

ETHEKWINI MUNICIPAL LAND USE SCHEME: INNER WEST SUB-SCHEME



**ADOPTION DATE: 26 SEPTEMBER 2012
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VERSION 1.8

	SCHEME PROFILE	
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	SECTION 1: GENERAL	
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- 1.1 Title
- 1.2 Responsible Authority
- 1.3 Reference to a Map
- 1.4 Purpose of the Scheme
- 1.5 Area of the Scheme
- 1.6 Effective Date
- 1.7 Amendments to the Scheme
- 1.8 Inspection of the Scheme
- 1.9 Status of a Scheme
- 1.10 Reservation of Land
- 1.11 Use of Land and Buildings
- 1.12 Existing Use Rights
- 1.13 Exemptions
- 1.14 Declaring, Closing or Diverting of Streets
- 1.15 Applications
- 1.16 Powers of Entry and Inspection
- 1.17 Serving of Notices
- 1.18 Enforcement
- 1.19 Signage, Hoarding and Advertisements
- 1.20 Durban Metropolitan Open Space System Controlled Area
- 1.21 Consolidation of Land
- 1.22 Subdivision of Land
- 1.23 Rezoning of Land
- 1.24 Relaxations – Space about buildings
- 1.25 Special Consent
- 1.26 Title Deed Conditions

	SECTION 2: DEFINITIONS	
--	-----------------------------------	--

- 2.1 General Definitions.
- 2.2 Land Use Definitions

	SECTION 3: SPACE ABOUT BUILDINGS	
--	---	--

- 3.1 Building Lines
- 3.2 Side and Rear Spaces

	SECTION 4: ERF CONTROL	
--	-----------------------------------	--

- 4.1 Minimum Subdivision
- 4.2 Minimum Frontage Requirements

	SECTION 5: FLOOR AREA, COVERAGE AND HEIGHT	
--	---	--

- 5.1 Floor Area
- 5.2 Coverage
- 5.3 Floor Area and Coverage
- 5.4 Height

	SECTION 6: RESERVATION OF LAND	
--	---	--

- 6.1 Reservation of Land

	SECTION 7: DEVELOPMENT FACILITATION TABLE	
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Land Use Zone and Development Parameters

Zone:

Intention of the Zone, Map Reference, Primary, Special Consent and Precluded Uses

Development Parameters:

Space about Buildings, Density, Minimum Erf Size, Height, Coverage, Floor Area Ratio and Additional Controls.

	SECTION 8: PARKING AND LOADING REQUIREMENTS	
--	--	--

8.1 Parking Loading Requirements.

	SECTION 9: DEVELOPMENT STANDARDS	
--	---	--

- 9.1 Telecommunication Infrastructure
- 9.2. Design of Fuelling and Service Stations
- 9.3. Design of Mobile Home Parks
- 9.4. Gaming/Gambling Establishments
- 9.5 Durban Metropolitan Open Space System Controlled Area
- 9.6 Renewable Energy Installations

	SECTION 10: AMENDMENTS TO SCHEME	
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10.1 List of amendments.

1.1 TITLE

1.1.1 The eThekweni Municipal Land Use Scheme is established in terms of the eThekweni Municipality Land Use Management By-Law 2016 framed against the Spatial Planning Land Use Management Act, 2013, (Act No. 16 of 2013). It comprises of five Sub-Schemes:

- (I) Central Sub-Scheme
- (II) Inner West Sub-Scheme
- (III) North Sub-Scheme
- (IV) Outer West Sub-Scheme
- (V) South Sub-Scheme

1.1.2 This Sub-Scheme is known as the Inner West Sub-Scheme which applies to all Erven within the boundary of the Inner West Region over which a Scheme has been put in place.

1.2. RESPONSIBLE AUTHORITY

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

1.3. REFERENCE TO A MAP

The Scheme Map comprises of a series of maps referenced IWS/08/2012 and RH/06/2019 (for Reservoir Hills) reflecting all the districts within the Inner West Sub-Scheme including overlay mapping.

1.4. PURPOSE OF THE SCHEME

1.4.1 Inner West Sub-Scheme and Scheme Maps form part of the Land Use Management System that applies to all erven within the boundary of the Municipality (Inner West Region) over which a Scheme has been put in place.

1.4.2. The purpose of the Scheme is to:

- (a) Enable the comprehensive management of all erven (both private and public sector) within the Municipality over which a scheme has been put in place;
- (b) Promote and implement the applicable planning and development legislation and principles as adopted by the relevant national, provincial and municipal spheres of government from time to time;

- (c) Promote and implement the vision and strategies of the Integrated Development Plan in the realization of quality environments; and
- (d) Manage land-use rights, to provide for facilitation over use rights, to manage urban growth and development, and to manage conservation of the natural environment, in order to:
 - i) Achieve co-ordinated and harmonious development in a way that will efficiently promote public safety, health, order, convenience and to protect the general welfare of the inhabitants of the Municipality;
 - ii) Promote integrated and sustainable development throughout the area of jurisdiction;
 - iii) Promote sustainable environmental management, conserve and protect environmentally sensitive areas;
 - iv) Promote all forms of development and growth through sound Planning principles that would support a mix of land-uses managed in an appropriate manner.

1.4.3. Any application submitted prior to the adoption of this Scheme shall be assessed and finalised under the provisions of such former Scheme regulations, except if the applicant has in writing informed the Municipality that he / she withdraws such application.

1.4.4. Where the lawful utilization of land at the commencement of this Scheme does not comply with the zones of this Scheme, including the approval of an application under 1.4.3 above, the utilization shall be deemed not to constitute an offence.

1.4.5 If any provision in this Scheme is deemed invalid by any court of law, such provision shall be severed from this Scheme, but shall not affect the validity of the remaining provisions.

1.5. AREA OF THE SCHEME

The Inner West Sub-Scheme applies to all erven within the jurisdiction of the Inner West Region of the Municipality as shown on the associated Scheme Maps referenced IWS/08/2012.

1.6. EFFECTIVE DATE

The effective date of this Scheme is the 25 October 2012.

1.7. AMENDMENT TO THE SCHEME

The Municipality shall comply with provisions as set out in the applicable legislation.

1.8. INSPECTION OF THE SCHEME

- 1.8.1. The Scheme (Regulations and Maps) are public documents and open for inspection by the general public at any reasonable time.
- 1.8.2. A register of all applications and decisions on the Scheme shall be kept and shall be available for inspection by any person or persons at any reasonable time.

1.9. STATUS OF THE SCHEME

- 1.9.1. A scheme is binding on the Municipality, all other persons and organs of state, except in the event of a conflict with the provisions of an integrated development plan that was adopted prior to the scheme or amendment to the scheme.
- 1.9.2. The provisions of the integrated development plan will prevail over the provisions of a scheme in the event of a conflict with the provisions of an integrated plan that was adopted prior to the scheme or amendment to the scheme.
- 1.9.3. The provisions of a scheme that were adopted prior to the adoption of an integrated development plan prevail in the event of a conflict with the provisions of the integrated development plan.
- 1.9.4. A Municipality may not approve a proposal to subdivide or consolidate land that is in conflict with the provisions of a scheme.
- 1.9.5. An approval to subdivide or consolidate land that is in conflict with the provisions of a scheme is invalid.
- 1.9.6. Any part of a scheme that applied to land that has been incorporated into another Municipality in the Province as a result of the redetermination of a Municipal boundary by the demarcation board in terms of the Local Government; Municipal Demarcation Act, 1998 (Act No. 27 of 1998), must be treated as a scheme of the receiving Municipality.
- 1.9.7. A scheme replaces all town planning schemes within the area to which it applies. The legal status of an existing building or structure that has been lawfully erected before the effective date of the adoption, replacement or amendment of a scheme in terms of the applicable legislation is not affected by the adoption, replacement or amendment of the scheme.

- 1.9.8. Land that was being used lawfully before the effective date for the adoption, replacement or amendment of a scheme in terms of the applicable legislation for a purpose that does not conform to the scheme, may continue to be used for that purpose.
- 1.9.9. Any extension to buildings or structures on land contemplated in this sub section must comply with the scheme.
- 1.9.10 An owner who believes that the Scheme contains an error in respect of their property may apply to the Head: Development Planning, Environment and Management to correct the error.
- 1.9.11 An owner making an application contemplated in subsection (1.9.10) –
- (a) must describe the nature of the error;
 - (b) bears the onus of proving the error and must provide written proof of the lawful land development use rights; and
 - (c) must indicate the correct zoning.
- 1.9.12 Status of zoning map and exemption of the Municipality from liability for any error.
- (a) The ceases to exist on the day it lapses in terms of this Scheme, through amendment or a previous zoning Scheme, even if the zoning map still records the use right as existing.
- 1.9.13 The Head: Development Planning, Environment and Management is exempt from liability for any damage which may be caused by –
- (a) an error in the zoning map; or
 - (b) an erroneous representation by the Head: Development Planning, Environment and Management about a use right or the zoning of an erf.

1.10 RESERVATION OF LAND

- 1.10.1 The areas of land shown on the Scheme Map and listed in Section 6: Reservation of Land is reserved for the purposes indicated. They shall not be used for any purpose which would conflict with the use for which they have been reserved, save that any such land may continue to be used for the purpose for which it was used on the effective date. Any land which is reserved in favour of the Municipality is subject to the requirements of the applicable legislation.

1.10.2 Where reservations for purposes such as Public Open Space, Road, National, Provincial and Local Government, Railway or Essential Services appear on an Erf, no person shall erect a building or execute any other work on the reserved land save with the Consent of the Municipality after approval by the Organ of State concerned, provided that any existing land use or existing building may continue until such time as the Municipality has acquired and transferred ownership of the land in terms of the provisions of the Local Authorities Ordinance or any other relevant legislation. In granting its Consent under this clause the Municipality shall specify the date on which the Consent shall expire.

1.11. USE OF BUILDINGS AND LAND

1.11.1 The types of buildings and land uses contemplated for this Scheme are defined in Section 2 of these clauses.

1.11.2 The extent and location of the various zones shall be as set out on the adopted Scheme Maps. Within each zone the defined buildings and land use activities contemplated are separated into three categories:

- a) **Primary:** land may be used or buildings may be erected and used with the written approval of the Municipality;
- b) **Special Consent:** land may be used or buildings may be erected and used only with the Special Consent of the Municipality.
- c) **Precluded:** Those buildings and land uses which are expressly prohibited.

1.11.3 In approving any application, the Municipality shall take into consideration the nature of the proposed use in relation to the character of the area and impose whatever conditions it considers necessary to protect the amenities of the neighbourhood, subject to the right of appeal as is contemplated in terms of the applicable legislation. Any proposed use or development shall conform to the uses listed in these clauses for each zone. In this regard, attention is drawn to the offences and penalties contemplated in terms of the applicable legislation.

1.11.4 Any decision, order or authorization given by the Appeals Tribunal, and as confirmed or altered shall be deemed to be a valid authority granted to the Municipality, and, as such, shall be construed as being in accordance with the duly adopted provisions of the Scheme.

1.11.5 No person shall bring onto any property in a residential zone, or cause to allow present thereon any heavy or extra heavy duty vehicles for bona fide purposes of delivering or supplying goods or services to such premises. The keeping of not more than two (2) public motor vehicles or trade vehicles, not exceeding a gross

tare mass of three (3) tons shall obtain a permit for overnight parking. The applicant will be required to submit a letter of motivation, the vehicle registration details and the street address where such vehicle will be parked overnight.

1.12. EXISTING USE RIGHTS

1.12.1 The building types shall be defined as set out in Section 2 of this Scheme. The extent and location of the various zones shall be as set out in the corresponding Inner West Scheme Maps.

1.12.2 An existing building or an existing use of land which is not in conformity with the provisions of this Scheme relating to the erection and use of buildings and the use of land, may be maintained and may be used for their existing purposes, provided that such existing building or land use was approved in terms of the Town Planning Scheme applicable to it prior to the adoption of this Scheme or if such existing building or use of land enjoyed an existing use right status at the date of the adoption of the Town Planning Scheme applicable to it.

Any such non-conforming existing building or use of land may be increased on the erf by an amount not greater than 20 per cent of its total floor area or area as the case may be, at the said date of adoption, provided further, that the completed building or use is in conformity with the other provisions of the Scheme, relating to the zone in which such building or use is situated. Notwithstanding the provisions of this sub-clause, the above additional floor area or area allowance may be increased, provided that the prior written consent of the registered owner of each adjoining property, and such other properties as the Municipality may direct, has first been obtained. Where such written consent is not forthcoming, the applicant shall, in seeking the consent, be required to apply for Special Consent. Thereafter no further increases shall be permitted.

1.12.3 Any existing building may be demolished and replaced by a new building on the same Erf and the existing use may continue in the new building provided however, that the proposed new building shall contain no greater cubic content than the existing building and shall have no greater superficial area on the ground floor than the existing building and provided also that the new building is in conformity with the other provisions of the Scheme. Any such new building shall be commenced, at least to the extent of completing the foundations of the new buildings, within a period of 18 months after the date upon which the demolition of the existing building is completed. Any failure to commence re-building within this period of 18 months shall be deemed to terminate the existing use right.

1.12.4 Any alteration or addition or change which materially alters the character of an

existing building or use of land shall automatically remove such building or use of land from the category of “existing building” or “existing use right”.

1.13. EXEMPTIONS

1.13.1 Nothing in the Scheme shall prohibit or restrict:

- (a) The winning of minerals, sand by underground or surface work without first obtaining the Special Consent of the Municipality.
- (b) The temporary use of any premises; provided that such use is restricted to not more than a total of 52 days in any one calendar year, which could be consecutive days, with the written authority of the Municipality been applied for and obtained. Such authority shall be granted by the Municipality, if it is satisfied that the amenities of the neighbourhood are not interfered with in any way and may impose such conditions as it deems fit; provided further that the period of temporary use may be extended upon application to the Head: Development Planning Environment and Management for such further period not exceeding 12 months, having considered the merits of extending such temporary use. A temporary use of premises does not include the use for temporary accommodation, resettlements, industrial or other related activities.
- (c) The temporary use of any premises for emergencies declared in terms of the Disaster Management Act No 57 of 2002, which provides for:
 - i) an integrated and co-ordinated disaster management policy that focuses on preventing or reducing the risk of disasters, mitigating the severity of disasters, emergency preparedness, rapid and effective response to disasters and post-disaster recovery;
 - ii) the establishment of national, provincial and municipal disaster management centres; and
 - iii) disaster management volunteers and matters incidental thereto.
- (d) The use of a Dwelling house as a boarding house for not more than 4 persons.
- (e) The installation of a maximum of 5 limited payout machines which may be freely permitted on premises that are licenced to serve alcohol and where the playing of limited payout machines on the site will form a secondary activity to the main activity of the site. The installation of more than 5 machines (up to a maximum of 40 machines) will only be permitted on premises were the zone permits the use of a Place of Public Entertainment.
- (f) A Short-Term Accommodation Establishment, Home Business, Tuck Shop / Spaza Shop and Medical Office may only be permitted from a Dwelling House.

- (g) The use of a premises for the purposes of a Child Minder Service.
- (h) The owner/occupier of a Dwelling House from operating a Tuck Shop/Spaza Shop for the sale of goods required for the essential day to day needs of the neighbourhood who may-be assisted by not more than two people. The sale of goods is to take place through a window, doorway or hatchway only and shall not include a walk in Shop. The area to be utilized for the Tuck Shop / Spaza Shop inclusive of storage areas shall not exceed 30m² of the area of the Dwelling House and the Dwelling House must remain residential in appearance and character, and must at all times comply with the definition of “Dwelling House”. No external advertising shall be permitted on the site except for one non-illuminated sign on each road frontage, and each sign shall not exceed 0,20m² in area. Any signage larger than the 0.20m² will require an application to be made to the Signage Department. The operation of a Tuck Shop / Spaza Shop use shall not detract from the residential character of the neighbourhood.
- (i) The establishment of a Student Residence within the identified Student Accommodation Management Layer surrounding the University of Kwa-Zulu Natal Westville Campus, subject to compliance with the recommendations of the pilot study entitled the “Student Accommodation for Two Precinct Areas” Adopted by the Municipality on 31 July 2019. The operation of a Student Residence shall require a certificate issued in terms of the Section 5(1) Accommodation Establishments By-Law, 2018 and shall be compliant with the By-Law. The Student Residence shall, to the extent applicable as determined by the Head Land Use Management, comply with the Nuisances and Behaviour in Public Places By-Law, 2015. The design of a Student Residence shall be consistent with the minimum norms and standards and shall be in line with the gazetted Policy on the Minimum Standards and Norms for Student Housing at Public Universities. In considering an application for a Student Residence, the Municipality shall take into consideration the following:
 - i) the impact of the proposed use on the amenity of the surrounding area and the anticipated impact on the character of the area;
 - ii) the suitability of the premises concerned for the proposed use;
 - iii) the impact of the development on the traffic, infrastructure, and noise mitigation measures;
 - iv) compliance with development principles and objectives of the precinct;
 - v) compliance of the design with the minimum norms and standards;
 - vi) The contents of the management plan, safety and security measures and property maintenance;
 - vii) any, other matters which would, in its opinion, interfere with the amenities of the neighbourhood.

1.13.2 Ancillary Units

(a) Intention of the Scheme:

An ancillary unit shall have a gross permitted floor area not exceeding 80m²; provided that verandahs and garages may be permitted over and above the permitted 80m² subject to compliance with the provisions relating to coverage and floor area.

(b) The following shall apply when considering the establishment of an ancillary unit:

- i) There shall be no interleading doors between an ancillary unit and the main dwelling house, provided that the Municipality may relax this provision, if there is a need for an interleading door for health and safety reasons.
- ii) In multiple unit developments, no ancillary unit/units may be permitted. Where a site is developed for a Second Dwelling house an ancillary unit may be permitted for each Dwelling house.
- iii) The road or street access serving the ancillary unit shall be the same access which serves the main dwelling, provided that the Municipality may, by reason of the same access being impractical, or any other cogent reason, permit a road or street access separate from that which serves the main dwelling;
- iv) An ancillary unit shall not be permitted to be separate in title from the main dwelling.

1.13.3. Short-Term Accommodation Establishment

(a) Intention of the Scheme

The Intention of the Scheme is to allow the owner/occupier of a dwelling house to let a maximum of ten bedrooms for accommodation purposes. The primary use of the erf shall remain residential in nature and the Short-Term Accommodation establishment shall, in the opinion of the Municipality, not negatively impact on the Neighbourhood. Short-Term Accommodation includes a Short-Term Accommodation Establishment and online accommodation bookings but excludes Student Accommodation and a Hotel.

(b) Nothing in this scheme shall prohibit or restrict the running of Short-Term Accommodation Establishment from a dwelling house provided that:

(c) A Short-Term Accommodation Establishment shall only be operated with the Consent of the Municipality. The applicant shall provide proof of notification or written consent of the registered owner/s of the affected

properties, and such other properties as the Municipality may direct. Where an adjoining owner or affected owner has been notified and objects to an application, valid reasons for objecting to such application must be furnished to the Municipality. Failure to submit any response to the notification within the stipulated period will be deemed as consent.

- (d) Uses incidental to the Short-Term Accommodation Establishment shall only be considered with the Special Consent of the Municipality, and shall be limited to the exclusive use of the patrons of the establishment.
- (e) There shall at all times be either the owner, manager or letting agent who shall be responsible for the management of the establishment.
- (f) The building shall, in the opinion of Council, conform to the appearance and definition of a dwelling house, so that upon the cessation of the use, the building shall be capable of reverting to the use as a dwelling house.
- (g) Parking for all guests shall be one bay per room, and parking for the vehicles of the owner/manager shall be provided on-site to the satisfaction of the Head: Development Planning, Environment and Management.
- (h) No external advertising shall be permitted on the site other than a maximum of one non-illuminated sign on each road frontage and each sign shall not exceed 0,20m² in area. Any signage larger than 0,20m² will require an application to be made to the signage department.
- (i) After affording the applicant the opportunity of being heard, the Municipality may at any time impose any further condition it deems reasonably necessary in order to preserve the residential amenity of the area, or it may withdraw the Special Consent if, in its opinion, the amenities of the neighbourhood are being adversely affected by the activities.
- (j) If the use is discontinued for the period of 18 months, the dwelling house, insofar as it may have been altered for that purpose, must be restored to its original state to the satisfaction of the Head: Development Planning, Environment and Management.
- (k) In considering an application for a Short-Term Accommodation Establishment, the Municipality shall take into consideration the following:-
 - i) the scale of the operation in relation to the character of the area;
 - ii) the suitability of the premises concerned for the proposed use;
 - iii) the availability of on-site parking for motor vehicles; and
 - iv) any other matters which would, in its opinion, interfere with the amenities of the neighbourhood.

1.13.4 Home Business

(a) Intention of the Scheme

The intention of the Scheme is to allow the owner/occupier of a Dwelling House to contribute to the local economy of the Municipality. Land uses that may be considered shall not in the opinion of the Municipality negatively impact on the neighbourhood. Industrial uses such as Panel Beating/Spray Painting/Motor related uses as well as Engineering land uses such as Burglar Guard Manufacture will not be allowed. A shop is a prohibited land use. A Home Business includes a Health and Beauty Clinic. A Home Business is restricted to a single non impacting use.

(b) Nothing in this scheme shall prohibit or restrict the running of a Home Business from a Dwelling House provided that:

- i) The area to be utilized for the Home Business shall not exceed 30% or a maximum of 40m², of the existing floor area of the Dwelling House on an Erf whichever is the lesser inclusive of storage areas. The predominant use shall remain residential; and only be operated by a person who is the bona fide resident of the Dwelling House, and such person may be assisted in the Home Business by not more than two people. In this instance no land development application is required subject to a building plan being submitted and approved.
- ii) For Home Businesses larger than (a) above the area to be utilized for the Home Business shall not exceed 50% or a maximum of 80m², of the existing floor area of the Dwelling House on an Erf whichever is the lesser inclusive of storage areas. The predominant use shall remain residential; and only be operated by a person who is the bona fide resident of the Dwelling House, and such person may be assisted in the Home Business by not more than four people. In this instance the Home Business activity shall only be operated with the Consent of the Municipality. The applicant shall provide proof of notification or written consent of the registered owner/s of the affected properties, and such other properties as the Municipality may direct. Where an adjoining owner or affected owner has been notified and objects to an application, valid reasons for objecting to such application must be furnished to the Municipality. Failure to submit any response to the notification within the stipulated period will be deemed as consent.
- iii) The Dwelling House in which the Home Business is carried on must remain residential in appearance and character, and must at all-time comply with the definition of “dwelling house”;

- iv) On-site parking and loading facilities shall be provided to the satisfaction of the Head: Development Planning Environment and Management;
- v) The hours of operation shall be to the satisfaction of the Head: Development Planning Environment and Management and shall be specified in the consent granted;
- vi) No external advertising shall be permitted on the site except for one non-illuminated sign on each road frontage, and each sign shall not exceed 0,20m² in area; any signage larger than 0,20m² will require an application to be made to the signage department;
- vii) Storage of goods and equipment shall be within the area designated for that purpose on the plan which is to accompany the application for Special Consent, detailing the area to be used for the business as well as any portion of that area in which goods or equipment will be stored;
- viii) Only one light delivery vehicle may be used for delivery or to dispatch goods or supplies;
- ix) After affording the applicant the opportunity of being heard, the Municipality may at any time impose any further condition it deems reasonably necessary in order to preserve the residential amenity of the area, or it may withdraw the consent if, in its opinion, the amenities of the neighbourhood are being adversely affected by the activities of the business;
- x) If the use is discontinued for the period of 18 months, the dwelling house insofar as it may have been altered for that purpose, must be restored to its original state to the satisfaction of the Head: Development Planning Environment and Management.

1.13.5 STUDENT ACCOMMODATION ESTABLISHMENT

- (a) Intention of the Scheme:

The following applies only to the identified Student Accommodation Management Layer (adopted by the Municipality on 31 July 2019) surrounding the University of Kwa-Zulu Natal Westville Campus. The Intention of the Scheme is to allow a Student Accommodation Establishment from a Dwelling House or Multiple Unit Development. The erf shall remain residential in nature and the Student Accommodation Establishment shall, in the opinion of the Municipality, not negatively impact the Neighbourhood and shall conform to the following:

- (b) Nothing in the Scheme shall prohibit or restrict the running of a Student Accommodation Establishment from a Dwelling House or within a Multiple Unit Development provided that:

The Student Accommodation shall only be operated with the Consent of the Municipality. The applicant shall provide proof of notification or written consent of the registered owner/s of the affected properties, and such other properties as the Municipality may direct. Where an adjoining owner or affected owner has been notified and objects to an application, valid reasons for objecting to such application must be furnished to the Municipality. Failure to submit any response to the notification within the stipulated period will be deemed as consent.

- i) There shall at all times on the property be either the owner, or manager who shall be responsible for the management of the Establishment.
- ii) The operation of student accommodation establishment shall require a certificate issued in terms of the Section 5(1) Accommodation Establishments By-Law, 2018 and shall be compliant with the By-Law,
- iii) The establishment shall, to the extent applicable as determined by the Head Land Use Management, comply with the Nuisances and Behaviour in Public Places By-Law, 2015.
- iv) There shall be a management plan in effect as per the recommendations of the pilot study entitled the “Student Accommodation for Two Precinct Areas” Adopted by the Municipality on 31 July 2019.
- v) The building shall, in the opinion of the Municipality, conform to the appearance and definition of a Dwelling House or Dwelling Unit; so that upon cessation of the use, the building shall be capable of reverting to the use as a Dwelling House or Dwelling Unit.
- vi) The design of a student accommodation establishment shall be consistent with the minimum norms and standards and shall be in line with the gazetted Policy on the Minimum Standards and Norms for Student Housing at Public Universities.
- vii) Parking shall be calculated at a minimum of one bay for a Dwelling House and one bay per Dwelling Unit used for the Student Accommodation Establishment and parking for the vehicle of the manager or owner shall be provided on-site to the satisfaction of the Head: Development Planning Management and Environment;
- viii) The Consent granted to operate a Student Accommodation Establishment shall not be transferable to successors in title provided that with the further written agreement of the Head: Development Planning and Management, the transfer of the use as a Student Accommodation Establishment to another bona fide owner of the erf may be permitted.

- ix) If the use is discontinued for the period of greater than 18 months the Dwelling House or Dwelling Unit, insofar as it may have been altered for Student Accommodation purposes, must be restored to its original state to the satisfaction of the Head: Development Planning Management and Environment.
- x) After affording the applicant the opportunity of being heard, the Municipality may at any time impose any further conditions it deems reasonably necessary in order to preserve the residential amenity of the area, or it may withdraw the Consent if, in its opinion, the amenities of the neighbourhood are being adversely affected by the activities;
- (xi) In considering such an application for Student Accommodation Establishment, within the Student Accommodation Management Layer the Municipality shall take into consideration the following:
 - (aa) the scale of the operation in relation to the character of the area;
 - (bb) the suitability of the premises concerned for the proposed use;
 - (cc) the availability of on-site parking for motor vehicles; and
 - (dd) any, other matters which would, in its opinion, interfere with the amenities of the neighbourhood;
 - (ee) capacity of the existing services to accommodate the proposed use.
- (xii) Applications for Student Accommodation Establishments outside of the Student Accommodation layer shall only be permitted with the full Special Consent of the Municipality and the following shall be taken into consideration:
 - (aa) the scale of the operation in relation to the character of the area;
 - (bb) the suitability of the premises concerned for the proposed use;
 - (cc) the availability of on-site parking for motor vehicles; and
 - (dd) any, other matters which would, in its opinion, interfere with the amenities of the neighbourhood
 - (ee) be located within close proximity of a public transport route and socio-economic facilities.
 - (ff) evidence that it is serving an educational facility.

1.13.6 Medical Offices

(a) Intention of the Scheme

The Intention of the Scheme is to allow the occupier / owner of a Dwelling House to convert the whole or any portion of a Dwelling House to a Medical Office for

conducting the profession or occupation of a medical practitioner, dentist, veterinarian, traditional healer and such other profession or occupation of a like or allied nature. A Medical Office may only be permitted with Consent of the Municipality subject to the following conditions:-

- (b) Nothing in the scheme shall prohibit or restrict the running of medical offices provided that:
- i) Medical Offices shall only be operated with the Consent of the Municipality. The applicant shall provide proof of notification or written consent of the registered owner/s of the affected properties, and such other properties as the Municipality may direct. Where an adjoining owner or affected owner has been notified and objects to an application, valid reasons for objecting to such application must be furnished to the Municipality. Failure to submit any response to the notification within the stipulated period will be deemed as consent.
 - ii) No medical offices or veterinary clinic may be permitted in a Special Residential zoned site that is used for Multiple Unit Development purposes.
 - iii) The building shall be designed so as to harmonize with and in its external appearance, conform to the residential development existing.
 - iv) The following provision shall be made for parking: (One) 1 parking space for every 20m² of gross office floor area. In addition, provision shall be made for loading and off-loading, access and egress to the satisfaction of the Head: Development Planning and Management. Provided further that the surface material used to cover the parking area shall be to the satisfaction of the Head: Development Planning and Management.
 - v) A minimum of 25 % of the site area, including the parking area, shall be landscaped and maintained to the satisfaction of the Head: Development Planning and Management.
 - vi) Not more than six persons including practitioners and staff shall practice or be employed in that portion of the premises to which the Municipality's Special Consent relates.
 - vii) No external advertising shall be permitted on the site other than a maximum of one non-illuminated sign on each road frontage and each sign shall not exceed 0,20m² in area. Any signage larger than 0,20m² will require an application to the signage department.
 - viii) A veterinary clinic may include; the boarding of animals for short-term care resulting from medical treatment only, a grooming parlour and a retail outlet

restricted to the sale of veterinary and animal maintenance products considered ancillary to the veterinary practice.

- ix) Medical offices are for the provision of health services and may include laboratories associated therewith, but which do not provide overnight care or serve as a base for an ambulance service. Medical offices are operated by doctors, dentists, chiropractors, homeopaths, traditional healers, or such similar practitioners.

1.13.7 Aged Home Care Facility:

(a) Intention of the Scheme:

The Intention of the Scheme is to allow the owner or occupier of the Dwelling House in any residential zone to let a maximum of ten bedrooms for the purposes of accommodation for the aged, together with a dedicated registered health care professional. The primary use of the site shall remain residential in nature and the Aged Home Care Facility shall, in the opinion of the Municipality, not negatively impact on the neighbourhood.

(b) Nothing in the scheme shall prohibit or restrict the running of an Aged Home Care Facility from a Dwelling House provided that:

- i) The Aged Home Care Facility shall only be operated with the Consent of the Municipality. The applicant shall provide proof of notification or written consent of the registered owner/s of the affected properties, and such other properties as the Municipality may direct. Where an adjoining owner or affected owner has been notified and objects to an application, valid reasons for objecting to such application must be furnished to the Municipality. Failure to submit any response to the notification within the stipulated period will be deemed as consent.
- ii) An Aged Home Care Facility shall not consist of more than ten bedrooms for the use by patrons of the Establishment;
- iii) There shall at all times be either the owner or a manager who shall be responsible for the management of the establishment.
- iv) The building shall, in the opinion of Council, conform to the appearance and definition of a dwelling house, so that upon the cessation of the use, the building shall be capable of reverting to the use as a dwelling house without the need for alteration;
- v) Parking for all patrons shall be one bay per room, and parking for the vehicles of the owner/manager shall be provided on-site to the satisfaction of the Head: Development Planning Management and Environment;

- vi) No external advertising shall be permitted on the site other than a maximum of one non-illuminated sign on each road frontage and each sign shall not exceed 0,20m² in area. Any signage larger than 0,20m² will require an application to be made to the signage department;
- vii) After affording the applicant the opportunity of being heard, the Municipality may at any time impose any further condition it deems reasonably necessary in order to preserve the residential amenity of the area, or it may withdraw the Special Consent if, in its opinion, the amenities of the neighbourhood are being adversely affected by the activities;
- viii) If the use is discontinued for the period of 18 months, the dwelling house, insofar as it may have been altered for that purpose, must be restored to its original state to the satisfaction of the Head: Development Planning Management and Environment.”
- ix) In considering such an application for an Aged Home Care Facility, the Municipality shall take into consideration the following:
 - (aa) The scale of the operation in relation to the character of the area;
 - (bb) The suitability of the premises concerned for the proposed use;
 - (cc) The availability of on-site parking for motor vehicles; and
 - (dd) any other matters which would, in its opinion, interfere with the amenities of the neighbourhood.
- x) The granting of such an application shall be subject to such terms and conditions as the Municipality may deem proper, including the provision of adequate off-street parking for motor vehicles, the number of persons that may be accommodated on the premises and any other condition it considers necessary or proper in order to ensure that the amenities of the area are not interfered with, provided that if it is subsequently found that there is in fact an interference with the amenities of the neighbourhood, the Municipality may impose further conditions after affording the owner an opportunity of being heard or call on the owner to cease the usage.

1.13.8 Tavern:

a) Intention of the Scheme

The Intention of the Scheme is to allow the owner/occupier of a Dwelling House to operate a Tavern, and contribute to the Local Economy of the Municipality, while adhering to the objectives of Chapter 1 (Section 2) the National Liquor Act, 2003, National Norms and Standards of the National Liquor Act, 2003, and Chapter 1 (Section 2) of Kwazulu-Natal Liquor Licensing Act, 2010, and/or any other subsequent applicable legislation. Land Uses that may be considered shall not in the opinion of the Municipality negatively impact on the neighbourhood.

A Tavern is restricted to a single non-impacting use.

- b) Nothing in this scheme shall prohibit or restrict the running of a Tavern (hereinafter referred to as “operation”) from a Dwelling House premises provided that:
- i) The operation is in full compliance with all of the conditions and recommendations contained within, a Liquor License, issued in terms the Kwazulu-Natal Liquor Licensing Act, 2010, and / or any other subsequent applicable legislation.
 - ii) A Tavern shall only be operated with the Consent of the Municipality. The applicant shall provide proof of notification or written consent of the registered owner/s of the affected properties, and such other properties as the Municipality may direct. Where an adjoining owner or affected owner has been notified and objects to an application, valid reasons for objecting to such application must be furnished to the Municipality. Failure to submit any response to the notification within the stipulated period will be deemed as consent.
 - iii) The proposed operation shall not be located within a 500 metre radius of any religious or learning institutions. A site/area plan, indicating such institutions, must be submitted with the application.
 - iv) The proposed operation shall not be located within a 500 metre radius of other licensed operations within a residential area. A site/area plan, indicating other operations, shall be submitted with the application.
 - v) With regards to items (iii) and (iv) above, a 250 metre radius may also be taken into consideration depending on density of population and residences.
 - vi) Applications shall include a detailed security plan of the measures to be taken by the applicant in terms of providing security measures for both inside the proposed premises, as well as within the circumference of 5 metres outside the proposed premises.
 - vii) Unless otherwise stipulated by applicable legislation, the hours of operation shall be limited to the hours between 10:00 and 21:00 Monday to Saturday, and between 10:00 and 17:00 on a Sunday.
 - viii) The operation, and all Activities connected therewith, must be confined to the indicated operational (Tavern) area and to remain separate from any main dwelling on site, inclusive of storage areas.
 - ix) Adequate facilities for refuse and waste disposal shall be provided, to the satisfaction of the eThekweni: Environmental Health Department.
 - x) The operation is not to be used for the bottling of liquor, or for the sale of liquor for consumption off premises.

- xi) The operation may include the consumption of non-alcoholic beverages and the preparation and consumption of food, but shall not include the sale of the aforesaid items for consumption off premises.
- xii) On-site parking and loading facilities shall be provided, all to the satisfaction of the Head: Development Planning and Management and Head: eThekweni Traffic Authority.
- xiii) No external advertising shall be permitted on the site other than a maximum of one non-illuminated sign on each road frontage and each sign shall not exceed 0.20m² in area. Any signage larger than 0.20m² will require an application to be made to the municipal signage department;
- xiv) Storage of goods and equipment shall be within the area designated for that purpose on the plan which is to accompany the application for Consent, detailing the area to be used for the business as well as any portion of that area in which goods or equipment will be stored;
- xv) After affording the applicant the opportunity of being heard, the Municipality may at any time impose any further condition it deems reasonably necessary in order to preserve the residential amenity of the area, or it may withdraw the consent if, in its opinion, the amenities of the neighbourhood are being adversely affected by the activities of the operation;
- xvi) If the use is discontinued for the period of 18 months, the original premises, insofar as it may have been altered for that purpose, must be restored to its original state to the satisfaction of the Head: Development Planning Management and Environment.
- xvii) This scheme provision does not exempt the applicant from compliance with any other applicable legislation.

1.13.9 EARLY CHILDHOOD DEVELOPMENT CENTRE

(a) Intention of the Scheme:

The Intention of the Scheme is to allow the owner/occupier of any Premises to operate an Early Childhood Development Centre as supported by the Children's Act 38 of 2005 and supported the National Integrated Early Childhood Development Policy of 2015, and any subsequent amendments to such legislation. An Early Child Development Centre is restricted to a single non impacting use.

(b) Nothing in this scheme shall prohibit or restrict the running of an Early Childhood Development Centre from any premises provided that:

- i) Written proof of initial consultation and qualification as an Early Childhood Development service provider, or similar, from Department of Social Development is provided.
- ii) Full compliance with the municipalities Child Care Facilities By-Law of 2016 (or subsequent legislation) is adhered to.
- iii) A Health Compliance Certificate issued in terms of the municipalities Child Care Facilities By-Law of 2016 (or subsequent Legislation) is provided.
- iv) The Early Childhood Development Centre shall only be operated with the Consent of the Municipality. The applicant shall provide proof of notification or written consent of the registered owner/s of the affected properties, and such other properties as the Municipality may direct. Where an adjoining owner or affected owner has been notified and objects to an application, valid reasons for objecting to such application must be furnished to the Municipality. Failure to submit any response to the notification within the stipulated period will be deemed as consent.
- v) On-site parking and loading facilities shall be provided to the satisfaction of the Head: Development Planning, Environment and Management;
- vi) No external advertising shall be permitted on the site other than a maximum of one non-illuminated sign on each road frontage and each sign shall not exceed 0.20m² in area. Any signage larger than 0.20m² will require an application to be made to the signage department;
- vii) Storage of goods and equipment shall be within the area designated for that purpose on the plan which is to accompany the application for Consent, detailing the area to be used for the Early Childhood Development Centre as well as any portion of that area in which goods or equipment will be stored;
- viii) After affording the applicant the opportunity of being heard, the Municipality may at any time impose any further condition it deems reasonably necessary in order to preserve the amenity of the area, or it may withdraw the consent if, in its opinion, the amenities of the neighbourhood are being adversely affected by the activities of the Early Childhood Development Centre;
- ix) The hours of operation shall be to the satisfaction of the Head: Development Planning, Environment and Management, and shall be specified in the Special Consent granted;
- x) If the use is discontinued for the period of 18 months, the premises, insofar as it may have been altered for that purpose, must be restored to its original state to the satisfaction of the Head: Development Planning, Environment and Management.

