DRAFT MOHOKARE LOCAL MUNICIPALITY
Land Use Scheme Regulations
2022

SOUTH AFRICAN LOCAL GOVERNMENT ASSOCIATION
SALGA
Inspiring service delivery

cooperative governance
and traditional affairs
Department of Cooperative Governance
and Traditional Affairs
FREE STATE PROVINCE

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PART 1: INTRODUCTION

This document contains the Regulations of the Land Use Scheme of the Mohokare Local Municipality, regulating Land Use Management, which include **development rights** and **obligations** relating to property, respectively referred to as **"land use zoning categories", land use zones, land uses** and **"development parameters"**.

These regulations were compiled to comply with the requirements of Chapter 5 of the Spatial Planning and Land Use Management Act 16 of 2013, as amended, (hereinafter referred to as "***SPLUMA***"), which specifically makes provision for the following:

- In accordance with Section 24 of SPLUMA, each Municipality must, after public consultation, adopt and approve a single Land Use Scheme for its entire area within five years from the commencement of this Act.
- In accordance with Section 27 of SPLUMA, a Municipality may review its Land Use Scheme in order to achieve consistency with the Municipal Spatial Development Framework (MSDF), and must do so at least every five years.
- In accordance with Section 25 of SPLUMA, the Land Use Scheme must give effect to and be consistent with the Municipal Spatial Development Framework (MSDF) and determine the use and development of land within the municipal area to which it relates in order to promote:
  - Economic growth;
  - Social inclusion;
  - Efficient land development; and
  - Minimal impact on public health, the environment and natural resources.

The general objective of these Regulations and accompanying Scheme Maps is to indicate the development rights of use of all land within the boundaries of the area, to control the execution of these rights and the utilization of this land.

1. TITLE OF THE LAND USE SCHEME

This land use Scheme shall be known as the MOHOKARE LAND USE SCHEME, 2022 (hereafter referred to as the ***"Scheme***").

2. AREA OF THE LAND USE SCHEME

The Scheme applies to all properties within the municipal boundaries of the Mohokare Local Municipality, as determined by the Municipal Demarcation Board, as proclaimed, and indicated in dark blue on the Demarcated Map. Should the jurisdiction area be amended by the demarcation board, the Scheme must be amended accordingly.

3. RESPONSIBLE AUTHORITY

The Mohokare Local Municipality (hereinafter referred to as the ***"Municipality"***) is the responsible authority to enforce and carry into effect the provisions of the Scheme.

4. CONTENTS OF THE LAND USE SCHEME

The Scheme comprises the following main components.

PART 1: **Introduction**

General administrative details are contained in this part.

PART 2: **Definitions**

General terminology and its land use definitions.

PART 3: **Standard Land Use Zoning Categories, Land Use Zonings and Development Requirements**

The purpose of this part is to give reference to land uses applicable under Permitted and Consent land uses where applicable.

A tabled summary of the rights and obligations relating to the erection, alteration and use of buildings are given. Specific development requirements and parameters e.g. coverage, height, building lines and Parking are tabled.

PART 4: **Miscellaneous**

General Provisions such as administration and enforcement of the Scheme

PART 5: **Annexures**:

Scheme Annexures contain additional information or tools assisting with the interpretation, administration and use of the Scheme. They contain supplementary information, linked to the provisions of certain clauses in the Scheme with a regulatory intent. They are being administered, maintained and updated by means of a Council Decision/Resolution.

Any addition to, alterations or changes to the Scheme Annexures shall constitute an amendment to the Scheme and will result in an application as set out in the Mohokare Municipal Land Use Planning Bylaw, Provincial Gazette, No 25 of 12 June 2015, as amended (hereinafter referred to as the "***Municipal Land Use Planning Bylaw***").

PART 6: **Overlay Zones**

Overlay Zones are Plans/Maps containing additional information or tools assisting decision-making bodies (MPT) with the interpretation, administration and use of this Scheme. It outlines special provisions for e.g. environmental, agriculture, etc. consideration. Any additions, alterations or changes to these Maps shall not constitute an amendment of the Scheme according to the stipulations as set out in the Municipal Land Use Planning Bylaw.

PART 7: **Schedules**

Scheme Schedules are being administered, maintained and updated by the Authorised Employee. Any additions, alterations or changes to Scheme Schedules shall not constitute an amendment of the Scheme according to the stipulations as set out in the Municipal Land Use Planning Bylaw.

5. PURPOSE OF THE LAND USE SCHEME

The overall purpose of the Scheme is to serve as a legal mechanism in providing a uniform **Land Use Classification System** (Land Use Categories, Land Use Zones and Land Uses), together with specific development parameters and implementation procedures applicable to all properties within the municipal area.

This Land Use Scheme shall give effect to the Municipality's Spatial Development Framework and determine the use and development of land within the Municipality's area of jurisdiction in order to promote:

a. Economic growth;

b. Social inclusion;

c. Efficient land development;

d. Minimal impact on public health, the environment and natural resources;

e. Guarantee the right to sustainable cities, understood as the right to urban land, housing, environmental management, urban infrastructure and service delivery, transportation and public services, to work and leisure for current and future generations;

f. Democratic administration by means of participation of both the individual property owner and representative associations of the various segments of the community in the formulation, execution and monitoring of urban development projects, plans and programmers;

g. Cooperation between governments, private initiative and other sectors of society in the urbanization process, in service of the social and economic interest;

h. Planning and sustainable development of the Municipality, through the management and coordinated promotion of growth across the Municipality along with desirable development, in order to correct the distortions of historical planning systems and their negative effects on the environment, without negating the complexities of the Municipality;

i. Supply of urban and community equipment, transportation and public services adequate for the interests and needs of the population and the local characteristics;

j. Management of land use, in order to enable and facilitate:

(i) Efficient, effective and compatible urban development that is desirable and also accommodates the identified socio-economic needs of the Municipality;
(ii) The coordination of urban growth, which includes land use change, new development and subdivisions, with the availability of infrastructure and social amenities;

(iii) An accessible, responsive environment that is integrated with the transportation network and promotes public transportation;

(iv) The upgrading and rejuvenation of certain areas in the Municipality through innovative developmental scenarios;

(v) Effective environmental management in support of the strategic direction of the Municipality.

In addition, the Scheme also aims to;

i) Promote planning and development principles amongst all spheres of government and ensure the integration of development-, planning and environmental management policies;

ii) Properly manage existing land use rights and ensure proper and fair procedures in order to achieve coordinated and harmonious development that will effectively promote public health, safety, good order, amenity, convenience and the general welfare of inhabitants;

iii) Manage and guide urban growth and development by protecting the amenity of established land uses, prohibiting and eradication of illegal land uses, enhancing the quality of the built environment, promoting integrated sustainable human settlements and development, and the efficient and most desirable use of land;

iv) Promote sound environmental management, the protection of land and the conservation of important natural, agricultural and cultural resources;

v) To strive towards implementing the SPLUMA Principles as contained in SPLUMA, and the development objectives and strategies of the Municipality as contained in the Mohokare Integrated Development Plan (hereinafter referred to as the "***IDP***") and the Mohokare Spatial Development Framework (hereinafter referred to as the "***SDF***").

6. EFFECTIVE DATE OF COMMENCEMENT OF THE LAND USE SCHEME

The Land Use Scheme shall come into effect from the date ("***Effective Date***") that notice of adoption by Council is published in the Provincial Gazette.

i) On the effective date, the Scheme replaces all other town-planning Schemes in operation within the area of the Scheme.

ii) Any consent granted, approved or any land use right permitted in terms of a Town Planning Scheme in force or other applicable land use legislation for the erection/use of buildings or for the use of land or any rights legally exercised in terms of such scheme or legislation prior to the commencement of this Land Use Scheme, shall be deemed to be a consent, approval or land use right of this Land Use Scheme: provided that any such consent, approval or land use right shall lapse unless exercised within twenty four (24) months from the date of coming into operation of this land use scheme.

iii) Any Annexure or Schedule promulgated in terms of any of the former Town Planning Schemes mentioned in clause 2, or other Land Use Legislation shall remain in force and the provisions of that Annexure or Schedule shall remain in force for the lifetime of that Annexure or Schedule. The Scheme Maps A and B series or any other cadastral map indicating land use of all listed schemes and legislation under Clause 2. remain in force.

iv) Any land use application submitted to and pending before Council immediately prior to the commencement of this Land Use Scheme, shall be dealt with in terms of the relevant Scheme that governs such application at the time of submission, as far as it is not in conflict with this Land Use Scheme.

v) Where the provisions of this Land Use Scheme are in conflict with any municipal By-law in operation in the Mohokare Municipality, the provisions of the Land Use Scheme shall prevail. In respect of outdoor advertising signs, the prevailing outdoor advertising By-laws shall apply and such advertising signs, cellular masts and telecommunication masts will not be regarded as a land use matter.

7. RELATIONSHIP TO OTHER SCHEMES AND SDFs

7.1 FREE STATE PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK ALIGNMENT

The Scheme is aligned with the Provincial Spatial Development Framework (FS PSDF), with specific reference to the Spatial Planning Categories (SPCs) as set out in Part 3.

7.2 MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK ALIGNMENT

SPLUMA (2013) and the Municipal Systems Act 32 of 2000, as amended, provide that there should be a direct relationship between the SDF and the Scheme of the Municipality and that there should be horizontal and vertical alignment of SDFs on different spheres of government.

The Mohokare SDF is the strategic planning document that guides and informs planning and development decisions. The SDF visually reflects the objectives and development priorities of the Municipality as identified in the IDP. The SDF does not grant or regulate the use and development of land.

The Scheme gives effect to the SDF and it regulates the use and development of land and buildings within the Municipality. It provides norms and standards and site specific details on land use rights, where the SDF only gives broad directions for development.

The Scheme is aligned with the Vision and Strategies of the IDP and SDF as well as other relevant Municipal Policies. The provisions of the Scheme are also in the interest of the general public – it promotes quality of life and sustainable development.

The Scheme also sets out procedures and conditions relating to the use and development of land in different zones, thus regulating the form and the nature of development on a site

8. CONFLICT OF LAWS

8.1 EXISTING LAND USE RIGHTS, ALLOCATION OF LAND USE RIGHTS AND RECTIFICATION OF OVERSIGHTS

The following existing legal documents were taken into account to determine the zonings and land use rights during the compilation of this Land Use Scheme:

- The Zastron Town Planning Scheme, 1991;
- The Rouxville Town Planning Scheme, 1990;
- Conditions of Establishment and of Title read together with Annexure F of the Black Communities Development Act 4 of 1984, as amended; and
- Permits issued on Agricultural Land in terms of the Physical Planning Act 67 of 1991, as amended.

Where no proof of existing legal land use rights could be obtained, for land where no town planning Scheme exists or where no proof of legal land use rights could be obtained, zonings and development rights were allocated in this Scheme according to what was regarded as the most compatible use for the land according to conditions in the Title Deed of the land or the locality of the land parcels within the SDF in the Scheme area

All the existing legal land use rights that were in effect prior to the effective date are deemed to continue and are incorporated into the Scheme. The Municipality may rectify any oversight that occurred in the recording of an existing legal land use right, or an allocated land use right, subject to the proof of such land use right.

8.2 CONFLICT BETWEEN PROVISIONS OF THIS LAND-USE SCHEME, CONDITIONS OF TITLE AND LEGISLATION

Where a provision in the Scheme is inconsistent with any condition registered in the Title Deed or any other legislation, the Title Deed and legislation shall prevail.

Where a provision in the Scheme is inconsistent with any other bylaw of the Municipality, the Scheme shall prevail.

Any approval or consent granted in terms of the Scheme, shall not exempt any property owner or applicant from compliance with any other law, bylaw, regulation, Title Deed or other restriction applicable to the property. The owner of a property shall accordingly not be entitled to utilise any rights granted in terms of the Scheme, until such time as the owner or applicant complied with any such other law, bylaw, regulation or restrictive condition. The owner or applicant shall submit proof of compliance to the Municipality.

Any person making an application in terms of the Scheme, will be required to specifically comply with the provisions of the National Environmental Management Act 107 of 1998, as amended; the Environmental Conservation Act 73 of 1989, as amended, and the Environmental Impact Assessment Regulations 1 of 2014, as amended; as well as to any other applicable and duly operating laws that regulate the use of land.

9. AMENDMENT OF THE LAND USE SCHEME

The zoning of land may be changed by the amendment of the Scheme by the rezoning as determined in the Municipal Land Use Planning Bylaw.

The Municipality may, after public participation as determined in the Municipal Land Use Planning Bylaw, amend the Land Use Scheme if the amendment is-

- In the public interest;
- To advance, or is in the interest of, a disadvantaged community; and
- In order to further the vision and development goals of the Municipality.

Any amendments to the Scheme Regulations are regarded as an amendment to the Land Use Scheme and may only be approved by the Municipal Council as determined by SPLUMA.

Any amendments to the Annexures shall be regarded as an amendment to the Land Use Scheme and may only be approved by the Municipal Council as determined by SPLUMA.

Any amendments to the Overlay Zones and Schedules shall not be regarded as an amendment to the Scheme and it may be amended by the Authorized Employee.

Any approval of the amendment to the Scheme shall be published in the Provincial Gazette and recorded in the Scheme by means of a Register of Land Use Scheme Amendments (Schedule A).

Any application requiring the consent from the Municipality in terms of the Scheme shall not be regarded as an amendment of the Scheme. Any approved consent application shall be recorded in the Register of Consent Uses (Schedule B).

