not exceed 3 500 kg.
- (b) A recreation vehicle, such as a caravan, may not be used for habitation by the occupant or guests for more than 60 days during any 12-month period.

Mobile homes

16.8.3 The following development rules shall apply with regard to mobile homes placed on a land unit zoned for resort purposes:

- (a) The mobile home shall be sited on a foundation slab and anchored to the Council's satisfaction;
- (b) Solid perimeter skirting, of material and colour complementary to the mobile home shall be provided from the bottom of the mobile home to the ground surface;
- (c) The roof and exterior siding of the mobile home shall be of a non-reflective material; and
- (d) Any structural additions shall be of materials which, in the opinion of the Council, are compatible with the mobile home.

16.9 OTHER COUNCIL BY-LAWS, POLICIES AND DEVELOPMENT CONTROLS

Compliance with by-laws

16.9.1 The provisions of this zoning scheme do not detract from compliance with any other Council by-law.

Title deed restrictions

16.9.2 Restrictive conditions of title take precedent over the use rights and development rules defined in terms of the zoning scheme.

Conditions of approval

16.9.3 If Council imposes a condition of approval that includes additional development controls or restricts development rules provided for in this zoning scheme, the development controls contained in the approval take precedent over the zoning scheme and these must be included in the register.

CHAPTER 17: PARKING, LOADING AND INFRASTRUCTURE

17.1 PARKING REQUIREMENTS

Off-street parking requirements

17.1.1 The following off-street parking requirements apply unless otherwise stated in this zoning scheme:

- (a) In cases where parking requirements are not stipulated for a particular use, or in terms of a specific condition imposed by the Council, parking shall be provided at a minimum ratio in accordance with the following Table titled "Minimum Off-Street Parking Requirements";
- (b) The Council shall determine off-street parking requirements for land uses not stipulated in the table "Minimum Off-Street Parking Requirements"; and
- (c) Off-street parking shall be provided:
 - (ii) On the property for which the parking is required;
 - (ii) Subject to the Council's approval, in public parking facilities available in the vicinity; or
 - (iii) In accordance with 17.1.2.

Alternative parking supply

17.1.2 As an alternative to compliance with the off-street parking requirements in terms of this zoning scheme, an owner may with the approval of the Council:

- (a) Acquire an area of land sufficient for the permanent parking requirements elsewhere in a position approved by the Council; or
- (b) Acquire permanent rights to a parking facility or portion of a parking facility elsewhere in a position approved by the Council; and shall register a notarial deed of servitude against such land or parking facility to link the properties concerned for the purpose of parking, and the owner shall cause the parking concerned to be constructed and maintained at his cost to the satisfaction of the Council. The cost of registration of the servitude shall be borne by the owner; or
- (c) Pay Council the amount to the value of the parking to be provided, in accordance with the zoning concerned, together with the construction cost, in cases where the provision of parking is precluded in terms of other legislation or site specific constraints or a contribution is made to an approved Council parking fund or project for the provision of parking.

Combined parking requirements

17.1.3 Where two or more land uses share a common parking area, the Council may reduce the amount of parking that would be required to be provided for the independent uses; provided that:

- (a) The Council is satisfied that the utilisation of the same parking area by different activities, is not concurrent; and

- (b) Bays intended for combined use may not subsequently be reallocated to selected uses, without the approval of the Council.

Minimum off-street parking requirements

Land use	Standard areas
Dwelling house	2 on site parking bays per dwelling unit provided that on erven less than 400m ² only one on site parking bays needs to be provided.
Second dwelling	1 bay
Group dwelling/town housing	1 bay per dwelling unit plus 1 bay per dwelling for visitors
Flats	1.5 bays per 1 bedroom dwelling unit 2 bays per 2 and more bedroom dwelling units
Bed and breakfast establishment	2 bays per establishment (owner/manager) 1 bay per guest room
Boarding house, Guest house	1 bay per bedroom/2 persons accommodated
Hotel	1 bay per bedroom plus an additional 10 parking bays per 100m ² of public access areas
Retirement home	1 bay per bedroom plus 0,25 bays per frail care bed
Crèche	1 bay per 10 children plus stop & drop facility where a crèche makes provision for more than 20 children
School	1 bay per classroom or office plus a stop and drop facility
Place of instruction (tertiary education facility)	0,5 bays per student plus 1 bay per classroom or office
Place of assembly/entertainment/funeral parlor	1 bay per 4 seats
Recreation, sport	1 bay per 4 seats or persons
Hospital/clinic (general and private)	1 bay per bed plus 4 bays per consulting room
Medical consulting rooms	6 bays per 100m ² GLA
Supermarket/shopping centre	6 bays per 100m ² GLA
Shops/offices/restaurants	6 bays per 100m ² GLA
Conference centre	1 bay per 2 seats
Place of worship	1 bay per 6 seats

GLA means Gross Leasable Area

Minimum off-street parking requirements (Cont.)

Land use	Standard areas
Motor showroom	2 bays per 100m ² GLA and 2 bays per 100m ² outdoor display area
Motor repair garage/service station/car wash/service centre	2 bays per service bay plus 2 bays per 100m ² GLA
Motor fitment centre	2 bays per service bay plus 2 bays per 100m ² GLA
Car wash	4 bays per service bay plus 2 bays per 100m ² GLA
Industry	2 bays per 100m ² GLA
Warehouse/storage	2 bays per 100m ² GLA

GLA means Gross Leasable Area

17.1.4 The following minimum requirements shall apply to parking bays:

- (a) A parking bay shall measure a minimum 2,5 m in width and a minimum 5,0 m in length; and
- (b) Covered parking areas shall have a minimum headroom of 2,3 m.

Parking for the disabled

17.1.5 Other than in the single residential zones, parking that is capable of use by physically disabled persons must be provided on any land unit, to ensure easy and convenient access for physically disabled persons to services and facilities generally open and accessible to the public, and to residential uses.

17.1.6 In any parking facility serving the public, parking for physically disabled persons shall be provided in accordance with the following table "Physically Disabled Accessible Parking".

Physically disabled accessible parking

Total no of parking bays	Required number of bays accessible to the physically disabled
1-10	1
11-50	2
51-100	4
101-150	6
151-200	8
For every additional 100 bays	2 additional parking bays

17.1.7 Parking for the physically disabled shall comply with the following requirements:

- (a) Parking bays shall be a minimum of 4,0 m in width and 5,0 m in length;

- (b) Parking and access aisles shall be level;
- (c) Parking bays shall be located as near as possible to accessible building or site entrances and shall be located to provide convenient access to curb ramps;
- (d) Each parking bay reserved for physically disabled persons shall be marked on the parking surface with the International Symbol of Accessibility;
- (e) Additional signage indicating the parking bay as reserved for the exclusive use by physically disabled persons may be required by the Council; and
- (f) Where five or less parking bays are provided, at least one bay shall be 4,0 m wide and marked to provide a parking bay of 2,5 m with an access aisle 1,5 m, but the bay need not be reserved exclusively for physically disabled persons.

17.1.8 Physically disabled accessible parking provided in terms of this section shall count toward fulfilling off-street parking requirements.

Motorcycle and bicycle spaces

17.1.9 The Council may require that parking be provided for motorcycles and bicycles.

17.1.10 For every four motorcycle and six bicycle parking spaces provided, a credit of one parking bay may be given towards the parking requirements; provided that:

- (a) The total credit shall not exceed 2,5% of the parking bays required;
- (b) The minimum dimension for a motorcycle space shall be 2,2 m in length and 1,0 m in width; and
- (c) The minimum dimension for a bicycle space shall be 2,0 m in length and 0,6 m in width.

17.1.11 Signage, bollards and racks, or other devices for storing bicycles and motorcycles shall be installed to the satisfaction of the Council.

Parking layout plan.

17.1.12 The Council may require a parking layout plan to be submitted, indicating the way in which it is intended that motor vehicles shall park, the means of entrance and exit, and landscaping proposals.

17.1.13 The Council may approve or disapprove the parking layout plan and impose conditions of approval.

17.2 LOADING BAYS

Loading bays

17.2.1 The minimum off-street loading requirements are 1 bay per 500 m² for the first 1 000 m² of GLA, thereafter 1 bay per 1 000 m²; provided that:

- (a) Council may, for the purposes of preventing the obstruction of traffic on any public street or road adjacent to a land unit, require specific provision for the loading,

- offloading or refueling of vehicles that are likely to occur on the land unit under normal circumstance;
- (b) Facilities for the loading, offloading or refueling of vehicles shall be provided by the owner to the satisfaction of Council, and no loading, offloading or refueling of vehicles shall be permitted other than in accordance with proposals as approved by the Council;
- 17.2.2 The following minimum requirements shall apply to loading bays:
- (a) A loading bay shall measure not less than 4,5 m x 10,0 m for perpendicular loading and 2,5 m x 12,0 m for parallel loading;
- (b) No entrance or exit way to be used for loading shall be less than 3,0 m in width and no combined entrance and exit way shall be less than 6,0 m in width; and
- (c) Covered loading areas shall have a minimum headroom of 3,7 m.

17.3 INFRASTRUCTURE AND AVAILABILITY OF SERVICES

- 17.3.1 Engineering services installed by an owner or developer shall comply with the minimum standards for the provision of engineering services as laid down by the Council from time to time.
- 17.3.2 The installation and provision of engineering services for less than 4 erven shall not be subject to a services agreement being entered into with the Council, subject to 17.3.5, and in the absence of a services agreement, the responsibility for the installation and provision of services shall be placed on:
- (a) The owner or developer for all internal engineering services within the boundaries of the property concerned;
- (b) The owner or developer for connecting internal roads and services to the municipal network adjacent to but outside the boundaries of the property; and
- (c) The Council for external engineering services which are located outside the boundaries of the property concerned, and to which the internal services connect, provided that where the upgrading or provision of external services are required, it shall be the responsibility of the developer at his cost, except when Council decides otherwise.
- 17.3.3 The owner or developer may install external services to the Council's satisfaction, or may make a contribution in whole or in part for the cost of external services:
- (a) If the Council does not have sufficient funds; or
- (b) If the installation of such external services does not conform to the Council's current capital expenditure programme; and
- (c) The conditions relating to such contribution shall be negotiated between Council and the owner or developer, and shall be recorded in a services agreement.
- 17.3.4 The Council may impose a levy on any new development, departure use or consent use in order to provide for public open space, or to recover the cost of funding the provision of or upgrading of external services, or for some other purposes, provided such levy is consistently applied.
- 17.3.5 Council shall not issue clearance certificates for the transfer of individual erven within any development prior to the submission and acceptance by Council of certificates issued and

duly endorsed by a professional engineer that all services to be provided for as set out in the approved services agreement, or otherwise agreed upon, has been properly installed.

- 17.3.6 Further to and forthcoming 17.3.5, Council shall not receive for consideration any building plans, except building plans relating to services infrastructure or associated structures, prior to the necessary clearance certificates having been issued for the individual erf within a development.
- 17.3.7 Subdivisional certificates shall not be issued by Council, prior to the payment of the standard development levies pertaining to services whether towards internal or external services, unless formally otherwise agreed upon with the Council.
- 17.3.8 The provisions of 17.3 shall be applicable to each phase of a development, unless formally otherwise agreed upon with the Council.
- 17.3.9 Where bulk meter installations are being provided for a development Council will only be responsible for the reading of the bulk meters, and the body corporate shall be responsible for internal administration.

17.4 REFUSE ROOMS

- 17.4.1 The Council may, for the purposes of collecting refuse, require the owner to install a refuse receptacle on the land unit which shall:
- (a) Be of sufficient size to accommodate the refuse generated from the land unit for one week;
 - (b) Be located adjacent to a public street or, at the Council's discretion, in a position which will provide acceptable access to a refuse collection vehicle;
 - (c) Be designed in a manner that is architecturally compatible with the surrounding structures and screen refuse bins from public view; and
 - (d) Comply with any other reasonable condition the Council may impose relating to access, health, pollution control, safety or aesthetics.
- 17.4.2 Council may require an owner of property to provide an embayment for refuse removal vehicles to its satisfaction.

CHAPTER 18: SUBDIVISION OF LAND

18.1 SUBDIVISION OF LAND

Deemed approval for building line and coverage departures

18.1.1 When the Council grants approval of the subdivision of a land unit containing one or more existing structures, so as to locate different structures on separate land units, Council's approval is deemed to have been granted for any building line or coverage departure that arises from the approved subdivision, provided that future structures comply with the requirements of the zoning scheme.

Utility services

18.1.2 Where a subdivision is granted, the owner of any land unit of the subdivision shall, without compensation allow:

- (a) Gas mains, electricity, telephone and television cables, water pipes, foul sewers, stormwater pipes, ditches and channels from any other land unit or land units to be conveyed across the land unit concerned;
- (b) Installations such as mini-substations, meter kiosks and service pillars to be installed thereon; and
- (c) If considered necessary by the Council, in such manner and position as may from time to time be reasonably required, and shall allow the right of access to the land unit at any reasonable time for the purpose of constructing, removing, reparation or inspecting any works connected with the above.

Bank stability

18.1.3 Where a subdivision is granted, the owner of any land unit shall, without compensation:

- (a) Receive such material or permit such excavation on the land unit as may be required to allow the use of the full width of an abutting street and provide a safe and proper slope to its bank necessitated by differences between the level of the street as finally constructed and the level of the land unit; or
- (b) Alternatively the owner may elect to build retaining structures to the satisfaction of, and within a period to be determined by, the Council.

Building on a subdivision not confirmed

18.1.4 The Council may permit a building or structure to be erected on a land unit forming part of a subdivision that has not been confirmed, provided:

- (a) Such building or structure is not in conflict with this zoning scheme or any relevant condition of subdivision;
- (b) The current registered owner of the land unit agrees to the erection of the building or structure concerned; and

- (c) Provided that where a subdivisional approval has lapsed the registered land owner shall apply to Council to consider the legalisation of such structure in terms of the relevant legislation.

Subdivision of a property with consent use rights or a temporary land use departure

18.1.5 If a property that has been granted a consent use right or temporary land use departure is subsequently subdivided, the consent use right or temporary land use departure shall apply to only one of the resulting subdivisions, unless the Council states otherwise by means of a condition of the subdivision.

CHAPTER 19: INTERPRETATION

19.1 INTERPRETATION

Rules for interpretation

19.1.1 The following rules of interpretation shall apply:

- (a) In this zoning scheme, in the register, in any note on the zoning map and in any condition imposed in terms of this zoning scheme, the words and expressions shall have the meanings assigned to them in accordance with the definitions contained in these zoning scheme regulations, except where a contrary interpretation is clear from the context. Interpretation of words not defined in this chapter will have the meanings assigned to them in the "New Shorter Oxford English Dictionary" published by Oxford University Press, except where a contrary interpretation is clear from the context;
- (b) Headings contained in this zoning scheme shall be used for reference purposes, but shall not be construed to govern, limit or modify the meaning or intent of any provision of the zoning scheme;
- (c) The masculine gender includes the feminine and neuter, and visa versa, and the singular includes the plural, unless the context indicates otherwise;
- (d) Whenever reference is made to a law, ordinance or by-law, the reference applies to all substitutions, amendments and additions of that law, ordinance or by-law;
- (e) Whenever reference is made to the use of a building, land unit or property, the reference applies also to the erection of a building, to the use of part of a building and to the use of a land unit, whether a building is erected on the land unit or not;
- (f) It is understood that the terms "must" and "shall" are mandatory, and the term "may" is not mandatory, unless the context clearly indicates otherwise; and
- (g) The Council's interpretation of the text shall prevail unless the contrary is proven.

Methods of measuring distances, levels and heights

19.1.2 The following provisions apply with regard to measuring distances, levels or heights:

- (a) If required by the Council, the owner or applicant shall appoint a registered surveyor to supply or verify information necessary for the Council to make a decision about compliance with distances or heights required in terms of this zoning scheme;
- (b) Where reference is made or implied to the distance between boundaries or between a building and a boundary, this distance shall be measured in the following manner:
 - (i) The boundary or boundaries and all points of the building shall be projected onto a horizontal plane, and all measures shall be made in such a plane; and
 - (ii) The distance between a point on a building and a boundary shall be measured at the shortest distance between the point and the boundary.
- (c) Where reference is made to a portion of a boundary "opposite" a building, such portion shall be defined by drawing lines in a manner described in clause (b), from points on such building, at right angles to such boundary; and
- (d) Where reference is made to a distance, ground level, height of a point on a building or other measurement, then such distance, level or height shall be calculated in

accordance with recognised geometric principles. In any case where the distance, level or height involved is so irregular that calculation in accordance with these principles is impractical or leads to a result which is clearly not in accordance with the intent of the zoning scheme, the Council shall determine the distance, level or height concerned for the purpose of administering this scheme.

Interpretation of boundaries

19.1.3 Where uncertainty exists as to the boundaries of use zones, the following rules apply in the order listed:

- (a) Boundaries shown as following or approximately following any public street or road shall be construed as following the street or road cadastral boundary;
- (b) Boundaries shown as following or approximately following any land unit boundary shall be construed as following such cadastral boundary;
- (c) Boundaries shown as following or approximately following natural features shall be construed as following such features; and
- (d) In the event of further uncertainty as to the boundaries of a use zone, the Council shall make a determination, or may appoint a professional land surveyor of his choice to determine the boundaries at the cost of the land owner.

Interpretation of category of use and zoning

19.1.4 The Council shall determine the category of use or zoning, and its decision shall be final unless the contrary is proven, where:

- (a) There is uncertainty or dispute about zoning categories;
- (b) There is conflict between the provisions of a zoning map, this zoning scheme and the register; and
- (c) There is uncertainty or dispute about the zoning of property.

CHAPTER 20: GENERAL PROVISIONS APPLICABLE TO ANNEXURES

20.1 ANNEXURES

The Annexures shall be maintained and updated by Council after a final rezoning decision is made or zoning scheme amendment has been promulgated in terms of Planning Law. The Annexures must also be available to the general public for inspection.

Council may only amend or add to these Annexures after a rezoning has been approved, or this scheme has been amended in terms of Planning Law.

ANNEXURE A: NOTATION ON ZONING MAP

Reserved for future use.

ANNEXURE B: LIST OF SPECIAL ZONES

NAME OF SPECIAL ZONE	DEFINITION OF SPECIAL USE	REFERENCE NUMBER (IF APPLICABLE)
Hemel-en-Aarde Village	-	SZ-1
Benguela Cove	-	SZ-2
Bosplasie	-	SZ-3
Mtimkhulu Village	-	SZ-4
Kleinmond Harbour Redevelopment Area	-	SZ-5
Gansbaai	-	SZ-6

ANNEXURE C: LIST OF OVERLAY ZONES

NAME OF OVERLAY ZONE	NUMBER OF OVERLAY ZONE	REFERENCE NUMBER (IF APPLICABLE)
Stanford Urban Conservation Area Overlay Zone	OZ 1 – S/CA	

STANFORD URBAN CONSERVATION OVERLAY ZONE: OZ1 – S/CA**Urban conservation areas**

1. Notwithstanding the fact that a particular use zoning attaches to land in a particular locality in terms of this zoning scheme, or if such a particular zoning has not been determined as yet. Council may declare such land as a special area if it should be of the opinion that, for particular reasons, any form of development on that land or in that locality should be specially controlled irrespective of the normal development restrictions prescribed elsewhere in this zoning scheme.
2. Council may prescribe, as a restriction of the normal development rules, additional requirements or conditions as far as concerns:
 - (i) The street elevation of buildings
 - (ii) Maintenance of buildings;
 - (iii) The maintenance of trees along the streets;
 - (iv) The provision of parking facilities on sites;
 - (v) Coverage;
 - (vi) The height of buildings;
 - (vii) Floor area ratio;
 - (viii) Buildings lines;
 - (ix) The display of advertisements and the erection of advertising boards and signs;
 - (x) Historic garden walls and fences;
 - (xi) Streetlights;
 - (xii) Old post boxes;
 - (xiii) Irrigation furrows; and
 - (xiv) Any other aspect which the Council may deem necessary in a particular case.
3. In terms of section 5(9) of the National Monuments Act, 1969 (Act 28 of 1969), the then National Monuments Council (now the South African Heritage Resources Agency: SAHRA) designated a historical core of Stanford (consisting of two subsections as a conservation area) and this was promulgated in the Provincial Gazette, No. 1909 of 15 December 1995.
4. The two areas which were defined (Map 8), are the core area which surrounds the Markplein, and a larger Stanford area which includes the grid pattern of the old settlements. These areas have been identified as being conservation worthy and are regarded as Urban Conservation Areas for the protection and preservation of the historical and architectural character of the town.

Guidelines for development / Control in the conservation area

1. The purpose of these rules is to ensure that the natural, historical and architectural character of the urban environment of Stanford will be retained by the preservation of:
 - (i) Existing old buildings and nature areas, including trees, of historical or aesthetical importance;
 - (ii) The existing building lines; and
 - (iii) The character of the commonage area.

and by the control of built-design, building lines and building material in the case of new buildings on vacant erven as well as existing buildings being renovated, extended or replaced.

2. Any person who lodges an application for the approval of building plan for any property in the demarcated Conservation Area, may be required by Council to furnish evidence to its satisfaction, that the construction project contemplated will not be in conflict with the intent of these rules, having due regard generally to the character of the street in which the property is located as a whole and more specifically to the particular locality in which the structure is to be erected.
3. The expression "building construction work" includes the erection of new buildings, and the extension, renovation or alteration of existing buildings.
4. No building construction work shall be permitted in the urban conservation areas unless the external architectural design and style, colour scheme, facing material and general appearance of the building have been referred to the Aesthetics Advisory Committee and approved by Council.
5. In an attempt to manage the Urban Conservation Areas, the following general principles are prescribed:
 - (i) Water tanks and exterior attachments such as satellite dishes, antennas and burglar bars outside of windows, must not be visible from the street front;
 - (ii) Piping or guttering must be painted in the same colour as the background;
 - (iii) Outside woodwork, if painted, must preferably be in green, brown or black or a colour considered by Council to be appropriate;
 - (iv) Plastered walls must be white or off-white in finish or a colour considered by Council to be appropriate;
 - (v) Face bricks must not be used externally for the street façade of the building;
 - (vi) For residential or office buildings, the proportion of wall space to windows and doors must be specially approved by Council;
 - (vii) Roofing, if possible, must preferably be black, green or red or a colour considered by Council to be appropriate;
 - (viii) The removal of old doors and windows should be discouraged where possible, or they should be replaced with replicas;
 - (ix) Roof pitches or historic roofing elements like gutters or ridge trims should not be altered;
 - (x) The appearance of a stoep is critical to the appearance of a house, stoeps even if they are not as old as the house itself, should be restored and applications for alterations to the facades of houses with existing stoeps should be considered carefully by Council;
 - (xi) Garages should be placed in such a way that they do not intrude visually on the façade of old buildings, garden walls or trees;
 - (xii) Plate-glass windows in shops and similar buildings must be in such sections interrupted by wall structures as may be required by Council; and
 - (xiii) Discourage the use of:
 - English style thatch roof
 - cement tile roof
 - clay tile roof
 - IBR roof
 - fibre cement roof sheeting

- unplastered concrete bricks
 - natural or artificial stone or slate wall finishes of all kinds, except in plinths
 - horizontally proportioned windows
 - aluminum windows
 - precast cement
 - exposed concrete of all kinds
 - wind blocks
6. In the case of an existing building which is to be altered/extended, the existing building line shall be maintained as far as possible, subject to such exceptions as Council may specially approve.
 7. In the case of new building construction work to be undertaken on a vacant site or portion of a vacant site, or the replacement of an existing building. Council may prescribe a building line in order to protect any trees within the street reserve and to protect the building line generally observed in the vicinity.
 8. Consent for any alteration or extension of a building resulting in an increased height of the structure if such increased height would in the opinion of Council, interfere with the growth of any tree within the street reserve, or if it would necessitate the pruning/removal of any portion of the tree/branches may be withheld.
 9. Any proposed parking area and the points of access and exit must be shown on a plan to be submitted to Council which could be approved or refused, or further conditions, as it may deem fit, can be prescribed.
 10. Projections over street boundaries, except for advertising signs approved by Council, shall be limited to minor architectural features.
 11. An Aesthetics Advisory Committee, as an advisory body making recommendations to the Council, composed of representatives from the Council, the Tourism Bureau, SAHRA, the architects' profession, the Stanford Conservation Trust and other experts should be formed to assist in the control and management of all development/redevelopment and building work and includes the assessing of rezoning and subdivision, departures and consent use applications, advertising signs and all other ancillary aspects to development and control in the demarcated Urban Conservation Area and also where necessary outside those areas.
 12. No permission for demolition or alteration or use change to buildings worthy of preservation and older than sixty years shall be granted except by special resolution of Council with prior input from SAHRA.
 13. Any signage will be in accordance with Council's signage guidelines.
 14. Educational programmes should be introduced to encourage individual owners of historical buildings which have been unsympathetically altered to modify them by plastering and painting the buildings white and by planting trees to hide their worst features.
 15. Historic street furniture such as street lamps should be retained.
 16. Existing trees should be retained and tree planting programmes should be initiated.

17. In the case of new development within or adjacent to the conservation areas;
- The layout should be consistent with the historic pattern of the town and should not introduce foreign patterns of development (e.g. panhandles).
 - The established pattern is a simple grid with buildings aligned along the streets.
 - New buildings should be aligned parallel to the geometry of the existing streets.
 - The scale and texture of new buildings adjacent to the special area(s) must be compatible with that of the special area(s).
 - Appropriate densification should be allowed.
 - Building height should be sympathetic to the surrounding scale of the built form.
 - Sympathetic roof pitches should be maintained.
 - Relationships between buildings and public spaces should be established by encouraging the use of stoeps and low garden walls.
 - Tree planting programmes should be established.
 - Inner-block development can be permitted subject to the following:
 - The site planning of inner-block development should not impact on the existing streetscape and be screened off with tree planting or with existing buildings.
 - The ingress/egress points should be designed in such a way that it forms part of the existing streetscape and should not create traffic congestions.

(i) Core Area: The Marketplein and properties within Bezuidenhout, Caledon, Du Toit and Morton Streets precinct:

The specific aims for this core conservation area are:

- To retain the rural character of the Markplein.
- To retain the vistas from the surrounding properties on the Markplein
- To maintain and enhance the water furrow system
- To enhance this area by a tree planting programme
- To preserve the land use pattern and density of development
- To retain the traditional building lines and setbacks
- To protect all buildings that are conservation worthy buildings
- To maintain and enhance the natural environment

(ii) Greater Conservation Area: De Bruyn, Moore, Daneel and Adderley Streets and the river bank:

The specific aims for this greater conservation area are:

- To retain public access to the river frontage, the vlei and the dam area
- To maintain the traditional grid pattern of the town layout
- To control new infill-building in the area
- To control acceptable building materials
- To maintain and enhance the water furrow system.

18. Although not one building in Stanford has been declared a National Monument, all buildings [according to the National Heritage Resources Act 1999 (Act 25 of 1999)] over 60 years old are considered to be conservation worthy.

TABLE A: USE ZONES & DEVELOPMENT PARAMETERS

AGRICULTURAL ZONE	FLOOR SPACE	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES		OTHER PROVISIONS
				Street boundary building line	Common boundary building line	
AGRICULTURAL ZONE 1: AGRICULTURE (AGR1) PRIMARY USES agriculture, day care centre, dwelling house, guest rooms, home occupation CONSENT USES additional dwelling units, agricultural industry, aquaculture, animal care centre, crèche, farm shop/stall, guest house, hotel, institution, intensive animal farming, intensive horticulture, mining, place of assembly, place of entertainment, place of instruction, plant nursery, riding stables, rooftop base station, service trade, tourist accommodation, tourist facilities, transmission tower, utility services, wellness centre, 4x4 trail	Total floor space of all buildings may not exceed 5 000m ²	N/A	To top of roof 8,0m 12,0m (agricultural buildings), greater height with Council's consent if required for agricultural function of the building 8,0m (farm shop/stall) Earth banks and retaining structures shall comply with 16.6, provided that earth banks and retaining structures, which in the opinion of Council are associated with the bona fide agricultural activities, are exempt from the requirements of 16.6	>10ha : 30,0m ≤10ha and ≥ 1ha : 10,0m <1ha : 4,0m	>10ha : 30,0m ≤10ha and ≥ 1ha : 10,0m <1ha : 4,0m	Parking, additional dwelling units, farm shop/stall, agricultural industry, guest rooms, day care centre, home occupation, site development plan

RURAL ZONES RURAL ZONE 1: SMALL HOLDINGS (R1)	FLOOR SPACE	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			OTHER PROVISIONS
				Street boundary building line	Side boundary building line	Rear boundary building line	
<p>PRIMARY USE agriculture, day care centre, dwelling house, guest rooms, home occupation,</p> <p>CONSENT USES agricultural industry, animal care centre, aquaculture, crèche, conservation use, farm shop/ stall, intensive animal farming, intensive horticulture, place of assembly, place of entertainment, place of instruction, plant nursery, riding stables, recreational facilities, rooftop base station, second dwelling unit, tourist accommodation, tourist facilities, transmission tower, utility services</p>	Total floor space of all buildings may not exceed 2 000m ²	25%	<p>To top of roof</p> <p>8,0m 10,0m (agricultural buildings)</p> <p>Earth banks and retaining structures shall comply with 16.6, provided that where Council is satisfied with a greater height is necessary for the agricultural function of the building, it may permit such greater height</p>	<p>10,0m Other: With consent from Council</p>	<p>10,0m Other: With consent from Council or according to adjacent residential zone</p>	<p>10,0m Other: With consent from Council or according to adjacent residential zone</p>	<p>Parking, minimum subdivision size, second dwelling unit, farm shop/stall, agricultural industry, guest rooms, day care centre, home occupation, site development plan</p>

RURAL ZONES RURAL ZONE 2: CONSERVATION USAGE (R2)	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			OTHER PROVISIONS
				Street boundary building line	Side street boundary building line	Rear boundary building line	
<p>PRIMARY USE conservation use, dwelling house, guest rooms, home occupation,</p> <p>CONSENT USES agriculture, aquaculture, day care centre, harvesting of natural resources, intensive animal farming, intensive horticulture, place of assembly, place of entertainment, place of instruction, plant nursery, recreational facilities, rooftop base station, second dwelling unit, tourist accommodation, tourist facilities, transmission tower, utility service</p>	<p>Total floor space of all dwelling units may not exceed 800m²</p>	<p>25%</p>	<p>To Top of Roof</p>	<p>10,0m</p> <p>Other: With consent from Council</p>	<p>10,0m</p> <p>Other: With consent from Council or according to adjacent residential zone</p>	<p>10,0m</p> <p>Other: With consent from Council or according to adjacent residential zone</p>	<p>Parking, minimum subdivision sizes, second dwelling unit, guest rooms, day care centre, home occupation, site development plan</p>
			<p>8,0m</p> <p>Other: With consent from Council</p>	<p>Earth banks and retaining structures shall comply with 16.6,</p>			

RURAL ZONES RURAL ZONE 3: AGRI-VILLAGE (R3)	FLOOR FACTOR DENSITY	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			OTHER PROVISIONS
				Street Building Line	Side Building Lines	Rear Building Line	
<p>PRIMARY USE agriculture, dwelling house, town housing, home occupation, day care centre, private open space, private road, second dwelling unit.</p> <p>CONSENT USES agricultural industry, clinic, community facility, crèche, farm shop/ stall, guest house, house shop, intensive animal farming, intensive horticulture, market, place of assembly, place of instruction, plant nursery, restaurant, retirement village, rooftop base station, shelter, shop, tourist facility, tourist accommodation, transmission tower, utility service, and any other ancillary use determined by Council</p>	50 units/ha	50%	<p>To the top of the roof</p> <p>8,0m Other: With consent from Council</p> <p>Earth banks and retaining structures shall comply with 16.6,</p>	2,0m	<p>0m for linked buildings, provided there is a 3,0m break every 4 dwellings</p> <p>1,0m for separate buildings</p>	<p>2,0m 3,0m combines space is required by Council</p>	<p>Open space, parking and access, additional requirements, second dwelling unit, farm shop/stall, agricultural industry, guest rooms, day care centre, home occupation, house shop, site development plan.</p>

RESIDENTIAL ZONES	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			OTHER PROVISIONS
				Street building line	Side and rear building lines	Rear building lines	
RESIDENTIAL ZONE 1: SINGLE RESIDENTIAL (SR1) PRIMARY USES day care centre, dwelling house, guest rooms, home occupation, second dwelling unit CONSENT USES crèche, green house, guest house, house shop, institution, place of instruction, place of worship, residential building, tourist accommodation	N/A	<400m ² : 65% ≥400m ² : 50%	To top of roof	<400m ² : 2,0m ≥400m ² : 4,0m Refer to 6.1.2(b)	≤400m ² : 1,0m >400m ² : 2,0m	≤400m ² : 1,0m >400m ² : 2,0m	Garages and carports, parking, minimum subdivision area, maximum density, second dwelling unit, guest rooms, day care centre, home occupation, house shop
			8.0m	Earth banks and retaining structures shall comply with 16.6			

RESIDENTIAL ZONES	FLOOR FACTOR DENSITY	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES ON PERIMETER			OTHER PROVISIONS
				Street building line	Side building line	Rear building line	
GENERAL RESIDENTIAL ZONE 1: TOWN HOUSING (GR1) PRIMARY USES dwelling unit in accordance with 6.1.2., town housing, private road, private open space CONSENT USES crèche, day care centre, flats, green house, home occupation, residential building, retirement village, tourist accommodation	Max gross density 35 units a hectare for town housing	50%	To Top of Roof 8,0m	5,0m	3,0m	3,0m	Parking, internal roads, flats within a town housing development, day care centre, home occupation, site development plans
				BUILDING LINES WITHIN THE DEVELOPMENT			

RESIDENTIAL ZONES GENERAL RESIDENTIAL ZONE 2: TOWN HOUSING (GR2)	FLOOR FACTOR DENSITY	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES ON PERIMETER			OTHER PROVISIONS
				Street building line	Side building line	Rear building line	
<p>PRIMARY USES dwelling house in accordance with 6.1.2, town house, private road, private open space</p> <p>CONSENT USES crèche, day care centre, flats, green house, home occupation, residential building, retirement village, tourist accommodation</p>	<p>Max gross density 50 units a hectare for town housing</p>	<p>65%</p>	<p>To the top of the roof</p> <p>8,0m 11,0m (flats)</p>	3,0m	3,0m	3,0m	<p>Parking, internal roads, flats within a town housing development, home occupation, day care centre, site development plan</p>
				BUILDING LINES WITHIN THE DEVELOPMENT			

RESIDENTIAL ZONES GENERAL RESIDENTIAL ZONE 3: FLATS (GR3 AND GR4)	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			STREET CENTRE –LINE SETBACK	OTHER PROVISIONS
				Street building line	Side building line	Rear building line		
<p>PRIMARY USES blocks of flats; town house in accordance with 6.3.2. residential buildings</p> <p>CONSENT USES crèche, day care centre, home occupation, hotel, institution, place of assembly, place of instruction, place of worship, retirement village, rooftop base station, tourist accommodation, transmission tower</p>	<p><u>Bulk Zone 1:</u> GR3: 3,0</p> <p><u>Bulk Zone 2:</u> GR4: 1.5</p>	<p><u>Bulk Zone 1:</u> 100%</p> <p><u>Bulk Zone 2:</u> 80%</p>	<p>To Top of Roof</p> <p><u>Bulk Zone 1:</u> 12,5m (4 storeys)</p> <p><u>Bulk Zone 2:</u> 9,0m (3 storeys)</p> <p>Earth banks and retaining structures shall comply with 16.6</p>	4,0m	4,5m 4th storey set back to 6,0m from side boundary	3,0m 4th storey set back to 6,0m from rear boundary	<p>Council may require a 8,0m setback line</p> <p>Building lines, open space, parking, screening, home occupation, site development plan</p>	

LESS FORMAL DEVELOPMENT ZONE: (LFD)	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			OTHER PROVISIONS
				Street building line	Side building line	Rear building line	
<p>PRIMARY USES day care centre, dwelling unit, guest rooms, home occupation, private road, private open space, second dwelling unit, shelter, additional use as stipulated in 6.5.1 (c), informal trading subject to 6.5.10</p> <p>CONSENT USES Authority use, clinic, crèche, flats, house shop, institution, place of assembly, place of instruction, place of worship, residential building, service trade, urban agriculture, utility service</p>	N/A	65%	To Top of Roof	2,0m	1,0m	1,0m or 2,0m	Additional use rights, spaces between buildings and roads, parking and loading, second dwelling unit, guest rooms, day care centre, home occupation, house shop, constructed road or road reserve or land identified for roads, land reserved or identified for bulk services, informal trading, land used or identified for firebreaks, approval of building plans
			8,0m	Earth banks and retaining structures shall comply with 16.6			

BUSINESS ZONES	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			STREET CENTRE LINE SETBACK	OTHER PROVISIONS
				Street building line	Side building line	Rear building line		
BUSINESS ZONE 1 & BUSINESS ZONE 2: GENERAL BUSINESS (B1 AND B2) PRIMARY USES business premises, conference facility, flats (above ground floor), guest house, hotel, place of assembly, place of instruction, rooftop base station CONSENT USES adult entertainment business, bottle store, crematorium, dwelling unit, flats (on ground floor), funeral parlour, informal trading, institution, motor repair garage, place of entertainment, recreational facilities, residential building, second dwelling unit, service station, transmission tower, transport use, utility services, warehouse	Bulk Zone 1: B1: 3,0 Bulk Zone 2: B2: 1,5	Bulk Zone 1: 100% Bulk Zone 2: 80%	To Top of Roof Bulk Zone 1: 14,0 (4 storeys) Bulk Zone 2: 10,5 (3 storeys) Earth banks and retaining structures shall comply with 16.6	0,0m Refer to 7.1.2(c)(i)	0,0m Refer to 7.1.2(c)(ii)	0,0m Refer to 7.1.2(c)(iii)	6,5m Refer to 16.2.	Window and door placement, canopies and projections, parking and access, loading bays, screening, service station, site development plan

BUSINESS ZONES	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			STREET CENTRE LINE SETBACK	OTHER PROVISIONS
				Street building line	Side building line	Rear building line		
BUSINESS ZONE 3: LOCAL BUSINESS (B3) PRIMARY USES shops, flats (above ground floor), offices CONSENT USE Bottle store, business premises, clinic, conference facility, flats (on ground floor), town housing, guest house, hotel, informal trading, institution, place of assembly, place of entertainment, place of instruction, place of worship, recreational facilities, residential building, restaurant, rooftop base station, sale of alcoholic beverages, service station, service trade, transmission tower	1.5	75%	To Top of Roof	0,0m 3.5m for fuel pumps	0,0m or 3,0m Refer to 7.2.2(e)	3,0m or 4,5m Refer to 7.2.2(e)	6,5m Refer to 16.2	Window and door placement, parking and access, loading bays, screening, informal trading, service station, site development
			8,5m (2 storeys)	Earth banks and retaining structures shall comply with 16.6				

BUSINESS ZONES	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			STREET CENTRE-LINE SETBACK	OTHER PROVISIONS
				Street building line	Side building line	Rear building line		
BUSINESS ZONE 4: SERVICE STATION (B4) PRIMARY service station, rooftop base station CONSENT USES heavy vehicle service station, multiple parking garage, motor repair garage, restaurant, transport use, transmission tower, utility service	1	75%	To Top of Roof 8,5m Earth banks and retaining structures shall comply with 16.6	5,0m	0,0m or 3,0m Refer to 7.3.2(e)	0,0m or 3,0m Refer to 7.3.2(e)	8,0m Refer to 16.2	Parking, loading bays, site access requirements, storage, screening, site development plan

INDUSTRIAL ZONES	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			STREET CENTRE-LINE SETBACK	OTHER PROVISIONS
				Street building line	Side building line	Rear building line		
INDUSTRIAL ZONE 1: GENERAL INDUSTRY (IND 1) PRIMARY USES industry, agricultural industry, builder's yard, care taker's accommodation, factory shop, funeral parlour, heavy vehicle service station, industrial café, motor repair garage, rooftop base station, service trade, service station, transmission tower, transport use, utility services, warehouse, wholesale business, workshop CONSENT USES abattoir, aquaculture, adult entertainment business, business premises, container site, crematorium, dwelling unit, informal trading, mining, noxious trade, place of assembly, place of entertainment, place of instruction, restaurant, sale of alcoholic beverages, scrap yard, scrap yard	2	75%	12,0m Other: With consent from Council Earth banks and retaining structures shall comply with 16.6	5,0m Refer to 8.1.2(d)	2,0m Or abutting zone Refer to 8.1.2(d)	2,0m Or abutting zone Refer to 8.1.2(d)	8,0m Refer to 16.2	Boundary walls, parking and access, loading bays, screening, factory shop, service station, environmental considerations, site development plans

INDUSTRIAL ZONES	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			STREET CENTRE-LINE SETBACK	OTHER PROVISIONS
				Street building line	Side building line	Rear building line		
<p>INDUSTRIAL ZONE 2: NOXIOUS AND RISK INDUSTRY (IND 2)</p> <p>PRIMARY USES care taker's accommodation, factory shop, noxious industry, rooftop base station, risk industry, transmission tower</p> <p>CONSENT USES aquaculture, industry, informal trading, mining, scrap yard, service trade, shop, transport usage, utility service, waste disposal site</p>	2	75%	12.0m exceptions Refer to 8.2.2(c) Greater height with the consent of Council	7.5m	5.0m	5.0m	8.0m Refer to 16.2	Boundary walls, parking and access, loading bays, screening, service station, factory shop, environmental impact, site development plans

COMMUNITY ZONES	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT ABOVE THE AVERAGE NATURAL GROUND LEVEL	BUILDING LINES			STREET CENTRE-LINE SETBACK	OTHER PROVISIONS
				Street building line	Side building line	Rear building line		
COMMUNITY ZONE 1: COMMUNITY FACILITIES (CO1) PRIMARY USES clinic, crèche, day care centre, multi-purpose centre, place of assembly, place of instruction, place of worship. CONSENT USES dwelling units, cemetery, conference facility, dwelling house, hospital, institution, residential building, rooftop base station, recreational facilities, transmission tower, urban agriculture	1,2 2 (hospital)	60%	To Top of Roof 10,5m exceptions Refer to 9.1.2(c)	5,0m Refer to 16.1	5,0m Refer to 16.1	8,0 Refer to 16.2	Additional uses, parking, loading bays, screening, dwelling units, site development plans, landscape master plans	
			Earth banks and retaining structures shall comply with 16.6					

AUTHORITY AND UTILITY ZONES AUTHORITY ZONE: AUTHORITY USAGE (AU)	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT ABOVE THE AVERAGE NATURAL GROUND LEVEL	BUILDING LINES			STREET CENTRE-LINE SETBACK	OTHER PROVISIONS
				Street building line	Side building line	Rear building line		
<p>PRIMARY USES authority usage, rooftop base station</p> <p>CONSENT USES cemetery, utility service, transmission tower, any other use determined by Council</p>	-	-	-	-	-	-	-	<p>Site development plan, environmental management plan</p> <p>Council shall determine development rules</p>

AUTHORITY AND UTILITY ZONES UTILITY ZONE: UTILITY SERVICES (UT)	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			STREET CENTRE-LINE SETBACK	OTHER PROVISIONS
				Street building line	Side building line	Rear building line		
<p>PRIMARY USES utility service</p> <p>CONSENT USES authority use, cemetery, crematorium, rooftop base station, transmission tower, any other associated use determined by Council</p>	-	-	-	-	-	-	-	<p>Site development plan, environmental management plan</p> <p>Council shall determine development rules</p>

TRANSPORT ZONES	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			STREET CENTRE-LINE SETBACK	OTHER PROVISIONS
				Street building line	Side building line	Rear building line		
TRANSPORT ZONE 1: TRANSPORT USAGE (TR1) PRIMARY USES multiple parking garage, rooftop base station, transport usage, utility service CONSENT USES informal trading, motor repair garage, shops, service station, transmission tower, any other use approved by Council	2.5	80%	To Top of Roof 10,0m Earth banks and retaining structures shall comply with 16.6	0,0m 3,5m where fuel pumps are erected	0,0m 3,0m when abutting a residential zone	0,0m 3,0m when abutting a residential zone	6,5m Refer to 16.2	Building lines, parking and access, loading, screening, informal trading, service station, site development plan

TRANSPORT ZONES	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			STREET CENTRE-LINE SETBACK	OTHER PROVISIONS
				Street building line	Side building line	Rear building line		
TRANSPORT ZONE 2: ROAD AND PARKING (TR2) PRIMARY USES private parking, private road, public parking, public road CONSENT USES informal trading, rooftop base station, transmission tower, any other uses determined by Council	-	-	To Top of Roof	-	-	-	-	Deemed zoning, construction and deposit of materials, informal trading, site development plan

TRANSPORT ZONES	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			STREET CENTRE-LINE SETBACK	OTHER PROVISIONS
<p>TRANSPORT ZONE 3: HARBOUR ZONE (TR3)</p> <p>PRIMARY USES harbour usage</p> <p>CONSENT USES aquaculture, business premises, conference facilities, flats, holiday accommodation, hotel, industry, informal trading, institution, markets, multiple parking garage, offices, place of assembly, place of entertainment, place of worship, recreational facility, restaurant, rooftop base station, sale of alcoholic beverages, tourist facility, tourist accommodation, service station, transport use, town housing, utility service, transmission tower other waterfront uses approved by Council</p>	1.5	75%	<p>To Top of Roof</p> <p>11,0m</p> <p>Earth banks and retaining structures shall comply with 16.6</p>	Street building line	Side building line	Rear building line	6,5m Refer to 16.2	Harbour usage, parking and access, loading bays, screening, town housing, informal trading, site development plan
				0,0m 3,5m where fuel pumps are erected	0,0m 3,0m where the zone abuts another zone	3,0m 4,5m where the zone abuts another zone		

OPEN SPACE AND NATURE ZONES	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			STREET CENTRE-LINE SETBACK	OTHER PROVISIONS
				Street building line	Side building line	Rear building line		
OPEN SPACE ZONE 1: NATURE RESERVE (OS1) PRIMARY USES nature reserve CONSENT USES dwelling units, environmental facilities, rooftop base station, transmission tower, tourist accommodation, tourist facilities, utility service, any other related use permitted by Council	-	-	-	-	-	-	-	Site development plan, environmental management plan, Council shall determine development rules
OPEN SPACE ZONE 2: PUBLIC OPEN SPACE (OS2) PRIMARY USES public open space CONSENT USES cemetery, environmental facilities, recreational facilities, rooftop base station, tourist facilities, transmission tower, urban agriculture, utility service, any other related use permitted by Council	-	-	-	-	-	-	-	Site development plan, environmental management plan, Council shall determine development rules

OPEN SPACE AND NATURE ZONES OPEN SPACE ZONE 3: PRIVATE OPEN SPACE (OS3)	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT ABOVE THE AVERAGE NATURAL GROUND LEVEL	BUILDING LINES			STREET CENTRE-LINE SETBACK	OTHER PROVISIONS
				Street building line	Side building line	Rear building line		
<p>PRIMARY USES private open space</p> <p>CONSENT USES cemetery, environmental facilities, recreational facilities, rooftop base station, tourist accommodation, tourist facilities, transmission tower, urban agriculture, utility service, any other related use permitted by Council</p>	-	-	To Top of Roof -	Street building line -	Side building line -	Rear building line -	-	Site development plan, environmental management plan. Council shall determine development rules

RESORT ZONE: HOLIDAY RESORTS	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			STREET CENTRE-LINE SETBACK	OTHER PROVISIONS
				Street building line	Side building line	Rear building line		
<p>PRIMARY USES conservation use, holiday accommodation, private open space, private road, tourist accommodation</p> <p>CONSENT USES additional dwelling units; conference facilities, holiday housing hotel, place of assembly, place of entertainment, recreational facilities, restaurant, rooftop base station, transmission tower, tourist facilities, any other related use determined by Council</p>	-	-	-	-	-	-	-	Holiday housing, additional dwelling units, identification of zoned area, site development plan, environmental management plan

SPECIAL ZONES SUBDIVISIONAL AREA ZONE (SA)	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			STREET CENTRE-LINE SETBACK	OTHER PROVISIONS
				Street building line	Side building line	Rear building line		
USES subdivision	-	-	To Top of Roof -	-	-	-	-	Zoning, density

SPECIAL ZONES SPECIAL ZONE (SZ)	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			STREET CENTRE-LINE SETBACK	OTHER PROVISIONS
				Street building line	Side building line	Rear building line		
PRIMARY USES none CONSENT USES special usage: any other use determined by Council	-	-	To Top of Roof -	-	-	-	-	Maximum floor space, coverage, height, building lines, parking, density, layout, Special Zone Site Development Plan, Special Zone Annexure, landscape master plan, environmental management plan

SPECIAL ZONES UNDETERMINED ZONE (U)	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT MEASURED FROM THE BASE LEVEL	BUILDING LINES			STREET CENTRE-LINE SETBACK	OTHER PROVISIONS
				Street building line	Side building line	Rear building line		
<p>PRIMARY USES limited to lawful uses at the operative date of this zoning scheme</p> <p>CONSENT USES none</p>	-	-	-	-	-	-	-	Rezoning, reconstruction of destroyed property.