1.14. DECLARING, CLOSING OR DIVERTING OF STREETS

1.14.1 All streets and roads shown on the Scheme Map and the widening of existing streets and roads shown in red on the Scheme Map are to be new streets and roads, and shall become effective at dates to be determined. All streets and roads shown in red hatch on the Scheme Map are to be closed at dates to be determined.

1.14.2. Where the Municipality adopts an amendment to the Scheme which has the effect of altering the use of an Erf in such a way that the development of the Erf concerned in terms of the amendment to the scheme will create the need for the widening of any road or the creation of a new road, the Municipality may require as a condition of the development of the Erf that the owner thereof provide free of any cost and compensation a servitude over the Erf concerned for such road widening or new road in favour of the Municipality.

1.14.3. The width extent and dimensions of the road widening or new road referred to shall be determined by the Municipality and be subject to a detailed survey thereof.

1.15. APPLICATIONS

1.15.1 At any time after the effective date no person shall:

- a) erect a new building, or alter or add to an existing building or carry out any other proposed work, or
- b) develop or use any land, or use any building or structure for any purpose different from the purpose for which it was being developed or used on such date, or
- c) use any building or structure erected after such date for a purpose or in a manner different from the purpose for which it was erected:

until the applicant has first applied in writing to the Municipality for authority to do so and the Municipality has granted its written authority thereto either with or without conditions,

- a) provided that any Approval granted by the Municipality shall remain valid for a period in accordance with the prevailing legislation;
- b) where any building or work referred to in any such Approval has not been substantially commenced within the said period or where an appeal has been lodged, within a period as specified in accordance with the prevailing legislation from the date of notification of the outcome of such appeal, or where there has been an interruption in the development of the building or land for a continuous period in accordance with the prevailing legislation, the said Approval shall automatically be considered to have lapsed and building operations or use of land shall not be commenced or recommenced unless new approval has first been applied for and obtained; and

- c) applications in Traditional Authority Area require approval from the Traditional Authority before submission to the Municipality. Furthermore, should approval be granted from the Municipality, then approval is also required from the Ingonyama Trust Board prior to implementation.

1.16. POWERS OF ENTRY AND INSPECTION

1.16.1. The Municipality shall be entitled, through its duly authorized officers, to enter into and upon any premises within its area of jurisdiction at any reasonable time for the purpose of carrying out any inspection necessary for the proper administration and enforcement of the provisions of the scheme.

1.16.2. No person shall in any way hinder, obstruct or interfere with any duly authorized officer of the Municipality in the execution of their duties and functions in terms of this Scheme, nor shall any person cause or allow any hindrance, obstruction or interference with such officer.

1.17. SERVING OF NOTICES

1.17.1 Any notice required or authorized to be served in terms of the Scheme, shall be served in terms of the applicable legislation

1.18. OFFENCES

1.18.1 Any person who:

- a) contravenes or fails to comply with any condition set out in terms of any provision of this Scheme, or
- b) contravenes or fails to comply with any requirements set out in a notice issued and served in terms of this Scheme, or
- c) knowingly makes a false statement in connection with any provision of this Scheme:

Shall be guilty of an offence.

1.19. SIGNAGE, HOARDING AND ADVERTISEMENTS

1.19.1 No signage or advertisements shall be displayed, or any hoarding permitted without the written approval of the Municipality. Any person proposing to erect any sign, advertisement or hoarding shall submit drawings of such signage or advertisement or hoarding for approval. No hoarding or advertisement shall be permitted which is likely to cause injury to the amenity of the neighbourhood. Nameplates not exceeding 0.20m² in extent are not considered to fall under this heading. This clause does not apply to casual advertisements for entertainments, property for sale, auctions to be held on the premises or meetings, provided they are not, in the opinion of the Municipality, unduly ostentatious, and do not interfere with pedestrian or vehicular access or visibility.

1.19.2 A plan indicating maximum, minimum and partial control areas for the entire jurisdiction of the Municipality is administered by the Signage Department. All outdoor advertising shall be in accordance with the South African Manual for Outdoor Advertising (SAMOA), the Municipality's signage policy and associated plans.

1.20 DURBAN METROPOLITAN OPEN SPACE SYSTEM (D'MOSS)

The Durban Metropolitan Open Space System (D'MOSS) is a layer of the Scheme and enforceable by the Municipality in consultation with the Deputy Head: Environmental Planning and Climate Protection Department.

The implementation of this layer shall be in terms of Sub Section 9.5 of this Scheme.

1.21. CONSOLIDATION OF LAND

Consolidation of land is where two or more Erven are combined together to form one new Erf, with boundaries to be approved by the Surveyor-General and if necessary, the Traditional Authority and Ingonyama Trust Board through their internal processes, and the new Erf is to be registered with the Registrar of Deeds. Any person or organization could initiate a process to consolidate land in terms of the applicable legislation.

1.22. SUBDIVISION OF LAND

The sub-division of land is when an Erf is divided into more than one Erven. It requires new cadastral boundaries which must be approved by the Surveyor-General and if necessary, the Traditional Authority and Ingonyama Trust Board through their internal processes, as well as the registration of newly created Erven with the Registrar of Deeds. Any person or organization could initiate a process to subdivide land in terms of the applicable legislation.

1.23. REZONING OF LAND

Is a process whereby the current zoning as indicated on the scheme map and the corresponding controls relating thereto in the scheme are amended in terms of the applicable legislation. In cases of a Rezoning, where the Minimum Subdivision indicated in Section 4: Erf Control and or Section 7: Development Facilitation Table is greater than the actual site size, further motivation, addressing any issues related to this aspect, may be requested at the discretion of the Head: Development Planning, Environment and Management.

1.24. RELAXATION – SPACE ABOUT BUILDINGS

Relaxation of space about buildings is required when any buildings or structures are proposed in advance of the distances as stipulated in the schemes. Consideration of each application shall be in the context of its location and the provisions that set the criteria for allowing a relaxation under Section 3.

1.25 SPECIAL CONSENT

1.25.1 The Special Consent of the Municipality is required when:

- a) the use that is proposed falls within the Special Consent column of the development facilitation table,
- b) the use proposed is a special building;
- c) a use that is proposed is a precluded use in terms of the development facilitation table or any proposal that is in conflict with any provisions of the Scheme. It should be noted that the Municipality is bound to refuse such application.

1.25.2 In considering any Special Consent application referred to in 1.25.1(i) above, the Municipality shall take into consideration the impact of the proposed use on the surrounding area and may impose any conditions it deems necessary to protect the amenities of the area. If the application falls within a Traditional Authority Area, approval from the Traditional Authority will be required before submission to the Municipality.

1.26 CONSENT

Is an application for Consent from the provisions of the Scheme where the necessary notifications to the affected neighbours have been issued.

1.27 MANAGEMENT LAYER

1.27.1 The Adoption of a new Management Layer shall require a formal Scheme amendment.

1.27.2 An amendment to an existing Management Layer shall be to the satisfaction of the Head: Development Planning, Environment and Planning.

1.28 TITLE DEED CONDITIONS

Any title deed conditions imposed upon any Erf shall prevail over the Scheme.

SECTION 2: DEFINITIONS

2.1 GENERAL DEFINITIONS

Activity Corridor: Means an area of generally higher intensity urban use or land suitable for intensification, parallel to and on both sides of an activity spine, and includes any associated higher order transportation routes such as railway lines and through roads.

Activity Spine: Means a public street, incorporating an existing or planned public transport route, and adjacent land used or intended for mixed use development.

Aged Home Care Facility: Means a Dwelling House or ancillary unit that has been converted for the purpose of residential accommodation for the aged with a permanent manager on site and access to a dedicated registered health care professional. Registration with the Department of Social Welfare and other relevant departments is mandatory.

Amenity: Means a natural or created feature or aspect that enhances a particular property, place or area from the perspective of its aesthetic or social quality, or visual appeal, which makes it more attractive or satisfying to the human being.

Ancillary Unit: Means a self-contained inter leading group of rooms including not more than one kitchen designed for occupation by a single household or family with a total floor area not exceeding 80m².

Appeal Tribunal: Means an Appeal Tribunal established in terms of the applicable legislation.

Approval: Means the written approval of the Municipality.

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

Basement: Means the lowest part of any building which part is constructed with more than 50% of its volume below ground level. Ground level shall mean natural ground level, without any additional earthworks, as it existed prior to the conception of the building or development in question.

Botanical Garden: Means a park intended for the display of rare indigenous or exotic plants or trees.

Boundary: Means a line which defines the extent of an Erf and is indicated on a diagram registered in the Surveyor General's office.

Building: Means any structure of a movable or an immovable nature for whatever purpose used, including any tank (excluding underground tanks and tanks for rain water harvesting not exceeding 5 000 litres in volume), swimming pool, stair case or radio mast, telecommunications mast, and any wall, or close boarded fence more than 3 metres in height at any point, but excluding any open fence, post, steps along ground level, pier, fountain, fish pond, pergola, or other garden ornamentation.

Building Line: Means a line parallel to a fixed distance from any street, public right of way, or road reserve.

Canteen: Means a building or part thereof used for the preparation and serving of food and allied products, to staff which is ancillary to a business or organization.

Child Minder Service: Means any undertaking involving the custody and care of a maximum of six children apart from their parents during the whole or part of the day on all or any days of the week.

Classification of Roads and Intersections: The functional classification is defined not only by traffic volumes and operating characteristics, but also by location, access, and fronting land use.

- **Major Road:** Freeway Minor Collector, Major Arterial, Minor Arterial and Major Collector.
- **Minor Road:** Local Street and Cul-De-Sac.
- **Freeway:** These are divided highways carrying high speed through or bypass traffic. They have fully controlled access, with no intersections at grade. Reserve requirements vary upwards from approximately 60 metres, depending upon design and terrain. Design speed may be as high as 120km per hour.
- **Arterial Road (Major and Minor):** These form the primary internal network of the urban area. Their function is basically for long distance travel within the area, supplementing and feeding the freeway network. Characteristics are high volumes, restricted access, moderate speeds, dual carriageways, with shoulders on which parking is prohibited.
- **Minor arterials** are used where less capacity is required, or as access routes, and may form the extension to a major collector outside, the township area. The desirable design speed is 80km per hour, with a maximum of 100km per hour, and a reserve width minimum 30 metres, but normally a 40 metres reserve or greater for major arterials.
- **Collector (Major and Minor):** The function of these is to carry traffic from local streets to the main roads. They are single carriageway roads which provide the principal entrances and circulation within a development, combining the function of individual Erf access with traffic movement. The major collector has a reserve width of approximately 25 metres (except where designed with a central median for added capacity and safety), and a design speed of 70km per hour.

- The **minor collector** has a design speed of 60km per hour, and reserve of 20 metres, and is used where less capacity and continuity are required, and to serve areas with even or higher density than single dwellings.
- **Local Street:** These are primarily for access to abutting properties. Characteristics are single carriageways, low speed, and low volume. Where crossfall and topography permit, provision is made for parking off the carriageway.
- **Cul-De-Sac:** These are local street systems with only one access point. They provide for access to abutting properties and only carry low volume local traffic.
- **Intersection (Major and Minor):** A “major intersection” occurs where one or more of the intersecting roads is classified as a major road.

A “minor intersection” occurs where all the intersecting roads are classified as minor roads.

Common Property: Means that portion of the common land which is not covered by vehicular road reserves and parking areas, but may include walkways, whether grassed or hardened, and structures or buildings intended for recreational use of the occupants of the Erf to the satisfaction of the Municipality.

Conference Facility: A building or portion of a building ancillary to the primary use of the site, used for conferences, seminars and meetings and may include offices for the administration of such facility.

Conservation Reserve: Means an area of land within which the conservation of the scenic beauty, indigenous fauna and flora, water courses, and other topographical features, places of historic or scientific interest and the like are of primary importance.

Controlled Development Area: Means any area demarcated upon the map whereby reasons of the topography, the unsuitability or instability of the soil or other like reasons, development or building may be prohibited, restricted, or permitted upon such conditions as may be specified having regard to the nature of the said area.

Convenience Shop: Means part of a building used in conjunction with a Fuelling and Service Station used primarily for the sale of convenience goods and which is subservient to that of a Fuelling and Service Station. Motor spares and accessories as well as promotional goods supplied by the oil companies may be sold. The maximum floor area shall not exceed 200m² in extent, which shall include the convenience shop, storage areas associated therewith, refrigeration areas and food preparation areas.

Coverage: Means the proportion of an Erf covered by buildings with an impermeable roof, as seen vertically from the air measured from the outer face of exterior walls, expressed as a percentage. Thus 25% coverage means that only one quarter of the Erf may be covered.

D'MOSS: Controlled Area: Means any area demarcated upon the map by the overprinting of a green hatched patterns (or by a green layer on the GIS), where, by reasons of the natural biodiversity, the existence of flora and fauna, topography, or the environmental goods and services provided or other like reasons, development or building may be prohibited, restricted or permitted upon such conditions as may be specified having regard to the nature of the said area.

Density: Means the number of Dwelling Units permitted on an Erf. Density is expressed in terms of Dwelling Units per hectare or unless otherwise stated.

Domestic Staff Accommodation: Means accommodation designed primarily for the housing of domestic staff, which may include not more than one kitchen, with a total floor area not exceeding 40 square meters in extent.

Dwelling Unit: Means a self-contained interleading group of rooms including not more than one kitchen designed for occupation by a single household or family and may include out buildings and domestic staff accommodation but excludes an ancillary unit/s. This definition shall include an Umuzi.

Dwelling Unit Curtilage: Means a single defined area of land forming part of a Multiple Unit Development on which a Dwelling Unit is erected or is intended to be erected together with such private open areas and other areas as are reserved for the exclusive use of the occupants of the Dwelling Unit.

Early Childhood Development Centre: means premises used as a partial care facility that provides, an early childhood program, with an early learning and development focus for children from birth until the year before they enter Grade R/ formal school. Early childhood development means the process of emotional, cognitive, sensory, spiritual, moral, physical, social and communication development of children. Early childhood development services means services:

- a) Intended to promote early childhood development, and
- b) Provided by a person, other than a child's parent or caregiver, on a regular basis to children up to school-going age.

Effective Date: Means the date the Municipality adopts a resolution to prepare a Planning Scheme

Erf: Means any piece of land which has been allotted an individual description in the records of the Surveyor-General and includes a remainder and also any group of erven tied by a notarial Deed in Restraint of Free Alienation.

Erf Area: Means the area of an Erf less the area of any public Right of Way, Road Servitude, New Road Reservation or Road Widening Reservation to which the Erf may be subject, but shall include any registered servitude for overhead and/or underground services.

Existing Use Rights: Means in relation to any building or land, a continuous use of that building or land after the effective date for the purpose for which it was designed and lawfully authorized by the Municipality at that date.

Floor Area: Means the sum of a building at each floor level and includes wall thickness but excluding:

- (a) any basement used exclusively for the parking of motor vehicles and service installations,
- (b) private garages, carports and covered parking;
- (c) in the case of fuelling and service stations, the areas covered by canopies,
- (d) staircases, lift shafts/lift motor rooms,
- (e) corridors that are open to the elements to at least one side
- (f) port cocheres
- (g) balconies, verandahs, porches and similar type of structures that are roofed but open to the elements on at least one side.

Floor Area Ratio: Means the ratio that determines the permissible floor area of an Erf expressed as a decimal.

Frontage: Means the length of the boundary of an Erf which fronts onto an existing or proposed road.

Ground Floor: Means the storey of a building or portion of a building on or nearest to the mean finished ground level immediately surrounding the building provided that it is not a basement.

Height: except where otherwise stated means the number of storeys permitted in a building.

Home Business: Means the operation of a single non-impacting occupational activity, in or in conjunction with a Dwelling House by a bona fide residential occupant of that property. Provided that the dominant use of the property concerned shall remain for the living accommodation of the occupants, and the property complies with the requirements contained in the Scheme Clauses for a home business. Home business does not include a shop.

Imizi (plural form of umuzi): A cluster of more than one umuzi; also referred to as a 'Traditional settlement'.

Induna (singular) Izinduna (plural): The headman/men who, in terms of African Customary Law, oversees one isigodi or several izigodi.

Ingonyama Trust Board (ITB): Is a schedule 3A Public Entity reporting to the National Minister for Rural Development and Land Reform “the Minister” as Executive Authority. The Board is the Accounting Authority and derives its mandate from the KwaZulu-Natal Ingonyama Trust Act (Act 3 of 1994) as amended by National Act 9 of 1997 read in conjunction with the Public Finance Management Act (Act 1 of 1999):

- The ITB is responsible for land under its authority;
- The formulation and implementation of policy;
- The provision of effective land administration and real estate management systems;
- The creation of a climate to encourage development;
- The extension of security of tenure in accordance with both customary and statutory law always subject to the Constitution Act (Act 108 of 1996).

Inkosi (singular) Amakhosi (plural): Traditional Leaders in charge of a particular Traditional Authority in terms of the KwaZulu Amakhosi and Iziphakanyiswa Act.

Isigodi (singular form): Traditional ward; in most cases there are more than one isigodi per municipal ward.

Izigodi: A cluster of more than one isigodi.

Management Layer: A Management Layer is a layer that forms part of the Land Use Management System which may affect the development potential of any erf irrespective of the zoning. Such layer is shown geographically on the Geographic Information System and includes the Durban Metropolitan Open Space System Controlled Area (D'MOSS), Coastal Management Controlled Area and the Student Accommodation Management Layer.

Mezzanine: Means any intermediate floor in a building, the area of which does not exceed 25% of the floor below it.

Mobile Home: Means any vehicle permanently fitted out for use by persons for living and sleeping purposes.

Municipality: Means the eThekweni Municipality.

Outbuilding: Means a building ordinarily used in conjunction with a Dwelling House/Dwelling Unit, for the garaging of private motor vehicles, a storeroom, private laundry and other such similar uses.

Owner: Means the person registered in a deeds registry as the owner of land or who is the beneficial owner in law.

Panhandle Site: Means a site with access being obtained via a handle-shaped access-way which shall not be less than 3m in width for its entire length.

Parking Servitude: Means premises owned by private persons, but subject to a public servitude allowing members of the public to park thereon. May permit limited retail, kiosks to accommodate uses such as a flower vendor and newspaper seller's office which shall be ancillary to the parkade and caretaker accommodation and other uses generally related thereto.

Photovoltaic Installations: refers to installations that convert light energy, normally from the sun, into electricity. Solar PV panels produce direct current when exposed to the sun which is later converted into alternating current (AC) using an inverter.

Private Open Area: Means a usable area, exclusive of utility areas, driveways, and parking areas, which is open to the sky, and which is adjacent to and has direct access from a Dwelling Unit on a multiple unit development site, such private open area being reserved for the exclusive use of the occupants of the associated Dwelling Unit.

Property Owners Association: Means an incorporated association, which every property owner or occupier will automatically belong to and shall ascribe to and abide by the requirements and objectives of such association.

Public Open Space: Means an open space or reserve owned by the Municipality which the public has a right to use and enjoy, and includes ancillary facilities and buildings. This also includes Works as described in the Local Authorities Ordinance No. 25 of 1974, Sections 208 and 264, Sections (14-20) and 27 are permitted and may include public parks and gardens, recreational grounds, zoological gardens and similar such uses.

Rear Space: Means the area between a line parallel to the rear boundary.

Renewable Energy Installations: Refer to installations that produce electricity from renewable sources such as the sun and wind. For the purposes of these guidelines, this refers to Solar Water Heaters, Photovoltaic (PV) Installations and Wind Turbines.

Sandwinning: Means any operation or activity for the purpose of winning of sand on, in, or under the earth, water, or any residue deposit, whether by underground or open working or otherwise, and may include Activities directly associated with the winning process.

Scheme: Means a land use management tool used by the Municipality to manage the development which occurs within its area of jurisdiction. It comprises a set of maps and associated regulations which guide and manage land use practices.

Short-Term Accommodation Establishment: Means a Dwelling House wherein a maximum of ten bedrooms maybe used for the purpose of temporary accommodation of

guests without impairing the amenity of the adjoining properties. Short-Term Accommodation includes a Bed and Breakfast Establishment including online accommodation bookings but excludes Student Accommodation and a Hotel.

Side Space: Means the area between a line parallel to the side boundary.

Solar Water heater: Refers to installations that use solar energy to heat water.

Storey(s): Means that part of a building which is situated between two floors, or if there is no floor above it, the underside of the ceiling. Such storey shall not exceed 4.5m for residential purposes and 5.5m for non-residential purposes in height save that:

- (a) spaces provided for lifts, elevators and similar rooms and architectural features and which are in proportion to the building shall not constitute a storey or floor;
- (b) in the event of a storey being higher than the height as indicated above, it shall be counted as two storeys;
- (c) the prescribed Height per storey as indicated above may be relaxed, provided that the total combined height and number of all storeys prescribed in the Development Facilitation Table, is NOT exceeded.
- (d) a mezzanine shall not count as a storey;
- (e) basements shall not count as a storey;
- (f) a roof which may contain or support any room shall count as a storey.

Street Boundary: Means that boundary of a property which is contiguous to a public street or public right of way or road reserve, whether existing, or for new street purposes.

Student Accommodation: Means a premises designed and adapted to allow for the accommodation of students at all education levels within the eThekweni Municipality. The operation of Student Accommodation shall require a certificate issued in terms of the Section 5(1) Accommodation Establishments By-Law, 2018 and shall be compliant with the By-Law. The establishment shall, to the extent applicable as determined by the Head Land Use Management, comply with the Nuisances and Behaviour in Public Places By-Law, 2015. The design of student accommodation shall be consistent with the minimum norms and standards and shall be in line with the gazetted Policy on the Minimum Standards and Norms for Student Housing at Public Universities. In considering an application for a Student Residence, the Municipality shall take into consideration the following:

- (a) the scale of the operation in relation to the character of the area;
- (b) the suitability of the premises concerned for the proposed use;
- (c) the availability of on-site parking for motor vehicles;

- (d) be located within close proximity of a public transport route;
- (e) evidence that it is serving an educational facility;
- (f) the impact of the development on the traffic, infrastructure, and noise mitigation measures;
- (g) compliance of the design with the minimum norms and standards;
- (h) the contents of the management plan, safety and security measures and property maintenance;
- (i) any, other matters which would, in its opinion, interfere with the amenities of the neighbourhood.

Student Accommodation Establishment: Means a premises used for the accommodation of students who are registered with an approved educational facility. The operation of a Student Accommodation Establishment shall be permitted from a Dwelling House or Multiple Unit Development. A Student Accommodation Establishment shall consist of not more than twelve (12) students in six (6) bedrooms in the case of a Dwelling House and eight (8) students in four (4) bedrooms in the case of a Dwelling Unit within a Multiple Unit Development. Should the number of bedrooms and/or students accommodated on-site exceed that as prescribed above the establishment shall be classified as a Student Residence.

Tavern: Means a premises adapted for the on-site consumption of liquor. It may include the consumption of non-alcoholic beverages and the preparation and consumption of food, but shall not include the sale of the aforesaid items for consumption off the premises. Such use must have been legalized by means of a Liquor License, issued in terms of the KwaZulu-Natal Liquor Licensing Act, 2010, or any other subsequent applicable legislation. Note: A Shebeen is an illegal tavern.

Traditional community: Means a traditional community recognized as such in terms of section 2 of the Traditional Leadership and Governance Framework Amendment Act, Act No. 41 of 2003.

Traditional council: Means a council established in terms of section 3 of the Traditional Leadership and Governance Framework Amendment Act, Act No. 41 of 2003.

Tuck-Shop/Spaza Shop: Means a portion of a Dwelling House used for the sale of day to day convenience goods where goods are sold through a window, doorway or hatchway but does not include a walk in shop.

Umuzi (singular form) –a type of homestead; some umuzi have only one group of traditional dwellings while most have a mixture of traditional and urban type units; as the sizes of the homes vary it is difficult to specify their size; the primary use of an umuzi is

residential but it also includes gardens, stock enclosures, burial grounds and household garbage pits.

Wind Farm: Refers to a land use whereby multiple wind turbines are installed for the purposes of farming energy for resale.

Wind Turbine: Refers to an installation that uses the kinetic energy of the wind to generate electricity.

Zone: Means the area shown on the map by distinctive coloring, hatching, or edging, or in some other distinctive manner for the purpose of indicating the restrictions imposed by this Scheme on the erection and use of buildings or structures, or the use of land.

2.2 LAND USE DEFINITIONS

Action Sports Bar: Means premises used for the sale of alcohol and/or food for consumption on the premises and may include live entertainment, or entertainment generated by television transmission, or by way of mechanical, electronic or electrical contrivances, instruments, apparatus or devices which are designed or used for the purpose of playing of any game or for the purpose of recreation or amusement, and the operation of which involves the payment of any valuable consideration, either by the insertion of a coin, token coin or disc therein or in an appliance attached thereto or in any other manner, or billiard saloon, or snooker room.

Adult Premises: Means a building or part thereof used for the sale, hiring, display, or viewing of material of an adult nature.

Agricultural Activity: Means any agricultural activity that refers to either the intensive production in any form whatsoever, of poultry, game birds, livestock, aquatic animals, vegetables, timber production, fruit, or allied products, and includes any preparation or processing and/or sale of commodities related to agricultural activity and ancillary uses thereto and may include an abattoir.

Agricultural Land: Means arable, meadow, or pastureland, market gardens, poultry farm, garden nursery, and allied activity that may include amongst others, a greenhouse or hydroponics, horticulture, permaculture, orchards, and land used for the purpose of breeding, keeping or sale of domestic animals, aves, poultry, bees or aquatic animals, ancillary residential buildings and any buildings connected therewith.

Arts and Crafts Workshop: Means premises wherein the primary purpose is the production of arts and crafts, and may include the selling of such goods. The process carried on and the machinery installed is such that they do not cause nuisance to other properties or are detrimental to the amenities of the surroundings.

Betting Depot: Means premises used for the purpose of a Bookmaker or a Totalisator agency.

Boarding House: Means a residential premises or part thereof in which long stay lodging is provided to more than five persons by the owner or operator who resides on the premises but excludes Student Accommodation.

Builders Yard: Means premises which is used for the storage or sale of building material and equipment.

Bus and Taxi Depot: means a premises used for the transfer of persons from one vehicle to another for hire or reward, including management and the parking of such vehicles associated with this use and excludes a Transport Depot.

Car Wash: Means premises fitted with equipment for the purpose of washing motor vehicles for gain, and may include a valet service.

Cemetery/Crematorium: Means premises designed for the inhumation of corpses and/or where the deceased are burned to ash, and includes facilities for associated religious and administrative functions.

Chalet Development: Means a grouping of a number of Chalets on an Erf; a chalet meaning an attached/detached habitable building used for holiday accommodation.

Container Depot: Means premises used for the handling and storage of large cargo-carrying containers destined to be loaded on to a container ship, truck, or rail carriage.

Conservation Area: Means an area of land and or water within which the conservation, due to the environmental sensitivity of the biodiversity present on, under and above the land surface or water body, of the scenic beauty, indigenous flora and fauna, other naturally occurring material, water courses, topographical features and places of interest, is of primary importance.

Convention Centre: Means premises used or adapted to be used for the conducting of conferences, seminars, gatherings, recreation, public entertainment, exhibitions and such other uses which are ancillary to or reasonably necessary for the use of the building as a convention centre.

Correctional Facility: Means premises used for the confinement of people accused or convicted of a crime.

Crèche: Means a premises or portion thereof used for the care of seven (7) or more infants or young children during the daytime absence of their parents or guardians.

Direct Access Service Centre: Means premises with direct access to a Provincial or National Road used or designed for a Fuelling and Service Station and may include Restaurants/Fast Food Outlet and a truck stop with overnight facilities.

Display Area: Means land set aside for the display and sale of machinery, articles and products that could not normally be displayed within a building.

Dwelling House: Means a building, with inter-leading rooms, constructed on an Erf, and used or adapted to be used as a residence for the accommodation of one household or family and shall only include one kitchen, but may include outbuildings, domestic staff accommodation and an ancillary unit. This definition shall include an Umuzi.

Educational Establishment: Means premises used as a place of instruction and may include uses ancillary thereto inclusive of Student Accommodation.

Escort Agency: Means a building or part thereof to be used for the making of the services of an escort, whether male or female, available to any other person.

Flat: Means a building or buildings with 2 or more storeys comprising of self-contained Dwelling Units, each having a separate entrance onto a corridor or walkway and forming part of one or more storeys.

Flea Market: Means an occasional or periodic market where groups of individual sellers offer goods and services for sale to the public.

Forensic Science Laboratory: Means a building or set of buildings used or constructed or designed or adapted to be used for the management of criminal records and the collection and analysis of physical evidence by means of forensic techniques related to crime prevention and crime detection as well as the facilitation of technology development in the South African Police Services and other related bodies. The Forensic Science Laboratory functions include a variety of specialized fields including but not limited to the Science of : Ballistics, Biology, Chemistry, Explosives, Fingerprints, Questioned Documents, Scientific Analysis and includes ancillary facilities necessary to give effect to its functions.

Fuelling and Service Station: Means premises used or designed for the sale only of petroleum, oil and other fuels and lubricants and accessories used in connection with motor vehicles, and includes an office and storeroom for use in connection therewith together with facilities for the servicing of motor vehicles and may also include a convenience shop not exceeding 200m² and a caretaker's accommodation.

Funeral Parlour: Means premises used for/or intended to be used for the preparation and storage of corpses, for burial or cremation and may include uses ancillary thereto, but excludes a mortuary.

Garden Nursery: Means premises used for the purpose of growing, displaying and selling of plants and items incidental thereto, and includes the erection of buildings and structures ordinarily used therewith.

Government/Municipal: Means premises used by or on behalf of the Government or Municipality for the purpose of carrying out Government or Municipal functions.

Health and Beauty Clinic: Means premises used for cosmetic and holistic treatment for men and women.

Health Studio: Means premises used for the physical development and fitness of individuals for reward or pleasure.

Hotel: Means a facility offering transient lodging accommodation to the general public and providing additional services such as restaurants, meeting rooms, entertainment, and recreational facilities.

Industry: Extractive: Means an industry which involves the extraction, quarrying, or removal of sand, gravel, clay, hard rock, stone or similar material from the land, and includes the treatment and storage of those materials, or the Manufacture of products from those materials on, or adjacent to, the land from which the materials are extracted.

Industry: General: Premises used for the accommodation of all forms of industry except noxious industry.

Industry: Light: Means an industry which can be carried out without causing nuisance to other properties or to the public.

Industry: Noxious: Means any industry or trade that by reason of fumes, gases, vapours, dust, smell, noise, vibration, or other causes, is deemed by the Municipality to be likely to become dangerous or harmful to the health, welfare, and amenity of the public.

Institution: Means premises used as a public or private institute including the administration thereof and a building designed for use as a hospital, home for the aged or for mentally or physically disabled people, nursing home, clinic, orphanage, crisis center and other land uses considered to be ordinarily ancillary thereto.

Landfill: Means a disposal site where solid waste such as paper, glass and metal are buried between layers of dirt and other material in such a way so as to reduce contamination of the surrounding land.

Laundry: Means a laundry service or self-service which may include the ironing, drying or pressing of clothing and textile.

Mobile Home Park and Camping Ground: Means land provided with adequate ablution and sanitary facilities with or without a communal kitchen, constructed with permanent materials arranged for the accommodation of mobile homes and, at the discretion of the Municipality, which are used primarily for temporary holiday dwelling units and tents, and provided also with permanent water points, approved refuse receptacles, and containing within the curtilage a sufficient open space for recreational purposes, and may include accommodation for a caretaker or manager.

Mortuary: Means premises where corpses are stored, exposed for identification, autopsies are performed but excludes a Funeral Parlour.

Motor Display Area: Means premises used for the display, sale and/or hire of vehicles and may include the sale and replacement of motor vehicle components and servicing of motor vehicles but excludes a Motor Garage.

Motor Garage: Means premises used for the major servicing and repair of vehicles such as: the overhauling and testing of engines; the rebuilding and testing of engines; panel beating and spray painting. The following ancillary uses may also be included: display and sale of vehicles; washing, and cleaning of vehicles; and the sale of motor spares and accessories.

Motor Vehicle Test Centre: Premises used for the testing of vehicles for compliance with the Certificate of Roadworthiness.

Motor Workshop: Premises used for the general repair and servicing of light motor vehicles, including auto-electrical repairs, the fitting and sale of fitted motor spares and accessories, auto valet services, storage, and may also include an office, storeroom and display and sale of vehicles, or of towing broken down motor vehicles and excludes a Motor Garage.

Multiple Unit Development: Means a group of two (2) or more attached or detached Dwelling Units (excluding a second Dwelling House), together with such outbuildings as are ordinarily associated thereto, each dwelling unit having direct access to a private open area and to common land, the whole development having been designed as a harmonious entity. No ancillary unit shall be permitted in a Multiple Unit Development. This definition shall include Imizi.

Museum: Means premises in which objects illustrating art, history, science, and culture are displayed, and may include a workshop for the repair and restoration of these objects.

Nature Reserve: Means land declared to supplement the system of national parks in the Republic of South Africa; protect areas with significant natural features, species, habits or biotic communities; protect a particular site of scientific, cultural, historic, or archeological interest; provide for its long-term protection and the maintenance of its biodiversity; provide for a sustainable flow of natural products and services to meet community needs; enable a variety of traditional consumptive uses; or, provide for nature-based recreation and tourism opportunities.

Night Club: Means premises wherein music is played, and dancing occurs, and may include eventing, fashion shows and the sale of beverages and food for consumption within the premises.

Office: Means premises used for the administration of any business whether public or private.

Office: Medical: Means an establishment primarily engaged in the provision of health services, and may include laboratories associated therewith, but which does not provide overnight care or serve as a base for an ambulance service.

Parkade: Premises used for the parking of motor vehicles for reward.

Pet Grooming Parlour: Means premises used for the grooming and overnight boarding of household pets for commercial gain.

Place of Public Entertainment: Means premises used for public entertainment and includes but not restricted to an aquarium, a theatre, cinema, music hall, concert hall, amusement arcade, skating rink, racetrack, sports arena, commercial exhibition, hall, billiard room, fun fair, bingo hall and gaming but does not include a night club.

Place of Public Worship: Means premises used for public devotion and may include uses ancillary thereto.

Private Open Space: Means a premises used as a sports ground, playing field, or other open space of a school, club, firm, or private person.

Recycling Centre: Means premises where the Municipality may at its discretion require to be screened, upon which used materials are separated and processed for shipments and for eventual re-use in new products.

Reform School: Means a school for the reception, care education and training of children sent thereto under the Criminal Procedure Act or transferred thereto under the Child Care Act.

Refuse Disposal: Means premises used for the disposal of garden or domestic refuse.

Restaurant/Fast Food Outlet: Means premises used for the selling or supplying of meals or refreshments for consumption on or off the premises.

Retirement Centre: Means a residential development intended for the accommodation or settlement substantially of persons upon their retirement, and which facilities may be provided for a frail care Centre and place of communal activity. The Centre may include office buildings, medical consulting rooms, laundry, shops and restaurants, which in each case shall be restricted as required by the Municipality, and be for the sole use of occupants and guests.

Riding Stables: Means a place or undertaking for the leasing of horses and/or riding instruction against payment, and includes the care and stabling of such horses.

Scrap Yard: Means premises used for the dismantling, stacking, sorting, storing, preparation of, and resale of scrap materials.

Shop: Means premises used for retail or wholesale trade or business wherein the primary purpose is the selling of goods and services.

Special Building: Means any other type of building or use not specifically defined in this set of definitions.

Student Residence: Means a certified premises used for the accommodation of students at high densities. This can vary from large blocks of rooms similar to residence halls, or residential blocks or flats that house only students. This includes a housing facility leased directly with a landlord or indirectly through an accredited leasing agent.

Telecommunication Infrastructure: Means any structure designed and used for the accommodation of equipment used in the transmitting or receiving of electronic communications signals and includes a telecommunications mast, but excludes any Television/Radio receiving equipment with a diameter of 1,5 metres or less.

Transport Depot: means a premises used by freight vehicles as a holding / truck staging area and or for the transfer of goods from one vehicle to another, including management, the parking of such vehicles and the storage of goods associated with this use and excludes a Truck Stop and a Bus and Taxi Depot.

Transport Use: means a premises for the operation of a public service for the transportation of goods (including liquids and gases) or passengers, as the case maybe, by rails, air, road, sea or pipeline, including the use of such premises as a harbor communication network, warehouse, container park, workshop, office or for the purposes of security services connected with the foregoing.

Truck Stop: Premises used as a stop over facility for commercial vehicles. A Truck Stop may include facilities for the parking, maintenance, repair or cleaning of commercial vehicles, the dispensing of fuel or other petroleum products, and the sale of accessories or equipment for trucks and similar commercial vehicles. A Truck Stop may also include overnight accommodation and restaurant facilities for the use of truck crews.

Veterinary Clinic: Premises where animals are provided with medical care and the boarding of animals is limited to short-term care resulting from medical treatment and may include an ancillary grooming parlor and a retail outlet restricted to the sale of veterinary and animal maintenance products.

Warehouse: Premises used primarily for the storage of goods.

Zoological Garden: Premises where fauna and flora are exhibited for public education and enjoyment and may include other ancillary facilities.

