

**MOLEMOLE
LAND USE SCHEME
2006**

MOLEMOLE LOCAL MUNICIPALITY

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PART I - GENERAL

1. RESPONSIBLE AUTHORITY

The Molemole Local Municipality or its successor in title shall be the authority responsible for the enforcing and execution of the provisions of this land-use scheme.

2. AUTHORITY OF LAND-USE SCHEME

This land-use scheme has been prepared in terms of the provisions of Section 18 of the Town Planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986), and will be the only land-use scheme for the municipal area as defined in Proclamation 484 of 28 February 2000, and any future amendment of the municipal area.

3. CONTENTS OF THE LAND-USE SCHEME

This land-use scheme is divided into two parts relating to the following matter, viz:

3.1 SCHEME CLAUSES

Part I: General.

Part II: Definitions.

Part III: General Conditions applicable to all properties.

Part IV: Interpretation of use zones and use of land and buildings.

Part V: Specific conditions and development criteria applicable to use zones.

Part VI: Special, written and temporary consent of the local municipality.

Part VII: Application of the scheme and powers of the local municipality.

3.2 THE MAP

4. TITLE OF LAND-USE SCHEME

This scheme shall be known as the Molemole Land-use Scheme, 2006.

5. AREA OF THE LAND-USE SCHEME

5.1 AREA

The area to which the land-use scheme applies is the area of the municipality as defined in par. 2 above.

5.2 ADMINISTRATION OF LAND-USE SCHEME IN AREA

5.2.1 The land-uses permitted are the use/s as depicted by the notations applicable to use zones on the map and in Part IV of the scheme clauses.

5.2.2 All land not depicted by a notation indicating a use zone as referred to in paragraph 5.2.1 above shall be deemed to be zoned and used for Agricultural use; provided that should any owner of land furnish proof of alternative rights obtained in terms of any previous lawful authority, such rights/uses shall be deemed to be legally obtained in terms of this scheme.

5.2.3 Clause 5.2.2 above shall be subject to the right of the local municipality to determine the use of land and land-uses, which is deemed to be agricultural in terms of the above, and shall be either a formal rural settlement, an informal rural settlement or a semi formal rural settlement, (where relevant) for which the land-uses to be permitted have not been depicted by notations for the use zones on the map as referred to in paragraph 5.2.1 above.

6. SUBSTITUTION

The Scheme substitutes any existing scheme in operation only regarding the relevant area of this Scheme and Regulations.

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

A consent granted by the local municipality by virtue of provisions of this scheme does not entitle any person the right to use any land, or to erect or use buildings thereon in any manner or for any purpose which is prohibited by the provisions of any condition registered against the title deed under which such land is held, or imposed by legislation in respect of such land.

PART II - DEFINITIONS

7. DEFINITIONS

In this Scheme, except where the context otherwise requires, or it is otherwise expressly provided, the following words and expressions have the respective meanings assigned to them herein and the plural and alternative gender forms shall denote the same meanings, as follows:

7.1 STATUTORY RELATED DEFINITIONS

- 7.1.1 **"ENVIRONMENTAL IMPACT ASSESSMENT" (EIA)** - Means a process of examining the environmental effects of development in terms of the requirements of The Environment Conservation Act, (Act No. 73 of 1989).
- 7.1.2 **"COMMUNAL PROPERTY ASSOCIATION"** - Means an association which is registered or qualifies for registration in terms of Section 8 of the Communal Property Registration Act, No. 28 of 1996.
- 7.1.3 **"CONTROLLING AUTHORITY"** - Means the controlling authority as defined in Section 1 of the Advertising on Roads and Ribbon Development Act, 1940 (Act 21 of 1940), or the Commission as defined in the South African National Roads Agency Limited and National Roads Act (act 70 of 1998), and other legislation applicable, as far as Town Planning is concerned, within the jurisdictional area of the local municipality as the case may be.
- 7.1.4 **"FACTORY"** - Means a factory as defined in the Act on Machinery and Professional Safety, 1983 (Act No. 6 of 1983) or any amendment thereof.
- 7.1.5 **"INTEGRATED DEVELOPMENT PLAN" (IDP)** - Means a participatory planning process aimed at developing a strategic development plan to guide and inform all planning, budgeting, management and decision-making in a municipality, in terms of the requirements of Chapter 5 of the Municipal Systems Act (Act 32 of 2000).
- 7.1.6 **"LAND-USE MANAGEMENT" (LUM)** - Means establishing or implementing any statutory or non-statutory mechanism in terms of which the use of land is or may be restricted or in any other way regulated.
- 7.1.7 **"LAND-USE SCHEME"** - Means a scheme which determines and regulates the use and development of land in an area in accordance with the Town Planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986) and is a component of land-use management.
- 7.1.8 **"LISTED ACTIVITIES"** - Means a development action that is likely to result in significant environmental impact as identified by the Minister of Environmental Affairs and Tourism in terms of Section 21 of The Environment Conservation Act, 1989 (Act No. 73 of 1989).

7.1.9 **"MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK" (SDF)** - Means the spatial development framework that must be included in a municipality's integrated development plan in terms of Section 26(e) of the Municipal Systems Act, (Act 32 of 2000).

7.2 GENERAL DEFINITIONS

7.2.1 **"ADDITIONAL DWELLING UNIT"** - Means a second dwelling unit on the same property provided that the total coverage does not exceed the prescribed coverage defined in Table "C" of the scheme.

7.2.2 **"AGRICULTURAL USE"** - Means land used or a building designed or used for the purposes such as, but not limited to ploughing, depasturing, horticulture, poultry farming, dairy farming, breeding and keeping of livestock, apiaries, forestry, mushroom and vegetable production, flower production, orchards and any other activity commonly connected with farming or associated therewith, and include the sale of own produced goods. It includes only one main dwelling unit and associated farm settlement.

7.2.3 **"ANNEXURES"** - Means documents comprising of provisions, inter alia, special rights and conditions applicable to those properties shown on the A series of the map by encircled figures.

7.2.4 **"AREA OF THE SCHEME"** - Means the area described in Clause 5 of the scheme and as shown on the map.

7.2.5 **"BAKERY"** - Means a building in which bread, rusks, biscuits, pies, pastries, confectionery and other baked products are produced in bulk for distribution to wholesalers and/or retailers, as well as such retail as may be approved by the local municipality.