PROVINSIALE KENNISGEWING**OVERSTRAND MUNISIPALITEIT****HERROEPING EN VERVANGING VAN SKEMAREGULASIES IN DIE MUNISIPALE AREA VAN OVERSTRAND**

In terme van artikels 8A en 9(2) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985), het die Minister van Plaaslike Regering, Omgewingssake en Ontwikkelingsbeplanning die Skemaregulasies soos uiteengesit in paragraaf 1 van **Skedule A**, herroep in so vër as wat dit van toepassing is op die Munisipale area van die Overstrand Munisipaliteit, en vervang dit met die Skemaregulasies soos uiteengesit in **Skedule B**, wat inwerking tree op 1 Januarie 2014.

SKEDULE A

1. Die volgende skemaregulasies, soos gewysig, is herroep en/of onttrek:
 - 1.1 Die Soneringskema Regulasies geproklameer in terme van artikel 7(2) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) in Provinsiale Kennisgewing Nr. 1047/1988, soos gepubliseer in die *Provinsiale Koerant* Nr. 4563 van 5 Desember 1988, waar van toepassing op die Overstrand Munisipale area.
 - 1.2 Die Soneringskema Regulasies geproklameer in terme van Artikel 8 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) in Provinsiale Kennisgewing Nr. 1048/1988, soos gepubliseer in die *Provinsiale Koerant* Nr. 4563 van 5 Desember 1988, waar van toepassing op die Overstrand Munisipale area.
 - 1.3 Die Regulasies geproklameer ingevolge artikel 66(1) van die Wet op Ontwikkeling van Swart Gemeenskappe, 1984 (Wet 4 van 1984) en gepubliseer deur Staatskennisgewing R1897/1986 in *Staatskoerant* Nr. 10431 van 12 September 1986, en Provinsiale Kennisgewing 733/1989 in *Provinsiale Koerant* Nr. 4606 van 22 September 1989, met betrekking tot die Zwelihle Stadsbeplanningskema.
2. Die Regulasies geproklameer in terme van Artikel 47(1) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) in Provinsiale Kennisgewing Nr. 1050/1988, soos gepubliseer in die *Provinsiale Koerant* Nr. 4563 van 5 Desember 1988, (soos gewysig deur Provinsiale Kennisgewing Nr. 8 van 2013 soos gepubliseer in die *Provinsiale Gazette* Nr. 256 van 8 Augustus 2013), waar van toepassing op die Overstrand Munisipale area, met betrekking tot appelle en ander operasionelesake, sal nie gewysig word nie,

en sal nog van toepassing wees in die Overstand Munisipale area van jurisdiksie.

3. Die Regulasies goedgekeur in terme van Provinsiale Kennisgewings Nrs. 1047 en 1048 van 5 Desember 1988, soos gewysig deur Provinsiale Kennisgewing Nr. 177 van 29 Mei 2009, met betrekking tot die magte van Munisipaliteite in terme van die Ordonnansie om afwykings- en onderverdelingsaansoeke goed of af te keur, insluitende gevalle waar beperkende titelvoorwaardes betrokke is, is gewysig deur Provinsial Kennisgewing Nr. 7 van 2013 soos gepubliseer in die *Provinsiale Gazette* Nr. 257 van 8 Augustus 2013, en sal nog steeds van toepassing wees in die Overstand Munisipale area van jurisdiksie.

SKEDULE B

Overstrand Soneringskemaregulasies

voorblad

(Skemaregulasies en tabel – Afrikaanse weergawe word hiernaas aangeheg)

SKEDULE B



**OVERSTRAND MUNISIPALITEIT
SONERINGSKEMA**

JUNIE 2013

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WOORDOMSKRYWINGS

In hierdie soneringskema geld die volgende:

A

"aansoeker" beteken die persoon, sy wetlik-gevolmagtigde verteenwoordiger of die entiteit wat in terme van Beplanningswetgewing, of hierdie soneringskema, aansoek doen;

"aanstootlike bedryf" beteken `n aanstootlike, giftige of potensieel-skadelike bedryf, gebruik of aktiwiteit wat vanweë dampe, emissie, reuk, vibrasie, geraas, afvalprodukte, aard van materiale of prosesse gebruik, of enige ander oorsaak, deur die Raad as `n potensiële bron van gevaar, hinderlikheid of aanstootlikheid vir die algemene publiek of persone in die omliggende gebied geag word, en aanstootlike nywerheid het dieselfde betekenis;

"aanvangsdatum" beteken die datum waarop hierdie soneringskema in werking getree het;

"abattoir" beteken `n plek waar lewendehawe of pluimvee geslag en geprosesseer word vir die verspreiding daarvan na slaghuise en voedselmarkte en wat onderworpe is aan enige toepaslike gesondheidsvereistes;

"adverteer" met betrekking tot die bekendmaking van `n saak waarna in hierdie soneringskema verwys word, beteken een of meer van die metodes van bekendmaking soos bepaal deur die Munisipale Bestuurder of sy gedelegeerde, as synde die mees geskikte metode om soveel moontlik mense te bereik wat `n belang in die saak het of direk daardeur geraak word, met inbegrip van:

- (i) die dien van kennisgewings; of
- (ii) vertoon van `n kennisgewingbord op `n grondeenheid; of
- (iii) die publiseer van `n kennisgewing in die pers; of
- (iv) die hou van openbare vergaderings; of
- (v) deur radio-uitsendings; of
- (vi) die saamstel en implementering van raadplegende forums of die aangaan van sosiale ooreenkomste hetsy voor of na die indiening van die aansoek, en "adverteer" het `n ooreenstemmende betekenis;

"advertensie", in die konteks van buitemuurse advertering, beteken enige sigbare voorstelling van `n woord, simbool, naam, letter, figuur of voorwerp of van `n afkorting van `n woord of naam, of enige teken of simbool, of `n lig wat nie uitsluitlik vir beligting of waarskuwing teen gevaar of die aanduiding van die naam en straatadres van `n eiendom bedoel is nie;

"aftree-oord" beteken `n ontwikkeling wat bedoel is om afgetrede persone te akkommodeer, tesame met geassosieerde fasiliteite, en wat aan die volgende voorwaardes voldoen:

- (i) behalwe vir personeel-akkommodasie, sal elke wooneenheid deur ten minste een persoon wat ouer as 50 jaar is, bewoon word;
- (ii) `n reeks van versorgings- en ander dienste sal tot die Raad se tevredenheid aangebied word;

- (iii) bykomende voorskrifte vir die bestuur van die ontwikkeling mag deur die Raad ten opsigte van `n aftree-oord bepaal word;

"afvalstortingsterrein" beteken `n plek waar huishoudelike, kommersiële en nywerheidsafval op `n wettige manier gestoor, herwin, behandel of weggedoen word, en sluit `n sanitêre vulterrein in;

"afwyking" het die betekenis wat deur Beplanningswetgewing daaraan geheg word;

"akwakultuur" beteken die kweek en teel van waterflora en -fauna en die oes daarvan onder beheerde omstandighede:

- (i) in kunsmatig-geboude damme of houertenks, of
(ii) gesuspendeer vanaf ondersteunende vlotte vir kommersiële doeleindes;

"atrium" beteken `n oordekte binneplaas bestaande uit `n leë ruimte binne-in `n gebou wat een of meer vloere hoog strek, maar nogtans nie vloere bevat wat binne hierdie ruimte indring nie. `n Atrium bestaan uit `n vloer en `n dak of plafon;

B

"baldakyn" beteken `n vrydraende of gesuspendeerde dak, blad of bedekking (wat nie die vloer van `n balkon is nie), wat vanaf `n muur van `n gebou projekteer;

"balkon" beteken `n vloer wat buite `n gebou, op `n hoogte hoër as die grondvloer uitsteek, slegs deur lae mure of reëlins, of die hoof, omvattende mure van kamers aangrensend aan die projekterende vloer omsluit word, en kan `n dak oor sodanige vloer en pilare wat sodanige dak ondersteun insluit in welke geval dit ingesluit sal word by die berekening van die dekking op die grondeenheid;

"basis-sone" beteken daardie sone wat, in terme van hierdie soneringskema, die basiese en mees primêre grondgebruik en ontwikkelingsreëls vir daardie grondeenheid bepaal, vóór die toepassing van enige oorlegsone;

"basisvlak" van `n gebou beteken `n denkbeeldige platvlak wat horisontaal strek op die gemiddelde grondhoogte van die gebou of vertikale verdeling;

"begraafplaas" beteken `n plek waar dooies begrawe word en kan geboue insluit wat nodig is vir die administratiewe en klerklike gebruike wat daarmee geassosieer word, maar sluit nie `n krematorium in nie;

"begrafniskapel" beteken `n eiendom of persele waar die dooies voorberei word om begrawe of veras te word, en sluit fasiliteite vir die geassosieerde administratiewe en godsdienstige funksies in;

"benutting" met betrekking tot grond beteken die wettige gebruik van grond vir die doel, of vir die verbetering daarvan, soos voorgesryf, en "benut" het `n ooreenstemmende betekenis;

"Beplanningswette" beteken die Ordonnansie op Dorpe, die Ordonnansie op Grondgebruikbeplanning, die Wet op Fisiese Beplanning of opvolgende wetgewing wat die voorbereiding en administrasie van soneringskema's in die Wes-Kaap beheer, watter ookal van toepassing is;

"bestaande gebruik" beteken die gebruik of gebruike wat, na die mening van die Raad, wettiglik op die grondeenheid, of in die gebou of struktuur, of in of op 'n gedeelte daarvan, uitgeoefen word;

"bestaande grondvlak" beteken die vlak van die grondoppervlakte van 'n grondeenheid:

- (i) in sy ongemodifiseerde toestand; of
- (ii) soos vasgestel vanaf 'n plan wat kontoere bevat wat by 'n amptelike instansie soos die munisipaliteit of 'n staatsdepartement ingedien is, en wat na die Raad se mening die bestaande grondhoogte tydens of voor die aanvangsdatum aantoon; of
- (iii) in 'n toestand waar dit, met die toestemming van die Raad, vir die doeleindes van ontwikkeling gelykgemaak is, hetsy teen 'n helling of op 'n horisontale vlak; of
- (iv) soos deur die Raad bepaal, indien dit na sy mening vanweë ongelykheid en versteuring van die grond nie moontlik is om die bestaande grondvlak te bepaal nie, en die Raad mag van die eienaar of aansoeker vereis om 'n geregistreerde landmeter aan te stel om die vlakke van die grond op te meet, of te interpreteer, ten einde die Raad van voldoende inligting te voorsien sodat dit die mees paslike, bestaande grondvlak vir die doeleindes van die administrasie van die soneringskema kan bepaal;

"bewaringsgebruik" beteken die gebruik of instandhouding van grond in die natuurlike staat daarvan, of die rehabilitasie daarvan tot die natuurlike staat, met die doel om die biofisiese en erfeniseienskappe daarvan, insluitende die flora en fauna op die grond te bewaar en dit sluit die geassosieerde infrastruktuur in wat vir sodanige gebruik benodig word, met inbegrip van paaie, paadjies, waterreservoirs en ondergrondse infrastruktuur;

"bewoner" beteken enige persoon wat 'n gebou, struktuur of grond fisies bewoon, of enige persoon wat in beheer daarvan is of dit bestuur, en dit sluit die agent in van enigiemand wat afwesig is van die gebied of waarvan die verblyf onbekend is;

"bootwerf" beteken 'n eiendom of gedeelte van 'n eiendom wat gebruik word vir die vertoon, stoor, konstruksie en herstel van gemotoriseerde water-vaartuie;

"borswering" beteken 'n lae projeksie of lyswerk wat die bokant van 'n gebou met 'n platdak, of 'n dak met 'n lae helling, afrond;

"bouerswerf" beteken 'n grondeenheid wat gebruik word vir die stoor van materiale en toerusting wat:

- (i) benodig, of normaalweg gebruik word vir konstruksiewerk;
- (ii) verkry is van die sloping van strukture of gronduitgravings;
- (iii) nodig is, of normaalweg gebruik word vir grondontwikkeling, soos byvoorbeeld die stoor van materiaal vir die bou van paaie, vir die installering van noodsaaklike dienste, of vir enige ander konstruksiewerk (bv. sand of stene) hetsy vir openbare of privaat doeleindes; en dit sluit die administratiewe komponent van sodanige onderneming in maar sluit nie enige akkommodasie, behalwe opsigtersakkommodasie in nie;

"boulyn" beteken die denkbeeldige lyn op `n grondeenheid wat die afstand vanaf `n bepaalde kadastrale lyn bepaal waarbinne, behalwe met die nodige goedkeuring van die Raad, die oprigting van geboue en strukture verbied is;

"bouplatform" beteken `n gedefinieerde en afgemerkte gedeelte of gedeeltes van `n grondeenheid, buite die grense waarvan geen gebou opgerig mag word nie;

"brouery" beteken `n plek waar bier of wyn gemaak word, en mag `n verkooppunt vir die algemene publiek, proe- en konferensiegeriewe, sowel as die voorsiening van ligte maaltye insluit, maar dit sluit nie `n distilleerderij in nie;

"bruto digtheid" beteken `n meting van die aantal wooneenhede in `n voorgeskrewe gebied, en word, vir die doel van hierdie soneringskema, soos volg bereken:

Bruto digtheid van wooneenhede = $\frac{\text{Totale aantal wooneenhede in `n voorgeskrewe gebied}}{\text{Oppervlakte van die gebied in hektaar}}$

"bruto verhuurbare ruimte" beteken die ruimte in `n gebou wat ontwerp, of geskik is vir okkupasie en beheer deur huurders, en word gemeet vanaf die middel van die gemeenskaplike partisies tot die afgewerkte binnevlak van die buitemure, en sal die volgende uitsluit:

- (i) alle uitsluitings onder die definisie van vloerruimte;
- (ii) toilette;
- (iii) hysbakkagte, diensskagte, vertikale penetrasies van vloere;
- (iv) hysbakmotorkamers en kamers vir ander meganiese toerusting benodig vir die behoorlike funksionering van die gebou;
- (v) parkering en laaiplekke binne die gebou;

"buitegebou" beteken `n struktuur, hetsy dit vas of los van die hoofgebou is, wat aanvullend en ondergeskik is aan die hoofgebou en dit sluit `n gebou in wat ontwerp is om normaalweg vir stoordoeleindes, insluitend die stoor van motorvoertuie gebruik te word, en ook vir ander, normale aktiwiteite insoverre dit gewoonlik en redelikerwys tesame met die hoof-woning benodig word, en dit sluit akkommodasie van ontspanningsaktiwiteite soos `n potspelkamer, braaikamer, lapa en die bedryf van stokperdjies in, maar sluit nie `n wooneenheid in nie; en buitegeboue verteenwoordig primêre gebouke in elke sone, behalwe oopruimtesones, waar die Raad buitegeboue mag toelaat, sou dit nodig geag word;

"buurtplan" beteken planne wat op `n gedefinieerde, plaaslike gebied betrekking het, soos geleë binne die gebied van `n ontwikkelingsraamwerk en wat gemeenskaplike eienskappe of funksionele verhoudings het; dit beskryf bepaalde doelstellings en oogmerke vir die buurt, en sluit beginsels van stadsontwerp, grondgebruik, beweging en strategiese implementering in;

"bykomende gebruiksregte" beteken die gebruik van die eiendom vir doeleindes wat verwant is aan die burgerlike en sosiale aard van die primêre- of vergunningsgebruik in Gemeenskapsones 1 en die Minder Formele Ontwikkelingsone, waar sulke gebouke nie die primêre funksie van die betrokke sosiale of burgerlike inrigting is nie, maar wel tot voordeel is van die betrokke inrigting of die gemeenskap wat dit bedien;

"bykomende wooneenhede" beteken eenhede in die Landbousone 1 wat nie benodig word vir die akkommodasie van persone wat bona fide betrokke is by die landboupraktyk op die betrokke eiendom nie; en bykomende wooneenhede mag gebruik word vir die doeleindes van lang- of korttermynakkommodasie;

C

"crèche" beteken `n fasiliteit vir die dagsorg van kinders in afwesigheid van hul ouers en mag vir meer kinders voorsien as wat in `n dagsorgsentrum toegelaat word, onderhewig aan enige toepaslike wetgewing van die Departement van Onderwys en met dien verstande dat die primêre gebruik van die eiendom sal oorheers;

D

"dagsorgsentrum" beteken die gebruik van `n gedeelte van `n woonhuis of buitegeboue deur die bewoner, om dagsorg-, voorskoolse, speelgroep- of naskoolse versorgingsdienste aan `n beperkte aantal kinders te voorsien, met dien verstande dat die primêre gebruik van die eiendom sal oorheers;

"dak-basisstasie" beteken `n basisstasie vir selfoondienste waar antena's op die dak of aan die kant van `n bestaande gebou geheg word; met dien verstande dat enige antenna-ondersteuningstruktuur, of toerustingkamer, wat nie deel uitmaak van die gebou nie, nie meer as 2,5 m in hoogte bokant die top van die gebou strek nie;

"dakkamer" beteken `n gedeelte/kamer in die dakruimte van `n gebou wat ontwerp is of gebruik word vir menslike bewoning;

"dakoorhang" beteken `n gedeelte van die dak wat oor die buitenste vlak van die gebou projekteer, met inbegrip van enige geute;

"dekking" beteken die totale oppervlakte, of persentasie van die oppervlakte van `n grondeenheid, wat deur geboue beslaan en deur `n dak oordek mag word, met dien verstande dat die volgende gedeeltes van geboue by die berekening van dekking buite rekening gelaat sal word:

- (i) toegangstrappe en oorlope van minder as 1m²;
- (ii) terugtrekbare sonskerms;
- (iii) kroonlyste, skoorsteenborste, pergolas, blombakke, waterpype, afvoerpype en kleiner dekoratiewe elemente wat nie meer as 500mm vanaf die muur van die gebou projekteer nie;
- (iv) dakoorhange wat nie meer as 1 m van die muur van die gebou projekteer nie;
- (v) `n gedeelte van `n gebou waarvan die plafon op grondhoogte of laer is;

"diensbedryf" beteken `n onderneming wat:

- (i) primêr betrokke is in die lewering van `n diens aan die plaalike gemeenskap soos die herstel van huishoudelike en elektriese toestelle of die lewering van huishoudelike dienste; en
- (ii) onwaarskynlik `n bron van steurnis vir omliggende eiendom sal wees;
- (iii) in die geval van `n brand, nie oormatige ontbranding, giftige gasdampe of ontploffings sal veroorsaak nie; en

- (iv) `n bouerswerf en verwante bedrywe, bande- skobreker- of uitlaatstelselentrums en soortgelyke tipes van gebruike insluit; maar
- (v) nie `n abattoir, steenmakery, rioolwerke, diensstasie of motorherstelgarage insluit nie;

"diensstasie" beteken `n eiendom vir die kleinhandelvoorsiening van brandstof en sluit die handel in motorvoertuie, olie, bande of motoronderdele, algemene motor-herstelwerk van motorvoertuie, was van voertuie, en `n winkel wat nie 50% van die totale vloeroppervlakte van alle geboue op die grondeenheid oorskry nie, in; maar dit sluit nie spuitverfwerk, paneelklopwerk, grofsmedery, bakwerk of aansit van uitlaatstelsels in nie;

"dienste-ooreenkoms" beteken `n geskrewe ooreenkoms wat tussen `n eiendomsontwikkelaar en die Raad aangegaan word, en in terme waarvan die onderskeie verantwoordelikhede van die twee partye ten opsigte van die beplanning, ontwerp, voorsiening, installering, finansiering en instandhouding van interne en eksterne infrastruktuur of ingenieursdienste, asook die standaard van sodanige infrastruktuur of dienste, bepaal word; welke ooreenkoms ook van toepassing sal wees op enige opvolger(s) in titel van die ontwikkelaar;

"dierepark" beteken `n grondeenheid of gedeeltes van `n grondeenheid waar huis- of ander diere in `n beheerde omgewing gehou word, hoofsaaklik vir vertoon aan die algemene publiek vir opvoedkundige- en toerismedoeleindes, maar dit sluit nie `n wildplaas in nie;

"dieresorgsentrum" beteken `n plek vir die versorging van troeteldiere en ander diere, hetsy dit op `n kommersiële of welsynsbasis bedryf word, en sluit `n hondeherberg, kommersiële verblyf- en opleidingsentrums vir troeteldiere, asook `n krematorium vir diere in;

"dieretuin" beteken dieselfde as "dierepark";

"distilleerdery" beteken `n plek waar sterk drank gedistilleer word, en sluit `n publieke verkooppunt, proe-fasiliteite en die voorsiening van ligte maaltye in;

"dominante gebruik" beteken die primêre of vergunningsgebruike wat op die eiendom toegelaat word;

"Dorpe-Ordonnansie" beteken die Dorpe-Ordonnansie, 1934 (Ordonnansie 33 van 1934) en sluit alle regulasies in wat daarunder gemaak is;

"dorphuis" beteken `n wooneenheid wat deel uitmaak van `n dorphuisskema;

"dorphuisperseel" beteken een of meer grondeenhede waarop `n dorphuisskema opgerig is of opgerig staan te word;

"dorphuisskema" beteken `n ry of groep van geskakelde, aaneengehegte of losstaande wooneenhede, wat as `n harmonieuse, argitektoniese eenheid ontwerp is en waarvan elke wooneenheid `n grondvloer het; sodanige wooneenhede mag kadastraal verdeel of op `n ander wyse afsonderlik verkoop word;

"drankwinkel" beteken `n onderneming waar die dominante gebruik bestaan uit die kleinhandelverkoop van alkoholiese drank vir buiteverbruik, af van die eiendom, en dit sluit `n buiteverbruik-onderneming in wat onder dieselfde bestuur as `n gelisensieerde hotel is;

E

"eienaar" met betrekking tot eiendom, beteken `n persoon of entiteit in wie se naam die eiendom by die Akteskantoor geregistreer is, en mag die houer van `n geregistreerde serwituut of huur-kontrak, of die vruggebruiker, en enige opvolger in titel insluit;

"eienaarsvereniging" beteken `n vereniging, soos voorsien in Beplanningswetgewing, vir die administrasie van gemeenskaplike eiendom en die gemeenskaplike belange van eiendomseienaars, en waarvan lidmaatskap verpligtend is vir alle eienaars van eiendom waarvoor dit in die lewe geroep is;

"enkelverdieping" beteken dat geen vertikale verdeling van die gebou of gedeelte daarvan `n hoogte van 5,5 m sal oorskry soos gemeet vanaf die basivlak tot die bopunt van die dak nie;

"erf" het dieselfde betekenis as grondeenheid;

F

G

"gastehuis" beteken `n woonhuis of tweede wooneenheid, wat vir die doel van tydelike losies van gaste of loseerders, teen vergoeding, gebruik word, insluitend die voorsiening van maaltye aan gaste, besoekers of toeriste, en wat deur die eienaar, die bewoner of bestuurder van die eiendom bewoon word, en wat `n inhuiskontantkroeg en restaurant mag insluit met dien verstande dat hierdie geriewe net vir gebruik deur die bona fide gaste of loseerders is en nie toeganklik vir die algemene publiek sal wees nie, en wat nie `n hotel, gastekamers, woongebou of losieshuis insluit nie;

"gastekamers" beteken `n beperkte aantal kamers wat deel uitmaak van `n wooneenheid en wat op permanente basis aan betalende loseerders of gaste verhuur word, met dien verstande dat die dominante gebruik van die betrokke wooneenheid steeds die woonakkommodasie van `n enkele gesin sal wees;

"gazebo" beteken `n vrystaande, liggewigstruktuur of pawiljoen, met oop sye, vir gebruik in die tuin, gewoonlik as `n sonskerm;

"geassosieerde" wanneer gebruik in die konteks van `n geassosieerde gebruik of doel, beteken gebruik, doel, gebou of aktiwiteit wat normaalweg bykomend en ondergeskik tot die wettige, dominante gebruik van die eiendom is;

"gebou" sluit in, sonder om enigsins weg te neem van die gewone betekenis daarvan:

(i) enige struktuur met `n dak;

- (ii) enige galery, baldakyn, balkon, stoep, veranda, buiteportaal of soortgelyke element van `n gebou;
- (iii) enige mure of reëlings wat enige element in (ii) genoem, omsluit; en
- (iv) enige ander gedeelte van `n gebou;

"gekombineerde boulyn" beteken `n syboulynvoorskrif wat toelaat dat `n struktuur naby of op die eiendomsgrens opgerig word, met dien verstande dat die somtotaal van die twee syboulyne aan weerskante van die gemeenskaplike erfgrrens aan `n bepaalde afstand sal voldoen;

"gebruik" sluit ook, behalwe die gewone betekenis wat daaraan geheg word, die ontwerp en intensie vir gebruik in;

"gebruiksone" beteken daardie gedeelte van die skema wat by wyse van `n bepaalde notasie of omlýning of simbool of enige ander onderskeidende wyse op die soneringskaart aangetoon word, ten einde die toelaatbare grondgebruik aan te toon;

"gebruiksreg" met betrekking tot `n grondeenheid, beteken die reg om die grondeenheid ooreenkomstig die sonering, met inbegrip van enige wettige afwyking daarvan, te gebruik;

"gemeenskapsgeriewe" beteken `n eiendom of plek wat vir `n reeks van sosiale gebruike en funksies voorsien wat veral gerig is op gemeenskapsbehoefte van `n opvoedkundige, godsdienstige, welsyn- of gesondheidsaard;

"gemiddelde grondhoogte" beteken die gemiddelde van die hoogste en laagste grondvlakke direk teenaan die buitenste perimeter van `n gebou of vertikale verdeling van `n gebou, en die Raad mag

- (i) die gemiddelde grondhoogte bepaal vanaf mate wat op `n bouplan aangetoon word; of
- (ii) `n vlak vanaf die kontoerplan, plaaslike hoogteverwysingsmerk of ander inligting deur die Raad gehou, as gemiddelde grondvlak ag; of
- (iii) van die eienaar of aansoeker vereis om `n geregistreerde landmeter aan te stel om grondhoogtes te meet of hoogtes te interpoleer ten einde die Raad van voldoende inligting te voorsien sodat dit, vir die doeleindes van hierdie soneringskema, die gemiddelde grondhoogte kan bepaal;

"geregistreerde landmeter" beteken `n professionele landmeter of opmeter, wat in terme van die Wet op Professionele Landmeters en Tegnieese Opmeters, Wet 40 van 1984 as sulks geregistreer is;

"grens" met betrekking tot `n grondeenheid, beteken een van die kadastrale lyne wat gemeenskaplik is aan die grondeenheid en enige ander grondeenheid of openbare straat/pad/oopruimte, ens.;

"grond" beteken `n stuk grond wat as `n eiendom besit kan word, en sluit grond in wat deur water oordek is;

"grondeenheid" beteken `n gedeelte grond wat in die Akteskantoor geregistreer is, of op `n geldige plan van onderverdeling, wat deur die Raad of ander bevoegde gesag goedgekeur is, as `n erf, standplaas, perseel of plot getoon word;

"grondgebruik" beteken die name van die gebruiksregte wat in hierdie soneringskema gelys is en kan `n kollektiewe beskrywing vir een, of `n aantal grondgebruiksaktiwiteite en aanverwante gebruike wees;

"grond ontwikkel" beteken om grond vir okkupasie of gebruik voor te berei en te ontwikkel, inter alia deur dit op te vul, uit te graawe, te dreineer of gedeeltes gelyk te maak, plantegroei te verwyder, ingenieursdienste te installeer, die grond onder te verdeel of deur die oprigting, verandering of uitbreiding van geboue en strukture op die grond, en "ontwikkeling van grond" en "grondontwikkeling" het `n ooreenstemmende betekenis;

"grondvloer" beteken die laagste vloer van `n gebou wat nie `n kelder is nie;

H

"hawegebruik" beteken `n gebou, struktuur of strukture of gebiede vir die dok, tewaterlating en vasmeer van bote en jagte, vir winkels en bootwerwe en sluit aanvullende en geassosieerde gebruike soos boothuise, bootherstelgeriewe, sleephellings, droogdokke, hawe-kantore, brandstofvoorsieningsgeriewe, pakhuise, hawe-mure, mariene infrastruktuur en dienste, asook hyskrane in;

"helling" beteken die graad van afwyking van `n oppervlakte vanaf die horisontaal, gewoonlik as `n verhouding uitgedruk en soos volg bereken vir die doeleindes van hierdie soneringskema:

$$\text{Helling} = 1 \text{ in } \frac{\text{horisontale afstand}}{\text{vertikale afstand}}$$

"hersonering" beteken die wysiging van die sonering wat op `n bepaalde grondeenheid of –eenhede of `n gedeelte van `n grondeenheid betrekking het, in terme van Beplanningswette;

"hierdie soneringskema" beteken die soneringskema van die Overstrand Munisipaliteit;

"hondeherberg" beteken `n fasiliteit wat vir die tydelike akkommodasie, verblyf en sorg van diere gebruik word;

"hoofpad" beteken `n openbare straat wat in terme van Afdeling 4 van die Paaie Ordonnansie 1976 (Ordonnansie Nr 10 van 1976) as `n hoofpad gedefinieer is;

"hoogte" van `n gebou beteken dat geen punt van enige gebou die maksimum hoogte wat in die ontwikkelingsreëls voorgeskryf word, sal oorskry nie, soos gemeet in meter vanaf die basisvlak tot by die bopunt van die dak direk bokant sodanige punt;

"hospitaal" beteken `n plek, hetsy in privaat- of openbare besit, vir die diagnose en behandeling van menslike siektes, met geïntegreerde geriewe soos operasie-teaters, laboratoriums, apteke, kafeteria, kiosks en akkommodasie vir inwonende pasiënte, en dit sluit `n kliniek, mediese spreekkamers en akkommodasie vir die tydelike huisvesting van personeel in;

"hotel" beteken `n eiendom wat as tydelike tuiste vir verbygaande gaste gebruik word, waar losies en maaltye verskaf word, en wat die volgende mag insluit:

- (i) `n restaurant of restaurante;
- (ii) geassosieerde konferensie- en vermaakgeriewe, wat ondergeskik en bykomend tot die dominante gebruik van die eiendom as `n hotel is; en
- (iii) persele wat gelisensieer is om alkoholiese drank vir verbruik op die perseel te verkoop, maar nie `n buite-verkope is nie;

"huis-winkel" beteken die bedryf van kleinhandel vanuit `n woonhuis of buitegebou deur een of meer van die bewoners van die betrokke woonhuis wat op die perseel woonagtig is, met dien verstande dat die woonakkommodasie van `n enkele gesin steeds die dominante gebruik van die eiendom sal wees;

I

"informele handel" beteken die verkoop van produkte in gebiede wat spesifiek vir hierdie doel deur die Raad afgebaken is, soos byvoorbeeld markte en ander afgebakende gebiede;

"informele slagtery" beteken `n plek vir die verkoop van vleis en/of die geassosieerde slag van diere, maar wat:

- (i) nie `n erkende abattoir is nie; of
- (ii) nie in terme van die Wet op Nasional Bouregulasies en Boustandaarde `n gebou met geriewe vir die koel-stoor of hantering van vleis is nie, maar wel onderworpe is aan `n gesondheidspermit van die Raad;

"ingenieursdienste" beteken infrastruktuur vir die voorsiening van water, elektrisiteit, riolering, stormwaterbestuur, strate, paaie en voetgangerpaaie met inbegrip van alle verwante dienste en toerusting;

"inrigting" beteken `n eiendom wat as `n sosiale, gesondheids- of welsynsplek gebruik word of vir die administrasie daarvan en sluit `n hospitaal, spesiale-behoefteskool, kliniek, tehuis vir bejaardes, behoeftiges of gestremdes, of `n verbeteringsinrigting of plek van aanhouding in, hetsy dit van `n kommersiële of welsynsaard is, maar dit sluit nie `n tronk in nie;

"insameling van natuurlike hulpbronne" beteken die insameling van flora en/of fauna vir verkoop of gebruik deur `n persoon of agentskap wat nie `n erkende omgewingsagentskap is nie, met dien verstande dat sodanige insameling

- (i) volhoubaar is,
- (ii) nie die hulpbronne benede aanvaarbare vlakke sal uitput nie, en
- (iii) nie nadelig vir die ekosisteem is nie;

"intensiewe diere-boerdery" beteken die teel, voer en hou van diere en voëls op `n intensiewe basis en sluit voerkrale en pluimveebatterye in;

"intensiewe tuinbou" beteken die kweek van plante en inheemse flora op `n intensiewe skaal, waar plante onder `n dak, op oop grond, of in kweekhuise gekweek word, en sluit die verkoop van selfgekweekte plante van die grond af in;

J**K**

"kadastrale lyn" beteken `n lyn wat die amptelike grens van `n grondeenheid aantoon soos geregistreer in die Akteskantoor, of wat as `n rekord op `n diagram of algemene plan verskyn wat deur die landmeter-generaal goedgekeur is;

"kampeerterrein" beteken `n eiendom of gedeelte daarvan waarop tente en karavane gebruik word vir die korttermyn-akkommodasie van besoekers en vakansiegangers en dit sluit ablusie-, kook- en ander geassosieerde geriewe vir gebruik deur sodanige besoekers in, sowel as infrastruktuur verwant aan die bedryf van die kampeerterrein; dit mag ook, met die toestemming van die Raad, akkommodasiegeriewe vir die eienaar, bestuurder en personeel insluit;

"kantoor" beteken `n eiendom wat gebruik word vir die bedryf van `n onderneming wat hoofsaaklik gemoeid is met administratiewe, klerklike, finansiële of professionele pligte en dit sluit mediese spreekkamers in;

"karavaan" beteken `n voertuig wat toegerus of omskep is vir woon- en slaapdoeleindes en wat mobiel is;

"keerstruktuur" beteken `n muur of `n struktuur wat gebou is om grond of los rots terug te hou;

"kelder" beteken daardie ruimte in `n gebou, tussen die vloer en die plafon, wat gedeeltelik of in geheel benede die gemiddelde grondhoogte is, met dien verstande dat waar enige gedeelte daarvan meer as 1,0m bokant die laagste vlak van die grond onmiddelik teenaan die betrokke gebou strek, `n kelder as `n verdieping geag sal word vir die doel om hoogte te bepaal;

"kiosk" beteken `n klein, permanente of tydelike struktuur vanwaar items soos koerante, voedsel en drank aan die publiek verkoop word;

"kliniek" beteken `n inrigting waar die publiek mediese behandeling of mediesverwante advies ontvang, en kan `n mediese sentrum, buitepasiëntesentrum en welstandsentrum met geassosieerde gebruike insluit; met dien verstande dat `n kliniek nie inwonende verblyf aan meer as dertig persone, insluitende pasiënte en personeel sal verskaf nie;

"kombuis" beteken `n kamer of gedeelte van `n kamer wat toegerus is vir die voorbereiding en die kook van maaltye;

"kommersiële hondeherberg" beteken kommersiële herbergdienste vir honde, katte en troeteldiere en sluit `n plek vir kommersiële teeldoelindes, veeartsenypraktjke en opleidingsentrums vir honde in;

"konferensiegeriewe" beteken `n plek van `n kommersiële aard, waar inligting aangebied word en gedagtes uitgeruil word tussen groepe mense of afgevaardigdes wie se normale werkplek elders is, en dit kan oornagverblyf en die voorsiening van etes en drinkgoed aan afgevaardigdes insluit;

"konsolidasie" beteken die proses om, sonder enige heropmeting, vanaf twee of meer diagramme wat verskeie grondgedeeltes voorstel, `n diagram vir goedkeuring deur die landmeter -generaal voor te berei met die oog daarop om een gekonsolideerde titel van die Registrateur van Aktes daarvoor te verkry;
en "konsolideer" het dieselfde betekenis;

"krematorium" beteken `n gebou waar die dooies veras word en sluit geriewe vir die geassosieerde godsdienstige en administratiewe funksies in;

"kroeg" beteken `n onderneming vir die verkoop van alkoholiese drank en die verbruik daarvan deur kliënte op die perseel waar die drank verkoop word, en dit mag die aanbod van voedsel aan kliënte insluit maar sluit nie die verkoop van alkoholiese drank vir buiteverbruik, en `n plek van vermaak in nie; en kroeg of taverne het dieselfde betekenis;

"kweekhuis" beteken `n struktuur waarvan die sye hoofsaaklik van deursigtige materiaal soos glas, perspex, skadunet of plastiek vervaardig is met die doel om plante onder beheerde omgewingstoestande te kweek;

L

"laaivak" beteken `n gebied wat duidelik afgemerk is vir die op- en aflaai van goedere op kommersieële voertuie, en wat tot die Raad se tevredenheid voertuigtoegang vanaf `n openbare straat geniet;

"landbou" beteken die bewerking van grond vir oeste en plante, insluitende plantasies, die hou en teel van diere, byeboerdery, voëlboerdery of die bedryf van `n wildplaas, en dit behels natuurlike veld en sluit slegs sodanige aktiwiteite en geboue in soos wat redelikerwys met die hoof boerderybedrywighede verband hou, byvoorbeeld woonakkommodasie vir die boer, die plaasbestuurder en plaasarbeiders, die pak van die landbouprodukte van die eiendom; maar sluit intensiewe tuinbou, intensiewe veeboerdery, landbounywerheid en `n plaaswinkel uit;

"landboudorp" beteken `n privaat nedersetting van `n beperkte grootte, wat as `n regsenteit in `n landelike- of landbougebied gevestig en bestuur word, spesifiek ontwikkel is vir die bona fide akkommodasie van die plaaslike, landelike gemeenskap van plase, bosbou- en bewarings-ondernemings wat in die omgewing geleë is;

"landbounywerheid" beteken `n onderneming wat landbouverwante produkte op of naby die grondeenheid prosesseer waar dit verbou en ge-oes word en waar die prosessering in sodanige nabyheid nodig is as gevolg van die aard, bederfbaarheid en breekbaarheid van sodanige landbouprodukte, en dit sluit in, onder andere, melkerye, wynkelders, distilleerderye, brouerye, olyfprosesseringsaanlegte en ander geriewe wat vir die prosessering van landbouprodukte nodig is, waar die verpakte produkte nie op die grondeenheid geproduseer is nie, maar dit sluit nie diensbedrywe in nie;

"landskapering" beteken die plasing van plante, water-elemente, plaveisel, straatmeublement en ander sagte of harde elemente vir die doel om die estetiese bevalligheid, omgewingsbestuur, gerief en die waarde van eiendom te verbeter;

"lapa" beteken `n gedeeltelik-omheinde of rietgedekte skerm wat gebruik word vir buitenshuise maaltye en informele, sosiale samekomste;

"losies" beteken slaapkamerakkommodasie wat beskikbaar is teen betaling, en die dienste wat normaalweg met sodanige akkommodasie verband hou, en losies het `n ooreenstemmende betekenis;

M

"maksimum vloerruimte" beteken die grootste, totale vloerruimte wat toegelaat word vir `n gebou of geboue op `n grondeenheid en dit word bereken deur die vloerfaktor te vermenigvuldig met die oppervlakte van die grondeenheid, of daardie gedeelte van die grondeenheid wat in `n bepaalde sone geleë is, met dien verstande dat:

- (i) waar `n grondeenheid meer as een primêre gebruik of vergunningsgebruike het, en die gebruik gekombineer word, dan is die hoogste toelaatbare vloerfaktor die gemiddelde van die vloerfaktore van die verskillende primêre gebruik, vergunningsgebruike of afwykende gebruik; en
- (ii) waar `n grondeenheid binne twee of meer sones geleë is waarop verskillend vloerfaktore van toepassing is, sal die maksimum vloerruimte vir die hele grondeenheid die totaal wees van die maksimum vloerruimtes vir elke gedeelte van die grondeenheid;

"mark" beteken `n buitelugplek wat deur die Raad toegelaat is vir die verkoop van varsprodukte, voedsel en drank, kunsvlyt, kuns en vervaardigde goedere aan die publiek;

"massa" met betrekking tot `n gebou, het dieselfde betekenis as vloerruimte;

"mediese spreekkamers" beteken `n kantoor of kantore en geassosieerde kamers wat deur `n geregistreerde, professionele mediese praktisyn vir menslike, mediesverwante konsultasie gebruik word, waar sodanige kantoor nie aan `n hospitaal of kliniek geskakel is nie, en dit sluit `n laboratorium en apteek in;

"melkery" beteken `n gebou vir die stoor, prosessering en verspreiding van melk en die produkte daarvan, maar sluit nie `n landbougebou in waar koeie of ander diere gemelk word nie;

"mobiele woning" beteken `n vervoerbare, voorafvervaardigde struktuur, met die nodige diensaansluitings, wat ontwerp is sodat dit as permanente woning gebruik kan word;

"motel" beteken `n gelisensieerde hotel wat spesifiek ontwerp en bedoel is vir die reisende publiek by wyse van die voorsiening van parkeergeriewe by elke eenheid en dit sluit ander geriewe in wat normaalweg met `n hotel geassosieer word;

"motorafdak" beteken `n gebou of struktuur, hetsy oordek of oop, met inbegrip van `n skadu-afdak, waarvan twee sye oop is en wat primêr gebruik word vir die stoor van `n motorvoertuig en dit sluit die stoor van sleepwaens en bote in;

"motorherstelgarage" beteken `n kommersiële onderneming waar motorvoertuie van brandstof voorsien word, en motordienste soos meganiese opknapping, spuitverfwerk, paneelklop, bakwerke of die aansit van uitlaatstelsels en skokbrekers gelewer word, en dit sluit `n diensstasie in;

"motorhuis" beteken `n gebou vir die stoor van een of meer motorvoertuie, wat `n werkruimte vir die eienaar se stokperdjie mag insluit, maar nie `n motorherstelgarage of diensstasie insluit nie;

"motorvoertuig" beteken `n voertuig wat ontwerp is vir, of gebruik word met ander aandrywing as deur mense of diere, en sluit `n motorfiets, sleepwa of karavaan in, maar sluit nie `n voertuig in wat uitsluitlik op spore loop nie;

"motorwasplek" beteken enige struktuur of strukture waar voertuie gewas en skoongemaak ("valet") word;

"munisipale bestuurder" beteken die persoon, insluitend die departementele hoof, aan wie die verantwoordelikheid opgedra is om hierdie soneringskema te administreer;

"munisipaliteit" het dieselfde betekenis as Raad;

"myn" het dieselfde betekenis soos gestipuleer in die Wet op Minerale- en Petroleum-hulpbronontwikkeling, 2002 (Wet 28 van 2002);

"mynbou" beteken `n onderneming wat die ontginning van roumateriale onderneem, hetsy by wyse van bogrond- of ondergrondse metodes, met inbegrip van, maar nie beperk tot prospektering, die verwydering van klip, sand, klei, kaolien, erts, minerale, gas en edelgesteentes nie;

N

"Natuurreservaat" beteken `n nasionale park of omgewingsbewaringsgebied wat in terme van wetgewing as `n natuurreservaat verklaar of geregistreer is, met die doel om wildlewe, flora en fauna in `n oorwegend natuurlike habitat te bestuur en te bewaar, hetsy dit in privaat of openbare besit is; dit sluit bewaringsgebruik in maar sluit nie toeristegeriewe of toeriste-akkommodasie in nie;

"nok van die dak" beteken die spits van die nok van `n skuinsdak en die top van die borswering waar dit bokant `n dak uitsteek;

"nutsdiens" beteken `n gebruik of infrastruktuur wat nodig is ten einde ingenieurs- en geassosieerde dienste te kan lewer ter wille van die behoorlike funksionering van stedelike ontwikkeling, en dit sluit `n waterreservoir en -suiweringswerke in, asook elektriese substasies en transmissielyne, afvalwaterpompstasies en -suiweringswerke, infrastruktuur vir hernubare energie soos windturbines en sonpanele, hetsy bokant of onder grond of water; en dit mag sodanige tegnologie vir die volhoubare lewering van dienste insluit soos die Raad mag goedkeur, maar dit sluit nie paaie of vervoergebruik in nie;

"nywerheid" beteken `n eiendom wat na die Raad se mening as `n fabriek of werkswinkel gebruik word en waarin artikels of gedeeltes daarvan gemaak, vervaardig, geproduseer, gebou, gemonteer, saamgestel, gedruk, ge-ornamenteer, geprosesseer, behandel, aangepas, herstel, hernu, herbou, gewysig, geverf (insluitend spuitverf), gepoleer, afgewerk, skoongemaak, gekleur, gewas, opgebreek, gedemonteer, gesorteer, verpak, verkoel, gevries of koud gestoor word, insluitend kantore, opsigterskwartiere of ander gebruike wat ondergeskik en bykomend tot die gebruik van die eiendom as

’n fabriek is, en sluit ’n pakstoor en meganiese wekswinkel in, maar sluit nie ’n diensstasie, aanstootlike bedryf of risiko-aktiwiteit in nie;

“nywerheidskafee” beteken ’n onderneming wat voorafbereide voedsel en drank in ’n nywerheidsone aan die publiek verkoop om elders te geniet;

O

“omgewing” beteken die somtotaal van die omringende voorwerpe, toestande en invloede wat die lewe en gewoontes van mense of enige ander organisme of versameling van organismes beïnvloed;

“omgewingsbestuursplan” beteken ’n verslag aangaande die impak van gespesifiseerde, voorgestelde aktiwiteite op die omgewing, en die moniteringsmaatreëls wat nodig is ten einde die implementering van ’n voorstel, die voortgaande instandhouding na implementering, en die volhoubare benutting van die hulpbronne op die grondeenheid te rig; en dit sal die volgende insluit:

- (i) ’n beskrywing van enige konstruksiewerk wat geïmplimenteer sal word;
- (ii) verduideliking van die verantwoordelikhede en verpligtinge van rolspelers;
- (iii) versagende maatreëls ten opsigte van potensiële impakte;
- (iv) rehabilitasie van die eiendom na enige konstruksiewerk;
- (v) voorsorg vir die finansiering van rehabilitasiewerk;
- (vi) maatreëls vir die monitering, oudit en wysiging van die omgewingsbestuursplan; en
- (vii) maatreëls vir dispuutoplossing en boetes;

“omgewingsbewaringsgebruik” beteken die gebruik of instandhouding van grond in ’n volhoubare, natuurlike staat met die doel om die biofisiese en erfeniseienskappe van die grond (asook die flora en fauna op die grond) te preserveer en dit sluit die geassosieerde infrastruktuur vir sodanige gebruik in;

“omgewingsfasiliteite” beteken fasiliteite vir die bestuur, bestudering, interpretasie en die onderrig in, en publieke waardering van, ’n oorwegend-natuurlike gebied of erfenisterrein, en dit sluit die akkommodasie van personeel, ondersteuningsdienste en geassosieerde infrastruktuur in;

“omgewingsimpakstudie” beteken ’n verslag soos gestipuleer deur toepaslike omgewingswetgewing, betreffende die impak van gespesifiseerde, voorgestelde aktiwiteite op die omgewing, of enige ander studies wat deur die Raad vereis word, en sluit erfeniskwessies in;

“onderverdeel”, met betrekking tot ’n grondeenheid, beteken om die grondeenheid onder te verdeel hetsy deur:

- (i) opmeting;
- (ii) die toekenning op enige manier, van onverdeelde gedeeltes daarvan met die oog op afsonderlike registrasie van grondeenhede of onverdeelde gedeeltes daarvan;
- (iii) die voorbereiding daarvan vir sodanige onderverdeling;

“onderverdelingsgebied” beteken ’n grondeenheid of grondeenhede wat op ’n wyse soneer is wat onderverdeling toelaat soos voorsien in die beplanningswette, en wat onderhewig gemaak is aan:

- (i) ’n gebruiksbepaling;
- (ii) ’n digtheidsbepaling;

- (ii) relevante voorwaardes en stipulasies soos vervat in hierdie soneringskema;
- (iii) die beplanningstipulasies van enige toepaslike struktuurplan, en
- (iv) enige ander voorwaardes neergelê met goedkeuring van die hersonering;

"onderverdelingsplan" beteken `n plan wat die relatiewe ligging van voorgestelde grondeenhede op `n grondeenheid wat onderverdeel staan te word, aantoon;

"ontspanningsgeriewe" beteken die gebruik van grond, met inbegrip van gedeeltes van die kuslyn, vir ruim, onbedekte oopgebiede wat ontwikkel of onontwikkel is om `n bepaalde sport of kombinasie van sportsoorte en algemene ontspanning te beoefen, en sluit `n klubhuis, geassosieerde infrastruktuur en geboue, binnenshuise- en opelugswembaddens met geassosieerde infrastruktuur, asook `n skietbaan en oefenbof (vir gholf) in, maar sluit nie enige geboue of strukture in wat vir besigheid gebruik word of enige ander gebruik wat nie in ooreenstemming met, of afhanklik van die betrokke sport is nie;

"ontwikkelingsraamwerk" beteken `n plan en ondersteunende dokumentasie wat die oorhoofse beleid, breë doelwitte en beginsels vir `n voorgestelde ontwikkeling binne `n bepaalde beplanningsgebied reflekteer en dit sluit die breë ontwikkelings- en omgewingsoorwegings in, met inbegrip van die natuurlike en erfeniskomponente van die terrein. Dit identifiseer die reeks van gebruike, algemene ruimtelike verspreiding van gebruike, hoofverbindinge en enige beperkings op die ontwikkeling van die betrokke grondeenhede, insluitende (maar nie beperk tot) die definering van die digtheid en maksimum vloeroppervlakte;

"ontwikkelingsreël" beteken `n reël, beperking, bepaling of vereiste in terme van hierdie soneringskema, wat die toelaatbare omvang van gebruik of ontwikkeling van `n eiendom waarop dit betrekking het, uiteensit;

"oorlegsone" beteken `n soneringskategorie wat op `n bepaalde grondeenheid of gebied van toepassing is en wat:

- (i) ontwikkelingsreëls bykomend tot die vereistes van die onderliggende- of basissonering vir sodanige grondeenheid of gebied neerlê;
- (ii) verdere ontwikkelingsreëls ten opsigte van `n grondeenheid of sone mag neerlê wat meer of minder beperkend mag wees as dié vir grondeenhede wat nie onder die oorlegsone ingesluit is nie;

en "oorlegsonering" het `n ooreenstemmende betekenis;

"oorskrydingsooreenkoms" beteken `n ooreenkoms tussen `n eienaar en die Overstrand Munisipaliteit met betrekking tot die oorskryding van gedeeltes van `n gebou of struktuur vanaf die eienaar se eiendom op eiendom wat aan die Raad behoort;

"openbare oopruimte" beteken grond wat in openbare besit is, primêr vir buitelugsport, -speel, -rus, of –ontspanning gebruik word, of as `n park of natuurgebied, en sluit geassosieerd geboue, infrastruktuur en gebruike in;

"oprigting" van `n gebou of struktuur sluit in:

- (i) die bou van `n nuwe gebou of struktuur;
- (ii) wysiging of bewaring of vernuwing of byvoeging tot `n gebou of struktuur;
- (iii) die heroprigting van `n gebou of struktuur wat volkome of gedeeltelik vernietig is;

en "oprig" het `n ooreenstemmende betekenis;

"Ordonnansie op Grondgebruikbeplanning" beteken die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985);

"owerheidsgebruik" beteken `n gebruik wat uitgeoefen word deur, of ten behoewe van, `n openbare owerheid en waarvan die eienskappe sodanig is dat dit nie onder ander gebruike in hierdie soneringskema geklassifiseer of gedefineer kan word nie, en dit sluit `n gebruik in wat uitgeoefen word deur:

- (i) die Staat, byvoorbeeld `n militêre opleidingsentrum en -installasie, `n polisiestasie en `n gevangenis;
- (ii) die Provinsiale Owerheid, byvoorbeeld `n padvervoer-halte en `n padkamp;
- (iii) die Plaaslike Owerheid, byvoorbeeld `n brandweardiens en munisipale depot met verwante of ander gebruike wat benodig word ten einde die nodige dienste te kan lewer (insluitend beperkte akkommodasie vir personeel wat vir noodbystand nodig is, munisipale kantore, klinieke, `n biblioteek en ander geassosieerde gebruike soos deur die Raad goedgekeur);

P

"pad" sluit beide openbare straat en privaat pad in;

"padreserwe" beteken `n aangewese gedeelte grond wat `n openbare straat of privaatpad (met inbegrip van die ryvlak en kantstroke) insluit, hetsy die grond deur kadastrale grense gedefineer is aldan nie;

"pakstoor" beteken `n gebou wat primêr vir die stoor van goedere vir verspreiding na kleinhandelaars gebruik word, en sluit `n eiendom in wat vir `n besigheid van `n dominante groothandelsaard gebruik word, of waar `n diensbedryf bedryf word, maar dit sluit nie `n besigheid van `n oorwegende kleinhandelsaard in nie;

"parkeergarage" beteken `n plek, uitgeslote `n pad, straat of op-perseelparkering geassosieer met `n primêre- of vergunningsgebruik, wat deur die publiek gebruik word vir die parkering van motorvoertuie met of sonder die betaling van `n fooi, en dit mag parkering binne `n gebou insluit;

"parkeerplek" beteken `n ruimte van nie minder as 5,0m x 2,5m vir loodregte- of skuinsparkering en 6,0m x 2,5m vir parallelparkering nie, wat duidelik omlyn en afgemerk is vir die parkering van een motorvoertuig, en wat tot die Raad se tevredenheid toeganklik is;

"parkeerterrein" beteken `n praktiese parkeerruimte wat deur die Raad goedgekeur is;

"perdrystalle" beteken `n kommersiële onderneming vir die voorsiening van stalle vir perde en sluit `n ryskool, asook die versorging en verhuur van perde in;

"pergola" beteken `n horisontale of bykans horisontale rooster of raamwerk sonder `n dak, en die geassosieerde strukturele ondersteuning daarvan, wat sodanig is dat die oppervlakte, of horisontale projeksie van die soliede dele van die rooster of raamwerk, nie 50% oorskry van die totale oppervlakte daarvan nie;

"personeelkwartiere" beteken `n gebou, hetsy geheg aan, of apart van die hoofeenheid, vir die uitsluitlike doel om personeel te huisves, en waar die Raad kan vereis dat bewys vir die noodsaaklikheid van personeelkwartiere gelewer moet word;

"plaaswinkel/ plaasstal" beteken `n gebou wat op `n plaas geleë is, en waar `n boer produkte en ander goedere aan die algemene publiek verkoop;

"plantkwekery" beteken `n eiendom of gedeelte daarvan wat primêr gebruik word vir die propagering van plante en die verkoop van plante en tuinprodukte;

"plek van onderrig" beteken `n plek vir onderwys op voorskool-, skool- of naskoolvlak, insluitende `n dagsorgsentrum, `n crèche, plaasskool, kleuterskool, laerskool, hoërskool, kollege, lesingsaal, universiteit, navorsingsinstituut, omgewingsnavorsingsentrum of ander onderwys- sentrum en die geassosieerde gebruike soos koshuise; of `n burgerlike fasiliteit vir die bevordering van kennis deur die gemeenskap soos `n klooster, monnikelooster, openbare biblioteek, openbare kunsgallery, museum; of `n plek van onderrig in sport of ander fisiese dissipline waar die hoofdoel is om opleiding te verskaf, teenoor deelname deur die openbare sektor as deelnemers of toeskouers, maar dit sluit `n verbeteringskool, nywerheidskool, kommersiële konferensiefasiliteit, inrigting, gesondheidsentrum of binnenshuise besigheidsonderrigsentrum uit;

"plek van samekoms" beteken `n openbare saal, `n saal vir sosiale funksies, `n musieksaal, `n uitstallingsaal, `n klubhuis, `n stadsaal of `n burgersentrum, wat nie direk verband hou met `n kommersiële onderneming nie en wat `n plek van vermaak uitsluit;

"plek van vermaak" beteken `n plek wat gebruik word vir kommersiële vermaak wat groot getallemense mag lok, buite normale besigheidsure mag funksioneer of op `n gereëde basis geraas deur musiek of jolyt veroorsaak, insluitende `n bioskoop, teater, pretpark, danssaal, nagklub, dobbelplek en lewendige musiek;

"primêre gebruik" met betrekking tot grond of geboue, beteken enige gebruik wat in hierdie soneringskema as `n primêre gebruik gespesifiseer word, synde `n gebruik wat toegelaat word sonder die nodigheid om eers die Raad se toestemming te verkry;

"primêre, natuurlike gebied" beteken grond, wat natuurlike hulpbronne bevat wat deur die Raad belangrik geag word vir die welsyn van menslike en natuurlike gemeenskappe, en behels beskermde natuurlike grond en ongerepte grond soos deur omgewingswetgewing gedefinieer, hetsy dit in openbare- of privaatbesit is, asook grond wat geormerk is vir insluiting by sodanige gebiede; dit sluit egter landbou-aktiwiteite, behalwe die insameling van natuurlike produkte, uit;

"privaat oopruimte" beteken grond wat in privaatbesit is, en primêr vir opelugsport, -speel, -rus of –ontspanning gebruik word, of as `n park of natuurgebied, en sluit geassosieerde geboue, infrastruktuur en gebruike in, en mag, met die toestemming van die Raad, ook `n binnenshuise- of buitelugswembad en geriewe insluit;

Q

R

"Raad" beteken die Raad van Overstrand Munisipaliteit en sluit 'n raadslid in, asook die munisipale bestuurder, 'n komitee of 'n amptenaar met gedelegeerde gesag om namens die Raad oor 'n aangeleentheid te besluit;

"register" beteken die rekord wat deur die Raad gehou word met betrekking tot alle afwykings, gesertifiseerde gebruike, vergunningsgebruike, terreinontwikkelingsplanne, voorwaardes met betrekking tot gebruiksregte of ontwikkelingsreëls vir spesiale sones;

"restaurant" beteken 'n gelisensieerde besigheid waarin hoofsaaklik maaltye en drinkgoed, primêr aan klante wat aansit, verkoop word en dit sluit die op-perseel verbruik van drank in maar sluit nie persele in wat uitsluitlik as 'n kroeg, kantien of taverne gebruik word nie;

"risiko-nywerheid" beteken 'n onderneming waar materiale hanteer, of 'n proses uitgevoer word wat ontbranding teen uiterste snelheid kan veroorsaak en aanleiding tot giftige gasdampe of ontploffings kan gee, en dit sluit groot, gevaarlike installasies en aktiwiteite in waarby gevaarlike en riskante substansies, wat deur nasionale wetgewing beheer word, betrokke is;

"rommelwerf" beteken 'n eiendom wat vir een of meer van die volgende gebruike gebruik word:

- (i) stoor, deponeer of kollekteer van rommel of afvalmetaal of artikels waarvan die waarde grootliks afhang van die materiaal wat vir die vervaardiging daarvan gebruik is;
- (ii) die aftakel van tweedehandse voertuie of masjinerie om onderdele of materiaal te herwin; en
- (iii) die stoor of verkoop van tweedehandse onderdele, pale, staal, draad, hout, bande, stene, houers of ander artikels wat geskik is om sonder ernstige skade in die buitelug gelaat te word; en dit sluit hooggoonde vir die smelt van metale in;

"rybaan-kruising" met betrekking tot 'n rybaan-kruising vir voertuie, beteken 'n ingang- of uitgangsweg of 'n gekombineerde ingang- en uitgangsweg vanaf 'n grondeenheid na 'n pad;

S

"sakeperseel" beteken 'n eiendom waarvandaan besigheid of dienste bedryf word en sluit 'n winkel, supermark, restaurant, verkoop van alkoholiese drank, plantkwekery, kantore, diensbedrywe, finansiële instellings en geboue vir soortgelyke gebruike, en die verkoop van enige klein of groot items in, maar dit sluit nie 'n plek van samekoms, plek van vermaak, inrigting, diensstasie, motorherstelplek, nywerheid, nywerheidskorf, aanstootlike bedryf, risiko-aktiwiteit, volwasse vermaak-onderneming of drankwinkel in nie;

"sektorale raamwerk" beteken 'n breë beleidsplan, met ondersteunende dokumentasie, vir 'n bepaalde beplanningsgebied en die gebied daaromheen. Dit mag die beginsels en breë punte van ooreenkoms insluit wat die algemene verpligtinge van die Raad, die eienaar van eiendom en/of ontwikkelaar van grond met betrekking tot 'n bepaalde beplanningsgebied opsom. 'n Kontekstuele raamwerk word deur die Raad voorberei, of deur 'n grondeienaar of ontwikkelingsagentskap onder die toesig van die Raad, en dit mag 'n struktuurplan insluit soos deur beplanningswetgewing gedefinieer;

"serwituut" beteken `n geregistreerde reg wat die gebruik van `n ander se eiendom of gedeelte daarvan, vir spesifieke doeleindes toeken;

"skema-gebied" beteken die gebied van jurisdiksie van die Overstrand Soneringskema;

"skuiling" beteken `n informele struktuur of Wendy-huis wat vir menslike akkommodasie bedoel is, ongeag of die materiaal wat gebruik is, aan die duursaamheidsstandaarde soos in die Nasionale Bouregulasies voorsien, voldoen aldan nie;

"sone" beteken grond wat aangewys is vir `n bepaalde sonering, ongeag of dit uit een of meer eiendomme, of `n gedeelte van `n eiendom bestaan;

"soneer" met betrekking tot grond, beteken om grond vir `n bepaalde sonering aan te wys;

"sonering" wanneer dit as `n naamwoord gebruik word, beteken daardie kategorie van voorskrifte wat die ontwikkeling van grond beheer en wat die doel uiteensit waarvoor die grond aangewend mag word, alles soos bepaal deur hierdie soneringskema;

"soneringskaart" beteken `n goedgekeurde kaart of kaarte wat die grondeenhede binne die gebied van jurisdiksie van die Raad aantoon met toepaslike sonering en oorlegsones;

"soneringskema" beteken die wet vir die sonering van grond wat in terme van die Beplanningswette goedgekeur is, en wat bestaan uit soneringskemaregulasies en `n register, met of sonder `n kaart;

"spesiale gebruik" beteken `n gebruik wat sodanig is, of met betrekking waartoe grondgebruiksreëls sodanig is, dat daar nie andersins voor voorsiening gemaak of toegelaat word deur hierdie soneringskema nie, en ten opsigte waarvan spesifieke grondgebruiksreëls in detail uiteengesit word by wyse van die bepalings van `n Spesiale Sone;

"staatsinstelling" beteken `n staatsinstelling soos gedefinieer in Artikel 239 van die Nasionale Grondwet;

"stedelike landbou" beteken die kweek van gewasse op relatiewe klein oppervlaktes in stedelike gebiede, vir eie verbruik of verkoop op naburige markte, met dien verstande dat, vir die doel van beheer deur hierdie soneringskema, die maak van `n tuin deur `n inwoner nie as stedelike landbou beskou sal word nie;

"stoep" beteken `n onbedekte, plaveide gebied of projekterende vloer buite `n gebou, direk teenaan die gebou geleë, en op of onder die vlak van die grondvloer van die gebou, en dit sluit enige lae mure of reëlings in wat sulke geplaveide gebiede of vloere omsluit;

"stormwater" beteken water wat deur natuurlike prosesse, presipitasie en/of die versameling daarvan ontstaan, en dit sluit grondwater en fonteinwater, wat normaalweg deur die stormwaterstelsel afgelei word, sowel as seewater binne estuaries in, maar dit sluit water in `n drinkwater- of afvalwatersisteem uit;

"stormwaterstelsel" beteken natuurlike of gekonstrueerde geriewe, met inbegrip van pype, duikers en waterlope wat gebruik of benodig word vir die bestuur, versameling, afvoer, tydelike stoor, beheer, monitering, behandeling, gebruik en wegdoen van stormwater;

"straat" in die konteks van ontwikkelingsreëls wat betrekking het op straatboulyne, terugsette, straatgrense, straathoeke of op-perseelparkering, terreintoegang of laaiverestes, sluit `n privaatstraat en openbare straat in;

"straatgrens" beteken die grens wat `n grondeenheid en `n openbare- of privaatstraat skei; met dien verstande dat die grens van `n voetgangerlaan of dienslaan, wat na die Raad se mening nie gebruik word en nooit gebruik sal word deur motorvoertuie nie, vir die doeleindes om boulyne, terugsette vanaf die straatmiddellyn, en toegangsvereistes te bepaal, as `n gemeenskaplik grens beskou sal word;

"struktuur" sluit in, sonder om afbreuk te doen aan die gewone betekenis daarvan, enige gebou, skuiling, muur, heining, pilaar, pergola, trappe, oorloop, rylaan met `n blad of oordekking, terras, teken, ornamentele argitektoniese element, swembad, brandstofpomp en ondergrondse tenk, en enige gedeelte van `n struktuur;

"struktuurplan" beteken `n plan wat in terme van artikel 4(6) of 4(10) van die Ordonnansie goedgekeur is;

"supermark" beteken `n winkel met `n totale vloeroppervlakte van meer as 350m², waarin `n reeks van goedere en items, insluitende voedselware en huishoudelike goedere, op `n oorwegend selfdienbasis te koop aangebied word;

T

"teken" beteken enige teken, sierverfwerk, muurskildery, grafiese ontwerp, reklamebord, skerm, blinding, skutbord, simbool of ander instrument waardeur `n advertensie of kennisgewing fisies vertoon kan word, en sluit enige advertensie of voorwerp, struktuur of instrument in wat op sigself `n advertensie is, of gebruik word om `n advertensie te vertoon;

"terras" beteken `n gebied waartoe inwoners van `n gebou toegang het, wat op `n platdak oor `n gedeelte van `n gebou geskep is, en wat volg uit die terugset van `n gedeelte van die gebou bokant sodanige gedeelte;

"terreinontwikkelingsplan" beteken `n plan, op skaal geteken met mate, wat die detail van `n voorgestelde ontwikkeling aantoon, en wat die volgende mag insluit:

- (i) bestaande, biofisiese eienskappe van die eiendom;
- (ii) bestaande en voorgestelde kadastrale grense;
- (iii) die uitleg van die eiendom met `n aanduiding van die gebruik van verskillende gedeeltes daarvan;
- (iv) die ligging, gebruik en omvang van geboue;
- (v) ontwerpriglyne vir argitektuur en landskapering;
- (vi) sketsplanne en aansigte van voorgestelde strukture, insluitende inligting oor die eksterne voorkoms daarvan;

- (vii) dwarsnigte van die terrein en geboue op die perseel;
- (viii) die belyning en algemene spesifikasie van voertuigtoegange, paaie, parkeerterreine, laaigebiede en voetgangerpaaie;
- (ix) die ligging en omvang van privaat, openbare en gemeenskaplike ruimtes;
- (x) tipiese detail van heinings of mure op die periferie van die grondeenheid en ook binne die eiendom;
- (xi) elektrisiteitstoevoer en eksterne beligtingsvoorstelle;
- (xii) voorsiening vir die bestuur van stormwater, riolering en verwydering van afval;
- (xiii) watervoorsiening;
- (xiv) detail van eksterne aanwysingsborde of tekens;
- (xv) algemene landskaperingsvoorstelle met inbegrip van plantegroei wat behou, verwyder of geplant sal word, eksterne plaveisel en maatreëls vir die stabilisering van buitenshuise gebiede waar van toepassing;
- (xvi) die fase-indeling van die ontwikkeling;
- (xvii) die voorgestelde ontwikkeling in verhouding tot die bestaande en afgewerkte grondvlakke, insluitende uitgrawings, sny en opvulling;
- (xviii) statistiese inligting oor die omvang van die voorgestelde ontwikkeling, toewysing van vloerruimte en voorsiening van parkeering; en
- (xix) enige ander detail soos redelikerwys deur die Raad vereis, byvoorbeeld koördinate;

"terugset" beteken `n lyn op `n eiendom, soos bepaal deur meting vanaf die middel van die straat, wat die gebied bepaal waarbinne geen geboue of ander struktuur, insluitende `n grensheining opgerig mag word nie;

"toeriste-akkommodasie" beteken die verhuur van kamers of individuele eenhede aan betalende loseerders of gaste op `n tydelike basis, en sluit `n gastehuis, bed-en-ontbytplek, verblyfsonderneming vir rugsakstappers, en kampeerterreine in, met dien verstande dat die gebruik aan die vereistes van enige ander toepaslike wetgewing voldoen;

"toeristefasiliteite" beteken geriewe vir toeriste of besoekers, soos lesingkamers, restaurante, piekniekterreine, geskenkwinkels, kafees, ruskamers, ontspanningsgeriewe, diereparke (huishoudelik of ander), maar sluit nie `n hotel of oornagteriewe in nie;

"totale vloerruimte" beteken die somtotaal van die vloerruimte op alle vlakke van `n bepaalde gebou, insluitende keldervloere;

"transmissietoring" beteken enige ondersteunende struktuur en geassosieerde infrastruktuur wat meer as 3,0 m hoog is, en wat gebruik word vir die transmissie en/of ontvangs van elektromagnetiese golwe; en dit sluit telekommunikasie, sellulêre telekommunikasie, radio, televisie en sateliettransmissie in;

"tronk" beteken dieselfde as gevangenis;

"tuis-beroepsbeoefening" beteken die beoefening, deur een of meer van die inwoners van `n wooneenheid, van `n beroep, professie, kuns of ambag, of die bedryf van `n onderneming, met inbegrip van `n eiendomsagentskap, vanuit die wooneenheid, met dien verstande dat bewoning deur `n enkele gesin steeds die dominante gebruik van die betrokke wooneenheid sal wees en die eiendom

aan die voorskrifte van hierdie soneringskema vir tuis-beroepsbeoefening sal voldoen; dit sluit nie `n volwasse vermaakonderneming in nie;

"tweede wooneenheid" beteken `n bykomende wooneenheid wat, in terme van hierdie soneringskema, op `n grondeenheid opgerig mag word waar `n woonhuis ook toegelaat word, en sodanige tweede wooneenheid mag `n aparte struktuur wees of mag in dieselfde struktuur as die woonhuis vervat wees; met dien verstande dat:

- (i) die tweede wooneenheid op dieselfde grondeenheid sal bly;
- (ii) die tweede wooneenheid aan die vereistes soos uiteengesit in hierdie soneringskema sal voldoen;
- (iii) die Raad mag vereis dat `n bulkdiensteheffing, of ander sodanige heffing soos bepaal mag word wanneer die oprigting van die tweede wooneenheid goedgekeur word, betaal moet word;
- (iv) waar `n Wendy-huis, skuiling of buitegebou vir akkommodasiedoeleides gebruik word, sal sodanige Wendy-huis, skuiling of buitegebou vir die doeleindes van hierdie skema as `n tweede wooneenheid beskou word;

U

V

"vakansie-akkommodasie" beteken `n ontwikkeling wat op harmonieuse wyse ontwerp en gebou is, wat vir vakansie- en ontspanningsdoeleindes gebruik word, hetsy dit in privaat of openbare besit is, en wat:

- (i) bestaan uit `n enkele onderneming waardeur akkommodasie slegs by wyse van korttermynverhuring en tydsdeel voorsien word;
- (ii) die voorsiening van `n kampeerterrein, park vir mobiele wonings, en wooneenhede mag insluit;
- (iii) ook `n restaurant en binne- sowel as buitenshuise ontspanningsgeriewe mag insluit; maar
- (iv) nie `n hotel of konferensiegeriewe insluit nie;

"vakansie-huisvesting" beteken wooneenhede, mobiele wonings of kampeerterreine wat op harmonieuse wyse ontwerp en gebou is vir vakansie- of ontspanningsdoeleindes, en wat by wyse van deeltitel, deeleienaarskap, blokaandele of onderverdeling van die eiendom, afsonderlik vervreem mag word;

"veeartsenykundige praktyk" beteken `n onderneming waar siek diere behandel en gehospitaliseer word, en waar die wetenskap van dieresiekte bestudeer word;

"veeldoensentrum" beteken `n gebou wat ontwerp is, en gebruik word vir die doel om `n reeks van versoembare institusionele- en gemeenskapsdienste wat in die CO1 sone toegelaat word, te akkommodeer, met dien verstande dat die Raad se toestemming vereis word om enige van die vergunningsgebruike as deel van die veeldoensentrum in te sluit;

"veranda" beteken `n oordekte oppervlakte (wat nie deel is van `n werf of parkeerterrein nie) of `n projekterende dak buite en onmiddelik teen `n gebou, op of benede die vlak van die grondvloer

daarvan, en sluit beide sodanige oppervlakte of vloer, en die dak of ander element wat dit oordek in, sowel as enige lae mure of reëlings wat sodanige geplaveide gebied omsluit;

"verdieping" beteken daardie gedeelte van `n gebou, wat ingesluit is tussen die oppervlakte van enige vloer en die oppervlakte van die volgende vloer bokant, of as daar geen vloer bokant is nie, die plafon; met dien verstande dat:

- (i) `n kelder nie `n verdieping veteenwoordig nie;
- (ii) `n dak, of `n koepel wat deel uitmaak van `n dak, nie as `n aparte verdieping beskou sal word nie tensy die spasie binne die dak of koepel ontwerp is, of gebruik word vir menslik bewoning, in welke geval dit as `n verdieping gesien sal word;
- (iii) enige verdieping wat meer as 3,0m, maar minder as 6,0m in hoogte is, sal vir die doeleindes van hoogtebepaling, as twee verdiepings beskou word en elke bykomende 3,0 m in hoogte, of gedeelte daarvan, sal as `n verdere verdieping beskou word;
- (iv) waar die vloer of plafon van `n verdieping nie horisontaal is nie, of verskillende vlakke het, sal die gemiddelde vlak geneem word;
- (v) by die tel van die aantal verdiepings in `n gebou, sal die grondvloer een verdieping wees en die volgende vloer bokant, die tweede verdieping;

"vergunning" beteken spesiale vergunning wat deur die Munisipaliteit verleen is na behoorlike oorweging van alle relevante feite en nadat die wetlike prosedure gevolg is in teme waarvan `n spesifieke tipe van grondgebruik of aktiwiteit, bykomend tot die primêre gebruik van toepassing op die betrokke eiendom, toegelaat word;

"vergunningsgebruik" beteken die sekondêre gebruiksreg wat, in terme van die bepalings van toepassing op `n bepaalde sone, slegs met die vergunning van die Raad toegelaat word;

"verkoop van alkoholiese drank" beteken om drank, wat dronkenskap by die verbruiker kan veroorsaak, te verkoop of aan te bied vir verkoop aan die publiek en dit sluit kantiene, kroëe en tavernes in;

"vertikale verdeling" van `n gebou beteken `n gedeelte van die gebou wat deur buite- en binnemure, met of sonder openinge, begrens word, welke gedeelte duidelik van die ander gedeeltes van die gebou identifiseer kan word as `n logiese, vertikale komponent, en die Raad mag dit ag dat die gebou in vertikale verdelings verdeel is waar elke sodanige verdeling vir die doeleindes van die administrasie van hierdie soneringskema `n afsonderlike basisvlak sal hê;

"vervangingskema" beteken `n soneringskaart of ontwikkelingsreëls wat enige ander soneringskaart of gedeelte daarvan, of die sonering as Onderverdelingsgebied soos toegeken in terme van die Beplanningswette, in terme van die Beplanningswette vervang;

"vervoergebruik" beteken `n vervoeronderneming, gebaseer daarop om `n vervoerdiens te voorsien, en sluit `n openbare of privaat onderneming soos `n lughawe, spoorwegstasie, busdepot, staanplek vir taxi's, oorstapplek vir openbare vervoer, hawe en geassosieerde gebruike, met inbegrip van verbindingsmiddele, vervoer-akkommodasie en –geriewe, skure, houerdepot's, werkswinkels, kantore en direk-verwante winkels in;

"vervoerimpakstudie" beteken `n studie van die impak op vervoer wat deur `n voorgestelde ontwikkeling op `n bestaande of beplande padstelsel veroorsaak sal word, tesame met aanbevelings oor versagende maatreëls wat as gevolg daarvan nodig sal wees;

"vlak van die loopvlak" beteken:

- (i) in die geval van `n loopvlak of voetgangersypaadjie wat binne die padreserwe gebou is, die vlak aan die agterkant van die loopvlak, en
- (ii) in die geval waar `n loopvlak of voetgangersypaadjie nie binne die padreserwe gebou is nie, of nog gebou gaan word, sodanige vlak soos deur die Raad bepaal;

"vloer" beteken die binneste, laer oppervlakte van `n kamer, motorhuis of kelder en sluit `n terras of atrium, waartoe bewoners van `n gebou toegang het, in;

"vloerfaktor" beteken `n faktor (uitgedruk as `n syfer-faktor) wat voorgeskryf word vir die berekening van die maksimum vloerruimte van `n gebou of geboue wat op `n grondeenheid toelaatbaar is, en as die vloerfaktor bekend is, kan die maksimum toelaatbare vloerruimte bereken word deur die vloerfaktor met die oppervlakte van die grondeenheid te vermenigvuldig;

"vloerruimte" ten opsigte van enige gebou beteken die oppervlakte van die vloer wat deur `n blad, dak of ander projeksies oordek is, met dien verstande dat:

- (i) enige gedeelte, insluitend `n kelderverdieping, wat uitsluitlik vir die parkering of laai van voertuie gebruik word, uitgesluit sal word;
- (ii) enige eksterne toegangstrappe en oorlope, enige stoep en enige oppervlakte benodig vir eksterne brandtrappe, uitgesluit sal word;
- (iii) dakoorhange en enige projeksie wat as sonskerm of argitektoniese element dien, welke projeksie nie verder as 1 meter van die buitemure of soortgelyke ondersteuning projekteer nie, uitgesluit sal word;
- (iv) enige gemeenskaplike voetgangerdeurgang wat nie deur `n dak oordek is nie, en wat toegang deur `n betrokke gebou verleen vanaf parkering, `n openbare straat of oopruimte na ander parkering, openbare straat of oopruimte, en wat tydens normale besigheidsure vir die algemene publiek toeganklik is, uitgesluit sal word;
- (v) enige oordekte gebied buite en onmiddelik aangrensend aan `n gebou, op of onder die grondvloervlak, waar sodanige geplaveide gebied deel is van `n voorhof, werf, eksterne binneplaas, voetgangerweg, parkeerterrein of voertuigtoegang, en wat permanent blootgestel is aan die elemente aan ten minste die voor- of langkante, uitgesluit sal word;
- (vi) onderhewig aan klousule (vii), enige trappe, trapskagte en atriums wat deur `n dak oordek is, ingesluit sal word;
- (vii) in die geval van veelvlakkige geboue, enige trapskagte, hysbakskagte, lig- of ander skagte en enige atrium slegs eenmaal in berekening gebring sal word;

en voorts, met dien verstande dat vloerruimte vanaf die buitevlak van die buitemure of soortgelyke ondersteuning van sodanige gebou gemeet sal word, en waar die gebou uit meer as een vlak bestaan, die totale vloerruimte die somtotaal sal wees van die vloerruimtes op alle vlakke, insluitend keldervloere;

"volhoubare ontwikkeling" beteken ontwikkeling wat die behoeftes van die huidige geslag bevredig sonder om die vermoë van toekomstige geslagte om hul eie behoeftes te bevredig, te kompromiteer;

"volwasse vermaakonderneming" beteken `n onderneming waar erotiese apparaat, films, foto's, boeke, tydskrifte en lewendige vertonings voorkom, verhuur of verkoop word vir enige vorm van beloning, en waar dit gekenmerk word deur nadruk op die vertoning of beskrywing van pornografiese, seksuele aktiwiteite. Volwasse vermaakonderneming sluit `n masseersalon of gesellinklub in waar massering of manipulasie van die menslike liggaam uitgevoer word met die doel om `n erotiese respons te verkry;

W

"welstandsentrum" beteken `n plek waar gesondheidsverwante behandelings en dienste soos meditasie, massering, skoonheidsbehandelings en oefenregimes met inbegrip van joga verskaf word vir die algemene gesondheid en welstand van kliënte, en dit sluit `n gesondheidspa, toevlugsoord en die voorsiening van maaltye aan kliënte in, maar sluit nie akkommodasiegeriewe of die voorsiening van mediese behandeling van pasiënte in nie;

"Wendy-huis" beteken `n houtstruktuur wat primêr vir die stoor van goedere gebruik word, en kan as `n buitegebou beskou word, met dien verstande dat:

- (i) wanneer dit groter as 18,0 m² is, moet bouplanne by die Raad ingedien word vir oorweging;
- (ii) waar dit vir akkommodasie-doeleindes gebruik word, soos toegelaat in hierdie sonering- skema, word dit as `n tweede wooneenheid op die betrokke grondeenheid gesien;

"werkswinkel" beteken `n gebou of gedeelte van `n gebou waarvan die netto vloeroppervlakte nie 200,0 m² oorskry nie, waar artikels vervaardig, herstel, gerestoureer en monteer word, maar dit sluit nie `n aanstootlik bedryf, abattoir, steenmakery, diensstasie, motorherstelgarage, nywerheid, of landbounywerheid in nie, maar dit mag `n diensstasie insluit;

"Wet op Adverteer Langs en Toebou van Paaie" beteken die Wet op Adverteer Langs en Toebou van Paaie, 1940 (Wet 21 van 1940);

"Wet op Deeltitels" beteken die Wet op Deeltitels, 1986 (Wet 95 van 1986);

"Wet op Minder Formele Dorpstigting" beteken die Wet op Minder Formele Dorpstigting, 1991 (Wet 113 van 1991);

"Wet op Nasionale Bouregulasies en Boustandaarde" beteken die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet 103 van 1977);

"wettige, afwykende gebruik" beteken `n bestaande gebruik van eiendom wat wettig was voor die aanvangsdatum van hierdie soneringskema, maar wat nie voldoen aan die grondgebruik of die ontwikkelingsreëls soos voorgeskryf deur die soneringskema nie;

"winkel" beteken `n eiendom of gedeelte van `n eiendom wat gebruik word vir die kleinhandelverkoop van goedere, items en dienste aan die publiek, insluitend `n kleinhandel-onderneming waar goedere wat verkoop word, vervaardig en herstel word; met dien verstande dat die vloerruimte wat op die vervaardiging of herstel betrekking het, nie 50% van die vloerruimte van die winkel sal oorskry nie; "winkel" sluit nie `n nywerheid, diensbedryf, motorherstelgarage, diensstasie, restaurant, volwasse vermaakonderneming of verkoop van alkoholiese drank in nie en indien sodanige

gebruike op die eiendom ingesluit word, sal hulle as aparte grondgebruike beskou word, onderworpe aan sodanige ontwikkelingsreëls soos die Raad mag bepaal;

"wooneenheid" beteken `n eenheid bestaande uit een of meer kamers, met toereikende sanitêre geriewe en `n kombuis, wat vir doeleindes van lang- of korttermynakkommodasie gebruik mag word en wat ingesluit in, of apart van die hoofgebou op die eiendom mag wees;

"woongebou" beteken `n gebou, uitgesonderd `n woonhuis, blok woonstelle of gelisensieerde hotel, waar losies vir menslike bewoning voorsien word, tesame met sodanige buitegeboue as wat normaalweg daarmee saam gebruik word, en dit sluit kamers wat vir woondoeleindes verhuur word, losieshuise, hostelle, ouetehuse en residensiële klubs in, maar sluit nie `n aftee-oord, inrigting, gastekamers, toeriste-akkommodasie of plek van onderrig in nie;

"woonhuis" beteken `n selfstandige, intertoeganklike groep kamers wat vir die lewens-akkommodasie en huisvesting van een gesin gebruik word, tesame met toereikende sanitêre geriewe, kombuis en sodanige buitegeboue as wat normaalweg daarmee saam gebruik word, maar voorts met dien verstande dat `n woonhuis nie meer as twee kombuise mag hê nie;

"woonstelle" beteken `n gebou wat drie of meer wooneenhede bevat, tesame met sodanige buitegeboue as wat normaalweg daarmee geassosieer word; met dien verstande dat minder as drie wooneenhede ook toelaatbaar sal wees in daardie sones waar woonstelle toegelaat word;

"wynmakery" beteken `n plek waar wyn gemaak word, en mag `n punt van verkoop aan die algemene publiek insluit, asook proe-fasiliteite en die voorsiening van ligte maaltye; maar dit sluit nie `n distilleerdery in nie;

X

Y

Z

DEEL 1: ADMINISTRASIE

HOOFSTUK 1: INLEIDING

1.1 AANWENDING VAN DIE SONERINGSKEMA

Aanvang en Geldigheid

- 1.1.1 Hierdie dokument vorm deel van die Soneringskema van die Overstrand Munisipaliteit, en is van toepassing op die gebied van jurisdiksie van die Overstrand Munisipaliteit met effek vanaf die datum van kennisgewing van die aanvaarding daarvan soos gepubliseer in die Provinsiale Koerant.
- 1.1.2 Indien enige bepaling in hierdie soneringskema deur 'n bevoegde geregshof ongeldig bevind word, sal sodanige bepaling van die soneringskema verwyder word, maar dit sal nie die geldigheid van die oorblywende bepalings beïnvloed nie.