SECTION 3: SPACE ABOUT BUILDINGS

3.1 BUILDING LINES

- 3.1.1 Except where otherwise stated all Erven shall be subject to a 7,5 metre building line.
- 3.1.2 Within a Multiple Unit Development site, building line requirements do not apply to dwelling unit curtilages, except along the road facing boundary of the Multiple Unit Development site.
- 3.1.3 Where a building line is laid down no building other than boundary/retaining walls, fences (excluding wire mesh), pergolas or architectural and garden features not exceeding 3.0 metre in height shall be erected between the building line and the street line. The construction of boundary/retaining walls and fences (excluding wire mesh) in excess of three metres as seen from the affected neighbour's property shall be permitted subject to clause 3.1.6 below.
- 3.1.4 The Municipality may permit in any zone any building to be erected closer to any boundary than the distance specified in this clause if on account of the siting of existing buildings, the shape, size, levels, topography, environmentally sensitive areas, servitudes, the enforcement of this clause will, in the opinion of the Municipality, render the development of the Erf unreasonably difficult, subject to clause 3.1.6 below. In considering such application, the Municipality shall have due regard to any possible detrimental effects on adjoining properties and may impose conditions when considering the application. In the case of boundary/retaining walls, the municipality may consider safety and security reasons and the need to retain embankments for walls exceeding 3.0 metres in height.
- 3.1.5 The Municipality, upon application to it, may grant its approval for the relaxation of any building line if it is satisfied that such relaxation will ultimately enhance the appearance of the street and contribute to the public amenity.
- 3.1.6 The Municipality may approve a relaxation if it is satisfied that no interference with the amenities of the neighbourhood, existing, or as contemplated by this Scheme, will result; provided that the applicant has provided proof of notification or written consent of the registered owner/s of the affected properties, and such other properties as the Municipality may direct. Where an adjoining owner or affected owner has been notified and objects to an application, valid reasons for objecting to such application must be furnished to the Municipality. Failure to submit any response to the notification within the stipulated period will be deemed as consent.

- 3.1.7 Cognisance shall be taken in all cases of the building line restriction imposed in terms of the National and/or Provincial Authority. In such circumstances the building line restriction may not be relaxed by the Municipality without the consent of the National and/or Provincial Roads Authority.
- 3.1.8 Where road widening is proposed or where any road servitude exists on an Erf, the building line restrictions is to take into account any such proposed road widening or road servitude, meaning the building line restriction shall be measured from the inner edge of the proposed road widening or road servitude.
- 3.1.9 Notwithstanding the provisions of the above clauses, in the case of swimming pools, the building line shall be 1,0 metre; provided that where a pool is to be constructed so that any portion of it is within the building line, such pool shall be screened to the satisfaction of the Municipality.
- 3.1.10 In General Residential zones the building line shall be as set out in the Development Facilitation Table
- 3.1.11 The following specific building lines shall apply to the New Germany Area
Remainder of Erf 3, Berkshire Downs shall be subject to the following building lines:-
- Western boundary 20 metres,
 - Northern boundary 35 metres on the western side tapering to 25 metres on the eastern side,
 - Eastern boundary 35 metres,
 - Southern boundary 7.5 metres from riverside reserve or 100 year flood line, whichever is the greater.
- 3.1.12 The building line shall be measured from the outside of the building's external walls or roof support beams, provided that the roof overhang is equal to or less than 1.0 metre. Where the roof overhang exceeds 1.0 metre in length and extends over the building line an application for relaxation will be required.
- 3.1.13 In cases where the location of service installations or structures for the accumulation of refuse beyond the building line, is a requirement of the Municipality, no relaxation application is required.
- 3.1.14 In cases where rainwater harvesting tanks (each not exceeding 5 000 litres in volume) is located beyond the building line, no relaxation application is required.
- 3.1.15 In cases where a guard house not exceeding nine square meters in extent is located beyond the building line, no relaxation application is required.

3.2. SIDE AND REAR SPACE

- 3.2.1 Except where otherwise stated no building shall be erected nearer than 3 metres to any side or rear boundary on the Erf on which it is situated.
- 3.2.2 Within a Multiple Unit Development site, side and rear space requirements do not apply to dwelling unit curtilages, except along the side and rear boundaries of the Multiple Unit Development site.
- 3.2.3 Where a side or rear space is laid down no building other than boundary/retaining walls, fences (this excludes wire mesh fences) pergolas or architectural and garden features shall be erected between the side or rear space and the boundary not exceeding 3.0 metres in height. The construction of boundary/retaining walls and fences in excess of three metres as seen from the affected neighbour's property may be permitted subject to clause 3.2.5 below.
- 3.2.4 The Municipality may permit in any zone any building to be erected closer to any boundary than the distance specified if on account of the siting of existing buildings, shape, size, levels, topography, environmentally sensitive areas, servitudes, the enforcement of this clause will, in the opinion of the Municipality, render the development of the Erf unreasonably difficult, subject to clause 3.2.5 below. In considering any such application under this sub – clause the Municipality shall have due regard to any possible detrimental effects on adjoining properties and may impose conditions when considering the application. In the case of boundary/retaining walls exceeding 3.0 metres in height, the municipality may consider safety and security reasons and the need to retain embankments.
- 3.2.5 The Municipality may approve a relaxation if it is satisfied that no interference with the amenities of the neighbourhood, existing, or as contemplated by this Scheme, will result; provided that the applicant has provided proof of notification or written consent of the registered owner/s of the affected properties, and such other properties as the Municipality may direct. Where an adjoining owner or affected owner has been notified and objects to an application, valid reasons for objecting to such application must be furnished to the Municipality. Failure to submit any response to the notification within the stipulated period will be deemed as consent.
- 3.2.6 Where two or more adjacent properties are joined by means of a notarial deed in restraint of free alienation, the side space and rear space requirements applicable to the common boundaries between such properties as set out above shall automatically lapse. This does not absolve any developer from taking into account particular conditions of title applicable to the relevant boundaries.

- 3.2.7 No building shall be erected nearer than 8.0 metres to a railway Reserve boundary.
- 3.2.8 The following shall apply to the Shallcross Region:
Erven 1301, 1527, 1528, 1790, 1803, 1807, 1951 to 1984 (all of Shallcross), no building shall be erected nearer than 9.14 metres to the electrical power transmission line servitude except with the written approval of the Electricity Supply Commission.
- 3.2.9 The side and rear space shall be measured from the outside of the building's external walls or roof support beams, provided that the roof overhang is equal to or less than 1.0 metre. Where the roof overhang exceeds 1.0 metre in length and extends over the building line an application for relaxation will be required.
- 3.2.10 In cases where the location of service installations beyond the side or rear space, is a requirement of the Municipality, no relaxation application is required.
- 3.2.11 In cases where rainwater harvesting tanks (each not exceeding 5 000 litres in volume) is located beyond the side and rear space, no relaxation application is required.
- 3.2.12 Where a Township is to be established for residential purposes either wholly or partly financed by the State or where the development is initiated by the Municipality an aggregate of 1.5 meters may apply to the side and rear spaces.

**SECTION 4:
ERF CONTROL**

4.1 MINIMUM SUBDIVISION

4.1.1 Unless where otherwise stated, no new subdivision (excluding land previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA)), in the zones referred to in the left hand column of the Table1 below shall have an area less than that specified in the right hand column of the said table.

Table: 1

ZONE	MINIMUM ERF SIZE
Active Open Space	To the discretion of the Municipality
Administration	To the discretion of the Municipality
Bus and Taxi	900m ²
Caravan Park	1 Hectare
Cemetery	To the discretion of the Municipality
Civic and Social	To the discretion of the Municipality
Commercial Sub Zone	450m ²
Conservation Zone	To the discretion of the Municipality
Education	To the discretion of the Municipality
Education and Public Assembly	To the discretion of the Municipality
Fuelling and Service Station	1800m ²
General Commercial	450m ²
General Industry	1800m ²
General Mixed Use	450m ²
General Residential	1800m ²
General Residential 1	1800m ² Reservoir Hills: 900m ²
General Residential 2	1800m ² , Dassenhoek : 1000m ² Reservoir Hills: 900m ²
General Residential 3	1800m ² Dassenhoek : 1000m ²
General Residential 4	Dassenhoek : 1000m ²
Government/Municipal	To the discretion of the Municipality
Institution	To the discretion of the Municipality
Intermediate Residential	1800m ² Reservoir Hills : 1200m ²

ZONE	MINIMUM ERF SIZE
Light Industry	Queensburgh, New Germany, Pinetown, Marianhill : 1800m ²
	Shallcross : 900m ²
	Dassenhoek : 1500m ²
	Westville : n/a
Limited Commercial	450m ²
Low Impact Industry	450m ²
Medium Impact Residential	400m ²
Mixed Use (Residential and Commercial)	To the discretion of the Municipality
Offices 1	1800m ²
Offices 2	1000m ²
Office Park 1	2000m ²
Office Park 2	1200m ²
Passive Open Space	To the discretion of the Municipality
Private Conservation	To the discretion of the Municipality
Private Open Space	To the discretion of the Municipality
Refuse Landfill	To the discretion of the Municipality
Retirement Centre	1000m ²
Residential	200m ²
Residential Small Holding	1 Hectare
Service Industry	Pinetown : 900m ²
	Queensburgh, Marianhill: 1800m ²
	Dassenhoek : 750m ²
Special Light Industrial Zone 3	1800m ²
Special Residential 1	Dassenhoek : 700m ²
	Marianhill : 350m ²
	New Germany : 900m ²
	Pinetown See BP1 map
	Reservoir Hills : 650m ²
	Queensburgh : 650m ² (if site is not on water borne sewerage - 1000m ²)
	Shallcross : 1800m ²
	Westville : 1200m ² 750m ² in the case of erven that have been zoned for Special Residential 750m ²
Special Residential 2	Shallcross and Marianhill : 900m ²

ZONE	MINIMUM ERF SIZE
Special Residential 3	Shallcross : 600m ²
	Pinetown and Dassenhoek: Refer to BP1 map
Special Residential 4	300m ²
Transition Zone	To the discretion of the Municipality
Transport Zone	To the discretion of the Municipality
Utilities and Services	To the discretion of the Municipality
Warehousing	1800m ²
Worship	1500m ²
	Welbedagt and Reservoir Hills: 900m ²

4.1.2 In Special Residential zones the maximum number of dwelling units which may be obtained for the purpose of a Multiple Unit Development shall be calculated by dividing the erf area of the property concerned by the minimum Erf area as specified in the Table above and the Development Facilitation Table. If the resulting fraction is 0.5 or greater, then the number of units may be rounded off to the next whole number. Land previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA) shall be exempt from this clause.

4.1.3 The provisions of this Section shall not preclude the establishment of dwelling unit curtilages in a Multiple Unit Development from being created and registered as subdivisions provided that:

- (a) The maximum number of residential subdivisions shall be in accordance with the density provisions for applicable zone and as provided for above.
- (b) The owners of the subdivisions shall become members of a duly constituted Home Owners Association, registered as a company with the Companies and Intellectual Property Commission (CIPC) and subscribe to its Memorandum of Incorporation and Rules.
- (c) The common land in a Multiple Unit Development, reserved for roads, open space and or community facilities and the like, including for the housing of infrastructure, shall be owned and managed by the Home Owners Association.
- (d) The 10% reduction of the minimum Erf size does not apply to Clause 4.1.3. (a), (b) and (c) above.

- 4.1.4 The provisions of this Section shall not preclude the establishment of industrial subdivisions of a lesser size within a comprehensive industrial park using building modules as the basis of the curtilages and provided that a Site Owners Association be formed, membership of which shall be mandatory to all site curtilage owners within a particular development.
- 4.1.5 In Special Residential zones, a Second Dwelling may be erected on an Erf provided that the site in question is double the minimum erf size. Where a site is developed with a Second Dwelling an Ancillary Unit maybe permitted for each Dwelling House. The Municipality may permit a Second Dwelling where the Erf is less than the minimum prescribed area provided that any such tolerance shall not exceed 10% of the minimum erf size for a single erf.
- 4.1.6 The Municipality may permit a 10% reduction of the minimum Erf size, once only, for a single Erf in any township.
- 4.1.7 The Municipality may increase the minimum Erf sizes specified in this clause where, in the opinion of the Municipality the method used for the disposal of sewer warrants such an increase or if such Erf is considered physically difficult to develop.
- 4.1.8 The area of the panhandle in a panhandle Erf is included in the Erf area.
- 4.1.9 The depth of an Erf in relation to the frontage shall not exceed a ratio of 4:1 (unless where otherwise approved by the Municipality). An Erf of irregular shape shall in normal circumstances be capable of containing within its boundaries a rectangle not exceeding the said ratio of 4:1 which shall have an area of not less than 50% of the minimum prescribed area.
- 4.1.10 Where the area of an Erf situated at the corner of two streets is reduced by the splaying of the street corner where such splay is required as a condition of approval of a subdivision of such Erf, the area of the Erf for the purpose of Erf control and potential development shall exclude the area of the splay.
- 4.1.11 If by the execution or proposed execution of public works a part of an Erf will be materially separated from the rest of the Erf, any part of such Erf may be subdivided provided that the portion of such Erf created by the subdivision is not less than 75% of the minimum area referred to in the Erf control table.
- 4.1.12 In any other zone where multiple unit development is permitted and where the resulting fraction is 0.5 or greater, then the number dwelling units may be rounded off to the next whole number.

4.1.13 Where a Township is to be established for residential purposes either wholly or partly financed by the State, the Municipality may authorize a reduction in the minimum prescribed erf size for any erven provided that such erven is served by a waterborne sewage disposal system or acceptable alternative system to the satisfaction of the Municipality.

4.1.14 Where an existing Erf is severed by a road, road servitude or similar to effectively form more than one Erf and where it is practically feasible to develop on such severed portion, and provided further that arrangements for the disposal of sewage may be made to the satisfaction of the Municipality, then such portion may be subdivided off.

4.2. MINIMUM FRONTAGE REQUIREMENTS

4.2.1 Unless where otherwise stated, no new subdivision of land (excluding land previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA)) in the Zones referred to in the left hand column of the Table 2 below shall have a frontage of less than that specified in the right hand column of the said table.

Table 2

ZONE	FRONTAGE
Industrial Zones	18m
Commercial Zones	15m
Special Residential Zones less than 450m ² in extent	8m
Special Residential Zones more than 449m ² in extent	18m
Intermediate Residential Zones	18m
General Residential Zones	18m
Office Zones	18m
Institutional Zones	18m
Mixed Use Zones	18m
Worship	18m

4.2.2 Except where otherwise stated, or where written exemption is obtained from the Municipality, the minimum frontage for all other Erven (excluding land previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991

(Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA)), shall be 18 metres and the access width for panhandle erven shall be a minimum of 3,0 metres throughout its length, which shall not exceed 65 metres in length. Where a subdivision is of an irregular shape and occurs in a cul-de-sac or similar type of street layout, the frontage on the street may, with the authority of the Municipality, be less than 18 metres provided that the proportion of the Erf is in conformity with the ratio provisions set out above and provided further that the frontage on the street is not less than 9 metres.

- 4.2.3 Except where otherwise stated or where written exemption is obtained from Municipality, the minimum frontage for all Erven previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA) shall be 6 metres and the access width for pan handle shaped Erf shall be a minimum of 3,0 metres throughout its length, which shall not exceed 65 metres.
- 4.2.4 Where a subdivision is of an irregular shape or occurs in a cul-de-sac or similar type of street layout, the frontage on the street may, with the authority of the Municipality, be less than 6 metres provided that the proportion of the Erf is in conformity with the ratio provisions set out above.
- 4.2.5 The access width for panhandle Erven in any General Residential, Industrial, Commercial or Office Zone shall be 9 metres minimum throughout the length of the access strip, which shall not exceed 65 metres in length.
- 4.2.6 Where a Township is to be established for residential purposes either wholly or partly financed by the State, the Municipality may authorize a reduction of the minimum prescribed frontage requirements.

SECTION 5: FLOOR AREA AND COVERAGE AND HEIGHT

5.1. FLOOR AREA

5.1.1 In calculating floor area of any development, the following shall be excluded:

- (a) any basement used exclusively for the parking of motor vehicles and service installations;
- (b) private garages, carports and covered parking
- (c) in the case of fuelling and service stations, the areas covered by canopies;
- (d) staircases, lift shafts/lift motor rooms and service installations;
- (e) corridors that are open to the elements on at least one side;
- (f) porte cocheres;
- (g) balconies, verandahs, porches and similar type of structures that are roofed but open to the elements on at least one side.

5.2 COVERAGE

5.2.1 In calculating the coverage of any development, the following shall be excluded:

- (a) permeable carports,
- (b) pergolas,
- (c) slatted timber decks,
- (d) swimming pools,
- (e) tennis courts and
- (f) roof overhangs not exceeding 1 metre (should roof overhangs exceed 1 metre, then the full extent of the roof overhang shall be included into coverage)

5.3 FLOOR AREA AND COVERAGE

5.3.1 Notwithstanding the requirements in respect of Floor Area and Coverage, the Municipality may by Consent authorise the erection of a building of a greater Floor Area and or Coverage.

5.3.2 Such increase is limited to a maximum of ten percent (10 %) over that which is the permissible in the Development Facilitation Table of the zone in question, provided it is satisfied that such increase will not result in any significant detriment to the amenities of the area.

5.3.3 Furthermore, that the general intent of the Floor Area and Coverage restrictions imposed within the particular zone is not being deliberately circumvented by such application.

5.4 HEIGHT

5.4.1 Notwithstanding the requirements in respect of Height, the Municipality may by Consent authorise the erection of a building of a greater Height by one (1) storey only, if it is satisfied that such greater Height will not result in any significant detriment to the amenities of the area.

5.4.2 Provided that such greater Height is reasonable having regard to the topography and or the uniqueness of the site.

5.4.3 Furthermore that the general intent of the Height restriction imposed within the particular zone is not being deliberately circumvented by such application.

**SECTION 6:
RESERVATION OF LAND**

RESERVATION OF LAND		
USE FOR WHICH LAND IS RESERVED	COLOUR NOTATION	REMARKS
Approximate line of future Pedestrian Way	Purple background	<ul style="list-style-type: none"> The access way to be reserved for pedestrian use only. Vehicles to be prohibited.
Circle Approximate position of Future Public Open Space	Dark Green background	<ul style="list-style-type: none"> To be determined by the Municipality.
Approximate position of new roads	Red Broken Line	<ul style="list-style-type: none"> Final alignment to be determined when development takes place.
Approximate position of future Public Car Park	Red Broken Circle	<ul style="list-style-type: none"> To be determined by the Municipality.
Conservation Reserve	Light Green background with Red Border	<ul style="list-style-type: none"> This is a natural area of land and or water within which the conservation of the scenic beauty, indigenous flora and fauna, water courses and other topographical features, places of historic or scientific interest and the like is of primary importance. No indigenous flora and fauna or any naturally occurring material shall be disturbed or removed. Except where picnic areas and the footpaths through the vegetation have been specifically demarcated, the public shall not be admitted.

RESERVATION OF LAND		
USE FOR WHICH LAND IS RESERVED	COLOUR NOTATION	REMARKS
Environmental Conservation Reserve	Fir Green fill with white hatch	<ol style="list-style-type: none"> 1. Scheme Intention: 2. Publicly owned land dedicated to the conservation and management of natural areas of land and/or water for the ecosystem goods and services that the areas provide and the biodiversity which they support. 3. Within an Environmental Conservation Reserve, unless with the prior written authorization from the Municipality in consultation with the Deputy Head: Environmental Planning and Climate Protection and within the principles encompassed within the Scheme intention for this Reservation; 4. No earthworks, sand winning, mining, development of any structure, including but not restricted to buildings, fencing, swimming pools, wastewater, and storm water infrastructure (including evapo-transpiration areas for on-site sanitation), roads, tracks, driveways, walking or cycling trails, or dams, shall be permitted; 5. No landscaping or planting of any vegetation, unless it is a requirement for the rehabilitation of the environment in terms of a management plan agreed to with the Municipality; 6. No harvesting, collecting, cutting, hunting or otherwise damaging of indigenous flora or fauna and soil and water resources, shall be permitted; 7. No vehicles, motorized or non-motorized, other than on established roads, driveways or tracks, shall be permitted. 8. No pets or other domestic animals shall be permitted. 9. No use of the land, which may be detrimental to the intentions of this Reservation, shall be permitted
New Roads, Reservations and Widening of Existing Roads	Mars Red fill with black border	<ul style="list-style-type: none"> • Proposed New Roads, Reservations and Widening as shown on the Scheme Map to effective at dates to be determined.

RESERVATION OF LAND

USE FOR WHICH LAND IS RESERVED	COLOUR NOTATION	REMARKS
Opportunity Space/Agriculture	Blue Border	<ol style="list-style-type: none"> 1. Reserve within which any small-scale economic activity is permitted, provided that each operator occupies a space of no more than 30m² in extent. 2. Notwithstanding any of the provisions of these clauses, no specific town planning controls, except those deemed necessary by the Municipality, shall be applicable. 3. A layout plan of how the Opportunity Space is to be developed (depicting ablution facilities, parking facilities/taxi drop off zones, and trading areas), are to be submitted to the Municipality for approval.
Pedestrian Way	Purple Dashed Line	<ol style="list-style-type: none"> 1. The access way reserved for pedestrians only. 2. Vehicles to be prohibited.
Proposed Future Car Park	Red Circle	<ol style="list-style-type: none"> 1. To become effective at dates to be determined.
Proposed Road Closures	White background with Black vertical stripes	<ol style="list-style-type: none"> 1. Date of Road Closures to be determined.
Public Car Park	Grey cross hatch	<ol style="list-style-type: none"> 1. Areas set aside for the parking of motor vehicles.
Public Housing	Orange and Yellow cross hatch	<ol style="list-style-type: none"> 1. The purpose of this reservation is solely to allow all spheres of Government to deliver housing, within the Municipality's jurisdiction. 2. The maximum density permitted is 250du/ha. 3. The Dwelling House/Dwelling Unit shall not be less than 40m² in extent. 4. Every Dwelling House/Dwelling Unit shall enjoy the right to contribute to the local economy without impacting on the next. In this regard opportunities for Home Business, Tuck Shop/Spaza Shop and Short-Term Accommodation Establishments shall apply. All such ventures may be permitted by consent of the Municipality. 5. Social facilities shall be provided in accordance with the National Housing Code 2009 together with the Municipality's own Space Planner. Additional facilities may be called for where required.

RESERVATION OF LAND

USE FOR WHICH LAND IS RESERVED	COLOUR NOTATION	REMARKS
Public Housing (cont.)	Orange and Yellow cross hatch	<ol style="list-style-type: none"> 1. The development is subject to all other relevant/remaining legislation. 2. Special attention must be given to environmental issues of recycling, planting, use of solar panels, orientation of buildings etc. 3. There is no parking requirement for the residential component. 4. Parking and loading provision for all non-residential land uses shall be met to the satisfaction of the Head: Development Planning, Environment and management and the Head: eThekweni Transport Authority. <p><u>PROCEDURE</u></p> <ol style="list-style-type: none"> 1. All successful applicants will prepare a layout for the Municipality's consideration. 2. The application will be circulated to all service providers within and external to the Municipality for comment. 3. This will shape a final layout. At this stage the internal task team will recommend to the Joint Advisory Committee a decision regarding the layout. 4. Building plans may then be submitted for the Municipality's consideration. 5. The internal task team will monitor the performance of the reservation and the delivery of housing and may revise this reservation at any point through a statutory process.

RESERVATION OF LAND		
USE FOR WHICH LAND IS RESERVED	COLOUR NOTATION	REMARKS
Public Open Space	Leaf Green fill with black border	<ol style="list-style-type: none"> 1. Land that is reserved as open space for the use and enjoyment of the Public, once such area is in ownership of the Municipality. 2. Works as described in the Local Authorities Ordinance No. 25 of 1974, Sections 208 and 264, Sub-Sections (14-20) and 27 are permitted and may include public parks and gardens, recreational grounds, zoological gardens and similar such uses.
Public Service	White with Yellow border	<p><u>Public Car Park (C P)</u></p> <ol style="list-style-type: none"> 1. Acquisition or development to be negotiated with lot owners. 2. Parking Garage permitted. <p><u>Waterworks (W W)</u></p> <ol style="list-style-type: none"> 1. Reserved for Water Supply authority. <p><u>Sewage Disposal Works (S D)</u></p> <ol style="list-style-type: none"> 1. Building and other works incidental thereto permitted. <p><u>Refuse Site (R S)</u></p> <ol style="list-style-type: none"> 1. Buildings and other works incidental thereto permitted.
Public Transport Facility	Grey with Purple Border	<ol style="list-style-type: none"> 1. Reserved for public transport purposes and ancillary uses.
River Reserve	White background with Green stripes	<ol style="list-style-type: none"> 1. This land is reserved to protect the riverine or water courses in areas immediately adjacent to the above and to minimize pollution and erosion but may use for passive recreation. All other uses are prohibited. The removal of soil and stones not permitted without the authority of the Municipality the Municipality shall be permitted to install underground services.
Sewage Disposal Works	Grey background with Maroon stripes	<ol style="list-style-type: none"> 1. Buildings and ancillary uses.
Taxi Rank	Grey with orange border	<ol style="list-style-type: none"> 1. Acquisition or development to be negotiated with the erf owners.
Tree Buffer	White background with Olive hatch	<ol style="list-style-type: none"> 1. Land set aside for the planting of trees to the satisfaction of the Municipality.
Water Works / Reservoirs	Grey background with Green stripes	<ol style="list-style-type: none"> 1. Reserved for Water Works and ancillary uses.

SECTION 7: DEVELOPMENT FACILITATION TABLE

ZONE: ACTIVE OPEN SPACE

SCHEME INTENTION:

To provide, preserve, use land or buildings for:

The conservation area of natural open space, river reserves and the opportunity for the creation of parks, gardens and landscaped areas.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Nature Reserve • Private Open Space • Zoological Garden 	<ul style="list-style-type: none"> • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi Depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Dwelling House • Educational Establishment • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious 	<ul style="list-style-type: none"> • Institution • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Recycling Centre • Reform School • Refuse Disposal • Restaurant/Fast Food Outlet • Restricted Building • Retirement Centre • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	3.0m	3.0m	n/a	To the satisfaction of the municipality	2	To the satisfaction of the Municipality	To the satisfaction of the Municipality

ZONE: ADMINISTRATION

SCHEME INTENTION: To provide, preserve, use land or buildings for Public Administration normally undertaken by National, Provincial and Local Government. Public buildings such as Libraries, Art Galleries, Museums and Information Centers. Authority uses such as Police Stations, Correctional Facility and Fire Protection.

COLOUR NOTATION: Electron Gold fill with black border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Cemetery/ Crematorium • Conservation Area • Convention Centre • Correctional Facility • Crèche • Dwelling House* • Educational Establishment • Funeral Parlour • Garden Nursery • Government/Municipal Institution • Mortuary • Motor Vehicle Test Centre • Museum • Office • Office – Medical • Parkade • Place of Public Worship • Reform School • Refuse Disposal • Zoological Garden 	<ul style="list-style-type: none"> • Bus & Taxi Depot • Forensic Science Laboratory • Landfill • Nature Reserve • Place of Public Entertainment • Private Open Space • Recycling Centre • Retirement Centre • Special Building • Telecommunication Infrastructure • Transport Depot • Veterinary Clinic 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Car Wash • Chalet Development • Container Depot • Direct Access Service Centre • Display Area • Escort Agency • Flat • Flea Market • Fuelling and Service Station • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive 	<ul style="list-style-type: none"> • Industry – General • Industry – Light • Industry – Noxious • Laundry • Mobile Home Park & Camping Ground • Motor Display Area • Motor Garage • Motor Workshop • Multiple Unit Development • Night Club • Pet Grooming Parlour • Restaurant/ Fast Food Outlet • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Use • Truck Stop • Warehouse

ADDITIONAL CONTROLS

GENERAL:

1. All landscaping shall be to the discretion of the Municipality.
2. A Dwelling House may be permitted to accommodate a manager, foreman, caretaker or security personnel.
3. Special land use area in development parameters pertains to land previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA)

DEVELOPMENT PARAMETERS

SUB ZONE	SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR					
	7.5m	2.0m	3.0m	N/A	N/A	N/A	N/A	N/A
Special land use area	1.0m	1.0m	1.0m	N/A	N/A	N/A	N/A	N/A

ZONE: BUS AND TAXI

SCHEME INTENTION: means a premises used for the transfer of persons from one vehicle to another vehicle for hire or reward, including management and the parking of such vehicles associated with this use and excludes a Transport Depot.

COLOUR NOTATION: Grey with black hatch

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Bus & Taxi Depot 	<ul style="list-style-type: none"> • Car Wash • Fuelling and Service Station • Motor Workshop • Parkade • Restaurant/ Fast Food Outlet • Shop • Special Building • Telecommunication Infrastructure • Truck Stop 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Cemetery/ Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Dwelling House • Educational Establishment • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious 	<ul style="list-style-type: none"> • Institution • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Multiple Unit Development • Museum • Nature Reserve • Night Club • Office • Office – Medical • Pet Grooming Parlour • Place of Public Entertainment • Private Open Space • Recycling Centre • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Scrap Yard • Student Residence • Transport Depot • Transport Use • Veterinary Clinic • Warehouse • Zoological Garden

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	3.0m	3.0m	N/A	To the satisfaction of the Municipality	3	50%	0.5

ZONE: CARAVAN PARK

SCHEME INTENSION:

To provide, preserve, use land or buildings for temporary and mobile accommodation on campsites located in support of tourism facilities of the area.

To provide, preserve, use land or buildings for the purpose of short-term tourism mobile or permanent accommodation.

Purposes aligned towards the enjoyment of the aesthetic and bio-physical qualities of the area.

Environmental sustainability of tourist attraction areas.

Preserving in original natural form of heritage sites that attract tourism.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Chalet Development • Conservation Area • Dwelling House • Mobile Home Park & Camping Ground • Multiple Unit Development • Private Open Space 	<ul style="list-style-type: none"> • Agricultural Land • Garden Nursery • Riding Stables • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi Depot • Car Wash • Cemetery/Crematorium • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Educational Establishment • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious 	<ul style="list-style-type: none"> • Institution • Landfill • Laundry • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Recycling Centre • Reform School • Refuse Disposal • Restaurant/ Fast Food Outlet • Retirement Centre • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	2.0m	3.0m	N/A	1 hectare	2	25%	0.2

ZONE: CEMETERY

SCHEME INTENTION:

To provide, preserve, use land or buildings for Cemetery and Crematorium purposes and uses ordinarily ancillary thereto.

COLOUR NOTATION: Fir Green fill with Solar Yellow diagonal cross hatch and black border.

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Cemetery/Crematorium • Conservation Area • Dwelling House* • Funeral Parlour • Mortuary • Place of Public Worship • Private Open Space 	<ul style="list-style-type: none"> • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi Depot • Car Wash • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Educational Establishment • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry – Extractive • Industry – General • Industry – Light • Industry – Noxious 	<ul style="list-style-type: none"> • Institution • Landfill • Laundry • Mobile Home Park & Camping Ground • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Recycling Centre • Reform School • Refuse Disposal • Restaurant/ Fast Food Outlet • Retirement Centre • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. One Dwelling House may be permitted for a manager, foreman or caretaker.
2. Special land use area in development parameters pertains to land previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA).

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS				DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
SUB ZONE		SIDE S	REAR					
	7.5m	3.0m	3.0m	N/A	N/A	N/A	N/A	N/A
Special land use area	1.0m	1.0m	1.0m	N/A	N/A	N/A	N/A	N/A

ZONE: COMMUNITY FACILITY

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- The provision of all facilities associated with the administration, social, health and cultural well-being of the population of the area.
- And institutions such as hospitals, nursing homes, sanatorium, clinic, convalescent home, orphanage and retirement centre.
- This includes uses and infrastructure associated with both public and private sector service providers.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Cemetery/Crematorium • Conservation Area • Crèche • Dwelling House • Educational Establishment • Funeral Parlour • Government/Municipal • Institution • Mortuary • Museum • Place of Public Entertainment • Place of Public Worship • Private Open Space • Retirement Centre 	<ul style="list-style-type: none"> • Correctional Facility • Flea Market • Health Studio • Motor Vehicle Test Centre • Nature Reserve • Office • Office – Medical • Reform School • Refuse Disposal • Special Building • Telecommunication Infrastructure • Veterinary Clinic 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi Depot • Car Wash • Chalet Development • Container Depot • Convention Centre • Direct Access Service Centre • Display Area • Escort Agency • Flat • Forensic Science Laboratory • Fuelling and Service Station • Garden Nursery • Health & Beauty Clinic • Hotel • Industry - Extractive • Industry – General 	<ul style="list-style-type: none"> • Industry – Light • Industry – Noxious • Landfill • Laundry • Mobile Home Park & Camping Ground • Motor Display Area • Motor Garage • Motor Workshop • Multiple Unit Development • Night Club • Parkade • Pet Grooming Parlour • Recycling Centre • Restaurant/ Fast Food Outlet • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. Special land use area in development parameters pertains to land previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA).

DEVELOPMENT PARAMETERS

SUB ZONE	SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR					
	5.0m	2.0m	2.0m	N/A	To the satisfaction of the Municipality	3	75%	0.5
Special land use area	1.0m	1.0m	1.0m	N/A	To the satisfaction of the Municipality	6	75%	N/A

ZONE: COMMERCIAL SUB ZONE

SCHEME INTENTION: To provide, preserve, use land or buildings for:

A wide range of land uses combining commercial, trade, office, administration, cultural, residential and low impact industrial activities and developments.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Arts and Crafts Workshop • Conservation Area • Dwelling House • Flat • Laundry • Multiple Unit Development • Office • Office – Medical • Pet Grooming Parlour • Restaurant/ Fast Food Outlet • Shop 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Betting Depot • Boarding House • Builder’s Yard • Car Wash • Crèche • Display Area • Educational Establishment • Flea Market • Health & Beauty Clinic • Health Studio • Hotel • Industry – Light • Motor Display Area • Motor Workshop • Place of Public Entertainment • Place of Public Worship • Special Building • Student Residence • Telecommunication Infrastructure • Veterinary Clinic • Warehouse 	<ul style="list-style-type: none"> • Agricultural Activity • Agricultural Land • Bus & Taxi Depot • Cemetery/. Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Escort Agency • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Industry - Extractive • Industry – General • Industry – Noxious • Institution • Landfill • Mobile Home Park & Camping Ground 	<ul style="list-style-type: none"> • Mortuary • Motor Garage • Motor Vehicle Test Centre • Museum • Nature Reserve • Night Club • Parkade • Private Open Space • Recycling Centre • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Scrap Yard • Transport Depot • Transport Use • Truck Stop • Zoological Garden

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	3.0m	3.0m	N/A	450m ²	6	70%	1.4

ZONE: CONSERVATION ZONE

SCHEME INTENTION:

A Conservation Zone is land (other than publicly owned land) dedicated to the conservation and management of natural areas of land and/or water for the ecosystem services that the areas provide, the biodiversity that they support, and/or their landscape, historic or scientific interest values.

COLOUR NOTATION: Pale Green

PRIMARY	SPECIAL CONSENT	PRECLUDED
<ul style="list-style-type: none"> • Conservation Area 	<ul style="list-style-type: none"> • Nature-Based Recreation and Tourism 	<ul style="list-style-type: none"> • All other land uses not specified as a primary or consent.

ADDITIONAL CONTROLS

GENERAL:

1. Within a Conservation Zone, unless with the prior written approval from the Municipality after consultation with the Deputy Head: Environmental Planning and Climate Protection and within the principles encompassed within the Scheme Intention for this Zone-
 - 1.1 No earthworks, development sand winning, mining or the erection of any structure, including but not restricted to buildings, fencing, swimming pools, wastewater and storm water infrastructure (including evapo-transpiration areas for on-site sanitation), roads, tracks, driveways, walking or cycling trails, or dams, shall be permitted.
 - 1.2 No landscaping or planting of any vegetation shall be permitted, unless it is a requirement for the rehabilitation of the environment in terms of a management plan agreed with the Municipality.
 - 1.3 No harvesting, collecting, cutting, hunting or otherwise damaging of indigenous flora or fauna and soil and water resources, shall be permitted, unless it is a requirement for the rehabilitation of the environment in terms of a management plan agreed with the Municipality.
 - 1.4 No vehicles, motorized or non-motorized, other than on established roads, driveways or tracks, shall be permitted.
 - 1.5 No domesticated animals shall be permitted where these are judged by the Deputy Head: Environmental Planning and Climate Protection to be having a significant environmental impact, e.g., but not limited to, they are causing harm to ecosystems through hunting, selective grazing or overgrazing or by causing soil erosion.
 - 1.6 No use of the land which may, by virtue of the activities of that use, be detrimental to the intentions of this Zone, shall be permitted.
2. Within a zone which flanks a Conservation Zone that forms part of the same parent erf, the area of the Conservation Zone portion may, by Special Consent, be taken into account in calculating the total potential permitted in terms of floor area, coverage, height, and density, on that portion zoned for developmental use and not for conservation purposes, provided that:
 - 2.1 this does not, in the view of the Municipality, impact significantly on the environmental attributes the Conservation Zone aims to protect, compromise the overall development or interfere with the amenities of the area, existing or as contemplated by the Scheme, and
 - 2.2 a 25-metres non-building buffer to the Conservation Zone portion shall be observed where such clustering occurs.

provided further that the requirements of exclusions from developable area, such as land which is:-

- (i) oversteep,
- (ii) geo-technically unstable,
- (iii) subject to flooding,
- (iv) inaccessible,
- (v) affected by servitudes,

or any other exclusions as determined by the Municipality, shall, other than with respect to environmentally sensitive areas, apply in determining the theoretical potential over the entire site.

ZONE: CONSERVATION ZONE

3. The Municipality may, at its sole discretion and in consultation with the Deputy Head: Environmental Planning and Climate Protection, exempt an applicant from applying for the Consent where: -

- 3.1 a 25-metres non-building buffer requirement is sought to be relaxed or dispensed with;
- 3.2 the transference of floor area, coverage, height and/or unit potential from a conservation zoned portion to a residential zoned portion of an erf is sought;
- 3.3 a smaller erf size than the designated zone minimum erf size is sought in the non-conservation zone portion and may be permitted under certain circumstances pertaining to that zone

provided that the prior written consent of the registered owners of each adjoining and opposite properties to the site and such other properties as the Municipality, in consultation with the Deputy Head: Environmental Planning and Climate Protection, may direct, has first been obtained.

4. The uses related to Nature-Based Recreation and Tourism shall be at the discretion of the Municipality in consultation with the Deputy Head: Environmental Planning and Climate Protection provided that such uses shall honour the intent of this zone, provided further that they may include hides, viewing platforms and media centres used to enlighten the public of the attributes and benefits of the Conservation Zone.