7.2.6 **"BASEMENT"** - Means any floor of a building situated under the ground floor, beneath the natural horizontal ground level of the area.

7.2.7 **"BIOSPHERE"** - Means land or an area/s of terrestrial ecosystems, or a combination thereof within which land-use and resource management are undertaken to enhance conservation and development objectives.

7.2.8 **"BUILDING"** - Means and includes structures or constructions of any nature whatsoever.

7.2.9 **"BUILDING LINE"** - Means a line indicating the limits of a building restriction area as measured from a street boundary or other boundary of a property which does not border on a street and which, at a fixed distance from such boundary, runs parallel to such boundary.

7.2.10 **"BUILDING RESTRICTION AREA"** - Means an area wherein no building, except those permitted in the scheme, may be erected.

7.2.11 **"BUILDERS YARD"** - Means land or buildings which are used for the storage of materials:

7.2.11.1 Materials which: -

- (a) are commonly used for building work; or
- (b) resulted from demolition or excavation works; or
- (c) are commonly used for other civil engineering works such as installation of services;

7.2.11.2 Vehicles and implements necessary or ancillary to the works and services referred to in Clause 7.2.11.1; and

7.2.11.3 May include administrative offices incidental to the above-mentioned uses.

7.2.12 **"BUSINESS TAVERN"** - means land or a building designed for or a portion of a building used for the purposes of selling and serving liquor, other beverages and prepared food / snacks, to be consumed on the property.

7.2.13 **"CARAVAN PARK"** - Means land provided with adequate ablution facilities for the temporary accommodation of mobile caravans and/or tents.

7.2.14 **"COMMERCIAL USE"** - Means uses such as distribution centres, wholesale trade, storage, warehouses, cartage and transport services, laboratories and computer centres and may include offices that are subordinate and complementary to the commercial use of the land.

7.2.15 **"CONFERENCE FACILITY"** - Means a building designed for use or used as a temporary lecture hall, training facility, conducting of workshops, meetings, conferences, symposiums and related uses, but does not include "Institution" and "Place of Instruction". The area used for a conference facility may be restricted by the local municipality, and is further subject to the policy of the local municipality as amended from time to time.

7.2.16 **"CONSENT USE"** - Means the consent of the local municipality in terms of Table "A" to be read in conjunction with Clauses 20, 21 and 23.

7.2.17 **"CONSERVATION PURPOSES"** - Means purposes normally or otherwise reasonably associated with the use of land for the preservation or protection of the natural or built environment, including the preservation or protection of the physical, ecological, cultural or historical characteristics of land against undesirable change or human activity.

7.2.18 **"COVERAGE"** - Means the area of a property covered by buildings as seen vertically from above and expressed as a percentage of the area of the erf, but excluding a structure without a roof or covered by hailnet.

7.2.19 **"DISPENSING CHEMIST"** - Means an enterprise supplying only medicine as defined in the Act on the Control of Medicine and Related Material, 1965 (Act No. 101 of 1965), as amended, as prescribed by a registered medical practitioner only.

- 7.2.20 **"DWELLING OFFICE"** - Means an existing dwelling unit that is converted and used as an office, provided that the elevation treatment of the buildings maintain a residential character and appearance complementary to the environment, and is also in accordance with the policy of the local municipality.
- 7.2.21 **"DWELLING UNIT"** - Means an interconnected suite of rooms which does not include more than one kitchen, designed for occupation and use by a single family or extended family and which may include such outbuildings and servants quarters as are ordinarily incidental thereto.
- 7.2.22 **"ERF"** - Means land in an approved township registered in a deeds registry as an erf, lot, plot or stand or as a portion of the remainder of any erf, lot, plot or stand or land indicated as such on the general plan of an approved township, and includes any particular portion of land laid out as a township which is not intended for a public open place, whether or not such township has been recognised, approved or established as such in terms of relevant legislation; as well as any portion of land identifiable by means of boundaries or beacons within rural settlements.
- 7.2.23 **"EXISTING USE"** - Means the otherwise legal use of land and/or buildings exercised on or before the fixed date and which is contradictory to the stipulations of the scheme.
- 7.2.24 **"FILLING STATION"** - Means land used or a building designed or used for fuelling, washing, polishing and lubricating of motor vehicles, as well as for emergency repairs to vehicles, but excluding a "Public Garage", panel beating, spray painting or any major repair work and can include the retail trade of emergency spare parts, as a complimentary subservient service. A Convenience Store not exceeding 250m² is permitted as a primary right.
- 7.2.25 **"FIXED DATE"** - Means the date on which the local municipality gives notice in the Provincial Gazette that this scheme is in operation.
- 7.2.26 **"FLAT"** - Means a group of dwelling units contained in a building(s) with a communal entrance.
- 7.2.27 **"FUNERAL PARLOUR"** - Means a building used or designed for use as a mourning or funeral chapel and includes such other buildings designed for use in connection therewith and which is normally ancillary to or reasonably necessary for the business of a funeral undertaker, but shall exclude a crematorium.
- 7.2.28 **"GAME RESERVE"** - Means land or a place reserved for wild life; exclusive occupation and use.
- 7.2.29 **"GROSS FLOOR AREA"** - Means the sum of the total area covered by a building at the floor level of each storey: Provided that in calculating the floor area, the floor area for parking and vehicle manoeuvring area be excluded.