Komponente van die Soneringskema

- 1.1.3 Die soneringskema bestaan uit die regulasies wat in hierdie dokument bevat word, die soneringskaart of -kaarte wat die sonering van eiendom aantoon, en die rekord van alle goedgekeurde afwykings, spesiale vergunnings en voorwaardes.

1.2 ALGEMENE DOEL VAN DIE SONERINGSKEMA

Doel van die Skema

- 1.2.1 Die algemene doel van die soneringskema is:
- (a) om die toepaslike beplannings- en ontwikkelingsbeginsels wat van tyd tot tyd deur die relevante, nasionale, provinsiale en munisipale sfere van regering aanvaar is, te promoveer en te implementeer; en
 - (b) om grondgebruiksregte te bepaal, beheer oor sodanige regte te voorsien, stedelike groei en ontwikkeling te bestuur, en om bewaring van die natuurlike en kulturele omgewing te bestuur, ten einde:
 - (i) gekoördineerde en harmonieuse ontwikkeling te bereik op 'n wyse wat openbare gesondheid, veiligheid, goeie orde, bevalligheid, gerief, en algemene welsyn mees effektief te bevorder;
 - (ii) geïntegreerde en volhoubare ontwikkeling te promoveer;
 - (iii) goeie omgewingsbestuur en, waar toepaslik, bewaring van natuurlike en kulturele hulpbronne te bevorder;
 - (iv) die gehalte van die beboude omgewing te verbeter;
 - (v) 'n onderling-ondersteunende mengsel van grondgebruike te bevorder wat op ordelike wyse bestuur word;

- (vi) indiensneming en die geleentheid van bekostigbare en toeganklike behuising in paslike gebiede te bevorder;
- (vii) stadsgroei te rig en stadskruip te beheer;
- (viii) die funksionering en voorkoms van die natuurlike en beboude omgewing te bestuur en te beheer.

HOOFSTUK 2: VEREISTES TEN OPSIGTE VAN AANSOEKE

2.1 INDIENING VAN AANSOEKE

Indiening van Aansoeke

- 2.1.1 Bykomend tot die vereistes wat in enige ander wet bepaal word, geld die volgende vereistes ten opsigte van aansoeke wat in terme van hierdie soneringskema ingedien word.
- (a) Aansoekers sal verseker dat aansoeke wat by die munisipaliteit ingedien word:
 - (i) duidelik en leesbaar geskryf of getik is, en in eenvoudige taal beskryf word;
 - (ii) volledig voltooi en behoorlik gemotiveer is in die vereiste formaat, en vergesel is van al die gelde en ander dokumente soos van tyd tot tyd deur die Raad vereis; en
 - (iii) indien deur die munisipale bestuurder vereis, vergesel is van `n aktebesorgersertifikaat wat verwys na die bestaan van beperkende voorwaardes in die titelakte, of serwitute.
 - (b) Die munisipale bestuurder, of sy gedelegeerde, sal binne veertien dae vanaf die datum van ontvangs van `n aansoek, die aansoeker skriftelik in kennis stel van enige aspekte wat verdere inligting of dokumentasie vereis, indien enige.
 - (c) Indien verdere inligting vereis word, sal die datum waarop die aansoek tesame met die bykomende inligting tot tevreedenheid van die munisipale bestuurder of sy gedelegeerde heringedien is, die datum van die aansoek wees.

2.2 AANSOEKE VIR VERGUNNINGSGEBRUIK

Aansoek vir `n vergunningsgebruik

- 2.2.1 Die eienaar van `n eiendom mag by die Raad aansoek doen om die betrokke eiendom vir doeleindes van `n vergunningsgebruik, wat in `n bepaalde sone met die Raad se spesiale toestemming toelaatbaar is, te gebruik;
- 2.2.2 Indien die Raad van mening is dat enige grondeienaar `n belang by die aansoek mag hê, mag hy die aansoek eers adverteer, in welke geval die bepalings van 2.4 sal geld;
- 2.2.3 Die Raad mag die vergunning toestaan of weier, en die bepalings van 2.4 sal geld.

Voorwaardes van toepassing op vergunningsgebruike

- 2.2.4 Tensy spesiale grondgebruikbeperkings daarop van toepassing is, sal enige vergunningsgebruik in `n primêre sone onderhewig wees aan die ontwikkelingsreëls van daardie sone en aan die bepaalde beperkings wat vir `n bepaalde gebruik in die betrokke sone voorgeskryf is; en

2.2.5 Die Raad mag ander voorwaardes met betrekking tot die bepaalde eiendom oplê.

2.3 AANSOEK VIR DIE KONSOLIDASIE VAN GRONDEENHED

Aansoek vir die konsolidasie van twee of meer grondeenhede

- 2.3.1 Vanaf die inwerkingtreding van hierdie regulasies sal geen persoon enige grond konsolideer behalwe in ooreenstemming met `n aansoek wat in terme van klousule 2.3.6 deur die Raad toegestaan is nie.
- 2.3.2 `n Eienaar van grond mag skriftelik by die munisipale bestuurder aansoek doen vir goedkeuring om grond te konsolideer.
- 2.3.3 Die munisipale bestuurder mag:
- (a) vereis dat die aansoek geadverteer word indien die voorgestelde konsolidasie na die mening van die munisipale bestuurder die karakter van die omgewing, of die belang wat enige persoon in grond het, nadelig mag beïnvloed; en
 - (b) die kommentaar van enige persoon of entiteit wat na die mening van die munisipale bestuurder `n belang by die aansoek het, aanvra.
- 2.3.4 Indien die munisipale bestuurder in terme van 2.3.3 opgetree het, sal hy of sy afskrifte van die besware of kommentaar wat ontvang is, aan die aansoeker vir kommentaar voorlê.
- 2.3.5 Die munisipale bestuurder sal die aansoek en alle relevante dokumente aan die Raad voorlê vir oorweging.
- 2.3.6 Die Raad mag die aansoek onder 2.3.2 goed- of afkeur; met dien verstande dat so `n aansoek slegs afgekeur mag word op grond van die uitwerking daarvan op bestaande regte, of ten einde die vorm van bebouing en karakter van die omringende gebied te bewaar.
- 2.3.7 Wanneer die Raad `n aansoek vir konsolidasie toestaan:
- (a) mag hy dit doen onderworpe aan sodanige voorwaardes as wat hy goeddink;
 - (b) sal hy die aansoeker en die landmeter-generaal in kennis stel van die Raad se besluit en, waar van toepassing, hulle ook voorsien van `n afskrif van die voorwaardes wat deur die Raad opgelê is.

2.4 BYKOMENDE VOORWAARDES TEN OPSIGTE VAN OPENBARE DEELNAME

Advertensies

- 2.4.1 Advertering van alle aansoeke sal in ooreenstemming met die vereistes van toepaslike Beplanningswette, toepaslike wetgewing en die Raad se advertensiebeleid soos van tyd tot tyd deur die Raad goedgekeur, plaasvind.

Petisies

- 2.4.2 Aanvullend tot die vereistes soos deur enige ander wet bepaal, sal die volgende vereistes van toepassing wees op besware wat in die vorm van `n petisie ingedien word.
- (a) Alle petisies sal die volgende duidelik aantoon:
 - (i) die volle naam, nasionale identiteitsnommer en fisiese adres van elke ondertekenaar;
 - (ii) die volle naam, posadres, telefoonnommer en faksnommer van nie meer as twee gespesifiseerde persone aan wie verdere kommunikasie oor die aansoek gerig mag word; met dien verstande dat waar sodanige inligting nie beskikbaar gestel word nie, die Raad verdere kommunikasie slegs aan die eerste persoon wat sodanige petisie onderteken het, en wie se adres bekend is, sal rig; en slegs die eerste beswaarmaker sal as die wettige beswaarmaker aangeteken word; en
 - (iii) elke bladsy van die petisie wat die handtekening van `n petisionaris bevat, sal ten minste `n opsomming van die beswaar bevat.
 - (b) Enige geskrewe kennisgewing wat die Raad aan petisionarisse mag rig, sal as voldoende beskou word, indien dit aan die persone gestuur is soos onder 2.4.2(a)(ii) hierbo aangetoon.
 - (c) Enige petisie wat nie aan die bostaande vereistes voldoen nie, sal nie oorweeg en as `n geldige beswaar geprosesseer word nie.
 - (d) Enige petisie wat in terme van 2.4.1 ingedien is, vestig `n enkele reg van appèl ten opsigte van enige besluit wat in terme van die soneringskema geneem word.

2.5 BESLUIE

Prosedures vir Besluite

- 2.5.1 Die Raad mag `n aansoek wat in terme van die soneringskema ingedien is, goedkeur of afkeur, en mag voorwaardes by goedkeuring oplê.
- 2.5.2 Die Raad sal, wanneer `n aansoek in terme van die soneringskema oorweeg word, die volgende (maar nie beperkende) aspekte in ag neem:
- (a) die algemene doel van die soneringskema;

- (b) beginsels en beleid wat in terme van toepaslike wetgewing deur nasionale, provinsiale en munisipale regerings ten opsigte van sodanige aansoeke neergelê en van tyd tot tyd gewysig is;
 - (c) enige besware wat voor of op die sluitingsdatum, in reaksie op die advertensie van die aansoek ontvang is, asook alle kommentaar wat van staatsinstellings ontvang is;
 - (d) enige reaksie wat van die aansoeker ten opsigte van besware en kommentaar ontvang is;
 - (e) enige goedgekeurde, geïntegreerde ontwikkelingsplan, struktuurplan of sektorale plan wat op die betrokke aansoekgebied betrekking het
- maar met dien verstande dat die Raad nie enige aansoek suiwer op grond van handelsmededinging sal afkeur nie.

2.6 VOORWAARDES VAN GOEDKEURING

Voorwaardes van Goedkeuring

- 2.6.1 Die Raad mag voorwaardes van goedkeuring oplê ten opsigte van aansoeke wat in terme van hierdie soneringskema ingedien is, insluitend by die goedkeuring van `n vergunningsgebruik, en sodanige voorwaardes mag bepalinge insluit wat nie in die soneringskema voorkom nie, maar wat in ooreenstemming met die algemene doel van die soneringskema en diie vereistes van Beplanningwette is, of enige ander vereistes wat vanuit omstandigheidsoorwegings rakende die aansoek ontstaan.
- 2.6.2 Indien die Raad in terme van hierdie soneringskema vergunning verleen, mag hy, bykomend tot enige ander voorwaardes, voorwaardes van goedkeuring oplê wat:
- (a) die vergunningsgebruik tot `n bepaalde periode beperk;
 - (b) die vergunningsgebruik beperk tot `n bepaalde aktiwiteit soos beskryf in die woord-omskrywing van die betrokke gebruik in hierdie soneringskema;
 - (c) vereis dat `n vergunningsgebruik nie die potensiaal van die eiendom, om vir sy primêre gebruike aangewend te word, negatief sal beïnvloed nie.
- 2.6.3 Indien die Raad sy toestemming in terme van hierdie soneringskema verleen, mag hy vereis dat `n afskrif van die goedgekeurde, algemene plan of skesie-plan aan hom voorgelê moet word, alvorens uitklaringsertifikate vir oordrag uitgereik word.

2.7 GELDIGHEID VAN INLIGTING

Geldigheid van Inligting

- 2.7.1 Enige inligting in verband met hierdie soneringskema, wat deur `n amptenaar aan `n persoon wat navraag doen gegee word, sal slegs geldig wees as dit skriftelik gegee word, onderteken deur die amptenaar met gedelegeerde bevoegdheid van die Raad, en indien sodanige inligting

nie in konflik is met die bepalings van hierdie soneringskema, die soneringskaart, of `n goedkeuring wat deur die Raad verleen is, of enige toepaslike wetgewing nie.

2.8 APPÈLLE

Appèlle

- 2.8.1 `n Aansoeker, of `n persoon wat teen `n aansoek beswaar aangeteken het, kan appèl aanteken teen `n besluit wat ten opsigte van die aansoek in terme van hierdie soneringskema geneem is, en die appèlprosedures soos deur die Beplanningswette voorgeskryf word, sal *mutatis mutandis* van toepassing wees vir die prosessering van appèlle wat in terme van hierdie regulasie ingedien is.
- 2.8.2 `n Beswaar wat in die vorm van `n petisie ingedien is, vestig `n enkele reg van appèl en sal as `n enkele appèl oorweeg en geprosesseer word.

2.9 FOUTE OP SONERINGSKAARTE

Prosedures vir die regstelling van soneringskaarte

- 2.9.1 In die geval waar `n sonering foutiewelik op die soneringskaart toegeken is, of foutiewelik vanaf `n vorige soneringskaart, wat met `n vorige soneringskema geassosieer was, omgeskakel is, sal die eienaar van die eiendom, of die Raad na konsultasie met die eienaar, `n aansoek by die Raad indien om sodanige fout reg te stel, onderhewig aan die volgende voorwaardes:
- (a) die aansoeker moet wesenlike bewys van `n *fout lewer asook* bewys van die wettige grondgebruiksregte;
 - (b) die aansoeker moet `n gepaste sonering vir toekenning *aan die eiendom* voorstel;
 - (c) die aansoekprosedures in 2.1, 2.4 en 2.5 sal *mutatis mutandis* van toepassing wees; en
 - (d) indien sodanige aansoek binne 24 maande na die aanvangsdatum van hierdie soneringskema ingedien word, sal die aansoeker vrygestel word van die betaling van enige aansoekgelde.
- 2.9.2 Die Raad sal `n aansoek, wat in terme van 2.9.1 ingedien is, oorweeg en indien sodanige aansoek goedgekeur word, sal hy sy soneringskaarte ooreenkomstig die goedkeuring wysig.

HOOFSTUK 3: SONERING EN GEBRUIK VAN EIENDOM

3.1 GEBRUIKSONES

Gebruiksones

- 3.1.1 Vir die doel om grondgebruik, die gebruik van geboue en die omvang van ontwikkeling te bestuur, sal aan alle eiendom binne die munipale gebied `n sone toegeken word soos gelys in die soneringskema.
- 3.1.2 `n Grondeenheid kan gesoneer word:
- (a) met `n enkele basissone wat op die hele eiendom van toepassing is; of
 - (b) met `n verdeelde sonering, waar een basissone op `n gedeelte van die grondeenheid van toepassing is, en een of meer ander basissones op ander gedefinieerde gedeeltes daarvan van toepassing is; met dien verstande dat waar `n verdeelde sonering beoog word, die aansoeker `n plan moet indien wat deur `n paslik-gekwalifiseerde landmeter opgestel is, en waarop die gebied van elke betrokke basissone tot tevredenheid van die Raad, duidelik geïdentifiseer word; en
 - (c) bykomend tot bogenoemde, met een of meer oorlegsones, waarvan die bepalings meer beperkend of toegeeflik mag wees as diè van die basissone.
- 3.1.3 Die munisipale bestuurder sal verseker dat die sonering van alle eiendom binne die munisipale gebied bepaal is, en op die soneringskaart aangetoon en/of in die register aangeteken is.
- 3.1.4 Eiendom met `n bepaalde sonering, is onderworpe aan die bepalings wat in hierdie dokument vir daardie sone gespesifiseer word.
- 3.1.5 Bykomend tot die bepalings wat vir `n bepaalde sone gespesifiseer word, sal die algemene bepalings wat in hierdie dokument uiteengesit word, ook op al die sones van toepassing wees, en die bepalings van enige oorlegsones sal hierbenewens ook op die betrokke grondeenhede van toepassing wees.

Massa-sones

- 3.1.6 Sekere gebruiksones maak voorsiening vir verskillende massa-sones waar onderskeid tussen verskillende bouvorms of intensiteit van grondgebruik by wyse van verskillende ontwikkelingsreëls getref word. Ten einde die ontwikkelingsreëls wat van toepassing is op `n eiendom, wat deur `n massa-sone gereguleer word, te verander of te verslap:
- (a) moet `n aansoek vir `n afwyking van die ontwikkelingsreëls; of
 - (b) `n aansoek vir hersonering na `n ander gebruiksones;
- ingedien en goedgekeur word, en die Raad mag bepaal welke metode gevolg sal word.

3.2 GEBRUIKSKATEGORIEË

Primêre Gebruike

- 3.2.1 Die gebruik van `n eiendom vir enige doel wat in hierdie soneringskema as `n primêre gebruik vir daardie eiendom gespesifiseer word, word toegelaat sonder die toestemming van die Raad, met dien verstande dat sodanige gebruik sal voldoen aan die bepalings soos gespesifiseer vir daardie bepaalde sone, oorlegsone (waar van toepassing), en die woordbepalings wat in hierdie soneringskema vervat is.

Vergunningsgebruike

- 3.2.2 Die gebruik van eiendom vir enige doel wat in hierdie soneringskema as `n vergunningsgebruik vir daardie eiendom geklassifiseer is, is slegs toelaatbaar indien die Raad vooraf sy skriftelike toestemming daartoe verleen.
- 3.2.3 Die Raad kan `n aansoek vir `n vergunningsgebruik goed- of afkeur.
- 3.2.4 Die Raad mag sy goedkeuring van `n vergunningsgebruik-aansoek beperk tot een of meer van die gebruike wat onder die woordomsywing van die vergunningsgebruik ingesluit is.

Bykomende Gebruiksregte

- 3.2.5 `n Aktiwiteit of gebruik wat as `n "Bykomende Gebruiksreg" in `n bepaalde sone beskryf word, is `n primêre reg in daardie sone met dien verstande dat enige voorwaardes wat ten opsigte van sodanige aktiwiteit of gebruik gespesifiseer is, nagekom sal word. In hierdie skema is bykomende gebruiksregte slegs van toepassing in die Gemeenskapsone 1 en in die Minder Formele Ontwikkelingsone.

Gebruike nie toegelaat

- 3.2.6 Behoudens enige strydige bepaling in Beplanningswette, mag eiendom nie vir enige doel gebruik word wat nie in hierdie soneringskema gespesifiseer is nie.
- 3.2.7 `n Eiendom sal slegs gebruik word vir die doeleindes wat in die primêre- of vergunningsgebruikbepalings ten opsigte van `n bepaalde sone uiteengesit is.

Spesiale Gebruike

- 3.2.8 `n Spesiale gebruik mag met die toestemming van die Raad in die Spesiale Sone toegelaat word.

- 3.2.9 Die klassifikasie van enige spesiale gebruik, sal as `n bylaag tot die soneringskema ingevoeg word, en in Bylaag B gelys word.

Geleentheidsgebruike

- 3.2.10 Die Raad mag die gebruik van `n eiendom by geleentheid, vir seldsame, korttermynaktiwiteite soos kunsvlytmarkte, openbare vergaderings, feestelikhede, godsdienstige byeenkomste, fondsinsamelingsprojekte, motorhuis-verkope, bazaars, filmopnames of ander gebeurlikhede toelaat, selfs al is hierdie gebruike nie in ooreenstemming met die gebruiksregte van die betrokke eiendom nie, met dien verstande dat, na die Raad se mening:
- (a) die geleentheidsgebruik nie `n noemenswaardige, negatiewe invloed op die omringende omgewing of op die natuurlike en kulturele omgewing sal hê nie;
 - (b) die geleentheidsgebruik werklik van `n tydelike en korttermyn-aard is, en dat dit nie van pas is om `n aansoek vir die gebruik as `n tydelike afwyking te prosessee nie; en
 - (c) die geleentheidsgebruik in ooreenstemming met die Raad se beleid is, waar sodanige beleid bestaan; en
- met dien verstande verder dat die goedkeuring nie die aansoeker vrywaar van voldoening aan enige, ander toepaslike wet nie.
- 3.2.11 Goedkeuring wat onder 3.2.10 verleen word, sal onderhewig wees aan sodanige voorwaardes as wat die Raad mag ople, wat die volgende mag insluit maar nie daaroo beperk is nie:
- (a) dat die aansoeker tot die Raad se tevredenheid parkeer- en toiletgeriewe sal voorsien;
 - (b) dat sodanige geleentheidsgebruik nie buite die ure van bedryf, of duur in terme van dae, sal strek soos deur die Raad bepaal nie; en
 - (c) dat sodanige goedkeuring met skriftelike kennisgewing, gerig aan die aansoeker, teruggetrek mag word indien, na die Raad se mening, enige voorwaarde nie nagekom word nie, of `n openbare oorlas geskep word.

Geassosieerde Gebruike

- 3.2.12 Indien `n aktiwiteit, gebou of struktuur na die Raad se mening binne die omskrywing van geassosieerde gebruik val, soos omskryf in hierdie soneringskema, word sodanige geassosieerde gebruik tesame met die wettige, primêre gebruik of vergunningsgebruik toegelaat.

Gebruik aangetoon op Bouplanne

- 3.2.13 `n Bouplan mag nie oorweeg, en in terme van die Wet op Nasionale Bouregulasies en Boustandaarde goedgekeur word, indien die gebruike wat op die eiendom, of binne die gebou of struktuur aangetoon word, teenstrydig is met hierdie soneringskema of enige ander wetgewing nie.
- 3.2.14 Indien enige bouplan, wat gebruike op `n eiendom aantoon, goedgekeur word, sal dit nie geag word dat sodanige gebruike in terme van hierdie soneringskema goedgekeur is nie en die

gebruike wat op `n bouplan aangetoon word, vestig nie `n beperking op die gebruik van die eiendom soos toegelaat in terme van die soneringskema nie.

Afwykende gebruike

3.2.15 `n Wettige, afwykende gebruik sal nie `n oortreding in terme van hierdie soneringskema verteenwoordig nie.

HOOFSTUK 4: OPSOMMING VAN GEBRUIKSONES

4.1 OPSOMMING VAN GEBRUIKSONES EN ONTWIKKELINGSREËLS

- 4.1.1 Tabel A op die volgende bladsy, bevat 'n opsomming van die sones en ontwikkelingsreëls wat in hierdie soneringskema opgeneem is. Hierdie tabel word ter wille van maklike verwysing voorsien, maar die gedetailleerde ontwikkelingsreëls word in Gedeelte 2 van hierdie dokument uiteengesit. In geval van enige verskil tussen Tabel A en Gedeelte 2, sal die bepalings van Gedeelte 2 voorkeur geniet.

GEDEELTE 2: GEBRUIKSONES

HOOFSTUK 5: LANDBOU- EN LANDELIKE SONES

5.1 LANDBOUSONE 1: LANDBOU (AGR1)

Gebruik van die eiendom

5.1.1 Die volgende gebruiksbepelings is op eiendom in hierdie sone van toepassing:

- (a) **Primêre gebruike** is: landbou, dagsorgsentrum, gastekamers, tuis-beroeps-beoefening, woonhuis;
- (b) **Vergunningsgebruike** is: akwakultuur, bykomende wooneenhede, crèche, dak-basisstasie, diensbedryf, dieresorgsentrum, gastehuis, hotel, inrigting, intensiewe diere-boerdery, intensiewe tuinbou, landbounywerheid, mynbou, nutsdienste, perdrystalle, plaaswinkel/plaasstal, plantkwekery, plek van onderrig, plek van samekoms, plek van vermaak, transmissietoring, toeriste-akkommodasie, toeristefasiliteite, welstandsentrum, 4X4 roete.

Ontwikkelingsreëls

5.1.2 Die volgende ontwikkelingsreëls is van toepassing:

- (a) **Vloerruimte**

Die totale vloerruimte van alle geboue op die grondeenheid, insluitend bona fide arbeidersakkommodasie, mag nie 5 000 m² oorskry nie; met dien verstande dat die Raad hierdie vereiste mag verslap indien dit tevrede is dat sodanige geboue ter wille van ware boerdery-aktiwiteite op die grondeenheid benodig word.

- (b) **Boulyne**

- (i) Die boulyne langs die straat- en gemeenskaplike grense word volgens die oppervlakte van die grondeenheid bereken soos uiteengesit in onderstaande tabel; en
- (ii) Die algemene boulynvystellings van 16.1 is van toepassing.

Oppervlakte van grondeenheid	Straatboulyn	Boulyne aan gemeenskaplike grense
Groter as 10 ha	30,0 m	30,0 m
≤ 10 ha en ≥ 1ha	10,0 m	10,0 m
< 1 ha	4,0 m	4,0 m

(c) **Hoogte**

- (i) Die maksimum hoogte van 'n gebou, gemeet vanaf basisvlak tot by die bopunt van die dak is 8,0 m, met dien verstande dat;
- (ii) Landbougeboue, uitgesonderd wooneenhede, nie 'n hoogte van 12,0 m sal oorskry soos gemeet vanaf basisvlak tot die bopunt van die dak nie; en waar die Raad oortuig is dat 'n groter hoogte vir die landbou-funksie van die gebou nodig is, dit sodanige groter hoogte kan toelaat; en
- (iii) Grondwalle en keerstrukture aan 16.6 sal voldoen, met dien verstande dat sodanige strukture wat na die Raad se mening geassosieer word met die bona fide landbou-aktiwiteite, van die bepalings van 16.6 vrygestel is.

(d) **Parkering**

Parkering en toegang sal ooreenkomstig 17.1 op die grondeenheid voorsien word.

Bykomende wooneenhede

- 5.1.3 Die Raad mag bykomende wooneenhede in die Landbousone 1 goedkeur, met dien verstande dat:
- (a) Die bykomende wooneenhede op dieselfde kadastrale eenheid as die primêre wooneenheid behou sal word;
 - (b) Die aantal bykomende wooneenhede nie 1 eenheid per 10,0 ha sal oorskry nie, met 'n maksimum van vyf bykomende wooneenhede per grondeenheid, en
 - (c) Geen bykomende wooneenhede binne 100m vanaf die hoogwatermerk, langs die kus, opgerig mag word nie, behalwe waar bykomende wooneenhede as 'n integrale deel van die plaasopstal, of met die spesiale vergunning van die Raad opgerig word.

Plaaswinkel/Plaasstal

- 5.1.4 Die raad mag 'n plaaswinkel goedkeur met dien verstande dat:
- (a) Die maksimum vloeroppervlakte 300m² is;
 - (b) Die maksimum hoogte, soos gemeet vanaf basisvlak tot by die bopunt van die dak, nie 8,0 m oorskry nie;
 - (c) Voldoende parkering tot die Raad se tevredenheid voorsien word; en
 - (d) Aan die toegangsvereistes van die betrokke padowerheid voldoen word.

Landbounywerheid

- 5.1.5 Die raad mag goedkeuring vir 'n landbounywerheid verleen as dit tevrede is dat die voorgestelde gebruik of aktiwiteit wenslik is, met dien verstande dat:
- (a) Die gebied wat deur die landbounywerheid geaffekteer sal word, duidelik op 'n landmetersdiagram of ander plan, wat deur 'n paslik-gekwalfiseerde persoon tot die

- Raad se tevredenheid voorberei is, aangetoon en deur die Raad geëndosseer sal word; en
- (b) Die volgende ontwikkelingsreëls van toepassing sal wees:
- (i) `n Terreinontwikkelingsplan moet in terme van 16.3, ten opsigte van alle nuwe ontwikkelings of uitbreidings binne die gebied soos in terme van (a) hierbo bepaal, tot die tevredenheid van die Raad ingedien word; en
 - (ii) Parkering en toegang sal ooreenkomstig Hoofstuk 17 op die geïdentifiseerde gedeelte voorsien word, met dien verstande dat die Raad, gesien die operasionele vereistes van `n bepaalde landbouwywerheid, bykomende parkering en laaiplek mag vereis.

Gastekamers

- 5.1.6 Waar `n gedeelte van die eiendom vir die doeleindes van gastekamers gebruik word, of waar kamers deur `n bewoner van daardie eiendom aan betalende gaste of loseerders verhuur word, sal die volgende bepalings van toepassing wees:
- (a) Nie meer as twee kamers sal per eiendom vir die slaapkamer-akkommodasie van betalende gaste of loseerders gebruik word nie, en nie meer as 5 gaste of loseerders sal op enige tydstip van losies of maaltye voorsien word nie;
 - (b) `n Register moet van gaste of loseerders gehou word, en moet voltooi word wanneer kamers verhuur word, en die register moet op versoek van die Raad vir inspeksie voorgelê word;
 - (c) Gastekamers mag nie omskep word in, of gebruik word as, afsonderlike wooneenhede nie en daar sal geen kookgeriewe, behalwe `n ketel, in die gastekamers wees nie;
 - (d) Maaltye sal slegs deur die grondeienaar of bestuurder aan gaste of loseerders, wat op die eiendom akkommodeer word, voorsien word;
 - (e) Geen advertensieteken sal sonder skriftelike toestemming van die Raad vertoon word nie, behalwe `n enkele, onverligte teken of kennisgewing wat op die gebou of grensmuur of heining aangebring is, en sodanige teken mag nie 2 000 cm² oorskry nie; en
 - (f) Een parkeerplek sal per gastekamer op die terrein voorsien word.

Dagsorgsentrum

- 5.1.7 Die volgende bepalings sal geld waar `n gedeelte van die eiendom deur die okkupeerder daarvan vir die doel van `n dagsorgsentrum aangewend word:
- (a) Nie meer as 5 kinders sal op enige tydstip toegelaat word nie;
 - (b) `n Register van kinders moet gehou en voltooi word en moet op versoek van die Raad vir inspeksie voorgelê word;
 - (c) Die dienste sal primêre dagsorg of opvoedkundig wees en nie medies nie;
 - (d) Die bedryfsure sal beperk word vanaf 07h00 tot 18h00 op Maandae tot Vrydae en vanaf 07h00 tot 13h00 op Saterdag;
 - (e) Die eienaar van die dagsorgsentrum sal op die eiendom woon;
 - (f) Nie meer as twee assistente mag by die dagsorgsentrum in diens geneem word nie; en
 - (g) Die volgende, minimum binnenshuise en buitenshuise speelruimtes sal voorsien word:

Binnenshuise speelruimte	Buitenshuise speelruimte
1,5 m ² per kind	2,0 m ² per kind

- 5.1.8 Die volgende bepalings sal geld waar `n gedeelte van `n eiendom vir die doeleindes van tuisberoepsbeoefening gebruik word:
- Die dominante gebruik van die woonhuis of wooneenheid sal vir die leef-akkommodasie van `n enkele gesin wees;
 - Die totale oppervlakte wat vir `n tuisberoep aangewend word, sal nie 25% van die totale vloeroppervlakte van die geboue op die eiendom uitmaak nie;
 - Nie meer as 5 persone sal, in totaal, by tuisberoep-aktiwiteite op die eiendom betrokke wees nie, insluitende die bewoners of die bewoner en enige assistente;
 - Geen gedeelte van sodanige woonhuis, en geen tuisberoep mag vir die doel van `n aanstootlike bedryf, risiko-aktiwiteit of verkoop van alkoholiese drank aangewend word nie;
 - Slegs goedere wat deur die tuisberoep vervaardig of aanmeakaargesit is, mag vanaf die eiendom verkoop word;
 - Geen goedere sal in die openbaar vir verkoop vertoon word nie, hetsy in `n venster of ander plek, behalwe `n advertensieteken in ooreenstemming met (g);
 - Geen advertensieteken, behalwe `n enkele, onverligte teken of kennisgewing, wat nie groter as 2 000 cm² is nie, en wat aan die gebou, grensheining of -muur geheg is, sal sonder die Raad se skriftelike goedkeuring vertoon word nie en sodanige teken sal ooreenstem met die Overstrand se Verordeninge Insake Buitereklame en Advertensietekens;
 - Die stoor van produkte, goedere of voorrade wat verband hou met die tuisberoep, sal in `n gebou geskied, of sal afgeskerm wees van die bure en openbare strate;
 - Die bedryfsure sal beperk wees vanaf 07h30 tot 17h30 op Maandae tot Vrydae en 7h30 tot 13h00 op Saterdag;
 - Parkering moet tot tevredenheid van die Raad op die eiendom voorsien word, met `n minimum van twee parkeerplekke;
 - Nie meer as een kommersiële voertuig, met maksimum 3 500 kg bruto gewig, sal vir die tuisberoep gebruik word nie; en
 - Die Raad mag bykomende voorwaardes opleë ten einde enige potensiële, openbare steurnis tot `n minimum te beperk.

Terreinontwikkelingsplan

- 5.1.9 Die raad mag vereis dat `n terreinontwikkelingsplan vir goedkeuring ooreenkomstig 16.3 ingedien word.

LANDELIKE SONES

5.2 LANDELIKE SONE 1: LANBOU-KLEINHOEWES (R1)

Gebruik van die eiendom

5.2.1 Die volgende gebruiksbepelings geld ten opsigte van eiendom in hierdie sone:

- (a) **Primêre gebruike** is: landbou, dagsorgsentrum, gastekamers, tuis-beroepsbeoefening, woonhuis;
- (b) **Vergunningsgebruike** is: akwakultuur, bewaringsgebruik, crèche, dak-basisstasie, diersorgsentrum, intensiewe diereboerdery, intensiewe tuinbou, landbounywerheid, nutsdienste, ontspanningsgeriewe, perdrystalle, plaaswinkel/plaasstal, plantwekery, plek van onderrig, plek van samekoms, plek van vermaak, toeriste-akkommodasie, toeristefasiliteite, transmissietoring, tweede wooneenheid.

Ontwikkelingsreëls

5.2.2 Die volgende ontwikkelingsreëls is van toepassing:

(a) **Vloerruimte**

Die totale vloerruimte van alle geboue op die grondeenheid mag nie 2 000 m² oorskry nie, met dien verstande dat die Raad hierdie bepaling mag verslap as dit oortuig is dat sodanige geboue vir werklike boerdery-aktiwiteite op die grondeenheid benodig word.

(b) **Dekking**

Die maksimum dekking vir alle geboue op die grondeenheid is 25%.

(c) **Boulyne**

- (i) Die boulyne sal 10,0 m wees;
- (ii) Waar die vorm van die grondeenheid sodanig is, dat alternatiewe boulyne oorweeg moet word, mag die Raad sodanige alternatiewe boulyne goedkeur ten einde die gebruik van die eiendom soos bepaal in hierdie sone, toe te laat, met dien verstande dat waar die Landelike Sone 1 aan 'n stedelike gebied grens, die boulyne van die aangrensende eiendom langs die gemeenskaplike grens sal geld; en
- (iii) Die algemene boulynvystellings soos in 16.1 sal van toepassing wees.

(d) **Hoogte**

- (i) Die maksimum hoogte van `n gebou, soos gemeet vanaf die basisvlak tot by die bopunt van die dak, is 8,0 m.
- (ii) Landbougeboue, uitgesonderd wooneenhede, sal nie `n hoogte van 10,0 m oorskry soos gemeet vanaf basisvlak tot die bopunt van die dak nie; met dien verstande dat waar die Raad oortuig is dat `n groter hoogte vir die landbou-funksie van die gebou nodig is, dit sodanige groter hoogte mag toelaat; en
- (iii) Grondwalle en keerstrukture sal aan 16.6 voldoen, met dien verstande dat sodanige strukture wat na die Raad se mening geassosieer word met die bona fide landbou-aktiwiteite, van die bepalings van 16.6 vrygestel is.

(e) **Parkering**

Parkering en toegang sal ooreenkomstig 17.1 op die grondeenheid voorsien word.

Minimum onderverdelingsgrootte

5.2.3 Die volgende ontwikkelingsreëls is van toepassing:

- (a) Geen nuwe onderverdeling of enige restante gedeelte, wat Landelike Sone 1 soneer word, sal kleiner wees as:
 - (i) 5,0 ha, indien geen minimum onderverdelingsgrootte op die soneringskaart voorgeskryf word nie; of
 - (ii) waar die Raad `n minimum onderverdelingsgrootte gespesifiseer het, wat by wyse van `n oorlegsone vir die betrokke gebied op die soneringskaart aangetoon word, sal sodanige minimum grootte geld.

Tweede wooneenheid

5.2.4 Die volgende ontwikkelingsreëls is op `n tweede wooneenheid van toepassing:

- (a) Die vloeroppervlakte van die tweede wooneenheid sal nie 250 m² oorskry nie;
- (b) `n Tweede wooneenheid sal in soortgelyke argitektoniese styl en in dieselfde, eksterne materiale, afwerking en kleure as die primêre wooneenheid gebou word;
- (c) `n Tweede wooneenheid mag in dieselfde gebou as die primêre wooneenheid vervat word, hetsy op die grond- of eerste vloer; en
- (d) `n Tweede wooneenheid mag nie in terme van die Wet op Deeltitels afsonderlik vervreem word nie.

Plaaswinkel/Plaasstal

5.2.5 Die bepalings van 5.1.4 geld.

Landbounywerheid

5.2.6 Die bepalings van 5.1.5 geld.

Gastekamers

5.2.7 Die bepalings van 5.1.6 geld.

Dagsorgsentrum

5.2.8 Die bepalings van 5.1.7 geld.

Tuis-beroepsbeoefening

5.2.9 Die bepalings van 5.1.8 geld.

Terreinontwikkelingsplan

5.2.10 Die Raad mag vereis dat 'n terreinontwikkelingsplan vir goedkeuring ooreenkomstig 16.3 ingedien moet word.

5.3 LANDELIKE SONE 2: BEWARINGSGEBRUIK (R2)

Gebruik van die eiendom

5.3.1 Die volgende gebruiksbepelings is op eiendom in hierdie sone van toepassing:

- (a) **Primêre gebruike** is: bewaringsgebruik, gastekamers, tuis-beroepsbeoefening, woonhuis;
- (b) **Vergunningsgebruike** is: akwakultuur, dagsorgsentrum, dak-basisstasie, insameling van natuurlike hulpbronne, intensiewe diere-boerdery, intensiewe tuinbou, landbou, nutsdeinste, ontspanningsgeriewe, plantkwekery, plek van onderrig, plek van samekoms, plek van vermaak, toeriste-akkommodasie, toeristefasiliteite, transmissietoring, tweede wooneenheid.

Ontwikkelingsreëls

5.3.2 Die volgende ontwikkelingsreëls is van toepassing:

(a) **Vloerruimte**

Die totale vloerruimte van alle wooneenhede op die grondeenheid mag nie 800 m² oorskry nie; met dien verstande dat die Raad, indien dit tevrede is dat sodanige akkommodasie vir ware bewarings- en/of boerdery-aktiwiteite op die grondeenheid benodig word, hierdie beperking mag verslap.

(b) **Dekking**

Die maksimum dekking vir alle geboue op die grondeenheid is 25%.

(c) **Boulyne**

- (i) Die boulyne sal 10,0 m wees;
- (ii) Waar die vorm van die grondeenheid sodanig is dat alternatiewe boulyne oorweeg moet word, mag die Raad sodanige alternatiewe boulyne goedkeur ten einde die gebruik van die eiendom soos bepaal in hierdie sone, toe te laat, met dien verstande dat, waar die Landelike Sone 2 aan 'n stedelike gebied grens, die boulyne van die aangrensende eiendom langs die gemeenskaplike grens sal geld; en
- (iii) Die algemene boulynvystellings soos in 16.1 sal van toepassing wees.

(d) **Hoogte**

- (i) Die maksimum hoogte van `n gebou, soos gemeet vanaf basisvlak tot die bopunt van die dak, is 8,0 m; met dien verstande dat:
- (ii) waar die Raad tevrede is dat `n groter hoogte nodig is ter wille van die landbou-funksie van die gebou, hy sodanige groter hoogte mag toelaat; en
- (iii) grondwalle en keerstrukture sal aan 16.6 voldoen.

(e) **Parkering**

Parkering en toegang sal ooreenkomstig 17.1 op die grondeenheid voorsien word.

Minimum onderverdelingsgrootte

5.3.3 Die volgende ontwikkelingsreëls is van toepassing:

- (a) Geen nuwe onderverdeling of enige restant wat Landelike Sone 2 gesoneer sal word, sal kleiner wees as:
 - (i) 5,0 ha indien geen minimum onderverdelingsgrootte op die soneringskaart gespesifiseer word nie; of
 - (ii) waar die Raad `n minimum onderverdelingsgrootte gespesifiseer het, wat vir die betrokke gebied by wyse van `n oorlegsone op die soneringskaart aangetoon word, sal hierdie minimum onderverdelingsgrootte geld.

Tweede wooneenheid

5.3.4 Die bepalings van 5.2.4 geld.

Gastekamers

5.3.5 Die bepalings van 5.1.6 geld.

Dagsorgsentrum

5.3.6 Die bepalings van 5.1.7 geld.

Tuis-beroepsbeoefening

5.3.7 Die bepalings van 5.1.8 geld.

Terreinontwikkelingsplan

5.3.8 Die Raad mag vereis dat `n terreinontwikkelingsplan vir goedkeuring ooreenkomstig 16.3 ingedien word.

5.4 LANDELIKE SONE 3: LANDBOUDORP (R3)

Gebruik van die eiendom

5.4.1 Die volgende gebruiksbepelings is op eiendom in hierdie sone van toepassing:

- (a) **Primêre gebruike** is: landbou, dagsorgsentrum, dorpuisskema, privaat oopruimte, privaatpad, tuis-beroepsbeoefening, tweede wooneenheid, woonhuis.
- (b) **Vergunningsgebruike** is: aftree-oord, crèche, dak-basisstasie, gastehuis, gemeenskapsfasiliteit, huiswinkel, intensiewe diere-boerdery, intensiewe tuinbou, kliniek, landbounywerheid, mark, nutsdienste, plantkwekery, plaaswinkel, plek van onderrig, plek van samekoms, restaurant, skulling, toeriste-akkommodasie, toeristefasiliteit, transmissietoring, winkel, en enige ander, aanvullende gebruik soos deur die Raad bepaal.

Ontwikkelyngsreëls

5.4.2 Die volgende ontwikkelingsreëls is van toepassing:

- (a) **Digtheid**
Die maksimum, bruto digtheid in hierdie sone is 50 eenhede per hektaar.
- (b) **Dekking**
Die maksimum dekking vir alle geboue op die grondeenheid is 50%.
- (c) **Hoogte**
 - (i) Die maksimum hoogte van 'n gebou, soos gemeet vanaf basisvlak tot die bopunt van die dak, is 8,0 m; met dien verstande dat
 - (ii) waar die Raad tevrede is dat 'n groter hoogte ter wille van die landboufunksie van 'n gebou nodig is, hy sodanige groter hoogte mag toelaat; en
 - (iii) grondwalle en keerstrukture aan 16.6 sal voldoen.
- (d) **Boulyne**
Die volgende boulyne sal van toepassing wees:
 - (i) die straatboulyn is 2,0 m;
 - (ii) die sy-boulyn is 1,0 m tensy wonings geskakel is, in welke geval nie meer as 4 wonings geskakel sal wees sonder 'n onderbreking van 3,0 m tussen geboue nie;
 - (iii) die agterboulyn is 2,0 m; met dien verstande dat
 - (iv) die Raad, ter wille van gesondheids- en veiligheidsoorwegings, 'n 3,0 m gekombineerde boulyn tussen strukture mag vereis.