5. For Purposes of This Zone:

Nature-based Recreation and Tourism means recreation and tourism that is based on the natural attractions of the area, e.g. bird watching, hiking, trail running, and photography, which does not conflict with the primary land use viz. nature conservation. This activity may contribute to the conservation of the environment and improve the well-being of the local community.”

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS	DWELLING UNITS PER HECTARE	MINIMUM SUB-DIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO	PARKING
At the discretion of the Municipality	N/A	N/A	1 storey except in the case of hides and viewing platforms	12,5% for sites less than 1600m ² in extent and 200m ² for sites 1600m ² or greater in extent	N/A	Parking to be provided on the adjacent Zone

ZONE: EDUCATION

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- Full range of educational facilities either Public or Private.
- Institutional facilities that to the discretion of eThekweni Municipality does not affect amenity of the area.
- Recreational facilities ancillary to the Educational Establishment.
- Accommodation of students, educators and other staff of the educational establishment

COLOUR NOTATION: Medium Coral fill with black border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Crèche • Conservation Area • Educational Establishment • Government/Municipal • Place of Public Worship • Private Open Space • Student Residence* 	<ul style="list-style-type: none"> • Institution • Place of Public Entertainment • Reform School • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi Depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Dwelling House • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light 	<ul style="list-style-type: none"> • Industry – Noxious • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Nature Reserve • Night Club • Office • Office – Medical* • Parkade • Pet Grooming Parlour • Recycling Centre • Refuse Disposal • Restaurant/Fast Food Outlet • Retirement Centre • Riding Stables • Scrap Yard • Shop • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. Special land use area in development parameters pertains to land previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA).
2. In the case of Remainder of Erf 3079 Pinetown, Offices- Medical shall be freely permitted.
3. Student Residence is permitted when ancillary to an Educational Establishment.

DEVELOPMENT PARAMETERS

SUB ZONE	SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR					
	7.5m	3.0m	3.0m	N/A	To the satisfaction of the Municipality	N/A	N/A	N/A
Special land use area	1.0m	1.0m	1.0m	N/A	To the satisfaction of the Municipality	5	75%	N/A

ZONE: EDUCATION AND PUBLIC ASSEMBLY

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- Full range of educational facilities either Public or Private.
- Institutional facilities that to the discretion of eThekweni Municipality does not affect amenity of the area.
- Recreational facilities ancillary to the Educational Establishment.
- Accommodation of students, educators and other staff of the educational establishment.
- Place of Worship purposes

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Crèche • Educational Establishment • Place of Public Worship • Private Open Space • Student Residence* 	<ul style="list-style-type: none"> • Institution • Place of Public Entertainment • Reform School • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi Depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Dwelling House • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry – Extractive • Industry – General • Industry – Light 	<ul style="list-style-type: none"> • Industry - Noxious • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Recycling Centre • Refuse Disposal • Restaurant/ Fast Food Outlet • Retirement Centre • Riding Stables • Scrap Yard • Shop • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

In the case of Portion of Rem of Erf 1700 Westville (Lease 2), the following shall apply:

1. The development shall be substantially in accordance with Plan 2006A-01-D, dated March 2003.
2. Access to the site shall be restricted to the existing entrance on Link Road.
3. No commercial uses shall be permitted other than commercial uses ancillary to all other uses on the site and such commercial uses shall not exceed 800m².
4. Parking shall be provided for a minimum of 450 bays on the site, were 230 bays are reserved for the college and 130 for the club. In addition, parking is to be provided as per the requirements of Section 8 to the satisfaction of the Municipality.
5. Student Residence is permitted when ancillary to an Educational Establishment.

ZONE: EDUCATION AND PUBLIC ASSEMBLY

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5 m	3.0 m	4.5m	N/A	To the satisfaction of the Municipality	To the satisfaction of the Municipality	To the satisfaction of the Municipality	To the satisfaction of the Municipality
Portion of Remainder of Erf 1700 Westville (Lease 2) 7.5m	3.0m	4.5m	N/A	To the satisfaction of the Municipality	2	15%	0.2

ZONE: FUELLING AND SERVICE STATION

SCHEME INTENTION: To provide, preserve, use land or buildings for a Fuelling and Service Station which shall be sited and designed so as to satisfy the eThekweni Municipality that traffic entering and leaving the Erf will not adversely affect movement of pedestrians or vehicles on any public road or place.

COLOUR NOTATION: Big Sky Blue fill with Amethyst (purple) diagonal lines and black border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Car Wash • Conservation Area • Direct Access Service Centre • Fuelling and Service Station • Motor Workshop 	<ul style="list-style-type: none"> • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Restaurant/ Fast Food Outlet* • Shop* • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi Depot • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Display Area • Dwelling House • Educational Establishment • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious 	<ul style="list-style-type: none"> • Institution • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Multiple Unit Development • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Private Open Space • Recycling Centre • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Scrap Yard • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. All landscaping at the discretion of the eThekweni Municipality.
2. For the Design and Layout of a Fuelling and Service Station refer to Section 9 of this Scheme.
3. A Restaurant/Fast Food Outlet and Shop is permitted when ancillary to a Fuelling and Service Station and not to exceed a combined Floor Area of 400m² in extent.
4. Special land use area in development parameters pertains to land previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA).

ZONE: FUELLING AND SERVICE STATION

DEVELOPMENT PARAMETERS

SUB ZONE	SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR					
	7.5m	3.0m	3.0m	N/A	1800m ²	2	60%	0.4
Reservoir Hills	7.5m	2.0m	3.0m	N/A	1800m ²	2	70%	N/A
Special land use area	1.0m	1.0m	1.0m	N/A	To the satisfaction of the Municipality	2	75%	N/A

ZONE: GENERAL COMMERCIAL

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- Intense commercial and or business Activities.
- Spatial Development and sustainable function of the Central Business District

COLOUR NOTATION: Blue fill colour with black border

PRIMARY	SPECIAL CONSENT	PRECLUDED
<ul style="list-style-type: none"> • Action Sports Bar • Arts and Crafts Workshop • Betting Depot • Car Wash • Conservation Area • Convention Centre • Crèche • Display Area • Educational Establishment • Flat * • Flea Market • Fuelling and Service Station • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Laundry • Motor Display Area • Motor Workshop • Museum • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Private Open Space • Restaurant/ Fast Food Outlet • Shop • Veterinary Clinic 	<ul style="list-style-type: none"> • Adult Premises • Builder's Yard • Bus & Taxi Depot • Direct Access Service Centre • Escort Agency • Funeral Parlour • Garden Nursery • Institution • Mortuary • Motor Vehicle Test Centre • Night Club • Place of Public Worship • Special Building • Student Residence • Telecommunication Infrastructure • Transport Depot • Warehouse 	<ul style="list-style-type: none"> • Agricultural Activity • Agricultural Land • Boarding House • Cemetery/. Crematorium • Chalet Development • Container Depot • Correctional Facility • Dwelling House • Forensic Science Laboratory • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Landfill • Mobile Home Park & Camping Ground • Motor Garage • Multiple Unit Development • Nature Reserve • Recycling Centre • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Scrap Yard • Transport Use • Truck Stop • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. All landscaping at the discretion of the eThekweni Municipality.
2. *Flat not permitted on the ground floor but may be permitted at ground floor level where the design of a building is such that the residential use is not contiguous with the street.
3. Special land use area in development parameters pertains to land previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA).

APPLICABLE TO QUEENSBURGH:

1. The controls pertaining to Erven 961 and 962(consolidated Erf 5865) shall be
 Floor Area Ratio: 1.0
 Coverage: 90%

APPLICABLE TO WESTVILLE:

1. In the case of Portion 107 of Erf 3 of Garden Park, refer to the Garden Park Development Plan, Drawing No. 3016/20/Dev, dated October 2015 for additional controls:
 - The maximum permitted FAR is restricted to 42 500m² GLA
 - Minimum parking to be provided on site shall be 1 666 bays.

ZONE: GENERAL COMMERCIAL

ADDITIONAL CONTROLS

APPLICABLE TO PINETOWN:

- 1 For each building/use, hardened, parking space as set out in PARKING REQUIREMENTS of Section 8 shall be provided. This includes provision for loading space in terms of Section 8 Exempt from these parking and loading provisions is Even 6813 Pinetown Township (formerly known as Lots 2463/4/5 Pinetown) and Lot 5188 Pinetown.
- 2 In the case of Erven 2409 and 2410 Pinetown Township – a minimum of 2 parking bays per 100m² GFA shall be provided for shopping and office space only.
- 3 Vehicle access to and exit from a site not to be from the shopping street except with the Special Consent of Municipality. Shopping frontage to be continuous for the full frontage of the shopping street boundary, except where a pedestrian arcade or mall is provided.
- 4 A flat is not allowed in the ground floor or at the shopping street level.
5. Only the display and sale of light motor vehicles shall be permitted.
6. In the case of consolidated Erf 11238 Pinetown,
 - i) No residential development permitted on the ground floor.
 - ii) There shall be no vehicular egress onto Harvey Road.
 - iii) the Municipality will allow shop fronts along the south elevation of buildings on the site and will allow pedestrian access from the site to Erf 2397, Sub 1 of 2398 and Remainder of Erf 2399 Pinetown
 - iv) A minimum of 2 car parking spaces shall be provided on-site for each 100m² of gross floor area of development.
7. In the case of Erven 6387 and 7302 Pinetown the total Parking Requirements for all uses on site shall be 505 Parking Bays for a Total Floor Area not exceeding 17 600m².
8. In the case of Erf 2337 Pinetown the Maximum Floor Area shall not exceed 1584m² and the minimum parking provided shall be 38 parking bays.

DEVELOPMENT PARAMETERS

SUB ZONE	SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUB-DIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR					
	Nil	3.0m	3.0m	N/A	450m ²	4	80%	1.5
Pinetown	Nil	3.0m	3.0m	N/A	450m ²	N/A	90%	2.5
Reservoir Hills	3.0m	Nil	Nil	N/A	450m ²	N/A	80%	1.5
Special land use area	1.0m	1.0m	1.0m	N/A	To the satisfaction of the Municipality	3	75%	N/A

ZONE: GENERAL INDUSTRY

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- Full range of industrial uses where the emphasis is on bulk and heavy industry and where due cognizance must be taken of environmental impacts.
- Ensuring sustainable locations which accommodate the requirements for industrial Activities and minimize their impact on surrounding uses.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT		PRECLUDED
<ul style="list-style-type: none"> • Agricultural Activity • Builder's Yard • Bus & Taxi Depot • Car Wash • Conservation Area • Display Area • Dwelling House * • Fuelling and Service Station • Funeral Parlour • Government/Municipal • Industry – General • Industry – Light • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Private Open Space • Recycling Centre • Scrap Yard • Transport Depot • Truck Stop • Warehouse 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Betting Depot • Cemetery/Crematorium • Container Depot • Convention Centre • Direct Access Service Centre • Educational Establishment • Forensic Science Laboratory • Garden Nursery • Health Studio • Industry - Extractive • Industry – Noxious • Institution • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Landfill • Laundry • Mortuary • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Refuse Disposal • Restaurant/ Fast Food Outlet • Shop • Special Building • Veterinary Clinic 	<ul style="list-style-type: none"> • Agricultural Land • Arts and Crafts Workshop • Boarding House • Chalet Development • Correctional Facility • Crèche • Escort Agency • Flat • Flea Market • Health & Beauty Clinic • Hotel • Mobile Home Park & Camping Ground • Multiple Unit Development • Museum • Nature Reserve • Reform School • Retirement Centre • Riding Stables • Student Residence • Transport Use • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. All landscaping at the discretion of the Municipality.
2. Not more than one dwelling house for manager, foreman or caretaker to be permitted on each industrial site.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	3.0m	3.0m	N/A	1800m ² (Dassenhoek & Mariannahill 1500m ²)	6	70%	1.4

ZONE: GENERAL MIXED-USE ZONE

SCHEME INTENTION:

To provide, preserve, use land or buildings for the development of a number of formal and informal business opportunities and allows for the development of a range of complementary land uses of a commercial, office, service, industrial, administrative, informal trade and residential nature.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED
<ul style="list-style-type: none"> • Car Wash • Conservation Area • Crèche • Dwelling House • Educational Establishment • Flat • Health & Beauty Clinic • Health Studio • Hotel • Institution • Laundry • Motor Display Area • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Office • Office – Medical • Private Open Space • Restaurant/ Fast Food Outlet • Shop • Veterinary Clinic 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Chalet Development • Display Area • Flea Market • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Industry – Light • Mobile Home Park & Camping Ground • Motor Garage • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Special Building • Student Residence • Telecommunication Infrastructure • Warehouse 	<ul style="list-style-type: none"> • Agricultural Activity • Agricultural Land • Bus & Taxi Depot • Cemetery/Crematorium • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Escort Agency • Forensic Science Laboratory • Government/Municipal • Industry - Extractive • Industry – General • Industry – Noxious • Landfill • Mortuary • Museum • Nature Reserve • Night Club • Parkade • Recycling Centre • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Scrap Yard • Transport Depot • Transport Use • Truck Stop • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. Special land use area in development parameters pertains to land previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA).

APPLICABLE TO WESTVILLE:

1. Motor Display Area, Motor Vehicle Test Centre and Motor Workshop shall be precluded on the Remainder of Erf 904 Westville;
2. In the case of the Remainder of Erf 904 Westville the permitted Floor Area Ratio, Coverage and Height shall be 1.0, 50% and 2 storeys respectively and the side space shall be 2.0m.

APPLICABLE TO PINETOWN:

1. In the case of Erf 30663 Pinetown the coverage is 90%.

		ZONE: GENERAL MIXED-USE ZONE						
DEVELOPMENT PARAMETERS								
SUBZONE	SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUB-DIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR					
	5.0m	Nil	2.0m	To the satisfaction of the Municipality	450m ²	3	70%	0.7
Special land use area	1.0m	1.0m	1.0m	N/A	To the satisfaction of the Municipality	3	75%	N/A

ZONE: GENERAL MIXED USE 1

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- Residential and commercial activities that compliment or function alongside of each other.
- Mixed business areas which would accommodate residential opportunities and commercial Activities.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Action Sports Bar • Arts & Crafts Workshop • Boarding House • Conservation Area • Convention Centre • Crèche • Dwelling House • Educational Establishment • Flat ** • Flea Market • Garden Nursery • Government / Municipal • Health & Beauty Clinic • Health Studio • Hotel • Institution • Laundry • Multiple Unit Development • Office • Office – Medical • Pet Grooming Parlour • Private Open Space • Restaurant / Fast Food • Retirement Centre • Shop ** • Veterinary Clinic • Warehousing ** 	<ul style="list-style-type: none"> • Car Wash • Chalet Development • Mobile Home Park & Camping Ground • Parkade • Place of Public Entertainment • Place of Worship • Recycling Centre • Special Building • Student Residence • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Adult Premises • Agricultural Activity • Agricultural land • Betting Depot • Builders Yard • Bus & Taxi Depot • Cemetery / Crematorium • Container Depot • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Forensic Science Laboratory • Fueling and Service Station • Funeral Parlour • Industry: Extractive • Industry: General • Industry: Light • Industry: Noxious • Landfill • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre 	<ul style="list-style-type: none"> • Motor Workshop • Museum • Nature Reserve • Night Club • Reform School • Refuse Disposal • Riding Stables • Scrap Yard • Transport Depot • Transport Use • Truck Shop • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. A mixed-use building may be permitted, in which case flats may be above the ground floor level only and the height of such a mixed use building shall not exceed 4 storeys.
2. No building for flats, boarding house or a hotel may exceed a height of 4 storeys.
3. Multiple unit development may not exceed a height of 2 storeys.
4. Non-residential buildings may not exceed a height of 15m above the finished ground level.
5. Warehousing shall be restricted to mini-storage units only whereby the maximum floor area of any single storage unit may not exceed 50m² and to be situated on Portions 229 and 230 of Erf 3 of Garden Park only and shall be subject to the approval of a detailed pre-scrutiny building plan depicting buildings, landscaping and signage, if any, to the satisfaction of the municipality.
6. The minimum Lot area shall be 1 200m² provided further that dwelling units in a multiple unit development site may be owned on freehold title whereby the minimum curtilage size shall not be less than 300m²
7. The density for flats and multiple unit developments shall not exceed 70 units per hectare, rounded up to the nearest whole number.
8. The total extent of all shops in the mixed-use zone shall not exceed a floor area of 4 000m²
9. No single restaurant in the mixed-use zone shall exceed a floor area of 500m²
10. No landscaping may be undertaken, nor any signage erected on portions 229 to 237 save in accordance with the municipality's requirements. In this regard, a signage and landscaping plan shall be submitted to the municipality for approval once the building plans have been approved.
11. Also refer to Plan No. TP 06-06-634 (Garden Park Development Plan, Drawing No. 3016 / 20 / Dev dated October 2015) for additional controls.

ZONE: GENERAL MIXED USE 1

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	2.0m	2.0m	See additional controls	1 200m ²	15m or 2 or 4 (see additional controls)	70%	1,0
See also additional control No 11							

ZONE: GENERAL RESIDENTIAL

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- Higher density on all types of residential accommodation.
- A wide range of ancillary uses which service the day to day needs of a residential community.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Boarding House • Chalet Development • Conservation Area • Dwelling House • Flat • Hotel • Multiple Unit Development • Retirement Centre 	<ul style="list-style-type: none"> • Crèche • Educational Establishment • Health Studio • Institution • Laundry • Mobile Home Park & Camping Ground • Private Open Space • Restaurant/ Fast Food Outlet* • Shop* • Special Building • Student Residence • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Builder's Yard • Bus & Taxi Depot • Car Wash • Cemetery/ Crematorium • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/ Municipal • Health & Beauty Clinic • Industry - Extractive • Industry – General • Industry – Light 	<ul style="list-style-type: none"> • Industry - Noxious • Landfill • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Recycling Centre • Reform School • Refuse Disposal • Riding Stables • Scrap Yard • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. Landscaping to the discretion of the Municipality.
2. The maximum coverage may be increased by not more than 10% of the site area solely for the purpose of providing covered parking.
3. Shop restricted to ground floor only.
4. Restaurant/Fast Food Outlet restricted to ground floor only.
5. Special land use area in development parameters pertains to land previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA).

APPLICABLE TO WESTVILLE:

1. Provision to be made for landscaping and maintaining the grounds to the satisfaction of the Municipality and not less than 25% of the site shall be set aside and maintained as a garden and play area, which must be kept free of parking space and driveways.
2. A maximum FAR/coverage of 1, 0 and 40% respectively are permitted for a hotel.
3. In the case of Portions 223 or Portions 225-228 (of 223) and Portions 100, 103 and 105 all of Erf 3 of Garden Park, refer to Garden Park Development Plan, Drawing No. 3016/20/Dev, dated October 2015 for additional controls.
4. In the case of proposed Erf 4017 Westville (formerly Erven 85 and 86 Westville), the height shall be restricted to two storeys and the density shall be restricted to 16 Dwelling Units per hectare.

ZONE: GENERAL RESIDENTIAL

DEVELOPMENT PARAMETERS

SUBZONE	SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUB- DIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR					
	7.5m	3.0m	3.0m	N/A	1800m ²	4	30%	0.5
Shallcross	7.5m	3.0m	3.0m	N/A	1800m ²	2	30%	0.5
Erf 891 Oceanlea (Westville)	7.5m	3.0m	3.0m	N/A	1124m ²	2	30%	0.5
Erf 4017 Westville (formerly Erven 85 and 86 Westville)	7.5m	3.0m	3.0m	16 units/ha	3000m ²	2	30%	0.5
Pinetown	7.5m	3.0m	3.0m	N/A	1800m ²	3	30%	0.5
Special land use area	1.0m	1.0m	1.0m	N/A	400m ²	6	75%	N/A

ZONE: GENERAL RESIDENTIAL 1

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- Higher density on all types of residential accommodation.
- A wide range of ancillary uses which service the day to day needs of a residential community.

COLOUR NOTATION: Sahara Sand fill with black border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Boarding House • Chalet Development • Conservation Area • Dwelling House • Flat • Hotel • Multiple Unit Development • Retirement Centre 	<ul style="list-style-type: none"> • Crèche • Educational Establishment • Health Studio • Institution • Laundry • Mobile Home Park & Camping Ground • Private Open Space • Restaurant/ Fast Food Outlet* • Shop* • Special Building • Student Residence • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Builder's Yard • Bus & Taxi Depot • Car Wash • Cemetery/. Crematorium • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/ Municipal • Health & Beauty Clinic • Industry: Extractive • Industry: General • Industry: Light 	<ul style="list-style-type: none"> • Industry: Noxious • Landfill • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Recycling Centre • Reform School • Refuse Disposal • Riding Stables • Scrap Yard • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. Landscaping to the discretion of the Municipality
2. The maximum coverage may be increased by not more than 10% of the site area solely for the purpose of providing covered parking.
3. Shop restricted to ground floor only.
4. Restaurant/Fast Food Outlet restricted to ground floor only.

APPLICABLE TO QUEENSBURGH:

1. Provision to be made for landscaping and maintaining the grounds to the satisfaction of the Municipality and not less than 25% of the site shall be set aside and maintained as a garden and play area, which must be kept free of parking space and driveways.
2. A maximum FAR/coverage of 1, 0 and 40% respectively are permitted for a licensed hotel.
3. Where the lot is used exclusively for Multiple Unit Development, and the maximum coverage may be increased to 40%.

ZONE: GENERAL RESIDENTIAL 1

ADDITIONAL CONTROLS

APPLICABLE TO PINETOWN:

- 1 Provision is to be made for landscaping and maintaining the grounds to the satisfaction of the Municipality, and not less than 25% of the site shall be set aside and maintained as a garden and play area, which must be kept free of parking space and driveways.
- 2 Sub 1 of Lot 1909 Pinetown Township: Coverage 44%.
- 3 Sub 3 of Lot 3607 Pinetown Township: Maximum F.A.R. 0,83
- 4 Sub 3 of Lot 3607 Pinetown Township: A minimum of 363 parking bays shall be provided at all times.
- 5 Lot 7256 Pinetown Township: A minimum of 500 parking bays shall be provided at all times.
- 6 Lot 10110 Pinetown Township: Coverage 30%
- 7 Remainder & Sub 9 of Lot 2034 Pinetown Township: Coverage 27%

APPLICABLE TO NEW GERMANY:

A maximum FAR/coverage of 1,0 and 40% respectively are permitted for a licensed hotel.

APPLICABLE TO RESERVOIR HILLS:

The coverage may be increased to 50 % in the case of a Hotel.

DEVELOPMENT PARAMETERS

SUBZONE	SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUB-DIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR					
	7.5m	3.0m	3.0m	N/A	1800m ²	6	40%	0.75
Pinetown	7.5m	3.0m	3.0m	N/A	1800m ²	N/A	40%	0.75
New Germany	7.5m	3.0m	3.0m	N/A	1800m ²	5	40%	0.75
Reservoir Hills	7.5m	2.0m	3.0m	N/A	900m ²	N/A	40%	1.0

ZONE: GENERAL RESIDENTIAL 2

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- Higher density on all types of residential accommodation.
- A wide range of ancillary uses which service the day to day needs of a residential community.

COLOUR NOTATION: Brown fill with black border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Boarding House • Chalet Development • Conservation Area • Dwelling House • Flat • Hotel • Multiple Unit Development • Retirement Centre 	<ul style="list-style-type: none"> • Crèche • Educational Establishment • Health Studio • Institution • Laundry • Mobile Home Park & Camping Ground • Private Open Space • Restaurant/ Fast Food Outlet* • Shop* • Special Building • Student Residence • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Builder's Yard • Bus & Taxi Depot • Car Wash • Cemetery/ Crematorium • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre Display Area • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Industry: Extractive • Industry: General • Industry: Light • Industry: Noxious • Landfill • Mortuary 	<ul style="list-style-type: none"> • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Recycling Centre • Reform School • Refuse Disposal • Riding Stables • Scrap Yard • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL

1. Landscaping to the discretion of the Municipality
2. The maximum coverage may be increased by not more than 10% of the site area solely for the purpose of providing covered parking.
3. Shop restricted to ground floor only.
4. Restaurant/Fast Food outlet restricted to ground floor only.
5. Special land use area in development parameters pertains to land previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA).

ZONE: GENERAL RESIDENTIAL 2

ADDITIONAL CONTROLS

APPLICABLE TO QUEENSBURGH:

1. Where an existing lot in a General Residential zone has been reduced in area by the expropriation or alienation of land for road widening or construction purposes and for open space purposes, the Municipality may allow the erection of a flat on the lot, provided that the lot has been reduced in area to less than 1350m² and provided further that arrangements for the disposal of sewage have been made, to the satisfaction of the Municipality
2. In the case of Erf 4353 Queensburgh the no. of units shall be restricted to sixty-four (64) units only and Road widening of 4,3 metres on Second Avenue to be donated to the Municipality
3. The case of a Multiple Unit Development or a Dwelling House, the side space shall be 2.0m and the Rear space shall be 3.0m.

APPLICABLE TO PINETOWN:

1. The maximum site coverage may be increased by not more than 10% of the area of the site solely for the purpose of providing covered parking.
4. Provision is to be made for landscaping and maintaining the grounds to the satisfaction of the Municipality, and not less than 25% of the site shall be set aside and maintained as a garden and play area, which must be kept free of parking space and driveways.
5. Development on Sub 35 of 1 of Erf 221 Ashley Township is restricted to a maximum of 48 units, 0.5 Floor Area Ratio, 25% coverage and a height of 3 storeys.
6. In the case of Erf 447 Pinetown:
 - (i) no road access shall be permitted from Woodward Drive or Beverley Drive
 - (ii) the maximum height shall be 2 storeys
7. The building line from any road shall be 9.0 metres minimum. Provided that on corner sites a building line of 7.5 metres may at the discretion of the Municipality apply on the side road. Provided further that the side road is a local street or a cul de sac.
8. In the case of Erf 6919 Pinetown the maximum no. of flats shall be restricted to nine (9) and the development may not encroach closer than 1,5 metres from the Lytton Crescent boundary of the consolidated property.

APPLICABLE TO RESERVOIR HILLS:

1. The coverage may be increased to 50 % in the case of a Hotel.

DEVELOPMENT PARAMETERS

SUB ZONE	SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR					
	7.5m	3.0m	3.0m	N/A	1800m ²	3	35%	0.5
Pinetown	7.5m	3.0m	3.0m	N/A	1800m ²	N/A	35%	0.5
Dassenhoek	7.5m	3.0m	3.0m	N/A	1000m ²	3	35%	0.5
New Germany	7.5m	3.0m	3.0m	N/A	1800m ²	5	35%	0.5
Reservoir Hills	7.5m	2.0m	3.0m	N/A	900m ²	N/A	40%	1.6
Erf 6919 Pinetown	7.5m See additional controls	3.0m	3.0m	See additional controls	N/A	2	28%	0.38
Special land use area	1.0m	1.0m	1.0m	N/A	To the satisfaction of the Municipality	6	75%	N/A

ZONE: GENERAL RESIDENTIAL 3

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- Higher density on all types of residential accommodation.
- A wide range of ancillary uses which service the day to day needs of a residential community.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Boarding House • Conservation Area • Dwelling House • Flat • Hotel • Multiple Unit Development • Retirement Centre 	<ul style="list-style-type: none"> • Chalet Development • Crèche • Educational Establishment • Health Studio • Institution • Laundry • Mobile Home Park & Camping Ground • Private Open Space • Restaurant/ Fast Food Outlet* • Shop* • Special Building • Student Residence • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Builder's Yard • Bus & Taxi Depot • Car Wash • Cemetery/Crematorium • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious 	<ul style="list-style-type: none"> • Landfill • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Recycling Centre • Reform School • Refuse Disposal • Riding Stables • Scrap Yard • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. Landscaping to the discretion of the Municipality
2. The maximum coverage may be increased by not more than 10% of the site area solely for the purpose of providing covered parking
3. Shop restricted to ground floor only.
4. Restaurant/Fast Food Outlet restricted to ground floor only.

APPLICABLE TO QUEENSBURGH:

1. In the case of Erf 789, the minimum curtilage for each dwelling unit shall be 250m²

APPLICABLE TO NEW GERMANY:

1. Erf 65 Mountain Ridge shall be restricted to 10 units per hectare.

APPLICABLE TO PINETOWN:

1. The maximum units permitted on Erf 2888 Pinetown shall be restricted to 3 units.

DEVELOPMENT PARAMETERS

SUBZONE	SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR					
	7.5m	3.0m	3.0m	N/A	1800m ²	3	30%	0.35
Dassenhoek	7.5m	3.0m	3.0m	N/A	1000m ²	3	30%	0.35

ZONE: GENERAL RESIDENTIAL 4

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- Higher density on all types of residential accommodation.
- A wide range of ancillary uses which service the day to day needs of a residential community.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Boarding House • Conservation Area • Dwelling House • Flat • Hotel • Multiple Unit Development • Retirement Centre 	<ul style="list-style-type: none"> • Chalet Development • Crèche • Educational Establishment • Health Studio • Institution • Laundry • Mobile Home Park & Camping Ground • Private Open Space • Restaurant / Fast Food Outlet* • Shop* • Special Building • Student Residence • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Builder's Yard • Bus & Taxi Depot • Car Wash • Cemetery/Crematorium • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government / Municipal • Health & Beauty Clinic • Industry: Extractive • Industry: General • Industry: Light • Industry: Noxious 	<ul style="list-style-type: none"> • Landfill • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Recycling Centre • Reform School • Refuse Disposal • Riding Stables • Scrap Yard • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. Landscaping to the discretion of the Municipality
2. Shop restricted to ground floor only.
3. Restaurant/Fast Food Outlet restricted to ground floor only.
4. The maximum coverage may be increased by not more than 10% of the site area solely for the purpose of providing covered parking

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAG E	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	3.0m	3.0m	N/A	1000m ²	8	30%	0.35

ZONE: GOVERNMENT/MUNICIPAL

SCHEME INTENSION: To provide, preserve, use land or buildings for:

- To provide land and buildings for local, district, provincial and national government administration, facilities, infrastructure and services.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Cemetery/Crematorium • Conservation Area • Correctional Facility • Government/Municipal • Institution • Landfill • Mortuary • Museum • Private Open Space • Refuse Disposal • Retirement Centre • Zoological Garden 	<ul style="list-style-type: none"> • Bus & Taxi Depot • Convention Centre • Crèche • Educational Establishment • Forensic Science Laboratory • Funeral Parlour • Motor Vehicle Test Centre • Nature Reserve • Parkade • Place of Public Entertainment • Place of Public Worship • Recycling Centre • Reform School • Special Building • Telecommunication Infrastructure • Transport Depot • Veterinary Clinic 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Car Wash • Chalet Development • Container Depot • Direct Access Service Centre • Display Area • Dwelling House • Escort Agency • Flat • Flea Market • Fuelling and Service Station • Garden Nursery • Health & Beauty Clinic • Health Studio 	<ul style="list-style-type: none"> • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Laundry • Mobile Home Park & Camping Ground • Motor Display Area • Motor Garage • Motor Workshop • Multiple Unit Development • Night Club • Office • Office – Medical • Pet Grooming Parlour • Restaurant / Fast Food Outlet • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Use • Truck Stop • Warehouse

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	3.0m	3.0m	N/A	To the satisfaction of the Municipality	To the satisfaction of the Municipality	To the satisfaction of the Municipality	To the satisfaction of the Municipality

ZONE: INSTITUTION

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- Institutions such as hospitals, nursing homes, sanatorium, clinic, convalescent home, orphanage, retirement centre, or other buildings used as a public or private institution except those included in restricted building.

COLOUR NOTATION: White background fill with Medium Coral Light foreground (dots) and black border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Dwelling House* • Government/Municipal Institution* • Office – Medical • Private Open Space • Retirement Centre • Veterinary Clinic 	<ul style="list-style-type: none"> • Cemetery/ Crematorium • Crèche • Educational Establishment • Place of Public Worship • Reform School • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi Depot • Car Wash • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Health & Beauty Clinic • Health Studio • Hotel • Industry: Extractive • Industry: General • Industry: Light • Industry: Noxious 	<ul style="list-style-type: none"> • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Nature Reserve • Night Club • Office • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Recycling Centre • Refuse Disposal • Restaurant / Fast Food Outlet • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. All landscaping to the discretion of the eThekweni Municipality.
2. In the case of Portion 10 of Erf 2369 Westville, a minimum of 375 parking bays shall be provided by the developer to the satisfaction of the Municipality; provided that the Municipality reserves the right to increase this requirement at any time should it be of the opinion that inadequate on-site parking exists.
3. That the use of the concerned Lot (Portion 10 of Erf 2369 Westville) in regard to the erection of any buildings shall be restricted to medical centre purposes only.
4. A Dwelling House may be permitted to accommodate a manager, foreman, caretaker or security personnel
5. Where an Erf is developed for a hospital or clinic, the following development parameters apply: coverage 70%, Floor Area Ratio 1.5 and no height restriction.

SPACE ABOUT BUILDINGS				DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
SUB ZONE	BUILDING LINE	SIDES	REAR					
	7.5m	3.0m	3.0m	N/A	To the satisfaction of the Municipality	3	30%	0.5
Reservoir Hills	7.5m	2.0m	3.0m	N/A	To the satisfaction of the Municipality	3	50%	1.5
Portion 10 of Erf 2369 Westville	7.5m	3.0m	3.0m	N/A	To the satisfaction of the Municipality	4	30%	0.5
HOSPITALS	7.5m	3.0m	3.0m	N/A	To the satisfaction of the Municipality	N/A	70%	1.5

ZONE: INTERMEDIATE RESIDENTIAL

SCHEME INTENTION: To provide, preserve, use land or buildings for Medium Density residential developments.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Dwelling House • Flat • Multiple Unit Development 	<ul style="list-style-type: none"> • Boarding House • Chalet Development • Institution • Mobile Home Park & Camping Ground • Private Open Space • Retirement Centre • Student Residence • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Builder's Yard • Bus & Taxi Depot • Car Wash • Cemetery/ Crematorium • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Educational Establishment • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry: Extractive • Industry: General • Industry: Light 	<ul style="list-style-type: none"> • Industry: Noxious Institution • Landfill • Laundry • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Riding Stables • Scrap Yard • Shop • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. All landscaping at the discretion of the eThekweni Municipality.
2. Provision is to be made for landscaping and maintaining the grounds to the satisfaction of the Municipality, and not less than 25% of the site shall be set aside and maintained as a garden and play area, which must be kept free of parking space and driveways.
3. Subject to the provisions of a sewerage disposal system to the satisfaction of the Municipality.
4. In the case of Portions 4 to 49 and 173-211 all of Erf 3 Garden Park, development shall be substantially in accordance with and subject to the coverage and FAR controls stated on the Garden Park Development Plan, Drawing No. 3016/20/Dev, dated October 2015

TABLE OF DENSITIES AND CURTILAGES

ZONE	MAXIMUM NO OF DWELLING UNITS PER HECTARE	MAXIMUM F.A.R.	MAXIMUM COVERAGE	MAXIMUM HEIGHT IN STOREYS
Intermediate Residential 1	25	N/A	40%	2 storeys
Intermediate Residential 2	20	N/A	40%	2 storeys
Intermediate Residential 3	15	0.4	40%	2 storeys
Intermediate Residential 4	10	0.4	40%	2 storeys
Intermediate Residential 5	40	0.8	40%	2 storeys
Intermediate Residential 6	80	1.2	40%	3 storeys

ZONE: INTERMEDIATE RESIDENTIAL

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS				MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
SUB ZONE	BUILDING LINE	SIDES	REAR				
	7.5m	3.0m	3.0m	1800m ²	See table above	See table above	See table above
Reservoir Hills	7.5m	2.0m	3.0m	1200m ²	See table above	See table above	See table above
The Glen	3.0m	Aggregate 2.0m min nil	3.0m	300m ²	2	40%	N/A
Glendale Gardens	7.5m	2.0m	3.0m	500m ²	2	40%	N/A
The Oaks	2.0m	1.0m and nil	2.0m	200m ²	2	40%	N/A

ZONE: IPTN MIXED USE 1

SCHEME INTENTION:

To provide, preserve, use land or buildings on properties within the IPTN Corridor for the purposes of development of a number of formal and informal business opportunities and allows for the development of a range of complementary land uses of a commercial, office, service, and residential nature.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Action Sports Bar • Arts and Crafts Workshop • Betting Depot • Boarding House • Conservation Area • Convention Centre • Crèche • Display Area • Educational Establishment • Flat * • Flea Market • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Laundry • Motor Display Area • Museum • Office • Office – Medical • Place of Public Entertainment • Private Open Space • Restaurant/ Fast Food Outlet • Shop 	<ul style="list-style-type: none"> • Adult Premises • Car Wash • Escort Agency • Fuelling and Service Station • Funeral Parlour • Institution • Mortuary • Motor Workshop • Night Club • Parkade • Pet Grooming Parlour • Place of Public Worship • Special Building • Student Residence • Telecommunication Infrastructure • Veterinary Clinic 	<ul style="list-style-type: none"> • Agricultural Activity • Agricultural Land • Builder's Yard • Bus & Taxi Depot • Cemetery/ Crematorium • Chalet Development • Container Depot • Correctional Facility • Direct Access Service Centre • Dwelling House • Forensic Science Laboratory • Garden Nursery • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Landfill • Mobile Home Park & Camping Ground 	<ul style="list-style-type: none"> • Motor Vehicle Test Centre • Motor Garage • Multiple Unit Development • Nature Reserve • Recycling Centre • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Scrap Yard • Transport Depot • Transport Use • Truck Stop • Warehouse • Zoological Garden

DEVELOPMENT PARAMETERS

ADDITIONAL CONTROLS

GENERAL:

1. Applicable to properties within the IPTN Corridor as per Plan No. LU_STRAT_NOV_2018.
2. *Flat not permitted on the ground floor.
1. In the case of Erf 6853 Pinetown Flat shall be permitted on the ground floor.