- 7.2.30 **"GROSS LEASIBLE FLOOR AREA"** - Means floor area that is designed for the occupation and control by a tenant, or that is suitable therefore, measured from the centre line of joint partitions and the internal surface of external walls.
- 7.2.31 **"GROUND FLOOR"** - Means the storey of which the floor is on the lowest natural ground level.
- 7.2.32 **"GROUP HOUSING"** - Means a group of detached and / or attached dwelling units on a stand or stands that form an integrated, harmonious and architectural unit and include concepts like group housing, townhouses, simplexes, duplexes and all such development, but excludes uses included in the definition of "Dwelling Unit", "Residential Building" or "Flat".
- 7.2.33 **"GUEST HOUSE"** - Means a household enterprise which, with the special consent of the local municipality, can be conducted from rooms, or a dwelling unit without a kitchen of its own and which forms part of a permanently occupied dwelling unit, used for the accommodation of not more than six visitors on a temporary basis.
- 7.2.34 **"GYMNASIUM"** - Means a business where people do physical and aerobic exercises with or without apparatus.
- 7.2.35 **"HEIGHT"** - Means the height of the building expressed in the number of storeys.
- 7.2.36 **"HOTEL"** - Means an accommodation enterprise which includes places of entertainment and restaurants and is also licensed in terms of the Liquor Act, 2003 (Act No. 59 of 2003) and may also include conference facilities.
- 7.2.37 **"HOUSEHOLD"** - Means a group of persons regarded as a domestic unit in terms of legislation, common law or customary law.
- 7.2.38 **"HOUSEHOLD ENTERPRISE"** - Means a small scale enterprise which is used by the occupant for the conduct of a practice or occupation with the aim of deriving income there from and which is practiced by a maximum of three (3) persons, of which at least one is a full time resident of the property, from a dwelling unit in such a way that the residential character and primary use of the dwelling unit and environment shall not, in the opinion of the local municipality, be in any way harmed or changed. No retail trade is permitted from the property.
- 7.2.39 **"INFORMAL BUSINESS"** - Means the conducting of a business which, with the consent of the local municipality after consultation with the adjacent owners, is conveyed from place to place, whether by vehicle or otherwise, in a street or at any other place accessible to the public, at any open property or in, on or from any vehicle or moveable structure, subject to such requirements laid down by the local municipality.

- 7.2.40 **"INFORMAL STRUCTURE"** - Means a residential shelter of a temporary nature that does not comply with the provisions of the Act on National Building Regulations and Building Standards, 1977 (Act No. 103 of 1977) and any amendments thereof.
- 7.2.41 **"INDUSTRY"** - Means the use of land or a building for a factory, distributing depot, wholesale, storage, warehouse for the storage of wholesale merchandise, carting and transport services, laboratories, workshop and motor workshop and may also include offices which are normally associated with or which are reasonably essential for the main use.
- 7.2.42 **"INSTITUTION"** - Means a building designed to be used as a charitable institution, hospital, nursing home, old age home, clinic, sanatorium, either public or private but excludes institutions used mainly as offices or for administrative work, and may, with the permission of the local municipality include activities which is directly related to and subservient to the main use.
- 7.2.43 **"KENNELS"** - Means land used for the purpose of keeping, breeding, accommodating and lodging any domestic animal.
- 7.2.44 **"KIOSK"** - Means a building designed and use for the preparation or retail sale of meals and refreshments as well as the retail sale of cold drinks, tobacco, reading material and sweets. Cafeteria has a similar meaning.
- 7.2.45 **"LAND"** - Also includes any improvements on land, any interest in land as well as land covered by water, and property shall have a corresponding meaning.
- 7.2.46 **"LOADING SPACE"** - Means a rectangular area of not less than 3m by 16m in size.
- 7.2.47 **"LOCAL MUNICIPALITY"** - Means the Molemole Local Municipality and/or any employee in his service to whom the authority is delegated.
- 7.2.48 **"MAP"** - Means the scheme map (also marked Map 3) as amended from time to time.
- 7.2.49 **"MEDICAL CONSULTING ROOMS"** - Means a building designed or adapted as professional rooms for medical practitioners including general practitioners, medical specialists, pathologists, radiologists, dentists, ophthalmologists and similar uses such as veterinary surgeons, and may include a dispensing chemist not exceeding 20m² but not uses included in the definition of "Institution".
- 7.2.50 **"MINING AND QUARRYING PURPOSES"** - Means land where the extracting of minerals occurring naturally, for example solids such as coal and ores; liquids such as crude petroleum and gasses such as natural gas. Mining includes underground and surface mines, quarries and the operation of oil and gas wells and all supplemental activities for dressing and beneficiating ores and other crude materials such as crushing, screening, washing,

cleaning, grading, milling, flotation, melting, refining, pelleting, topping and other preparation needed to render the material marketable. It also includes all associated works such as rock dumping, tailing dams, workshops and buildings for mining purposes. Reclamation of minerals from mine dumps and worked out mines is included.

- 7.2.51 **"MINING 2"** - Means land with ore bodies and/or mineral potential/occurrences with or without mining rights in terms of existing mining and mineral legislation. The minerals are therefore likely to be extracted in future.
- 7.2.52 **"MINOR STRUCTURAL CHANGES"** - Means small structural changes to an existing building for which a building plan is not a requirement.
- 7.2.53 **"MOBILE DWELLING UNITS"** - Means a prefabricated mobile unit of an interconnected set of rooms that does not include more than one kitchen and is designed for use by a household and which is moveable.
- 7.2.54 **"MUNICIPAL PURPOSES"** - Means such use of land for which the local municipality is authorised in terms of any law.
- 7.2.55 **"NATIONAL PARK"** - Means a natural area of land designated to:
- (a) protect the ecological integrity of one or more ecosystems for present and future generations;
 - (b) exclude exploitation or occupation inimical to the purposes of designation of the area; and
 - (c) provide a foundation for spiritual, scientific, educational, recreational and visitor opportunities, all of which must be environmentally and culturally compatible.
- 7.2.56 **"NATURAL HERITAGE SITE"** - Means land or an area declared in terms of the relevant Act to protect, preserve, and / or manage localised provincially significant natural features due to their special interest or unique characteristics; these are relatively small areas focused on the protection of specific features, species, natural landscapes and biotic communities occurring on any private, communal or state land.
- 7.2.57 **"NATURE RESERVE"** - Means an area of land possessing some outstanding or representative ecosystems, geological or physiological features and/or species where wild life is left undisturbed by man.
- 7.2.58 **"NOXIOUS INDUSTRY"** - Means an industry which is listed in **Schedule 1** to the scheme.
- 7.2.59 **"NURSERY"** - Means a business where plants or seeds are cultivated, grown and sold, and includes the selling of products or items that are related to horticulture.
- 7.2.60 **"OFFICE"** - Means a building or part thereof, designed or used for administrative, professional and related purposes, including a bank,

insurance company, building society, medical consulting rooms and related offices or rooms.

7.2.61 **"OCCUPANT"** - Means in relation to any building, structure or land includes the following: Any person actually occupying such building, structure or land or is legally entitled to occupy it, or anybody having the authority to manage such property, and includes the agent of such a person who is absent from the area or whose whereabouts are unknown.