(e) **Oopruimte**

Privaat oopruimte van ten minste 50 m² per wooneenheid, moet in `n landboudorp voorsien word.

(f) **Parkering en toegang**

Parkering en toegang sal ooreenkomstig 17.1 op die grondeenheid voorsien word.

(g) **Bykomende vereistes**

Die volgende, bykomende vereistes geld in hierdie sone:

- (i) Die eiendom moet deur `n wettig-gekonstitueerde instansie ontwikkel, besit en bestuur word, wat `n trust, artikel-21-maatskappy, of `n eienaars- vereniging mag insluit, en `n vennootskap tussen die boer(e), plaaswerkers en `n staatsowerheid mag verteenwoordig.
- (ii) Bewoning van die behuising sal beperk wees tot landelike werkers en hul afhanklikes, of afgetrede, landelike werkers en hul afhanklikes;
- (iii) Sekerheid van eiendomsreg sal deur `n trust, artikel-21-maatskappy, eienaarsvereniging of deeltitel gevestig word; en
- (iv) Ingenieursdienste moet tot die Raad se tevredenheid verskaf word.

Tweede wooneenheid

5.4.3 Die bepalings van 5.2.4 sal geld, met dien verstande dat:

- (a) Waar `n Wendy-huis of skuiling vir akkommodasiedoeleindes gebruik word, sal sodanige Wendy-huis of skuiling as `n tweede wooneenheid beskou word; en
- (b) `n Tweede wooneenheid mag nie 120 m² oorskry nie.

Plaaswinkel/Plaasstal

5.4.4 Die bepalings van 5.1.4 sal geld.

Landbou-nywerheid

5.4.5 Die bepalings van 5.1.5 sal geld.

Gastekamers

5.4.6 Die bepalings van 5.1.6 sal geld.

Dagsorgsentrum

5.4.7 Die bepalings van 5.1.7 geld.

Tuis-beroepsbeoefening

5.4.8 Die bepalings van 5.1.8 sal geld, met dien verstande dat:

- (a) Nie meer as 5 persone, insluitende inwoners of die inwoner en sy assistente, sal in totaal by die aktiwiteite van die tuis-beroepsbeoefening in `n wooneenheid betrokke wees nie; en
- (b) Parkering sal tot die Raad se tevredenheid op die perseel voorsien word.

Huiswinkel

5.4.9 Die volgende bepalings sal geld waar `n gedeelte van `n wooneenheid of buitegebou, deur een of meer van die bewoners van `n eiendom, vir die doeleindes van `n huiswinkel gebruik word:

- (a) Die maksimum vloeroppervlakte van daardie gedeelte van die wooneenheid of tweede wooneenheid wat vir die doeleindes van `n huiswinkel gebruik word, sal nie 30,0 m² of 25% van die vloeroppervlakte van die wooneenheid, wat ookal die mees beperkende is, oorskry nie;
- (b) Behalwe met die toestemming van die Raad, word nie meer as 3 persone, insluitende die bewoner(s) van die wooneenheid, toegelaat om in kleinhandel- aktiwiteite op die eiendom betrokke te wees nie;
- (c) Geen gedeelte van die huiswinkel sal vir die doel van `n aanstootlike bedryf, risiko-aktiwiteit, verkoop van alkoholiese drank, plek van vermaak of vir dobbel-doeleindes gebruik word nie;
- (d) Geen produkte, goedere of voorrade wat met die huiswinkel verband hou, mag buite `n gebou op die eiendom gestoor word nie;
- (e) Enige nuwe struktuur of verandering aan die bestaande struktuur, moet aan die residensiële karakter van die betrokke gebied voldoen;
- (f) Slegs een onverligte teken sal toegelaat word en moet aan die gebou, grensmuur of – heining bevestig word, en sodanige teken moet orreenstem met die Overstrand Verordeninge Insake Buitereklame en Advertensietekens;
- (g) Die ure van bedryf en handeldryf sal beperk wees vanaf 8h00 tot 17h00 op Maandae tot Vrydae, en vanaf 8h00 tot 13h00 op Saterdag en sluit nie openbare vakansiedae en Sondae in nie;
- (h) Parkering sal tot die Raad se tevredenheid op die perseel voorsien word;
- (i) Toestemming om `n huiswinkel te bedryf, word aan `n bepaalde operateur verleen en is nie oordraagbaar nie;
- (j) Nie meer as een voertuig, wat nie 3 500kg bruto gewig oorskry nie, sal vir die huiswinkel gebruik word nie.
- (k) Toestemming mag slegs vir `n vasgestelde periode verleen word, wat nie 5 jaar sal oorskry nie, en mag, op aansoek, deur die Raad verleng word vir `n periode wat deur hom bepaal sal word.

Terreinontwikkelingsplan

5.4.10 Die Raad mag vereis dat 'n terreinontwikkelingsplan vir goedkeuring ooreenkomstig 16.3 ingedien moet word.

HOOFSTUK 6: RESIDENSIËLE SONES

6.1 RESIDENSIËLE SONE 1: ENKELWOONSONE (SR 1)

Gebruik van die eiendom

6.1.1 Die volgende gebruiksbepelings is in hierdie sone van toepassing:

- (a) **Primêre gebruike** is: dagsorgsentrum, gastekamers, tuis-beroepsbeoefening, tweede wooneenheid, woonhuis;
- (b) **Vergunningsgebruike** is: crèche, gastehuis, huiswinkel, inrigting, kweekhuis, plek van aanbidding, plek van onderrig, toeriste-akkommodasie, woongebou.

Ontwikkelingsreëls

6.1.2 Die volgende ontwikkelingsreëls is van toepassing:

(a) **Dekking**

Die maksimum dekking vir alle geboue op die grondeenheid, word ooreenkomstig die netto oppervlakte van die erf bepaal, soos in die onderstaande tabel getoon:

Netto erfoppervlakte	Maksimum dekking
Minder as 400 m ²	65%
400 m ² en groter	50%

(b) **Boulyne**

- (i) **Straatboulyne:**
Die straatboulyn word ooreenkomstig die netto erfgruotte bepaal, soos in die onderstaande tabel getoon:

Netto erfgruotte	Straatboulyn
Minder as 400 m ²	2,0 m
400 m ² en groter	4,0 m

met dien verstande dat:

1. `n hoekerf, met `n gemiddelde diepte van 20,0 m of minder, `n straatboulyn van 3,0 m sal handhaaf; en
2. waar `n motorhuis direkte toegang vanaf die straat verkry, sal `n straatboulyn van 4,0 m van toepassing wees.

- (ii) Sy- en agterboulyne:
Die sy- en agterboulyne word ooreenkomstig die netto oppervlakte van die erf bereken, soos getoon in onderstaande tabel:

Netto erfoppervlakte	Sy- en agterboulyne
Tot en met 400 m ²	1,0 m
Goter as 400 m ²	2,0 m

- (iii) Die algemene boulynvystellings soos in 16.1 is van toepassing.

(c) **Hoogte**

- (i) Die maksimum hoogte van 'n gebou, soos gemeet vanaf basisvlak tot die bopunt van die dak, is 8,0 m; en
(ii) Grondwalle en keerstrukture sal aan 16.6 voldoen.

(d) **Motorhuise en motorafdakke**

Motorhuise en afdakke mag ooreenkomstig 16.1.2 binne die boulyne opgerig word

(e) **Parkering**

Parkering en toegang sal ooreenkomstig 17.1 op die grondeenheid voorsien word.

Onderverdeling- en digtheidstandaarde

6.1.3 Die volgende onderverdelings- en digtheidsbepalings is van toepassing:

(a) **Minimum grootte van onderverdelingsgebied**

Die minimum grootte van 'n onderverdelingsgebied kan by wyse van 'n oorlegsone deur die Raad gespesifiseer word, asook die minimum grootte van die gedeeltes wat in sodanige sone deur onderverdeling verkry mag word.

(b) **Maksimum digtheid**

Die Raad mag 'n maksimum digtheid by wyse van 'n oorlegsone vir 'n grondeenheid bepaal.

Tweede wooneenheid

6.1.4 Die bepaling van 5.2.4 geld, met dien verstande dat:

- (a) Die totale vloeroppervlakte van die tweede wooneenhede nie 120 m² sal oorskry nie;
(b) Dieselfde ontwikkelingsreëls geld soos vir die primêre wooneenheid;
(c) Een parkeerplek moet tot die Raad se tevredenheid op die perseel voorsien word; en

- (d) Bevestiging van die beskikbaarheid van dienste sal van die Direkteur, Infrastruktuur en Beplanning, of sy opvolger in titel, verkry word.

Gastekamers

6.1.5 Die bepalings van 5.1.6 geld.

Dagsorgsentrum

6.1.6 Die bepalings van 5.1.7 geld, met dien verstande dat:

- (a) Nie meer as 3 persone in totaal by die aktiwiteite van die dagsorgsentrum betrokke sal wees nie, met inbegrip van die bewoners of bewoner en enige assistente.

Tuis-beroepsbeoefening

6.1.7 Die bepalings van 5.1.8 geld, met dien verstande dat:

- (a) Nie meer as 3 persone in totaal, insluitend die bewoner en enige assistente, by die aktiwiteite van die tuis-beroepsbeoefening op die eiendom betrokke sal wees nie; en
- (b) Parkering tot die tevredenheid van die Raad, met 'n minimum van een parkeerplek, op die perseel voorsien moet word.

Huiswinkel

6.1.8 Die bepalings van 5.4.10 sal geld.

6.2 ALGEMENE WOONSONE 1: DORPHUISKEMA (GR 1)

Gebruik van die eiendom

6.2.1 Die volgende gebruiksbepelings is op eiendom in hierdie sone van toepassing:

- (a) **Primêre gebruike** is: woonhuis ooreenkomstig 6.1.2, dorpuisskema, privaat oopruimte, privaatpad:
- (b) **Vergunningsgebruike** is: aftree-oord, crèche, dagsorgsentrum, kweekhuis, toeriste-akkommodasie, tuis-beroepsbeoefening, woongebou, woonstelle.

Ontwikkelingsreëls

6.2.2 Die volgende ontwikkelingsreëls is van toepassing:

(a) **Digtheid**

Die maksimum bruto digtheid in hierdie sone is 35 eenhede per hektaar.

(b) **Dekking**

Die maksimum dekking vir alle geboue op die grondeenheid is 50%

(c) **Hoogte**

- (i) Die maksimum hoogte van 'n gebou in hierdie sone, soos gemeet vanaf basisvlak tot die bopunt van die dak, is 8,0 m;
- (ii) Grondwalle en keerstrukture sal aan 16.6 voldoen.

(d) **Boulyne langs die buitengrense van 'n dorpuisskema**

Die volgende boulyne geld op die periferie van 'n dorpuisskema:

- (i) die staatsboulyn is 5,0 m;
- (ii) die syboulyn is 3,0 m;
- (iii) die agterboulyn is 3,0 m; en
- (iv) die algemene boulynvystellings soos in 16.1 is van toepassing.

(e) **Boulyne binne die dorpuisskema**

Die volgende boulyne geld binne die terrein van die dorpuisskema:

- (i) die straatboulyne op interne paaie is 1,0 m met dien verstande dat motorhuise ten minste 5,0 m van die randsteen teruggesit sal word;

- (ii) die agterboulyn is 1,0 m met dien verstande dat die Raad ter wille van gesondheids- en veiligheidsoorwegings `n groter boulyn kan vereis, in welke geval dit 3,0 m sal wees;
 - (iii) `n gebou kan 0 m vanaf een interne sygrens gebou word en 0 m vanaf die interne agtergrens, met dien verstande dat die gebou nie meer as 50% van sodanige sy- of agtergrens beslaan nie; en
 - (iv) die gekombineerde sypasie tussen geboue op aangrensende grondeenhede mag nie minder as 2,0 m wees nie;
 - (v) die algemene boulynvystellings soos in 16.1 is van toepassing.
- (f) **Parkering**
- (i) Parkering en toegang moet ooreenkomstig 17.1 op die grondeenheid voorsien word; en
 - (ii) Parkering mag by die betrokke dorphuis voorsien word, of deel vorm van `n gemeenskaplike parkeerterrein, of `n kombinasie van die twee.
- (g) **Interne paaie**

Die minimum, interne padreserwewydte is 8,0 m; met dien verstande dat die Raad `n wyer straatreserwe mag vereis waar dit van mening is dat dit, as gevolg van die voertuiggebruik of lengte van die pad, nodig is.

Woonstelle in `n dorphiusskema-ontwikkeling

6.2.3 Die volgende ontwikkelingsreëls is van toepassing:

- (a) Woonstelle moet `n geïntegreerde komponent van die dorphiusskema-ontwikkeling uitmaak en die ontwikkelingsreëls vir dorphiusskemas sal geld; met dien verstande dat:
- (b) Die totale vloeroppervlakte van woonstelle, nie 40% van die totale vloeroppervlakte van alle geboue op die dorphuisperseel sal uitmaak nie; en
- (c) Die oopruimtevereistes vir wooneenhede in `n dorphiusskema van toepassing is.

Dagsorgsentrum

6.2.4 Die bepalings van 5.1.7 geld.

Tuis-beroepsbeoefening

6.2.5 Die bepalings van 5.1.8 geld, met dien verstande dat in hierdie sone:

- (a) Nie meer as twee persone, insluitend die eenaar, in `n wooneenheid in diens gemeem mag word nie;
- (b) Die parkeervereiste nie van toepassing is nie; en

- (c) Waar tuis-beroepsbeoefening vanuit `n woonstel beoefen word, sal `n maksimum van 2 persone by die aktiwiteite daarvan in die wooneenheid betrokke wees, met inbegrip van die okkupeerders of `n okkupeerder en `n assistent.

Terreinontwikkelingsplanne

- 6.2.6 Die Raad mag vereis dat `n terreinontwikkelingsplan vir goedkeuring ooreenkomstig 16.3 ingedien moet word.

6.3 ALGEMENE WOONSONE 2: DORPHUISKEMA (GR2)

Gebruik van die eiendom

6.3.1 Die volgende gebruiksbepelings is in hierdie sone van toepassing:

- (a) **Primêre gebruike** is: dorpuisskema, privaat oopruimte, privaatpad, woonhuis ooreenkomstig 6.1.2;
- (b) **Vergunningsgebruike** is: aftree-oord, crèche, dagsorgsentrum, kweekhuis, toeriste-akkommodasie, tuis-beroepsbeoefening, woongebou, woonstelle.

Ontwikkelingsreëls

6.3.2 Die volgende ontwikkelingsreëls is van toepassing:

(a) **Digtheid**

Die maksimum bruto digtheid in hierdie sone is 50 eenhede per hektaar.

(b) **Dekking**

Die maksimum dekking vir alle geboue op die grondeenheid is 65%.

(c) **Hoogte**

- (i) Behalwe vir woonstelle, is die maksimum hoogte van 'n gebou, soos gemeet vanaf basisvlak tot die bopunt van die dak, 8,0 m, met dien verstande dat:
- (ii) Die maksimum hoogte van woonstelle, soos gemeet vanaf basisvlak tot die bopunt van die dak, 11,0 m is; en
- (iii) Grondwalle en keerstrukture aan 16.6 sal voldoen.

(d) **Boulyne langs die buitegrense van 'n dorpuisskema**

Die boulyne op die periferie van die eiendom is 3,0 m.

(e) **Boulyne binne die dorpuisskema**

Die volgende boulyne is van toepassing binne die dorpuisskema:

- (i) die boulyn langs interne strate is 1.0 m;
- (ii) die syboulyn is 0 m, met dien verstande dat die Raad, op grond van veiligheid- en gesondheidsoorwegings, 'n groter boulyn mag vereis, in welke geval dit 3,0m sal wees;

- (iii) die agterboullyn is 1,0 m, met dien verstande dat die Raad op grond van veiligheid- en gesondheidsoorwegings, `n groter boullyn mag vereis, in welke geval dit 3,0 m sal wees;
- (iv) `n Buitegebou mag 0 m vanaf een interne sygrens gebou word, en ook 0 m vanaf die interne agtergrens, met dien verstande dat nie meer as een-derde van die betrokke grens aldus benut mag word nie; en
- (v) Die algemene boulynvystellings soos in 16,1 is van toepassing.

(f) **Parkering**

- (i) Parkering en toegang sal ooreenkomstig 17.1 op die grondeenheid voorsien word; en
- (ii) Parkering mag by die betrokke groephuis voorsien word, of deel vorm van `n gemeenskaplike parkeerterrein, of `n kombinasie van die twee.

(g) **Interne Paaie**

Die minimum, interne padreserwe-wydte is 8,0 m; met dien verstande dat die Raad `n wyer straatreserwe mag vereis waar dit van mening is dat dit, as gevolg van die voertuiggebruik of lengte van die pad, nodig is.

Woonstelle in `n dorpuisskema

6.3.3 Die volgende ontwikkelingsreëls is van toepassing:

- (a) Indien woonstelle voorsien word, moet dit `n geïntegreerde deel van die dorpuisskema uitmaak en die ontwikkelingsreëls vir `n dorpuisskema sal geld, met dien verstande dat:
- (b) Die totale vloeroppervlakte van woonstelle nie 60% van die totale vloerruimte van alle geboue op die dorphuisperseel sal oorskry nie; en
- (c) Die oopruimtevereistes soos vir dorphuis-eenhede in `n dorpuisskema sal van toepassing wees.

Dagsorgsentrum

6.3.4 Die bepalings van 5.1.7 geld.

Tuis-beroepsbeoefening

6.3.5 Die voorskrifte van 5.1.8 geld, met dien verstande dat:

- (a) Nie meer as twee persone, insluitende die eenaar, mag in `n wooneenheid in diens geneem word nie;
- (b) Die vereiste ten opsigte van parkering is nie van toepassing nie; en

- (c) Waar tuis-beroepsbeoefening vanuit `n woonstel beoefen word, sal `n maksimum van 2 persone by die aktiwiteite daarvan in die wooneenheid betrokke wees, met inbegrip van die okkupeerders of `n okkupeerder en `n assistent.

Terreinontwikkelingsplanne

- 6.3.6 Die Raad mag vereis dat `n terreinontwikkelingsplan vir goedkeuring ooreenkomstig 16.3 ingedien moet word.

6.4 ALGEMENE WOONSONE 3: WOONSTELLE (GR3 en GR4)

Gebruik van die eiendom

6.4.1 Die volgende gebruiksbepelings is in hierdie sone van toepassing:

- (a) **Primêre gebruike** is: blokke woonstelle, dorphuisskema ooreenkomstig 6.3.2, woongeboue;
- (b) **Vergunningsgebruike** is: aftree-oord, crèche, dagsorgsentrum, hotel, dak-basisstasie, inrigting, plek van aanbidding, plek van onderrig, plek van samekoms, toeriste-akkommodasie, transmissietoring, tuis-beroepsbeoefening.

Ontwikkelingsreëls

6.4.2 Die volgende ontwikkelingsreëls is van toepassing:

(a) **Vloerfaktor en Dekking**

Die maksimum vloerfaktor en dekking word ooreenkomstig die massa-sone bepaal, soos in die onderstaande tabel uiteengesit:

Massa-sone	Vloerfaktor	Dekking
Massa-sone 1 (GR 3)	3,0	100%
Massa-sone 2 (GR4)	1,5	80%

(b) **Hoogte**

(i) Die maksimum hoogte van 'n gebou, soos gemeet vanaf basisvlak tot die bopunt van die dak, word ooreenkomstig die massa-sone bepaal, soos in die onderstaande tabel uiteengesit:

Massa-sone	Hoogte	Verdiepings
Massa-sone 1 (GR3)	12,5 m	4
Massa-sone 2 (GR4)	9,0 m	3

(ii) Grondwalle en keerstrukture sal aan 16.6 voldoen.

(c) **Terugset**

- (i) Die Raad mag `n terugset van 8,0 m vanaf die middellyn van die aangrensende straat vereis, met dien verstande dat die Raad stoepe binne die terugsetlyn mag toelaat; en
- (ii) Die algemene bepalings van 16.2 geld.

(d) **Boulyne**

- (i) Die straatboulyn is 4,0 m;
- (ii) Die syboulyn is 4,5 m, met dien verstande dat, waar `n 4de verdieping voorsien word, die Raad mag vereis dat die 4de verdieping 6,0 m vanaf die eiendomsgrens teruggesit sal word;
- (iii) Die agterboulyn is 3,0 m met dien verstande dat, waar `n 4de verdieping voorsien word, die Raad mag vereis dat die 4de verdieping 6,0 meter vanaf die eiendomsgrens teruggesit sal word; en
- (iv) Die algemene boulynvystellings van 16.1 is van toepassing.

(e) **Oopruimte**

- (i) In hierdie sone moet elke blok woonstelle, woongebou of hotel toegang hê tot `n buitelig-leefgebied, wat privaat of gemeenskaplike oopruimte mag insluit, maar waarby parkeerterreine, dienswerwe en paaie uitgesluit is; en dit
- (ii) Mag tuine, balkonne, binneplase en buitelig-ontspanningsgebiede insluit.

(f) **Parkering**

Parkering en toegang sal ooreenkomstig 17.1 op die grondeenheid voorsien word.

(g) **Afskerming**

Afskerming moet ooreenkomstig 16.7 voorsien word.

Tuis-beroepsbeoefening

6.4.3 Waar tuis-beroepsbeoefening vanuit `n woonstel beoefen word, sal `n maksimum van 2 persone by die aktiwiteite daarvan in die wooneenheid betrokke wees, met inbegrip van die bewoners of `n bewoner en `n assistent.

Terreinontwikkelingsplan

6.4.4 Die Raad mag vereis dat `n terreinontwikkelingsplan vir goedkeuring ooreenkomstig 16.3. ingedien moet word.

6.5 MINDER FORMELE ONTWIKKELINGSONE : (LFD)

Gebruik van die eiendom

6.5.1 Die volgende gebruikbeperkings is in hierdie sone van toepassing:

- (a) **Primêre gebruike** is: dagsorgsentrum, gastekamers, privaat oopruimte, privaatpad, skuiling, tuis-beroepsbeoefening, tweede wooneenheid, wooneenheid, ander bykomende gebruike soos uiteengesit in 6.5.1(c), informele handel onderworpe aan 6.5.10;
- (b) **Vergunningsgebruike** is: crèche, diensbedryf, huiswinkel, inrigting, kliniek, nutsdiens, owerheidsgebruik, plek van aanbidding, plek van onderrig, plek van samekoms, stedelike landbou, woongebou, woonstelle;
- (c) **Bykomende gebruike** wat deur die bewoner van `n wooneenheid in hierdie sone uitgeoefen mag word, is: enige ander sosiale, opvoedkundige, godsdienstige, beroeps- of besigheidgebruik wat nie in 6.5.1(b) hierbo gelys is nie, met dien verstande dat:
 - (i) die dominante gebruik van die eenheid steeds residensieel sal wees;
 - (ii) geen verkope van alkoholiese drank, aanstootlike bedryf, risiko-aktiwiteit of volwasse vermaakonderneming toegelaat is nie;
 - (iii) tensy die geskrewe goedkeuring van die Raad vooraf verkry is, word die volgende nie toegelaat nie: stoor of verkoop van vuurwerke, stoor of verkoop van gas en gas-houers, muntoutomate, dobbelmasjiene, paraffien of enige brandstofprodukte vir huishoudelike gebruik;
 - (iv) geen aktiwiteite sal uitgeoefen word, wat `n bron van openbare oorlas is, of waarskynlik mag wees nie, insluitende die gebruik van toerusting of enige aktiwiteit wat aanleiding gee tot die opwekking van stof, gasdampe, rook of afvalmateriaal wat nadelig is vir die gesondheid, of wat spesiale afvalverwyderingsprosesse vereis; en
 - (v) die Raad mag, op enige stadium, bykomende voorwaardes oplê ten einde enige potensiële, openbare oorlas te minimaliseer.

Ontwikkelingsreëls

6.5.2 Die volgende ontwikkelingsreëls is van toepassing:

- (a) **Dekking**

Die maksimum dekking vir alle strukture op die grondeenheid is 65%.

- (b) **Boulyne**

Waar `n informele nedersetting ooreenkomstig `n goedgekeurde uitleg of kadastrale plan ontwikkel is, of beoog word om ontwikkel te word, sal die volgende boulyne geld:

- (i) die straatboulyn is 2,0 m;
- (ii) die syboulyn is 1,0 m; en
- (iii) die agterboulyn is 1,0 m; met dien verstande dat:
- (iv) die Raad `n 2,0 m boulyn mag vereis waar middeblok-riolering geïnstalleer is of vir installering beplan is.

(c) **Ruimtes tussen geboue en paaie**

Waar `n nedersetting nie volgens `n goedgekeurde uitleg of kadastrale plan ontwikkel het, of ontwikkel staan te word nie, moet die volgende ruimtes tussen geboue en paaie voorsien word:

- (i) Elke gebou moet ten minste 2,0 m van die rand van die pad of deurgang teruggesit word;
- (ii) Geen gebou mag nader as 2,0 m vanaf `n aangrensende gebou opgerig word nie;
- (iii) `n Ononderbroke ruimte van ten minste 1,5 m moet vanaf die voorkant van enige woning tot by die agterkant daarvan oopgelaat word, tensy wonings aaneengeskakel is, in welke geval nie meer as 4 wonings sonder `n onderbreking van 3,0 m tussen geboue, geskakel sal wees nie.

(d) **Hoogte**

- (i) Die maksimum hoogte, gemeet vanaf die basisvlak tot by die bopunt van die dak, is 8,0 m; en
- (ii) Grondwalle en keerstrukture sal aan 16.7 voldoen.

(e) **Parkering en laai van voertuie**

Die bepalings van 17.1 is nie van toepassing nie en parkering moet ooreenkomstig die volgende tabel voorsien word:

Gebruik van die eiendom	Parkeerstandaard
Wooneenheid	Een parkeerplek per eenheid
Tweede wooneenheid, tuis-beroeps-beoefening	Een parkeerplek per eenheid
Ander primêre of vergunningsgebruike	Soos deur die Raad vereis

Tweede wooneenheid

6.5.3 Die bepalings van 5.2.4 geld, met dien verstande dat:

- (a) Waar `n Wendy-huis of skuiling vir akkommodasie-doeleindes gebruik word, sal sodanige Wendy-huis of skuiling as `n tweede wooneenheid geag word; en
- (b) `n Tweede wooneenheid mag nie 120 m² oorskry nie.

Gastekamers

6.5.4 Die bepalings van 5.1.6 geld.

Dagsorgsentrum

6.5.5 Die bepalings van 5.1.7 geld.

Tuis-beroepsbeoefening

6.5.6 Die bepalings van 5.1.8 geld, met dien verstande dat die parkeervereistes in ooreenstemming met 6.5.2(e) sal wees.

Huiswinkel

6.5.7 Die bepalings van 4.4.10 geld.

Bestaande pad, of padreserwe, of grond geïdentifiseer vir paaie

6.5.8 Geen gebou sal op grond opgerig word waarop `n bestaande pad geleë is, of wat opsygesit is as `n padreserwe, of wat deur die Raad as `n toekomstige pad geïdentifiseer is nie.

Grond gereserveer of geïdentifiseer vir massadienste

6.5.9 Geen gebou sal op grond opgerig word, wat gereserveer of geïdentifiseer is vir massadienste nie, hetsy in `n geregistreerde serwituut aldan nie, of wat reeds massadienste bevat nie.

Informele handel

6.5.10 Informele handel word op grond toegelaat wat opsygesit is as `n padreserwe, of deur die Raad as `n toekomstige padreserwe geïdentifiseer is, met dien verstande dat:

- (a) Geen permanente strukture op die grond opgerig sal word nie;
- (b) Daar geensins met enige voetganger- of voertuigverkeer, die gerief van die omgewing, of enige nutsdienste van die Raad, ingemeng word nie; en
- (c) Na die Raad se mening geen bedreiging vir die openbare veiligheid of gesondheid veroorsaak word nie.

Grond wat gebruik word, of geïdentifiseer is vir brandpaaie

6.5.11 Geen gebou of struktuur mag op grond opgerig word wat opsygesit is, of deur die Raad geïdentifiseer is vir die doel van `n brandpad nie.

Goedkeuring van bouplanne

6.5.12 Nieteenstaande die feit dat individuele grondeenhede nie geskep is, of aan individuele begunstigdes oorgedra is nie, mag die Raad in terme van die Wet op Nasionale Bouregulasies en Boustandaarde, en onderhewig aan die vereistes van die Wet, bouplanne vir `n gebou goedkeur wat verband hou met `n primêre- of vergunningsgebruik, met die uitsondering van `n skuiling, met dien verstande dat die Raad tevrede is dat:

- (a) Die voorgestelde gebou, in terme van die ligging en gebruik daarvan, as `n permanente struktuur aanvaarbaar is, met inagneming ook van enige planne vir die opgradering van die gebied; en
- (b) Die aansoeker die toestemming van die eienaar het.

HOOFSTUK 7 : SAKESONES

7.1 SAKESONE 1 & 2: ALGEMENE SAKE (B1 en B2)

Gebruik van die eiendom

7.1.1 Die volgende gebruiksbepelings is op eiendom in hierdie sone van toepassing:

- (a) **Primêre gebruike** is: dak-basisstasie, gastehuis, hotel, konferensiegeriewe, plek van onderrig, plek van samekoms, sakepersele, woonstelle (bokant grondvloer);
- (b) **Vergunningsgebruike** is: begrafniskapel, diensstasie, drankwinkel, informele handel, inrigting, krematorium, motorherstelgarage, nutsdienste, ontspanningsgeriewe, pakstoor, plek van vermaak, transmissietoring, tweede wooneenheid, vervoergebruik, volwasse vermaakonderneming, wooneenheid, woongebou, woonstelle (op grondvloer).

Ontwikkelingsreëls

7.1.2 Die volgende ontwikkelingsreëls is van toepassing:

- (a) **Vloerfaktor en dekking**

Die maksimum vloerfaktor en dekking word in die onderstaande tabel aangetoon:

Sub-sone	Vloerfaktor	Dekking
Massasone 1 (B1)	3,0	100%
Massasone 2 (B2)	1,5	80%

- (b) **Terugset**

- (i) Die Raad mag vereis dat alle geboue en strukture op die eiendom ten minste 6,5m vanaf die middellyn van die straat teruggesit moet word;
- (ii) Waar spesiale omstandighede bestaan, mag die Raad `n groter terugset vereis; en
- (iii) Die algemene bepalings van 16.2 geld.

- (c) **Boulyne**

- (i) Die straatboulyn is 0 m, onderworpe daaraan:
 - dat die terugsetbepelings, indien in terme van 7.1.2(b) deur die Raad vereis, nagekom sal word; en
 - die ingeslote gedeelte van `n gebou vanaf die vierde verdieping 4,5 m teruggesit moet word.

- (ii) Die syboullyn is 0 m met dien verstande dat:
- die gebou, of gedeelte, wat op die erfrens opgerig word, sonder goedkeuring van die Raad geen vensters, deure, ventilasie- of ander openinge in enige muur sal hê wat op sodanige grens geleë is nie; en
 - waar `n eiendom, wat Sakesone 1 en 2 gesoneer is, aan `n residensiële- of gemeenskapsone grens, die boullyn 3,0 m sal wees.
- (iii) Die agterboullyn is 0 m onderhewig daaraan dat:
- die gebou, of gedeelte daarvan, wat op die erfrens opgerig word, geen vensters, deure, ventilasie- of ander openinge in enige muur sal hê wat op sodanige grens geleë is nie; en
 - waar `n eiendom, wat Sakesone 1 en 2 gesoneer is, aan `n residensiële- of gemeenskapsone grens, die boullyn 3,0 m sal wees;
- (iv) Die Raad mag meer beperkende boulyne in belang van die openbare gesondheid en veiligheid oplê; en
- (v) Die algemene boulynvystellings van 16.1 is van toepassing.

(d) **Hoogte**

- (i) Die maksimum hoogte van `n gebou, soos gemeet vanaf basisvlak tot by die bopunt van die dak, word ooreenkomstig die massa-sone bepaal soos in die onderstaande tabel uiteengesit:

Massa-sone	Hoogte	Verdiepings
Massasone 1 (B1)	14,0 m	4
Massasone 2 (B2)	10,5 m	3

- (ii) Grondwalle en keerstrukture sal aan 16.6 voldoen.

(e) **Venster- en deurplasing**

- (i) Waar `n boullyn van 0 m geld, en waar `n muur van `n gebou 1,0 m of minder vanaf die sy- of agterboullyn opgerig word, sal geen deur of venster in sodanige muur toegelaat word nie; en
- (ii) Enige gedeelte van die gebou wat `n deur of venster bevat wat op die sy- of agtergrens front, sal ten minste 1,5 m vanaf sodanige grens geplaas word. Die gedeelte van die gebou wat aldus teruggesit moet word, sal die deur en venster insluit, tesame met sodanige, bykomende lengte muur wat nodig is om `n totale lengte van 3,0 m daar te stel.

(f) **Baldakyne en projeksies**

- (i) Die Raad mag vereis, of toelaat dat `n baldakyn of projeksie oor die straatgrens strek, met dien verstande dat:
- (ii) die baldakyn of projeksie nie nader as 500 mm aan die vertikale vlak deur die randsteenlyn of voorgestelde randsteenlyn sal strek nie;

- (iii) geen gedeelte van `n baldakyn of projeksie, minder as 2,8 m bokant die sypaadjie sal wees nie; en
- (iv) die eienaar, in die geval van `n baldakynprojeksie, `n oorskrydings- ooreenkoms met die Raad sal aangaan.

(g) **Parkering en toegang**

Parkering en toegang sal ooreenkomstig 17.1 op die grondeenheid voorsien word,

(h) **Laaiplek**

Laaiplekke moet in ooreenstemming met 17.2 op die grondeenheid voorsien word.

(i) **Afskerming**

Afskerming moet in ooreenstemming met 16.7 voorsien word.

Dienstasie

7.1.3 Die ontwikkelingsreëls soos in 7.3 is op `n dienstasie in hierdie sone van toepassing.

Terreinontwikkelingsplan

7.1.4 Die Raad mag vereis dat `n terreinontwikkelingsplan vir goedkeuring ooreenkomstig 16.3 ingedien moet word.

7.2 SAKESONE 3: PLAASLIKE SAKE (B3)

Gebruik van die eiendom

7.2.1 Die volgende gebruiksbepelings is op eiendom in hierdie sone van toepassing:

- (a) **Primêre gebruike** is: kantore, winkels, woonstelle (bokant grondvloer);
- (b) **Vergunningsgebruike** is: dak-basisstasie, diensbedryf, diensstasie, dorpuisskema, drankwinkel, gastehuis, hotel, informele handel, inrigting, kliniek, konferensie-geriewe, ontspanningsgeriewe, plek van aanbidding, plek van onderrig, plek van samekoms, plek van vermaak, restaurant, sakepersele, transmissietoring, verkoop van alkoholiese drank, woongebou, woonstelle (op grondvloer).

Ontwikkelingsreëls

7.2.2 Die volgende ontwikkelingsreëls is van toepassing:

- (a) **Dekking**

Die maksimum dekking vir alle geboue op die grondeenheid is 75%.
- (b) **Vloer Faktor**

Die maksimum vloerfaktor is 1,5.
- (c) **Hoogte**
 - (i) Die maksimum hoogte van 'n gebou, gemeet vanaf basisvlak tot by die bopunt van die dak, 8,5 m;
 - (ii) Die maksimum aantal verdiepings is 2; en
 - (iii) Grondwalle en keerstrukture sal aan 16.6 voldoen.
- (d) **Terugset**
 - (i) Die Raad mag vereis dat alle geboue en strukture op die eiendom ten minste 6,5m vanaf die middellyn van die straat teruggesit moet word;
 - (ii) Waar spesiale omstandighede dit vereis, mag die Raad 'n groter terugset vereis; en
 - (iii) Die algemene bepalings van 16.2 sal van toepassing wees.
- (e) **Boulyne**
 - (i) Die straatboulyn is 0 m; met dien verstande dat 'n 3,5 m boulyn van toepassing is waar brandstofpompe opgerig word;

- (ii) Die syboullyn is 0 m, met dien verstande dat waar enige Sakesone 3 aan `n ander sone grens, die syboullyn 3,0 m sal wees;
- (iii) Die agterboullyn is 3,0 m; met dien verstande dat waar enige Sakesone 3 aan `n ander sone grens, die agterboullyn 4,5 m sal wees.
- (iv) Met dien verstande dat die Raad, in belang van die openbare gesondheid of veiligheid, of die omgewing, of ten einde enige toepaslike wet of reg te eerbiedig, meer beperkende boulyne mag voorskryf; en
- (v) Die boulynvystellings van 16.1 sal van toepassing wees.

(f) **Plasing van vensters en deure**

- (i) Waar `n boulyn van 0 m geld, en waar `n muur van `n gebou 1,0 m vanaf, of nader aan die sy- of agterboullyn opgerig word, sal geen deur of venster in die betrokke muur toegelaat word nie; en
- (ii) Enige gedeelte van die gebou wat `n deur of venster bevat wat op die sy- of agtergrens front, sal ten minste 1,5 m vanaf sodanige grens geplaas word. Die gedeelte van die gebou wat aldus teruggesit moet word, sal die deur en venster insluit, tesame met sodanige, bykomende lengte muur wat nodig is om `n totale lengte van 3,0 m daar te stel.

(g) **Parkering en toegang**

Parkering en toegang sal ooreenkomstig 17.1 op die grondeenheid voorsien word.

(h) **Laaipekke**

Laaipekke moet ooreenkomstig 17.2 op die grondeenheid voorsien word.

(i) **Afskerming**

- (i) Die Raad mag afskerming ooreenkomstig 16.7 vereis; en
- (ii) Waar `n Sakesone 3 aan `n woonsone grens, mag die Raad vereis dat `n geskikte muur, wat mintens 1,8 m hoog is, op die gemeenskaplike grens opgerig moet word.

Informele handel

7.2.3 Informele handel sal slegs toegelaat word in die gebied soos aangetoon op `n plan wat aan die Raad voorgelê en deur hom goedgekeur is.

Dienstasie

7.2.4 Die ontwikkelingsreëls soos in 7.3 sal van toepassing wees.

Terreinontwikkelingsplan

7.2.5 Die Raad mag vereis dat 'n terreinontwikkelingsplan vir goedkeuring ooreenkomstig 16.3 ingedien moet word.

7.3 SAKESONE 4: DIENSSTASIE (B4)

Gebruik van die eiendom

7.3.1 Die volgende gebruiksbepelings geld ten opsigte van eiendom in hierdie sone:

- (a) **Primêre gebruike** is: diensbedryf, dak-basisstasie;
- (b) **Vergunningsgebruike** is: motorvoertuig-herstelgarage, nutsdiens, parkeer­garage, restaurant, swaarvoertuig-diensstasie, transmissie- toring, vervoerbesigheid.

Ontwikkelingsreëls

7.3.2 Die volgende ontwikkelingsreëls is van toepassing:

- (a) **Vloerfaktor**
Die maksimum vloerfaktor is 1.
- (b) **Dekking**
Die maksimum dekking vir alle geboue op die grondeenheid is 75%.
- (c) **Teugset**
 - (i) Die Raad mag vereis dat alle geboue en strukture 8,0 m vanaf die middellyn van die aangrensende, openbare straat of strate teruggesit moet word; en
 - (ii) Die bepalings van 16.2 geld.
- (d) **Hoogte**
 - (i) Die maksimum hoogte van 'n gebou, gemeet vanaf die basisvlak tot die bopunt van die dak, is 8,5 m; en
 - (ii) Grondwalle en keerstrukture sal aan 16.6 voldoen.
- (e) **Boulyne**
 - (i) Die straatboulyn is 5,0 m;
 - (ii) Die syboulyn is 0 m; met dien verstande dat wanneer 'n eiendom in sone B4 aan 'n residensiële of gemeenskapsone grens, die syboulyn 3,0 m sal wees;
 - (iii) Die agterboulyn is 0 m; met dien verstande dat waar 'n eiendom in sone B4 aan 'n residensiële of gemeenskapsone grens, die agterboulyn 3,0 m sal wees;
 - (iv) Die Raad mag, in belang van die openbare gesondheid en veiligheid, meer beperkende boulyne voorskryf; en
 - (v) Die bepalings van 16.1 sal geld.

(f) **Parkering**

Parkering en toegang sal ooreenkomstig 17.1 op die grondeenheid voorsien word.

(g) **Laaiplekke**

Laaiplekke moet ooreenkomstig 17.2 op die grondeenheid voorsien word.

(h) **Terreintoegangsvereistes**

- (i) Die wydte van die toegangs- en uitgangsbane vir voertuie na en van die perseel, sal nie meer as 10,0 m wees waar dit die straatgrens kruis nie;
- (ii) `n Muur, ten minste 100 mm dik en 200 mm hoog, moet op die straatgrens, of waar van toepassing op die terugsetlyn, tussen die verskillende voertuigtoegangs- en -uitgangsbane opgerig word. Tensy die eiendom op `n ander wyse omsluit word, moet die muur aaneenlopend langs die erfrens strek;
- (iii) Slegs twee toegangs- of uitgangspadkruisings word per perseel toegelaat, tensy die totale lengte van die straatgrens 30,0 m oorskry, in welke geval een bykomende voertuigtoegang of -uitgang toegelaat sal word;
- (iv) By die punt waar dit die straatgrens oorsteek, sal die voertuigtoegangs- of uitgangsbane nie nader wees as:
 - 30,0 m vanaf die interseksie van `n hoofverkeersweg met enige ander pad van soortgelyke status nie;
 - 30,0 m vanaf die naaste punt van `n interseksie waar verkeer deur verkeersligte of -eiland beheer word, of beplan is om beheer te word nie;
 - 10,0 m vanaf die hoek van `n interseksie indien sodanige interseksie nie afgeskuins is nie of, indien die straathoek afgeskuins is, 5,0 m vanaf die naaste punt waar die afskuinsing die straatgrens ontmoet; en 1,5 m vanaf `n sygrens.

(i) **Berging**

Leë houers soos oliedromme, pakkiste of ander rommel wat op enige deel van die perseel van `n diensstasie geberg word, sal tot die Raad se tevredenheid met `n paslike steenmuur van ten minste 2,0 m hoogte afgeskerm word, of in `n gebou gehou word.

(j) **Afskerming**

Afskerming sal ooreenkomstig 16.7 voorsien word.

Terreinontwikkelingsplan

7.3.3 Die Raad mag vereis dat `n terreinontwikkelingsplan vir goedkeuring ooreenkomstig 16.3 ingedien moet word.

HOOFSTUK 8: NYWERHEIDSONES

8.1 NYWERHEIDSONE 1: ALGEMENE NYWERHEID (IND 1)

Gebruik van die eiendom

8.1.1 Die volgende gebruiksbepelings is op eiendom in hierdie sone van toepassing:

- (a) **Primêre gebruike** is: nywerheid, begrafniskapel, bouerswerf, dak-basisstasie, diensbedryf, diensstasie, fabriekswinkel, groothandel- besigheid, landbou-nywerheid, motorherstelgarage, nutsdiens, nywerheidskafee, opsigtersakkommodasie, pakhuis, swaarvoertuig- diensstasie, transmissietoring, vervoergebruik, werkswinkel;
- (b) **Vegunningsgebruike** is: aanstootlike bedryf, abattoir, akwakultuur, houerwerf, informele handel, krematorium, mynbou, ontspannings- geriewe, plek van onderrig, plek van samekoms, plek van vermaak, restaurant, rommelwerf, sakeperseel, verkoop van alkoholiese drank, volwasse vermaakonderneming, wooneenheid.