10. REVIEW AND MONITORING

- The Municipality may review the Scheme from time to time when necessary, but must review the Scheme at least every five years.
- If the boundaries of the Municipality are changed by the Demarcation Board at any given time, the Municipality must amend its Scheme accordingly but does not constitute an amendment of the Scheme according to the stipulations as set out in the Municipal Land Use Planning Bylaw.
- The Municipality must submit the approved Scheme to the Premier for the purposes of monitoring the performance of the Municipalities.

PART 2: DEFINITIONS

11. GENERAL AND LAND USE DEFINITIONS USED IN THIS SCHEME

In these regulations, unless the context otherwise indicates or it is otherwise expressly provided, any word shall, when used in the context of the Scheme, have the meaning assigned to it in Table 1 hereunder.

TABLE 1: GENERAL TERMINOLOGY AND LAND USE DEFINITIONS USED IN THE SCHEME

TERMINOLOGY	DEFINITION
Abattoir	A building licensed in terms of relevant health regulations, designed for the slaughtering of animals and the processing of meat and other animal products.
Additional Dwelling House	A dwelling house that may be erected in addition to the main dwelling house.
Agricultural Use	The practice of cultivating the land or raising stock, forestry, livestock breeding as well as the operation of a game farm, food production, urban agriculture, and crop cultivation for human or animal consumption, and any other agricultural outbuildings which is necessary in order to carry out such activities.
Agri-Industry	The handling, treating, processing, packing, storing and transporting of agricultural related products on a farm.
Agri-Park	A rural enterprise and industrial development area with facilities that may include ancillary services such as an abattoir, auctioneers business building, places of instruction, service industry, warehouse and transportation uses.
Airfield and Infrastructure	Land and buildings thereon used for the landing, take-off, parking, fuelling, and maintenance of aircrafts, limited to aircrafts used for domestic flights, pleasure flights or training, crops spraying, firefighting or emergency rescue services and uses related and subservient to the main use, including a national air-force base. An airfield may include a heliport.
Ancillary Use	A use, building or activity which is subservient to, related to and reasonably required for the conducting of the dominant use on the property. Notwithstanding anything contained in this Scheme, the classification or not by the Municipality of an ancillary use shall be decisive and final.
Animal Establishment	A building or place used for breeding, boarding (kennel), training, keeping or caring for animals, and includes a riding school and touch farm, and may include a veterinary clinic.
Applicant	Any registered owner of land, whether a natural person or a juristic body, or anybody duly authorised by such owner, who makes an application as provided for in SPLUMA and/or this Scheme or any amendments thereof.
Application	A complete application made in terms of the provisions of SPLUMA and/or this Scheme or any amendments thereof.
Approval	Any approval as set out in the Municipal Land Use Planning Bylaw.
Auction Pen	A building or place used for the purpose of the public sale of livestock and includes a public cattle market and sale pens.
Balcony	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.

TERMINOLOGY	DEFINITION
Basement	A space in a building which is completely below the natural ground level. Where such a basement is used for parking purposes. It shall not be counted as a storey.
Block of Flats	A group of linked residential units of which not all need to have a ground level, with linkage between the floors by way of stairs or lifts, together with communal outbuildings as are reasonably used therewith.
Boutique Hotel	A small hotel with not more than 30 rooms, which has a unique character, appearance, architectural design and interior finishes and may include a conference facility.
Building	A building in terms of the National Building Regulations and Building Standards Act 103 of 1977, as amended.
Building line	A line indicating the furthermost boundary of a building restriction area from a street, proposed street, street widening or any other boundary of a property other than a street boundary and which is at a stipulated distance from the boundary of a property.
Building Plan	A plan of a building or structure for which approval by the Municipality is required in terms of the National Building Regulations and Building Standards Act 103 of 1977, as amended.
Building Restriction Line	An area of an erf or portion of land on which no buildings may be erected, save as allowed in this Land Use Scheme, and which is bounded on one side by a building line and/or street boundary or any other boundary of an erf or property, or which is subject to flooding as indicated by a flood water mark or designated by a flood line boundary.
Business Building	A building for professional/administrative/personal/general service provision and includes offices, shops, retail buildings, financial enterprises, banks, or any other purpose reasonably deemed as a business or business enterprise, but does not include general and noxious industries.
Bus Terminus	A structure where buses stop to pick up and drop off passengers. It is larger than a bus stop, which is usually simply a place on the roadside, where buses can stop. It may be intended as a terminal station for a number of routes, or as a transfer station where the routes continue.
Bylaws	The Mohokare Municipal Land Use Planning Bylaw s (No 25 of 12 June 2015, as amended) and other bylaws mentioned in this Regulations that the Municipality enforced in the municipal area.
Cafeteria	Land and/or a building used for the preparation and sale of light refreshments to the public and may include a tea-garden, but excluding a restaurant.
Caravan Park	A site providing stands for caravans for periods not exceeding 90 days and where visitors must be provided with at least dishwashing, bath and ablution facilities. It may also permit a camp area. The caravan park must adhere to the requirements of the South African Bureau of Standards (Publication SABS 092/1971 – Code of Practice for Caravan parks) as amended.
Cemetery Use	A site used exclusively for the burial of the deceased, which includes buildings for the accompanying administrative and religious observances and dwelling for a caretaker (not exceeding 100m²) as well as a commemorative wall for the storage of human ashes. It excludes a crematorium.
Chalet	An attached or detached habitable building used for holiday accommodation.
Child Care	A converted dwelling house for the care of a maximum of 10 children during the day, away from their parents or guardians, subject to the

TERMINOLOGY	DEFINITION
	requirement that the use is secondary and the primary use on the erf or site remains residential.
Clinic	A place for the diagnosis and treatment of human illness or the improvement of human health, which has limited facilities and emphasis on outpatients, with no overnight facilities. A clinic may include medical suites, operating theatre, outpatients' centre and a wellness centre with ancillary uses.
Commonage	Any land or portion of land which is in possession or under the control of the Municipality and set aside by the Municipality for the purposes of establishing grazing camps for animals or plots (any portion of a commonage set aside by the Municipality for other purposes than grazing) for crop or plant production, gardening or other agriculture-related economic activity
Community Facility	A building or place owned or controlled by a public authority or a body of persons, which may provide for the physical, social, cultural or intellectual development or welfare of the local community, and could include uses such as community halls, libraries and museums, art galleries, etc.
Community Gardens	A piece of land gardened collectively by a group of people or on an individual bases for the producing of fruit, vegetables, and/or other plants to fulfil a variety of purposes such as food production, aesthetic and community improvement, physical or mental well-being, or land conservation.
Consent Use	The additional land use right that may be permitted with the consent of the Municipality as contemplated in Annexure D.
Coverage	The maximum area of a site, which may be covered by any permanent roofed building and/or structure, including carports and outbuildings. It is presented in the scheme as a percentage of the total site area.
Crèche	Land and buildings used for the safekeeping, care and tuition of pre-school children. Registration at the relevant authority is a requirement.
Critical Biodiversity Area 1 *(Irreplaceable: CBA1 – Read together with Overlay Zone 1)*	An area that is irreplaceable or near-irreplaceable for meeting biodiversity targets. There are no or very few other options for meeting biodiversity targets for the features associated with the site (SANBI, 2016).
Critical Biodiversity Area 2 *(Optimal: CBA2 - Read together with Overlay Zone 1)*	An area that has been selected as the best option for meeting biodiversity targets based on complementarity, efficiency and/or avoidance of conflict with other land or resource uses (SANBI, 2016).
Density	The permitted number of units per hectare of the total property area. Density = $\frac{Total\ number\ of\ dwelling\ units\ in\ a\ specific\ area}{Extent\ of\ specified\ area\ in\ hectares}$
Dwelling House	A building consisting of habitable room(s), bathroom(s), and toilet(s) and not more than one (1) kitchen. It may include a vehicle garage and such other domestic outbuildings for the purpose of residence by a single family, or tenants, together with such outbuildings, which are ordinarily used therewith.
Effective Date	The date on which this Scheme was officially approved by promulgation in the Free State Provincial Gazette.
Erf	A piece of land registered in the Deeds Registry.
Existing Use	A legal land use in operation on a property, that was permitted in terms of the different previous planning legislation and /or town planning schemes and which is lawful in terms of the National Building Regulations but which is contrary to this Land Use Scheme. It shall remain an existing use right unless the said use is altered in any way or ceases to be carried out for a period of 12 months.

TERMINOLOGY	DEFINITION
Filling Station	A building: (a) Wherein only the following may be sold by retail: • Petrol or petroleum derivatives for use in internal combustion engines; • Lubricating oils and greases; • Spare parts, including electrical equipment, for vehicles; • Tyres, tubes, valves and repair equipment for vehicles; • Vehicles; and • General merchandise (Convenience Store) restricted to 100m² floor areas. (b) Where only the following operations may be carried on: • Washing and cleaning of vehicles; • Running repairs of a minor nature to vehicles; and • Lubricating and greasing of vehicles. Provided that the gross floor area of the workshop, lubricating bay and sales department, excluding the area used for the sale of vehicles, shall not exceed 150m².
Flood Line	Flood lines as defined in Section 144 of the National Water Act 36 of 1998, as amended.
Floor Area	The sum of the gross area covered by the building at the floor level of each storey, provided that the area reasonably required for the purposes detailed below shall be excluded from the calculations of the floor area, which calculations shall be clearly indicated on the building plans. Floor area shall be measured from the outer face of the exterior walls or similar supports of such building, and where the building consists of more than one storey, the total floor space shall be the sum of the floor area of all the storeys, including that of basements. Areas that shall be excluded from the calculation of floor area are: i) Any area, including a basement, which is reserved solely for parking of vehicles and loading and off-loading areas; ii) 10% of the total floor area shall be regarded as areas required for the cleaning, maintenance, care and proper mechanical and electrical functioning of the building.
Free State Provincial Spatial Development Framework	Refers to the recent approved and adopted Free State Provincial SDF.
Funeral Parlour	A building or land used for the purpose of funeral management and includes the sale and display of those commodities required for cemetery purposes and services ordinarily ancillary to funeral management but excludes the production or repair of tombstones and coffins or a crematorium.
General Industrial Building	A building used as a factory or workshop, and with a predominant manufacturing, processing and/or assembling function, including the repair, service and maintenance of items, as well as storage facilities, or cooperative, but excluding noxious industries. A building for caretaker accommodation (not exceeding 100m²) is permitted.
General Plan	A cadastral plan of a township, which has been approved in terms of the Land Survey Act 8 of 1997, as amended.
Government Use	Land and buildings utilised by Provincial or National Government or semi-state organisations to carry out its mandatory functions and may include essential uses/services such as police station, rescue centre, fire-services, correctional facilities, museums, social and welfare facilities, reformatory, etc., for the provision of services to the community. The land zoned for this purpose must be registered in the name of the government or semi-state. It may also include a dwelling house for a caretaker (not exceeding 100m²) or security guard facilities.

TERMINOLOGY	DEFINITION
Gross Leasable Area (GLA)	The sum of the gross floor area covered by the building at the floor level of each storey provided that the area reasonably required for the following purposes be **excluded** from the calculations of the floor area: (i) Open roof; (ii) Parking for the occupants of the building; (iii) Accommodation for the lift motor room and other mechanical or electrical equipment required for the proper functioning of the building; (iv) A veranda or balcony in a building provided that such veranda or balcony is not enclosed otherwise than by a parapet 1,8 m high or by security fencing, bugler proofing or wire gauze screen, and is not used for access purposes; (v) A canopy erected on the street frontage of a shop, excluding the portions extending over Municipality property; (vi) Areas reasonably used in connection with the cleaning, maintenance and care of the building or buildings, excluding accommodation for caretakers, supervisors, cleaners, or maintenance staff; and (vii) Steps, stairs, fire-escapes, toilets, and entrances (excluding a reception area, foyer or entrance hall) that has no other functional purpose other than that of an entrance and comprised of a separate space/room.
Group Housing	A group of separate and/or linked dwelling houses planned, designed and built as a harmonious architectural entity with communal open space and streets. Every dwelling house is on its own full title sub-erf and must have a ground floor. The access roads and open spaces must be designed and built to the satisfaction of the Municipality and may be transferred to the Municipality, or otherwise be controlled and maintained by way of a body corporate.
Guesthouse	A dwelling where a maximum of 10 bedrooms/suites may be let on a short-term basis. This include self-catering units and B&B and may include a conference facility.
Gymnasium	A building used for physical exercise, with or without apparatus and other sporting activities, administrative offices and ancillary uses. A place for refreshments for patrons only, not exceeding 100m², as well as a child care/play facility restricted for use by gymnasium members whilst exercising in the gymnasium may be included.
Habitable Room	A room used or designed for human habitation which is at least 9m², but excludes a storeroom, kitchen, pantry, scullery, bathroom or passage.
Heavy Vehicle Overnight Facility	An erf or building used primarily as a stop-over facility for commercial (heavy) vehicles, with facilities for the maintenance or repair of commercial vehicles, dispensing of motor fuel or other petroleum products, ablution facilities and convenience shop for travellers with overnight facilities. Also known as a Truck Stop.
Height	The vertical dimensions of the building from the natural ground level to the highest point of the building measured in meters or in number of storeys; provided that: (i) The height restriction which refers to storeys does not apply to roofs, domes, chimneys, flues, masts and antennae; and (ii) Elevator motor rooms, satellite dishes, ventilation shafts, water tanks, air conditioning plant and equipment on top of a building, shall be regarded as a storey, unless enclosed within the roof or hidden behind parapet walls, not exceeding 2,0 m in height, in which case it shall be counted as part of the top storey
Heritage Site	Land or an area declared as a heritage site to protect, preserve, and/or manage localised provincially significant natural features due to their special interest or unique characteristics; these are relatively small areas