7.2.62 **"OUTBUILDING"** - Means a building which, in the opinion of the local municipality, is usually functionally necessary but subordinate to the use of another building, permitted as a use in terms of Table "A" on the same property.

7.2.63 **"OVERNIGHT ACCOMMODATION"** - Means a residential unit or rooms with or without kitchen, used for provision of temporary accommodation to persons.

7.2.64 **"OWNER"** - In relation to the property:

- (a) the registered owner; or
- (b) where such a person is deceased, insolvent, mentally disordered or defective, a minor, or under any legal disability, the person in whom the administration of that person's or holder's estate is vested, whether as executor, guardian or in any other whatsoever; or
- (c) the occupant, or the lessee by virtue of a lease which is registered by law; but not for purposes of lodging an application in terms of the provisions of this scheme; or
- (d) when an owner, as defined above is absent from the area or his address unknown, "owner" shall mean an agent of such an owner or any person that receives rent or that is entitled to rent in respect of the premises;
- (e) de facto occupant but not for purposes of lodging an application in terms of the provisions of this scheme; or
- (f) also the holder of any right in land whether registered or unregistered, and may include the interest of a labour tenant and sharecropper, a customary law interest, the interest of a beneficiary under a trust arrangement and beneficial occupation for a continuous period of not less than 10 years prior to the dispossession in question.

7.2.65 **"PANEL BEATER"** - Means the replacement, reparation and/or panel beating of the body and spare parts of vehicles and the spray painting thereof.

7.2.66 **"PANHANDLE"** - Means the access section of a panhandle erf, which section must be at least 3m wide provided that this section is not considered as a part of the erf for the purpose of this scheme.

7.2.67 **"PARKING AREA"** - Means parking and manoeuvring space necessary to provide traffic with access and parking space as well as efficient connection with the adjoining street.

- 7.2.68 **“PLACE OF AMUSEMENT”** - Means land used or a building designed for or used as a public hall, theatre, cinema, music hall, concert hall, billiards saloon, sports arena, skating rink, dance hall, or for other recreational purposes, or for trade- or industrial exhibitions or for pinball games with more than three (3) machines.
- 7.2.69 **“PLACE OF INSTRUCTION”** - Means a building designed for use as a school, college, technical or academic institution, crèche, lecture hall, nursery school, after school care centre, or other educational centre and a hostel in connection therewith and includes a convent or monastery, a library, art gallery and a museum.
- 7.2.70 **“PLACE OF REFRESHMENT”** - Means a drive-in restaurant, café, tea-room or coffee shop, being a building other than a hotel, residential club, or boarding house, designed and used for the preparation or retail sale of meals and refreshments as well as the retail sale of fresh produce, cold drinks, tobacco, reading material and sweets.
- 7.2.71 **“PRIMARY RIGHT”**: Means the uses permitted in terms of Table “A”.
- 7.2.72 **“PRIVATE CLUB”** - Means land used or a building designed or used for the private gathering of a group of persons being members of that club with a common objective.
- 7.2.73 **“PRIVATE OPEN SPACE”** - Means land zoned or used as a sport-, play-, rest- and recreational ground or as an ornamental or pleasure garden and a tearoom / restaurant, to which, without permission, the general public has no right of admission.
- 7.2.74 **“PROTECTED AREA”** - Means land or an area described in terms of the relevant Act that will substantially promote the preservation of specific ecological processes, natural systems, natural beauty or species of indigenous wildlife or the preservation of biotic diversity in general with the nature primarily orientated to support sustained economic activities. Such area may comprise private, communal, or state land or any combination thereof which is contractually developed and managed with joint resources for conservation, education, recreation and sustainable resource utilisation purposes.
- 7.2.75 **“PUBLIC OPEN SPACE”** - Means any land zoned for use by the general public as an open space, park, garden, recreation site, sport field or square.
- 7.2.76 **“PUBLIC GARAGE”** - Means a building used for the maintenance, repair or fuelling of vehicles and associated purposes, and may include a vehicle workshop, the display and sale of new and used motor vehicles, the cleaning and washing thereof, the sale of spare parts, accessories, fuel and lubricants and may also include a place of refreshment and convenient store as subservient use but excludes spray-painting, panel beating or a scrapyard, provided that the convenience store or place of refreshment, including store rooms, shall not exceed 250m².

- 7.2.77 **"PUBLIC WORSHIP"** - Means a building designed for use or used for religious purposes such as a church, chapel, oratory, prayer house, mosque, synagogue or other place of public devotion, and includes a building designed to be used as a place of religious instruction.
- 7.2.78 **"QUARRYING"** - Means land used for the purposes as described in terms of the definition "Mining 1 and Quarrying".
- 7.2.79 **"RAILWAY PURPOSES"** - Means the use of land or a building designed or used for rail and/or incidental or related railway uses.
- 7.2.80 **"RESIDENTIAL BUILDING"** - Means a building, other than a "dwelling unit", group housing, hotel, flat and institution, that is designed for and used as a boarding house, residential club, hostel, residential hotel or rooms to let.
- 7.2.81 **"RESIDENTIAL TAVERN"** - means a building designed for or a portion of a dwelling unit used for the purposes of selling and serving liquor, other beverages and prepared food / snacks, to be consumed on the property, subservient to the residential use of the property remains the primary use of the property. The area used for a tavern shall not exceed a total floor area of 50m² and is further subject to the policy of the local municipality as amended from time to time.
- 7.2.82 **"RESORT"** - Means a place frequented by people for relaxation or recreation - for a specified purpose or quality (i.e. health, holiday, mountain resort). Specialised resorts (i.e. youth camps, church, cultural). Picnic resorts, holiday towns and hotels/motels, rest camps, camping. [Nature, water, historically (i.e. mining towns, trading posts, trek routes, old bridges) orientated].
- 7.2.83 **"RESTAURANT"** - Means a building or part of a building used for the preparation and sale of meals and refreshments, confectionery for consumption on the erf of the property and includes entertainment subsidiary to the main use and can include a place of refreshment, as well as a drive-through restaurant.
- 7.2.84 **"RETAIL TRADE"** - Means any trade other than "Wholesale trade" as defined in this scheme.
- 7.2.85 **"RETIREMENT VILLAGE"** - Means and includes dwelling units and community facilities such as a dining hall, sick-bay, sport and recreation facilities or such other facilities, approved by the local municipality, for occupancy and use by elderly people.
- 7.2.86 **"RURAL GENERAL DEALER"** - means a building or part of a dwelling unit used for the purposes of selling and providing basic groceries (daily convenience goods) and fresh produce, excluding alcoholic refreshments. The area used for the rural general dealer shall not exceed a total floor area of 30m².