Ontwikkelingsreëls

8.1.2 Die volgende ontwikkelingsreëls is van toepassing in hierdie sone.

- (a) **Vloerfaktor**

Die maksimum vloerfaktor vir `n grondeenheid in hierdie sone is 2.

- (b) **Dekking**

Die maksimum dekking vir alle geboue op die grondeenheid sal nie 75% oorskry nie.

- (c) **Hoogte**

- (i) Die maksimum hoogte van enige gebou, soos gemeet vanaf basisvlak tot by die bopunt van die dak, is 12,0 m met dien verstande dat:
- (ii) Waar `n gebou van groter hoogte ter wille van die nywerheidsfunksie van die eiendom benodig word, mag die Raad goedkeuring aan sodanige groter hoogte verleen; en
- (iii) Grondwalle en keerstrukture sal aan die bepalings van 16.6 voldoen.

- (d) **Boulyne**

- (i) Die straatboulyn is 5m;
Die sy- en agterboulyne is 2,0 m;
- (ii) Waar `n grondeenheid aan `n ander sone grens wat nie `n nywerheidsone is nie, sal die boulyne van daardie sone geld, watter ookal die grootste is;

- (iii) Die bostaande ten spyt, mag die Raad, ter wille van openbare gesondheid en veiligheid, brandbeheer en die afdwing van enige ander wet of reg, bepaal dat groter boulyne sal geld; en
- (iv) Die algemene boulynvystellings van 16.1 sal geld.

(e) **Terugset**

- (i) `n Terugset van 8,0 m vanaf die middellyn van die pad is van toepassing;
- (ii) Die bostaande ten spyt, mag die Raad, ter wille van openbare gesondheid en veiligheid, brandbeheer en die afdwing van enige ander wet of reg, bepaal dat `n groter terugset sal geld; en
- (iii) Die bepalings van 16.2 geld.

(f) **Grensmure**

`n Muur van ten minste 2,5 m hoogte, moet gebou word op die gemeenskaplike grens met enige ander grondeenheid wat nie in die Algemene Nywerheidsone (IND 1) of die Risiko-nywerheidsone (IND2) geleë is nie; of indien enige gevaarlike middels op die perseel gestoor word.

(g) **Parkering en toegang**

Parkering en toegang moet ooreenkomstig 17.1 op die grondeenheid voorsien word.

(h) **Laaipekke**

Laaipekke moet ooreenkomstig 17.2 voorsien word.

(i) **Afskerming**

Afskerming moet ooreenkomstig 16.7 voorsien word.

Fabriekswinkel

8.1.3 Die okkupeerder van `n nywerheidseiendom, of gedeelte daarvan, mag `n winkel bedryf vir die verkoop van goedere wat in geheel of gedeeltelik op die eiendom vervaardig is, asook sodanige ander goedere wat die Raad mag toelaat; met dien verstande dat:

- (i) die totale vloerruimte wat op die eiendom, of gedeelte daarvan, vir die verkoop van goedere aangewend mag word, nie 10% van die totale vloerruimte van alle geboue op die grondeenheid sal oorskry nie; en
- (ii) sodanige ander goedere wat te koop aangebied word, maar wat nie op die eiendom vervaardig is nie, verband sal hou met die goedere wat wel op die eiendom vervaardig is.

Diensstasie

8.1.4 Die ontwikkelingsreëls soos in 7.3.2 is van toepassing.

Omgewingsoorwegings

8.1.5 Die Raad mag `n omgewingstudie en/of omgewingsbestuursplan vereis vir oorweging en goedkeuring ooreenkomstig 16.4.

8.1.6 Tensy `n risikobestuur- en voorkomingsplan deur die Raad goedgekeur is, sal geen aktiwiteit waarby die stoor van gevaarlike stowwe op die eiendom ingesluit is, toegelaat word nie.

8.1.7 Ter wille van die openbare gesondheid en veiligheid, asook brandbeheer of om enige wet of reg af te dwing, mag die Raad voorwaardes van goedkeuring opleë ten einde die omgewingsimpak van nywerheidsaktiwiteite op aanliggende eiendom te verminder.

Terreinontwikkelingsplanne

8.1.8 Die Raad mag vereis dat `n terreinontwikkelingsplan vir goedkeuring ooreenkomstig 16.3 ingedien moet word.

8.2 NYWERHEIDSONE 2: AANSTOOTLIKE EN RISIKO-NYWERHEID (IND 2)

Gebruik van eiendom

8.2.1 Die volgende gebruiksbepelings is op eiendom in hierdie sone van toepassing:

- (a) **Primêre gebruike** is: aanstootlike bedryf, dak-basisstasie, fabrieks- winkel, opsigtersakkommodasie, risiko-nywerheid, transmissietoring;
- (b) **Vergunningsgebruike** is: afvalstortingsterrein, akwakultuur, diensbedryf, informele handel, mynbou, nutsdiens, nywerheid, rommelwerf, vervoergebruik, winkel.

Ontwikkelingsreëls

8.2.2 Die volgende ontwikkelingsreëls is van toepassing:

(a) **Vloerfaktor**

Die maksimum vloerfaktor is 2.

(b) **Dekking**

Die maksimum dekking vir alle geboue op die grondeenheid sal nie 75% oorskry nie.

(c) **Hoogte**

- (i) Geen hoogtebepelking geld ten opsigte van aanstootlike nywerhede, risiko-aktiwiteit of –nywerheid nie, met dien verstande dat enige ander gebou op die grondeenheid nie 12,0 m sal oorskry, soos gemeet vanaf basivlak tot by die bopunt van die dak nie;
- (ii) Waar `n gebou van groter hoogte ter wille van die nywerheids- funksie van die eiendom benodig word, mag die Raad, bostaande ten spyt, goedkeuring aan sodanige groter hoogte verleen; en
- (iii) Die algemene bepalings van 16.7 geld.

(d) **Boulyne**

- (i) Die straatboulyn is 7,5 m;
- (ii) Die sy- en agterboulyne is 5,0 m;
- (iii) Die bostaande ten spyt, kan die Raad, ter wille van openbare gesondheid- of veiligheidsoorwegings, brandbeheer of ten einde enige wet of reg af te dwing, groter boulyne neerlê; en
- (iv) Die algemene boulynvystellings van 16.1 geld.

(e) **Terugset**

- (i) `n Terugset van 8,0 m vanaf die middellyn van die pad, is van toepassing;

- (ii) Die bostaande ten spyt, kan die Raad, ter wille van openbare gesondheid- of veiligheidsoorwegings, brandbeheer of ten einde enige wet of reg af te dwing, `n groter terugset voorskryf; en
- (iii) Die bepalinge van 16.2 geld.

(f) **Grensmure**

`n Muur van ten minste 2,5 m hoogte, moet op die gemeenskaplike grens met enige ander grondeenheid wat nie in die Algemene Nywerheidsone (IND1) of die Risiko-nywerheidsone (IND2) geleë is nie, gebou word; of indien enige gevaarlike middels op die perseel gestoor word.

(g) **Parkering en toegang**

Parkering en toegang moet ooreenkomstig 17.1 op die grondeenheid voorsien word.

(h) **Laaiplekke**

Laaiplekke moet ooreenkomstig 17.2 op die grondeenheid voorsien word.

(i) **Afskerming**

Afskerming moet ooreenkomstig 16.7 voorsien word.

Dienstasie

8.2.3 Die ontwikkelingsreëls van 7.3.2 geld.

Fabriekswinkels

8.2.4 Die okkupeerder van `n nywerheidseiendom, of gedeelte daarvan, mag `n winkel bedryf vir die verkoop van goedere wat in geheel of gedeeltelik op die eiendom vervaardig is, asook sodanige ander goedere wat die Raad mag toelaat; met dien verstande dat:

- (i) Die totale vloerruimte wat op die eiendom of gedeelte van die eiendom vir die verkoop van goedere aangewend word, nie 10% van die totale vloerruimte van alle geboue op die grondeenheid sal oorskry nie; en
- (ii) Sodanige ander goedere wat te koop aangebied word, maar wat nie op die eiendom vervaardig is nie, verband hou met die goedere wat wel op die eiendom vervaardig is.

Omgewingsimpak

8.2.5 Die Raad mag `n omgewingstudie en/of omgewingsbestuursplan vir sy oorweging vereis.

8.2.6 Tensy `n risikobestuur- en voorkomingsplan deur die Raad goedgekeur is, sal geen aktiwiteit waarby die stoor van gevaarlike stowwe op die eiendom ingesluit is, toegelaat word nie.

- 8.2.7 Die Raad mag bykomende goedkeuringsvoorwaardes opleë ten einde die omgewingsimpak van nywerheidsaktiwiteite op aangrensende eiendom te verminder.

Terreinontwikkelingsplanne

- 8.2.8 Die Raad mag vereis dat 'n terreinontwikkelingsplan vir goedkeuring ooreenkomstig 16.3 ingedien moet word.

HOOFSTUK 9: GEMEENSKAPSONES

9.1 GEMEENSKAPSONE 1: GEMEENSKAPFASILITEITE (CO 1)

Gebruik van eiendom

9.1.1 Die volgende ontwikkelingsreëls is op eiendom in hierdie sone van toepassing:

- (a) **Primêre gebruike** is: crèche, dagsorgsentrum, kliniek, meerdoelige sentrum, plek van aanbidding, plek van onderrig, plek van samekoms;
- (b) **Vergunningsgebruike** is: begraafplaas, dak-basisstasie, hospitaal, inrigting, konferensiegeriewe, ontspanningsgeriewe, stedelike landbou, transmissietoring, wooneenhede, woongebou, woonhuis;
- (c) **Bykomendee gebruike:** `n eiendom in hierdie sone mag af en toe vir fondsinsamelings- of sosiale funksies gebruik word, met dien verstande dat:
 - (i) sodanige funksies bykomstig en aanvullend tot die toegelate gebruike in hierdie sone is; en
 - (ii) sodanige funksies na die Raad se mening nie oormatige of langdurige steurnis, ingesluit geraas, verkeer of ander openbare oorlas, sal veroorsaak nie.

Ontwikkelingsreëls

9.1.2 Die volgende ontwikkelingsreëls geld in hierdie sone, met dien verstande dat die ontwikkelingsreëls vir `n woonhuis bepaal sal word ooreenkomstig die ontwikkelingsreëls wat op die Enkelwoonsone (SR1) van toepassing is:

- (a) **Vloerfaktor**
 - (i) Die vloerfaktor van toepassing op die grondeenheid sal nie 1,2 oorskry nie, met dien verstande dat
 - (ii) Die vloerfaktor vir `n hospitaal 2,0 is.
- (b) **Dekking**

Die maksimum dekking vir alle geboue op die grondeenheid sal nie 60% oorskry nie.
- (c) **Hoogte**
 - (i) Die maksimum hoogte van enige gebou is 10,5 m soos gemeet vanaf basisvlak tot by die bopunt van die dak, met dien verstande dat daar geen hoogtebeperking is op `n kloktoring, `n toring, minaret of soortgelyke, argitektoniese element wat die belangrikheid van `n gebou beklemtoon nie; en
 - (ii) Grondwalle en keerstrukture sal aan die bepalings van 16.7 voldoen.

- (d) **Boulyne**
- (i) Alle boulyne is 5,0 m; en
 - (ii) Die algemene boulynvystellings van 16.1 geld.
- (e) **Terugset**
- (i) `n Terugset van 8,0 m, gemeet vanaf die midellyn van die straat, is van toepassing en moet voorsien word; en
 - (ii) Die bepalings van 16,2 geld.
- (f) **Parkering**
- Parkering en toegang sal ooreenkomstig 17.1 op die grondeenheid voorsien word.
- (g) **Laaiplekke**
- Laaiplekke sal ooreenkomstig 17.2 op die grondeenheid voorsien word.
- (h) **Afskerming**
- Afskerming sal ooreenkomstig 16.7 voorsien word.

Wooneenhede

- 9.1.3 Die volgende ontwikkelingsreëls is op wooneenhede van toepassing:
- (a) Die hoogte van `n wooneenheid, wat nie deel van `n woongebou uitmaak nie, soos gemeet vanaf basisvlak tot by die bopunt van die dak, is 8,0 m;
 - (b) Wooneenhede sal vir die bona fide akkommodasie van werknemers van die betrokke gemeenskapsfasiliteit wees;
 - (c) Die wooneenhede sal op dieselfde kadastrale eenheid as die betrokke gemeenskapsfasiliteit behou word; en
 - (d) Die bykomende wooneenhede sal as `n harmonieuse entiteit ontwerp en ontwikkel word.

Terreinontwikkelingsplanne

- 9.1.4 Die Raad mag vereis dat `n terreinontwikkelingsplan vir goedkeuring ooreenkomstig 16.3 ingedien moet word.

Landskapmeesterplan

- 9.1.5 Die Raad mag vereis dat `n landskapmeesterplan ingedien moet word vir goedkeuring ooreenkomstig 16.4.

HOOFSTUK 10: OWERHEID- EN NUTSDIENSSONES

10.1 OWERHEIDSONE: OWERHEIDSGEBRUIK (AU)

Gebruik van die eiendom

10.1.1 Die volgende gebruiksbepelings is op eiendom in hierdie sone van toepassing:

- (a) **Primêre gebruike** is: owerheidsgebruik, dak-basisstasie;
- (b) **Vergunningsgebruike** is: begraaftaas, nutsdiens, transmissietoring, enige ander gebruik wat deur die Raad bepaal word.

Ontwikkelingsreëls

10.1.2 Die volgende ontwikkelingsreëls geld:

- (a) In hierdie sone sal geen struktuur opgerig, of eiendom gebruik word, tensy die Raad dit as versoenbaar of geassosieer met die toegelate of vergunningsgebruike ag nie;
- (b) Die Raad mag `n terreinontwikkelingsplan, wat ooreenkomstig 16.3 ingedien is, en/of `n omgewingsbestuursplan wat ooreenkomstig 16.4 ingedien is, vereis en goedkeur; en
- (c) Die Raad sal die ontwikkelingsreëls wat op hierdie sone van toepassing is, neerlê wanneer:
 - (i) die sonering van `n grondeenheid na hierdie sone goedgekeur word;
 - (ii) enige terreinontwikkelingsplan of omgewingsbestuursplan oorweeg word; of
 - (iii) voor enige bouplan of ingenieursdiensteplan goedgekeur word.

10.2 NUTSDIENSSONE : NUTSDIENSTE (UT)

Gebruik van eiendom

10.2.1 Die volgende gebruiksbeperkings is op eiendom in hierdie sone van toepassing:

- (a) **Primêre gebruik** is: nutsdiens;
- (b) **Vergunningsgebruike** is: begraafplaas, dak-basisstasie; krematorium, owerheidsgebruik, transmissietoring, en enige ander geassosieerde gebruik wat die Raad bepaal.

Ontwikkelingsreëls

10.2.2 Die volgende ontwikkelingsreëls is van toepassing:

- (a) In hierdie sone sal geen struktuur opgerig, of eiendom gebruik word, tensy die Raad dit as versoenbaar of geassosieer met die toegelate of vergunningsgebruike ag nie;
- (b) Die Raad mag `n terreinontwikkelingsplan, wat ooreenkomstig 16.3 ingedien is, en/of `n omgewingsbestuursplan wat ooreenkomstig 16.4 ingedien is, vereis en goedkeur; en
- (c) Die Raad sal die ontwikkelingsreëls wat op hierdie sone van toepassing is, neerlê wanneer:
 - (i) die sonering van `n grondeenheid na hierdie sone goedgekeur word;
 - (ii) `n terreinontwikkelingsplan of omgewingsbestuursplan oorweeg word; of
 - (iii) voor enige bouplan of ingenieursdiensteplan goedgekeur word.

HOOFSTUK 11: VERVOERSONE

11.1 VERVOERSONE 1: VERVOERGEBRUIK (TR 1)

Gebruik van die eiendom

11.1.1 Die volgende gebruiksbepelings geld ten opsigte van eiendom in hierdie sone:

- (a) **Primêre gebruike** is: dak-basisstasie, nutsdiens, parkeergarage, vervoergebruik;
- (b) **Vergunningsgebruike** is: diensstasie, informele handel, motorherstelgarage, transmissietoring, winkels, enige ander gebruik deur die Raad goedgekeur, met dien verstande dat:
 - (i) sodanige ander gebruik nie afbreuk sal doen aan die vervoergebruik as die primêre gebruik nie; en
 - (ii) die eiendom hersoneer sal word indien die ander gebruik 'n betekenisvolle en permanente verandering van die primêre gebruik uitmaak, en indien die soneringskema 'n meer paslike alternatief bied.

Ontwikkelingsreëls

11.1.2 Die volgende ontwikkelingsreëls is van toepassing:

- (a) **Dekking**

Die maksimum dekking vir alle geboue op die grondeenheid is 80%.
- (b) **Vloerfaktor**

Die maksimum vloerfaktor is 2,5.
- (c) **Hoogte**
 - (i) Die maksimum hoogte van enige gebou, soos gemeet van die basisvlak tot by die bopunt van die dak, is 10,0 m; en
 - (ii) Grondwalle en keerstrukture sal aan 16.6 voldoen.
- (d) **Terugset**
 - (i) Die Raad mag vereis dat alle geboue en strukture op die eiendom ten minste 6,5m vanaf die middellyn van die straat teruggesit moet word;
 - (ii) Waar spesiale omstandighede geld, mag die Raad 'n groter terugset vereis; en
 - (iii) Die bepalinge van 16.2 geld.

(e) **Boulyne**

- (i) Die straatboulyn is 0 m; met dien verstande dat `n boulyn van 3,5 m sal geld waar brandstofpompe opgerig word;
- (ii) Die syboulyn is 0 m met dien verstande dat waar enige Vervoersone 1 aan `n woonsone grens, die syboulyn 3,0 m sal wees;
- (iii) Die agterboulyn is 0 m; met dien verstande dat waar enige Vervoersone 1 aan `n residensiële sone grens, die agterboulyn 3,0 m sal wees;
- (iv) Met dien verstande dat die Raad in belang van die openbare gesondheid en veiligheid, of die omgewing, of ten einde enige toepaslike wet of reg af te dwing, groter boulyne mag vereis; en
- (v) Die boulynvystellings van 16.1 sal geld.

(f) **Parkering en toegang**

Parkering en toegang sal ooreenkomstig 17.1 op die grondeenheid voorsien word.

(g) **Laaipekke**

Laaipekke sal ooreenkomstig 17.2 op die grondeenheid voorsien word.

(h) **Afskerming**

- (i) Die Raad mag afskerming ooreenkomstig 16.7 vereis; en ook
- (ii) Dat, waar `n Vervoersone 1 aan `n woonsone grens, `n geskikte muur van ten minste 1,8 m hoog, opgerig sal word.

Informele handel

11.1.3 Informele handel sal slegs toegelaat word op persele wat, in terme van `n diagram wat deur `n paslik-gekwalifiseerde landmeter opgestel en aan die Raad vir goedkeuring voorgelê is, vir informele handel afgemerk is, of wat in ooreenstemming met die Raad se regulasies oor informele handel is.

Dienstasie

11.1.4 Die ontwikkelingsreëls soos in 17.3 geld.

Terreinontwikkelingsplanne

11.1.5 Die Raad mag vereis dat `n terreinontwikkelingsplan vir goedkeuring ooreenkomstig 16.3 m ingedien moet word,.

11.2 VERVOERSONE 2: PAD EN PARKERING (TR2)

Gebruik van die eiendom

11.2.1 Die volgende gebruiksbepelings is op eiendom in hierdie sone van toepassing:

- (a) **Primêre gebruike** is: openbare parkering, openbare pad, privaat pad, privaat parkering;
- (b) **Vergunningsgebruike** is: dak-basisstasie, informele handel, transmissietoring, enige ander gebruik soos deur die Raad bepaal, met dien verstande dat:
 - (i) sodanige ander gebruik nie afbreuk sal doen aan die vervoergebruik as die predominante gebruik nie; en
 - (ii) die eiendom hersoner sal word indien die ander gebruik `n betekenisvolle en permanente verandering van die primêre gebruik uitmaak, en indien die soneringskema `n meer paslike alternatief bied.

Ontwikkelingsreëls

11.2.2 Die volgende ontwikkelingsreëls geld:

- (a) **Sonering geag**

Enige openbare straat, of enige grondgedeelte wat op `n goedgekeurde, geldige onderverdelingsplan as openbare pad aangetoon word, sal geag wees om as "Vervoersone 2 : Pad" gesoneer te wees.

- (b) **Konstruksie en Plasing van Materiale**

Geen persoon mag:

- (i) `n privaat aansluiting, brug of duiker op of oor `n openbare straat bou nie;
- (ii) `n sypaadjie in `n openbare straat bou of lê nie;
- (iii) `n veranda, stoep, muur, trappe of ander projeksie in of oor `n openbare straat bou nie; of
- (iv) enige goedere, artikels, boumateriale of rommel in `n openbare straat deponer of laat nie, behalwe vir `n redelike tyd tydens die laai, aflaai of verwydering daarvan;

behalwe ooreenkomstig die geskrewe goedkeuring en vereistes van die Raad.

Informele handel

11.2.3 Informele handel sal slegs toegelaat word op persele wat in terme van `n diagram, wat deur `n paslik-gekwalifiseerde landmeter opgestel en aan die Raad vir goedkeuring voorgelê is, vir

informele handel afgemerks, of in ooreenstemming met die Raad se regulasies oor informele handel is.

Terreinontwikkelingsplan

11.2.4 Die Raad mag vereis dat 'n ontwikkelingsplan vir goedkeuring ooreenkomstig 16.3 ingedien moet word.

11.3 VERVOERSONE 3 : HAWE-SONE (TR3)

Gebruik van eiendom

11.3.1 Die volgende gebruiksbepelings geld ten opsigte van eiendom in hierdie sone:

- (a) **Primêre gebruik** is : hawegebruik;
- (b) **Vergunningsgebruik** is: akwakultuur, dak-basisstasie, diensbedryf, diensstasie, dorpuisskema, hotel, informele handel, inrigting, kantore, konferensiegeriewe, mark, nutsdiens, nywerheid, ontspanningsgeriewe, parkeergarage, plek van aanbidding, plek van samekoms, plek van vermaak, restaurant, sakeperseel, toeriste-akkommodasie, toeristefasiliteite, transmissietoring, vakansie-akkommodasie, verkoop van alkoholiese drank, vervoergebruik; met dien verstande dat die Raad enige ander gebruik, wat geassosieer is met hawegebruik, mag goedkeur mits:
 - (i) sodanige ander gebruik nie afbreuk doen aan die hawegebruik as dominante gebruik in die ontwikkeling nie; en
 - (ii) die eiendom hersoneer sal word indien die ander gebruik `n betekenisvolle en permanente verandering van die primêre gebruik uitmaak, en indien die soneringskema `n meer paslike alternatief bied.

Ontwikkelingsreëls

11.3.2 Die volgende ontwikkelingsreëls is van toepassing:

Hawegebruik

11.3.3 Die Raad mag `n terreinontwikkelingsplan vereis en goedkeur ooreenkomstig 16.3, of `n omgewingsbestuursplan ooreenkomstig 16.4.

11.3.4 Die Raad moet die ontwikkelingsreëls, wat op `n grondeenheid van toepassing sal wees, bepaal wanneer:

- (a) die sonering van eiendom na hierdie sone goedgekeur word;
- (b) enige omgewingsimpakverslag oorweeg word;
- (c) enige omgewingsbestuursplan oorweeg word;
- (d) enige terreinontwikkelingsplan goedgekeur word; en
- (e) voor enige bouplanne of ingenieursdienste goedgekeur word.

11.3.5 Indien die Raad dit nodig sou ag, mag geboue of strukture met sy skriftelike toestemming opgerig word, met dien verstande dat die Raad voorwaardes met betrekking tot ontwerp, argitektuur en ontwikkelingsparameters mag ople.

Vergunningsgebruike

11.3.6 Behalwe in die geval van dorphuisskemas en informele handel, geld die volgende ontwikkelingsreëls vir alle vergunningsgebruike in hierdie sone:

(a) **Dekking**

Die maksimum dekking vir alle geboue op die grondeenheid is 75%.

(b) **Vloerfaktor**

Die maksimum vloerfaktor is 1,5.

(c) **Hoogte**

- (i) Die maksimum hoogte van 'n gebou, gemeet vanaf die basisvlak tot by die bopunt van die dak, is 11,0 m; en
- (ii) Grondwalle en keerstrukture sal aan 16.6 voldoen.

(d) **Terugset**

- (i) Die Raad mag vereis dat alle geboue en strukture op die eiendom ten minste 6,5m vanaf die middellyn van die straat teruggesit moet word;
- (ii) Waar spesiale omstandighede geld, mag die Raad 'n groter terugset vereis; en
- (iii) Die algemene bepalings van 16.2 geld.

(e) **Boulyne**

- (i) Die straatboulyn is 0 m, behalwe in die geval van brandstofpompe waar 'n boulyn van 3,5 m geld;
- (ii) Die syboulyn is 0 m, behalwe waar 'n Hawesone aan enige ander sone grens, in welke geval die syboulyn 3,0 m sal wees;
- (iii) Die agterboulyn is 3,0 m behalwe waar 'n Hawesone aan 'n ander sone grens, in welke geval die agterboulyn 4,5 m sal wees;
- (iv) Met dien verstande dat die Raad, in belang van openbare gesondheid en veiligheid, of die omgewing, of om enige toepaslike wet of reg af te dwing, groter boulyne mag voorskryf; en
- (v) Die boulynvystellings van 16.1 sal geld.

(f) **Parkering en toegang**

Parkering en toegang sal ooreenkomstig 17.1 op die grondeenheid voorsien word.

(g) **Laaiplekke**

Laaiplekke sal ooreenkomstig 17.2 op die grondeenheid voorsien word.

(h) **Afskerming**

- (i) Die Raad mag afskerming ooreenkomstig 16.7 vereis; en
- (ii) Waar `n Hawesone aan `n woonsone grens, moet `n geskikte muur van ten minste 1,8 m hoog opgerig word.

Dorphaniskemas

11.3.7 Die ontwikkelingsreëls soos in 6.3.2 is van toepassing.

Informele handel

11.3.8 Informele handel sal slegs toegelaat word op persele wat in terme van `n diagram, wat deur `n paslik-gekwalfiseerde landmeter opgestel en aan die Raad vir goedkeuring voorgelê is, vir informele handel afgemerk is, of wat in ooreenstemming met die Raad se regulasies oor informele handel is.

Terreinontwikkelingsplan

11.3.9 Die Raad mag vereis dat `n terreinontwikkelingsplan vir goedkeuring ooreenkomstig 16.3 ingedien moet word.

HOOFSTUK 12: OOPRUIMTE- EN NATUURSONES

12.1 OOPRUIMTESONE 1: NATUURRESERVAAT (OS1)

Gebruik van die eiendom

12.1.1 Die volgende gebruiksbepelkings is op eiendom in hierdie sone van toepassing:

- (a) **Primêre gebruike** is: natuurreservaat;
- (b) **Vergunningsgebruike** is: dak-basisstasie, nutsdiens, omgewingsfasiliteite, toeriste-akkommodasie, toeristefasiliteite, transmissietoring, wooneenhede, enige ander verwante gebruik wat die Raad mag toelaat.

Ontwikkelingsreëls

12.1.2 Die volgende ontwikkelingsreëls is van toepassing:

- (a) `n Terreinontwikkelingsplan moet ooreenkomstig 16.3 tot die Raad se tevredenheid ingedien word;
- (b) Die Raad mag `n omgewingstudie en/of omgewingsbestuursplan in terme van 16.4 vereis;
- (c) Die Raad moet die ontwikkelingsreëls ten opsigte van `n grondeenheid bepaal wanneer:
 - (i) die sonering van `n grondeenheid na hierdie sone goedgekeur word;
 - (ii) enige omgewingsimpakverslag oorweeg word;
 - (iii) enige omgewingsbestuursplan oorweeg word;
 - (iv) enige terreinontwikkelingsplan goedgekeur word;
 - (v) voor die goedkeuring van enige bouplan of ingenieursdienste; en
- (d) Indien die Raad dit nodig sou ag, mag geboue of strukture met sy skriftelike toestemming opgerig word, met dien verstande dat die Raad voorwaardes met betrekking tot ontwerp, argitektuur en ontwikkelingspara

12.2 OOPRUIMTESONE 2: OPENBARE OOPRUIMTE (OS2)

Gebruik van eiendom

12.2.1 Die volgende gebruiksbepelings is op eiendom in hierdie sone van toepassing:

- (a) **Primêre gebruike** is: openbare oopruimte;
- (b) **Vergunningsgebruike** is: begraafplaas, dak-basisstasie, nutsdiens, omgewingsfasiliteite, ontspanningsgeriewe, toeristefasiliteite, transmissietoring, stedelike landbou, enige ander verwante gebruik wat die Raad mag toelaat.

Ontwikkelingsreëls

12.2.2 Die volgende reëls is van toepassing:

- (a) `n Terreinontwikkelingsplan moet in terme van 16.3 tot die Raad se tevredenheid ingedien word;
- (b) Die Raad mag `n omgewingstudie en/of omgewingsbestuursplan in terme van 16.4 vereis;
- (c) Die Raad moet die ontwikkelingsreëls wat van toepassing sal wees, bepaal wanneer:
 - (i) die sonering van `n grondeenheid na hierdie sone goedgekeur word;
 - (ii) enige omgewingsimpakverslag oorweeg word;
 - (iii) enige omgewingsbestuursplan oorweeg word;
 - (iv) enige terreinontwikkelingsplan goedgekeur word;
 - (v) voor die goedkeuring van enige bouplanne of ingenieursdienste.
- (d) Geen struktuur sal opgerig word, of gebruik beoefen word, behalwe dit wat met "openbare oopruimte" soos omskryf, versoenbaar is nie; en
- (e) Indien die Raad dit nodig sou ag, mag geboue of strukture met sy skriftelike toestemming opgerig word, met dien verstande dat die Raad voorwaardes met betrekking tot ontwerp, argitektuur en ontwikkelingsparameters mag ople.

12.3 OOPRUIMTESONE 3: PRIVAAT OOPRUIMTE (OS3)

Gebruik van die eiendom

12.3.1 Die volgende gebruiksbeperkings is op eiendom in hierdie sone van toepassing:

- (a) **Primêre gebruike** is: privaat oopruimte;
- (b) **Vergunningsgebruike** is: begraafplaas, dak-basisstasie, nutsdiens, omgewingsfasiliteite, ontspanningsgeriewe; stedelike landbou, toeriste-akkommodasie, toeristefasiliteite, transmissietoring.

Ontwikkelingsreëls

12.3.2 Die volgende ontwikkelingsreëls is van toepassing:

- (a) `n Terreinontwikkelingsplan moet, tot die Raad se tevredenheid, in terme van 16.3 ingedien word;
- (b) Die Raad mag `n omgewingstudie en/of omgewingsbestuursplan in terme van 16.4 vereis;
- (c) Die Raad moet die ontwikkelingsreëls wat van toepassing sal wees, bepaal wanneer:
 - (i) die sonering van `n grondeenheid na hierdie sone goedgekeur word;
 - (ii) enige omgewingsimpakverslag oorweeg word;
 - (iii) enige omgewingsbestuursplan oorweeg word;
 - (iv) enige terreinontwikkelingsplan goedgekeur word;
 - (v) voor enige bouplan of ingenieursdienste goedgekeur word;
- (d) Geen struktuur sal opgerig word, of gebruik beoefen word, behalwe dit wat met "privaat oopruimte" soos omskryf, versoenbaar is nie; en
- (e) Indien die Raad dit nodig sou ag, mag geboue of strukture met sy skriftelike toestemming opgerig word, met dien verstande dat die Raad voorwaardes met betrekking tot ontwerp, argitektuur en ontwikkelingsreëls mag ople.

HOOFSTUK 13: OORDSONE

13.1 OORDSONE 1: VAKANSIE-OORDE (RZ1)

Gebruik van die eiendom

13.1.1 Die volgende gebruiksbepelings is op eiendom in hierdie sone van toepassing:

- (a) **Primêre gebruike** is: bewaringsgebruik, privaat oopruimte, privaatpad, toeriste-akkommodasie, vakansie-akkommodasie;
- (b) **Vergunningsgebruike** is: bykomende wooneenhede, dak-basisstasie, hotel, konferensiegeriewe, ontspanningsgeriewe, plek van samekoms, plek van vermaak, restaurant, toeristefasiliteite, transmissietoring, vakansie-huisvesting, enige ander gebruik soos deur die Raad bepaal.

Ontwikkelingsreëls

13.1.2 Die volgende ontwikkelingsreëls is van toepassing:

- (a) Die Raad sal ontwikkelingsreëls met betrekking tot digtheid, hoogte, dekking, uitleg, gebou-ontwerp, landskapering, parkering, toegang, aanwysingsborde en die gebruik van eiendom neerlê wanneer:
 - (i) die sonering van `n grondeenheid na hierdie sone goedgekeur word;
 - (ii) enige omgewingsimpakverslag oorweeg word;
 - (iii) enige omgewingsbestuursplan oorweeg word;
 - (iv) enige terreinontwikkelingsplan en landskap-meesterplan goedgekeur word; en
 - (v) voor enige bouplan of ingenieursdiensteplan goedgekeur word.
- (b) `n Terreinontwikkelingsplan moet vir goedkeuring ooreenkomstig 16.3 by die Raad ingedien word;
- (c) `n Landskap-meesterplan en `n omgewingsbestuursplan moet in terme van 16.4 by die Raad ingedien en goedgekeur word; en
- (d) Die Raad sal bepaal watter dienste en ander infrastruktuur vir die oord nodig sal wees.

Identifikasie van die Gesoneerde Gebied

13.1.3 Mits die Raad tevrede is dat die voorgestelde gebruik of aktiwiteit wenslik is, mag hy `n oordsonering op `n gedeelte van `n grondeenheid goedkeur, met dien verstande dat:

- (a) Die gedeelte wat by die aktiwiteit betrokke sal wees, duidelik op `n opmetingsdiagram, of ander plan wat deur `n paslik-gekwalfiseerde persoon tot die Raad se tevredeheid opgestel is, en deur die Raad geëndoseer is, aangetoon moet word; en
- (b) Die gedeelte wat aldus geïdentifiseer is, duidelik op die soneringskaart gemerk sal word.

Vakansie-huisvesting

13.1.4 Die volgende, bykomende ontwikkelingsreëls is op vakansie-huisvesting van toepassing:

- (a) Vakansie-huisvesting sal nie meer as 50%, of `n laer persentasie soos deur die Raad bepaal, van die totale eenhede op die betrokke eiendom uitmaak nie;
- (b) Die hoogtebeperking wat in hierdie sone sal geld, sal deur die Raad bepaal word, maar is beperk tot `n maksimum van twee verdiepings; en
- (c) `n Huiseienaarsvereniging sal gevestig word en, in die geval van vakansie-huisvesting moet die grondwet daarvan, vir goedkeuring aan die Raad voorgelê word.

Bykomende wooneenhede

13.1.5 Die Raad mag bykomende wooneenhede toelaat, met dien verstande dat:

- (a) Die Raad tevrede is dat die bykomende wooneenhede bestem is vir die normale akkommodasie van werknemers van die oord, wat aktief by die normale oordpraktik op die eiendom betrokke is;
- (b) Hierdie eenhede as `n integrale deel van die oord ontwerp sal word; en
- (c) Onderworpe sal wees aan die ontwikkelingsreëls wat deur die Raad neergelê is.

Terreinontwikkelingsplan

13.1.6 Die Raad mag vereis dat `n terreinontwikkelingsplan vir goedkeuring ooreenkomstig 16.3 ingedien moet word.

Omgewingsbestuursplan

13.1.7 Die Raad mag vereis dat `n omgewingsbestuursplan ooreenkomstig 16.4 ingedien word.

HOOFSTUK 14: SPESIALE SONES

14.1 ONDERVERDELINGSGBIEDSONE (SA)

Ontwikkelingsreëls

14.1.1 Die volgende ontwikkelingsreëls is van toepassing:

- (a) Die sonering van `n grondeenheid as Onderverdelingsgebied, sal nie `n eienaar vrywaar van die nakoming van die bepalings van enige, toepaslike beplanningswette wat die onderverdeling van grond beheer nie;
- (b) Die digtheidsbepalings en ander voorwaardes wat met die goedkeuring van die sonering as Onderverdelingsgebied opgelê is, sal van toepassing wees, en kan die volgende insluit maar is nie daartoe beperk nie: vereistes vir `n ontwikkelingsraamwerk, omgewingstudie en/of omgewingsbestuursplan, vervoer-impakstudie, landskapmeesterplan, buurtplan of terreinontwikkelingsplan;
- (c) Enige plan van onderverdeling wat ten opsigte van `n grondeenheid, wat as Onderverdelingsgebied gesoneer is, ingedien word, sal die bedoelde sonering van elke voorgestelde onderverdeling of grondgedeelte stipuleer, en sal `n sleutel bevat wat `n kleurskema en sonering ooreenkomstig die soneringskema insluit, en sal behoorlik genommer wees. Dit mag ook die sonering as Onderverdelingsgebied behou ten opsigte van bepaalde grondgedeeltes wat op later stadiums verder onderverdeel en ontwikkel sal word, met dien verstande dat die Raad sodanige, bykomende inligting mag versoek as wat hy mag nodig ag vir insluiting in die plan van onderverdeling; en
- (d) By bevestiging van die onderverdeling van eiendom wat as Onderverdelingsgebied soneer is, sal die soneringsvoorskrifte wat deur die Raad as goedkeuringsvoorwaardes vir die onderverdeling opgelê is, as `n vervangingskema geag word.

14.2 SPESIALE SONE (SZ)

Gebruik van eiendom

14.2.1 Die volgende gebruiksbepelings is op eiendom in hierdie sone van toepassing:

- (a) **Primêre gebruik** is: geen;
- (b) **Vergunningsgebruik** is: spesiale gebruik, wat beteken enige ander gebruik soos deur die Raad bepaal wanneer `n Spesiale Sone deur hom goedgekeur word, en waarvoor daar nie onder `n primêre gebruik in die skema voorsien word nie.

Ontwikkelingsreëls

14.2.2 Die Raad sal die ontwikkelingsreëls bepaal wanneer die gebruik van grond goedgekeur word, met dien verstande dat:

- (a) Spesiale faktore bestaan wat die skep van spesiale ontwikkelingsreëls vir `n eiendom regverdig, maar nie die skep van `n nuwe sone in hierdie skema regverdig nie;
- (b) Wanneer die Raad `n aansoek vir `n Spesiale Sone toestaan, moet die Raad die ontwikkelingsreëls met betrekking tot maksimum vloerruimte, dekking, hoogte, boulyne, parkering, digtheid, uitleg en gebruik van die eiendom neerlê;
- (c) Die Raad mag die ontwikkelingsreëls by wyse van `n Spesiale-sone Bylaag of `n Spesiale-sone Terreinontwikkelingsplan bepaal; en
- (d) Spesiale-sone Bylae en Spesiale-sone Terreinontwikkelingsplanne moet deur die Raad aanvaar word, en mag deur hom by wyse van `n raadsbeluit gewysig word, en vereis nie die formele wysiging van die soneringskema nie.

Spesiale Sone Bylae

14.2.3 Wanneer die Raad die metodiek van Spesiale-sone Bylaag aanvaar om ontwikkelingsbeheer toe te pas, moet die Raad:

- (a) Die betrokke gebied by wyse van `n afsonderlike nommer op die soneringskaart identifiseer, en moet dit die ontwikkelingsreëls wat op die gebied betrekking het, in `n afsonderlike Spesiale Sone as `n bylaag tot hierdie soneringskema uiteensit;
- (b) Aan elke Spesiale Sone, ten opsigte waarvan die ontwikkelingsreëls uniek is, `n afsonderlike nommer toeken, en elke nommer moet, tesame met die gepaardgaande ontwikkelingsreëls as `n afsonderlike Spesiale Sone in die bylae tot die soneringskema opgeneem word; en
- (c) `n Lys van al die spesiale-sone bylae, wat in terme van hierdie soneringskema geskep is, saamstel en in Bylaag B vertoon.

Terreinontwikkelingsplanne vir Spesiale Sones

14.2.4 Wanneer die Raad ontwikkelingsbeheer by wyse van terreinontwikkelingsplanne in `n Spesiale Sone uitoefen, moet die Raad:

- (a) Die betrokke gebied by wyse van `n afsonderlike nommer op die soneringskaart aantoon en moet dit vereis dat `n terreinontwikkelingsplan ooreenkomstig 16.6 ingedien word;
- (b) Die verwysingsnommer van die terreinontwikkelingsplan wat deur die Raad goedgekeur is, registreer; en
- (c) `n Lys van al die terreinontwikkelingsplanne, wat in terme van hierdie soneringskema vir spesiale sones goedgekeur is, saamstel en dit in Bylaag B vertoon.

Landskapmeesterplan

14.2.5 Die Raad mag vereis dat `n landskapmeesterplan ooreenkomstig 16.3 ingedien moet word..

Omgewingsbestuursplan

14.2.6 Die Raad mag vereis dat `n omgewingsbestuursplan ooreenkomstig 16.4 ingedien moet word.

14.3 ONBEPAALE SONE (U)

Gebruik van eiendom

14.3.1 Die volgende gebruiksbepelings is op eiendom in hierdie sone van toepassing:

- (a) **Primêre gebruike** is beperk tot wettige gebruike wat ten tye van die aanvangsdatum bestaan het;
- (b) **Vergunningsgebruike** is: geen.

Ontwikkelingsreëls

14.3.2 Geen verandering van die bestaande gebruik, of vergroting van `n bestaande gebou of struktuur, is toelaatbaar nie.

Geen Hersonering na hierdie Sone toegelaat nie

14.3.3 Na die aanvangsdatum van hierdie soneringskema word geen hersonering van enige eiendom na hierdie sone toegelaat nie, en

14.3.4 Wanneer bykomende gebruike of ontwikkelingsregte vereis word, moet `n hersoneringsaansoek na `n ander, meer paslike sone in terme van hierdie soneringskema, geprosesseer word

Herkonstruksie van Vernietigde Eiendom

14.3.5 Eiendom wat in geheel, of gedeeltelik, deur onvoorsiene oorsake vernietig is, mag in ooreenstemming met die ontwikkelingsreëls wat ten tye van die aanvangsdatum van hierdie soneringskema bestaan het, herbou word, met dien verstande dat bouplanne vir sodanige herkonstruksie binne 12 maande na die datum van die onvoorsiene vernietiging goedgekeur word.

GEDEELTE 3: OORLEGSONES

HOOFSTUK 15: ALGEMENE REËLS VIR OORLEGSONES

15.1 PROSEDURES VIR OORLEGSONES

Aanname of Wysiging van Oorlegsones

- 15.1.1 Die Raad mag oorlegsones vir bepaalde gebiede voorberei, goedkeur, wysig of skrap ten einde:
- uitdrukking aan die plaaslike behoeftes en waardes van die betrokke gemeenskappe in `n beplanningskonteks te gee;
 - volhoubare ontwikkeling te bevorder en op die geldende, stedelike- en bewaringswerklikhede van `n bepaalde gebied te reageer; en
 - op bepaalde tipes van ontwikkeling, stadsvorm, landskapkarakter of omgewingseienskappe te reageer, met dien verstande dat die Raad tevrede is dat die bovermelde doelwitte paslik is vir die betrokke gebied, en dat die bereiking daarvan nie die vermoë van die Raad om na die behoeftes van die munisipale gebied as `n geheel om te sien, sal strem nie.
- 15.1.2 Wanneer die Raad van voorneme is om `n oorlegsones te aanvaar, te verander of te skrap, sal die munisipale bestuurder:
- toesien dat die voorgestelde aanvaarding, wysiging of skrapping ooreenkomstig die openbare oorlegplegingsbeleid van die Raad geadverteer word, en belanghebbende partye aldus die geleentheid gebied word om geskrewe kommentaar of besware, binne `n periode van nie minder as dertig dae vanaf datum van die advertensie, aan die munisipale bestuurder te lewer;
 - die toepaslike kommentaar van enige staatsinstansie verkry wat na sy of haar mening `n belang by die betrokke oorlegsones mag hê;
 - die voorgestelde oorlegsones, wysiging of skrapping en alle tersaaklike dokumentasie vir oorweging en besluit aan die Raad voorlê;
 - alle persone wat binne die voorgeskrewe tydperk kommentaar op die aanvaarding, wysiging of skrapping van die oorlegsones gelewer het, van die Raad se besluit in kennis stel; en
 - die aanvaarding, wysiging of skrapping by wyse van kennisgewing in die pers bekend maak, en ook bevestig by watter munisipale kantoor die betrokke dokumentasie deur belanghebbende partye geïnspekteer mag word.