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDE	REAR					
Nil	Nil	5.0m	N/A	To the satisfaction of the Municipality	N/A	N/A	5.0

ZONE: IPTN MIXED USE 2

SCHEME INTENTION:

To provide, preserve, use land or buildings on properties within the IPTN Corridor for the purposes of development of a number of formal and informal business opportunities and allows for the development of a range of complementary land uses of a commercial, office, service, and residential nature.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Action Sports Bar • Arts and Crafts Workshop • Betting Depot • Boarding House • Conservation Area • Convention Centre • Crèche • Display Area • Educational Establishment • Flat * • Flea Market • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Laundry • Motor Display Area • Museum • Office • Office – Medical • Place of Public Entertainment • Private Open Space • Restaurant/ Fast Food Outlet • Shop 	<ul style="list-style-type: none"> • Adult Premises • Car Wash • Escort Agency • Fuelling and Service Station • Funeral Parlour • Institution • Mortuary • Motor Workshop • Night Club • Parkade • Pet Grooming Parlour • Place of Public Worship • Special Building • Student Residence • Telecommunication Infrastructure • Veterinary Clinic 	<ul style="list-style-type: none"> • Agricultural Activity • Agricultural Land • Builder's Yard • Bus & Taxi Depot • Cemetery/ Crematorium • Chalet Development • Container Depot • Correctional Facility • Direct Access Service Centre • Dwelling House • Forensic Science Laboratory • Garden Nursery • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Landfill • Mobile Home Park & Camping Ground 	<ul style="list-style-type: none"> • Motor Vehicle Test Centre • Motor Garage • Multiple Unit Development • Nature Reserve • Recycling Centre • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Scrap Yard • Transport Depot • Transport Use • Truck Stop • Warehouse • Zoological Garden

DEVELOPMENT PARAMETERS

ADDITIONAL CONTROLS

GENERAL:

3. Applicable to properties within the IPTN Corridor as per Plan No. LU_STRAT_NOV_2018.
4. *Flat not permitted on the ground floor.
5. 8 Stories shall only be permitted on corner sites.

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDE	REAR					
Nil	Nil	3.0m	N/A	To the satisfaction of the Municipality	6 – 8	N/A	3.0

ZONE: IPTN MIXED USE 3

SCHEME INTENTION:

To provide, preserve, use land or buildings on properties within the IPTN Corridor for the purposes of development of a number of formal and informal business opportunities and allows for the development of a range of complementary land uses of a commercial, office, service, and residential nature.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Action Sports Bar • Arts and Crafts Workshop • Betting Depot • Boarding House • Conservation Area • Convention Centre • Crèche • Display Area • Dwelling House • Educational Establishment • Flat • Flea Market • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Laundry • Motor Display Area • Multiple Unit Development • Museum • Office • Office – Medical • Place of Public Entertainment • Private Open Space • Restaurant/ Fast Food Outlet • Shop 	<ul style="list-style-type: none"> • Adult Premises • Car Wash • Escort Agency • Fuelling and Service Station • Funeral Parlour • Institution • Mortuary • Motor Workshop • Night Club • Parkade • Pet Grooming Parlour • Place of Public Worship • Special Building • Student Residence • Telecommunication Infrastructure • Veterinary Clinic 	<ul style="list-style-type: none"> • Agricultural Activity • Agricultural Land • Builder's Yard • Bus & Taxi Depot • Cemetery/Crematorium • Chalet Development • Container Depot • Correctional Facility • Direct Access Service Centre • Forensic Science Laboratory • Garden Nursery • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Landfill • Mobile Home Park & Camping Ground 	<ul style="list-style-type: none"> • Motor Vehicle Test Centre • Motor Garage • Nature Reserve • Recycling Centre • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Scrap Yard • Transport Depot • Transport Use • Truck Stop • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

1. Applicable to properties within the IPTN Corridor as per Plan No. LU_STRAT_NOV_2018.
2. 6 Stories shall only be permitted on corner sites.
3. Special land use area in development parameters pertains to land previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA).

DEVELOPMENT PARAMETERS

SUB ZONE	SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUB-DIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR					
	Nil	Nil	2.0m	N/A	To the satisfaction of the Municipality	4 - 6	N/A	1.5
Special land use area	Nil	Nil	1.0m	N/A	To the satisfaction of the Municipality	4 - 6	80%	N/A

ZONE: IPTN RESIDENTIAL

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- Higher density on all types of residential accommodation within the IPTN Corridor.
- A wide range of ancillary uses which service the day to day needs of a residential community.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Dwelling House • Conservation Area • Flat • Hotel • Multiple Unit Development • Private Open Space • Retirement Centre 	<ul style="list-style-type: none"> • Boarding House • Chalet Development • Crèche • Educational Establishment • Health & Beauty Clinic • Health Studio • Institution • Laundry • Mobile Home Park & Camping Ground • Office – Medical • Place of Public Worship • Restaurant/ Fast Food Outlet* • Shop* • Special Building • Student Residence • Telecommunication Infrastructure • Veterinary Clinic 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Builder's Yard • Bus & Taxi Depot • Car Wash • Cemetery/ Crematorium • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre Display Area • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Industry: Extractive • Industry: General • Industry: Light • Industry: Noxious 	<ul style="list-style-type: none"> • Landfill • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Office • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Recycling Centre • Reform School • Refuse Disposal • Riding Stables • Scrap Yard • Transport Depot • Transport Use • Truck Stop • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. Applicable to properties within the IPTN Corridor as per Plan No. LU_STRAT_NOV_2018.
2. Shop restricted to ground floor only.
3. Restaurant/Fast Food Outlet restricted to ground floor only.
4. Special land use area in development parameters pertains to land previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA).

DEVELOPMENT PARAMETERS

SUB ZONE	SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUB-DIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR					
	Nil	Nil	5.0m	N/A	To the satisfaction of the Municipality	4	60%	2
Special land use area	Nil	Nil	1.0m	N/A	To the satisfaction of the Municipality	4	60%	N/A

ZONE: IPTN TRANSPORT DEPOT

SCHEME INTENTION: To provide, preserve, use land or buildings for:

The provision of land used for the purpose of parking buses and taxis and/or as a transport depot and associated parking for the use of transportation and ancillary uses ordinarily associated thereto within the IPTN Corridor.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Bus & Taxi Depot • Transport Depot 	<ul style="list-style-type: none"> • Action Sports Bar • Betting Depot • Health & Beauty Clinic • Health Studio • Office • Office – Medical • Restaurant/ Fast Food Outlet • Shop • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Boarding House • Builder’s Yard • Car Wash • Cemetery/ Crematorium • Chalet Development • Container Depot • Conservation Area • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Dwelling House • Educational Establishment • Escort Agency • Flat • Flea Market • Funeral Parlour • Fuelling and Service Station • Garden Nursery • Government/Municipal • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious 	<ul style="list-style-type: none"> • Institution • Landfill • Laundry • Mobile Home Park & Camping • Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Multiple Unit Development • Museum • Motor Workshop • Nature Reserve • Night Club • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Private Open Space • Recycling Centre • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Scrap Yard • Student Residence • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. A mandatory minimum buffer of 30m and a maximum of 40m is required along the road frontage to facilitate a desirable building interface to the depot.
2. Applicable to properties within the IPTN Corridor as per Plan No. LU_STRAT_NOV_2018.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUB-DIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	3.0m	3.0m	N/A	To the satisfaction of the Municipality	4	80%	1.0

ZONE: LAND USE MANAGEMENT HOLDING AREA

SCHEME INTENTION: To provide, preserve, use land or buildings for areas previously not subject to a land use management scheme, including, at the discretion of the eThekweni Municipality, Ancillary uses may include the use of such premises for offices, shops and recreational, business and residential purposes.

COLOUR NOTATION: Olive green and mauve bands

PRIMARY	SPECIAL CONSENT		
<ul style="list-style-type: none"> • Agricultural Land • Conservation Area • Dwelling House • Government/Municipal 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Arts and Crafts Workshop • Builder's Yard • Betting Depot • Boarding House • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Conservation Area • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Escort Agency • Educational Establishment • Fuelling and Service Station • Flat • Flea Market • Forensic Science Laboratory 	<ul style="list-style-type: none"> • Funeral Parlour • Garden Nursery • Health & Beauty Clinic • Health Studio • Hotel • Laundry • Industry – Light • Industry – Extractive • Industry – General • Industry – Noxious • Institution • Landfill • Mobile Home Park & Camping Ground • Multiple Unit Development • Museum • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Nature Reserve • Night Club 	<ul style="list-style-type: none"> • Office Medical • Pet Grooming Parlour • Place of Public Entertainment • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Office • Parkade • Place of Public Worship • Recycling Centre • Restaurant / Fast Food Outlet • Private Open Space • Scrap Yard • Shop • Special Building • Student Residence • Telecommunication Infrastructure • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Zoological Garden • Warehouse

PRECLUDED: Not Applicable

ADDITIONAL CONTROLS

GENERAL:

1. All landscaping shall be to the discretion of the Municipality.
2. Existing Permissions to Occupy, Leases or similar legal agreements shall not be affected by this land use template.
3. Rezoning and land use shall be guided, where applicable, as contemplated by the approved Municipal IDP, Municipal SDF and approved guiding plans derived from them.
4. * The requirement for Special Consent may be waived for a private cemetery, for the burial of deceased family members, but shall be subject to full compliance with the eThekweni Municipality: Cemeteries and Crematoria By-law 2015 (or any subsequent replacement bylaw).
5. ** The requirement for Special Consent may be waived for domestic waste disposal, on premises used for residential purposes, but shall be subject to full compliance with the eThekweni Municipality: Waste Removal By-law, 2016 (or any subsequent replacement bylaw).
6. For safety reasons all buildings should be set back from roads:
 - Un-surveyed Main Roads: 30m measured from the centre line of the road.
 - Un-surveyed District Roads: 25m measured from the centre line of the road.
 - Un-surveyed Municipal Roads: 15m measured from the centre line of the road.
7. Accommodation for parking and loading to be provided on the erf as per Section 8.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
See additional controls otherwise, to be determined on site.			To the satisfaction of the Municipality	Not applicable	Not to exceed the flanking zone without seeking Special Consent, otherwise, to be determined on site.		

ZONE: LIGHT INDUSTRY

SCHEME INTENTION: To provide, preserve, use land or buildings for:

Low impact mix of industrial activities and services and may be an interface to high impact industrial areas or as independent entities. Commercial activities may be permitted in this zone.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED
<ul style="list-style-type: none"> • Arts and Crafts Workshop • Builder's Yard • Car Wash • Conservation Area • Display Area • Dwelling House* • Fuelling and Service Station • Funeral Parlour • Government/Municipal • Industry – Light • Laundry • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Private Open Space • Recycling Centre • Scrap Yard • Warehouse 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Betting Depot • Bus & Taxi Depot • Cemetery/Crematorium • Container Depot • Convention Centre • Direct Access Service Centre • Educational Establishment • Forensic Science Laboratory • Health Studio • Industry – General • Landfill • Mortuary • Night Club • Office • Office - Medical • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Refuse Disposal • Restaurant / Fast Food Outlet • Shop • Special Building • Telecommunication Infrastructure • Transport Depot • Truck Stop • Veterinary Clinic 	<ul style="list-style-type: none"> • Agricultural Land • Boarding House • Chalet Development • Correctional Facility • Crèche • Escort Agency • Flat • Flea Market • Garden Nursery • Health & Beauty Clinic • Hotel • Industry - Extractive • Industry – Noxious • Institution • Mobile Home Park & Camping Ground • Multiple Unit Development • Museum • Nature Reserve • Parkade • Reform School • Retirement Centre • Riding Stables • Student Residence • Transport Use • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. Landscaping to be to the satisfaction of the Municipality.
2. A Dwelling House may be permitted to accommodate a manager, foreman, caretaker or security personnel.
3. Special land use area in development parameters pertains to land previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA).

APPLICABLE TO QUEENSBURGH:

- (a) Municipality may relax, in respect of Lot 2999 Queensburgh Township, Plan No. 76.02.9111, not to exceed four (4) floors.
- (b) In the case of Portion 38 of Erf 4831 Queensburgh a shop shall be freely permitted, limited to a hardware shop.

APPLICABLE TO PINETOWN:

- (a) Development of Lot 15808 Pinetown or the subdivision thereof and Lot 7583 Ptn shall be in accordance with the following additional controls :
 - i) All roofing shall be non-reflective and colored to the Head: Engineering; and
 - ii) A landscaping plan shall be submitted simultaneously with any building plans, for approval by the Head: Engineering.
 - iii) The landscaping plan shall be implemented within 2 months of the issue of the building completion certificate, and the landscaped area shall be maintained to the satisfaction of the Head: Engineering, thereafter.

ZONE: LIGHT INDUSTRY

ADDITIONAL CONTROLS

APPLICABLE TO PINETOWN (cont...):

- (b) The development of Pinetown Extension 107 (now designated Ext. 107 and 144) shall be subject to the following further conditions:
- (i) there being no development within the road reserve for the proposed Provincial Main Road 360, as requested by the Durban Metropolitan Transport Advisory Board;
 - (ii) all exterior cladding to buildings shall be non-reflective and colored to the satisfaction of the Head: Engineering;
 - (ii) a landscaping plan shall be submitted simultaneously with the first building plan of every subdivision, for approval by the Head: Engineering. The landscaping plan shall be implemented within 2 months of the issue of the building completion certificate, and the landscaped area shall be maintained to the Satisfaction of the Head: Engineering, thereafter;
 - (iii) that the recommendation contained within Environmental Impact Assessment report prepared by Mr. G Nicholson dated September 1994, be implemented by the developers to the satisfaction of the Executive Director: Engineering, in the development of this area;
 - (v) all earthworks and embankments to be contained wholly within property boundaries of the industrial sites and/or road reservation;
 - (vi) suitable trees or other vegetation be planted in appropriate places so as to provide effective screening;
 - (vii) the establishment of a trust to ensure the proper management and ongoing maintenance of the buffer strip and areas set aside as open space.
- (c) Those areas in Extension 144 bordered in blue on plan management and ongoing maintenance of the buffer strip and areas set aside as open space.
- (i) the maximum height of buildings being restricted to 10 meters, provided that in the case of Erf 25143 Pinetown, a 13 meters height limit shall apply;
 - (ii) no signage (painted or illuminated) being visible from the N3 freeway;
 - (iii) the mitigation measures, referred to in the final report prepared by Environmental Design Partnership, dated October 1996, being implemented and the developer submitting plans to the effect to the Municipality for approval;
 - (iv) landscaping plans being prepared by an environmental consultant for the construction and planning of beam walls which include details on the program for stabilization; types and positioning of trees to be planted and recommendations on the watering/care of trees;
 - (v) the area of platform 2 being consolidated with the adjacent property to its north and the Title Deed for this property as well as the conditions of establishment for the township containing a condition stating that the consolidated property may not be subdivided further.
- (d) Erf 23859 shall be subject to the following conditions:
- (i) Adequate vegetation screening along the northern boundary shall be implemented in order to reduce, to the satisfaction of the Executive Director: Planning and Development, the visibility of activities on the site, from the N3 freeway.
 - (ii) Signage may not be displayed on the property so as to face the N3 National Route without the prior written approval of the Municipality, which may in granting such approval prescribe such terms and conditions as it may in its discretion deem to be appropriate.
 - (iii) The property shall be maintained in perpetuity by the landowner in accordance with a landscaping plan which shall have been prepared by a recognized environmental consultant and approved by the Municipality. Such plan shall contain measures relating to the construction and planting of berm walls, and types and positioning of screen trees and vegetation.

DEVELOPMENT PARAMETERS

SUB ZONE	SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUB-DIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR					
	7.5m	2.0m	2.0m	N/A	1800m ²	6	70%	1.4
Queensburgh, Mariannahill Shallcross, Reservoir Hills	7.5m	2.0m	2.0m	N/A	1800m ² (Shallcross 900m ²)	3	50%	0.75
Special land use area	1.0m	1.0m	1.0m	N/A	To the satisfaction of the Municipality	3	75%	N/A

ZONE: LIMITED COMMERCIAL

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- Low impact commercial purposes. Accommodation of commercial or business Activities within a residential area where the commercial Activity provides a service to the residential community and is not detrimental to the residential amenity of the area.

COLOUR NOTATION: Soladite Blue fill with black border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Action Sports Bar • Arts and Crafts Workshop • Betting Depot • Car Wash • Conservation Area • Crèche • Dwelling House • Educational Establishment • Flat* • Flea Market • Fuelling and Service Station • Government/Municipal • Health & Beauty Clinic • Health Studio • Laundry • Motor Display Area • Office • Office – Medical • Parkade • Pet Grooming Parlour • Private Open Space • Restaurant / Fast Food Outlet • Shop • Veterinary Clinic 	<ul style="list-style-type: none"> • Adult Premises • Builder's Yard • Convention Centre • Display Area • Escort Agency • Funeral Parlour • Garden Nursery • Hotel • Institution • Motor Vehicle Test Centre • Motor Workshop • Place of Public Entertainment • Place of Public Worship • Special Building • Student Residence • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Agricultural Activity • Agricultural Land • Boarding House • Bus & Taxi Depot • Cemetery/Crematorium • Chalet Development • Container Depot • Correctional Facility • Direct Access Service Centre • Forensic Science Laboratory • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Landfill • Mobile Home Park & Camping Ground • Mortuary • Motor Garage 	<ul style="list-style-type: none"> • Multiple Unit Development • Museum • Nature Reserve • Night Club • Recycling Centre • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Scrap Yard • Transport Depot • Transport Use • Truck Stop • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. All landscaping at the discretion of the eThekweni Municipality.
2. *Flat not permitted on the ground floor but may be permitted at ground floor level where the design of a building is such that the residential use is not contiguous with the street.

APPLICABLE TO PINETOWN:

- 1) In the event of shops being provided, Erven 4602 Pinetown Township and 563 Pinetown Township Extension 12 shall be exempt from the parking and loading requirement provided that on Erf 563 Pinetown Township Extension 12 there shall be a minimum provision of 335 square meters of parking and circulation space.
- 2) In the case of Erf 796 Pinetown, the height restriction shall be 3 storeys

APPLICABLE TO QUEENSBURGH:

1. Portion 8 of Erf 4831 Queensburgh (Erf 607 and 557 Queensburgh), is subject to the provision of a 9 metres Private Open Space along the road frontages in which structures are prohibited and is to be developed in terms of plan no.8/607 dated 24-05-1995 to the satisfaction of the Municipality.

DEVELOPMENT PARAMETERS

SUB ZONE	SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR					
	7.5m	2.0m	2.0m	N/A	450m ²	2	50%	0.5
Reservoir Hills	3.0m	2.0m	3.0m	N/A	450m ²	2	50%	N/A

ZONE: LOW IMPACT INDUSTRY

SCHEME INTENSION: To provide, preserve, use land or buildings for:

To accommodate a mix of light and service industries, warehousing and associated activities. Industrial uses in this zone should be able to be carried out without detriment to the amenity or health of the people in the area for any of the reasons defined under Light Industry.

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Car Wash • Conservation area • Fuelling and Service Station • Government/Municipal • Industry – Light • Laundry • Motor Vehicle Test Centre • Motor Workshop • Private Open Space • Warehouse 	<ul style="list-style-type: none"> • Builder's Yard • Cemetery/ Crematorium • Container Depot • Display Area • Educational Establishment • Funeral Parlour • Institution • Motor Display Area • Motor Garage • Office • Office – Medical • Parkade • Place of Public Entertainment • Place of Public Worship • Restaurant / Fast Food Outlet • Scrap Yard • Shop • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Bus & Taxi Depot • Camping Ground • Chalet Development • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Dwelling House • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Garden Nursery • Health & Beauty Clinic • Health Studio 	<ul style="list-style-type: none"> • Hotel • Industry - Extractive • Industry – General • Industry – Noxious • Landfill • Mobile Home Park & • Mortuary • Multiple Unit Development • Museum • Nature Reserve • Night Club • Pet Grooming Parlour • Recycling Centre • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Zoological Garden

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUB-DIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
5.0m	2.0m	2.0m	N/A	450m ²	3	50%	0.5

ZONE: MEDIUM IMPACT RESIDENTIAL

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- Residential development with a range of other uses that will create a buffer between the Residential zoning.
- Residential properties fronting onto main roads to be used for a wide range of office, commercial and service industrial type uses which tend to develop along busy routes.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Dwelling House • Multiple Unit Development 	<ul style="list-style-type: none"> • Boarding House* • Car Wash • Chalet Development • Crèche • Educational Establishment • Flat • Fuelling and Service Station • Garden Nursery • Health & Beauty Clinic • Mobile Home Park & Camping Ground • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Office • Office – Medical • Pet Grooming Parlour • Place of Public Worship • Private Open Space • Restaurant / Fast Food Outlet • Retirement Centre • Shop • Special Building • Telecommunication Infrastructure • Veterinary Clinic 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Builder's Yard • Bus & Taxi Depot • Cemetery/Crematorium • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flea Market • Forensic Science Laboratory • Funeral Parlour • Government/Municipal • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light 	<ul style="list-style-type: none"> • Industry – Noxious • Institution • Landfill • Laundry • Mortuary • Museum • Nature Reserve • Night Club • Parkade • Place of Public Entertainment • Recycling Centre • Reform School • Refuse Disposal • Riding Stables • Scrap Yard • Student Residence • Transport Depot • Transport Use • Truck Stop • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

Boarding House: The building shall conform to the appearance and definition of a Dwelling House and is limited to a maximum of 10 boarders.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUB-DIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
3.0m	2.0m	2.0m	To the satisfaction of the Municipality	400m ²	2	55%	0.6

ZONE: MIXED USE RESIDENTIAL & COMMERCIAL

SCHEME INTENSION: To provide, preserve, use land or buildings for:

- Residential and Commercial activities that compliment or function alongside of each other.
- Mixed business areas which would accommodate residential opportunities and commercial Activities.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation area • Crèche • Dwelling House • Multiple Unit Development • Restaurant / Fast Food Outlet • Shop 	<ul style="list-style-type: none"> • Boarding House • Educational Establishment • Flat • Health & Beauty Clinic • Institution • Laundry • Office • Office – Medical • Pet Grooming Parlour • Place of Public Worship • Private Open Space • Retirement Centre • Special Building • Telecommunication Infrastructure • Veterinary Clinic 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Builder’s Yard • Bus & Taxi Depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health Studio • Hotel • Industry - Extractive • Industry – General 	<ul style="list-style-type: none"> • Industry – Light • Industry – Noxious • Landfill • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Parkade • Place of Public Entertainment • Recycling Centre • Reform School • Refuse Disposal • Riding Stables • Scrap Yard • Student Residence • Transport Depot • Transport Use • Truck Stop • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

The total Commercial may comprise up to 10% of the permissible floor area, with a maximum area of any one individual commercial component limited to no more than 1000m²

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	2.0m	2.0m	15	To the satisfaction of the Municipality	3	N/A	0.40

ZONE: NATURE RESERVE

SCHEME INTENTION:

To protect and, conserve land, dedicated to the conservation and management of natural areas of land and/or water for the ecosystem goods and services that the areas provide and the biodiversity which they support, where the land is proclaimed, or where there is an intention to proclaim, as a Nature Reserve in terms of the relevant national environmental legislation. To consider the inclusion of land uses which are beneficial to the Nature Reserve and are in compliance with the approved Management Plan for each Nature Reserve.

The provisions of this land use zone do not detract from the provisions and requirements of any Management Plan associated to land zoned as a Nature Reserve. Reason: to ensure recognition of the restrictions and obligations of any Management Authority to fulfil its obligations in terms of environmental legislation.

COLOUR NOTATION: Green

PRIMARY	SPECIAL CONSENT	PRECLUDED
Land uses which are directly aligned with the Management Plan specifically related to the Nature Reserve.*	Unless provided for in the Management Plan, land uses which complement the purpose of the Nature Reserve which may include residential, commercial, and educational.**	Uses not included as Primary and Special Consent

ADDITIONAL CONTROLS

Primary Land Uses: These are land uses included in the Management Plan which are deemed compatible with the intention of the Nature Reserve. They will enhance the environmental, economic and social purpose of the Nature Reserve. All Primary Land Uses are subject to alignment with the Zonation of the Management Plan and to the approval of the Municipality.

For the purposes of this Land Use Zone:

'Zonation' means a map and associated controls forming part of a Management Plan, indicating areas within a protected area, the use to which the land may be put, whether by indicating the natural occurrence of vegetation or areas of human disturbance accommodating appropriate and uses.'

"Management Plan" means a document required in terms of the National Environmental Management: Protected Areas Act of 2003 which describes the methods of environmental management of a protected area.

For the purposes of this Land Use Zone, residential, commercial and educational are defined as follows:

- **"Residential"** means a residential use conforming to the land use scheme definition of chalet development, dwelling house, multiple unit development and mobile home park and camping ground (excluding a mobile home park), which is specifically for ecotourism purposes; provided that in the case of a dwelling house, such use may be for the purposes of housing a Reserve Manager or caretaker on-site.
- **"Commercial"** means a shop and a restaurant which is specifically for ecotourism purposes and enhances the economic viability of the Nature Reserve as may be determined by the Management Plan zonation provisions.
- **"Educational"** means premises used as a place of instruction for the education of the public on matters relating to the environment or the Nature Reserve as may be determined by the Management Plan zonation provisions.

For the purposes of this Land Use Zone, Space About Buildings means that space free of all buildings or structures between the outer wall of such buildings or structures, and an area designated on the zonation map as being a natural zone. The positioning of all buildings and structures within the Nature Reserve shall be to the satisfaction of the Head: Development Planning, Environment and Management in consultation with the Deputy Head: Environmental Planning and Climate Protection and the Deputy Head: Parks, Recreation and Culture.

Within a Nature Reserve Zone, activities, structures or trails may be permitted where these are provided for in the zonation and/or the operational management forming part of the Management Plan, and provided further, where the prior written authorization from the Municipality in consultation with the Deputy Head: Environmental Planning and Climate Protection, has been obtained.

In the case of a Nature Reserve in the ownership of the eThekweni Municipality, a Memorandum of Understanding, outlining the management of the Nature Reserve and the method of exchange of scientific information necessary for the preparation of the annual State of Biodiversity Report, shall be entered into between the Deputy Head: Environmental Planning and Climate Protection and the Deputy Head: Parks, Recreation and Culture.

ZONE: NATURE RESERVE

ADDITIONAL CONTROLS

For the purposes of this Use Zone, and in particular to align with the interpretation of terms contained within the Management Plans for Nature Reserves, the following definitions shall apply:

“Ecotourism” means an interactive, participatory and enlightening travel and visitation experience to environments, both natural and cultural, that ensures the sustainable use, at an appropriate level, of environmental resources and, while producing viable economic opportunities for the tourism industry and host/local communities, makes the use of these resources through sound environmental management beneficial to all tourism role players.

“Nature-based Recreation and Tourism” means recreation and tourism that is based on the natural attractions of the area, e.g. bird watching, hiking, trail running, and photography, which does not conflict with the primary land use viz. nature conservation. This activity may contribute to the conservation of the environment and improve the well-being of the local community.

“Nature Reserve” means premises declared to supplement the system of national parks in South Africa; protect areas with significant natural features, species, habits or biotic communities; protect a particular site of scientific, cultural, historic, or archaeological interest; provide for its long-term protection and the maintenance of its biodiversity; provide for a sustainable flow of natural products and services to meet community needs; enable a variety of traditional consumptive uses; or, provide for nature-based recreation and tourism opportunities.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS		MINIMUM SUBDIVISION	DWELLING UNITS PER HECTARE	HEIGHT	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDE AND REAR SPACE					
Refer to Additional Controls		Not Applicable	To be determined in consultation with the Deputy Head: Environmental Planning and Climate Protection			

ZONE: OFFICES 1

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- All types Offices and ancillary uses.
- To accommodate areas designed primarily for office development in different forms and in various appropriate locations.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Dwelling House* • Motor Display Area* • Office • Office – Medical • Private Open Space • Shop* 	<ul style="list-style-type: none"> • Crèche • Educational Establishment • Flat* • Health Studio • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder’s Yard • Bus & Taxi Depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Institution • Landfill 	<ul style="list-style-type: none"> • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area* • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Nature Reserve • Night Club • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Retirement Centre • Riding Stables • Scrap Yard • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. All landscaping at the discretion of the eThekweni Municipality.
2. Erf 2252 Pinetown – a Motor Display Area shall be a permitted use.
3. Shop is restricted to the sale of goods directly related to the office use on site, not exceeding 100m² in extent.
4. Flat not permitted on ground floor.
5. A Dwelling House may be permitted to accommodate a manager, caretaker or security personnel.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
10.0m	5.0m	5.0m	N/A	1800m ²	4	40%	1.0

ZONE: OFFICES 2

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- All types Offices and ancillary uses.
- To accommodate areas designed primarily for office development in different forms and in various appropriate locations.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Dwelling House* • Office • Office – Medical • Private Open Space • Shop* 	<ul style="list-style-type: none"> • Crèche • Educational Establishment • Flat* • Health Studio • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi Depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Institution • Landfill 	<ul style="list-style-type: none"> • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Nature Reserve • Night Club • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Recycling Centre • Reform School • Refuse Disposal • Restaurant/Fast Food Outlet • Retirement Centre • Riding Stables • Scrap Yard • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. All landscaping at the discretion of the eThekweni Municipality.
2. The height is restricted to 2 storeys when located adjacent to or opposite Special Residential I, Special Residential II, General Residential III and Multiple Unit Development Zones.
3. An additional storey may be permitted at the Municipality's discretion to provide for basement parking.
4. The Municipality shall be satisfied that the development or use of the land will not unduly affect the amenity of the surrounding area especially as regards the generation of traffic.
5. Shop is restricted to the sale of goods directly related to the office use on site, not exceeding 100m² in extent.
6. Flat not permitted on the ground floor.
7. A Dwelling House may be permitted to accommodate a manager, caretaker or security personnel.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS				DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
SUB ZONE	BUILDING LINE	SIDES	REAR					
	7.5m	4.5m	4.5m	N/A	1000m ²	2 – 3	40%	0.8
Erf 1875 Pinetown	7.5m	4.5m	4.5m	N/A	1000m ²	3	40%	1.2

ZONE: OFFICE PARK 1

SCHEME INTENTION: To provide, preserve, use land or buildings for the accommodation of an urban office park with limited commercial activities in such a way that the uses contribute towards the creation of a dynamic, harmonious and well balanced development that is part of the broader, surrounding sub-region.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Dwelling House* • Office • Office – Medical • Private Open Space • Shop* 	<ul style="list-style-type: none"> • Crèche • Educational Establishment • Health Studio • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi Depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Institution • Landfill 	<ul style="list-style-type: none"> • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Nature Reserve • Night Club • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Retirement Centre • Riding Stables • Scrap Yard • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

- 1 A minimum 25% of site area shall be set aside landscaping.
- 2 All unpaved areas shall be landscaped with an effective combination of trees, ground cover and shrubbery, details of which shall be shown on the site layout plan.
- 3 The maximum height is restricted to 2 storeys except:
 - a) that area in the Derby Downs development bordered in blue on plan TP 00-02-486 shall be subject to a maximum height restriction of 4 storeys.
 - b) Portion 1 of Erf 1705 Westville, the Westville Veterinary Hospital, which shall be subject to a maximum height restriction of 3 storeys
- 4 Shop is restricted to the sale of goods directly related to the office use on site, not exceeding 100m² in extent.
- 5 A Dwelling House may be permitted to accommodate a manager, caretaker or security personnel.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	3.0m	4.5m	N/A	2000m ²	2-4 <small>(see additional controls)</small>	50%	0.5

ZONE: OFFICE PARK 2

SCHEME INTENTION: To provide, preserve, use land or buildings for the accommodation of an urban office park with limited commercial activities in such a way that the uses contribute towards the creation of a dynamic, harmonious and well balanced development that is part of the broader, surrounding sub-region.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation area • Office • Office – Medical • Private Open Space • Shop* 	<ul style="list-style-type: none"> • Crèche • Educational Establishment • Health Studio • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi Depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Dwelling House • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Institution 	<ul style="list-style-type: none"> • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Garage • Motor Display Area • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Nature Reserve • Night Club • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Recycling Centre • Reform School • Refuse Disposal • Restaurant/Fast Food Outlet • Retirement Centre • Riding Stables • Scrap Yard • Student Residence • Transport Depot • Transport Use • Truck Stop • Utilities Facility • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. Coverage of 45% shall be permitted; provided that an additional 20% coverage may be permitted solely for the provision of parking in basements or on floors below the ground floor level of the office building.
2. Parking shall be provided at the ratio of 4.5 bays per 100m² gross floor area with a minimum of 45% of the required bays provided within the building; provided that the design of all covered parking areas shall be integrated with the design of the building. In addition, carports shall not be permitted.
3. The maximum height shall be three storeys, provided that the Municipality may permit additional storeys below the ground floor level of an office building for the purpose of providing covered parking; provided also that on topographically difficult sites, the Municipality may by special consent permit the use of these additional parking levels for other purposes.
4. Remainder of Erf 3738 Westville, located at 6 Boulevard Road, shall have a height restriction of 5 (five) storeys and shall allow for a Shop/Restaurant/Fast Food Outlet, restricted to 800m² of floor area.
5. A caretaker's flat not exceeding 150m² shall be permitted on each site.
6. Each site shall be developed in accordance with a detailed, professionally prepared landscaping plan which is approved by the municipality.
7. Shop is restricted to the sale of goods directly related to the office use on site, not exceeding 100m² in extent

ZONE: OFFICE PARK 2**DEVELOPMENT PARAMETERS**

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	5.0m	5.0m	N/A	1200m ²	3	45%	0.75

ZONE: PASSIVE OPEN SPACE

SCHEME INTENSION: To provide, preserve, use land or buildings for the conservation of natural open space, river reserves and the opportunity for the creation of parks, gardens and landscaped areas.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Nature Reserve • Private Open Space • Zoological Garden 	<ul style="list-style-type: none"> • Garden Nursery • Riding Stables • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi Depot • Car Wash • Cemetery/ Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Dwelling House • Educational Establishment • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious 	<ul style="list-style-type: none"> • Institution • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Retirement Centre • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	4.0m	4.0m	N/A	To the satisfaction of the Municipality	2	To the satisfaction of the Municipality	To the satisfaction of the Municipality

ZONE: PRIVATE CONSERVATION

SCHEME INTENTION: To provide, preserve, use land or buildings to protect and conserve environmentally important land and/or water bodies for research and to improve the quality of the natural environment. It includes areas of land within which the conservation of the scenic beauty, bio-diversity, indigenous flora and fauna, water courses, topographical features, places of historic or scientific interest and the like is of primary importance.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Nature Reserve • Private Open Space • Zoological Garden 	<ul style="list-style-type: none"> • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi Depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Dwelling House • Educational Establishment • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light 	<ul style="list-style-type: none"> • Industry – Noxious • Institution • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Retirement Centre • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse

ADDITIONAL CONTROLS

GENERAL:

1. All landscaping at the discretion of the eThekweni Municipality.
2. No material or element shall be disturbed, removed or altered in any way unless approval is obtained from the Municipality. In granting such approval, the Municipality may impose whatever conditions it deems necessary to achieve the objectives of the zone
3. The Municipality may require that a management plan be prepared and submitted for its approval. The management plan shall set out the works to be undertaken to promote the objectives of the zone.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	2.0m	2.0m	N/A	To the satisfaction of the Municipality	1	10%	0.1

ZONE: PRIVATE OPEN SPACE

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- Provision of active and passive recreational areas on privately owned land.
- Generally, to promote private recreation, enhance aesthetical appearance and promote the maintenance of functional open space systems.

COLOUR NOTATION: Light Green fill with black border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Dwelling House • Nature Reserve • Private Open Space 	<ul style="list-style-type: none"> • Agricultural Land • Garden Nursery • Health Studio • Place of Public Entertainment • Riding Stables • Special Building • Telecommunication Infrastructure • Zoological Garden 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi Depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Educational Establishment • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Government/Municipal • Health & Beauty Clinic • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious 	<ul style="list-style-type: none"> • Institution • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Worship • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Retirement Centre • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse

ADDITIONAL CONTROLS

In the case of Portion 214 and Remainder of Erf 3 Garden Park, refer to the Garden Park Development Plan, Drawing No. 3016/20/ Dev dated October 2015 for additional controls.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	2.0m	2.0m	N/A	To the satisfaction of the Municipality	2	15%	0.15

ZONE: PUBLIC HOUSING 1

SCHEME INTENTION:

- To provide, preserve, use land or buildings for development of human settlements initiated by the Municipality, Provincial and National Government.
- The zone aims to create sustainable human settlements and promote resilient and livable communities.
- Promote socio-economic development opportunities and ensure the protection of the natural environment.
- This Zone shall only apply to State Housing developments.

COLOUR NOTATION: Yellow background (solar yellow) and black pattern (cherty limestone)

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation area • Dwelling House • Flat • Multiple Unit Development 	<ul style="list-style-type: none"> • Boarding House • Crèche • Educational Establishment • Garden Nursery • Health & Beauty Clinic • Institution • Pet Grooming Parlour • Place of Public Worship • Private Open Space • Retirement Centre • Special Building • Telecommunication Infrastructure • Veterinary Clinic 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Builder's Yard • Bus & Taxi Depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Government/Municipal • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious 	<ul style="list-style-type: none"> • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Garage • Motor Display Area • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Place of Public Entertainment • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

The maximum Coverage maybe increased by not more than 10% solely for the purpose of providing covered parking.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUB-DIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
1.0m	Not Applicable	1.0m	Not Applicable	To the satisfaction of the Municipality	2	75%	1.5

ZONE: PUBLIC HOUSING 2

SCHEME INTENTION:

- To provide, preserve, use land or buildings for development of human settlements initiated by the Municipality, Provincial and National Government.
- The zone aims to encourage higher densities, thereby creating sustainable human settlements and promote resilient and livable communities.
- Promote socio-economic development opportunities and ensure the protection of the natural environment.
- This Zone shall only apply to State Housing developments.