7.2.87 **"RIGHTS"** - Means land use rights obtained in terms of this scheme.

7.2.88 **RURAL SETTLEMENT TYPES:**

7.2.88.1 **"FARM SETTLEMENT"** - Means the use of land for homesteads for people living on a commercial farm and is directly associated with the farming activities related to the particular farm, subject to the policy of the local municipality as amended from time to time.

7.2.88.2 **"FORMAL RURAL SETTLEMENT"** - Means a settlement which is planned and surveyed (General Plan). A formal rural settlement can be handled in the same manner as a proclaimed township.

7.2.88.3 **"INFORMAL RURAL SETTLEMENT"** - Means a settlement situated either on private, tribal or state land. Settlement is not planned or surveyed. Management is done by a communal property association or tribal authority or local municipality.

7.2.88.4 **"SEMI FORMAL RURAL SETTLEMENT"** - Means a settlement situated either on private, tribal or state land. Settlement is planned and surveyed (mostly not a general plan). Management is done by a communal property association or tribal authority or local municipality.

7.2.89 **"SCHEDULES"** - Means a supplement(s) to the scheme containing special procedures and/or some areas or properties to which specific rights or provisions are applicable and such schedules may from time to time be amended by the local municipality. Where any discrepancy exists between the Schedules and the provisions of the Clauses and tables, the most prohibitive conditions shall prevail.

7.2.90 **"SCHEME"** - Means this land-use scheme in operation and includes the clauses, map 3A and the annexures.

7.2.91 **"SCRAPYARD"** - Means land or buildings used for the dismantling, stacking, storing or preparing for resale of any used material, waste metal, scrap vehicles, scrap machinery or any other scrap material whether or not such dismantling or stacking is done with a view to disposal or re-use of such waste.

7.2.92 **"SERVICE INDUSTRY"** - Means a use, which, in the opinion of the local municipality is a small-scale industry, with emphasis on maintenance and repair, as well as retail trade in connection therewith, that shall not cause the deterioration of the amenity of the neighbourhood or cause disturbance in consequence of noise, appearance, odour or activities or any reason whatsoever.

7.2.93 **"SHOP"** - Means land used or a building designed or used for the purpose of carrying on retail trade and the necessary accompanying storage and packing and includes any accompanying uses on the same property appurtenant but ancillary to the retail trade being carried on. The following uses are not regarded as appurtenant to a shop: A noxious trade, drive-in-restaurant, place of refreshment, scrapyard, parking garage, public garage, vehicle workshop, filling station and warehouse.

- 7.2.94 **"SITE"** - Shall have the same meaning as "Erf".
- 7.2.95 **"SITE DEVELOPMENT PLAN"** - Means a plan as described in **Schedule 2** to the scheme.
- 7.2.96 **"SOCIAL HALL"** - Means a building designed for use, or used for cultural activities, social meetings, gatherings and recreational purposes, that is not profit seeking in its primary purpose, and includes a non-residential club but excludes a place of amusement.
- 7.2.97 **"SPAZA"** - Means a building designed for or a portion of a residential unit used for the purposes of selling and providing basic groceries (daily convenience goods) and fresh produce, excluding alcoholic refreshments, where the residential use of the property remains the primary use of the property. The area used for a spaza shall not exceed a total floor area of 30m², and is further subject to the policy of the local municipality as amended from time to time.
- 7.2.98 **"SPECIAL CONSENT"** - Means the consent of the local municipality granted in terms of the provisions of Clause 20.
- 7.2.99 **"SPORT, PLAYGROUNDS AND RECREATION"** - Means any land zoned for use as private or public sport fields, playground and recreation site including any building, structure or facility appurtenant thereto.
- 7.2.100 **"STOREY"** - Means the space in the building between one floor level and the next floor level or ceiling or roof above.
- 7.2.101 **"STREET"** - Means the area or part of any street, road, bridge, subway, avenue, lane, sanitary lane, thoroughfare or right-of-way, as shown on the general plan of a township or in respect of which the public has acquired a right-of-way by prescription or otherwise and **"ROAD"** shall have a corresponding meaning.
- 7.2.102 **"SURROUNDING OWNERS"** - Means the registered owners of the properties directly adjacent to the subject property as well as properties abutting any streets to which the subject property has direct access within such a radius, with the subject property as centre point, as determined by the local municipality and also such other owners or interested parties as the local municipality may specify.
- 7.2.103 **"TAXI PARKING AREA"** - Means a demarcated part of a parking lot which may be used by minibuses (taxis) aiming to provide a public transport service; the provision of parking places for taxis shall form part of the parking spaces for the purposes of determining parking provision on any property.
- 7.2.104 **"TAXI RANK"** - Means a place usually within the road reserve at which mini buses (taxis) are allowed to wait and / or stop for passengers boarding or alighting.

- 7.2.105 **“TEMPORARY BUILDING”** - Means a building designated as such by the owner after consulting with the local municipality and which is used, or will be used, for a specified period for a specified purpose, but does not include a building shed.
- 7.2.106 **“TEMPORARY CONSENT”** - Means the temporary consent of the local municipality envisaged in accordance with the provisions of Clause 22 of the scheme.
- 7.2.107 **“TOURISM”** - Means the business of providing services to tourists; the practice of travelling for pleasure; organised touring; accommodation and entertainment of tourists as an industry.
- 7.2.108 **“TRANSPORT USES”** - Means the use of land and/or buildings for the operation of a business consisting of the transportation of goods and/or passengers by rail, air, road and pipelines and includes uses such as stations, transportation amenities and facilities, parking, administrative offices and ancillary uses such as warehouses, container parks, workshops as well as residential uses and amenities for personnel, and may further include any uses such as business, shops or offices which are of service and convenience to passengers, as approved by the local municipality.
- 7.2.109 **“VEHICLE SALES LOT”** - Means land used or a building designed or used for the display and sale of motor vehicles, which are roadworthy and of good outward appearance.
- 7.2.110 **“WHOLESALE TRADE”** - Means the sale of goods or produce in large quantities to other retailers and excludes sales to the general public.
- 7.2.111 **“WRITTEN CONSENT”** - Means consent granted by the local municipality in terms of Clause 21 of the scheme.
- 7.2.112 **“ZONE”** - Means a part of this scheme, as shown on the map, by means of a distinctive notation or edging or other distinctive manner as depicted in Column 2 of Part IV of this scheme, and use zone has the same meaning.