Identifikasie en nommering

- 15.1.3 Wanneer `n oorlegsones of enige subsone aanvaar word, sal die Raad `n onderskeidende naam en nommer vir die oorlegsones of subsone goedkeur.
- 15.1.4 Die Raad sal die gebied van `n oorlegsones op die soneringskaart aantoon en:
- sal die bestaan van `n oorlegsones in Bylaag C van hierdie soneringskema aanteken met verwysing na die plek waar enige besonderhede van die bepalinge van die oorlegsones gevind kan word; en

- (b) sal die gedetailleerde bepalings van die oorlegsone in `n afsonderlike Aanhangseldokument aanteken met kruisverwysing in daardie dokument na die betrokke bylaag.

15.2 STATUS VAN OORLEGSONES

Status van oorlegsones

- 15.2.1 `n Oorlegsone is bykomend tot die basissone (of onderliggende sone) van die betrokke eiendomme waarop dit betrekking het, van toepassing, en mag die ontwikkelingsreëls ten opsigte van sodanige eiendomme varieer.
- 15.2.2 Die bepalings van `n oorlegsone mag meer beperkend of meer toegeeflik wees as die bepalings ten opsigte van die basissone van die betrokke eiendom.
- 15.2.3 Indien die bepalings van die oorlegsone verskil van, of teenstrydig is met, die bepalings van die basissone, sal die mees beperkende bepalings geld tensy dit in die oorlegsone anders gestel word.
- 15.2.4 Die bepalings van `n oorlegsone doen geensins afbreuk aan enige verpligtinge in terme van nasionale of provinsiale wetgewing nie.

GEDEELTE 4: ALGEMENE BEPALINGS

HOOFSTUK 16 : ALGEMENE BEPALINGS VAN TOEPASSING OP ALLE SONES

16.1 OORSKRYDING VAN BOULYNE

Oorskryding van boulyne

16.1.1 Wanneer boulyne oorskry word, geld die volgende, bykomende ontwikkelingsreëls:

Algemene oorskrydings

- (a) Nieteenstaande die boulynvereistes soos in Gedeelte 2 uiteengesit, mag die volgende strukture of gedeeltes van strukture oor die voorgeskrewe boulyne opgerig word, mits dit nie die erfgrense oorskry nie:
- (i) grensmure, keermure, skermure, heinings en hekke wat nie 2,1 m in hoogte bokant die bestaande grondvlak teen sodanig muur oorskry nie;
 - (ii) oop en onoordekte stoepe wat laer as 1,0 m bokant die bestaande grondvlak is;
 - (iii) toegangstrappe, oorlope en ingangsportale wat laer as 1,0 m bokant die bestaande grondvlak is;
 - (iv) 'n oordekte voetganger-ingang of hekhuisie waarvan die onderdakgrootte nie meer as 5,0 m² is nie en die dakhoogte, vanaf vloer tot hoogste punt van die dak, nie meer as 3,0 m is nie;
 - (v) dakoorhange en sonskerms wat nie meer as 1,0 m vanaf die muur van die gebou projekteer nie;
 - (vi) kroonlyste, skoorsteenborste, blombakke, waterpype, dreinpype en mindere, dekoratiewe elemente wat nie meer as 500 mm vanaf die muur van die gebou projekteer nie;
 - (vii) skermure wat nie hoër as 2,1 m bokant die bestaande grondvlak langs sodanige muur is nie;
 - (viii) swembaddens wat nie nader as 1,0 m van enige grens is nie met dien verstande dat waar 'n swembad nader aan die erfgrens ontwerp word, 'n ingenieursertifikaat vereis word;
 - (ix) 'n kelder, met dien verstande dat die bokant van die kelder se dakblad nie bokant die bestaande grondvlak projekteer nie;
 - (x) 'n vulliskamer waarvan die oppervlakte nie 5,0 m², en indien deur 'n dak oordek, die dakhoogte nie 3,0 m oorskry nie, of soos in terme van 17.4 deur die Raad vereis word; en
 - (xi) ongeag die hoogte daarvan, mag geen oop, geboude braai- plekke binne die boulyne opgerig word nie.

Oorskryding van die sy- en agterboulyne

- (b) Die Raad mag die oprigting van 'n buitegebou, wat die sy- en agterboulyne oorskry, goedkeur, met dien verstande dat:
- (i) geen gebou 'n hoogte van een verdieping sal oorskry nie;

- (ii) geen muur op die erfrens mag hoër as 3,5 m bokant die bestaande grondvlak wees nie, met dien verstande dat die hoogte teen `n hoek van 40 grade weg van sodanige grens mag toeneem;
- (iii) die lengte van die struktuur nie meer as een-derde van die betrokke erfrenslengte of 9,0 m mag oorskry nie, wat ookal die minste is;
- (iv) geen deure of vensters in enige muur toegelaat sal word, wat nader as 1,0 m van die sy- of agtergrens is nie;
- (v) in die geval waar `n erf vanaf `n privaat straat toegang verkry, `n toegang van ten minste 1,0 m wyd, vanaf die privaat straat na elke vakante gedeelte van die grondeenheid, behalwe `n binneplaas, voorsien sal word;
- (vi) geen afloop van reënwater vanaf `n dak direk op aangrensende eiendomme gestort sal word nie;
- (vii) die buitegebou ingesluit sal word by die berekening van die dekking op die grondeenheid;
- (viii) die Raad teverede is dat die struktuur nie `n brandgevaar inhou nie en van gepaste materiaal tot sy tevredenheid gebou is; en
- (ix) waar die geskrewe toestemming van die onmiddellike bure verkry is, die Raad nie die aansoek verder hoef te adverteer nie.

Oorskryding van die straatboulyn

- (c) Die Raad mag onder die volgende omstandighede die straatboulyn verslap:
 - (i) indien daar, in die geval van `n motorhuis of motorafdak, aan 16.1.2 voldoen word;
 - (ii) indien, na sy mening, die argitektoniese effek van die verslapping tot die voorkoms van die straat sal bydra;
 - (iii) indien, na sy mening, spesiale omstandighede bestaan wat tot die Raad se bevrediging deur die eienaar gemotiveer is, soos byvoorbeeld die topografie van die perseel; en
 - (iv) indien alle ander geboue en buitegeboue aan die voorgeskrewe straatboulyn in die betrokke sone voldoen.

Motorhuise en motorafdakke binne die boulyne

16.1.2 Die volgende ontwikkelingsreëls geld ten opsigte van motorhuise en motorafdakke binne die boulyne:

- (a) Die Raad mag die oprigting van `n motorhuis binne die straatboulyn toelaat indien dit, na sy mening, vanweë die helling van die grondeenheid of ander redes verskaf, nie redelikerwys op die voorgeskrewe afstand opgerig kan word nie; op voorwaarde dat:
 - (i) die hoogte van sodanige motorhuis, vanaf die natuurlike grondvlak tot die bopunt van die dak, nie 4,5 m oorskry nie; en
 - (ii) die motorhuis nie nader as 5,0 m vanaf die randsteen of padoppervlakte mag wees nie.
- (b) `n Motorafdak mag binne die straatboulyn opgerig word, op voorwaarde dat:

- (i) die wydte van sodanige motorafdak nie 6,5 m sal oorskry nie;
- (ii) die dak van die motorafdak ondersteun sal word deur metaal- of houtstutte of pilare van baksteen, beton of ander messelwerk;
- (iii) die motorafdak nie op enige sy toegemaak sal wees nie behalwe deur:
- (iv) `n grensheining of –muur;
- (v) `n muur wat die eksterne muur van `n gebou uitmaak, of
- (vi) `n sekerheids- of geoutomatiseerdehek;
- (vii) die hoogte van sodanige motorafdak, gemeet vanaf die natuurlike grondvlak tot die hoogste punt van die struktuur binne die boulyn, mag nie 3,0 m oorskry nie maar mag teen `n hoek van 40 grade weg van sodanige grens toeneem;
- (viii) Die kante van die dakplate met `n fassieplank van ten minste 150 mm breedte, afgewerk moet word; en
- (ix) Die Raad sodanige strukture slegs mag oorweeg indien alle geaffekteerde partye toestemming daartoe verleen het.

16.2 TERUGSETTE

16.2.1 Tensy die eienaar die betrokke gedeeltes vry van enige koste aan die Raad oordra, sal daardie gedeeltes van `n grondeenheid wat binne `n terugsetgebied geleë is, by die bepaling van dekking en maksimum vloerruimte uitgesluit word. In die geval waar dit aan die Raad oorgedra word, sal die gedeeltes vir die doeleindes om dekking en maksimum vloerruimte op die grondeenheid te bepaal, ingesluit word.

16.3 TERREINONTWIKKELINGSPLANNE

16.3.1 Die Raad mag vereis dat `n terreinontwikkelingsplan vir enige grondeenheid tot sy tevredenheid ingedien moet word, met dien verstande dat:

- (a) die terreinontwikkelingsplan nie onredelik afgekeur sal word as dit in ooreenstemming is met die ontwikkelingsreëls wat in terme van `n basissone, oorlegsone of hersoneringsgoedkeuring goedgekeur is nie; maar
- (b) die Raad mag vereis dat die detail van die terreinontwikkelingsplan gewysig moet word ten einde redelike besorgdheid oor toegang, parkering, argitektoniese vorm, stadsontwerp, landskapering, omgewingsbestuur, ingenieursdienste of soortgelyke aangeleentheid aan te spreek; en
- (c) die Raad mag reël dat die terreinontwikkelingsplan geadverteer moet word, indien hy van mening is dat die advertering van die voorgestelde ontwikkeling in die openbare belang is.

16.3.2 Die volgende bepalings sal ten opsigte van terreinontwikkelingsplanne geld:

- (a) Tensy die Raad daartoe instem om sekere vereistes ter syde te stel, sal die terreinontwikkelingsplan al die detail aantoon waarna in die woordoms krywing van "terreinontwikkelingsplan" verwys word;

- (b) Indien die Raad dit nodig ag, mag hy `n gepaardgaande vervoer-impakbepaling, waarvan die omvang ooreenkomstig die grootte van die ontwikkeling deur hom bepaal sal word, saam met die terreinontwikkelingsplan vereis;
- (c) Indien die Raad dit nodig ag, mag hy `n stormwaterraming en -bestuursplan, waarvan die omvang ooreenkomstig die grootte van die ontwikkeling deur hom bepaal sal word, tesame met die terreinontwikkelingsplan vereis;
- (d) Die Raad mag `n terreinontwikkelingsplan, wat vir sy goedkeuring ingedien is, goedkeur, of wysigings aanvra voor hy dit goedkeur, of dit afkeur.
- (e) Waar `n terreinontwikkelingsplan in terme van hierdie soneringskema vereis word, sal geen bouplangoedkeuring in terme van die Wet op Nasionale Bouregulasies en Boustandaarde deur die Raad verleen word, tensy die terreinontwikkelingsplan eers goedgekeur is nie;
- (f) Die eiendom sal algemeen in ooreenstemming met die terreinontwikkelingsplan, soos deur die Raad goedgekeur, en tot die tevredenheid van die Raad ontwikkel word;
- (g) Aansoek mag by die Raad gedoen word vir die wysiging van `n goedgekeurde terreinontwikkelingsplan;
- (h) Die Raad sal `n aansoek vir die goedkeuring of wysiging van `n terreinontwikkelingsplan prosesseer ooreenkomstig sy beleid ten opsigte van deursigtigheid, openbare oorlegpleging en administrasie van sodanige aansoeke; en
- (i) Wanneer `n terreinontwikkelingsplan of wysiging van `n terreinontwikkelingsplan deur hom goedgekeur word, mag die Raad voorwaardes van goedkeuring oplê.

16.4 OMGEWINGSBESTUURSPLANNE

16.4.1 Die volgende bepalings sal ten opsigte van omgewingsbestuursplanne geld:

- (a) Tensy die Raad instem om sekere vereistes ter syde te stel, sal `n omgewingsbestuursplan al die inligting bevat waarna in die woordoms krywing van "omgewingsbestuursplan" verwys word;
- (b) `n Omgewingsbestuursplan moet deur `n paslik-gekwalifiseerde of geregistreerde omgewingspesialis opgestel word;
- (c) Die Raad mag `n omgewingsbestuursplan wat vir sy goedkeuring ingedien word, goedkeur, of wysigings daaraan vereis, of dit afkeur;
- (d) Wanneer `n omgewingsbestuursplan in terme van hierdie soneringskema vereis word, sal geen terreinwerke toegelaat word, en geen aansoek vir die onderverdeling van grond, oordrag van grondeenhede, of bouplangoedkeuring in terme van die Wet op Nasionale Bouregulasies en Boustandaarde, deur die Raad toegestaan word alvorens die omgewingsbestuursplan eers goedgekeur is nie;
- (e) Die eiendom sal algemeen in ooreenstemming met die omgewingsbestuursplan soos deur die Raad goedgekeur, en tot die tevredenheid van die Raad ontwikkel en bestuur word;
- (f) Aansoek vir die wysiging van `n goedgekeurde omgewings- bestuursplan, mag by die Raad ingedien word;

- (g) Die Raad sal `n aansoek vir die goedkeuring of wysiging van `n omgewingsbestuursplan prosessee ooreenkomstig sy beleid ten opsigte van deursigtigheid, openbare oorlegpleging en administrasie van sodanige aansoeke; en
- (h) Wanneer `n omgewingsbestuursplan, of wysiging van `n omgewingsbestuursplan deur hom goedgekeur word, mag die Raad voorwaardes van goedkeuring oplê.

16.5 EIENAARSVERENIGING OF REGSPERSOON

- 16.5.1 Wanneer die Raad vereis dat `n eienaarsvereniging vir enige ontwikkeling gevestig moet word, mag `n eienaarsvereniging in terme van die Beplanningswetgewing, of `n regspersoon in terme van die Wet op Deeltitels hierdie vereiste bevredig.
- 16.5.2 Bykomend tot die vereistes van enige ander wet, sal die volgende bepalings ten opsigte van `n eienaarsvereniging of regspersoon ingevolge hierdie soneringskema geld:
- (a) Iedere eienaar van eiendom in die ontwikkeling ten opsigte waarvan die eienaarsvereniging of regspersoon geld, sal `n lid van die eienaarsvereniging of regspersoon wees;
 - (b) Die eienaarsvereniging of regspersoon sal alle gemeenskaplike eiendom wat deur hom besit word, met inbegrip van privaat paaie, privaat nutsdienste en infrastruktuur, privaat oopruimte en omheining op die buitengrense, in stand hou;
 - (c) Die eienaarsvereniging of regspersoon sal verantwoordelik wees vir die beheer oor, en nakoming van, die ontwerpvereistes wat in terme van sy grondwet of artikels van assosiasie goedgekeur is; en
 - (d) Die grondwet of artikels van assosiasie moet die verantwoordelikhede en vereistes van die huiseienaarsvereniging of regspersoon, met betrekking tot die volgende duidelik uiteensit: indiening van bouplanne, afwykings van goedgekeurde ontwikkelingsriglyne en ontwikkelingsreëls, asook die nodigheid vir enige endossement deur die huiseienaarsvereniging of raad van trustees, van enige aansoek wat deur `n huiseienaar by die Raad ingedien mag word; voorts met dien verstande dat:
 - (i) niks in hierdie bepaling die Raad sal verhinder om `n aansoek te adverteer ten opsigte waarvan hy van mening is dat dit in die openbare belang is, en dat endossement deur die huiseienaarsvereniging of die raad van trustees, wat ookal die geval mag wees, nie die Raad dwing om die aansoek goed te keur nie.

16.6 GRENSMURE, GRONDWALLE EN KEERSTRUKTURE

- 16.6.1 Geen grensmuur of -heining sal, sonder die skriftelike goedkeuring van die Raad, `n hoogte van 1,8 m bokant die bestaande grondhoogte langs sodanige muur of heining oorskry nie, met dien verstande dat waar die grondvlakke aan weerskante van die muur of heining verskil, die hoogte van die muur of heining vanaf die hoër grondvlak gemeet sal word.
- 16.6.2 Sonder skriftelike toestemming van die Raad vooraf:

- (a) sal geen grondwal, keerstruktuur, kolom, gesuspendeerde vloer, ander item of reeks van sodanige items, gebou word wat `n grondvloer van `n gebou in staat stel om meer as 1,5 m bokant die basisvlak gelig te word nie;
- (b) sal geen grondwal of keerstruktuur wat gebruik word om grond of los rots terug te hou, hetsy dit met `n gebou geassosieer word aldan nie, tot `n hoogte van meer as 1,5 m bokant die basisvlak gebou word nie; en
- (c) sal geen reeks van grondwalle of keerstrukture tot `n kumulatiewe hoogte van meer as 1,5 m bokant die basisvlak gebou word nie, tensy `n ongeveer-gelyk vlak van ten minste 3,0 m wyd, tussen opeenvolgende walle of keerstrukture vir elke 1,5 m van die kumulatiewe hoogte voorsien word nie.

16.7 AFSKERMING

16.7.1 Die Raad mag afskerming in ooreenstemming met die volgende vereis:

- (a) Enige gedeelte van die grondeenheid wat vir die stoor of laai van goedere gebruik word, sal deur `n geskikte muur en/of landskap-skerm afgeskerm word; en
- (b) Enige eksterne nutsdiens of toerusting wat vir `n gebou benodig word, sal op paslike wyse van die sig vanaf `n openbare straat afgeskerm word, en sodanige skerm sal in terme van die materiale, kleur, vorm en grootte daarvan, met die gebou geïntegreer word, en sal tot die Raad se tevredenheid wees.

16.8 INSTANDHUDDING VAN EIENDOM EN PLASING VAN VOERTUIG

Instandhouding van eiendom

16.8.1 Eiendom sal behoorlik in stand gehou word deur die eienaar of bewoner en sal nie:

- (a) in `n verwaarloosde of aanstootlike toestand gelaat word nie;
- (b) enige onooglike ophoping van papiere, kartonne, tuinvuilgoed, rommel en/of ander afvalmateriaal bevat nie;
- (c) `n opeenhoping van motorwrakke of gebruikte motor-onderdele bevat nie, tensy dit deel uitmaak van `n vergunningsgebruik in terme van hierdie soneringskema nie; of
- (d) enige boumateriaal, toerusting of ander soortgelyke items bevat wat in die buitelig gestoor word nie, tensy dit
 - (i) deel uitmaak van `n primêre of vergunningsgebruik in terme van hierdie soneringskema nie;
 - (ii) tydelik vir die doel van konstruksie ooreenkomstig `n geldige bouplangoedkeuring gestoor word nie; of
 - (iii) ter wille van `n werf- of motorhuisverkoping, wat nie langer as twee opeenvolgende dae sal duur nie, gestoor word.

Plasing van voertuie in Woonsones

16.8.2 Die volgende ontwikkelingsreëls geld ten opsigte van die plasing van voertuie op eiendom in die Enkelwoon- en Algemene Woonsones:

- (a) `n Motorvoertuig wat deur die bewoner van `n wooneenheid besit word, en vir kommersiële doeleindes weg van die wooneenheid gebruik word, mag op die eiendom waar die bewoner woon, geparkeer word, met dien verstande dat:
 - (i) daar voldoende ruimte op die betrokke eiendom is;
 - (ii) nie meer as een kommersiële voertuig per wooneenheid op die eiendom geparkeer sal word nie; en
 - (iii) die bruto gewig van enige sodanige, kommersiële voertuig nie 3 500 kg sal oorskry nie.
- (b) `n Ontspanningsvoertuig, soos `n karavaan, mag nie vir meer as 60 dae, gedurende enige periode van 12 maande, vir bewoning deur die bewoner of sy gaste gebruik word nie.

Mobiele Wonings

16.8.3 Die volgende ontwikkelingsreëls geld ten opsigte van die plasing van mobiele wonings op `n grondeenheid wat vir oord-doeleindes gesoneer is:

- (a) Die mobiele woning moet tot die tevredenheid van die Raad op `n fondamentblad geplaas en geanker word;
- (b) Soliede omranding van `n materiaal en kleur wat dié van die mobiele woning komplimenteer, moet rondom die woning, vanaf die onderkant daarvan, tot op grondvlak aangebring word;
- (c) Die materiaal van die dak en buitekante van die mobiele woning sal nie-reflekerend wees; en
- (d) Enige strukturele toevoegings sal van materiaal gemaak word, wat na die Raad se mening versoenbaar is met die mobiele woning.

16.9 ANDER REGULASIES, BELEID EN ONTWIKKELINGSKONTROLE VAN DIE RAAD

Voldoening aan Munisipale Regulasies

16.9.1 Die bepalings van hierdie soneringskema doen nie afbreuk aan die verpligting om enige ander munisipale regulasie na te kom nie.

Titelakte-beperkings

16.9.2 Beperkende titelvoorwaardes geniet voorrang bo die gebruiksregte en ontwikkelingsreëls wat deur hierdie soneringskema neergelê word.

Goedkeuringsvoorwaardes

- 16.9.3 Wanneer die Raad `n voorwaarde van goedkeuring ople wat bykomende ontwikkelingsreëls insluit, of die ontwikkelingsreëls soos vervat in hierdie soneringskema verder beperk, sal die ontwikkelingsreëls soos in die goedkeuring vervat, voorkeur bo die skema geniet, en moet dit in die register aangeteken word.

HOOFSTUK 17: PARKERING, LAAIERY EN INFRASTRUKTUUR

17.1 PARKEERVEREISTES

Buitestraatse Parkeervereistes

17.1.1 Tensy anders vermeld in hierdie soneringskema, geld die volgende vereistes ten opsigte van parkering buite die straat:

- (a) In gevalle waar geen parkeervereiste vir 'n bepaalde gebruik voorgeskryf word nie, of waar 'n bepaalde voorwaarde aldus deur die Raad opgelê is, sal parkering volgens die minimum vereistes voorsien word, soos uiteengesit in die volgende Tabel, getitel "Minimum Buitestraatse Parkeervereistes";
- (b) Die Raad sal die buitestraatse parkeervereistes bepaal ten opsigte van grondgebruike wat nie in die tabel "Minimum Buitestraatse Parkeervereistes" verskyn nie; en
- (c) Buitestraatse parkering sal soos volg voorsien word:
 - (i) op die eiendom waarvoor die parkering benodig word;
 - (ii) met die toestemming van die Raad, in openbare parkeerterreine wat in die omgewing beskikbaar is; of
 - (iii) ooreenkomstig 17.1.2.

Alternatiewe Parkeervoorsiening

17.1.2 As alternatief vir die nakoming van die buitestraatse parkeervereistes soos bepaal deur die soneringskema, mag 'n eienaar met die toestemming van die Raad:

- (a) 'n gedeelte grond bekom wat voldoende is om die permanente parkeervereistes elders na te kom, maar in 'n ligging wat die Raad goedkeur; of
- (b) permanente regte in parkeergeriewe of gedeelte van parkeergeriewe elders verkry, in 'n ligging wat die Raad goedkeur; en sal hy 'n notariële serwituut-akte teen sodanige grond of parkeergeriewe registreer om dit vir parkeerdoeleindes aan die betrokke eiendom te verbind, en die eienaar sal toesien dat die betrokke parkering tot die tevredenheid van die Raad, op sy koste, gebou en onderhou word. Die koste van registrasie van die serwituut sal deur die eienaar gedra word; of
- (c) in gevalle waar die voorsiening van parkering deur ander wetgewing of terreinspesifieke beperkings verhoed word, of waar 'n bydrae tot 'n goedgekeurde Munisipale parkeerfonds of projek vir die voorsiening van parkering gemaak word, 'n bedrag geld aan die Raad betaal wat gelyk is aan die waarde van die parkering wat volgens die betrokke sonering voorsien moet word, tesame met die konstruksiekoste daarvan.

Gekombineerde Parkeervereistes

17.1.3 Waar twee of meer grondgebruike 'n gemeenskaplike parkeerterrein deel, mag die Raad die hoeveelheid parkering wat vir die afsonderlike gebruike vereis sou word, verminder met dien verstande dat:

- (a) die Raad tevrede is dat die gebruik van dieselfde parkeerterrein deur die verskillende aktiwiteite nie gelyktydig sal wees nie; en
- (b) parkeerplekke wat vir gekombineerde gebruik bedoel is, mag nie vervolgens sonder die Raad se toestemming aan geselekteerde gebruike hertoegeken word nie.

MINIMUM BUITESTRAATSE PARKEERVEREISTES

Grondgebruik	Minimum Parkeervereiste
Woonhuis	2 op-perseel-parkeerplekke per wooneenheid maar verminder tot een parkeerplek op erwe kleiner as 400 m ²
Tweede woning	1 parkeerplek
Groephuis/dorphuis-skema	1 parkeerplek per wooneenheid plus 1 parkeerplek per woning vir besoekers
Woonstelle	1,5 parkeerplekke per eenslaapkamereenheid; 2 parkeerplekke vir eenhede met 2 of meer slaapkamers
Bed-en-ontbyt-ondernemings	2 parkeerplekke per onderneming (eienaar/bestuurder) plus 1 parkeerplek per gastekamer
Losieshuis, Gastehuis	1 parkeerplek per slaapkamer/2 persone gehuisves
Hotel	1 parkeerplek per slaapkamer plus `n bykomende 10 parkeerplekke per 100m ² van gedeelte met openbare toegang
Ouetehuis	1 parkeerplek per slaapkamer plus 0,25 parkeerplekke per bed vir verswaktes
Crèche	1 parkeerplek per 10 kinders plus `n stop-en-aflaai-fasiliteit waar `n crèche vir meer as 20 kinders voorsiening maak
Skool	1 parkeerplek per klaskamer of kantoor, plus `n stop-en-aflaai-fasiliteit
Plek van Onderrig (tersiëre onderwys-fasiliteit)	0,5 parkeerplekke per student plus 1 parkeerplek per klaskamer of kantoor
Plek van Samekoms/Vermaak/Begrafniskapël	1 parkeerplek per 4 sitplekke
Ontspanning, sport	1 parkeerplek per 4 sitplekke of persone
Hospitaal/Kliniek (algemeen en privaat)	1 parkeerplek per bed plus 4 parkeerplekke per spreekkamer
Mediese spreekkamers	6 parkeerplekke per 100 m ² BVR
Supermark / Winkelsentrum	6 parkeerplekke per 100 m ² BVR
Winkels/Kantore/Restaurante	6 parkeerplekke per 100m ² BVR
Konferensiesentrum	1 parkeerplek per 2 sitplekke
Plek van aanbedding	1 parkeerplek per 6 sitplekke
Motorvertoonkamer	2 parkeerplekke per 100 m ² BVR en 2

	parkeerplekke per 100 m ² buitelugvertoongebied
Motorherstelgarage/ diensstasie/motorwasplek/dienssentrum	4 parkeerplekke per diensvak plus 2 parkeerplekke per 100 m ² BVR met minimum 8 parkeerplekke
Motoronderdeel-vervangsentrum	4 parkeerplekke per diensvak plus 2 plekke per 100 m ² BVR
Motorwasplek	4 parkeerplekke per diensvak plus 2 plekke per 100 m ² BVR
Nywerheid	2 parkeerplekke per 100 m ² BVR
Pakhuis/ stoorplek	2 parkeerplekke per 100 m ² BVR

BVR beteken Bruto Verhuurbare Ruimte

17.1.4 Die volgende minimumvereistes is op parkeerplekke van toepassing:

- (a) `n Parkeerplek is ten minste 2,5 m wyd en 5,0 m lank; en
- (b) Onderdakparkering sal `n kopruimte van ten minste 2,3 m hê.

Parkering vir Gestremdes

17.1.5 Behalwe in die enkelwoonsones, moet parkering wat vir gestremde persone bruikbaar is, op enige grondeenheid verskaf word, ten einde te verseker dat persone wat fisies gestrem is, maklike en gerieflike toegang tot dienste en geriewe wat vir die publiek oop en toeganklik is, sal hê, asook tot woongebruike.

17.1.6 In enige parkeerfasiliteit wat die publiek bedien, sal parkering vir gestremde persone ooreenkomstig die volgende tabel "Parkering Toeganklik vir Fisies-gestremdes" verskaf word.

Parkering Toeganklik vir Fisies-gestremdes

Totale aantal parkeerplekke	Vereiste aantal parkeerplekke toeganklik vir gestremdes
1 – 10	1
11 – 50	2
51 – 100	4
101 – 150	6
151 – 200	8
Vir elke bykomende 100 parkeerplekke	2 bykomende parkeerplekke

17.1.7 Parkering vir fisies-gestremdes sal aan die volgende vereistes voldoen:

- (a) Parkeerplekke sal ten minste 4,0 m wyd en 5,0 m lank wees;
- (b) Parkeerplekke en toegangslane sal op `n gelyk vlak wees;
- (c) Parkeerplekke sal so na as moontlik aan toeganklike gebou- of terrein-ingange wees en sal geplaas word om gerieflike toegang tot randsteen-oplope te gee;
- (d) Elke parkeerplek wat vir fisies-gestremde persone gereserveer word, sal op die parkeeroppervlakte met die Internasionale Toeganklikheid- simbool gemerk word;

- (e) Bykomende aanwysings dat die parkeerplek vir die eksklusiewe gebruik van fisies-gestremde persone gereserveer is, mag deur die Raad vereis word; en
- (f) Waar vyf of minder parkeerplekke voorsien word, sal ten minste een parkeerplek 4,0 m wyd wees en gemerk word om een parkeerplek van 2,5 m wydte plus `n bykomende gang van 1,5 m te voorsien, maar dit hoef nie vir die gebruik van fisies-gestremde persone gereserveer te word nie.

17.1.8 Parkering wat in terme van hierdie afdeling vir fisies-gestremde persone gereserveer word, sal ingetel word ter nakoming van die vereiste buitestraat-parkering.

Plekke vir Motorfietse en Fietse

17.1.9 Die Raad mag vereis dat parkering vir motorfietse en fietse voorsien moet word.

17.1.10 Vir elke vier motorfiets- en ses fietsstaanplekke wat voorsien word, sal `n krediet van een parkeerplek teen die vereiste parkering gegee word; met dien verstande dat:

- (a) die totale krediet nie 2,5% van die vereiste parkeerplekke sal oorskry nie;
- (b) die minimum afmetings van `n motorfietsstaanplek 2,2 m in lengte en 1,0 m in wydte sal wees;
- (c) die minimum afmetings van `n fietsstaanplek 2,0 m in lengte en 0,6 m in wydte sal wees.

17.1.11 Aanwysings, bolders en rakke of ander apparaat vir die stoor van fietse en motorfietse, sal tot die Raad se tevredenheid geïnstalleer word.

Uitlegplan vir Parkering

17.1.12 Die Raad mag vereis dat `n uitlegplan vir parkering ingedien moet word, waarop die voorgestelde wyse waarop motorvoertuie sal parkeer, asook die toegange en uitgange en landskaperingvoorstelle aangetoon moet word.

17.1.13 Die Raad mag die parkeeruitlegplan goedkeur of afkeur en mag ook voorwaardes van goedkeuring opleë.

17.2 LAAIPEKKE

Laaiplekke

17.2.1 Die minimum vereiste vir buite-straatse laairuimte, is 1 laaipek vir elke 500 m² van die eerste 1 000 m² BVR en daarna 1 pek per 1 000 m²; met dien verstande dat:

- (a) Ten einde die obstruksie van verkeer in enige openbare straat of pad langs die grondeenheid te voorkom, mag die Raad spesifieke voorsiening vereis vir die laai, aflaai of brandstofvoorsiening van voertuie wat waarskynlik, onder normale omstandighede, op die grondeenheid mag plaasvind;
- (b) Die eienaar sal, tot tevredenheid van die Raad, voorsiening vir die laai, aflaai of brandstofvoorsiening van voertuie tref, en geen laai, aflaai of brandstofvoorsiening van voertuie sal toegelaat word anders as in ooreenstemming met die voorstelle wat deur die Raad goedgekeur is nie;

17.2.2 Laaiplekke sal aan die volgende minimum vereistes voldoen:

- (a) `n Laaiplek sal nie minder as 4,5 m x 10,0 m wees vir loodregte- of 2,5 m x 12,0 m vir parallel-uitleg nie;
- (b) Geen ingang- of uitgangsweg na `n laaigebied sal minder as 3,0 m wyd wees nie en geen gekombineerde in- en uitgangsweg minder as 6,0m wyd nie; en
- (c) Oordekte laairuimtes sal `n minimum kopruimte van 3,7 m hê.

17.3 INFRASTRUKTUUR EN BESKIKBAARHEID VAN DIENSTE

17.3.1 Ingenieursdienste, wat deur `n eienaar of ontwikkelaar geïnstalleer word, sal voldoen aan die minimum standaard vir die voorsiening van ingenieursdienste soos van tyd tot tyd deur die Raad neergelê word.

17.3.2 Die installering en voorsiening van ingenieursdienste vir minder as 4 erwe sal, onderhewig aan 17.3.5, nie vereis dat `n dienste-ooreenkoms met die Raad aangegaan moet word nie, en by die afwesigheid van `n dienste-ooreenkoms, sal die verantwoordelikheid vir die installering en voorsiening van dienste rus by:

- (a) die eienaar of ontwikkelaar, vir alle interne ingenieursdienste binne die grense van die eiendom;
- (b) die eienaar of ontwikkelaar, vir die aansluiting van interne strate en dienste by die munisipale netwerke aangrensende aan, maar buite die grense van die eiendom; en
- (c) Die Raad, vir eksterne ingenieursdienste wat buite die grense van die betrokke eiendom geleë is en waaraan die interne dienste gekoppel moet word, met dien verstande dat, waar die opgradering of voorsiening van eksterne dienste vereis word, die eienaar of die ontwikkelaar teen eie koste daarvoor verantwoordelik sal wees, tensy die Raad anders besluit.

17.3.3 Die eienaar of ontwikkelaar mag eksterne dienste tot die Raad se tevredenheid installeer, of mag ten volle of gedeeltelik bydra tot die koste van die eksterne dienste:

- (a) indien die Raad nie oor voldoende fondse beskik nie; of
- (b) indien die installering van sodanige, eksterne dienste nie inpas by die Raad se lopende kapitaaluitgawe-program nie; en
- (c) Die voorwaardes waaraan sodanige bydrae onderhewig is, sal tussen die Raad en die eienaar of ontwikkelaar onderhandel word, en sal in `n dienste-ooreenkoms opgeneem word.

- 17.3.4 Die Raad mag `n heffing teen enige nuwe ontwikkeling, afwykende gebruik of vergunningsgebruik instel ten einde vir openbare oopruimte te voorsien, of die befondsingskoste van eksterne dienstevoorsieng of –opgradering te verhaal, of vir enige ander doel, op voorwaarde dat sodanige heffing konsekwent gehef word.
- 17.3.5 Die Raad sal nie uitklaringsertifikate vir die oordrag van individuele erwe in enige ontwikkeling uitreik voordat sertifikate, wat deur `n professionele ingenieur uitgereik is, en sertifiseer dat al die dienste ooreenkomstig die bepalings van `n goedgekeurde dienste-ooreenkoms, of waartoe andersins ooreengekom is, behoorlik geïnstalleer is, nie ingedien en aanvaar is nie.
- 17.3.6 Voortspruitend uit en aanvullend tot 17.3.5, sal die Raad geen bouplanne, behalwe bouplanne ten opsigte van denste-infrastruktuur of geassosieerde strukture, vir oorweging ontvang tensy die nodige uitklaringsertifikate vir die betrokke individuele erf in `n ontwikkeling nie eers uitgereik is nie.
- 17.3.7 Tensy daar formeel tot `n ander ooreenkoms met die Raad gekom is, reik die Raad nie onderverdelingsertifikate uit tensy die standaardheffings ten opsigte van, hetsy interne of eksterne dienste, eers betaal is nie.
- 17.3.8 Tensy daar formeel tot `n ander ooreenkoms met die Raad gekom is, sal die bepalings van 17.3 op elke fase van `n ontwikkeling van toepassing wees.
- 17.3.9 Waar meters vir grootmaatlewering van dienste aan `n ontwikkeling geïnstalleer is, sal die Raad slegs verantwoordelik wees om die grootmaat-meters te lees en sal die regspersoon vir die interne administrasie verantwoordelik wees.

17.4 VULLISKAMERS

- 17.4.1 Vir doeleindes van vullisverwydering, mag die Raad van `n eenaar vereis om `n bewaarplek op die grondeenheid te voorsien en dit sal:
- (a) van voldoende grootte wees om die vullis wat gedurende een week op die grondeenheid mag ontstaan, te akkommodeer;
 - (b) langs `n openbare straat of, na diskresie van die Raad, in `n ligging wees wat aanvaarbare toegang vir `n vullisverwyderingsvoertuig sal bied;
 - (c) sodanig ontwerp word, dat dit argitektonies inpas by die omringende strukture en ook vullisblikke van die openbare sig afskerm; en
 - (d) voldoen aan enige redelike voorwaarde wat die Raad ten opsigte van toegang, gesondheid, besoedelingsbeheer, veiligheid of estetika mag oplê.
- 17.4.2 Die Raad mag van `n eenaar of ontwikkelaar vereis om, tot sy tevredenheid, `n parkeerinham vir vullisverwyderingsvoertuie te voorsien.

HOOFSTUK 18 : ONDERVERDELING VAN GROND

18.1 ONDERVERDELING VAN GROND

Boulyn- en Dekkingsafwykings as Goedgekeur Beskou

18.1.1 Wanneer die Raad goedkeuring verleen vir die onderverdeling van `n grondeenheid wat een of meer bestaande strukture bevat, met die doel dat verskillende strukture op afsonderlike grondeenhede geleë sal wees, dan sal dit beskou word dat die Raad goedkeuring verleen het vir enige boulyn- of dekkingsoorskryding wat as gevolg van die goedgekeurde onderverdeling ontstaan, met dien verstande dat toekomstige strukture aan die vereistes van die soneringskema sal voldoen.

Nutsdienste

18.1.2 Die eienaar van enige grondeenheid in `n goedgekeurde onderverdeling sal, sonder vergoeding, toelaat dat:

- gas-hoofleidings, elektriese-, telefoon- en televisiekabels, waterpype, rioolpype, stormwaterpype, -slote en -kanale vanaf enige ander grondeenheid of grondeenhede oor die betrokke grondeenheid gelei word;
- installasies soos mini-substasies, meterkiosks en distribusiekiosks daarop geïnstalleer word; en
- indien dit deur die Raad nodig geag word, bogenoemde op so `n wyse en posisie as wat van tyd tot tyd redelikerwys vereis mag word, aangebring mag word, en dat die reg van toegang tot die grondeenheid te alle redelike tye ter wille van konstruksie, verwydering, herstel of inspeksie van enige werke in verband met bogenoemde toegelaat sal word.

Stabiliteit van Grondwalle

18.1.3 Die eienaar van enige grondeenheid in `n goedgekeurde onderverdeling sal sonder vergoeding:

- die materiaal ontvang of die uitgrawings op die grondeenheid toelaat wat nodig is om die gebruik van die volle breedte van `n aangrensende straat moontlik te maak, en die padwal, wat vanweë verskille tussen die vlak van die straat soos finaal gebou, en die vlak van die grondeenheid noodsaaklik is, van `n veilige en behoorlike helling te voorsien; of
- alternatiewelik, mag die eienaar verkies om keerstrukture tot genoeë van die Raad en binne `n tydperk wat deur die Raad bepaal word, te bou.

Bouwerk op `n Onderverdeling wat nie Bevestig is nie

18.1.4 Die Raad mag toelaat dat `n gebou of struktuur op `n grondeenheid, wat deel uitmaak van `n onderverdeling wat nog nie bevestig is nie, obergerig mag word, met dien verstande dat:

- (a) sodanige gebou of struktuur nie strydig is met hierdie soneringskema of enige relevante onderverdelingsvoorwaarde nie;
- (b) die huidig-geregistreeerde eienaar van die grondeenheid toestem tot die oprigting van die betrokke gebou of struktuur; en
- (c) op voorwaarde dat, waar `n onderverdelingsgoedkeuring verval het, die geregistreeerde grondeienaar by die Raad aansoek sal doen om oorweging te gee aan die wettiging van sodanige struktuur in terme van die betrokke wetgewing.

Onderverdeling van `n Eiendom met Vergunningsgebruikregte of `n Tydelike Grondgebruikafwyking

18.1.5 Wanneer `n eiendom, waaraan `n vergunningsgebruik of tydelike grondgebruikafwyking toegestaan is, vervolgens onderverdeel word, sal die vergunningsgebruiksreg of tydelike grondgebruikafwyking slegs op een van die resulterende onderverdelings van toepassing wees, tensy dit by wyse van `n onderverdelingsvoorwaarde deur die Raad anders bepaal is.

HOOFSTUK 19: INTERPRETASIE

19.1 INTERPRETASIE

Reëls van interpretasie

19.1.1 Die volgende reëls sal by interpretasie geld:

- (a) In hierdie soneringskema, die register, enige notering op die soneringskaart, en in enige voorwaarde wat in terme van hierdie soneringskema opgelê is, sal die woorde en uitdrukkinge wat gebruik word, die betekenis hê wat deur die woordomsywing in hierdie skema daaraan toegesê word, behalwe waar `n strydige interpretasie uit die konteks duidelik is. Die interpretasie van woorde wat nie in hierdie hoofstuk omskryf word nie, sal die betekenis hê wat deur die "Verklarende Handwoordeboek van die Afrikaanse Taal" soos gepubliseer deur Pearson Education South Africa, Kaapstad, daaraan toegesê word, behalwe waar `n strydige interpretasie uit die konteks duidelik is;
- (b) Opskrifte in hierdie soneringskema vervat, sal alleenlik vir verwysings- doeleindes gebruik word, en sal nie beskou word as sou dit die betekenis of bedoeling van enige bepaling van die soneringskema bepaal of beperk of wysig nie;
- (c) Tensy dit uit die konteks anders blyk, sluit die manlike geslag ook die vroulike en onsydige geslag in, en omgekeerd, en sluit die enkelvoud ook die meervoud in;
- (d) Wanneer ookal daar na `n wet, ordonnansie of munisipale regulasie verwys word, sluit die verwysing ook alle vervangings, wysigings en toevoegings van die wet, ordonnansie of munisipale regulasie in;
- (e) Wanneer ookal na die gebruik van `n gebou, grondeenheid of eiendom verwys word, het sodanige verwysing ook betrekking op die oprigting van `n gebou, die gebruik van `n gedeelte van `n gebou, en die gebruik van `n grondeenheid hetsy `n gebou daarop opgerig is aldan nie;
- (f) Tensy dit uit die konteks duidelik anders blyk, word verstaan dat die terme "moet" en "sal" gebiedend is, en die term "mag" nie-gebiedend is; en
- (g) Tensy die teendeel bewys word, sal die Raad se interpretasie van die teks geldend wees.

Metodes om Afstande, Hoogtevlakke en Hoogtes te Meet

19.1.2 Die volgende bepalings geld ten opsigte van die meet van afstande, hoogtevlakke en hoogtes:

- (a) Indien die Raad dit sou vereis, sal die eienaar of aansoeker `n geregistreerde landmeter aanstel om inligting te voorsien of te verifieer wat vir die Raad nodig is ten einde oor die nakoming van afstande of hoogtes soos deur hierdie soneringskema vereis, te besluit;
- (b) Wanneer daar direk of implisiet na die afstande tussen grense, of tussen `n gebou en `n grens verwys word, sal hierdie afstand op die volgende wyse gemeet word:
 - (i) Die grens of grense en alle punte van die gebou sal op `n horisontale vlak geprojekteer word, en alle metings sal op sodanige vlak gemaak word; en
 - (ii) Die afstand tussen `n punt op `n gebou en `n grens, sal oor die kortste afstand tussen die punt en die grens gemeet word.