TERMINOLOGY	DEFINITION
	focused on the protection of specific features, species, natural landscapes and biotic communities occurring on any private, communal or state land and include: • "National Heritage Site" - A "Protected Area" and includes a national heritage site declared by the South African Heritage Resources Agency (SAHRA) or a provincial heritage site declared by a provincial heritage resources authority in terms of the National Heritage Resources Act 25 of 1999, as amended; and • "World Heritage Site" - A "Protected Area" and includes land or an area declared by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) as a heritage site in terms of the World Heritage Convention Act 49 of 1999, as amended.
Home Industry	The practice of a profession/ business in a house or such approved outbuilding on a residential erf, small holding or agricultural land with consent of the Municipality and subject to specific requirements. The residential component should remain the main use or dominant use on the property.
Hospital	An institution designed as an integrated complex for the diagnosis, care and treatment of human illness, including live-in facilities for patients, a clinic, and doctor consulting rooms, dispensary, and sale of refreshment, coffee shop and facility incidental to the main use.
Hotel	A building that comprises of overnight rooms for tourist or commuters, which have access via a central door/foyer. A Hotel may include a dining room, restaurant, entertainment- and recreational area, bar and reception area, conference facilities and excludes a guesthouse, boutique hotel and lodge.
Incinerator	A building for cremating animal corpses, human and animal tissue, medical waste and certain industrial waste as approved by the assigned environmental authority.
Informal Trading Area	The selling of products from temporary or permanent structures or facilities in areas specifically demarcated for such purposes by the Municipality, such as markets, flea markets, fresh produce markets and hawker stalls.
Initiation School	A registered cultural institution or a place where cultural initiation into manhood/womanhood (that may also involve circumcision), including teachings of cultural practices and behaviours are carried out in terms of the Free State Initiation Schools Health Act 1 of 2004, as amended.
Institutional Use	Land and buildings, whether public or private, used for the purposes of a charitable social, health or welfare facility, including the administration thereof. It may also include a dwelling house for a caretaker (not exceeding 100m²) or security facilities.
Interested and Effected Party	Any person or body who, in accordance with the provisions of the Land Use Scheme and within any time period prescribed, has submitted in writing any objection, comment or representation in respect of any matter in this Land Use Scheme providing for objections, comments or representations.
Kitchen	A room or any portion of a room equipped with cooking facilities and used for the preparation of meals, including washing facilities.
Land Use	A purpose of which land maybe used lawfully in terms of this Land Use Scheme, including any conditions related to such land use.
Leisure Residential Dwelling	Dwelling houses developed under a Sectional Title Scheme, on agricultural land with scenic vistas or natural amenities that may become a resource for leisure- and /or outdoor recreation such as hiking trails, horse riding trails, dams and rivers, etc.

TERMINOLOGY	DEFINITION
Loading Area	An area which is clearly demarcated for the loading and off-loading of goods from commercial vehicles, and which has vehicular access to a public street to the satisfaction of the Municipality.
Local Municipality	The Mohokare Local Municipality as established under the provisions of the Local Government: Municipal Structures Act 117 of 1998, as amended, or its successors in title.
Lodge	A building that contains more than 10 but not more than 20 rooms/ suites/cottages/chalets/self-catering units used for accommodating guests or tourists for short periods and may include reception area, conference facilities, staff quarters, dining room, restaurant and bar accessible to the outside public, wedding village, and chapel, but excludes a hotel and resort.
Maisonette	A group of linked residential units of which not all units need to have a ground level, with a maximum of two first floor residential units served by a common external staircase. Maisonettes have a double storey (ground level plus one level) height restriction.
Medical Consulting Rooms	An office and ancillary room used by a registered medical practitioner for human medical or medical related consultation, where such office is not necessarily attached to a hospital or clinic.
Mezzanine	An intermediate storey not exceeding 25% of the floor below it and is included in the total floor area in the calculation of floor area.
Mining Activities	The extraction and/or exploitation of minerals and raw materials as contemplated in terms of the Mineral and Petroleum Resources Development Act 28 of 2002, as amended, and any amendments thereof, or for which purpose a permit has been issued under the fore-mentioned Act, as well as associated business operations and includes any other building and infrastructure which is necessary in order to carry out such activities, as well as dwelling houses and residential quarters for employees and associated recreational facilities.
Municipal Area	The area of jurisdiction of the Municipality in terms of the Local Government Demarcation Act 27 of 1998, as amended.
Municipal Planning Tribunal (MPT)	A Municipal Planning Tribunal referred to in Chapter 6 of SPLUMA.
Municipal Use	Land/buildings use for such purposes as the Municipality may be authorized to carry out in terms of its powers and functions. It may also include a dwelling house for a caretaker (not exceeding 100m²) or security guard facilities.
Municipal, Provincial and National Roads	Roads and their reserves that are registered in the name of the specific authority and at the offices of the Surveyor General.
National Building Regulations	The National Building Regulations made in terms of Section 17 of the National Building Regulations and Building Standards Act 103 of 1977, as amended.
Noxious Industrial Building	A building used as an industry that may be hazardous to the general public due to vapour, effluvia or any waste matters. The Municipality may require of the owner of such an industry to process the wastewater and fall-out to an acceptable level. It can include brewery, liquid fuel depots, chemical works, processing of hides, abattoirs, stone crushing, crematoriums and incinerators. A building for security/caretaker accommodation (not exceeding 100m²) is permitted.
Nursery	An enterprise which buys and sells plants, trees, seeds and garden accessories, as well as growing plants, and includes the selling of refreshments as part of a tea garden or restaurant and may include a petting zoo or playground (secondary to the enterprise).

TERMINOLOGY	DEFINITION
Office	A building or portion thereof used for the performance of administrative functions or the conducting of an enterprise primarily concerned with administrative, clerical, financial or profession duties.
Office Park	A development that may contain a number of office buildings with ancillary uses and open space designed, planned, constructed and managed on an integrated and co-ordinated basis. It may include a Tea Garden and /Cafeteria.
Outbuilding	A structure, whether attached or separate from the main unit, which is designed to be utilized for the garaging of motor vehicles and for storage purposes in so far as these uses are usually and reasonably required in connection with the main structure, and may include two habitable rooms with one bathroom, but does not include a second dwelling.
Overlay Zone	An area in the Land Use Scheme that is demarcated for the purpose of conserving natural resources or promoting certain types of development and that is subject to conditions, requirements or restrictions in addition to those of the Land Use Scheme.
Owner	With reference to a building or land it is the registered owner or the person who administers the estate of the registered owner by power of attorney, whether as executor, administrator, guardian or in any other capacity.
Panhandle erf	An erf that is configured with a narrow pan handle portion forming an access corridor to the developable area of the erf. The developable area of the panhandle erf is located behind other erven.
Parking Area	A building or site comprising more than one parking bay that provides motor vehicle parking for use by the public for free or at payment of a prescribed fee for a pre-determined period
Parking Bay	A demarcated area used exclusively as a single parking space, depending on the dimensional requirements, for a standard motor vehicle, modified motor vehicle for the disabled, or larger vehicles such as taxi's, trucks or busses, not intended for trade or sale. A parking bay shall be individually accessible, exclude any ramps or structural columns and furthermore comply with the provisions set out under Annexure A.
Permit	A secondary use on agricultural land, which was approved in terms of the Physical Planning Act 88 of 1967, as amended.
Permitted Use	Land uses which are permitted in a specific zoning. Planning approval is not required when both the present land use and any other land uses listed under that permitted land uses as defined in the Scheme.
Place of Education	The use of a building/s and/or land for education at pre-school, school or post school levels, including a nursery school, child care centre, early childhood development centre, primary school, secondary school, college, technical institute, university, research institute, lecture hall, boarding hostels and all uses which are ancillary, directly related to and subservient to the main use.
Place of Worship	A building designed for public devotion, church, chapel, oratory or any other place of public worship, as well as buildings on the same erf and related to the above-mentioned buildings for the purpose of religious instruction, socialising, meetings, recreational purposes, and may include a commemorative wall and a dwelling house.
Private Open Space	Land which is privately owned and not generally open to the public and of which access is controlled, use for relaxation, recreation and sport purposes.
Private Street	Any road/street which is not a "public street" or does not fall under public authority control. It may include ancillary access control infrastructure, such as a gatehouse, security office and utility room.

TERMINOLOGY	DEFINITION
Property	Any portion of land registered at the Surveyor General and in the Deeds Registry as a separate portion, entity or unit and includes a farm, small holding, erf, section, lease area, or any subdivision thereof, as well as the building or structure erected thereon.
Public Accessibility Area (PAA)	The area of a non-retail establishment to which the public has access. This may include a reception area, dining room, bar area, conference facilities, gymnasium, etc. and may have an influence on the provision of parking bays.
Public Open Space	Land, registered on a general plan, and use by the general public for relaxation, recreation and sport purposes. This include parks, gardens, playgrounds, open sport facilities, recreation grounds or squares, and may include a building or structure in relation to the function concerned, such as ablution facilities.
Public Road	The area between defined road reserve boundaries, including the roadway, shoulders (if any) and sidewalks. A road is normally created by means of proclamation or the registration of a right of way servitude and its existence and extent are normally captured in the Deeds Registry.
Public Street	The area between defined street reserve boundaries, including the roadway, shoulders (if any) and sidewalks. A street is normally characterised by land zoned as "Street" in a land use scheme or town planning scheme and its reserves are normally indicated on a Surveyor-General map.
Railway Purpose	The use of land or buildings for the transport, loading and off-loading of passengers and goods by rail, including railway lines, storage of goods, stations, container depots, marshalling yards, terminal facilities, equipment servicing facilities, as well as other associated buildings, subject to the provisions of the Legal Succession to the South African Transport Services Amendment Act 43 of 1995, as amended.
Rear Boundary	Shall mean that boundary of an erf which is furthest from any street boundary, and which does not meet any street boundary.
Renewable Energy Infrastructure	Any wind or water turbine or solar voltaic apparatus, or grouping thereof, which captures and converts water, wind or solar radiation into energy for commercial gain irrespective of whether it feeds onto an electricity grid or not, and includes any appurtenant structure or test facility which may lead to the generation of energy on a commercial basis.
Residential Building	A building, designed for, or containing provision for human habitation, together with such outbuildings are ordinarily used therewith, and includes within its meaning a boarding house, residential club, hotel (licensed or private), and block of rooms which can be leased on medium term, but does not include a place of education, a dwelling house, town houses, block of flats or an institution.
Resort	The provision of temporary holiday accommodation and includes residential units/chalets, caravan sites, and camping areas, provided with water, sewerage and electricity connection points and associated ablution, communal kitchen, recreation and business facilities, and may include dwelling houses and offices for caretaker or administrative usage, hotel and guesthouse and may include a lodge. It may include a restaurant, place of refreshments, conference and function facilities. Resort development must be linked to a distinct resource/attraction that can be natural or man-made. It must adhere to the requirements of the South African Bureau of Standards (Publication SABS 092/1971 – Code of Practice for Caravan parks) as amended.

TERMINOLOGY	DEFINITION
Restaurant	A business that prepares and serves food and drinks and alcohol to customers (Sit-down Restaurant). Meals are generally served and eaten on the premises, but may also offer take-out (fast-food restaurant) and food delivery services. It may also include coffee-shops, cafeterias and tea gardens.
Retirement Resort	A group of free standing and/or attached residential units which provides housing to retired persons over 50 years of age and include facilities such as recreational, medical, dining hall, aid centre, tuck shop facilities, and other ancillary uses, which is secondary and related to the housing on the same site and which is provided exclusively for the benefit of the inhabitants.
Scrapyard	A site for the dismantling and storage of obsolete machinery, car wrecks, and used parts including the processing of such items or materials when located in an industrial area. Provided that the erf be enclosed by a wall to a height of at least 2.5m to the satisfaction of the Municipality.
Self-catering Unit	A Unit, either architecturally linked or detached, which mainly serves as a residency for overnight visitors and tourist's accommodation facility and where meals are prepared by the guests themselves.
Self-Storage Facility	One or more separate storage units with a maximum size of 36m² each, which shall be individually accessible and used primarily for the long and short term storage of household goods. Offices related to the use may be provided.
Service Infrastructure	The supply of infrastructure and rendering of engineering and associated services by the local authority or any other supplier or agent relating to water, electricity, sanitation, storm water management, refuse, telecommunication, and includes the land and buildings on which such infrastructure is located, as well as all related services and equipment for the installation, maintenance and proper functioning thereof.
Servitude	A limited real right registered in the Deeds Office against the title deed of a property in terms of which a burden is imposed on an immovable property restricting the rights, powers or liberties of its owner to a greater or lesser extent in favour of either another person or the owner of another property.
Show-grounds	Means land used for the display of items and staging of events for the duration of an exhibition, and includes entertainment, the sale of displayed items, foodstuffs and refreshments during such periods of exhibition, the occasional use of the area or building as a place of assembly and/or for public religious purposes and/or sport gatherings.
Side Boundary	Any boundary of an erf which is not a street boundary and rear boundary.
Sidewalk	A sidewalk is that portion of a road- or street reserve intended for the exclusive use of pedestrians, road traffic signage, lampposts and underground engineering- and telecommunication infrastructure.
Site Development Plan	A scaled and dimensioned plan that shows details of the proposed land development, including the site layout, positioning and size of buildings and structures, property access, building designs, parking, internal services, servitudes and landscaping.
Spatial Development Framework (SDF)	A spatial development framework that must be included in a Municipality's Integrated Development Plan in terms of Section 26(e) of the Municipality Systems Act and Chapter 4 of SPLUMA.
Spatial Planning Categories (SPCs)	Facilitating the land-use classification of the entire land surface of the Municipality in a standard format in accordance with a set of