PART III - GENERAL CONDITIONS APPLICABLE TO ALL PROPERTIES

8. CONDITIONS APPLICABLE TO ALL PROPERTIES

8.1 USE OF ALL LAND

Land may only be used in accordance with its approved land-use zone as determined in this land-use scheme.

8.2 EXCAVATIONS (EXCLUDING USE ZONE 20) AND BOREHOLES

8.2.1 Except with the written consent of the local municipality and subject to such conditions as it may impose, neither the owner nor occupant (excluding where the local municipality, government or wholly owned government companies is the owner) shall, or allow any other person to -

- (a) excavate any material from an erf or other land within the jurisdictional area of the local municipality save as may be necessary to prepare such erf or land for building purposes;
- (b) sink any wells or boreholes on such erf or other land within the jurisdictional area of the local municipality or extract any underground water there from, save as may be necessary on land where the local municipality is not the service provider; and
- (c) manufacture or permit the manufacturing of tiles or earthenware, pipes or other articles of similar nature for any purpose whatsoever on the erf or other land within the jurisdictional area of the local municipality unless the erf or land falls within Use Zones 5 and 6.

8.3 PROTECTION OF LAND AND THE ENVIRONMENT

8.3.1 No person may spoil or damage land in any Use Zone so as to impair its use or the purpose for which it was zoned.

8.3.2 No person may develop land without complying with the requirements of the Environment Conservation Act, (Act 73 of 1989) as amended from time to time and without observing the requirements relating to listed activities.

8.4 HANDLING AND DRAINAGE OF STORMWATER

8.4.1 Where, in the opinion of the local municipality, it is impracticable for stormwater to be drained from higher lying erven direct to a public street, the owner of the lower lying erf shall be obliged to accept and permit the passage of such stormwater over the lower lying erf; Provided that the owners of the higher lying erven from where the stormwater is discharged over a lower lying erf, shall be liable to contribute a proportionate share of the cost of any pipeline or drain which the owner of such lower lying erf may find reasonably necessary

to lay or construct for the purpose of leading away the water so discharged over the erf, subject to the approval of the pipeline or drain by the local municipality.

8.5 *PLACING AND DEVELOPMENT OF BUILDINGS*

- 8.5.1 The siting of buildings, including outbuildings erected on the erf, as well as exits and entrances to a public street system shall be to the satisfaction of the local municipality.
- 8.5.2 No building of any nature shall be erected on that portion of the property which is likely to be inundated by the floodwater of a public stream on an average of 100 years, as determined by the relevant legislation from time to time and the local municipality.

8.6 *BUILDING LINES, BUILDING RESTRICTION AREAS AND LINES OF NO ACCESS*

8.6.1 No building or structure other than boundary walls, fences, garden decorations, pergolas or temporary buildings or structures required in connection with building operations on the property, shall be erected within any building restriction area.

8.6.2 The building lines as defined in Table "D" are applicable to all properties according to the use zones as set out therein. Provided that, in addition to the building lines stipulated in Table "D":

- (a) The local municipality has the right to use a 2m strip next to any two boundaries of a property (street boundary excluded) and in case of a panhandle, an additional servitude, 2m wide across the access portion of the erf for the installation of engineering services, and such strips are to be considered as building restriction areas (no building or other structure shall be erected within the foresaid servitude area and no large rooted trees shall be planted within the area).
- (b) The erection of buildings on distances from boundaries other than street boundaries must comply with the Act on National Building Regulations and Building Standards (Act 103 of 1977) and any amendments thereof.
- (c) The local municipality may, after receipt of an application for written consent in terms of Clause 21 from the owner, and subject to such conditions as the local municipality may find expedient -
 - (i) permit the erection of a building in the building restriction area in the case of corner properties or where, due to the slope of the property or adjoining land, or the proximity of buildings already erected, compliance with the building line requirements will hamper development of the property to an unreasonable extent or where the building line is not needed for the installation of services;
 - (ii) during consideration of a site development plan, relax the building restriction area for all erven, if it is of the opinion

that such relaxation would result in an improvement of the development potential of the erf and the esthetical quality of the building; and

(iii) permit the construction of a swimming pool or tennis court in the building restriction area.

(d) Where an erf or other land borders on a national or provincial road, or if provided otherwise in the conditions of title, the applicable building line shall be the building line prescribed by the Controlling Authority, or the building line indicated in Table "D", Column 13, whichever is the wider, and such building line shall not be relaxed, modified or amended without the written consent of the Controlling Authority.

(e) For the purpose of this clause a sanitary and pedestrian alley is not considered to be a street or road.

8.6.3 Access to and exit from a property to any public street or road, shall, where prohibited across a boundary line, be indicated by the following symbol on the scheme map:



Provided that the local municipality may, upon receipt of a written application, permit its relaxation upon such conditions as it may deem fit, if, due to extraordinary circumstances, compliance with such restriction of access, will hamper development of the property to an unreasonable extent; Provided further that no relaxation of a restriction on access to or exit from a property, to a provincial or national road, shall be permitted without the consent of the Controlling Authority.

8.7 SCREEN WALLS AND FENCES

8.7.1 A screen wall or walls shall be erected and maintained to the satisfaction of the local municipality if and when required by it.

8.7.2 Where a property has been fenced, such fence shall be maintained to the satisfaction of the local municipality.

8.8 MAINTENANCE OF BUILDINGS, GARDENS AND SITES

8.8.1 The owner is responsible for the maintenance of the entire development on the property.

8.8.2 Where the amenity of any use zone is detrimentally affected by the condition of any garden, yard, building or any development on a property, the local municipality may, by notice served upon the owner or occupant of the premises on which such condition exists, require him to take, within a period of 28 days or such other period the local municipality in his discretion may deem reasonable from the date of service of the notice, such steps as may be necessary to abate such condition and the measures required to be taken at his expense to abate the condition complained of, shall be set out in such notice.