COLOUR NOTATION: Brown background (light sienna) and black pattern (cherty limestone)

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation area • Dwelling House • Flat • Multiple Unit Development 	<ul style="list-style-type: none"> • Boarding House • Crèche • Educational Establishment • Health Studio • Institution • Laundry • Private Open Space • Restaurant / Fast Food Outlet* • Shop* • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Builder's Yard • Bus & Taxi Depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flea Market • Forensic Science Laboratory • Fueling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Landfill 	<ul style="list-style-type: none"> • Mobile Home Park & Camping Ground • Mortuary • Motor Garage • Motor Display Area • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Recycling Centre • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Scrap Yard • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

1. All landscaping to the satisfaction of the Municipality.
2. Restaurant / Fast Food Outlet permitted on the ground floor in a Flat only by Special Consent.
3. Shop permitted on the ground floor in a Flat only by Special Consent.
4. The maximum Coverage maybe increased by not more than 10% solely for the purpose of providing covered parking.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUB-DIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
5.0m	3.0m	3.0m	Not Applicable	To the satisfaction of the Municipality	6	60%	N/A

ZONE: REFUSE LANDFILL

SCHEME INTENTION: To provide, preserve, use land or buildings for:

1. Controlling of the type and amount of waste placed in landfills is a basic measure to protect groundwater.
2. Advanced planning means that an orderly process of waste management can ensue. This includes:
 - **Waste Prevention:** the prevention or avoidance of the production of certain wastes, sometimes by regulation, as illustrated by the thin plastic bag ban.
 - **Waste Minimization:** the economic reduction of the volume of waste during production, by means of different processes, or uses, or 'clean' technology implementation;
 - **Resource Recovery:** recycling of wastes of one process as raw materials for a second, or the recovery of energy through incineration or biodegradation;
 - **Waste Treatment:** being the reduction in hazardous character of the waste, or its volume, to ease environmental or human health risks and impacts;
 - **Waste Disposal:** being the environmentally safe disposal of waste. This has traditionally been by disposal to Landfill sites, the pressures to provide sustainable waste management services and facilities inherently increases. Pressures on storage and collection facilities and services, handling and transportation, treatment and ultimately disposal services and facilities

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Landfill • Refuse Disposal 	<ul style="list-style-type: none"> • Recycling Centre • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Dwelling House • Educational Establishment • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light 	<ul style="list-style-type: none"> • Industry – Noxious • Institution • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Garage • Motor Display Area • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Public Open Space • Reform School • Restaurant / Fast Food Outlet • Retirement Centre • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ZONE: REFUSE LANDFILL**ADDITIONAL CONTROLS****GENERAL:**

1. The site to be developed in accordance with the recommendations of an Environmental Impact Assessment approved by the Municipality.
2. The site shall be used in accordance with a management and operations plan/s which has been approved by the Municipality. Such plan/s shall be prepared in accordance with the specifications established in the Department of Water Affairs "Minimum Requirements for Waste Disposal by Landfill" 1994.
3. Vehicular access shall be provided to the satisfaction of the Municipality.
4. The following additional control shall apply to proposed Sub A of 79 of the Farm Zeekoegat No. 937:

The site will be classified as a GMB + landfill in terms of the Department of Water Affairs "Minimum Requirements for Waste Disposal by Landfill" 1994 and will accept rubble, ash, street sweepings, garden, domestic, commercial and normal industrial waste only.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	3.0m	3.0m	N/A	To the satisfaction of the Municipality	To the satisfaction of the Municipality	To the satisfaction of the Municipality	To the satisfaction of the Municipality

ZONE: RESIDENTIAL

SCHEME INTENTION: To provide, preserve, use land or buildings for low to medium density residential development and may reflect a variety of housing types. The zone may accommodate a number of ancillary and non-disruptive services which would not impact on the amenity of the area and which would cater for the everyday needs of the local residents.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Agricultural Land • Conservation Area • Dwelling House • Flat* • Multiple Unit Development* 	<ul style="list-style-type: none"> • Boarding House* • Crèche • Educational Establishment • Garden Nursery • Health & Beauty Clinic • Institution • Pet Grooming Parlour • Place of Public Worship • Private Open Space • Retirement Centre • Special Building • Telecommunication Infrastructure • Veterinary Clinic 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Arts and Crafts Workshop • Betting Depot • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Government/Municipal • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Landfill • Laundry 	<ul style="list-style-type: none"> • Mobile Home Park & Camping Ground • Mortuary • Motor Garage • Motor Display Area • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Place of Public Entertainment • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. Subject to the provision of an effluent disposal and storm water systems to the satisfaction of the Municipality.
2. Special land use area in development parameters pertains to land previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA).
3. No prescribed density applies to a Flat and Multiple Unit Development within a Special land use area.
4. Flat and Multiple Unit Development: for All other areas the number of Dwelling Units to be calculated as per clause 4.1.2.
5. Boarding House: The building shall conform to the appearance and definition of a Dwelling House and is limited to a maximum of 10 boarders.

DEVELOPMENT PARAMETERS

SUBZONE	SPACE ABOUT BUILDINGS			MINIMUM SUB-DIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR				
	2.0m	1.0m	1.0m	200m ²	2	60%	N/A
Special land use area	1.0m	1.0m	1.0m	100m ²	3	60%	N/A

ZONE: RESIDENTIAL SMALL HOLDING

SCHEME INTENTION: To provide, preserve, use land or buildings for agricultural productivity, residential small holding and uses ancillary to agricultural Activity are permitted at the discretion of the Municipality.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Agricultural Activity • Agricultural Land • Conservation Area • Dwelling House • Garden Nursery • Private Open Space • Riding Stables • Veterinary Clinic 	<ul style="list-style-type: none"> • Arts and Crafts • Boarding House • Cemetery/Crematorium • Chalet Development • Crèche • Educational Establishment • Hotel • Institution • Mobile Home Park & Camping Ground • Multiple Unit Development • Nature Reserve • Pet Grooming Parlour • Place of Public Worship • Retirement Centre • Special Building • Telecommunication Infrastructure • Zoological Garden 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Betting Depot • Builder's Yard • Bus & Taxi depot • Car Wash • Container Depot • Convention Centre • Correctional Facility • Direct Access Service • Display Area • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fueling and Service Station • Funeral Parlour • Government/Municipal • Health & Beauty Clinic • Health Studio • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Landfill 	<ul style="list-style-type: none"> • Laundry • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Museum • Night Club • Office • Office – Medical • Parkade • Place of Public Entertainment • Recycling Centre • Reform School • Refuse Disposal • Restaurant/ Fast Food Outlet • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Warehouse

ADDITIONAL CONTROLS

GENERAL:

1. All landscaping shall be to the discretion of the Municipality.
2. Special land use area in development parameters pertains to land previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA).

DEVELOPMENT PARAMETERS

SUB ZONE	SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR					
	7.5m	2.0m	2.0m	N/A	1 hectare	2	12.5%	0.125
Special land use area	1.0m	1.0m	1.0m	N/A	To the satisfaction of the Municipality	2	20%	N/A

ZONE: RETIREMENT CENTRE

SCHEME INTENSION: To provide, preserve, use land or buildings for a Multiple Unit Development used for the accommodation or settlement substantially of persons upon their retirement, and which facilities shall be provided for a frail care centre and place of communal Activity. The centre may include office buildings, medical consulting rooms, launderette, shops and restaurants, which in each case shall be restricted as required by the Municipality and be for the sole use of occupants and guests.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Laundry* • Private Open Space • Retirement Centre • Shop* 	<ul style="list-style-type: none"> • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Dwelling House • Educational Establishment • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/ Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive • Industry – General 	<ul style="list-style-type: none"> • Industry – Light • Industry – Noxious • Institution • Landfill • Mobile Home Park & Camping Ground • Mortuary • Motor Garage • Motor Display Area • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Riding Stables • Scrap Yard • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. All landscaping to the discretion of the Municipality.
2. Maximum floor area of shop which may include a laundry shall not exceed 100m².
3. The Frail Care Centre, place of communal Activity and recreational facilities may be provided to the satisfaction of the Municipality.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	3.0m	3.0m	N/A	1000m ²	2	50%	0.50

ZONE: SERVICE INDUSTRY

SCHEME INTENTION: To provide, preserve, use land or buildings for:
 Opportunities to interface low impact industries in relation to residential areas, to facilitate local economic development and employment opportunities and can also be used as an interface with other industrial zones

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT		PRECLUDED	
<ul style="list-style-type: none"> • Agricultural Activity • Arts and Crafts Workshop • Builder's Yard • Car Wash • Conservation Area • Display Area • Dwelling House* • Fuelling and Service Station • Funeral Parlour • Government /Municipal • Industry – Light • Laundry • Motor Vehicle Test Centre • Motor Display Area • Motor Garage • Motor Workshop • Private Open Space • Recycling Centre • Scrap Yard • Warehouse 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Betting Depot • Cemetery/ Crematorium • Container Depot • Convention Centre • Direct Access Service Centre • Educational Establishment • Garden Nursery • Health Studio • Mortuary 	<ul style="list-style-type: none"> • Night Club • Office • Office – Medical • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Refuse Disposal • Restaurant / Fast Food Outlet • Shop • Special Building • Telecommunication Infrastructure • Transport Depot • Truck Stop • Veterinary Clinic 	<ul style="list-style-type: none"> • Agricultural Land • Boarding House • Bus & Taxi depot • Chalet Development • Correctional Facility • Crèche • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Health & Beauty Clinic • Hotel • Industry – Extractive • Industry – General • Industry – Noxious • Institution • Landfill 	<ul style="list-style-type: none"> • Mobile Home Park & Camping Ground • Multiple Unit Development • Museum • Nature Reserve • Parkade • Reform School • Retirement Centre • Riding Stables • Student Residence • Transport Use • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. Notwithstanding the above table one (1) dwelling unit may be permitted on each Industrial site to accommodate a manager, foreman or caretaker.
2. All landscaping to the discretion of the Municipality.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	2.0m	2.0m	n/a	900m ²	3	70%	1.0

ZONE: SPECIAL LIGHT INDUSTRIAL ZONE 3

SCHEME INTENTION: To provide, preserve, use land or buildings for low impact Warehouse Activities

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED		
<ul style="list-style-type: none"> • Conservation Area • Warehouse 	<ul style="list-style-type: none"> • Container Depot • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Dwelling House • Educational Establishment • Escort Agency • Flat • Flea Market • Forensic Science Laboratory 	<ul style="list-style-type: none"> • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Institution • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Garage • Motor Display Area • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development 	<ul style="list-style-type: none"> • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Private Open Space • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Retirement • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Truck Stop • Transport Use • Veterinary Clinic • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. All landscaping at the discretion of the eThekweni Municipality.
2. In the case of Erf 3127 Pinetown, the following shall apply,
 - (a) All operations shall be screened from view from all roads to the satisfaction of the Municipality.
 - (b) Roof coverings shall be of a non-reflective material.
 - (c) Sufficient reserve shall be set aside for road widening or allied purposes considered necessary by the Natal Roads Department and the Municipality along Stapleton Road and the access route to and from J S Marwick Highway.
 - (d) Entrance and egress points shall be located in consultation with Municipality officials.
 - (e) The parking of all vehicles associated with this use shall be on the site within the area enclosed by the screening.
 - (f) All frontages are landscaped to the satisfaction of the Municipality.
 - (g) The river frontage be banked and landscaped to the satisfaction of the Municipality.
 - (h) No effluents or industrial wastes from the production process of manufacturing concrete works and allied items shall be deposited into the Umbilo River without adequate filtering and screening to the satisfaction of the Municipality.
3. In the case of Erf 3056 Pinetown, the following shall apply:
 - (a) The type of goods to be stored shall be non flammable, non toxic and non perishable in nature
 - (b) A transient/distribution warehouse shall not be permitted
 - (c) No sale of goods shall be permitted

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUB DIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	3.0m	4.5m	n/a	1800m ²	2	40%	0.8

ZONE: SPECIAL RESIDENTIAL 1

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- Single residential use in a form of a dwelling house and ancillary uses.
- Protection of the quality and character of residential neighbourhood and the well-being of its residents
- Limiting multiple uses of buildings to minimize adverse impact on the residential environment.
- Business that comply with residential amenity such as a Short-Term Accommodation Establishment and Home Business at the discretion of the eThekweni Municipality.

COLOUR NOTATION: Solar Yellow background fill with Mango foreground (dots) on top and black border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Dwelling House • Multiple Unit Development 	<ul style="list-style-type: none"> • Boarding House* • Crèche • Educational Establishment • Garden Nursery • Health & Beauty Clinic • Institution • Pet Grooming Parlour • Place of Public Worship • Private Open Space • Retirement Centre • Riding Stables • Special Building • Telecommunication Infrastructure • Veterinary Clinic 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Government/Municipal • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious 	<ul style="list-style-type: none"> • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Place of Public Entertainment • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

1. The minimum Erf size for properties identified in the Westville Action plan shall be 750m² and successfully rezoned to Special Residential is 750m²
2. In the case of Erven 5108 – 5264 Queensburgh, the minimum Erf size may be 500m²
3. In the case of properties in Queensburgh, the minimum Erf size shall be 1000m² if the property is not on water bourne sewerage.
4. **Boarding House:** The building shall conform to the appearance and definition of a Dwelling House and is limited to a maximum of 10 boarders.

ZONE: SPECIAL RESIDENTIAL 1

DEVELOPMENT PARAMETERS

SUBZONE	SPACE ABOUT BUILDINGS			MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR				
Shallcross	7.5m	2.0m	2.0m	1800m ²	2	40%	0.4
Westville	7.5m	3.0m	3.0m	1200m ² See additional controls	2	40%	0.4
New Germany	7.5m	3.0m	3.0m	900m ²	2	40%	0.4
Pinetown & Dassenhoek	7.5m	3.0m	3.0m	As per BP1 map	2	40%	0.4
						60% (Applicable to sites ≤600m ²)	N/A (Applicable to sites ≤600m ²)
Queensburgh	7.5m	2.0m	3.0m	650m ² See additional controls	2	40%	0.4
Reservoir Hills	6.0m	2.0m	3.0m	650m ²	2	40%	N/A

ZONE: SPECIAL RESIDENTIAL 2

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- Single residential use in a form of a dwelling house and ancillary uses.
- Protection of the quality and character of residential neighbourhood and the well-being of its residents
- Limiting multiple uses of buildings to minimize adverse impact on the residential environment.
- Business that comply with residential amenity such as a Short-Term Accommodation Establishment and Home Business at the discretion of the eThekweni Municipality.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Dwelling House • Multiple Unit Development 	<ul style="list-style-type: none"> • Boarding House* • Crèche • Educational Establishment • Garden Nursery • Health & Beauty Clinic • Institution • Pet Grooming Parlour • Place of Public Worship • Private Open Space • Retirement Centre • Riding Stables • Special Building • Telecommunication Infrastructure • Veterinary Clinic 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Government/Municipal • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Landfill 	<ul style="list-style-type: none"> • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Place of Public Entertainment • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

Boarding House: The building shall conform to the appearance and definition of a Dwelling House and is limited to a maximum of 10 boarders.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUB-DIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	2.0m	2.0m	n/a	900m ²	2	40%	0.4

ZONE: SPECIAL RESIDENTIAL 3

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- Single residential use in a form of a dwelling house and ancillary uses.
- Allows for a range of business activities limited in scale by Special Consent
- Protection of the quality and character of residential neighbourhood and the well-being of its residents
- Limiting multiple uses of buildings to minimize adverse impact on the residential environment.
- Business that comply with residential amenity such as a Short-Term Accommodation Establishment and Home Business at the discretion of the eThekweni Municipality.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Dwelling House • Multiple Unit Development 	<ul style="list-style-type: none"> • Boarding House* • Crèche • Educational Establishment • Garden Nursery • Health & Beauty Clinic • Institution • Motor Workshop* • Pet Grooming Parlour • Place of Public Entertainment* • Place of Public Worship • Private Open Space • Retirement Centre • Riding Stables • Shop* • Special Building • Telecommunication Infrastructure • Veterinary Clinic 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Government/Municipal • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light 	<ul style="list-style-type: none"> • Industry – Noxious • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Scrap Yard • Student Residence • Transport Depot • Transport Use • Truck Stop • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

- **Pinetown:** the minimum Erf size for Erven 25032, 25050, 25055, 25073 and 25091 all of Pinetown extension 82 shall be 350m²
- **Pinetown:** the minimum Erf size for Erven 25115 and 25094 Pinetown Extension 82 shall be 650m²

Boarding House: The building shall conform to the appearance and definition of a Dwelling House and is limited to a maximum of 10 boarders.

Applicable to Pinetown and Dassenhoek

- a) Where development which existed on a lot at 31/3/86 exceeded the FAR and coverage provisions specified in this table, such development shall be permitted to be retained but shall not be expanded, or replaced otherwise than in conformity with the said FAR and coverage provisions.
- b) Buildings which existed at 31/3/1986 and which do not comply with the building lines specified in Section 3 shall be permitted to be retained, provided any new development shall comply with the provisions of the said section.
- c) In the case of shops the area shall be limited to a gross floor area of 15m² (inclusive of storage area).
- d) The following uses shall be allowed by special consent only to the extent specified in the accompanying restrictions. The use of an area in excess if any restriction specified below shall be prohibited:
 - (i) Shop – restricted to a gross floor area in excess of 15m² but not exceeding 80m² (inclusive of storage area);
 - (ii) Place of Entertainment – restricted to 50m² inclusive of site and building area.
 - (iii) Motor Workshop – restricted to 100m² inclusive of site and building area.

ZONE: SPECIAL RESIDENTIAL 3

DEVELOPMENT PARAMETERS

SUB ZONE	SPACE ABOUT BUILDINGS			MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR				
	3.0m	Aggregate 2m min 0m	2.0m	<600m ²	2	60%	N/A
	5.0m	2.0m	2.0m	≥600m ²	2	40%	0.4
Shallcross	5.0m	2.0m	2.0m	600m ²	2	60%	0.6

ZONE: SPECIAL RESIDENTIAL 4

SCHEME INTENTION: To provide, preserve, use land or buildings for:

- Single residential use in a form of a dwelling house and ancillary uses.
- Protection of the quality and character of residential neighbourhood and the well-being of its residents
- Limiting multiple uses of buildings to minimize adverse impact on the residential environment.
- Business that comply with residential amenity such as a Short-Term Accommodation Establishment and Home Business at the discretion of the eThekweni Municipality.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation area • Dwelling House • Multiple Unit Development 	<ul style="list-style-type: none"> • Boarding House • Crèche • Educational Establishment • Garden Nursery • Health & Beauty Clinic • Institution • Pet Grooming Parlour • Place of Public Worship • Private Open Space • Retirement Centre • Riding Stables • Special Building • Telecommunication Infrastructure • Veterinary Clinic 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Government/Municipal • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious 	<ul style="list-style-type: none"> • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Garage • Motor Display Area • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Place of Public Entertainment • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

Boarding House: The building shall conform to the appearance and definition of a Dwelling House and is limited to a maximum of 10 boarders.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUB-DIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
4.5m	1.0m	1.0m	n/a	300m ²	2	60%	0.6

ZONE: SPECIAL RESIDENTIAL 180

SCHEME INTENTION: To provide, preserve, use land or buildings for single residential use in a form of a dwelling house and ancillary uses. Protection of the quality and character of residential neighbourhood and the well-being of its residents limiting multiple uses of buildings to minimize adverse impact on the residential environment. Business that comply with residential amenity such as a Short-Term Accommodation Establishment, and Home Business at the discretion of the eThekweni Municipality.

COLOUR NOTATION: Yellow with black cross hatching and border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Dwelling House • Flat • Multiple Unit Development 	<ul style="list-style-type: none"> • Boarding House* • Crèche • Educational Establishment • Garden Nursery • Health & Beauty Clinic • Institution • Pet Grooming Parlour • Place of Public Worship • Private Open Space • Retirement Centre • Riding Stables • Special Building • Telecommunication Infrastructure • Veterinary Clinic 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Government/Municipal • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Landfill 	<ul style="list-style-type: none"> • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Place of Public Entertainment • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. All landscaping shall be to the discretion of the Municipality.
2. **Boarding House:** The building shall conform to the appearance and definition of a Dwelling House and is limited to a maximum of 10 boarders.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE:	SIDE SPACES	REAR					
1.0 m	1.0 m	1.0 m	1 unit per 180m ²	180m ²	2	75 %	N/A

ZONE: SPECIAL ZONE 1
13/2369, 19/2369, 4/1330, 2996 Westville

COLOUR NOTATION: White background fill with Mars Red border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Office • Office – Medical 	<ul style="list-style-type: none"> • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Dwelling House • Educational Establishment • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious 	<ul style="list-style-type: none"> • Institution • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Nature Reserve • Night Club • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Private Open Space • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Retirement Centre • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Utilities Facility • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. That any restrictive conditions of title affecting the property be removed by the owner prior to the use of the property for office purposes or development taking place.
2. That the use of the concerned Erf in regard to the erection of any buildings shall be restricted to office purposes only and may only include a caretaker's flat.
3. That car parking area and office site generally, shall be landscaped in accordance with a duly approved plan to be lodged simultaneously with the building plans and for such landscaping to be completed within 3 months from the date of occupation and shall be maintained throughout the occupation of the office building to the reasonable satisfaction of the Municipality.
4. That the architectural treatment of any office building within the zone shall be designed to be complimentary to the existing Pavilion shopping Centre and shall be to the satisfaction of the Municipality applicable to Portion 13 of Erf 2369 Westville and Portion 19 of Erf 2369 Westville.
5. That all access points to the site from public roads traffic circulation within the site shall be to the satisfaction of the Municipality.
6. That where any of these special conditions conflict with the general conditions of the Scheme, such special conditions shall apply.

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5	4.5m	4.5	N/A	To the satisfaction of the Municipality	$\frac{3}{4}$ (4/1330 Westville)	50%	1.0

ZONE: SPECIAL ZONE 2
Portion of Erf 1258 Westville

COLOUR NOTATION: White background fill with Mars Red border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Educational Establishment • Shop 	<ul style="list-style-type: none"> • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Dwelling House • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Institution 	<ul style="list-style-type: none"> • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Garage • Motor Display Area • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Private Open Space • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Retirement Centre • Riding Stables • Scrap Yard • Student Residence • Transport Depot • Transport Use • Truck Stop • Utilities Facility • Warehouse • Zoological Garden

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5	3.0m	4.5	N/A	530m ²	2	50%	1.0

ZONE: SPECIAL ZONE 3
Erf 1870 Westville

COLOUR NOTATION: White background fill with Mars Red border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Museum 	<ul style="list-style-type: none"> • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Builder's Yard • Boarding House • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Dwelling House • Educational Establishment • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Institution 	<ul style="list-style-type: none"> • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Garage • Motor Display Area • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Private Open Space • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Retirement Centre • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Utilities Facility • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

That the use of Erf 1870 Westville shall be restricted to museum purposes, associated cultural Activities including art and other exhibitions and live historical displays provided that all such Activities shall be of a nature which by the virtue of the process carried on or the equipment used are such as can be carried on within a 'Special Residential' zone without causing nuisance to other properties in the surrounding area or to the general public, by reason of noise, vibration, smell, fumes, smoke, traffic generation and parking on Queens Avenue, or other causes.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5	3.0	4.5m	N/A	4000m ²	2	25%	0.25

ZONE: SPECIAL ZONE 4
Erven 204, 206 & 208 Reservoir Hills

COLOUR NOTATION: White background fill with Mars Red border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Convention Centre • Crèche • Dwelling House • Educational Establishment • Hotel 	<ul style="list-style-type: none"> • Garden Nursery • Health & Beauty Clinic • Health Studio • Institution • Pet Grooming Parlour • Place of Public Worship • Private Open Space • Retirement Centre • Special Building • Telecommunication Infrastructure • Veterinary Clinic 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Laundry • Fuelling and Service Station • Funeral Parlour • Government/Municipal • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Landfill 	<ul style="list-style-type: none"> • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Place of Public Entertainment • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Warehouse • Zoological Garden

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
6.0m	2.0m	3.0m	N/A	To the satisfaction of the Municipality	2	40%	N/A

ZONE: SPECIAL ZONE 5
Erf 1897 Queensburgh

COLOUR NOTATION: White background fill with Mars Red border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Dwelling House • Flat* • Garden Nursery • Government/Municipal • Laundry • Office • Pet Grooming Parlour • Restaurant/Fast Food Outlet • Shop 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Car Wash • Crèche • Display Area • Educational Establishment • Funeral Parlour • Health & Beauty Clinic • Health Studio • Institution • Motor Display Area • Multiple Unit Development • Office – Medical • Place of Public Entertainment • Place of Public Worship • Special Building • Telecommunication Infrastructure • Veterinary Clinic • Warehouse 	<ul style="list-style-type: none"> • Agricultural Activity • Builder's Yard • Bus & Taxi depot • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Landfill • Mobile Home Park & Camping Ground • Mortuary 	<ul style="list-style-type: none"> • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Parkade • Private Open Space • Recycling Centre • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Scrap Yard • Student Residence • Transport Depot • Transport Use • Truck Stop • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. The Retail component of the development on site, not to exceed 125m² at road level.
2. Cold-room and Storage areas ancillary to retail use to be contained in a basement area and not to exceed 250m².
3. No access to the basement area to be provided for the general public.
4. A building restricted to a parking garage only at road level not to exceed 30m², is permitted.
5. 4 Parking bays to be provided on site
6. Four additional parking spaces plus loading bay to be provided at road level on site to the satisfaction of the Municipality.
7. The residential component shall not exceed a total floor area of 300m².
8. The street elevation to harmonize with the existing adjoining Limited Commercial Developments.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	2.0m	3.0m	N/A	To the satisfaction of the Municipality	2	As per additional controls	As per additional controls

ZONE: SPECIAL ZONE 6
Gilbert Road Queensburgh

COLOUR NOTATION: White background fill with Mars Red border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Dwelling House 	<ul style="list-style-type: none"> • Agricultural Land • Boarding House • Crèche • Educational Establishment • Garden Nursery • Institution • Multiple Unit Development • Office – Medical • Pet Grooming Parlour • Place of Public Worship • Special Building • Telecommunication Infrastructure • Veterinary Clinic 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Arts and Crafts Workshop • Betting Depot • Builder’s Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious 	<ul style="list-style-type: none"> • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Office • Parkade • Place of Public Entertainment • Private Open Space • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Retirement Centre • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. The Erf to be subject to a subdivisional application.
2. The Special Residential Erven and dwelling units of the Erf shall not exceed one hundred and sixteen (116).
3. Units to exclude duplex and semi-detached type dwellings;
4. Roof materials to exclude IBR sheeting, corrugated asbestos or similar, and may include concrete or similar roof tiles;
5. Minimum frontage to a Erf: 10 meters;
6. A site to provide for a usable Active open space of not less than 1200m² having access to Gilbert Road within the development.
7. Street tree planting to be undertaken by the developer to the satisfaction of the Head: Engineering;
8. Provision is to be made for not less than two (2) onsite parking spaces per Erf.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
2.0m	1m on 1 side	2.0m	n/a	200m ²	2	40%	n/a

ZONE: SPECIAL ZONE 7
Erf 214 Queensburgh

COLOUR NOTATION : White background fill with Mars Red border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Car Wash • Conservation Area • Fuelling and Service Station • Government/Municipal • Health & Beauty Clinic • Laundry • Motor Workshop* • Office • Office – Medical • Pet Grooming Parlour • Restaurant / Fast Food Outlet • Shop • Veterinary Clinic 	<ul style="list-style-type: none"> • Action Sports Bar • Betting Depot • Display Area • Educational Establishment • Escort Agency • Funeral Parlour • Garden Nursery • Health Studio • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Parkade • Place of Public Entertainment • Place of Public Worship • Special Building • Telecommunication Infrastructure • Warehouse 	<ul style="list-style-type: none"> • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Boarding House • Builder's Yard • Bus & Taxi depot • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Dwelling House • Flea Market • Forensic Science Laboratory • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious 	<ul style="list-style-type: none"> • Institution • Landfill • Mobile Home Park & Camping Ground • Mortuary • Multiple Unit Development • Museum • Nature Reserve • Night Club • Private Open Space • Recycling Centre • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Scrap Yard • Student Residence • Transport Depot • Transport Use • Truck Stop • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

The commercial component is not to exceed 800m².

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAG E	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m (Fuelling and Service Station)	2.0m	3.0m	N/A	To the satisfaction of the Municipality	3.8m below overhead powerline	60%	0.4
9.0m (Limited Commercial)	2.0m	3.0m	N/A	To the satisfaction of the Municipality	3.8m below overhead powerline	50%	800m ²

ZONE: SPECIAL ZONE 8

Paradise Valley (231, 232, 233, 1/3056, 3097, 3098, 3057 all Pinetown)

COLOUR NOTATION: White background fill with Mars Red border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Dwelling House • Multiple Unit Development 	<ul style="list-style-type: none"> • Crèche • Flat • Health Studio • Institution • Laundry • Mobile Home Park & Camping Ground • Place of Public Worship • Private Open Space • Restaurant / Fast Food Outlet • Shop* • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Educational Establishment • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Hotel 	<ul style="list-style-type: none"> • Industry - Extractive • Industry - General • Industry – Noxious • Industry: Light • Landfill • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Recycling Centre • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Scrap Yard • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

- (a) The development of Paradise Valley shall be in accordance with that shown on the revised Development Plan, plan TP 9112/2/10B dated 24 April 2006.
- (b) The initial development of Paradise Valley shall be restricted to a maximum of 187 residential units until such time as adequate road traffic capacity has been provided to the satisfaction of the Head: Engineering Services.
- (c) Residential development is restricted to a maximum density of 25 dwelling units per hectare, provided that in the case of Erf 3098 Pinetown, a maximum of 65 units shall be permitted and such development shall be substantially in accordance with Plan No. TP05-09-617.
- (d) A rear building line on Erven 3057 and 3097 Pinetown Township of 25 metres from the northern boundary shall be imposed and depicted on Map 66/42/507.
- (e) Parking accommodation shall be provided on-site in terms of Section 8. In the case of each dwelling unit, at least one of the car parking spaces provided shall be covered.
- (f) Shops may be permitted by Special Consent and shall be restricted in their nature and scale.
- (g) Preliminary designs for buildings, sewers, stormwater and roads are to be submitted and considered in principle, before the building plans are forwarded for the Head: Engineering approval.
- (h) All buildings and associated hard standings are to be connected directly to sewer and stormwater systems acceptable to the Head: Engineering.
- (i) In the case of Erven 32968 to 33053 Pinetown the permitted FAR, site Coverage and height shall not exceed 1,5 : 63% and 3 storeys respectfully.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	3.0m	3.0m	n/a	To the satisfaction of the Municipality	3	50%	1.5
					2 <small>(Erf 3098 Pinetown)</small>	40% <small>(Erf 3098 Pinetown)</small>	0.4 <small>(Erf 3098 Pinetown)</small>

ZONE: SPECIAL ZONE 9
6926 Pinetown

COLOUR NOTATION: White background fill with Mars Red border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Dwelling House • Flat • Institution • Place of Public Worship • Private Open Space • Retirement Centre 	<ul style="list-style-type: none"> • Multiple Unit Development • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Educational Establishment • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light 	<ul style="list-style-type: none"> • Industry – Noxious • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Recycling Centre • Reform School • Refuse Disposal • Restaurant/Fast Food Outlet • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

The height restriction of 2 storeys may, at the discretion of the Municipality be increased to a maximum of 4 storeys.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	3.0m	3.0m	n/a	To the satisfaction of the Municipality	2/4	20%	0.2

ZONE: SPECIAL ZONE 10
Erf 6914 Pinetown - Paradise Valley

COLOUR NOTATION: White background fill with Mars Red border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Dwelling House • Flat 	<ul style="list-style-type: none"> • Agricultural Land • Crèche • Educational Establishment • Garden Nursery • Health Studio • Institution • Laundry • Mobile Home Park & Camping Ground • Multiple Unit Development • Place of Public Worship • Private Open Space • Shop* • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Government/Municipal • Health & Beauty Clinic • Hotel • Industry - Extractive • Industry – General • Industry – Light 	<ul style="list-style-type: none"> • Industry - Noxious • Landfill • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Retirement Centre • Riding Stables • Scrap Yard • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. That the Erven 3058, 3059 and 3060 Pinetown are to be consolidated prior to the sites being developed.
2. The development on the consolidated Erf is restricted to a maximum of forty flats.
3. A satisfactory road is to be constructed prior to the development of the consolidated property to allow the occupants of the property to gain access both to and from the main access road to the Paradise Valley township.
4. Prior to the approval of detailed building plans, perspective drawings, showing the design of the buildings to be erected on the property are to be first approved by the Municipality. The design of the buildings is to accord with the flat building erected on the adjacent portion of Paradise Valley Township.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	3.0m	3.0m	see additional controls	To the satisfaction of the Municipality	4	3240m ²	4806m ²

ZONE: SPECIAL ZONE 11							
Mariann Ridge							
COLOUR NOTATION: White background fill with Mars Red border							
PRIMARY		SPECIAL CONSENT		PRECLUDED			
<ul style="list-style-type: none"> • Conservation Area • Dwelling House • Flat 		<ul style="list-style-type: none"> • Boarding House • Crèche • Educational Establishment • Health Studio • Institution • Laundry • Parkade • Private Open Space • Special Building • Telecommunication Infrastructure 		<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Landfill 			<ul style="list-style-type: none"> • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Nature Reserve • Night Club • Office • Office – Medical • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Retirement Centre • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden
ADDITIONAL CONTROLS							
GENERAL:							
<ol style="list-style-type: none"> 1. FAR and Coverage shall be as indicated in Plan TP 02-01-526, provided that the FAR and Coverage may be increased by not more than 10% of the area of the existing building on each subdivision, solely for the purpose of providing carports and communal facilities, and shall be at the discretion and approval of the Body Corporate, Home Owners' Association and Municipality. 2. No further subdivision of any erf shall be permitted which will have the effect of creating additional sites in the development. 3. Frontage 18m 4. Buildings which existed at 31/3/86 and which do not comply with the FAR, Coverage, Building Lines and Parking provisions shall be permitted to be retained, provided that any new additions/ alterations shall comply with the table below. 							
DEVELOPMENT PARAMETERS							
SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
5.0m	5.0m	5.0m	N/A	700m ²	3	n/a	n/a

ZONE: SPECIAL ZONE 12
Erf 4984 Pinetown – Truck Stop

COLOUR NOTATION: White background fill with Mars Red border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Dwelling House • Flat* • Motor Garage* • Motor Workshop* • Office* • Restaurant / Fast Food Outlet* • Shop* • Truck Stop 	<ul style="list-style-type: none"> • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Educational Establishment • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry – General • Industry – Light • Industry: Extractive 	<ul style="list-style-type: none"> • Industry – Noxious • Institution • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Vehicle Test Centre • Multiple Unit Development • Museum • Nature Reserve • Night Club • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Private Open Space • Recycling Centre • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Scrap Yard • Student Residence • Transport Depot • Transport Use • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

1. Land uses; Residential Building; Shop; Office; Motor Garage; Motor Workshop and Restaurant/Fast Food Outlet, may be permitted by the discretion of the Municipality but shall be restricted in their scale. Land use Motor Garage shall be restricted to exclude display, sale, spray painting and sale of fuel shall be restricted to diesel only and Motor Workshop shall be restricted to exclude spray painting.
2. Not more than one dwelling house for a manager or supervisor shall be permitted.
3. Deleted 30 October 2014.
4. No vehicular access shall be permitted along the eastern boundary (Richmond Road) of the site nor along the northern boundary, 100m of its north-easternmost corner.
5. A minimum of 35 truck parking bays shall be provided within the Truck Stop Facility (exclusive of those provided for workshop purposes).
6. The pre-delivery storage of new cars and trucks shall be prohibited.
7. The sale and distribution of spare parts shall be restricted to heavy vehicle spare parts only.
8. The truck workshop shall be restricted to 10 working bays.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	3.0m	4.5m	N/A	To the satisfaction of the Municipality	2	n/a	n/a

ZONE: SPECIAL ZONE 13
Erf 20236 Pinetown – Natal Training Centre

COLOUR NOTATION: White background fill with Mars Red border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Dwelling House* • Educational Establishment* • Flat* • Industry – Light* • Laundry 	<ul style="list-style-type: none"> • Agricultural Activity • Agricultural Land • Crèche • Garden Nursery • Health Studio • Motor Garage • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Arts and Crafts Workshop • Betting Depot • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Government/ Municipal • Health & Beauty Clinic • Hotel • Industry - Extractive • Industry – General • Industry – Noxious • Institution • Landfill • Mobile Home Park & Camping Ground 	<ul style="list-style-type: none"> • Motuary • Motor Display Area • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Private Open Space • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Retirement Centre • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Truck Stop • Transport Use • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. The development of the Natal Training Centre together with its associated Land Uses shall be restricted to those height and land use sensitivity areas as indicated on plan TP 93-10-265A, wherein:
 - (i) Area A: Land Uses; Industry-Light; Industry-Service; Motor Garage and Motor Workshop shall not be permitted.
Land Use; Educational Establishment which includes outdoor training Activities shall be permitted only by special consent.
 - (ii) Areas B & C: Land Uses; Residential Building, Industry-Light; Industry-Service; Educational Establishment; Motor Garage; Motor Workshop and other buildings and uses not specified at Table A may be permitted or permitted by special consent as the case may be but shall be restricted in their scale and nature so as to accord with the Statement of Intent in Scheme for this zone.
 - (iii)

<u>Area</u>	<u>F.A.R.</u>	<u>Coverage</u>
A	0.3	30%
B & C	0.5	50%
2. That the development of the proposed training facilities and training workshops shall be, to the satisfaction of the Municipality, roughly in accordance with plan TP 94-10-292.
3. Not more than one dwelling house for a manager, matron or caretaker shall be permitted.
4. Vehicular access shall be restricted to Surprise Road with the exception of vehicular access off Finch Place to the existing dwelling house only.