TERMINOLOGY	DEFINITION
	dedicated set of categories as set out in Section 3 of the Municipal Land Use Planning Bylaw.
Special Use	Land and/or a building used for purposes not specifically defined in terms of any standard use zone and for which special conditions are to be formulated.
Sports and Recreational Facilities	Land and buildings used and equipped for practicing indoor and outdoor sports and making provision to accommodate spectators in an open-air or sheltered area, including ancillary uses such as administration offices and ablution facilities.
Statutory Protected Areas	Areas designated in terms of legislation for biodiversity conservation, defined categories of outdoor recreation and non-consumptive resource use. Conservation purposes are purposes normally or reasonably associated with, the use of land for the protection of the natural and/or built environment, including the protection of the physical, ecological, cultural and historical characteristics of land against undesirable change. This will include: • Wilderness Area • Special Nature Reserve • National Park • Nature Reserve • Protected Environment • Forrest Wilderness Area / Forest Nature Reserves • World Heritage Site • Mountain Catchment Area
Storage Yard	A yard in which materials, equipment and vehicles are stored, kept and maintained and may be covered, enclosed or screened.
Storey	The vertical space in a building between one floor lever and the following floor level or ceiling or roof above and as defined in the National Building Regulations and Build Standards Act 103 of 1997, as amended.
Street boundary	The cadastral boundary, as surveyed or proclaimed, between an erf and the adjoining public street.
Student Dwelling	A dwelling house or part thereof where a maximum of 10 bedrooms (depending on the size of the erf) are used for accommodation by a limited number of students receiving instruction at a place of education, subject to the provisions of Annexure D. Provided that all bedrooms shall form part of the main dwelling house, from where primary access to the bedrooms is provided.
Surveyor General Diagram	A diagram approved by the Surveyor General in terms of the Land Survey Act 8 of 1997, or any amendments thereof.
Tavern	A dwelling house or part thereof constructed, designed or adapted for use for social gatherings and for the consumption of liquor and the preparation and consumption of food, but shall not include the sale of any of the aforesaid items for consumption off the site, provided that the dominant use shall remain residential for the occupant of the said dwelling house and subject to the compliance of Health and Safety Bylaws.
Taxi Rank	A place where taxis park while waiting to be hired, and must include ablution facilities and small trading areas.
Telecommunication Infrastructure	Land or a portion of land accommodating any part of the infrastructure of a telecommunication network for radio/wireless communication including, voice, data and video telecommunications, which may include antennae; any support structure, equipment room, radio equipment and optical communications equipment provided by cellular network operators or any other telecommunication providers

TERMINOLOGY	DEFINITION
	and all ancillary structures needed for the operation of telecommunication infrastructure. Compliance with the Electronic Communication Act 36 of 2005, as amended, is required for all telecommunication infrastructure.
Temporary Structure	Any building or structure that is so declared by the owner and that is being used or is to be used for a specific purpose for a specified limited period of time, but does not include a builder's yard.
Townhouse	A group of detached and/or linked residential units of similar architectural character, each with a ground level, and with the necessary vehicle access areas and open spaces that constitute the complex. The residential units are sold by way of Sectional Title. The communal areas (vehicle access areas and open spaces) concerned are controlled by way of a body corporate of the owners/complex.
Traditional Settlement	Land under administration of a Traditional Leader which is reserved for the management of a dwelling and supporting uses, including cropping and grazing lands, livestock kraals and sheds for storing of farming equipment. It may include areas for traditional festivities and ceremonies. It may also include a compound for the residence of the royal family that includes uses for the administration of the traditional area. It may also include specific areas used for the collection of material such as firewood, traditional herbs, natural building materials and water.
Training Centre	A building or place where people undergo training to enhance certain skills.
Vehicle Showroom	A business directed towards the buying and selling of vehicles used for the transportation of people and goods as well as the sale of tractors, caravans and boats, but does exclude the sale of motor spares for such vehicles, the sale of fuel for any vehicle, the lubrication or repair of vehicles, or a scrap-yard.
Vehicle Workshop	A building used for the repair, servicing, washing, cleaning, panel beating or spray painting of motor vehicles and includes facilities connected with these activities including storage of fuel and lubricants, office, storeroom, workshop, grease pit and machinery.
Veterinarian Clinic	A site and/or building where animals receive medical treatment and may stay overnight if necessary, excluding kennels for long term accommodation.
Warehouse	A building used primarily for the storage of goods and includes businesses of a wholesale nature, but not retail.
Wholesale Warehouse	A building used for the bulk storage of goods and/or products, including the sale of such goods and/or products to bona fide dealers, retailers or bulk consumers.
Workers Dwelling	Residential facilities for an employee located on a farm or smallholding that is not the primary residence on a property and that is only occupied by persons engaged in rural or peri-urban occupations on that land, provided that a dwelling does not exceed 50m².
Zoning	A category regulating the development of land and setting out the purposes for which the land may be used development parameters applicable in respect of the said category.
Zoning Map	The series of maps on which the different land use zones are indicated and which forms part of this Scheme.

PART 3: STANDARD LAND USE ZONING CATEGORIES

12. LAND USE ZONE CATEGORIES

Land Use Zones are divided into **land use zoning categories** which specify the purposes for which buildings and land in each of the categories may be erected and/or used.

Within a specific Land Use Zone, "Permitted Land Uses" are allowed without any approval of the MPT of the Municipality.

Within a specific Land Use Zone, "Consent Land Uses" are allowed with the approval of the Authorised Employee, which is a **Registered Professional Town and Regional Planner**. If the Authorised Employee is not a Registered Professional Town and Regional Planner, the MPT must approve these applications.

All other buildings or land uses not included as permitted land uses or consent land uses may not be erected and/or used in the relevant land use zone.

Where, in any **Zoning Category**, it is intended to erect a building or use land for purposes of combining more than one land use on a property, the development parameters of the land use with the highest impact shall apply to the property (all buildings included), provided that the development parameters applicable to each individual land use are not exceeded.

13. SUMMARY OF LAND USE ZONINGS, PERMITTED AND CONSENT LAND USES (ACCORDING TO SPCs)

TABLE 2: SPATIAL PLANNING CATEGORIES (SPCs)

A	CORE	A.a Statutory Protected Areas
B	BUFFER	B.a Non-Statutory Conservation Areas B.b Ecological Corridors B.c Urban Green Areas
C	AGRICULTURAL AREAS	C.a Extensive agricultural areas C.b Intensive agricultural areas
D	URBAN RELATED	D.a Main Towns D.b Local Towns D.c Rural Settlements D.d Tribal Authority Settlements D.e Communal Settlements D.f Institutional Areas D.g Authority Areas D.h Residential Areas D.i Business Areas D.j Service Related Business D.k Special Business D.l SMME Incubators D.m Mixed Use Development Areas D.n Cemeteries D.o Sports fields & Infrastructure D.p Airport and Infrastructure D.q Resorts & Tourism Related Areas D.r Farmsteads & Outbuildings
E	INDUSTRIAL AREAS	E.a Agricultural industry E.b Industrial Development Zone E.c Light industry E.d Heavy industry E.e Extractive industry
F	SURFACE INFRASTRUCTURE & BUILDINGS	F.a National roads F.b Main roads F.c Minor roads F.d Public Streets F.e Heavy Vehicle Overnight Facilities F.f Railway lines F.g Power lines F.h Telecommunication Infrastructure F.i Renewable Energy Structures F.j Dams & Reservoirs F.k Canals F.l Sewerage Plants and Refuse Areas

(Source: FS PSDF, 2018)

The following is a Summary of the Land Use Zones, Permitted Land Uses and Consent Land Uses.

Each Land Use must be read together with the applicable Definition (Table 1) and the standard land development requirements (Table 4).

TABLE 3: SUMMARY OF LAND USE ZONINGS, PERMITTED AND CONSENT LAND USES

	SPC	Land Use Zone	Permitted Land Uses	Consent Land Uses
CONSERVATION ZONES	**A**	**CORE**		
	A.a	**Conservation** *(Read together with Overlay Zone 1)*	Statutory Protected Areas	As determined by the relevant Environmental Authority and the Municipality
	B	**BUFFER**		
	B.a	**Open Space 1**	Public Open Space	Community Gardens Telecommunication Infrastructure
	B.b	**Open Space 2**	Private Open Space Sports and Recreation Facilities	Telecommunication Infrastructure
	C	**AGRICULTURAL AREAS**		
AGRICULTURAL ZONES	C.a	**Agriculture** *(Read together with Overlay Zone 2)*	Agricultural Use Dwelling House Additional Dwelling House Workers Dwelling	As determined by the relevant Agricultural, Environmental Authority and the Municipality
	C.b	**Smallholding**	Dwelling House Additional Dwelling House Agricultural Use Workers Dwelling	Animal Establishment Caravan Park Guesthouse Home Industry Nursery Self-storage Facility Telecommunication Infrastructure
	D	**URBAN RELATED AREAS**		
RESIDENTIAL ZONES	D.a	**Residential 1**	Dwelling House Additional Dwelling House	Child Care Home Industry Place of Worship Student Dwelling Tavern Telecommunication Infrastructure
	D.b	**Residential 2**	Dwelling House Guesthouse	Telecommunication Infrastructure
	D.c	**General Residential**	Dwelling House Block of Flats Group Housing Guesthouse Lodge Maisonette Residential Building Retirement Resort Townhouse	Telecommunication Infrastructure
BUSINESS ZONES	D.e	**Business 1**	Business Building Block of Flats Boutique Hotel Hotel Medical Consulting Rooms Nursery Office Park Restaurant Training Centre Veterinarian Clinic	Bus Terminus Gymnasium Community Facility Place of Worship Taxi Rank Telecommunication Infrastructure
	D.f	**Business 2**	Filling Station	Business Building Restaurant Vehicle Showroom Vehicle Workshop Telecommunication Infrastructure

	SPC	Land Use Zone	Permitted Land Uses	Consent Land Uses
COMMUNITY ZONES	D.g	**Institution**	Institutional Use Community Facility Sports and Recreational Facilities	Telecommunication Infrastructure
	D.h	**Education**	Crèche Place of Education	Telecommunication Infrastructure
	D.i	**Religious Purposes**	Place of Worship	Crèche Telecommunication Infrastructure
	D.j	**Cemetery**	Cemetery Use	Telecommunication Infrastructure
AUTHORITY ZONES	D.k	**Government Purposes**	Government Use Training Centre	Municipal Use Vehicle Workshop Telecommunication Infrastructure
	D.l	**Municipal Purposes**	Municipal Use Storage Yard Training Centre	Government Use Informal Trading Area Renewable Energy Structure Telecommunication Infrastructure
	D.m	**Municipal Townlands**	Municipal Use Commonage Resort Showgrounds Sports and Recreational Facilities	Community Gardens Government Use Initiation School Telecommunication Infrastructure
TOURISM	D.p	**Leisure Residential**	Leisure Residential Dwelling	Telecommunication Infrastructure
	D.q	**Resort 1**	Resort	Telecommunication Infrastructure
	E	**INDUSTRIAL AREAS**		
INDUSTRIAL ZONES	E.a	**General Industry**	General Industrial Building Animal Establishment Auction Pen Business Building Funeral Parlour Government Use Municipal Use Nursery Scrapyard Training Centre Vehicle Showroom Vehicle Workshop Warehouse Wholesale Warehouse	Gymnasium Telecommunication Infrastructure
	E.b	**Noxious Industry**	Noxious Industrial Building	Telecommunication Infrastructure
	E.c	**Mining**	Mining Activities	As determined by the relevant mineral authority and the Municipality
	F	**SURFACE INFRASTRUCTURE & BUILDINGS**		
INFRASTRUCTURE ZONES	F.a	**Roads and Streets**	Municipal, Provincial & National Roads Private Street Public Road Public Street	Informal Trading Telecommunications Infrastructure
	F.b	**Transport**	Airfield and Infrastructure Bus Terminus Heavy Vehicle Overnight Facility Parking Area Railway Purpose Taxi Rank	Telecommunication Infrastructure
	F.c	**Infrastructure**	Service Infrastructure	Renewable Energy Structure
		Special Use	*(Read together with Schedule D)*	None

14. STANDARD LAND DEVELOPMENT REQUIREMENTS FOR EACH LAND USE ZONE

TABLE 4: STANDARD LAND DEVELOPMENT REQUIREMENTS FOR EACH LAND USE ZONE

CONSERVATION ZONES

CONSERVATION

ZONING REQUIREMENTS:				
Permitted Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Statutory Protected Areas	As determined by the relevant Environmental Authority and the Municipality	As determined by the relevant Environmental Authority and the Municipality	As determined by the relevant Environmental Authority and the Municipality	As determined by the relevant Environmental Authority and the Municipality
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
As determined by the relevant Environmental Authority and the Municipality	As determined by the relevant Environmental Authority and the Municipality	As determined by the relevant Environmental Authority and the Municipality	As determined by the relevant Environmental Authority and the Municipality	As determined by the relevant Environmental Authority and the Municipality
ADDITIONAL PROVISIONS:				
• Read together with Overlay Zone 1				

OPEN SPACE 1

ZONING REQUIREMENTS:				
Permitted Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Public Open Space	To Municipal satisfaction	Ground level	Street building line: 4m Side & rear spaces: 2m	Annexure A
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Community Gardens Telecommunication Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	Annexure A

OPEN SPACE 2

ZONING REQUIREMENTS:				
Permitted Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Private Open Space Sports and Recreation Facilities	To Municipal satisfaction	To Municipal satisfaction	Street building line: 4m Side & rear spaces: 2m	Annexure A
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Telecommunication Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	Annexure A

AGRICULTURAL ZONES

AGRICULTURE

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Agricultural Use Dwelling House Additional Dwelling House Workers Dwelling	To Municipal satisfaction	To Municipal satisfaction	Street building line: National Road: 60m Primary Road (P & A) 20m Secondary Road (S) 15m Tertiary Road (T) 15m Non-classified Farms Road 15m Servitude Road 15m Side- and rear spaces: 3m	Annexure A
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
As determined by the relevant Agricultural Authority and the Municipality	To Municipal satisfaction	To Municipal satisfaction	Street building line: National Road: 60m Primary Road (P & A) 20m Secondary Road (S) 15m Tertiary Road (T) 15m Non-classified Farms Road 15m Servitude Road 15m Side & rear spaces: 3m	Annexure A

ADDITIONAL PROVISIONS:

- As determined by the relevant Agricultural Authority and the Municipality.
- Read together with Overlay Zone 2.