8.9 EXEMPTION OF EXISTING BUILDINGS

8.9.1 The stipulations of the land-use scheme are not applicable to existing buildings other than existing buildings in accordance with Section 43 of the Ordinance. Where such buildings are altered or added to and where such altered use, alteration, rebuilding or construction is in the opinion of the local municipality substantial, the stipulations of this land-use scheme are considered to be binding and valid in respect of those parts that are changed, altered or rebuilt: Provided that additions and constructions that do not exceed 30m² in total (or is of a limited extent such as the removal of non-load bearing internal walls, the erection of moveable partitions, safes and toilets inside an existing building, or repair work inside or outside a building), are not considered to be substantial.

8.10 BUILDINGS USED FOR MORE THAN ONE PURPOSE

8.10.1 Where a building is used, or a proposed building is designed for more than one purpose, it shall, for the purposes of Clauses 13, 14, 15 and 17, (density; height; coverage and parking), be deemed to be partially used or to have been partially designed, for each such purpose or use: Provided that for the purposes of this clause if more than 75 % of a building is otherwise designed or used for a single use or a single use is predominant in such building, it shall be dealt with as if used or designed for such predominant use. The local municipality shall, in its discretion when considering a building plan, or upon application for this purpose being made by the person in charge of the erection of a building, or proposing to erect a building, decide which use is predominant.

8.10.2 The local municipality shall notify the applicant, within twenty-eight (28) days or such other period the local municipality in his discretion may deem reasonable, after official receipt of the building plan or application in terms of any decision in terms of sub-clause 8.10.1.

PART IV -INTERPRETATION OF USE ZONES AND USE OF LAND AND BUILDINGS

9. STRUCTURES WHICH MAY BE ERECTED IN ANY USE ZONE

This land-use scheme does not prohibit the erection of entrance structures (other than entrance halls and entrance passages), pergolas, garden ornaments, boundary walls and fences.

10. ERECTION AND USE OF BUILDINGS OR USE OF LAND

10.1 For the purposes of this clause, the expression "erection and use of a building" includes the use of land and a building, as well as the conversion of a building for that use whether or not it entails the structural alteration thereof.

10.2 The purposes for which buildings and land in each of the use zones:

- (a) may be erected and/or used;
- (b) may be erected and/or used only with the special consent of the local municipality, permanently or for a specified period;
- (c) may be erected and/or used only with the written consent of the local municipality; or
- (d) may not be erected and/or used.

are shown in Table "A"

10.3 No person shall without consent being granted in terms of Clauses 20, 21 or 22 hereof use, or cause or permit to be used, any building or property or part thereof for a purpose other than the purpose for which it was zoned.

10.4 If the use of a building changes because of the rights that have been granted to a property or have already vested in the property, such building and the property shall comply with all the conditions laid down and which are applicable to the use.



10.5 If the use of an existing building changes and it is not in accordance with the rights attached to the property, it shall comply with all the stipulations of the scheme.




10.6 Where the use of land or a building can only be conducted with the permission of the local municipality, the use may not be conducted prior to the consent being given.





10.7 Nothing herein contained shall be deemed to grant exemption from any of the local municipality's by-laws nor any other Act.






TABLE 1: MOLEMOLE LAND-USE SCHEME (2006) - USE ZONES - USE OF LAND OR USE OF BUILDINGS







Use zone	Notation on map (A Series)	TABLE "A"					TABLE "B"	TABLE "C"				TABLE "D"		
		Uses permitted	Uses/rights permitted only with the special consent of the local municipality (Clause 20)	Uses/rights permitted only with the written consent of the local municipality (Clause 21)	Uses/rights not permitted	Parking spaces G.L.F.A. = Gross Leasible Floor Area		Existing rights	Relaxation in terms of (Clause 21)	Relaxation in terms of (Clause 20)	Maximum coverage permitted as % of erf	Street (m)	Side (m)	Rear (m)
1. Residential 1	[Colour - i.e. yellow]	Dwelling unit	Additional dwelling unit	Other uses not permitted in Columns 3, 4 & 5 (Also refer to Schedule 3)	1 per erf	2 per erf	30 units/ha	50%	70%	>500m ² =5m <500m ² =2m	13	14	15	
		Dwelling Office												
		Social Hall												
		Institution												
		Place of instruction												
		Place of public worship												
		Residential Tavern												
		Guest House												
		Residential building												
		Mobile dwelling unit												
2. Residential 2	[Colour - i.e. orange]	Dwelling unit/s		Other uses not permitted in Columns 3, 4 & 5 (Also refer to Schedule 3)	30 units/ha	44 units/ha	44 units/ha	60%	70%	5m 5m	2m 2m	2m 2m		
		Group Housing												
		Retirement village												
		Flats												
		Residential building												
		Conference facility												
		Hotel												
		Household enterprise												
		Institution												
		Mobile dwelling unit												
3. Business 1	[Colour - i.e. Dark red]	Dwelling unit/s		Other uses not permitted in Columns 3, 4 & 5	64 units/ha	64 units/ha	64 units/ha	60%	80%	5m 5m	2m 2m	2m 2m		
		Flats												
		Hotel												
		Spaza/Kiosk												
		Spaza/Kiosk												
		Spaza/Kiosk												
		Spaza/Kiosk												
		Spaza/Kiosk												
		Spaza/Kiosk												
		Spaza/Kiosk												