- (c) Waar daar na `n gedeelte van `n grens "regoor" `n gebou verwys word, sal sodanige gedeelte gedefineer word deur lyne te trek op `n wyse soos in klousule (b) beskryf, vanaf punte op die gebou, reghoekig met die grens; en
- (d) Wanneer daar na `n afstand, grondvlak, hoogte van `n punt van `n gebou of enige ander afmeting verwys word, sal sodanige afstand, hoogtevlak of hoogte volgens erkende geometriese beginsels bereken word.

Interpretasie van Grense

19.1.3 Waar onsekerheid oor die grense van gebruiksones bestaan, sal die volgende reëls geld in die orde waarin dit gestel word:

- (a) Grense wat getoon word as sou dit ongeveer `n openbare straat of pad volg, sal geag word om die kadastrale grens van die straat of pad te volg;
- (b) Grense wat getoon word as sou dit ongeveer `n grens van `n grondeenheid volg, sal geag word om daardie kadastrale grens te volg;
- (c) Grense wat getoon word as sou dit ongeveer natuurlike verskynsels volg, sal geag word om sodanige natuurlike verskynsels te volg; en
- (d) In geval van verdere onsekerheid oor die grense van `n gebruiksones, sal die Raad `n bepaling maak, of mag hy `n professionele landmeter van sy keuse aanstel om die grense op die eienaar se koste te bepaal.

Interpretasie van die Gebruikskategorie en Sonering

19.1.4 Die Raad sal in die volgende gevalle die gebruikskategorie en sonering bepaal en sy besluit sal finaal wees tensy die teendeel bewys word:

- (a) Waar daar onsekerheid of `n dispuut oor soneringskategorieë bestaan;
- (b) Waar konflik tussen die bepalings van `n soneringskaart, hierdie soneringskema en die register bestaan; en
- (c) Waar onsekerheid of `n dispuut oor die sonering van `n eiendom bestaan.

HOOFSTUK 20 : ALGEMENE BEPALINGS VAN TOEPASSING OP BYLAE

20.1 BYLAE

Bylae sal deur die Raad in stand gehou word en opdateer word nadat `n finale soneringsbeluit geneem of wysiging van die soneringskema in terme van Beplanningswetgewing gepromulgeer is. Die Bylae moet ook vir inspeksie deur die algemene publiek beskikbaar wees.

Die Raad mag hierdie Bylae slegs wysig of toevoegings daartoe maak nadat `n sonering goedgekeur is of die skema in terme van Beplanningswetgewing gewysig is.

BYLAAG A : NOTERING OP SONERINGSKAART

Gereserveer vir toekomstige gebruik

BYLAAG B: LYS VAN SPESIALE SONES

NAAM VAN SPESIALE SONE	DEFINISIE VAN SPESIALE GEBRUIK	VERWYSINGSNOMMER indien van toepassing
Hemel-en-Aarde Village	–	SZ 1
Benguela Cove	–	SZ 2
Bosplasia	–	SZ 3
Mtimkhulu Village	–	SZ 4
Kleinmond Hawe- Herontwikkelingsgebied	–	SZ 5
Gansbaai	–	SZ 6

BYLAAG C: LYS VAN OORLEGSONES

NAAM VAN OORLEGSONE	NOMMER VAN OORLEGSONE	VERWYSINGSNOMMER Waar toepaslik
Stanford Stedelike Bewaringsgebied : Oorlegsone	OZ 1 _ S/CA	

STANFORD STEDELIKE BEWARINGSGBIED : OORLEGSONE: OZ1 – S/CA

Stadsbewaringsgebiede

1. Ongeag of 'n bepaalde sonering gekoppel is aan grond ingevolge hierdie soneringskema, of aan die anderkant 'n sonering nog nie bepaal is nie, kan die Raad sodanige grond as 'n spesiale gebied verklaar as die Raad van mening is dat dit om bepaalde redes nodig is dat enige vorm van ontwikkeling op daardie grond in daardie ligging spesiaal beheer moet word, ongeag die normale ontwikkelingsbeperkings wat elders in hierdie soneringskema voorgeskryf word.
2. Die Raad mag as 'n beperking op die normale ontwikkelingsreëls addisionele vereistes of beperkings voorskryf met betrekking tot die volgende:
 - (i) die straathoogte van geboue;
 - (ii) onderhoud van geboue;
 - (iii) die onderhoud van bome langs die strate;
 - (iv) die voorsiening van parkeerfasiliteite op persele;
 - (v) dekking;
 - (vi) die hoogte van geboue;
 - (vii) vloerruimteverhouding;
 - (viii) boulyne;
 - (ix) die toon van advertensies en die oprigting van advertensieborde en -tekens;
 - (x) historiese tuinmure en heinings;
 - (xi) straatligte;
 - (xii) ou posbusse;
 - (xiii) besproeiingslote; en
 - (xiv) enige ander aspek wat die Raad as nodig mag beskou in 'n bepaalde geval.
3. Ingevolge artikel 5(9) van die Wet op Nasionale Gedenkwaardighede, 1969 (Wet 28 van 1969) het die destydse Raad op Nasionale Gedenkwaardighede (nou die Suid-Afrikaanse Erfenishulpbron-agentskap: SAEHA) 'n historiese kern van Stanford (wat uit twee onderafdelings as 'n bewaringsgebied bestaan) toegewys, en dit is afgekondig in die Provinsiale Koerant, nr 1909 van 15 Desember 1995.

Die twee gebiede wat geïdentifiseer is (Kaart B), is die kerngebied wat die Markplein omring, en 'n groter Stanford gebied wat die ruitpatroon van die ou nedersettings insluit. Hierdie gebiede is geïdentifiseer as synde bewarenswaardig te wees en word beskou as Stadsbewaringsgebiede vir die beskerming en bewaring van die historiese en argitektoniese karakter van die dorp.

Riglyne vir ontwikkeling / Beheer in die bewaringsgebied

1. Die doel van hierdie reëls is om te verseker dat die natuurlike, geskiedkundige, en argitektoniese karakter van die stedelike omgewing van Stanford behou sal word deur die bewaring van:
 - (i) bestaande ou geboue en natuurgebiede, insluitend bome van geskiedkundige of estetiese belang;
 - (ii) die bestaande boulyne; en
 - (iii) die karakter van die meentgebied;

en deur beheer oor beboude ontwerp, boulyne en boumateriaal in die geval van nuwe geboue op vakante erwe asook oor bestaande geboue wat opgeknop, uitgebrei of vervang word.

2. Enige persoon wat 'n aansoek indien vir goedkeuring van 'n bouplan ten opsigte van enige eiendom in die afgebakende Bewaringsgebied, kan deur die Raad vereis word om tot die Raad se bevrediging getuieis te voorsien dat die bouprojek wat beoog word, nie sal bots met die bedoeling van hierdie reëls nie, gedagtig in die algemeen aan die karakter van die straat waarin die eiendom geleë is, as geheel, en meer spesifiek aan die bepaalde ligging waar die struktuur opgerig staan te word.
3. Die uitdrukking "boukonstruksiewerk" sluit die oprigting van nuwe geboue en die uitbreiding, opknapping of verandering van bestaande geboue in.
4. Geen boukonstruksiewerk moet in die Stadsbewaringsgebiede toegelaat word nie, tensy die uiterlike argitektoniese ontwerp en styl, kleurskema, afwerkingsmateriaal en algemene voorkoms van die gebou na die Advieskomitee vir Estetiese verwys en deur die Raad goedgekeur is.
5. In 'n poging om die Stadsbewaringsgebiede te bestuur word die volgende algemene beginsels voorgeskryf:
 - (i) watertanks en uiterlike aanhangsels soos satellietkottels, antennes en diefwering buite vensters, moet nie sigbaar wees van die straatfront nie;
 - (ii) pype en geute moet dieselfde kleur as die agtergrond geverf word;
 - (iii) eksterne houtwerk, indien geverf, moet verkieslik groen, bruin of swart of 'n kleur wat die Raad as toepaslik beskou, geverf word;
 - (iv) gepleisterde mure moet wit of naaswit in afwerking wees, of 'n kleur wat die Raad as toepaslik beskou;
 - (v) sierstene moet nie ekstern vir die straataansig van die gebou gebruik word nie;
 - (vi) die verhouding van muurspasie tot vensters en deure vir residensiële of kantoorgeboue moet spesiaal deur die Raad goedgekeur word;
 - (vii) dakke moet verkieslik groen, rooi of swart of 'n kleur wat die Raad as toepaslik beskou, wees;
 - (viii) die verwydering van ou deure en vensters moet ontmoedig word waar moontlik, of anders moet hulle met replikas vervang word;
 - (ix) staandakke of geskiedkundige dakelemente soos geute of nokafwerkings moet nie verander word nie;
 - (x) die voorkoms van 'n stoep is krities tot die voorkoms van 'n huis. Stoepe, selfs al is hulle nie so oud soos die huis self nie, behoort gerestoureer te word, en aansoeke om wysiging van die straataansigte van huise met bestaande stoepe moet versigtig deur die Raad oorweeg word;
 - (xi) garage'e moet op so 'n manier geplaas word dat hulle nie visueel inbreuk maak op die straataansig van ou geboue, tuinmure of bome nie;
 - (xii) plaatglasruite in winkels en soortgelyke geboue moet onderbreek word deur muurstrukture in sodanige seksies as wat deur die Raad vereis mag word; en
 - (xiii) die gebruik van die volgende moet ontmoedig word:
 - Engelse-styl rietdak
 - sementteeldak

- kleiteëldak
- IBR-dak
- asbesdak
- ongepleisterde betonblokke
- natuurlike of kunsmatige klip- of leiklipmuurafwerkings van alle soorte, behalwe in voetlyste
- vensters met 'n wyer horisontale as vertikale dimensie
- aluminiumvensters
- voorafgegote sement
- ontblote beton van alle soorte
- windblokke

en deur die beheer van gebou-ontwerp, boulyne en boumateriale by nuwe geboue op leë erwe asook by bestaande geboue wat hernu, vergroot of vervang word.

6. In die geval van 'n bestaande gebou wat gewysig of uitgebrei staan te word, moet die bestaande boulyn sover moontlik gehandhaaf word, onderworpe aan sodanige uitsonderings as wat die Raad spesiaal mag goedkeur.
7. In die geval van nuwe boukonstruksiewerk wat onderneem staan te word op 'n vakante perseel of deel daarvan, of die vervanging van 'n bestaande gebou, kan die Raad 'n boulyn voorskryf ten einde enige bome binne die straatreserwe te beskerm, en om die boulyn wat in die algemeen opmerklik is in die gebied, te beskerm.
8. Raadsgoedkeuring vir enige verandering of uitbreiding van 'n gebou wat sal lei tot 'n hoogtetoename wat na die Raad se mening sal inmeng met die groei van enige boom in die straatreserwe, of as dit die snoei of verwydering van enige deel van die bome of takke mag noodsaak, kan weerhou word.
9. Enige voorgestelde parkeergebied en die toegangs- en uitgangspunte moet getoon word op 'n plan wat by the Raad ingedien moet word en wat goed- of afgekeur of voorwaardelik goedgekeur kan word volgens die diskresie van die Raad.
10. Behalwe in die geval van advertensietekens deur die Raad goedgekeur, word projeksies oor straatgrense beperk tot mindere argitektoniese eienskappe.
11. 'n Advieskomitee vir Estetiek, bestaande uit verteenwoordigers van die Raad, die Toerismeburo, SAEHA, die argiteksberoep, die Stanford-Bewaringstrust en ander deskundiges as 'n raadgewende liggaam wat aanbevelings aan die Raad maak, moet ingestel word om bystand te lewer met die beheer en bestuur van alle ontwikkelings-, herontwikkelings- en bouwerk, die beoordeling van hersonerings-, onderverdelings-, afwykings- en vergunningsgebruik-aansoeke en advertensietekens, en alle bykomstige aspekte tot ontwikkeling en beheer in die afgebakende Stadsbewaringsgebiede en ook waar nodig daarbuite.
12. Geen toestemming om die afbreek van of wysiging aan of gebruiksverandering in bewarenswaardige geboue wat ouer as sestig jaar is, word gegee nie, behalwe by spesiale Raadsbesluit met vooraf-inset deur SAEHA.

13. Enige tekens moet inpas by die Raad se tekens-riglyne.
14. Opvoedkundige programme moet ingestel word om individuele eienaars van geskiedkundige geboue wat onsimpatiek verander is, aan te moedig om hulle aan te pas deur hulle te pleister en wit te verf en deur bome te plant om hul ergste kenmerke weg te steek.
15. Geskiedkundige straatmeubelment soos straatlampe moet behou word.
16. Bestaande bome moet behou word en boomplantprogramme moet ingestel word.
17. In die geval van nuwe ontwikkeling in of aanliggend aan die Bewaringsgebiede geld die volgende:
 - Die uitleg moet inpas by die geskiedkundige patroon van die dorp en moet nie vreemde ontwikkelingspatrone soos panstele inbring nie.
 - Die gevestigde patroon is 'n eenvoudige ruitpatroon met geboue in lyn geplaas langs die strate.
 - Nuwe geboue moet naby die straat geplaas word ten einde die straatrand om die blok te definieer.
 - Nuwe geboue moet in lyn parallel aan die bestaande strate geplaas word.
 - Die skaal en tekstuur van nuwe geboue wat aanliggend aan spesiale gebiede is, moet inpas by dié van daardie gebiede.
 - Toepaslike verdigting moet toegelaat word.
 - Bouhoogte moet inpas by die omliggende skaal van die beboude vorm.
 - Simpatieke staandak-tipes moet gehandhaaf word.
 - Verhoudings tussen geboue en openbare oopruimtes moet bewerkstellig word deur die aanmoediging van die gebruik van stoepe en lae tuinmure.
 - Boomplantingsprogramme moet ingestel word.
 - Binneblokontwikkeling word onderworpe aan die volgende toegelaat:
 - Die perseelbeplanning van binneblokontwikkeling moet nie 'n impak hê op die bestaande straattoneel nie, en moet afgeskerm word deur boomplanting of bestaande geboue.
 - Die in- en uitgangpunte moet so ontwerp word dat dit deel vorm van die bestaande straattoneel en nie verkeersopeenhoping veroorsaak nie.

(i) Kern-gebied: Die Markplein en eiendomme binne die Bezuidenhout-, Caledon-, Du Toit en Mortonstraat buurtgebied.

Die spesifieke doelstellings vir hierdie kern-bewaringsgebied is:

- Om die landelike karakter van die Markplein te behou.
- Om die uitsigte van die omliggende eiendomme op die Markplein te behou.
- Om die watervoorstelsel te onderhou en verbeter.
- Om hierdie gebied deur middel van 'n boomplantingsprogram te verbeter.
- Om die grondgebruikpatroon en ontwikkelingsdigtheid in stand te hou.
- Om die tradisionele boulyne en terugsette te behou.
- Om alle bewarenswaardige geboue te beskerm.
- Om die natuurlike omgewing te handhaaf en verbeter.

(ii) Groter bewaringsgebied: De Bruyn, Moore-, Daneel- en Adderleystrate en die rivieroewer:

Die spesifieke doelstellings vir hierdie groter bewaringsgebied is:

- Om openbare toegang tot die rivierfront, die vlei en die damgebied te behou.
- Om die tradisionele ruitpatroon van die dorpsuitleg te behou.
- Om nuwe invulbebouing in die gebied te beheer.
- Om aanvaarbare boumateriale te bevorder.
- Om die watervoorstelsel te onderhou en bevorder.

18. Alhoewel geen geboue in Stanford tot nasionale gedenkwaardighede verklaar is nie, word alle geboue ouer as 60 jaar ingevolge die Wet op Nasionale Erfenishulpbronne, 1999 (Wet 25 van 1999) as bewarenswaardig beskou.
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TABEL A: GEBRUIKSONES EN ONTWIKKELINGSREËLS

LANDBOUSONE LANDBOUSONE 1: LANDBOU (AGR1)	VLOERRUIMTE	DEKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOUWLYNE		ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	
<p>PRIMÊRE GEBRUIKE landbou, dagsorgsentrum, gastekamers, tuis- beroepsbeoefening, woonhuis</p> <p>VERGUNNINGSGEBRUIKE akwakultuur, bykomende wooneenhede, crèche, dak- basistasie, diensbedryf, diersorgsentrum, gashuis, hotel, inrigting, intensiewe diere-boerdery, intensiewe tuinbou, landbouwywerheid, mynbou, nutsdienste, perdstalle, plaaswinkel/plaasstal, plantkwekery, plek van onderrig, plek van samekoms, plek van vermaak, transmissietoring, toeriste-akkommodasie, toeristefasiliteite, welstandsentrum, 4X4 roete</p>	Totale vloerruimte van alle wooneenhede mag nie 5 000m ² oorskrei nie	NVT	<p>Tot bopunt van dak</p> <p>8,0m 12,0m (landbougeboue), groter hoogte met Raad se goedkeuring indien benodig word vir landboudoeleindes van die gebou</p> <p>8,0m (plaaswinkel/stal)</p> <p>Grondwalle en keerstrukture aan 16.6 sal voldoen, met dien verstande dat sodanige strukture wat na die Raad se mening geassosieer word met die bona fide landbou-aktiwiteite, van die bepaling van 16.6 vrygestel is</p>	<p>>10ha : 30,0m ≤10ha en ≥ 1ha : 10,0m <1ha : 4,0m</p>	<p>>10ha : 30,0m ≤10ha en ≥ 1ha : 10,0m <1ha : 4,0m</p>	<p>Parkering, bykomende wooneenhede, plaaswinkel/plaasstal, landbouwywerheid, gastekamers, dagsorgsentrum, terreinontwikkelingsplan</p>

LANDELIKE SONES LANDELIKE SONE 1: LANDBOU- KLEINHOEWES (R1)	VLOERRUIMTE	DEKKING	MAKSIMUM HOOGTE, GEMET VANAF BASISVLAK	BOULYNE			ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn	
<p>PRIMERE GEBRUIKE landbou, dagsorgsentrum, gastekamers, tuis- beroepsbeoefening, woonhuis</p> <p>VERGUNNINGSGEBRUIKE akwakultuur, bewaringsgebruik, crêche, dak-bassistasie, diersorgsentrum, intensiewe diereboerdery, intensiewe tuinbou, landbounywerheid, nutsdiensle, ontspanningsgeriewe, perdrystalle, plaaswinkel/plaasstal, plantkwekery, plek van onderrig, plek van samekoms, plek van vermaak, toeriste-akkommodasie, toeristefasiliteite, transmissietoring, tweede wooneenheid</p>	Totale vloerruimte van alle wooneenhede mag nie 2 000m ² oorskrei nie	25%	<p>Tot bopunt van dak</p> <p>8,0m 10,0m (landbougeboue)</p> <p>Grondwalle en keerstrukture sal aan 16.6 voldoen, met dien verstande dat sodanige strukture wat na die Raad se mening geassosieer word met die bona fide landbou- aktiwiteite, van die bepalings van 16.6 vrygestel is</p>	<p>10,0m Ander: Met Raadsgoedkeuring</p>	<p>10,0m Ander: Met Raadsgoedkeuring, of volgens naasliggende sone</p>	<p>10,0m Ander: Met Raadsgoedkeuring, of volgens naasliggende sone</p>	<p>parkering, minimum onderverdelingsgrootte, tweede wooneenheid, plaaswinkel/plaasstal, landbou nywerheid, gastekamers, dagsorgsentrum, tuis-beroepsbeoefening, terreinontwikkelingsplan</p>

LANDELIKE SONES LANDELIKE SONE 2: BEWARINGSGEBRUIK (R2)	VLOERRUIMTE	DEKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOULYNE			ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn	
<p>PRIMERE GEBRUIKE bewaringsgebruik, gastekamers, tuis-beroepsbeoefening, woonhuis</p> <p>VERGUNINGSGEBRUIKE akwakultuur, dagsorgsentrum, dak-basisstasie, insameling van natuurlike hulpbronne, intensiewe diere-boerdery, intensiewe tuinbou, landbou, nutsdeinste, ontspanningsgeriewe, plantkwekery, plek van onderrig, plek van samekoms, plek van vermaak, toeriste- akkommodasie, toeristefasiliteite, transmissietooring, tweede wooneenheid</p>	Totale vloerruimte van alle wooneenhede mag nie 800m ² oorskrei nie	25%	<p>Tot bopunt van dak</p> <p>8,0m Ander: Met Raadsgoedkeuring</p> <p>Grondwalle en keerstrukture sal aan 16.6 voldoen</p>	10,0m Ander: Met Raadsgoedkeuring	10,0m Ander: Met Raadsgoedkeuring, of volgens naasliggende sone	10,0m Ander: Met Raadsgoedkeuring, of volgens naasliggende sone	<p>Parkering, minimum onderverdelingsgrootte, tweede wooneenheid, gastekamers, dagsorgsentrum, tuis-beroepsbeoefening, terreinontwikkelingsplan</p>

LANDELIKE SONES LANDELIKE SONE 3: LANDBOUDORP (R3)	VLOERRUIMTE/ DIGTHEID	DEKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOULYNE			ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn	
<p>PRIMÊRE GEBRUIKE landbou, dagsorgsentrum, dorpuisskema, privaat oopruimte, privaatpad, tuis- beroepsbeoefening, tweede wooneenheid, woonhuis</p> <p>VERGUNINGSGEBRUIKE afree-oord, crèche, dak- basistasie, gastehuis, gemeenskapsfasiliteit, huiswinkel, intensiewe diere- boerdery, intensiewe tuinbou, klinik, landbouwywerheid, mark, nutsdienste, plantkwekery, plaaswinkel/plaasstal, plek van onderrig, plek van samekoms, restaurant, skuiling, toeriste- akkommodasie, toeristefasiliteit, transmissietoring, winkel, en enige ander, aanvullende gebruik soos deur die Raad bepaal</p>	50 eenhede/ha	50%	8,0m	2,0m	0m vir geskakeelde wonings. indien daar 'n 3,0m onderbreking is na elke 4 wooneenhede 1,0m vir vrystaande wooneenhede	2,0m 3,0m Gekombineerde boulyn tussen strukture mag vereis word deur Raad	Oopruimte, parkering en toegang, bykomende vereistes, tweede wooneenheid, plaaswinkel/plaasstal, landbouwywerheid, gastekamers, dagsorgsentrum, tuis-beroepsbeoefening, huiswinkel, terreinontwikkelingsplan
			<p>Ander: Met Raadsgoedkeuring</p> <p>Grondwalle en keerstrukture sal aan 16.6 voldoen</p>				

RESIDENSIËLE SONES RESIDENSIËLE SONE 1: ENKELWOONSONE (SR1)	VLOERRUIMTE	DEKKing	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOUPLYNE			ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn	
<p>PRIMÊRE GEBRUIKE dagsorgsentrum, gastekamers, tuis-beroeepsbeoefening, tweede wooneenheid, woonhuis</p> <p>VERGUNNINGSGEBRUIKE crêche, gastehuis, huiswinkel, inrigting, kweekhuis, plek van aanbidding, plek van onderrig, toeriste-akkommodasie, woongebou</p>	NVT	<p><400m² : 65% ≥400m² : 50%</p>	<p>Tot bopunt van dak</p> <p>8.0m</p> <p>Grondwalle en keerstrukture sal aan 16.6 voldoen</p>	<p><400m² : 2.0m ≥400m² : 4.0m</p> <p>Venwys na 6.1.2(b)</p>	<p>≤400m² : 1.0m ≥400m² : 2.0m</p>	<p>≤400m² : 1.0m ≥400m² : 2.0m</p>	<p>Motorhuise en motorafslakke, parkering, onderverdeling- en digtheidstandaarde, tweede wooneenheid, gastekamers, dagsorgsentrum, tuis-beroeepsbeoefening, huiswinkel</p>

RESIDENSIËLE SONES ALGEMENE WOONSONE 1: DORPHUISSKEMA (GR1)	VLOERRUIMTE/ DIGTHEID	DEKKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOULYNE OP PERIFERIE			ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn	
PRIMÛRE GEBRUIKE woonhuis ooreenkomstig 6.1.2, privaot oopruimte, privaotpad, dorpuisskema VERGUNNINGSGEBRUIKE aftree-oord, creche, dagsorgsentrum, kweekhuis, toeriste-akkommodasie, tuis-beroepebeoefening, woongebou, woonstelle	Maksimum bruto digtheid 35 eenhede per hektaar vir dorpuise	50%	Tot bopunt van dak 8,0m Grondwalle en keersstrukture sal aan 1.6 voldoen	5,0m	3,0m	3,0m	Parkering, interne paale, woonstelle in dorpuisskema-ontwikkeling, dagsorgsentrum, tuis-beroepebeoefening, terreinontwikkelingsplan
				BOULYNE BINNE DIE DORPHUISSKEMA			
				Straatboulyn	Gekombineerde sy-boulyn	Agter-boulyn	
				1,0m 5,0m (motorhuise)	0m vir 50% van die lengte van die erfrens vir 'n buitegebou 2,0m gekombineerde sy-boulyn	1,0m-3,0m 0m vir 50% van die lengte van die erfrens vir 'n buitegebou	

RESIDENSIËLE SONES ALGEMENE WOONSONE 2: DORPHUISKEMA (GR2)	VLOERRUIMTE/ DIGTHEID	DEKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOULYNE OP PERIFERIE			ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn	
PRIMÛRE GEBRUIKE dorphuisskema, privaat oopruimte, privaatpad, woonhuis ooreenkomstig 6.1.2 VERGUNNINGSGEBRUIKE afree-oord, crêche, dagsorgsentrum, kweekhuis, toeriste-akkommodasie, tuis-beroepsbeoefening, woongebou, woonstelle	Maksimum bruto digtheid 50 eenhede per hektaar vir dorphuise	65%	Tot bopunt van dak 8,0m 11,0m (woonstelle) Grondwalle en keerstrukture sal aan 16.6 voldoen	3,0m	3,0m	3,0m	parkering, interne paale, woonstelle in dorphuisskema, dagsorgsentrum, tuis-beroepsbeoefening, terreininontwikkelingsplan
				1,0m	BOULYNE BINNE DIE DORPHUISKEMA 0m – 3,0m Om vir 1/3 van die lengte van die erfgrens vir 'n buitegebou		

RESIDENSIËLE SONES ALGEMENE WOONSONE 3: WOONSTELLE (GR3 EN GR4)	VLOERRUIMTE	DEKKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOULYNE			TERUGSET	ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn		
<p>PRIMÊRE GEBRUIKE blokke woonstelle, dorpsuisskema ooreenkomstig 6.3.2. woongeboe</p> <p>VERGUNNINGSGEBRUIKE afree-oord, crêche, dagsorgsentrum, hotel, dak-basisstasie, inrigting, plek van aanbidding, plek van onderrig, plek van samekoms, toeriste- akkommodasie, transmissietoring, tuis-beroepsbeoefening</p>	<p><u>Massa Sone 1:</u> GR3: 3</p> <p><u>Massa Sone 2:</u> GR4: 1.5</p>	<p><u>Massa Sone 1:</u> 100%</p> <p><u>Massa Sone 2:</u> 80%</p>	<p>Tot bopunt van dak</p> <p><u>Massa Sone 1:</u> 12,5m (4 verdiepings)</p> <p><u>Massa Sone 2:</u> 9,0m (3 verdiepings)</p> <p>Grondwalle en keerstrukture sal aan 16.6 voldoen</p>	4,0m	4,5m 4de verdieping teruggedeset tot 6,0m vanaf sy- grens	3,0m 4de verdieping teruggedeset tot 6,0m vanaf agter grens	Raad mag 'n 8,0m terugset vereis	Boulyne, oopruimte, parkering, afskermins, tuis-beroepsbeoefening, terreinontwikkelingsplan

MINDER FOMELE ONTWIKKELINGSONE: (LFD)	VLOERRUIMTE	DEKKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOULYNE			ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn	
PRIMÊRE GEBRUIKE Dagorsentrum, gastekamers, privaatpad, privaat oopruimte, skuiling, tuis-beroepebeoefening, tweede wooneenheid, wooneenheid, ander bykomende gebruike soos uiteengesit in 6.5.1(c), informele handel onderworpe aan 6.5.10 VERGUNINGSGEBRUIKE crêche, diensbedryf, huiswinkel, inrigting, kliniek, nutsdiens, owerheidsgebruik, plek van aanbidding, plek van onderrig, plek van samekoms, stedelike landbou, woongebou, woonstelle	NVT	65%	Tot bopunt van dak	2,0m	1,0m	1,0m – 2,0m	Bykomende gebruiksregte, ruimtes tussen geboue en paale, parkering en laai van voertuie, tweede wooneenheid, gastekamers, tuis-beroepebeoefening, huiswinkel, bestaande pad of padreserwe of grond geïdentifiseer vir paale, grond gereserveer vir of geïdentifiseer vir massadienste, informele handel, grond wat gebruik word of geïdentifiseer is vir brandpaale, goedkeuring van bouplanne
			8,0m	Grondwalle en keerstrukture sal aan 16.6 voldoen			

SAKESONES	VLOERRUIMTE	DEKKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOULYNE			TERUGSET	ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn		
SAKESONE 1 & 2: ALGEMENE SAKE (B1 EN B2) PRIMERE GEBRUIKE dak-basisstasie, gastehuis, hotel, konferensiegeriewe, plek van onderrig, plek van samekoms, sakepersoneel, woonstelsel (bokant grondvloer) VERGUNNINGSGEBRUIKE Begrafniskapel, diensstasie, drankwinkel, informele handel, inrigting, krematorium, motorherstelgarage, nutsdiensstasie, ontspanningsgeriewe, paksifoor, plek van vermaak, transmissietoring, tweede woonseenheid, vervoergebruik, volwasse vermaakonderneming, woonseenheid, woongebou, woonstelsel (op grondvloer)	<u>Massa Sone 1:</u> B1: 3,0 <u>Massa Sone 2:</u> B2: 1,5	<u>Massa Sone 1:</u> B1: 100% <u>Massa Sone 2:</u> B2: 80%	Tot bopunt van dak <u>Massa Sone 1:</u> B1: 14,0m (4 verdieplings) <u>Massa Sone 2:</u> B2: 10,5m (3 verdieplings) Grondwalle en keerstrukture sal aan 16.6 voldoen	0m Verwys na 7.1.2(c)(i)	0m Verwys na 7.1.2(c)(ii)	0m Verwys na 7.1.2(c)(iii)	6,5m Verwys na 16.2	Plasing van venster- en deurplasing, baldakie en projeksies, parkering en toegang, laaioplek, afskerming, diensstasie, terreinontwikkelingsplan

SAKESONES SAKESONE 3: PLAASLIKE SAKE (B3)	VLOERRUIMTE	DEKKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOULYNE			TERUGSET	ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn		
<p>PRIMERE GEBRUIKE kantore, winkels, woonstelle (bokant grondvloer)</p> <p>VERGUNINGSGBRUIKE dak-basisstasie, diensbedryf, diensstasie, dorpuisskema, drankwinkel, gastehuis, hotel, informele handel, inrigting, kliniek, konferensie-geriewe, ontspanningsgeriewe, plek van aanbidding, plek van onderrig, plek van samekoms, plek van vermaak, restaurant, sakepersele, transmissietoring, verkoop van alkoholiese drank, woongebou, woonstelle (op grondvloer)</p>	1,5	75%	<p>Tot bopunt van dak</p> <p>8,5m (2 verdiepings)</p> <p>Grondwalle en keerstrukture sal aan 16.6 voldoen</p>	0,0m 3,5m vir brandstofpompe	0,0m – 3,0m Verwys na 7.2.2(e)	3,0m – 4,5m Verwys na 7.2.2(e)	6,5m Verwys na 16.2	Plasing van venster- en deure, parkering en toegang, laaiplekke, afskerming, informele handel, diensstasie, terreintontwikkelingsplan

SAKESONES SAKESONE 4: DIENSSTASIE (B4)	VLOERRUIMTE	DEKKing	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOULYNE			TERUGSET	ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn		
PRIMERE GEBRUIKE diensstasie, dak-basisstasie VERGUNNINGSGEBRUIKE motorvoertuig-herstelgarage, nutsdiens, parkeer garage, restaurant, swaarvoertuig- diensstasie, transmissie- toring, vervoerbesigheid	1	75%	8,5m Grondwalle en keerstrukture sal aan 16.6 voldoen	5,0m	0,0m – 3,0m Verwys na 7.3.2(e)	0,0m-3,0m Verwys na 7.3.2(e)	8,0m Verwys na to 16.2	Parking, laaipekke, terreintoegangsvereistes, berging, afskerming, terreinontwikkelingsplan

NYWERHEIDSONES NYWERHEIDSDONE 1: ALGEMENE NYWERHEID (IND 1)	VLOERRUIMTE	DEKKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOULYNE			TERUGSET	ANDER BEPALINGS		
				Straatboulyn	Sy-boulyn	Agter-boulyn				
									Tot bopunt van dak	
<p>PRIMERE GEBRUIKE nywerheid, begrafsmaatskappij, bouerswerf, dak-basisstasie, diensbedryf, diensstasie, fabriekswinkel, groothandelsbesigheid, landbou-nywerheid, motorherstelgarage, nutsdiens, nywerheidskafee, opsigtersakkomodasie, pakhuis, swaarvoertuig-diensstasie, transmissietoring, vervoergebruik, werkswinkel</p> <p>VERGUNINGSGEBRUIKE aanstoelike bedryf, abattoir, akwakultuur, houerwerf, informele handel, krematorium, mynbou, ontspannings-geriewe, plek van onderrig, plek van samekoms, plek van vermaak, restaurant, rommelwerf, sakepersee, verkoop van alkoholiese drank, volwasse vermaakonderneming, wooneenheid</p>	2	75%	<p>12,0m</p> <p>Ander: Met Raadsgoedkeuring</p> <p>Grondwalle en keerstrukture sal aan 16.6 voldoen</p>	5,0m Verwys na 8.1.2(d)	2,0m Of naasliggende sone Verwys na 8.1.2(d)	2,0m Of naasliggende sone Verwys na 8.1.2(d)	8,0m Verwys na 16.2	Grensmure, parkering en toegang, laaipekke, afskerming, fabriekswinkel, diensstasie, omgewingsoorwegings, terreinontwikkelingsplan		

NYWERHEIDSONES NYWERHEIDSONE 2: AANSTOOTLIKE EN RISIKO- NYWERHEID (IND 2)	VLOERRUIMTE	DEKKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOULYNE			TERUGSET	ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn		
<p>PRIMÊRE GEBRUIKE aanstootlike bedryf, dak-basisstasie, fabrieks winkel, opsigtersakkomodasie, risiko-nywerheid, transmissietoring</p> <p>VERGUNINGSGEBRUIKE afvalstortingsterrein, akwakultuur, diensbedryf, informele handel, mynbou, nutsdiens, nywerheid, rommelwerf, vervoergebruik, winkel</p>	2	75%	12,0m Ander: Met Raadsgoedkeuring	7,5m	5,0m	5,0m	8,0m Venwys na 16.2	Grensmure, parkeering en toegang, laaipeleke, afskerming, diensstasie, fabriekswinkel, omgewingsimpak, terreinontwikkelingsplan
			Grondwalle en keerstrukture sal aan 16.6 voldoen					

GEMEENSKAPSONES GEMEENSKAPSONE 1: GEMEENSKAPFASILITEITE (CO1)	VLOERRUIMTE	DEKKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOUPLYNE			TERUGSET	ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn		
<p>PRIMERE GEBRUIKE crèche, dagsorgsentrum, kliniek, meerdouelike sentrum, plek van aanbidding, plek van onderrig, plek van samekoms</p> <p>VERGUNINGSGBRUIKE begraafplaas, dak-basisstasie, hospitaal, inrigting, konferensiegeriewe, ontspanningsgeriewe, stedelike landbou, transmissietoring, wooneenheide, woongeboou, woonhuis</p>	1,2 2 (hospitaal)	60%	10,5m	5,0m Verwys na 16.1	5,0m Verwys na 16.1	5,0m Verwys na 16.1	8,0 Verwys na 16.2	Bykomende gebruike, parking, laieplekke, afskerming, wooneenheide, terreinontwikkelingsplan, landskapmeesterplan
			Grondwalle en keerstrukture sal aan 16.6 voldoen					

OWERHEID EN NUTDIENSSONES	VLOERRUIMTE	DEKKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOUPLYNE			TERUGSET	ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn		
OWERHEIDSONE: OWERHEIDSGEBRUIK (AU) PRIMÊRE GEBRUIKE owerheidsgebruik, dak-basisstasie VERGUNNINGSGEBRUIKE begraafplaas, nutsdiens, transmissietoring, enige ander gebruik wat deur die Raad bepaal word	-	-	-	-	-	-	-	Terreinontwikkelingsplan, omgewingsbestuursplan. Raad mag ontwikkelingsreëls bepaal

OWERHEID EN NUTDIENSSONES	VLOERRUIMTE	DEKKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOUPLYNE			TERUGSET	ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn		
OWERHEIDSONE: NUTSDIENSTE (UT) PRIMÊRE GEBRUIKE Nutsdiens VERGUNNINGSGEBRUIKE begraafplaas, dak-basisstasie; krematorium, owerheidsgebruik, transmissietoring en enige ander geassosieerde gebruik wat die Raad bepaal	-	-	-	-	-	-	-	Terreinontwikkelingsplan, omgewingsbestuursplan. Raad mag ontwikkelingsreëls bepaal

VERVOERSONES	VLOERRUIMTE	DEKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOULYNE			TERUGSET	ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn		
VERVOERSONE 1: VERVOERGEBRUIK (TR1)	2.5	80%	Tot bopunt van dak 10,0m Grondwalle en keersstrukture sal aan 16.6 voldoen	0,0m 3,5m waar brandstofpompe opgerig word	0,0m 3,0m waar naasliggend is aan 'n residensiële sone	0,0m 3,0m waar naasliggend is aan 'n residensiële sone	6,5m Verwys na 16.2	boulyne, parkering en toegang, laaiplekke, afskerming, informele handel, diensstasie, terreinontwikkelingsplan
VERVOERSONES VERVOERSONE 2: PAD EN PARKERING (TR2)	-	-	Tot bopunt van dak -	Straatboulyn -	Sy-boulyn -	Agter-boulyn -	-	Sonering geag, konstruksie en plasing van materiaal, informele handel, terreinontwikkelingsplan

VERVOERSONES VERVOERSONE 3: HAWE-SONE (TR3)	VLOERRUIMTE	DEKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOULYNE			TERUGSET	ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn		
PRIMÈRE GEBRUIKE Hawegebruik VERGUNNINGSGEBRUIKE akwakultuur, dak-basisstasie, diensbedryf, diensstasie, dorpuisskema, hotel, informele handel, inrigting, kantore, konferensiegeriewe, mark, nutsdiens, nywerheid, ontspanningsgeriewe, parkeergarage, plek van aanbidding, plek van samekoms, plek van vermaak, restaurant, sakeperseel, toeriste- akkommodasie, toeristefasiliteite, transmissietoring, vakansie- akkommodasie, verkoop van alkoholiese drank, vervoergebruik; met dien verstande dat die Raad enige ander gebruik, wat geassosieer is met hawegebruik	1.5	75%	Tot bopunt van dak 11,0m Grondwalle en keerstrukture sal aan 16.6 voldoen	0,0m 3,5m waar brandstofpompe opgerig word	0,0m 3,0m waar naasliggend is aan 'n ander sone	3,0m 4,5m waar naasliggend is aan 'n ander sone	6,5m Verwys na 16.2	Hawegebruik, parkering en toegang, laaipekke, afskerming, dorpuisskema, informele handel, terreinontwikkelingsplan

OOPRUIMTE EN NATUURSONES	VLOERRUIMTE	DEKKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOULYNE			TERUGSET	ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn		
OOPRUIMTE EN NATUURSONES			Tot bopunt van dak					
PRIMÊRE GEBRUIKE Natuurreserwaat	-	-	-	-	-	-	-	Terreinhontwikkelingsplan, omgewingsbestuursplan.
VERGUNNINGSGEBRUIKE dak-basisstasie, nutsdiens, omgewingsfasiliteite, toeristekommodasie, toeristefasiliteite, transmissietoring, wooneenhe, enige ander verwante gebruik wat die Raad mag toelaat								Raad sal ontwikkelingsreëls bepaal
OOPRUIMTE EN NATUURSONES			Tot bopunt van dak					
OOPRUIMTE EN NATUURSONES			Tot bopunt van dak					
PRIMÊRE GEBRUIKE openbare oopruimte	-	-	-	-	-	-	-	Terreinhontwikkelingsplan, omgewingsbestuursplan.
VERGUNNINGSGEBRUIKE begraafplaas, dak-basisstasie, nutsdiens, omgewingsfasiliteite, ontspanningsgeriewe, toeristefasiliteite, transmissietoring, stedelike landbou, enige ander verwante gebruik wat die Raad mag toelaat								Raad sal ontwikkelingsreëls bepaal

OOPRUIMTE EN NATUURSONES OOPRUIMTESONE 3: PRIVAAT OOPRUIMTE (OS3)	VLOERRUIMTE	DEKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK Tot bopunt van dak	BOULYNE			TERUGSET	ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn		
PRIMÊRE GEBRUIKE privaate oopruimte VERGUNINGSGEBRUIKE begraafplaas, dak-basisstasie, nutsdiens, omgewingsfasiliteite, ontspanningsgeriewe; stedelike landbou, toeristefasiliteite, transmissietoring	-	-	-	-	-	-	-	Terreinontwikkelingsplan, omgewingsbestuursplan. Raad sal ontwikkelingsreëls bepaal

OORDSONE VAKANSIE-OORDE (RZ1)	VLOERRUIMTE	DEKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOULYNE			TERUGSET	ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn		
<p>PRIMÊRE GEBRUIKE bewaringsgebruik, privaatpad, privaat ooppuimte, toeriste- akkommodasie, vakansie- akkommodasie</p> <p>VERGUNNINGSGEBRUIKE bykomende wooneenhede, dak-basisstasie, hotel, konferensiegeriewe, ontspanningsgeriewe, plek van samekoms, plek van vermaak, restaurant, toeristefasiliteite, transmissietoering, vakansie- huisvesting, enige ander gebruik soos deur die Raad bepaal</p>	-	-	-	-	-	-	-	Vakansie-huisvesting, bykomende wooneenhede, identifikasie van die gesoneerde gebied, terreinontwikkelingsplan, omgewingsbestuursplan

SPESIALE SONES ONDERVERDELINGS GEBIEDSONE (SA)	VLOERRUIMTE	DEKKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOULYNE			TERUGSET	ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn		
GEBUIK Onderverdeling	-	-	Tot bopunt van dak -	-	-	-	-	Sonerling, digtheid

SPESIALE SONES SPESIALE SONE (SZ)	VLOERRUIMTE	DEKKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOULYNE			TERUGSET	ANDER BEPALINGS
				Straatboulyn	Sy-boulyn	Agter-boulyn		
PRIMÈRE GEBUIKE Geen VERGUNNINGSGEBUIKE enige ander gebruik soos deur die Raad bepaal wanneer 'n Spesiale Sone deur hom goedgekeur word, en waarvoor daar nie onder 'n primêre gebruik in die skema voorstien word nie	-	-	Tot bopunt van dak -	-	-	-	-	Maksimum vloerruimte, dekking, hoogte, boulyne, parkering, digtheid, spesiale sone bylae, terreinontwikkelingsplanne vir spesiale sones, landskapmeesterplan, omgewingsbestuursplan

SPESIALE SONES ONBEPAALENDE SONE (U)	VLOERRUIMTE	DEKKING	MAKSIMUM HOOGTE, GEMEET VANAF BASISVLAK	BOUWLYNE			TERUGSET	ANDER BEPALINGS
				Tot bopunt van dak	Straatboulyn	Sy-boulyn		
PRIMERE GEBRUIKE beperk tot wettige gebruike wat ten tye van die aanvangsdatum bestaan het VERGUNNINGSGEBRUIKE geen	-	-	-	-	-	-	-	Hersonering, herkonstruksie van vernietigde eiendom