SMALL HOLDING

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Dwelling House Additional Dwelling House	To Municipal satisfaction	Ground level plus 1	Street building line: 2m Side- & rear spaces: 1m	Annexure A
Agricultural Use Workers Dwelling	To Municipal satisfaction	Ground level plus 1	To Municipal satisfaction	
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Animal Establishment	50%	Ground level plus 1	To Municipal satisfaction	Annexure A
Caravan Park	30 stands/ha	To Municipal satisfaction		
Guesthouse	Maximum 10 rooms	Ground level plus 1		
Home Industry	150m²			
Nursery	50%			
Self-Storage Facility	50%	Ground level		
Telecommunication Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	

ADDITIONAL PROVISIONS:

- See ANNEXURE C for further development parameters for Additional Dwelling House.
- See ANNEXURE D for further development parameters for Home Industry

RESIDENTIAL ZONES

RESIDENTIAL 1

ERVEN SMALLER THAN 600m²

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Dwelling House Additional Dwelling House	60%	Ground level plus 1	Street building line: 2m Side- & rear spaces: 1m	Annexure A
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Child Care Student Dwelling	60%	Ground level plus 1	Street building line: 2m Side- & rear spaces: 1m	Annexure A
Home Industry Place of Worship Tavern	25%	Ground level		
Telecommunication Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction

ADDITIONAL PROVISIONS:

- See ANNEXURE C for further development parameters for Additional Dwelling House.
- See ANNEXURE D for further development parameters for Consent Uses.

ERVEN 600m² AND LARGER

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Dwelling House Additional Dwelling House	50%	Ground level plus 1	Street building line: 4m Side- & rear spaces: 2m	Annexure A
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Child Care Student Dwelling	50%	Ground level plus 1	Street building line: 4m Side- & rear spaces: 2m	Annexure A
Home Industry Tavern Place of Worship	25% or 50m²	Ground level		
Telecommunication Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction

ADDITIONAL PROVISIONS:

- See ANNEXURE C for further development parameters for Additional Dwelling House.
- See ANNEXURE D for further development parameters for Consent Uses.

RESIDENTIAL 2

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Dwelling House Guesthouse	50%	Ground level plus 1	Street building line: 4m Side- & rear spaces: 2m	Annexure A
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Telecommunication Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction

ADDITIONAL PROVISIONS:

- See ANNEXURE C for further development parameters for Guesthouse.

GENERAL RESIDENTIAL

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Dwelling House Guesthouse	50%	Ground level plus 1	Street building line: 4m Side- & rear spaces: 2m	Annexure A
Block of Flats	40%	Ground level plus 3		
Group Housing Lodge Maisonette Residential Building Retirement Resort		Ground level plus 1		
Townhouse		Ground level		
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Telecommunication Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction

BUSINESS ZONES

BUSINESS 1

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Business Building Office Park	CBD: 75% Other: 60%	To Municipal satisfaction	Street Building Line: CBD: 2m Other: 4m Side & Rear Spaces: CBD: 2m Other: 2m And to Municipal satisfaction	Annexure A
Boutique Hotel Hotel	40%	To Municipal satisfaction		
Block of Flats		Ground level plus 3		
Medical Consulting Rooms	60%			
Nursery Training Centre Restaurant	50%	To Municipal satisfaction		
Veterinarian Clinic		Ground level plus 1		
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Bus Terminus Taxi Rank	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	Annexure A
Gymnasium	60%		Street Building Line: 4m Side & Rear Spaces:2m	
Community Facility				
Place of Worship	50%			
Telecommunication Infrastructure	To Municipal satisfaction		To Municipal satisfaction	

BUSINESS 2

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Filling Station	85%	Ground level plus 1	Street Building Line: CBD: 2m Other: 4m Side & Rear Spaces: CBD: 2m Other: 2m	Annexure A
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Business Building	CBD: 75% Other: 60%	CBD: To Municipal satisfaction Other: Ground level plus 1	Street Building Line: CBD: 2m Other: 4m Side & Rear Spaces: CBD: 2m Other: 2m	Annexure A
Restaurant	50%	Ground level plus 1		
Vehicle Showroom	75%			
Vehicle Workshop				
Telecommunication Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	

COMMUNITY ZONES

INSTITUTION

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Institutional Use	To Municipal satisfaction	Ground level plus 1	Street building line: 6m Side- & rear spaces:2m	Annexure A
Community Facility	60%			
Sports & Recreational Facilities	50%	To Municipal satisfaction		
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Telecommunication Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction

EDUCATION

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Crèche	50%	Ground level	Street building line: 4m Side- & rear spaces: 2m	Annexure A
Place of Education		To Municipal satisfaction	Street building line: 6m Side- & rear spaces: 2m	
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Telecommunication Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	Annexure A

RELIGIOUS PURPOSES

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Place of Worship	50%	To Municipal satisfaction	Street building line: 6m Side- & rear spaces: 2m	Annexure A
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Crèche	50%	Double storey	Street building line: 4m Side- & rear spaces: 2m	Annexure A
Telecommunication Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction

CEMETERY

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Cemetery Use	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Telecommunication Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction

AUTHORITY ZONES

GOVERNMENT PURPOSES

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Government Use	70%	Ground level plus 1	Street building line: 4m Side & rear spaces: 2m	Annexure A
Training Centre	60%	Ground level plus 1		
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Municipal Use	70%	Ground level plus 1	Street building line: 4m Side- & rear spaces: 2m	Annexure A
Vehicle Workshop	75%	Ground level plus 1		
Telecommunication Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	

MUNICIPAL PURPOSES

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Municipal Use	70%	Ground level plus 1	Street building line: 4m Side- & rear spaces: 2m	Annexure A
Training Centre	60%			
Storage Yard	50%	Ground level		
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Government Use	70%	Ground level plus 1	Street building line: 4m Side- & rear spaces: 2m	Annexure A
Telecommunication Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	

MUNICIPAL TOWNLANDS

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Municipal Use Resort	70%	Ground level plus 1	Street building line: 4m Side & rear spaces: 2m	Annexure A
Sports & Recreational Facilities	50%	To Municipal satisfaction		
Commonage Showgrounds	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Government Use	70%	Ground level plus 1	Street building line: 4m Side & rear spaces: 2m	Annexure A
Community Gardens Initiation School Telecommunication Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	

TOURISM ZONES

LEISURE RESIDENTIAL

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Leisure Residential Dwellings	Annexure G	Ground level plus 1	Street/road building line in accordance with the requirements of the respective road authority. Side- and rear spaces: 3m	Annexure A
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Telecommunication Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	Annexure A

ADDITIONAL PROVISIONS:

- See ANNEXURE G for further development parameters for Leisure Residential.

RESORT 1

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Resort	Annexure H	To Municipal satisfaction	Street/road building line in accordance with the requirements of the respective road authority. Side- and rear spaces: 10m	Annexure A
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Telecommunication Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	Annexure A

ADDITIONAL PROVISIONS:

- See ANNEXURE H for further development parameters for Resort.

INDUSTRIAL ZONES

GENERAL INDUSTRY

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
General Industrial Building Auction Pen Business Building Funeral Parlour Vehicle Showroom Vehicle Workshop	60%	Ground level plus 1	Street Building Line: Office: 2m Industry: 4m Side & Rear Spaces: Office: 2m Industry: 2m	Annexure A
Scrapyard		Ground level		
Animal Establishment Training Centre	50%	Ground level plus 1		
Nursery		To Municipal satisfaction		
Government Use Municipal Use	To Municipal satisfaction	To Municipal satisfaction		
Warehouse Wholesale Warehouse	60%	Ground level plus 2		
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Gymnasium	60%	Ground level	Street Building Line: Office: 2m Industry: 4m Side & Rear Spaces: Office: 2m Industry: 2m	Annexure A
Telecommunication Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	

NOXIOUS INDUSTRY

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Noxious Industrial Use	60%	To Municipal satisfaction	Street Building Line: Office: 2m Industry: 9m Side & Rear Spaces: Office: 2m Industry: 2m	Annexure A
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Telecommunication Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	Annexure A

MINING

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Mining Activities	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	Annexure A
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
As determined by the relevant mineral authority and the Municipality	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	Annexure A

ADDITIONAL PROVISIONS:

- As determined by the relevant Mineral Authority and the Municipality.
- Read together with Schedule F.

INFRASTRUCTURE ZONES

ROADS AND STREETS

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Municipal, Provincial & National Roads Private Street Public Road Public Street	Not applicable	Not applicable	Not applicable	To Municipal and all relevant Departments satisfaction
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
None				

ADDITIONAL PROVISIONS:

- Detailed traffic impact assessment may be required by the Municipality or the applicable authority

TRANSPORT

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Airfield and Infrastructure Parking Area Railway Purpose Heavy Vehicle Overnight Facility	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	To Municipal and all relevant Departments satisfaction
Bus Terminus Taxi Rank	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	Annexure A
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Telecommunication Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	Annexure A

ADDITIONAL PROVISIONS:

- Detailed traffic impact assessment may be required by the Municipality or the applicable authority

INFRASTRUCTURE

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Service Infrastructure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	Annexure A
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**
Renewable Energy Structure	To Municipal satisfaction	To Municipal satisfaction	To Municipal satisfaction	Annexure A

SPECIAL USE ZONES

SPECIAL USE 1

ZONING REQUIREMENTS:

Permitted Uses	Coverage	Height	Building Lines	Parking
Consent Uses	**Coverage**	**Height**	**Building Lines**	**Parking**

ADDITIONAL PROVISIONS:

- Read together with Schedule D.

PART 4 MISCELLANEOUS

15. TRANSITIONAL ARRANGEMENTS

All land development applications submitted to the Municipality before the effective date, shall be finalised in terms of the legal land use or the relevant Scheme that governs such application at the time of submission, as far as it is not in conflict with this Scheme.

16. COMPLIANCE WITH THE SCHEME

The Mohokare Land Use Scheme is a statutory document compiled in terms of Chapter 5 of the SPLUMA, 2013 (Act 16 of 2013). The Scheme has the force of law, and all land owners and users of land, including a Municipality; a state owned enterprise and organs of state within the municipal area are bound by the provisions of this Scheme.

Any land use that commenced unlawfully, whether before or after the commencement of this Scheme, may not be considered to be lawful.

Nothing in the Scheme or in consent given in terms thereof shall be deemed to detract from any rights of the Mohokare Municipality possesses by virtue of any servitude, contract or agreement.

The Mohokare Municipality shall refuse its consent to anything requiring such consent, which in its opinion constitutes or facilitates an evasion of the intent and purpose of the Scheme or any of its provisions.

17. ENFORCEMENT OF THE SCHEME; INSPECTIONS; CONTRAVENTIONS AND FINES

Refer to the Municipal Land Use Planning Bylaw, "CHAPTER VIII – ENFORCEMENT".

18. LAND DEVELOPMENT APPLICATIONS

The Mohokare Municipal Land Use Planning Bylaw (date of By-Law), Chapter III and Chapter IV, are applicable to the municipal area that provides for all spatial planning and land use management activities, and outlines all related procedures pertaining to land development applications.

19. BUILDING PLANS AND OTHER PARTICULARS

The erection, structural changes, alterations or conversion of a building to an alternative use shall not commence until the Municipality has approved of the building plans as required in terms of the National Building Regulations and Building Standards Act 103 of 1977, or any amendment or review thereof: Provided that floor area and coverage calculations, Parking and a parking layout, where applicable, shall be indicated on such building plans.

20. ERVEN REGISTERED ON GENERAL PLANS AND SG DIAGRAMS BUT NOT PROCLAIMED OR REGISTERED AT THE REGISTRAR OF DEEDS

According to the Municipal Land Use Planning Bylaw (Section 22 – 24), an applicant must, after approval of an application, lodge general plans, diagrams and title deeds to be registered with the Surveyor General and the Registrar of Deeds within a prescribed period.

On the implementation date of this Scheme, there were erven registered on General Plans, but the proclamation was still in process or the applicant failed to lodge the relevant documents to the Registrar of Deeds. These erven are indicated as broken lines without a zoning on the Scheme Zoning Map to indicate the status of the land and to be aligned with the SDF.

PART 5: ANNEXURES

ANNEXURE A: STANDARD DEVELOPMENT PARAMETERS APPLICABLE TO ALL LAND USE ZONES

1. PARKING

1.1 PARKING AND LOADING REQUIREMENTS

Unless otherwise stated in this Scheme, the parking and loading requirements, as set out in this part of the Scheme, shall apply in all use zones.