ZONE: SPECIAL ZONE 13
Erf 20236 Pinetown – Natal Training Centre

ADDITIONAL CONTROLS

5. On-site parking accommodation shall be provided in terms of Section 8, except where otherwise stated below:
 - (i) A minimum of 2.5 car parking spaces shall be provided for each 100m² gross floor area of staff and administrative office building space.
 - (ii) A minimum of 1 car parking space shall be provided for each 100m² of gross floor area of building incorporating teaching or training facilities; residential or boarding establishments and other uses ancillary to the functioning of the Natal Training Centre.
6. The property shall be landscaped and maintained to the satisfaction of the Municipality.
7. With the exception of minor alterations and additions to buildings, a landscaping plan shall be submitted for the approval of the Municipality prior to the approval of building plans and such approved plan shall be implemented within 2 months of the issue of building completion certificates.
8. All roof covering must be of a suitable material approved by the Municipality and shall be non-reflective.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	3.0m	3.0m	N/A	To the satisfaction of the Municipality	2,3,5 as indicated on TP 93/10/265a	30%-50%	0.3-0.5

ZONE: SPECIAL ZONE 14
Portion 1 of Erf 20236 Pinetown – Natal Training Centre

COLOUR NOTATION: White background fill with Mars Red border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Display Area • Motor Workshop • Office* • Restaurant / Fast Food Outlet • Shop* 	<ul style="list-style-type: none"> • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Dwelling House • Educational Establishment • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/ Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light 	<ul style="list-style-type: none"> • Industry - Noxious • Institution • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Multiple Unit Development • Museum • Nature Reserve • Night Club • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Private Open Space • Recycling Centre • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Scrap Yard • Student Residence • Transport Depot • Truck Stop • Transport Use • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. The proposed development is to be substantially in accordance with H.J. Nel Architect's drawing No. JS 01.
 2. The shop use shall be restricted to a shop associated with motorcycle or outdoor leisure activities.
 3. The office use shall be restricted to administration offices for the outdoor Lifestyle Centre.
 4. Vehicular access shall be restricted to a point demarcated to the satisfaction of the Head: Engineering but in any event not directly from Richmond Road.
 5. The property shall be landscaped and maintained to the satisfaction of the Head: Development Planning Environment and Management.
 6. With the exception of minor alterations and additions to buildings, a landscaping plan shall be submitted for the approval of the Head: Development Planning Environment and Management prior to the approval of building plans and such approved plan shall be implemented within 3 months of the issue of building completion certificates.
- All roof coverings and walls shall be of suitable material to the satisfaction of the Head: Development Planning Environment and Management and shall be non-reflective.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	3.0m	4.5m	n/a	To the satisfaction of the Municipality	3	40%	0.5

ZONE: SPECIAL ZONE 15
Portion of Erf 6803 Pinetown

COLOUR NOTATION: White background fill with Mars Red border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Car Wash • Conservation Area • Crèche • Hotel • Industry – Light • Laundry • Motor Display Area • Office • Private Open Space • Shop • Warehouse 	<ul style="list-style-type: none"> • Action Sports Bar • Display Area • Educational Establishment • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Health Studio • Institution • Motor Vehicle Test Centre • Motor Workshop • Place of Public Entertainment • Place of Public Worship • Restaurant / Fast Food Outlet • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi depot • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Dwelling House • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Government/Municipal • Health & Beauty Clinic • Industry - Extractive • Industry – General 	<ul style="list-style-type: none"> • Industry – Noxious • Landfill • Mobile Home Park & Camping Ground • Mortuary • Motor Garage • Multiple Unit Development • Museum • Nature Reserve • Night Club • Office – Medical • Parkade • Pet Grooming Parlour • Recycling Centre • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Scrap Yard • Student Residence • Transport Depot • Truck Stop • Transport Use • Veterinary Clinic • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

- (a) A Building line of 7,5m shall apply to all sites within the development.
- (b) A side/rear space of 3,0m each shall apply to all sites within the development.
- (c) All development shall be in accordance with plan Number 6301/01D dated 26 February 2009 attached to application.
- (d) The recommendations as contained in the Record of Decision (DM.S24G/0006/08) dated March 2009 shall be in force and effect.
- (e) Detailed lighting, signage and landscaping plans shall form part of the building plan submission.
- (f) A detailed stormwater plan shall be submitted for the consideration of the Municipality.
- (g) All internal roads shall be constructed by the Applicant, to the cost of the applicant and to the specifications of the Municipality and transferred to the Municipality.
- (h) All roofing materials used shall be of a non-reflective material and the paint colour shall be harmonious with the natural environment and to the satisfaction of the Municipality.
- (i) No residential building shall be erected unless it is a Licensed Hotel.

	MINIMUM ERF SIZE	FLOOR AREA RATIO	COVERAGE	HEIGHT (in storeys)
OFFICES	1000m ²	1.0	40%	3
LIGHT INDUSTRIAL	1800m ²	1.4	70%	6 (21m whichever is lesser)
COMMERCIAL	1000m ²	0.8	40%	3

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	3.0m	3.0m	N/A	See additional controls	See additional controls	See additional controls	See additional controls

ZONE: SPECIAL ZONE 16
Shallcross Industrial

COLOUR NOTATION: White background fill with Mars Red border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Builder's Yard • Conservation Area • Display Area • Dwelling House* • Industry – Light • Recycling Centre • Warehouse 	<ul style="list-style-type: none"> • Agricultural Activity • Agricultural Land • Fuelling and Service Station • Garden Nursery • Industry – General • Industry – Noxious • Laundry • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Office • Parkade • Scrap Yard • Shop • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Arts and Crafts Workshop • Betting Depot • Boarding House • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Educational Establishment • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Funeral Parlour • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive • Institution • Landfill 	<ul style="list-style-type: none"> • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Multiple Unit Development • Museum • Nature Reserve • Night Club • Office – Medical • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Public Open Space • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Retirement Centre • Riding Stables • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Zoological Garden

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	2.0m	2.0m	N/A	900m ²	3	70%	1.0

ZONE: SPECIAL ZONE 17

Rem of 2528 & 2532 Pinetown (Proposed Erf 32106 Pinetown) – Forensic Lab

COLOUR NOTATION: White background fill with Mars Red border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Forensic Science Laboratory • Office * • All uses associated with the functioning of a Forensic Science Laboratory to give effect to its purpose and intent. 	<ul style="list-style-type: none"> • Any use considered not allied to the functioning of a Forensic Science Laboratory at the discretion of the Head: Development Planning, Environment and Management Department. • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Dwelling House • Educational Establishment • Escort Agency • Flat • Flea Market • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Institution 	<ul style="list-style-type: none"> • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Private Open Space • Recycling Centre • Reform School • Refuse Disposal • Restaurant /Fast Food Outlet • Retirement Centre • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. All Activities associated with the Forensic Science Laboratory are to be confined to the within the cartilage of the site.
2. Building lines on Southern Boundary : 15m from centre line of the M13
3. Parking is to be provided to the satisfaction of the Head: Development Planning, Environment and Management Department.
4. Access is to be provided to the Satisfaction of the Head: eThekweni Transport Authority.
5. Landscaping with the specific purposes of creating a buffer along the eastern, northern and western boundaries is to be implemented to the satisfaction of the Head: Development Planning, Environment and Management Department.
6. Where applicable, sound proofing is to be provided to the satisfaction of the Head: Development Planning, Environment and Management Department.
7. No bomb testing is to occur on site.
8. Only Offices ancillary to the functioning of a Forensic Science Laboratory shall be permitted.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	7.5m	n/a	N/A	To the satisfaction of the Municipality	6	80%	0.9

ZONE: SPECIAL ZONE 18
205 & 327 New Germany Road – Reservoir Hills

COLOUR NOTATION: White background fill with Mars Red border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
See additional controls	<ul style="list-style-type: none"> • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Conservation Area • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Dwelling House • Educational Establishment • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light 	<ul style="list-style-type: none"> • Industry - Noxious • Institution • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Private Open Space • Recycling Centre • Reform School • Refuse Disposal Outlet • Retirement Centre • Riding Stables • Scrap Yard • Shop • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

The land shall be used solely as a car parking area and such land shall be fenced, hardened, drained, arranged, marked out and means of ingress and egress established all to the satisfaction of Council; provided that the Council may by Special Consent permit the erection of a building on such land for such purpose.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM ERF SIZE	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
6.0m	2.0m	3.0m	N/A	To the satisfaction of the Municipality	N/A	N/A	N/A

ZONE: TOURIST

SCHEME INTENTION: The purpose of this zone will be to accommodate a wide range of recreational, entertainment, residential and commercially related activities, in such a way that the uses contribute towards the creation of a dynamic, harmonious and well balanced tourism related zone of the highest aesthetic, landscaping and urban design quality.

COLOUR NOTATION: Olive green and light blue bands

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Action Sports Bar • Agricultural Land • Arts and Crafts Workshop • Conservation Area • Dwelling House • Educational • Establishment • Flea Market • Museum • Nature Reserve • Night Club • Place of Public Entertainment • Zoological Garden 	<ul style="list-style-type: none"> • Agricultural Activity • Boarding House • Chalet Development • Convention Centre • Creche • Flat • Garden Nursery • Government / Municipal • Health & Beauty Clinic • Health Studio • Hotel • Institution • Laundry • Mobile Home Park and Camping Ground • Multiple Unit Development • Office • Office – Medical • Place of Public Worship • Private Open Space • Restaurant / Fast Food Outlet • Shop • Special Building • Telecommunications Infrastructure 	<ul style="list-style-type: none"> • Adult Premises • Betting Depot • Builder's Yard • Bus and Taxi Depot • Car Wash • Cemetery / Crematorium • Container Depot • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Industry – Extractive • Industry – General • Industry – Light • Industry – Noxious 	<ul style="list-style-type: none"> • Landfill • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Parkade • Pet Grooming Parlour • Recycling Centre • Reform School • Refuse Disposal • Scrap Yard • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

All landscaping shall be to the discretion of the Municipality.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
FRONT	SIDES AND REAR					
7.5 m	3.0 m	Not Applicable	1 800m ²	2	30%	Not Applicable

ZONE: TRADITIONAL AUTHORITY AREA

SCHEME INTENTION: To provide, preserve, use land or buildings for Traditional Authority Areas, including, at the discretion of the eThekweni Municipality, uses ancillary to the traditional uses of such premises that is directly related to or incidental to the service of the interests of the Ingonyama Trust and public. Ancillary uses may include the use of such premises for offices, shops and recreational, business and residential purposes.

COLOUR NOTATION: Olive green and mauve bands

PRIMARY	SPECIAL CONSENT		
<ul style="list-style-type: none"> • Agricultural Land • Dwelling House • Government/Municipal • Multiple Unit Development 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Arts and Crafts Workshop • Builder's Yard • Betting Depot • Boarding House • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Conservation Area • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Escort Agency • Educational Establishment • Fuelling and Service Station • Flat • Flea Market • Forensic Science Laboratory 	<ul style="list-style-type: none"> • Funeral Parlour • Garden Nursery • Health & Beauty Clinic • Health Studio • Hotel • Laundry • Industry – Light • Industry – Extractive • Industry – General • Industry – Noxious • Institution • Landfill • Mobile Home Park & Camping Ground • Museum • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Nature Reserve • Night Club • Office – Medical 	<ul style="list-style-type: none"> • Pet Grooming Parlour • Place of Public Entertainment • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Office • Parkade • Place of Public Worship • Recycling Centre • Restaurant / Fast Food Outlet • Private Open Space • Scrap Yard • Shop • Special Building • Student Residence • Telecommunication Infrastructure • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Zoological Garden • Warehouse

PRECLUDED: Not Applicable

ADDITIONAL CONTROLS

GENERAL:

8. All landscaping shall be to the discretion of the Municipality.
9. Existing Permissions to Occupy, Leases or similar legal agreements shall not be affected by this land use template.
10. Rezoning and land use shall be guided, where applicable, as contemplated by the approved Municipal IDP, Municipal SDF and approved guiding plans derived from them.
11. * The requirement for Special Consent may be waived for a private cemetery, for the burial of deceased family members, but shall be subject to full compliance with the eThekweni Municipality: Cemeteries and Crematoria By-law 2015 (or any subsequent replacement bylaw).
12. ** The requirement for Special Consent may be waived for domestic waste disposal, on premises used for residential purposes, but shall be subject to full compliance with the eThekweni Municipality: Waste Removal By-law, 2016 (or any subsequent replacement bylaw).
13. For safety reasons all buildings should be set back from roads:
 - Un-surveyed Main Roads: 30m measured from the centre line of the road.
 - Un-surveyed District Roads: 25m measured from the centre line of the road.
 - Un-surveyed Municipal Roads: 15m measured from the centre line of the road.
14. Accommodation for parking and loading to be provided on the erf as per Section 8

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
See additional controls otherwise, to be determined on site.			To the satisfaction of the Municipality	Not applicable	Not to exceed the flanking zone without seeking Special Consent, otherwise, to be determined on site.		

ZONE: TRANSITION ZONE

SCHEME INTENTION: To provide, preserve, use land or buildings for Office uses that would not negatively impact on surrounding residential developments and other uses that the Municipality deems to be non impacting to the surrounding residential.

COLOUR NOTATION: Sky Blue background fill with Lapis Lazuli (blue) uniform dots and blue border. Dots and border have same blue colour.

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Dwelling House • Office • Office – Medical 	<ul style="list-style-type: none"> • Health & Beauty Clinic • Institution • Place of Public Worship • Special Building • Telecommunication Infrastructure • Veterinary Clinic 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Educational Establishment • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/ Municipal • Health Studio • Hotel • Industry - Extractive • Industry – General 	<ul style="list-style-type: none"> • Industry - Light • Industry - Noxious • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Nature Reserve • Night Club • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Private Open Space • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Retirement Centre • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

General:

1. All landscaping shall be at the discretion of the eThekweni Municipality.
2. The building shall, in the opinion of the Municipality, always conform in its external appearance to the definition of dwelling house.
3. Any alterations or additions affecting the exterior of the building that may alter the character of the building such that it no longer resembles a dwelling house may only be allowed only with the prior Special Consent of the Municipality having been applied for and obtained
4. A minimum of 25% of the site area to be set aside for landscaping.
5. All unpaved areas shall be landscaped with an effective combination of trees, ground cover and shrubbery, details of which shall be, shown on the site layout plan submitted with the rezoning application, and to the satisfaction of the Head: Development Planning, Environment and Management.
6. In the case of Erf 1100 Berea West a Restaurant/Fast Food Outlet not exceeding 100m² in extent shall be freely permitted.

ZONE: TRANSITION ZONE**ADDITIONAL CONTROLS****Applicable to Reservoir Hills:**

In the case of Erf 4903 Reservoir Hills (being the Consolidation of Even 900 and 901 Reservoir Hills) the maximum permissible office Floor Area shall be limited to a maximum of 904.9m² and the minimum parking to be provided on site shall be 29 parking bays.

DEVELOPMENT PARAMETERS

SUB ZONE	SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR					
	7.5m	2.0m	3.0m	N/A	To the satisfaction of the Municipality	2	40%	0.4
Reservoir Hills	6.0m	2.0m	3.0m	N/A	To the satisfaction of the Municipality	2	40%	0.8

ZONE: TRANSITION ZONE 2

SCHEME INTENTION: To provide, preserve, use land or buildings for Office uses that would not negatively impact on surrounding residential developments and other uses that the Municipality deems to be non impacting to the surrounding residential.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Dwelling House • Flat • Health & Beauty Clinic • Office • Office – Medical 	<ul style="list-style-type: none"> • Crèche • Institution • Restaurant / Fast Food Outlet • Shop* • Special Building • Student Residence • Telecommunication Infrastructure • Veterinary Clinic 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Educational Establishment • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government/ Municipal • Health Studio • Hotel • Industry - Extractive • Industry – General 	<ul style="list-style-type: none"> • Industry – Light • Industry - Noxious • Landfill • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Nature Reserve • Night Club • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Private Open Space • Recycling Centre • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Scrap Yard • Transport Depot • Transport Use • Truck Stop • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. A minimum of 25% of the Erf shall be set aside for landscaping
2. All unpaved areas shall be landscaped with an effective combination of trees, ground cover and shrubbery and these details must be shown on the site layout plan
3. A traffic report or impact assessment may be required at the discretion of the Head: eThekweni Transport Authority.
4. Shop shall be restricted to the sale of stationary and office supplies and equipment

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	3.0m	3.0m	N/A	1200	3	40%	0.4

ZONE: TRANSPORT DEPOT

SCHEME INTENTION: means a premises used by freight vehicles as a holding / truck staging area and or for the transfer of goods from one vehicle to another, including management, the parking of such vehicles and the storage of goods associated with this use and excludes a Bus and Taxi Depot.

COLOUR NOTATION: Grey with black crosshatch

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Transport Depot 	<ul style="list-style-type: none"> • Special Building • Telecommunication Infrastructure • Truck Stop 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus and Taxi Depot • Car Wash • Cemetery / Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Creche • Direct Access Service Centre • Display Area • Dwelling House • Educational Establishment • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Government / Municipal • Health and Beauty Clinic • Health Studio • Hotel • Industry – Extractive • Industry – General • Industry – Light • Industry – Noxious 	<ul style="list-style-type: none"> • Institution • Landfill • Laundry • Mobile Home Park and Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Nature Reserve • Museum • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Private Open Space • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Retirement Centre • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

All landscaping to the satisfaction of the Municipality.

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDE & REAR SPACES					
7.5 m	3.0 m	Not Applicable	To the satisfaction of the Municipality	3	50 %	0.5

ZONE: TRANSPORT ORIENTED DEVELOPMENT

SCHEME INTENSION: A zone that make provision for the parking, drop off and collection of passengers by rail, public and private bus services and mini bus taxis, as well as associated commercial and residential land uses.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Action Sports Bar • Betting Depot • Bus & Taxi depot • Car Wash • Display Area • Educational Establishment • Flat • Fuelling and Service Station • Government/Municipal • Laundry • Office • Office – Medical • Parkade • Restaurant/ Fast Food Outlet • Shop • Transport Depot 	<ul style="list-style-type: none"> • Adult Premises • Health & Beauty Clinic • Health Studio • Hotel • Institution • Pet Grooming Parlour • Place of Public Entertainment • Place of Public Worship • Special Building • Student Residence • Telecommunication Infrastructure • Veterinary Clinic 	<ul style="list-style-type: none"> • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Boarding House • Builder's Yard • Cemetery/. Crematorium • Chalet Development • Dwelling House • Conservation Area • Convention Centre • Crèche • Container Depot • Correctional Facility • Direct Access Service Centre • Escort Agency • Funeral Parlour • Forensic Science Laboratory • Flea Market • Garden Nursery • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Landfill 	<ul style="list-style-type: none"> • Mobile Home Park & Camping Ground • Motor Garage • Motor Display Area • Motor Workshop • Museum • Mortuary • Motor Vehicle Test Centre • Multiple Unit Development • Night Club • Nature Reserve • Recycling Centre • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Private Open Space • Scrap Yard • Truck Stop • Transport Use • Zoological Garden • Warehouse

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUB-DIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
Nil	Nil	Nil	N/A	To the satisfaction of the Municipality	6	90%	2.5

ZONE: TRANSPORT

SCHEME INTENTION: To provide, preserve, use land or buildings for the operation of a public service for the transportation of goods (including liquids and gases) or passengers, as the case maybe, by rails, air, road, sea or pipeline, including the use of such premises as a harbor communication network, warehouse, container park, workshop, office or for the purposes of security services connected with the foregoing.

COLOUR NOTATION: Grey

PRIMARY	SPECIAL CONSENT		
<ul style="list-style-type: none"> • Government/Municipal • Transport Use 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Builder's Yard • Betting Depot • Boarding House • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Conservation Area • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Dwelling House* • Escort Agency • Educational Establishment • Fuelling and Service Station 	<ul style="list-style-type: none"> • Flat • Flea Market • Forensic Science Laboratory • Funeral Parlour • Garden Nursery • Health & Beauty Clinic • Health Studio • Hotel • Laundry • Industry – Light • Industry – Extractive • Industry – General • Industry – Noxious • Institution • Landfill • Mobile Home Park & Camping Ground • Multiple Unit Development • Museum • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop 	<ul style="list-style-type: none"> • Nature Reserve • Night Club • Office – Medical • Pet Grooming Parlour • Place of Public Entertainment • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Office • Parkade • Place of Public Worship • Recycling Centre • Restaurant / Fast Food Outlet • Private Open Space • Scrap Yard • Shop • Special Building • Student Residence • Telecommunication Infrastructure • Transport Depot • Truck Stop • Veterinary Clinic • Zoological Garden • Warehouse

PRECLUDED: Not Applicable

ADDITIONAL CONTROLS

GENERAL:

1. All landscaping shall to the discretion of the Municipality.
2. Notwithstanding the requirements of this zone, in cases where a Transport Orientated Development (TOD) initiative / guideline / layer has been adopted, the Special Consent procedure may be waived for complying land uses.
3. All sites shall be rezoned where, in the opinion of the Municipality, the proposed land uses are:
 - (a) non-transport and related ancillary uses and / or;
 - (b) a significant departure (more than 20%) from the current approved use and / or;
 - (c) to be established for a period exceeding ten (10) years.
4. Accommodation for parking and loading to be provided as per Section 8.
5. Special land use area in development parameters pertains to land previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA).

DEVELOPMENT PARAMETERS

SUB ZONE	SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR					
	7.5m	3.0m	3.0m	Not applicable	Not to exceed the flanking zone without seeking Special Consent			
Special land use area	1.0m	1.0m	1.0m	To the satisfaction of the Municipality		To the satisfaction of the Municipality		

ZONE: UTILITIES AND SERVICES

SCHEME INTENTION: To provide, preserve, use land or buildings for the provision of all necessary land areas for capital works mains, overhead and underground cables, and essential services required to promote sustainable development and in accordance with national laws and provincial guidelines.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Conservation Area • Government and Municipal • Private Open Space 	<ul style="list-style-type: none"> • Landfill • Recycling Centre • Refuse Disposal • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi depot • Car Wash • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Display Area • Dwelling House • Educational Establishment • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Funeral Parlour • Garden Nursery • Health & Beauty Clinic • Health Studio • Hotel • Industry: Extractive • Industry: General • Industry: Light • Industry: Noxious 	<ul style="list-style-type: none"> • Institution • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Multiple Unit Development • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Place of Public of Worship • Reform School • Restaurant / Fast Food Outlet • Retirement Centre • Riding Stables • Scrap Yard • Shop • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVER AGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	4.0m	4.0m	N/A	N/A	2	N/A	N/A

ZONE: WAREHOUSING

SCHEME INTENTION: To provide, preserve, use land or buildings for:

• Containing, storing and controlling selected industrial services which in terms of the industrial processes involved or the scale of the operation, have a very low degree of impact on transport systems and on the surrounding environment. The provision of land to provide for warehousing Activities, the goods on the property shall not be offensive or dangerous in nature. This zone does not include buildings intended for retail business.

COLOUR NOTATION:

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Car Wash • Conservation Area • Dwelling House* • Laundry • Private Open Space • Warehouse 	<ul style="list-style-type: none"> • Builder's Yard • Display Area • Educational Establishment • Fuelling and Service Station • Industry – Light • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Office • Parkade • Place of Public Worship • Recycling Centre • Restaurant / Fast Food Outlet • Scrap Yard • Shop • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Bus & Taxi depot • Cemetery/Crematorium • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Crèche • Direct Access Service Centre • Escort Agency • Flat • Flea Market • Forensic Science Laboratory • Funeral Parlour • Garden Nursery • Government/Municipal • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive 	<ul style="list-style-type: none"> • Industry – General • Industry – Noxious • Institution • Landfill • Mobile Home Park & Camping Ground • Multiple Unit Development • Museum • Nature Reserve • Night Club • Office – Medical • Pet Grooming Parlour • Place of Public Entertainment • Reform School • Refuse Disposal • Retirement Centre • Riding Stables • Student Residence • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. One Dwelling house may be permitted for the accommodation of a manager or caretaker or similar.
2. All landscaping to be to the satisfaction of the Municipality

DEVELOPMENT PARAMETERS

SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDES	REAR					
7.5m	3.0m	3.0m	N/A	1800m ²	2	12.5%	0.25

ZONE: WORSHIP

SCHEME INTENTION: To provide, preserve, use land or buildings for:

A church, mosque, temple, chapel or other place for practicing a faith or religion and ancillary uses ordinarily associated thereto.

COLOUR NOTATION: Mars Red cross hatch and black border

PRIMARY	SPECIAL CONSENT	PRECLUDED	
<ul style="list-style-type: none"> • Crèche • Conservation Area • Dwelling House • Educational Establishment • Flat* • Multiple Unit Development* • Place of Public Worship • Private Open Space • Shop* 	<ul style="list-style-type: none"> • Cemetery/Crematorium • Funeral Parlour • Garden Nursery • Government/Municipal Institution • Retirement Centre • Student Residence • Special Building • Telecommunication Infrastructure 	<ul style="list-style-type: none"> • Action Sports Bar • Adult Premises • Agricultural Activity • Agricultural Land • Arts and Crafts Workshop • Betting Depot • Boarding House • Builder's Yard • Bus & Taxi depot • Car Wash • Chalet Development • Container Depot • Convention Centre • Correctional Facility • Direct Access Service Centre • Display Area • Escort Agency • Flea Market • Forensic Science Laboratory • Fuelling and Service Station • Health & Beauty Clinic • Health Studio • Hotel • Industry - Extractive • Industry – General • Industry – Light • Industry – Noxious • Landfill 	<ul style="list-style-type: none"> • Laundry • Mobile Home Park & Camping Ground • Mortuary • Motor Display Area • Motor Garage • Motor Vehicle Test Centre • Motor Workshop • Museum • Nature Reserve • Night Club • Office • Office – Medical • Parkade • Pet Grooming Parlour • Place of Public Entertainment • Recycling Centre • Reform School • Refuse Disposal • Restaurant / Fast Food Outlet • Riding Stables • Scrap Yard • Transport Depot • Transport Use • Truck Stop • Veterinary Clinic • Warehouse • Zoological Garden

ADDITIONAL CONTROLS

GENERAL:

1. A Flat and or a multiple unit development that is considered ancillary to the worship purposes may be permitted when it is considered ancillary to the worship purpose at the discretion of the Municipality.
2. A shop may be permitted at the discretion of the Municipality when ancillary to a Place of Worship.
3. Special land use area in development parameters pertains to land previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA).

DEVELOPMENT PARAMETERS

SUB ZONE	SPACE ABOUT BUILDINGS			DWELLING UNITS PER HECTARE	MINIMUM SUB-DIVISION	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
	BUILDING LINE	SIDES	REAR					
	7.5m	3.0m	3.0m	N/A	1500m ²	2	50%	0.5
					900m ² (Welbedagt)			
Reservoir Hills	7.5m	2.0m	3.0m	N/A	900m ²	2	50%	N/A
Special land use area	1.0m	1.0m	1.0m	N/A	To the satisfaction of the Municipality	2	75%	N/A

**SECTION 8:
PARKING AND LOADING STANDARDS**

8.1 MINIMUM STANDARDS FOR PARKING AND LOADING FACILITIES TO BE PROVIDED WITHIN ANY SITE

ANCILLARY NOTES AND REQUIREMENTS

1. All parking shall be provided within the site of the development proposed except for Land Use 8.2.9 (c) which is at the discretion of the Head: eThekweni Transport Authority.
2. Where the use proposed is not contained in this document, parking shall be provided at the discretion of Head: Development Planning and Management and Head: eThekweni Transport Authority.
3. The Head: Development Planning and Management and the Head: eThekweni Transport Authority may relax ANY parking bay requirements provided that the developer has demonstrated technically to the satisfaction of the Head: Development Planning and Management and the Head: eThekweni any request for the relaxation of parking.
4. PFA = PROPOSED FLOOR AREA (as defined in this Scheme).
5. All loading facilities shall be in accordance with sub-section 8.4.
6. Special zones are exempt from compliance with these provisions provided that they are stipulated in the relevant Development Facilitation Table.
7. In the case where the number of parking bays required results in a fraction of 0.5 or greater the number of parking bays required SHALL be rounded up to the next whole number.
8. Except where otherwise stated, the following parking and loading, as contained in sub-section 8.2 shall apply.
9. The parking and loading requirements contained in sub-section 8.5 applies exclusively to areas previously established and administered in terms of former legislation such as the KwaZulu Land Affairs Act, 1992, as amended, Less Formal Township Establishment 1991 (Act 113 of 1991) (LFTEA), Black Communities Development Act 1984 (Act 4 of 1984) (BCDA) and Black Administration Act, 1927 (Act 38 of 1927) (BAA).
10. No parking requirements shall apply within a 400 m radius of the C3 Public Transport Stations within the IPTN Corridor as per plan No. LU_STAT_NOV_2018.
11. Parking provision between 400m - 800m radius of the C3 Public Transport Stations within the IPTN Corridor as per plan no. LU_STAT_NOV_2018 is required as per Section 8 of the Scheme. The Head: Development Planning Environment and Management may upon the receipt of a motivation, relax the parking provisions.

8.2 PARKING AND LOADING STANDARDS

Except where otherwise stated, the following parking and loading requirements shall apply:

LAND USE	PARKING	LOADING
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8.2.1 RESIDENTIAL

i) Dwelling House		
a) Dwelling House	1.0 bay / Dwelling House 1.0 bay / Ancillary Unit	NIL
b) Authorized home business operating from Dwelling House	As per applicable land use requirements of this document and all parking to be provided on site	To satisfaction of Head: ETA
c) Student Accommodation Establishment	1.0 bay / Dwelling House + 1 bay for a manager	Nil
ii) Dwelling Units		
a) Dwelling Unit of 1 bedroom	1,0 bay / unit + 0,5 bays / unit (visitors)	NIL
b) Dwelling Unit of 2 bedrooms	1,0 bay / unit + 0,5 bays / unit (visitors)	
c) Dwelling Unit of 3 bedrooms	1,5 bay / unit + 0,5 bays / unit (visitors)	
d) Dwelling Unit of 4 bedrooms or greater	2,0 bays / unit + 0.5 bays / unit (visitors)	
e) Student Accommodation Establishment in a Multiple Unit Development	1 bay / Dwelling Unit in a Multiple Unit development + 1 bay for a manager	NIL
f) Boarding houses	1 bay / bedroom + 2 bays / 100m ² PFA office area	To satisfaction of Head: ETA
g) Student Residence within an adopted management layer at tertiary level	1 bay per 20 students + 1 bay for a manager	To satisfaction of Head: ETA
h) Student Residence within an Education zone at tertiary level	1 bay per 20 students + 1 bay for a manager	To satisfaction of Head: ETA
i) Student Residence at Primary or Secondary school level	Nil	To satisfaction of Head: ETA
j) Student Residence out of an Adopted management layer and not in an Education zone at tertiary level	1 bay / bedroom + 2 bays / 100m ² PFA office area + 1 bay for a manager	To satisfaction of Head: ETA
k) Retirement Villages Institutional/ Old Age Home / Frail / Assisted living / Orphanages	1 bay / unit + 2 bays / 100m ² PFA office area + 0.5 bays / unit for visitors	1 bay (6mx4m)

LAND USE	PARKING	LOADING
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8.2.2 OFFICES

a) General Offices, Public Offices and Financial Institutions	5 bays / 100m ² PFA	1 bay (6mx4m) / 500m ² PFA
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8.2.3 BUSINESS

Shopping Malls		
a) Neighbourhood (<5 000m ²)	4 bays / 100m ² PFA	To satisfaction of Head: ETA
b) Community (5 000-15 000m ²)	4 bays / 100m ² PFA	Refer Clause 8.4
c) Regional (> 15 000m ²)	4 bays / 100m ² PFA	Refer Clause 8.4
d) Residential component within a commercial site	For the Residential component refer to Clause 8.2.1. above	Refer Clause 8.4

a) Single shops / Health and Beauty Clinic	4 bays / 100m ² PFA (min 5 bays)	refer Clause 8.4
b) Restaurants / Fast Food Outlets not in a shopping mall	10 bays / 100m ² PFA	refer Clause 8.4
c) Betting Depot not in a shopping mall	10 bays / 100m ² (min 10 bays)	NIL
d) Funeral Parlour	5 bays / 100m ² PFA (min 5 bays)	1 bay (6m x 4m)

8.2.4 MEDICAL

a) Consulting rooms	6 bays / 100m ² PFA (min. 6 bays)	1 bay (6mx4m)
b) Hospitals, Clinics, Medical Centers	1 bay / bed + 2 bays / 100m ² PFA office area + 6 bays / 100m ² PFA of consulting area	To satisfaction of Head: ETA
c) Veterinary Practice	2 bays / 100m ² PFA office area + 6 bays / 100m ² PFA of consulting area	To satisfaction of Head: ETA

8.2.5 INDUSTRIAL

a) Manufacturing	1 bay / 100m ² PFA (min 3 bays) + 2 bays / 100m ² PFA office area	Refer Clause 8.4
b) Warehousing	1 bay / 100m ² PFA (min 3 bays) + 2 bays / 100m ² PFA office area	Refer Clause 8.4
c) Dairies, Bakeries and Laundries	1 bay / 100m ² PFA + 2 bays / 100m ² office area	Refer Clause 8.4
d) Storage Yards	1 bay / 100m ² PFA + 2 bays / 100m ² office area	Refer Clause 8.4
e) Multi-unit manufacturing / warehouse / factory	1 bay / 100m ² PFA (min 3 bays/unit) + 2 bays / 100m ² PFA office area	Refer Clause 8.4

LAND USE	PARKING	LOADING
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8.2.6 FUELING AND SERVICE STATION

a) Fueling and Service Station	2 bays / 100m ² PFA office area (min. 3 bays)	1 bay (17m x 4.3m) per station
b) Workshop Area	4 bays / working bay	NIL
c) Sales (Automotive industry products)	6 bays / 100m ² PFA (min. 2 bays)	NIL
d) Convenience Shop (excl. fast food / food preparation outlets)	6 bays / 100m ² PFA (min.10 bays)	1 bay (9mx3m)
e) Restaurant / Fast Food Outlet	10 bays / 100m ² PFA (min 6 bays)	1 bay (9mx3m)
f) Car wash (within fuelling and service station)	4 bays / working bay	NIL

8.2.7 PLACE OF WORSHIP

a) Main Auditorium	20 bays / 100m ² PFA (min. 20 bays)	NIL
b) Priests House (manse)	1 bay / unit	NIL
c) Special Building	To satisfaction of Head: ETA	Discretion of Head: ETA

8.2.8 EDUCATION

a) Nursery School / Crèche	1 bay / 6 children and 1 bay / office plus on-site drop off facility to satisfaction of Head: ETA	NIL
b) Primary School	2 bays / classroom or office plus on-site drop off facility to satisfaction of Head: ETA	NIL
c) Secondary School	2 bays / classroom or office plus on site drop off facility to satisfaction of Head: ETA	NIL
d) Colleges/ Universities/ Technikons, etc.	1 bay / 4 students + 1 bay / classroom and office plus drop off facility to satisfaction of Head: ETA	To satisfaction of Head: ETA
e) Other educational institution	To satisfaction of Head: ETA	To satisfaction of Head: ETA

8.2.9 SPORT AND RECREATION

a) Community Centre	20 bays / 100m ² PFA (min.30 bays)	1 bay (6mx4m)
b) Halls	20 bays / 100m ² PFA (min 30 bays)	1 bay (6mx4m)
c) Sport Stadium	1 bay / 4 seats	1 bay (6mx4m)
d) Swimming Pools	1 bay / 4 seats (min.30 bays)	1 bay (6mx4m)
e) Libraries and Museums	20 bays / 100m ² PFA (min. 30 bays)	1 bay (6mx4m)
f) Health studio / Gym	10 bays / 100m ² PAA + 2 / 100m ² PFA office area	1 bay (6mx4m)
g) Sport Field- Community facility	1 bay/4 seats (min. 30 bays)	1 bay (6mx4m)

8.2.10 TOURISM HOSPITALITY AND CONFERENCE

a) Convention Centre	Greater of 2 bays / 3 seats or 20 bays / 100m ² + 2 bays / 100m ² of office area	1 bay (6mx4m)
b) Hotel	2 bays / 3 rooms + 2 bays / 100m ² of office area + 10 bays / 100m ² PFA ancillary uses	1 bay (9mx4m)

8.2.11 MOTOR DEALERSHIP

a) Motor Display Area	2 bays / 100m ² PFA	1 bay (17mx4.3m)
b) Workshop Area	4 bays / work-bay	1 bay (6mx4m)
c) Spares and Sales Area	5 bays / 100m ² PFA	1 bay (6mx4m)
d) Office Area	2 bays / 100m ² PFA	NIL

8.2.12 CAR WASH

a) Car Wash	4 bays / work bay	1 bay (6mx4m)
b) Ancillary Office Area	2 bays / 100m ² PFA	NIL

8.2.13 WORKSHOPS-VEHICLE REPAIRS AND FITMENT CENTRES

a) Workshops	4 bays / work bay + 2 bays / 100m ² PFA office area	1 bay (6mx4m)
b) Panel beating	4 bays / work bay + 2 bays / 100m ² PFA office / ancillary area	1 bay (9m x 4m)

8.2.14 FLEA MARKET

a) Trading area	Parking at discretion of Head: ETA	1 bay (9mx3m)
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8.2.15 ENTERTAINMENT

a) Night Club / Sports bars	10 bays / 100m ² PFA	1 bay (6mx4m)
b) Cinemas and Theatres (isolated)	1 bay / 4 seats (min 30 bays)	1 bay (6mx4m)

8.3. MULTI-UNIT MANUFACTURING/FACILITY/WAREHOUSING DEVELOPMENTS

8.3.1. Loading

8.3.1.1. Site Area < 2000m²

Factory Size	Abs. Minimum
< 300 m ²	1 bay 6m x 4m/ factory OR 1 bay 9m x 3m / 2 factories + 1 bay 9m x 3m communal
>300 m ²	1 bay 9m x 3m factory + 1 bay 9 m x 3m communal

PFA < 1500m²

Factory Size	Abs. Minimum
< 300 m ²	1 bay 6m x 4m / factory OR 1 bay 9m x 3m / 2 factory + 1 WB50 communal / 1500m ² PFA
>300 m ²	1 bay 9m x 3m / factory + 1 WB50 communal/ 1500m ² PFA

PFA ≥ 1500 m²

8.3.1.2 Site area ≥ 2000m²

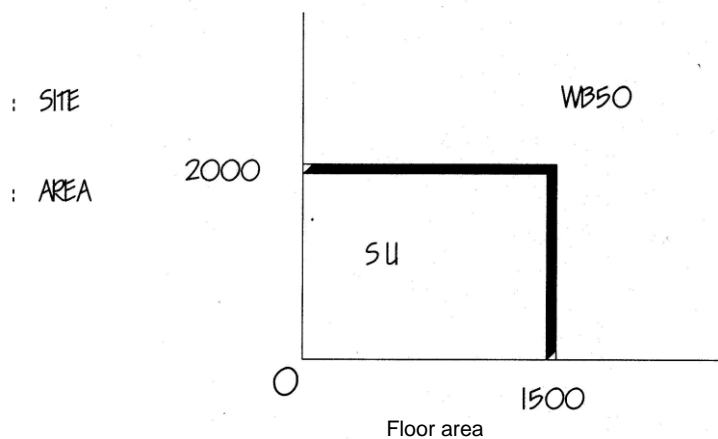
Factory Size	Abs. Minimum
< 300 m ²	1 bay 6m x 4m / factory OR 1 bay 9m x 3m / 2 factories + 1 WB50 communal / 1500m ² PFA
>300 m ²	1 bay 9m x 3m / factory + 1 WB50 communal / 1500m ² PFA

8.4. LOADING REQUIREMENTS

8.4.1. Bay Sizes

- WB50 - 17.0m x 4.3m
- Single Unit (SU) - 9.0m x 3.0m
- Bakkie - 6.0m x 4.0m

8.4.2. Type of Vehicle:



8.4.3. No. of Bays

- WB50 is required for every 1500m² of PFA
- SU is required for PFA < 1500m²
- The number of bays and type of vehicle are dependant on the site area, development proposed and the proposed floor area (PFA).