- All parking and loading areas, parking and loading bays, access and manoeuvring areas shall be provided to the satisfaction of the Authorised Employee. In the event of any such aforesaid areas not being in conformity with the provisions of the Scheme, then, notwithstanding anything contained in any bylaw, no building plan shall be approved prior to the granting of such aforesaid approval from the Authorised Employee.
- A certificate of occupancy, as provided for in the National Building Regulations and Building Standards Act 103 of 1977, as amended, shall not be issued unless the vehicular parking and loading area, indicated in accordance with the provisions of the Scheme, on a relevant building plan, have been constructed and completed to Municipal satisfaction.
- All vehicle parking or loading bays, access and manoeuvring areas shall be in a good condition and maintained to the satisfaction of the Municipality.
- Every parking or loading bay required in terms of the Scheme shall be clearly marked and defined to the satisfaction of the Municipality.
- An area to be used for parking or loading shall be used for no purpose other than for parking or loading and any encroachment on such area for any other purpose which renders any portion of such area unfit for parking or loading, shall constitute a contravention of the Scheme.

1.2 MINIMUM ON-SITE PARKING

Any person intending to erect, alter or extend a building or develop or use any property for purposes of a land use which require vehicular parking to be provided, shall provide on-site parking within the boundaries of the relevant site in accordance with the standards and requirements set out in Table 5.

TABLE 5: MINIMUM ON-SITE PARKING

LAND USE	STANDARD PARKING REQUIREMENT
RESIDENTIAL	
Additional Dwelling House **Duet**	1 bay/100m² of total area of a dwelling house
Block of Flats	• 1 bay per unit (2 and less habitable rooms) • 1, 5 bays per unit (3 and more habitable rooms) • 0, 5 additional bays per unit for visitors
Boutique Hotel	1 bay per bedroom plus 10 bays per 100m² PAA
Camp Area (minimum of 15 stands)	1 bay per stand plus 0,5 bays per stand communal parking
Caravan Park (minimum of 15 stands)	1 bay per stand plus 0,5 bays per stand communal parking
Dwelling House	1 bay/100m² of total area of a dwelling house
Group Housing	1 sheltered bay plus 1 visitor bay per unit
Guesthouse	1 bay per bedroom
Hotel	1 bay per bedroom plus 10 bays per 100m² PAA
Leisure Residential Dwelling	2 bays per dwelling
Lodge	1 bay per bedroom plus 10 bays per 100m² PAA
Maisonette	1 sheltered bay plus 1 visitor bay per unit
Residential Building	0,6 bays per habitable room
Retirement Resort	1 sheltered bay plus 0,5 visitors' bays per unit
Student Dwelling	1 bays per student plus 0,5 bays per student for visitors
Townhouse	1 sheltered bay plus 1 visitor bay per unit
Workers Dwelling	To Municipal and relevant Department's satisfaction

BUSINESS AND OFFICE	
Auction Mart	2 bay per 100m² GLA (including outside exhibition areas)
Auction Pen	To Municipal and relevant Department's satisfaction
Business Building	4 bays per 100m² GLA with a minimum of 4 bays
Cafeteria & Tea Garden	8 bays per 100m² GLA with a minimum of 8 bays
Conference Facility	0,25 bays per seat or 20 bays per 100m² GLA, whichever is the greater
Fast-food Restaurant	12 bays per 100m² GLA
Gymnasium	6 bays per 100m² GLA
Home Industry on erven larger than 600m²	Minimum of 4 bays plus additional visitors parking to the satisfaction of the Municipality
Home Industry on erven smaller than 600m²	To the satisfaction of the Municipality
Nursery	1 bay per 100m² GLA with a minimum of 6 bays (including outside exhibition areas)
Office	4 bays per 100m² GLA with a minimum of 4 bays
Restaurant	8 bays per 100m² with a minimum of 8 bays
Veterinarian Clinic	2 bays per 100m² GLA with a minimum of 6 bays
PUBLIC FACILITIES	
Bus Terminus	4 bays per 100m² GLA
Cemetery Use	To Municipal satisfaction
Clinic	6 bays per 100m² GLA
Community Facility	6 bays per 100m² GLA
Crèche	6 bays per 100m² classroom area
Child Care	6 bays per 100m² classroom area
Hospital	6 bays per 100m² GLA
Institutional Use	4 bays per 100m² GLA
Medical Consulting Rooms	8 bays per 100m² GLA
Place of Assembly	1 bay per 4 seats or persons calculated at 1,4m² per person, whichever is the greater
Place of Education	2 bays per 15 children plus additional area for drop-off and pick-up to the satisfaction of the Municipality
Place of Worship	0,15 bays per seat or 14 parking bays per 100m² GLA, whichever is the greater
Taxi Rank	4 bays per 100m² GLA
Training Centre	1 bay per 4 seats or persons calculated at 1,4m² per person, whichever is the greater
Private Open Space	To Municipal satisfaction
Public Open Space	To Municipal satisfaction
Resort	1 bay per dwelling
Sports and Recreational Facilities	0.25 bays per seat or 20 bays per 100m² GLA, whichever is the greater
COMMERCIAL AND INDUSTRIAL	
Abattoir	1 bay per 100m² GLA
Animal Establishment	To Municipal satisfaction
Commonage	To Municipal satisfaction
Depot	2 bays per 100m² GLA
Filling Station	4 bays per service bay plus 2 bays per 100m² display, spares or sales area, together with vehicle queuing space to the satisfaction of the Municipality
Funeral Parlour	4 bays per 100m² GLA
Industrial Use	2 bays per 100m² GLA
Noxious Industrial Use	3 bays per 100m² GLA, with a minimum of 5 bays
Scrapyard	1 bay per 100m² GLA (Storage yard included in GLA)
Self-storage Facility	0,2 bays per 100m² GLA with a minimum of 4 bays
Storage Yard	1 bay per 100m² GLA with a minimum of 4 bays
Surface Mining	To Municipal and relevant Department's satisfaction
Underground Mining	To Municipal and relevant Department's satisfaction
Vehicle Showroom	2 bays per 100m² GLA with a minimum of 6 bays
Vehicle Workshop	4 bays per service bay plus 2 bays per 100m² display, spares or sales area
Warehouse	2 bays per 100m² GLA
Wholesale Warehouse	2 bays per 100m² GLA

OTHER FACILITIES	
Agricultural Use	To Municipal and relevant Department's satisfaction
Airfield and Infrastructure	To Municipal and relevant Department's satisfaction
Government Use	To Municipal satisfaction
Heavy Vehicle Overnight Facility	To Municipal and relevant Department's satisfaction
Initiation School	To Municipal and relevant Department's satisfaction
Mining Activities	To Municipal and relevant Department's satisfaction
Municipal Use	To Municipal satisfaction
Non-Agricultural Use	To Municipal and relevant Department's satisfaction
Non-Statutory Conservation Areas	To Municipal and relevant Department's satisfaction
Railway Purpose	To Municipal and relevant Department's satisfaction
Renewable Energy Structure	To Municipal and relevant Department's satisfaction
Roadside Stall	To Municipal and relevant Department's satisfaction
Statutory Protected Areas	To Municipal and relevant Department's satisfaction
Tavern	To Municipal satisfaction
Telecommunication Infrastructure	To Municipal and relevant Department's satisfaction

1.3 PARKING LAYOUT AND STANDARDS

An area to be used for parking shall be shown on all building plans, Site Development Plan, or any other plan required by the Municipality and shall be clearly defined and dimensioned.

Except, where in the Scheme it is otherwise expressly provided, on-site parking areas shall conform to the following minimum standards and dimensions listed below:

- A standard parking bay shall be 2,5m wide (plus an additional 1,0m for a parking bay for disabled persons), and 5,0m long with an aisle width of 7,5m behind the bay;
- The entrance to and exit from the parking area, as well as the location of the parking area shall be to the satisfaction of the Municipality;
- Parking bays must be individually accessible and vehicles shall be parked in such a way that each vehicle can be moved freely in and out of its parking bay in a single manoeuvre;
- The parking layout shall be so designed that structures such as columns, beams, walls, etc., which may not encroach into any parking bay, shall not obstruct the free manoeuvring of vehicles into and out of parking bays;
- In cases where a parking bay is provided adjacent to structures such as columns, beams, walls etc., where the opening of vehicle doors may be obstructed, an additional allowance of 0,35m in the width of the parking bay is required per side that is obstructed;
- A parking bay may not be located in such a way so as to obstruct the entrance to any building, the opening of windows, service areas or emergency equipment;
- The dimensions for queuing space to be provided at a car wash, fitment centre or any other drive-through facility, to the satisfaction of the Municipality.

1.4 PARKING FOR THE PHYSICALLY DISABLED

The Municipality may require parking that is capable of use by persons with physical disabilities to be provided on any land unit, in order to ensure easy and convenient access for such persons to services and facilities generally open to the public and to residential uses.

In any parking facility, serving the public, parking for persons with physical disabilities must be provided in accordance with the South African National Standard for Building Regulations (103/1977), as amended.

1.5 VEHICULAR ACCESS TO AND FROM A SITE

Except with the express approval of the Municipality:

- The vehicular access to and from a site shall be restricted to not more than 1 (one) combined vehicular access per site (entrance and exit), per street abutting the site;
- The minimum width of the vehicular access to and from a site, shall be 3,5m for residential erven and 5m for business erven or to the satisfaction of the relevant official acting under delegated powers;

- The minimum distance between the vehicular access and any street corner or adjacent vehicular access, shall be determined by the relevant official acting under delegated powers;
- The design of vehicular access to and from a site and the access control in relation thereto, shall be approved by the relevant official acting under delegated powers in accordance with the Municipality's latest policy document relating to access and parking standards.

The Municipality may restrict or prohibit access if, in its opinion, a pedestrian or traffic hazard is created or likely to be created.

2. BUILDING LINES AND BUILDING RESTRICTION AREAS

Unless otherwise stipulated, all properties are subject to building restriction areas, as defined by the specified building lines set out in Clause 14, Table 4.

A building line applicable to a property in this Scheme shall not be construed as to nullify the existence of a building line registered against the Title Deed of a property, laid down in terms of any other law, or imposed by any competent authority. If a property is subject to the existence of other building lines and where the specifications of such other building lines are different from those specified in this Scheme, then the most restrictive building line shall apply.

The Authorised Employee may, on receipt of a written consent application for relaxation, and in its discretion, relax a building line if compliance with the building line would seriously hamper the development of a property on account of the location, levels, shape, slope or size of a property, or adjoining land, or the location of existing buildings in relation to a building line, or any other special circumstances as determined by the Municipality.

The relaxation of building lines registered against the Title Deed of a property, laid down in terms of any other law, or imposed by any competent authority shall be considered by the relevant controlling Authorised Employee.

The controlling Authorised Employee shall not consider the relaxation of any building line, where such relaxation will, or is likely to be detrimental to the interest of the general public.

The Municipality shall keep a record of all building line relaxations approved by the Authorised Employee.

2.1 STREET BUILDING LINES

Road and Street building lines applicable to all properties are indicated in Clause 14, Table 4

No permanent structure, building or any part thereof may be erected closer to the road or street boundary or improvement line than the distance so indicated in Clause 14, Table 4.

The relaxation of road and street building lines registered against the Title Deed of a property, laid down in terms of any other law, or imposed by any competent authority shall be considered by the relevant Authorised Employee.

In accordance with the provisions of Clause 14, Table 4, the Authorised Employee may, except for National and Provincial roads, relax any road or street building line, following the application process as set out in Annexure D.

The controlling Authorised Employee shall not consider the relaxation of any road and street building line, where such relaxation will, or is likely to be detrimental to the interest of the general public.

2.2 SIDE AND REAR SPACES

Standard building lines applicable to the side and rear boundaries of a property are indicated in Clause 14, Table 4.

No permanent structure, building or any part thereof may be erected closer to the side and rear boundaries than the distance so indicated in Clause 14, Table 4.

The Municipality may, in its discretion, permit a permanent structure, building or any part thereof to be erected closer to any side or rear boundary than the distance specified in Clause 14, Table 4, provided that;

- In accordance with the provisions of Clause 14, Table 4, the controlling Authorised Employee may, relax any side or rear space, following the application process as set out in Annexure D.
- In respect of a relaxation to 0m, no windows or other openings may front towards such boundary;
- The owners of properties contiguous to the affected boundaries have indicated in writing that they would have no objection to such relaxation;
- The concerned boundary is not affected by the installation of existing or future municipal services; and
- At least one side boundary of not less than 1m in width is left open, providing access from the street to the rear space.

No side space is required on the common boundary in-between a semi-detached building in cases where erven are subdivided and the subdivision line thus divides the semi-detached building into two parts.

ANNEXURE B: MINIMUM PROPERTY SIZE AND DENSITY REQUIREMENTS

1. MINIMUM PROPERTY SIZE

The minimum size of any land when being subdivided or rezoned, may not be smaller than the minimum size as specified in Table 6, provided that, on merit and at the discretion of the Authorised Employee, a subdivision smaller than the minimum size may be permitted in the case where:

- Such a subdivision is simultaneously consolidated or notarial tied with adjacent land to ensure that the combined area conforms to the prescribed minimum size;
- Any existing natural feature or permanent physical barrier such as a river, road, street, railway line etc., creates a natural divide or separation of the property, preventing it from being used as a functional unit;
- Housing units in existing housing Schemes are being subdivided into residential erven, together with the necessary infrastructure;
- New erven are being created in accordance with a formal township establishment procedure after the effective date of commencement of this Scheme.

TABLE 6: MINIMUM ERF SIZES

LAND USE ZONING CATEGORY: URBAN RELATED ZONES	
LAND USE ZONE	**MINIMUM PROPERTY SIZE**
Residential 1	Erven smaller than 600m²: 250 m² Erven larger than 600m²: 600m² (panhandle excluded)
General Residential	2000m²
Boutique Hotel, Lodge Crèche	2000m²
All other Land Use Zones	To the satisfaction of the Municipality

2. DENSITY REQUIREMENTS

The standard density requirements applicable to land uses are specified in Table 7, in accordance with the relevant zoning category within which such a land use is located.

TABLE 7: STANDARD DENSITY RESTRICTIONS

SPECIFIED LAND USE	DENSITY RESTICTIONS
Group Houses	30 units per ha
Town Houses	30 units per ha
Maisonettes	40 units per ha
Retirement Village	30 units per ha
Block of Flats	100 units per ha
Residential Buildings	To be determined by Municipality
Leisure Residential Buildings	Maximum according to size of farm
Resort	Refer to Annexure H
Chalets	16 units per ha
Caravan Park	30 stands per ha

ANNEXURE C: ADDITIONAL DEVELOPMENT REQUIREMENTS APPLICABLE TO RESIDENTIAL PROPERTIES

1. ADDITIONAL DWELLING HOUSE

Notwithstanding any stipulation to the contrary in this Scheme, an additional dwelling house is permitted, subject to the following conditions:

- Only one additional dwelling house per property zoned "Residential 1", "Smallholding" and "Agriculture" shall be permitted
- The design and position of the additional dwelling in relation to that of the property shall be to the satisfaction of the Authorised Employee acting under delegated powers;
- Neither the dwelling house nor the additional dwelling house may be used for any purpose other than a dwelling house and the floor area of all the buildings may not exceed the coverage.
- In applying these stipulations under the Scheme, a workers dwelling for a *bona fide* labourer is not regarded as an additional dwelling house.
- On erven where a duet exist (sectional title erven) an additional dwelling house will not be permitted.
- No additional dwelling house will be permitted on erven where a guesthouse is established.

2. PANHANDLE ERVEN

The panhandle providing access to a panhandle erf is excluded for purposes of calculating the minimum size of a subdivision, unless a portion of the panhandle or any part thereof is suitable for development or wide enough to be included within the developable portion of the site.

The minimum width of a panhandle providing access to a panhandle erf shall be 3.5 metre for all "Residential 1" zoned erven.

Where an additional dwelling house is being intended on a panhandle erf, then, notwithstanding any other provision to the contrary in this Scheme;

- The minimum width of the panhandle shall be 5 metres; and
- The minimum developable area (panhandle excluded) shall be 1200m²;

The owner of a panhandle subdivision in respect of all "Residential 1" zoned erven shall, at his own cost, in the discretion of- and to the satisfaction of the Authorised Employee, provide a dust-free hard- or paved surface for the driveway portion located within the panhandle.

3. LETTING OF ROOMS

The letting of a maximum of 3 bedrooms of a dwelling house that is permanently inhabited by an owner of a property zoned "Residential 1", "Smallholding" and "Agriculture" shall be permitted as a **primary right** (without the consent of the Municipality or a rezoning).

The use shall not interfere with the amenity of the surrounding properties by virtue of noise, appearance, smell or any activities whatsoever that cause a public nuisance.

4. ERVEN ZONED FOR GUESTHOUSE

On erven zoned "Residential 2" applicable to guesthouses, the following are applicable:

- A guesthouse mainly serves as an overnight facility for visitors and tourists providing accommodation only for short periods and includes self-catering units and B&B.
- The Conference Facility area may not exceed a maximum of 40m².
- The coverage and parking requirements will determine the number of rooms in the guesthouse.
- No additional dwelling house will be permitted on erven where a guesthouse is established.
- No guesthouses will be allowed on panhandle erven.

ANNEXURE D: CONSENT USES

1. CONSENT USES

Any owner intending to apply to the Municipality for a consent use shall do it in the prescribed manner as provided for in the Municipal Land Use Planning Bylaw (Section 16, Category 1 and 2 applications).

1.1 HOME INDUSTRY (INCLUDING SPAZA SHOPS AND HOME OCCUPATION)

Notwithstanding any stipulation to the contrary in the Scheme, the Municipality, on receipt of a written application from the permanent resident of the property may, in its discretion, grant consent that the permanent resident of the property may conduct or carry out a home industry from the property, subject to the following conditions:

- Only one Home Industry will be allowed on a property zoned "Residential 1" and "Smallholding" and "Agriculture".'
- That consent for a home industry shall relate to the occupation or profession or business of the permanent resident only;
- The maximum permitted floor area of the home industry may not exceed 50m² or 25% of the total floor area of the residence, whichever is the smallest on erven zoned for "Residential 1". The maximum permitted floor area for a home industry on a small holding may not exceed 150m². The relevant Agricultural Authority and the Municipality will determine the size of the consent on Agricultural land.
- A consent for a home industry shall only be issued to a South African Citizen, 18 years or older.
- Sufficient services must be available for the approval of a consent use application, accompanied by a Services Report.
- The continued use of the property for residential purposes and the continued occupation by the permanent resident of the property;
- Not more than three additional employees, not residing permanently on the property, may be employed;
- The activities of the home industry be restricted to such hours of the day that it does not interfere with the normal tranquillity of the neighbourhood;
- Parking facilities shall be provided on site to the satisfaction of the Municipality.
- The display of notices or signs on the boundary fence or building, to indicate the name, profession or business logo and telephone number(s) of the permanent resident, shall be permitted to the satisfaction of the Municipality.
- The sale and consumption of liquor shall not be permitted from/on the premises whatsoever;
- The dwelling house shall not be used for uses such as motor sales, public garage, motor workshop, heavy mechanical repairs, spray painting, panel beating, restaurant, funeral parlour, or any other use as determined by the Municipality.
- A business such as a Spaza shop shall be conducted from a fixed structure for which building plans have been approved and it may include a container/s;
- All relevant legislation and other Council's bylaws shall be complied with to the satisfaction of the Municipality.
- A home industry shall be subject to inspections by authorized officials from the Municipality.

The Municipality may, within its discretion, set additional requirements or exempt certain home industries partly from the above mentioned requirements.

If any of the provisions relating to the consent uses are not being adhered to or if the activities being carried out become a source of disturbance or nuisance or danger to occupants of the surrounding properties, the Municipality may, out of its own conduct or upon request of a plaintiff, instruct the owner or occupant to terminates the home industry, after been given 30 days written notice of such determination of the consent.

1.2 CHILD CARE

- The Municipality may grant consent to establish a child care on an erf or site where a dwelling house has been erected, and which is zoned for "Residential 1".
- The Municipality shall not grant its consent in terms of sub-clause (1) unless there is sufficient area on site for the activities connected with the proposed child care including the necessary parking to the satisfaction of the Municipality, as well as the provisions for the dropping and collecting of children.
- The operating hours for a child care will be determined by the Municipality.
- Where six (6) children or fewer at any time are taken care of, such facility may be exempted from the requirements for a consent use.

1.3 PLACE OF WORSHIP

- The Municipality shall not grant a consent use to any place of worship where there is any interference with the amenities of the neighbourhood with regard to noise, parking, traffic, etc.
- All applications shall be accompanied by a Traffic Impact Study/Statement to address peak hour operations and sufficient parking on site.
- No applications shall be permitted within residential complexes.
- The operating hours/days will be determined by the Municipality.

1.4 STUDENT DWELLING

Notwithstanding any stipulation to the contrary in this Scheme, the Municipality may, in its discretion, and on receipt of a written application in respect of a property zoned "Residential 1", and on which a building has been erected and is in use for dwelling purposes, grant consent that the existing dwelling house on the relevant erf or small holding may be utilized for a student dwelling, subject to the following conditions:

- Consent for a student dwelling shall not be permitted on the same erf where a second dwelling house has been permitted;
- The maximum number of students permitted on a property shall not be more than;
  - 3 students for a property less than 600m²;
  - 6 students for a property larger than 600 up to 1,000m²;
  - 8 students for a property larger than 1,001m² up to 1,500m²;
  - 10 students for a property larger than 1,501m²;
- The aesthetical appearance of the building shall remain that of a dwelling house and no structural changes or alterations to the existing building shall be allowed where such changes will result in a change of the architectural character or aesthetical appearance of the building as a residence;
- No living room or similar common living areas may be converted into bedrooms;
- Sufficient onsite parking shall be provided on the property in accordance with the parking requirements set out in Annexure A, Table 5;
- The student dwelling shall, at all times, comply with applicable government regulations and Municipal bylaws relating to health, safety, fire, traffic, and the environment;
- A designated person or agent, whose particulars and contact details must be displayed on a visible sign on the premises, shall be responsible for managing and administering the student dwelling.

If any of the provisions relating to a student dwelling are not being adhered to or if the activities being carried out become a source of disturbance or nuisance or danger or nuisance to occupants of surrounding properties, the Municipality may, out of its own conduct or upon request of an objector or plaintiff, and after the Municipality has considered all facts;

- Impose additional conditions in order to minimise any potential nuisance to surrounding neighbours or the general public; or
- Withdraw and cancel its consent for the student dwelling after the owner of the property has been given 30 days written notice of such withdrawal or cancellation.

1.5 TAVERN

The operating of taverns is regulated in terms of the Free State Gambling and Liquor Act 6 of 2010, as amended.

In order for the Liquor Board to issue a permit for a liquor license, the Board requires proof of compliance with the Scheme by means of a zoning certificate (proof of consent use at "Residential 1"). The Municipality may consider a written consent per application, taken the following into consideration:

- The applicant must be the legal owner and permanent resident of the property;
- The owner of the tavern must be a South African citizen of 18 years or older;
- The extent and location of the business component must be clearly indicated on a site plan and must not exceed 25m² or 50% of the total floor area (whichever is the least), excluding toilets, restrooms and storage space;
- Any new structure or alteration to the existing house or outbuildings must fit in with the residential character of the relevant area;
- No more than three persons, including the occupant of the residence are permitted to be involved in the operation of the business activities on the relevant property;
- Taverns can only be operated from a structure approved in terms of the National Building Regulations and Building Standards and therefore no informal, temporary structures or containers can be permitted;
- All parking must be provided on the property in accordance with the Parking requirements as set out in Annexure A, Table 5, and to the satisfaction of the Municipality;
- No Tavern are permitted in flats or municipal rental units or allowed to encroach upon public open spaces or road reserves;
- Only one non-illuminated sign, which is fixed to the wall of the house or outbuilding, will be permitted and it is subject to the approval of the Municipality;
- The relevant sign may only indicate the name and nature of the business;
- The following are not permitted in a Tavern:
  - Storage or sale of any explosive or flammable goods;
  - Slot machines
  - Video games, gaming tables or a juke box;
- Safety and health regulations must be obeyed at all times;
- The Tavern/owner of the site must be in possession of a liquor licence as well as a competence certificate, issued by the Regional Health Practitioners of the Free State;
- Permission to operate a Tavern in terms of a consent use is granted to a specific person who operates from a designated property and it is not transferable;
- Applicants who cease to operate the business must inform the Municipality in writing;
- No activities which may cause a nuisance or disturbance to the residents in the neighbouring residential area are permitted;
- The trading hours of the tavern must adhere to the Municipal Liquor Trading Bylaw, and in the absence of the Municipal bylaw, comply with the trading hours as prescribed in the Free State Gambling and Liquor Act, as amended;
- There must be no record of any criminal activity on the property under application;
- Should the business cause a nuisance or criminal activity be reported after approval, the consent will be withdrawn;
- At the lapse of the consent (after 5 years), the applicant should re- apply to the Municipality for approval ;
- The Municipality reserves the right to impose any additional conditions and to rescind any approval in case of valid objections/complaints having been received or should the approval conditions not be complied with.

1.6 INITIATION SCHOOLS

Written consent for the practice of an initiation school may be considered by the Municipality. The Free State Initiation School Health Act 1 of 2004, as amended, will be applicable.

2. TEMPORARY AND OCCASIONAL CONSENT

Any owner intending to apply to the Municipality for a temporary and/or occasional consent use shall do it in writing.

An **occasional** consent refers to an application for the use of an erf/permanent structures for a period not longer than 5 days a period of no longer than 12 months in the case of a temporary use.

Notwithstanding anything to the contrary contained in this Scheme, the Municipality can give consent to the **temporary** use of any land or building within any land use zone, for the following:

- The establishment and the use of temporary buildings or the use of existing buildings for the purpose of site offices, store rooms, workshops, or such other uses as determined by the Municipality, where such consent will lapse after the completion of the permanent building.
- The use of land or buildings for state or municipal purposes provided that any such consent shall be of a period not exceeding 12 months.
- The **occasional use** of buildings or land for concerts, fairs, circuses, exhibitions, bazaars, public gatherings, markets, etc. may be permitted with the consent of the Municipality provided that:
  - The occasional use will not have a significant negative impact on the surrounding areas, or on a natural environment;
  - The occasional use is of a temporary and short nature, and may not occur for more than 5 days per month or more days as may be allowed by the Municipality; and
  - The occasional use conforms to the policies of the Municipality.
- Approval may be granted subject to , but not limited to, the following conditions:
  - The amount of parking and the number of ablution facilities requires;
  - The maximum duration or occurrence of the occasional use.
- The Municipality may issue a notice calling for compliance with conditions or for the ceasing of the occasional use or a temporary use by a specific date, where:
  - Conditions of approval are not met; or
  - Where a public nuisance is caused.

3. SPECIAL CONSENT

A special consent can be issued in writing by the Authorised Employee of the Municipality where the Authorised Employee is a registered Professional Town Planner for the relaxation of building lines and rooftop masts. In the absence of a registered Professional Town Planner, the special consent will be approved by the Municipal Planning Tribunal.

ANNEXURE E: ADVERTISING SIGNS

No signage or advertisements shall be displayed without the approval of the Municipality. Any person proposing to erect any sign, advertisement or hoarding, shall submit drawings of such sign or advertisement for approval. No advertisement shall be permitted which is likely to cause injury to the amenity of the neighbourhood. Nameplates not exceeding 0.2 m² in extent are not considered to fall under this heading. This annexure 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.