Example:

	SA > 2000m ²		SA < 2000m ²	
FA (m ²)	WB50	SU	WB50	SU
1000	1	-	-	1
2000	1	1	1	1
2900	1	1	1	1
4000	2 (1)	1 (2)	2 (1)	1 (2)
6000	4 (3) [2]	- (1) [2]	4 (3) [2]	- (1) [2]

8.4.4. The Head: eThekweni Transport Authority may relax the loading bay requirement upon consideration of circumstances peculiar to the development.

8.4.5. The maximum gradient of ramps/driveways to loading areas must be 10%.

8.4.6. The minimum height clearance for loading area's shall be 4.50 metres.

8.4.7. All loading bays shall be provided within the site of the development proposed.

8.5 PARKING AND LOADING STANDARDS APPLICABLE TO AREAS PREVIOUSLY ESTABLISHED AND ADMINISTERED IN TERMS OF FORMER LEGISLATION SUCH AS THE KWAZULU LAND AFFAIRS ACT, 1992, AS AMENDED, LESS FORMAL TOWNSHIP ESTABLISHMENT 1991 (ACT 113 OF 1991) (LFTEA), BLACK COMMUNITIES DEVELOPMENT ACT 1984 (ACT 4 OF 1984) (BCDA) AND BLACK ADMINISTRATION ACT, 1927 (ACT 38 OF 1927) (BAA):

LAND USE	PARKING	LOADING
Agricultural Activity	To satisfaction of Head: DPEM	To satisfaction of Head: ETA
Builders Yard	2 bays/100m ²	To satisfaction of Head: ETA
Shops, Offices, Showrooms, Restaurant/Fast Food Outlets	2 bays/100m ² PFA	To satisfaction of Head: ETA
Car Wash	2 bays per work bay and 2 bays per 100m ² PFA for ancillary uses.	To satisfaction of Head: ETA
Crèche	To satisfaction of Head: DPEM	To satisfaction of Head: ETA
Dwelling House	1 bay (single dwelling)	To satisfaction of Head: ETA
Flat	1 bay/2 units	To satisfaction of Head: ETA
Fuelling and Service Station	2 bays/100m ² PFA	To satisfaction of Head: ETA
Funeral Parlour	2 bays/100m ² PFA	To satisfaction of Head: ETA
Government / Municipal	To satisfaction of Head: DPEM	To satisfaction of Head: ETA
Hotel	1 bay per 5 rooms and 2 bays per 100m ² PFA for ancillary uses.	To satisfaction of Head: ETA
Industry	1 bay/100m ² PFA	To satisfaction of Head: ETA
Institution	To satisfaction of Head: DPEM	To satisfaction of Head: ETA
Mortuary	To satisfaction of Head: DPEM	To satisfaction of Head: ETA
Motor Garage	2 bays per work bay	To satisfaction of Head: ETA
Motor Vehicle Test Centre	2 bays per work bay and 2 bays per 100m ² PFA for ancillary uses.	To satisfaction of Head: ETA
Motor Workshop	2 bays per work bay and 2 bays per 100m ² PFA for ancillary uses.	To satisfaction of Head: ETA
Multiple Unit Development	1 bay/2 units	To satisfaction of Head: ETA
Nightclub	To satisfaction of Head: DPEM	To satisfaction of Head: ETA
Noxious Industry	1 bay/100m ² PFA	To satisfaction of Head: ETA
Educational Establishment	To satisfaction of Head: DPEM	To satisfaction of Head: ETA

LAND USE	PARKING	LOADING
Place of Public Entertainment	To satisfaction of Head: DPEM	To satisfaction of Head: ETA
Place of Public Worship	1 bay/ 10 seats or 10 bays/ 100m ² whichever is the greater. (excluding foyers, kitchens, public walkways, administration offices, boardrooms and ablutions)	To satisfaction of Head: ETA
Scrap Yard	1 bay/100m ²	To satisfaction of Head: ETA
Special Building	To satisfaction of Head: DPEM	To satisfaction of Head: ETA

8.6 SCHEDULE OF GUIDING RULES FOR OFF-STREET PARKING FACILITIES

8.6.1 ALL DIMENSIONS IN METRES

PARKING AGLE	BAY WIDTH	AISLE WIDTH	PERPENDICULAR DEPTH OF BAYS		PARALLEL WIDTH OF BAYS
			NO OVERHANG	KERB OVERHANG	
TWO-WAY TRAFFIC					
90°	2,4	7,1			2,4
	2,5	6,7			2,5
	2,6	6,4			2,6
	2,7	6,1			2,7
	2,8	5,8			2,8
	2,9	5,6			2,9
	3,0	5,5	4,9	4,4	3,0
ONE-WAY TRAFFIC					
0°	2,4	6,7			2,4
	2,5	6,3			2,5
	2,6	5,9			2,6
	2,7	5,5			2,7
	2,8	5,1			2,8
	2,9	4,7			2,9
	3,0	4,3	4,9	4,4	3,0
80°	2,4	5,9			2,44
	2,5	5,5			2,54
	2,6	5,1			2,64
	2,7	4,7			2,74
	2,8	4,3			2,84
	2,9	3,9			2,94
	3,0	3,5	5,3	4,7	3,05
70°	2,4	4,5			2,55
	2,5	4,1			2,66
	2,6	3,7			2,77
	2,7	3,2			2,88
	2,8	3,0			2,98
	2,9	3,0			3,09
	3,0	3,0	5,4	4,8	3,19
60°	2,4	3,4			2,77
	2,5	3,2			2,89
	2,6	3,0			3,00
	2,7	3,0			3,12
	2,8	3,0			3,23
	2,9	3,0			3,35
	3,0	3,0	5,5	4,8	3,46
50°	2,4	3,0			3,13
	2,5	3,0			3,26
	2,6	3,0			3,39
	2,7	3,0			3,53
	2,8	3,0			3,66
	2,9	3,0			3,79
	3,0	3,0	5,3	4,7	3,92
45°	2,4	3,0			3,39
	2,5	3,0			3,54
	2,6	3,0			3,58
	2,7	3,0			3,82
	2,8	3,0			3,96
	2,9	3,0			4,10
	3,0	3,0	5,2	4,6	4,24

8.6.2 Ramp Dimensions

INSIDE RADIUS	ONE-WAY		TWO-WAY			
	RAMP WIDTH	OUTSIDE RADIUS	RAMP WIDTH	OUTSIDE RADIUS	INSIDE LANE WIDTH	DIVIDING LINE RADIUS
3,0	4,1	7,1	6,6	9,6	3,5	6,5
4,0	4,0	8,0	6,5	10,5	3,4	7,4
5,0	3,9	8,9	6,3	11,3	3,3	8,3
6,0	3,8	9,8	6,1	12,1	3,2	9,2
7,0	3,7	10,7	6,0	13,0	3,1	10,1
8,0	3,7	11,7	5,9	13,9	3,0	11,0

8.6.3 Parallel parking bays should be 2,5m wide and 4,9m long with a manoeuvring bay 2,5m in length between each pair of bays. A minimum adjacent aisle width of 3m should be provided for gaining access. (see 8.5.18 below)

8.6.4 Vehicles must be parked in such a way that each vehicle can be freely moved in and out of its parking bay in a single manoeuvre.

8.6.5 The parking layout should be so designed that structural members such as columns, beams, walls, etc. shall not obstruct the free manoeuvring of vehicles into and out of parking bays.

8.6.6 In awkward situations or in cases where other particular factors arise, the requirement of 4.9m depth of parking bay may be relaxed down to a minimum of 4,6m provided that the number of 4,6m bays does not exceed 10% of the total parking bays provided.

8.6.7 The gradient of continuous ramps should not exceed 1 : 7 provided however that for short sections, and in special circumstances, this gradient may be steepened but in no case should it be steeper than 1 : 5. Ramps to loading areas shall be maximum 10%.

8.6.8 Vertical curves between the ramps and the street access and between the ramps and parking floors should be provided with a minimum radius of 30m.

8.6.9 Correct super-elevation should be applied transversely across curved ramps, such super-elevation varying according to the horizontal radius of the curve, subject, in all cases, to the super-elevation not exceeding 1 : 10.

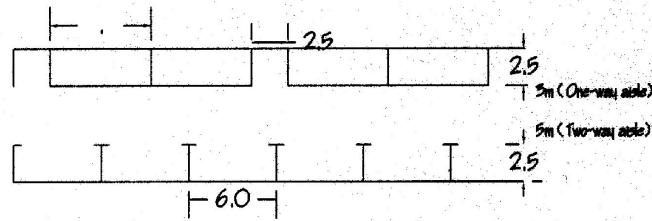
8.6.10 The inside turning radius on continuous ramps shall not be less than 4,3m.

8.6.11 The maximum gradient across a parking area is 1 : 15

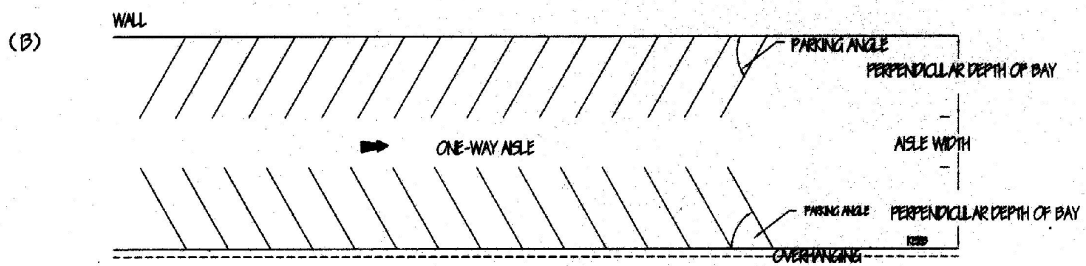
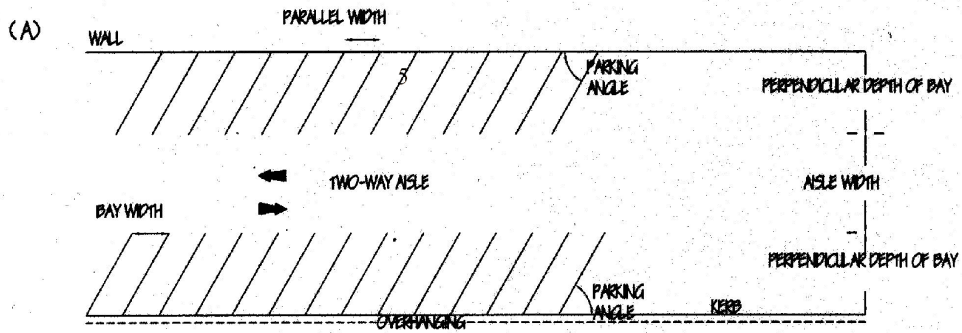
- 8.6.12 The width of one-way driveways, ramps and entrances shall be a minimum of 3m. The width of two-way driveways and ramps shall be a minimum of 5m and a maximum of 9m. For a two-way driveway or ramp serving 6 or less parking bays, a 3m width may be allowed. A minimum 1.2m sidewalk must be provided along at least one side of the driveway or ramp. Minimum distance between physical obstructions for one-way driveways and ramps and two-way driveways and ramps must be 5m and 7m respectively.
- 8.6.13 Entrance widths shall be minimum 6m except for residential uses with less than 6 parking bays.
- 8.6.14 The minimum height clearance for parking areas shall be 2,5m.
- 8.6.15 A minimum of one access (ingress and egress) point must be provided for every 400 parking bays.
- 8.6.16 The Head: eThekweni Transport Authority may relax the provision of the Guiding Rules for Off-Street Parking in those cases where it is difficult or impractical to meet the required standards on account of one or more of the following factors:-
- (a) The shape of the site.
 - (b) There exists an approved building of significance.
 - (c) The locality and character of the proposed development.
- 8.5.17 The location of parking bays within the site shall be at the discretion of the Head: eThekweni Transport Authority.

GENERAL LAY-OUTS

PARALLEL PARKING BAYS



2. ANGLE PARKING BAYS



9.1 TELECOMMUNICATION INFRASTRUCTURE

9.1.1 Statements of Intent

- a) The intention of this section is to make provision for the regulation of Telecommunication infrastructure and service provision; to provide for the control and installation of Telecommunication infrastructure and to provide guidelines for the submission of applications, in line with the Electronic Communication Act 2005 (Act No. 36 of 2005).
- b) These Development Standards should be utilized in the initial planning of telecommunications networks, prior to the submission of applications and used in the preparation of applications for consideration by the Municipality.
- c) The Municipality, in considering proposals for the location of Telecommunication infrastructure, shall be mindful of the need for the development of effective and efficient communication systems within the Municipal area as well as the impact on the neighbourhood's within which such installations are to occur.
- d) The installation of Telecommunication Infrastructure shall be undertaken in such a manner that their impact upon the environment is minimized. Such Telecommunication Infrastructure shall be as unobtrusive as possible with the choice of materials, colour, depth of silhouette, design, and any other factors deemed necessary by Municipality with new best practice, complementing the aesthetics of the surrounding built and natural environment
- e) In considering the appropriate location of Telecommunication Infrastructure, the applicant should be conscious of sites of historic, cultural and architectural importance. Cognizance must be taken of their impact's installations may have upon open spaces, coastal regions and prominent ridges.

9.1.2 Statutory Framework

9.1.2.1 Special Consent applications for Telecommunication Infrastructure shall be required when located on the following zones or a combination of any:

- Residential Zone;
- Worship Zone;
- Institutional Zone;
- Educational Zone;
- Government/Municipal Infrastructure

9.1.2.2 Telecommunication Infrastructure shall be permitted without the Special Consent of the Municipality in all other Zones not mentioned in 9.1.2.1 above.

9.1.2.3 Notwithstanding 9.1.2.1 and 9.1.2.2, applications for Telecommunication Infrastructure within a zone which abuts any Residential Zone will be required to provide written notification to affected neighbours. The applicant shall provide proof of notification or written consent of the registered owner/s of the affected properties, and such other properties as the Municipality may direct. Where an adjoining owner or affected owner has been notified and objects to an application, valid reasons for objecting to such application must be furnished to the Municipality. Failure to submit any response to the notification within the stipulated period will be deemed as Consent.

APPLICATION MATRIX

ZONE	APPLICATION TYPE	OTHER REQUIREMENTS
All Residential Zones	Special Consent	
Worship Zone	Special Consent	
Institutional Zone	Special Consent	Requires a consent letter and plans endorsement from the registered property owner
Educational Zone	Special Consent	Requires a consent letter and plans endorsement from the registered property owner
All Single Use Commercial/Office Zones	Free Entry	Should this zone abutting any Residential Zone or land use, clause 9.1.2.3 will be applicable
All Industrial Zones	Free Entry	

9.1.2.4 All applications for the erection of and use of land and/or buildings for a Telecommunication Infrastructure shall be made in accordance with the requirements of the National Building Regulations and Standards Act No. 103 of 1977, current applicable Planning legislation and the provisions of this Scheme and any other application laws.

9.1.2.5 No Special Consent / Consent application is required for antennae (Telecommunication Infrastructure) attached to a building which does not exceed more than 6.00 metres in height above the highest point of the building.

9.1.2.6 Where applications for antennae attached to a building (Telecommunication Infrastructure) exceeds 6.00 metres in height above the highest point of the building in this instance clauses 9.1.2.1 – 9.1.2.3 shall apply.

9.1.3 Locational Provisions

- a) In the selection of a site for a Telecommunication Infrastructure, consideration shall be given to the locational context of the proposed installation in respect of aesthetic suitability and environmental intrusion. All possible site location alternatives should be explored in the early planning process.
- b) Wherever possible Telecommunication infrastructure shall be installed on existing structures, such as roof tops of tall buildings, light poles or existing masts.
- c) The principle of multiple use of telecommunications masts by network providers, for Telecommunication Infrastructure applications shall be applied. A motivation for exemption from sharing must be considered.
- d) When a cellular mast requires replacement, it shall be replaced with a mast designed to accommodate multiple carriers.
- e) No Telecommunication Infrastructure shall be erected on an Erf, which in the opinion of Municipality, has been identified as containing a building or structure of architectural, cultural, historic, or artistic importance, nor in an area set aside for conservation purposes, whether natural, physical or social, provided that the Municipality may, by Special Consent, relax this provision if it can be shown that the erection of a Telecommunication Infrastructure, shall not detract from the architectural, cultural, historic, artistic, natural, physical or social value of the site.
- f) Where possible, the Telecommunication Infrastructure shall be sited to the rear of an Erf, within the building envelope, with the intention to minimize impact on the adjacent or surrounding sites.
- g) No Telecommunication Infrastructure shall be erected within any building line, side space and rear space. A motivation for relaxation may only be considered on the basis of the context of its location and the provisions that set the criteria for allowing a relaxation under Section 3 of this Scheme.

9.1.4 Visual Attributes

- a) Consideration shall be given to the context of the Erf in relation to its surrounding environment when determining the height of the mast and selecting the type of concealment appropriate to the area.
- b) All forms of visible lighting on Telecommunications Infrastructure shall be reduced to the minimum requirements for security as lay down by the South African Civil Aviation Authority with due regard for adjacent land uses.

- c) Advertising on Telecommunications Infrastructure shall be in terms of the South African Manual for Outdoor Advertising Control (SAMOAC). No external advertising shall be permitted on the Erf other than a maximum of one non-illuminated sign on each road frontage and each sign shall not exceed 0.20m² in area. Any signage larger than the 0.20m² will require an application to be made to the Signage Department.

9.1.5 Safety

- a) The cellular network providers shall at all times comply with the requirements of the Department of National Health and the International Commission on Non-Ionizing Radiation Protection (ICNRP) with respect to safety standards, which are endorsed by the World Health Organisation (WHO).
- b) Reasonable measures shall be taken to restrict access to Telecommunication Infrastructure, other than for maintenance purposes.
- c) All telecommunications masts shall comply with the standards as laid down by the South African Civil Aviation Authority.
- d) All noise levels need to comply with the guidelines as per SANS (Environmental Noise) 10103:2008.
- e) Prevent unauthorized access to the telecommunication facilities by installing appropriate safety doors, fencing and secured access points.

9.1.6 Environmental Issues

- a) Applications for Telecommunication Infrastructure within sensitive areas, as determined by the National Environmental Management Act No. 107 of 1998 and the Environmental Conservation Act No. 73 of 1989, as amended from time to time, are required to follow the procedure as laid down in the Environmental Impact Assessment Regulations.
- b) The applicant shall ensure that the Erf and areas around the Erf disturbed by construction are rehabilitated appropriately and to the satisfaction of the Environmental Planning and Climate Protection Department.
- c) The cellular network provider or network providers shall decommission and remove Telecommunication Infrastructure should:
 - i) the Telecommunication Infrastructure constitutes a danger to persons or property as determined by the Municipality;

- ii) the Telecommunication Infrastructure becomes redundant in the event of changing technology;
 - iii) the Telecommunication Infrastructure is not operated for a period exceeding 18 months; and
 - iv) any other similar circumstances rendering the Telecommunication Infrastructure redundant.
- d) The site shall be restored to its original condition and to the satisfaction of the Municipality.
- e) The site and Telecommunication Infrastructure shall be maintained to the satisfaction of the Municipality.

9.1.7 Land Use Planning Approval Procedure:

- a) An application for the erection of and use of land for a Telecommunication Infrastructure shall be made in accordance with the requirements of Section 9.1.2. Statutory Framework.
- b) An application in terms of Section 9.1.2 shall be accompanied by the following documents:
 - i) An application form, initial enquiry form, department comments and the prescribed fee (if applicable).
 - ii) The prescribed number of copies of plans, of which two are in colour, indicating:
 - the location of the structure within the Erf;
 - all existing structures on the Erf;
 - adjoining properties and their associated structures;
 - contours or beacons;
 - any services present;
 - proposed security measures for controlling access to the Erf concerned (particularly the fencing of the base station);
 - landscaping; and

- Photographs or elevations which present an indication of the impact of the proposed structure as viewed from key points around the site or other views as directed by the Municipality.
 - Owner of the property as per the Title Deed or a person with delegated Power of Attorney must sign the plans
 - Neighbours signatures (for applicable application process)
 - Height of a lightning spike
- (c) All copies of plans shall be drawn at an appropriate and legible scale.
- (d) A radio plan and associated aerial imagery indicating the coverage before the Telecommunication Infrastructure and the coverage shall be submitted.
- (e) In the case where multiple use cannot be achieved, a letter of motivation, engineers reports and/or photographs giving reasons for the inability to co-locate.
- (f) A list of alternate sites surveyed and the reason for the sites being unsuccessful for the establishment of the Telecommunication Infrastructure.
- (g) A copy of the Environmental Authorisation relating to the application from the Department of Agriculture and Environmental Affairs, failing which an environmental scoping report, or a letter of exemption from the Department of Agriculture and Environmental Affairs.
- (h) A certificate of approval from the South African Civil Aviation Authority.
- (i) Confirmation of compliance with World Health Organisation (WHO) and the International Commission on Non-Ionizing Radiation Protection (ICNRP) standards for emissions.
- (j) Title Deeds and Surveyor General Diagrams.
- (k) Where the ownership of the property of the affected party is a Body Corporate, Share Block, Family Trust, Deceased Estate, Company, Closed Corporation, or any other owner requiring the signature of more than one person, this form shall be accompanied by the minutes of the meeting at which the matter was discussed.

- (l) In the case of clause 9.1.2.3, applications are to be accompanied by the signed letters of no objection from the affect party, as directed by the municipality; together with endorsement on the building plans.
- c) An application for the increase in height of an approved Telecommunication Mast or for antenna erected at a greater height than the height that has been previously approved, or for an increase in the footprint of the Base Telecommunications Transceiver Station shall be required to provide written notification to affected neighbours. The applicant shall provide proof of notification or written consent of the registered owner/s of the affected properties, and such other properties as the Municipality may direct. Where an adjoining owner or affected owner has been notified and objects to an application, valid reasons for objecting to such application must be furnished to the Municipality. Failure to submit any response to the notification within the stipulated period will be deemed as Consent.
- d) The replacement of telecommunication masts, equipment and antennae on approved structures, shall be deemed to be regarded as maintenance and provided that there is no material change to the telecommunications mast, equipment and antennae on approved structures, no application shall be required.

NOTE:

- In addition to the above, the standard Environmental Management Plan for construction and operation of the Erf, as described in the Letter of Exemption, must be submitted for approval.
- The abovementioned documents must be submitted to the Municipality as part of the application.
- Applicants are to ensure proposed structures are in accordance with SACAA requirements.

9.2 DESIGN OF A FUELLING AND SERVICE STATION

9.21 The layout of a Fuelling and Service Station including the siting of pumps, buildings and vehicular ingress or egress shall be to the satisfaction of The Municipality.

9.2.2 A Fuelling and Service Station having direct vehicular access to a major arterial road and or proposed arterial road shall not be permitted, unless approved in specific terms by The Municipality.

9.2.3 The following pre-requisites and conditions shall be observed whenever it is

proposed to erect a new, or extend an existing Fuelling and Service Station:-

- a) No vehicular entrance and exit to a Fuelling and Service Station shall be within 150 metres of a freeway interchange, 60 metres from an intersection with a road in the opinion of the Municipality is a major road or 20 metres from an intersection from any other road, unless approved in specific terms by the Municipality.
- b) The frontage of a Fuelling and Service Station Erf shall not be less than 36 metres in length, unless approved in specific terms by the Municipality.
- c) Dwarf walls or permanent structures to the satisfaction of The Municipality shall be erected on the street frontage of the Erf so as to confine the movement of vehicles into or out of the Fuelling and Service Station to authorized ingress and egress points.
- d) No Fuelling and Service Station shall be established upon an Erf unless, in the opinion of The Municipality, it has adequate depth so as to enable all activities to be carried on clear of the street or road. Filler points for underground tanks shall be positioned so as to make it possible for tanker vehicles to stand wholly within the curtilage of the Erf when re-charging the tanks and for such vehicles to enter or leave the Erf in a forward direction.
- e) No pump island shall be less than 5 metres from any boundary of the Erf and all traffic routes within the forecourt shall have a minimum width of 5 metres.
- f) Any Fuelling and Service Station shall be sited and designed so as to satisfy The Municipality that traffic entering and leaving the Erf will not adversely affect movement of pedestrians or vehicles on any public road or place.

9.3. DESIGN AND LAYOUT FOR A MOBILE HOME PARK DEVELOPMENT.

9.3.1 The written authority of the Municipality for the establishment of a Mobile Home Park Development shall only be given if the design and layout is in accordance with the standard laid down in the code of practice for Mobile Homes published by the South African Bureau of Standards (publication SABS 0130-1976). The minimum number of homes to be sited in a Mobile Home Park Erf may in certain circumstances be less than fifty (50) in number, where topography, vegetation availability of services or the use of adjoining recreational facilities in the same ownership may in the opinion of the Municipality, warrant a lesser number.

9.3.2 The applicant shall submit the following for approval:

- a) A detailed plan for the proposed Mobile Home Park development to a scale of not less than 1:500 showing where applicable:
 - i. the full extent thereof;
 - ii. any existing buildings thereon, their details of construction and proposed use;
 - iii. 1m contour and all major topographical features;
 - iv. any servitudes and building line restrictions; and
 - v. the proposed layout and landscaping of the Mobile Home Park development; the road and footpath system; reticulation systems for water, sewage, stormwater drainage and electricity; street and other lighting; the Mobile Home stands with their areas and dimensions and areas which are reserved for:
 - community facilities showing proposed buildings for various activities;
 - recreational purposes showing their types and extent;
 - administration and other specified purposes; andany other features which may be relevant or required by the Municipality; provided that a series of plans to the same scale indicating the required details may be submitted in place of a single detailed plan.
- b) A site plan to a scale of not smaller than 1:1000 showing:
 - i) the proposed Mobile Home Park development, 2m contours and all existing and proposed buildings thereon;
 - ii) all adjoining roads, streets and rights of way; and

9.3.3 Any other documents which the Municipality may reasonably require.

9.3.4 Where, in the opinion of the Municipality, a road within a Mobile Home Park development should serve the public, the Municipality may require that the road be registered as a public road, provided that for the purpose of the Coverage calculation, the area of the public road shall be included in the gross site area.

9.3.5 A turning space shall be provided to the satisfaction of the Municipality at end of every cul-del-sac.

- 9.3.6 The minimum width of a road carriageway within a Mobile Home Park development shall be 3 metres where the carriageway is one-way and 5.5 metres where the carriageway is two-way.
- 9.3.7 Each Mobile Home stand shall have a minimum area of 450m².
- 9.3.8 Not more than 30% of the Mobile Home stand shall be covered by the home and any accessory structure.
- 9.3.9 A minimum of 10% of the usable area of the Mobile Park development shall be allocated for usable common open space and, where required by the Municipality, shall include a separate fenced-off area for children.

9.4 GAMBLING/GAMING ESTABLISHMENT

- 9.4.1. Means engaging in any activity whereby money or any other thing of value is staked on the unknown result of a future event at the risk of losing all or a portion of the money or valuable thing so staked for the sake of a return and is the generic term encompassing all forms of gaming and to bet as defined in the Regulation of Racing and Betting Ordinance, 1957 (Ordinance No. 28 of 1957), but shall exclude;
- a) Any lawful lottery; and
 - b) Any recognized investment activity undertaken with a recognized financial institution and “gamble” shall have the same meaning;
- 9.4.2. Gambling Area means any area within licensed premises in which gambling takes place in terms of a license issued by the board in terms of the Gambling Act and gambling room or gambling premises shall have the same meaning.
- a) Gaming means playing any casino game, bingo or any gaming machine;
 - b) Gaming equipment means any equipment, apparatus or components thereof which are used for gaming;
- 9.4.3. Gaming Machine means any electronic-mechanical or mechanical machine, apparatus or device, other than a roulette wheel, which is used for playing a game that commences upon the payment of any consideration whatsoever in any manner whatsoever or is available to play such a game, and the operation of which may, automatically or in any other manner whatsoever, deliver to the person playing or operating the machine, or any other person, money, goods, services or anything of value whatsoever or credit or any object or token to be exchanged for money, goods, services or anything of value whatsoever, and includes a machine, apparatus or device which is set in operation by another person upon the wagering

of a stake: Provided that for the purposes of the Gambling Act a gaming machine shall not include;

- a) Any machine, apparatus or device which provides as the only prize, reward or consideration for successfully playing the game concerned,
- b) A coin or token to enable the player, by inserting such coin or token in the machine, apparatus or device to play the game once again;
- c) The opportunity to play no more than ten further games immediately without the insertion of another coin or token;
- d) Any machine, apparatus or device which is deemed by regulation to be an amusement machine and which is registered with the Board in the manner prescribed and is in the possession of a person duly authorized by the Board to keep and make such amusement machine available in the manner prescribed.

9.4.4 A type "A" site operator whose primary business shall be as a bona fide sport club, a public bar, a licensed tavern or a licensed betting outlet and where the playing of limited payout machines on a site will form a secondary activity to the main activity of the site; the maximum number of limited payout machines that may be made available for play in or on type "A" licensed premises, is 5, and

9.4.5 A type "B" site operator whose primary business is of an entertainment nature, but excluding a sports club, public bar, licensed tavern or licensed betting outlet: Provided that the playing of limited payout machines on such site will form a secondary activity to the main activity of the site; the maximum number of limited payout machines that may be made available for play in or on type "B" licensed premises, is 40. The installation of 6 or more limited payout machines (up to a maximum of 40 machines) will be permitted on premises where the zone permits the use of a Place of Public Entertainment.

9.5 DURBAN METROPOLITAN OPEN SPACE SYSTEM CONTROLLED AREA (D'MOSS).

9.5.1 Without the prior written approval of the Municipality, no person shall within a D'MOSS Controlled Area:-

- a) develop, excavate or level any erf; or
- b) remove any natural vegetation from any erf; or
- c) erect any structure of any nature whatsoever on any erf; or
- d) dump on or in any erf; or
- e) permit any domesticated animals to cause harm to flora and fauna or the environment generally; or

- f) carry out any work or undertake any activity upon any erf which may compromise the intention of D'MOSS as stated in the definition.

9.5.2 No such approval shall be given unless, after due examination by the Municipality and subject to such conditions as may be specified by the Deputy Head: Environmental Planning and Climate Protection, the Municipality is satisfied that any such development, erection or other work referred to in paragraph (a) hereof can be carried out without materially permanently and/or temporarily degrading, destroying or negatively impacting on the integrity of the biodiversity found and/or environmental services generated within the D'MOSS Controlled Area of the erf.

9.5.3 For the purposes of any examination referred to in paragraph 9.5.2 hereof, the applicant shall, where required by the Municipality, submit such plans or other supporting documentation as the Municipality may require. Without affecting the generality of the foregoing, such plans and supporting documentation may be required by the Municipality to be certified as being correct by an appropriately recognised or registered Environmental Consultant.

9.5.4 Any conditions which the Municipality may impose in terms of paragraph 9.5.2 hereof, may, but shall not be restricted to:-

- (a) restricting the form or nature of the building or structure;
- (b) limiting the size and/or shape of the building or structure;
- (c) prescribing or restricting the materials of which the building or structure is to be constructed;
- (d) determining the siting of any building or structure and of any soak pits or other drainage works;
- (e) prohibiting or controlling any excavation on the erf, the construction of any roadways, paths and other garden features;
- (f) prohibiting or controlling the removal of any natural vegetation;
- (g) prohibiting or controlling the use of the D'MOSS area by domesticated animals where these, in the opinion of the Deputy Head: Environmental Planning and Climate Protection may have a significant impact (of example, but not limited to. hunting and overgrazing) on the environmental attributes of the D'MOSS area;
- (h) controlling any other aspects which the Deputy Head: Environmental Planning and Climate Protection considers to be necessary.

- 9.5.5 In any approval or any conditions as may be specified by the Municipality above, the applicant shall enjoy a right of appeal to the relevant Appeal Authority in terms of National Planning legislation.

9.6. RENEWABLE ENERGY INSTALLATIONS

(a) Intention of the Scheme

The Municipality, in considering proposals for the location Renewable Energy Installations, shall be mindful of the need for a reduction on the reliance on Fossil fuels as a National prerogative. The installation of Renewable Energy Installations shall be undertaken in such a manner that their impact upon the environment is minimized. The Renewable Energy Installation shall be as unobtrusive as possible thorough the choice of materials, colour, depth of silhouette and design which shall complement the aesthetics of the surrounding built and natural environment thereby minimizing the impact upon the environment.

An installation shall only be considered by the Municipality once all Environmental (in terms of National Environmental Management, Act 107 of 1998 and relevant Environmental Regulations) and Heritage approvals (in terms of KwaZulu-Natal Heritage Act, Act No 4 of 2008) are in place.

- (b) Nothing in this scheme shall prohibit or restrict the following renewable energy installations provided that:

For Freestanding Solar Water Heaters or Photovoltaic (PV) Installations

- i) A solar water heater or Photovoltaic installation located on an erf other than through the necessary plumbing and/or cabling, shall not exceed the maximum permitted Height of the zone where it is proposed to be erected. No Planning application is required other than a building plan application. Where an installation exceeds the maximum permitted Height of the zone concerned the Special Consent of the Municipality shall be required.
- ii) The location of the solar water heater or Photovoltaic installation must comply with all building lines, side space and rear space requirements of the relevant Scheme. Any encroachments will require an application to relax the building line, side space or rear space.

For Wind Turbines

- i) All wind turbines, including a wind farm, shall be permitted only by a full Special Consent application.

- ii) The swept area of any standalone or attached wind turbine blade must be no more than 7.1 square metres (3 metres in diameter).
- iii) The distance between ground level and the lowest part of any free standing wind turbine blade must not be less than 3.5 metres.
- iv) The swept area of any free-standing wind turbine blade shall at no point extend over or beyond the boundary line of the site upon which it is to be erected.
- v) No part of a wind turbine (including blades) may encroach into the building line, rear space or side space of a lot as determined by the Scheme. If an encroachment is anticipated this must be addressed in the Special Consent application.
- vi) Should a wind turbine exceed the height restrictions of the erf, the Special Consent application must address relaxing the height restrictions with respect to the wind turbine only.

	SECTION 10: AMENDMENTS TO INNER WEST SCHEME	
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10.1 List of amendments after Scheme Adoption.

Date of adoption by Council:

1. Section 1.21 & Section 2.1: General Definitions: D'MOSS: (Approved on 9 December 2010)
2. Section 7: Inclusion of Special Zone 24 (Approved on 7 August 2012)
3. Section 7: General Residential 2: Pinetown Clause 6: 7 December 2012
4. Section 7: Special Zone 10: Include point (i) : 29 May 2013
5. Section 7: Office Park 2: Clause 4: 28 August 2013
6. Section 7: General Commercial: Westville (Garden Park Development Plan) Increase in GLA to 42 500m² and minimum of 1666 parking bays: 28 August 2013
7. Section 8: Parking and Loading Standards: Replacement: 30 October 2013
8. Section 7: Limited Commercial: Delete point 1 and renumber: 30 October 2013.
9. Section 7: Light Industry Zone: Queensburgh: Increase in height and add b) Additional Controls: 05 December 2013.
10. Section 8: Parking and Loading Standards: Replacement: 18 February 2014
11. Section 2: Clause 2.2: Land Use Definitions, Section 4: Erf Control, Section 6: Reservation of Land Section 7: Development Facilitation Table with regard to amendment of the Conservation Zone and the Environmental Conservation Reserve: 27 February 2013.
12. Section 7: Special Zoned 4 removed as sites was rezoned on 29 May 2014
13. Section 7: Transition Zone: Include clause 7: 29 May 2014.
14. Section 7: Special Zone 17: Delete condition (c) and renumber: 30 October 2014.
15. Section 7: Special Zone 12: Increase coverage from 15% to 20%: 2 December 2014.
16. Section 7: General Commercial Zone: Parking and Floor area: 3 December 2015
17. Section 7: General Residential Zone: Include Pinetown with controls: 3 December 2015
18. Section 7: General Mixed-Use Zone: Include Westville controls: 31 March 2016
19. Section 7: General Mixed Use 1 Zone (Garden Park Development): 22 June 2016

20. Section 7: Intermediate Residential Zone: The Garden Park Development Plan: 22 June 2016
21. Section 7: General Residential Zone: The Garden Park Development Plan: 22 June 2016
22. Section 7: General Commercial Zone: The Garden Park Development Plan: 22 June 2016
23. Section 7: General Mixed-Use Zone: In the case of Erf 30663 Pinetown the coverage is 90%: 24 November 2016.
24. Section 7: General Residential Zone: Include clause 6: 24 November 2016
25. Section 7: General Commercial Zone: Erf 2337 Pinetown: 24 February 2017
26. Review of the Inner West Scheme: 25 July 2017
27. Review of the Inner West Scheme: 29 May 2019
28. Section 7: IPTN Mixed Use 1: Include Clause 4: 29 September 2019
29. Section 7: Remove Special Zone 9: Rezoned to General Commercial: 04 November 2019
30. Review of the Inner West Scheme: 31 August 2020
31. Section 7: Special Zone 24: Increase of height to 6 storeys, coverage to 80% and FAR to 0.9: 30 September 2020
32. Section 7: Education Zone: In the case of Remainder of Erf 3079 Pinetown, Offices-Medical shall be freely permitted: 1 July 2021
33. Review of the Inner West Scheme: 5 August 2021
34. Review of the Inner West Sub-Scheme: 30 June 2022
35. Review of the Inner West Sub-Scheme: 13 July 2023
36. Review of the Inner West Sub-Scheme: 28 June 2024