All outdoor advertising shall be in broad accordance with the South African Manual for Outdoor Advertising Control, 2010, as revised, and to the satisfaction of the Municipality.

ANNEXURE F: INCLUSIONARY HOUSING

Inclusionary Housing shall be provided in terms of the provisions of the SPLUMA and the relevant Municipal Land Use Planning Bylaw, as set out further in the municipal SDF detailed policy/s to be fully determined by the Council, which shall address the methodology for levying Inclusionary Housing contributions and the calculation thereof.

Inclusionary Housing applications will be considered as a "Special Use" zoning.

ANNEXURE G: ADDITIONAL PROVISIONES FOR LEISURE RESIDENTIAL

1. SUBDIVISION

- The area to be developed for leisure residential dwellings must be on its own registered entity – therefor an application for the subdivision of the farm must be submitted simultaneously with a rezoning application.
- The subdivided-portion must be registered simultaneously with the registration of the sectional title scheme.
- The sectional title development must function as a single entity.
- Only one subdivision of a specific farm is allowed for leisure residential development. The further development of the remainder of the farm for the purpose of leisure residential dwellings or a resort is not permitted.
- Reciprocal traversing rights related to the leisure resource (e.g. for game viewing, hiking, horse riding, fishing etc.) must be registered in the Deeds of Title for all sectional title units and for the Remainder.

2. COVERAGE, NUMBER OF DWELLINGS AND SIZE OF SUBDIVISION

- The coverage, maximum number of dwellings and the maximum size of the subdivision are determined by the size of the farm.
- The maximum area to be subdivided and rezoned for the development of the sectional title is 2 hectare per dwelling.
- If the farm on which development is intended falls within the following size ranges, the sectional title development have a maximum number of dwellings and a maximum size for the subdivision as listed in **Table 8** below:

TABLE 8: MAXIMUM SIZE AND NUMBER OF LEISURE RESIDENTIAL SUBDIVISIONS PER FARM

SIZE OF THE FARM	MAXIMUM NUMBER OF LEISURE RESIDENTIAL DWELLINGS	MAXIMUM SIZE OF SUBDIVISION
< 20 ha	2 dwellings	4 ha
21 – 100 ha	5 dwellings	10 ha
101 – 300 ha	10 dwellings	20 ha
301 – 500 ha	12 dwellings	24 ha
>501 ha	15 dwellings	30 ha

- Riparian land has in addition a maximum density of 1 dwelling per 10 metre waterfront with a minimum waterfront of 100 metres. The more restrictive density prevails.
- The Remainder of the riparian land, after the subdivision for the Leisure Residential development, must have a minimum waterfront of 100 metres.

3. MAXIMUM FLOOR AREA

The Maximum floor area per leisure residential dwelling is 500 m², including the outbuildings.

4. SUBDIVISION AND REZONING APPLICATIONS

For subdivision and rezoning applications, the following is a requirement:

- A comprehensive motivation report. The motivation must also include a motivation for (i) the leisure resource and (ii) the advantages of the proposed location of the dwelling houses.
- The relevant Agricultural Authority must provide positive comments prior to approval of the subdivision or rezoning.

- Environmental Authorisation by the relevant Environmental Authority.
- A Services Report
- A site development plan with an endorsement by an engineer regarding the 1:100 year flood line. If the land is not subject to such flood line, a professional engineer must endorse it to such effect.
- A Geotechnical Report.
- Any other documents as required by the Municipality.

5. DEVELOPMENT CONDITIONS

- Outbuildings must be linked to the main dwellings.
- The same architectural style and building materials must be maintained for all dwellings.
- Internal boundary fences are not allowed.

ANNEXURE H: ADDITIONAL PROVISIONS FOR RESORT DEVELOPMENT

1. LAND USE

The Resort 1 zoning is applicable in both urban- and agricultural areas.

2. SUBDIVISION OF AGRICULTURAL LAND

- The area to be developed for a resort must be on its own registered entity.
- Unless an entire farm will be utilised for the proposed resort, an application for the subdivision of the farm must be submitted simultaneously with an application for the change of land use.
- The relevant Agricultural Authority must provide positive comments prior to the approval of the subdivision of agricultural land for the purposes of a resort development.
- The subdivided portion may only be registered once there is proof that the resort has been developed. This is to prevent the subdivision of agricultural land in uneconomical agricultural portions (dispersion of agricultural land).
- Only one subdivision of a specific farm is allowed. The further development of the remainder of the farm for the purpose of a resort, leisure residential dwellings is not permitted.

3. REZONING APPLICATIONS

For rezoning applications, the following is a requirement:

- A comprehensive motivation report.
- If on Agricultural land, the relevant Agricultural Authority must provide positive comments prior to approval of the rezoning.
- Environmental Authorisation by the relevant Environmental Authority (if applicable).
- A Services Report
- A site development plan with an endorsement by an engineer regarding the high water mark (dams) and 1:100 year flood line (rivers). f the land is not subject to it, a professional engineer must endorse it to such effect.
- Development around dams should take place outside the regional maximum flood line for the specific dam which is generally greater that the 1:100 year flood line. Department of Water Affairs must authorize these developments.
- A Geotechnical Report (if applicable).
- Any other documents as required by the Municipality.

4. DENSITY

- **Holiday accommodation units/chalets:** A maximum of 16 units/chalets per usable hectare identified as accommodation area.
- **Holiday Rooms**: No restriction in the total number of rooms, provided that riparian land has a maximum density of 1 room per 10 meters waterfront.
- **Caravan stands:** A maximum of 30 caravan stands per usable hectare identified as the caravan park; a minimum usable area of a caravan stand is 120 m² and the distance between the edge of any caravan stand and any dwelling or other permanent building must be a minimum of 10 metre.

5. ASSOCIATED FACILITIES

- Utilisation of associated facilities such as conference facilities, restaurants and bars by the general public is subject to the consent of the Municipality.

PART 6: OVERLAY ZONES

Overlay zones provide a mechanism for land use management whereby the Municipality may give effect to specific guidelines contained in the SDF, other legislation or policy plans. Overlay zones are tools that indicate certain land uses that have cadastral /non cadastral description. Overlay zones contain additional information assisting decision-making bodies (MPT) with the interpretation, administration and use of this Scheme.

Overlay zones are being administered, maintained and updated and any additions, alterations or changes to these Overlay Zone Maps shall not constitute an amendment of the Scheme according to the stipulations as set out in Section 16 of the Municipal Land Use Planning Bylaw.

It outlines special provisions for e.g. heritage, environmental, agricultural consideration, etc.

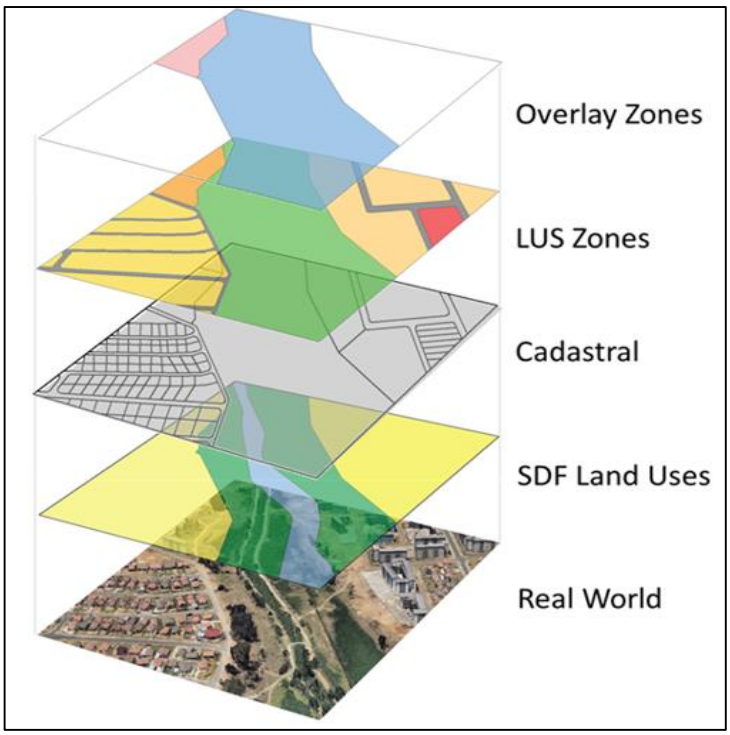
Overlay zones should guide authorities to where development can be allowed or not. Information is captured on these Maps and will guide the Municipality where to allow certain developments. In most cases certain legislation will guide development and the decision of the Municipality.

The provisions of an overlay zone may alter the development parameters relating to a particular area or land unit, or may set new development parameters which are more restrictive or more permissive than the provisions applicable to any of the base zones, and if such provisions of an overlay zone are different to, or in conflict with the provisions of a base zone, the more restrictive provisions shall apply, unless stated otherwise in the overlay zone concerned.

The provisions of more than one overlay zone may apply to a land unit or area concerned.

See Figure 1 below as an example of the position of an overlay zone in planning.

FIGURE 1: EXAMPLE OF AN OVERLAY ZONE



OVERLAY ZONE 1: ENVIRONMENTAL CONSIDERATIONS (CRITICAL BIODIVERSITY AREAS)

The main objective of this Overlay Zone is to:

- Protect the special natural and environmental characteristics of an area,
- Encourage a sensitive form of development for the development of the local and general population, including tourists,
- Promote sustainable development.

The land identified on the map is not the same as land which is public open spaces, but can be seen as land that is identified as ecologically sensitive systems or ecosystems that needs to be protected.

OVERLAY ZONE 2: AGRICULTURAL LAND USES

All properties in the Municipality that are registered in the Farm Register at the Deeds Office, are subject to the provisions of SPLUMA, as amended, Subdivision of Agricultural Land Act 70 of 70, as amended, and the Municipal Land Use Planning Bylaw.

The Overlay zone indicates High, Medium and Low potential agricultural land within the Municipality.

OVERLAY ZONE 3: SERVITUDES, LONG LEASE AREAS, SURFACE INFRASTRUCTURE

(ON LAND NOT SUBDIVIDED FOR IT)

Servitudes, long lease areas and surface infrastructure that indicate certain land uses that have no cadastral description – thus is not an erf entity on its own – will be indicated on an Overlay Zone.

This Overlay Zone will indicate servitudes, long lease areas and surface infrastructure (e.g. right of way, power lines, pipelines, etc.). Development could be restricted by these surface restrictions in accordance with the specific legislation/policies/guidelines.

OVERLAY ZONE 4: SPATIAL DEVELOPMENT FRAMEWORK

The SDF of is the strategic planning instrument that guides and informs all the planning and development decisions with regard to planning, management and development. The SDF does not grant the use of land, however, it see to achieve the following within the Municipality:

- Set out objectives that reflect desired spatial form of the Municipality
- Identify strategies and policies to achieve the objectives which indicate:
  - The desired pattern of land use
  - The direction of growth
  - Address spatial restoration
  - Provide strategic guidance in respect to location and nature of development
  - Set out basic guidelines for a land use management system
  - Provide a visual presentation of the desired spatial form of the Municipality

With the approval of the scheme and being operational, the spatial planning would be guided by the land use development principles, norms and standards. At the same time, the Land Use Scheme will direct and facilitate the use and development of land as per the prescriptions and procedures of SPLUMA. The SDF guide the future direction and location of land uses and there is a definite alignment with the Scheme.

PART 7: SCHEDULES

Schedules provides a mechanism for land use management through specific registers/lists. Schedules can indicate certain land uses that have cadastral/non cadastral description. They may contain additional information that may assist decision-making bodies (MPT).

Schedules are being administered, maintained and updated and any additions, alterations or changes to these schedules shall not constitute an amendment of the Scheme according to the stipulations as set out in Section 16 of the Municipal Land Use Planning Bylaw.

SCHEDULE A: REGISTER OF SCHEME AMENDMENTS

All amendments by rezoning and with the approval of the MPT for the amendment of the Scheme

PROPERTY DESCRIPTION	PREVIOUS ZONING	NEW ZONING	GAZETTE DATE

All amendments of the written Scheme and with the approval of the Municipality

CLAUSE	AMENDMENT	RESOLUTION DATE

SCHEDULE B: REGISTER OF CONSENT USES

PROPERTY DESCRIPTION	CONSENT DESCRIPTION	RESOLUTION DATE

SCHEDULE C: REGISTER OF CONSENT USES ON AGRICULTURAL LAND (PERMITS)

These permits were issued in terms of the Physical Planning Act 67 of 1991, as amended. It allows certain land uses, compatible with agricultural uses as secondary land uses on agricultural land that have no cadastral description – thus it's not an erf entity on its own.

Existing permits on agricultural land will be considered as a consent use as these permits already went through an application process in the past with the approval of the relevant Department's approval. If the permit was not been exercised in 2 years from issuing, the right to that secondary use is of zero value and can't be exercised. A new application needs to be submitted to the Municipality with the approval of the relevant Department.

PROPERTY DESCRIPTION	PERMIT DESCRIPTION	RESOLUTION DATE

SCHEDULE D: REGISTER OF "SPECIAL USE" ZONINGS

SPECIAL USE NUMBER	TOWN	PROPERTY DESCRIPTION	GAZETTE DATE

SCHEDULE E: REGISTER OF DECLARED PROVINCIAL HERITAGE SITES

Declared Heritage Sites will be according to the list provided by the relevant Provincial Heritage authority, as amended. The property description is not necessarily following cadastral boundaries.

TOWN	PROPERTY DESCRIPTION	TYPE

SCHEDULE F: REGISTER OF APPROVED MINING AREAS

Registered Mining Areas will be according to the list provided by the relevant Mineral authority, as amended. The property description is not necessarily following cadastral boundaries.

TOWN	PROPERTY DESCRIPTION	TYPE