Use zone	Notation on map (A Series)	TABLE "A"				TABLE "B"	TABLE "C"				TABLE "D"				
		Uses permitted	Uses/rights permitted only with the special consent of the local municipality (Clause 20)	Uses/rights permitted only with the written consent of the local municipality (Clause 21)	Uses/rights not permitted		Parking spaces G.L.F.A. = Gross Leasable Floor Area	Number of dwelling units per erf or per netto hectare	Relaxation in terms of Existing rights (Clause 21)	Relaxation in terms of right (Clause 20)	Relaxation in terms of erf (Clause 21)	Maximum coverage permitted as % of erf	Existing Rights	Building lines	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
Bus 1 (cont.)		Institution Offices/Medical Consulting rooms Place of instruction Place of public worship Restaurant Residential building Shops Social Hall Business/Tavern Vehicles Sales Lot Wholesale Trade Commercial use Conference facility Filling station Public garage Bakery Dry Cleaner Funeral parlour Informal Business Place of amusement Service Industry Telecommunication Mast				4 per 100m ² G.L.F.A. 4 per 100m ² G.L.F.A. 4 per 100m ² G.L.F.A. 4 per 100m ² G.L.F.A. 1 dust free per bedroom. In accordance with the local municipality's policy. 4 per 100m ² G.L.F.A. 4 per 100m ² G.L.F.A. 4 per 100m ² G.L.F.A. 4 per 100m ² G.L.F.A. 4 per 100m ² G.L.F.A. 8 per 100m ² G.L.F.A. 70% of the uncovered site 70% of the uncovered site 4 per 100m ² G.L.F.A. 4 per 100m ² G.L.F.A. 4 per 100m ² G.L.F.A. 4 per 100m ² G.L.F.A. 4 per 100m ² G.L.F.A. 4 per 100m ² G.L.F.A.									
4. Business 2	 [Colour - i.e. light red]	Dwelling units Flats Offices/Medical Consulting Shops Residential Building Restaurant Business Tavern Place of amusement Place of instruction Place of public worship Social Hall Bakery Drycleaner Informal Business Funeral parlour Telecommunication Mast			Other uses not permitted in Columns 3, 4 & 5	1 dust free per dwelling unit, and if required by the local municipality, additional parking for visitors. 3 per 100m ² G.L.F.A. 8 per 100m ² G.L.F.A. 1 dust free per bedroom In accordance with the local municipality's policy. 6 per 100m ² G.L.F.A. 6 per 100m ² G.L.F.A. 8 per 100m ² G.L.F.A. 8 per 100m ² G.L.F.A. 8 per 100m ² G.L.F.A. 6 per 100m ² G.L.F.A. 6 per 100m ² G.L.F.A. 4 per 100m ² G.L.F.A.	64 units/ha	---	More than 64 units/ha	60%	80%	5m 5m	2m 2m	2m 2m	
5. Industrial 1	 [Colour - i.e. dark purple]	Commercial use Bakery Drycleaner Funeral parlour Industries Service industries Warehouses			Other uses not permitted in Columns 3, 4 & 5	1 per 100m ² G.L.F.A. as well as an additional 1 per 100m ² office floor area. 2 per 100m ² G.L.F.A. 2 per 100m ² G.L.F.A. 2 per 100m ² G.L.F.A. 1 per 100m ² G.L.F.A. as well as an additional 1 per 100m ² office floor area. 1 per 100m ² G.L.F.A. as well as an additional 1 per 100m ² office floor area. 2 per 100m ² G.L.F.A. as well as an additional 1 per 100m ² office floor area.	---	---	---	70%	90%	6m	2m	2m	
															22

Use zone	Notation on map (A Series)	TABLE "A"					TABLE "B" Parking spaces G.L.F.A. = Gross Leasable Floor Area	TABLE "C"				TABLE "D"		
		Uses permitted	Uses/rights permitted only with the special consent of the local municipality (Clause 20)	Uses/rights permitted only with the written consent of the local municipality (Clause 21)	Uses/rights not permitted	Number of dwelling units per erf or per netto hectare		Relaxation in terms of (Clause 21)	Relaxation in terms of (Clause 20)	Existing rights	Maximum coverage permitted as % of erf	Relaxation in terms of (Clause 21)	Street (m)	Side (m)
1		3	4	5	6	7	8	9	10	11	12	13	14	15
Ind. 1 (cont.)		Public Garage Place of refreshment (only own employees)				40% of the uncovered area. Mast be dust free.								
			Place of refreshment Buildersyard Panelbeaters Scrapyard			2 per 100m ² G.L.F.A. 1 per 100m ² G.L.F.A. 1 per 100m ² G.L.F.A. as well as an additional 1 per 100m ² office floor area 1 per 100m ² G.L.F.A. as well as an additional 1 per 100m ² office floor area								
6. Industrial 2	 [Colour - i.e. light purple]	Commercial use			Other uses not permitted in Columns 3, 4 & 5	1 per 100m ² G.L.F.A. as well as an additional 1 per 100m ² office floor area 2 per 100m ² G.L.F.A. 1 per 100m ² 2 per 100m ² G.L.F.A. 1 per 100m ² G.L.F.A. as well as an additional 1 per 100m ² office floor area 1 per 100m ² G.L.F.A. as well as an additional 1 per 100m ² office floor area				70%	90%	6m	2m	2m
			Bakery Buildersyard Drycleaner Funeral parlour Including a crematorium Industries Panelbeaters											
		Place of refreshment (only own employees) Public Garage Service industries				40% of the uncovered site area. Mast be dust free. 1 per 100m ² G.L.F.A. as well as an additional 1 per 100m ² office floor area 100m ² office floor area								
		Scrapyard				1 per 100m ² G.L.F.A. as well as an additional 1 per 100m ² office floor area 100m ² office floor area								
		Warehouses				2 per 100m ² G.L.F.A. as well as an additional 1 per 100m ² office floor area								
		Noxious industries (also refer to Schedule 1)				1 per 100m ² G.L.F.A. as well as an additional 1 per 100m ² office floor area								
		Place of refreshment				2 per 100m ² G.L.F.A.								
		Telecommunication Mast				1 dust free per dwelling unit				60%	80%	5m	2m	2m
7. Institutional	 [Colour - i.e. dark blue]	Dwelling units related to the main use Institutions Place of instruction Place of public worship			Other uses not permitted in Columns 3, 4 & 5	8 per 100m ² G.L.F.A. 8 per 100m ² G.L.F.A. 8 per 100m ² G.L.F.A. 8 per 100m ² G.L.F.A. 8 per 100m ² G.L.F.A. 2 per 100m ² G.L.F.A.								
		Place of instruction				8 per 100m ² G.L.F.A.								
		Place of public worship				8 per 100m ² G.L.F.A.								
		Social Hall				8 per 100m ² G.L.F.A.								
		Telecommunication Mast				2 per 100m ² G.L.F.A.								
8. Educational	 [Colour - i.e. light blue]	Place of instruction Place of public worship Dwelling units related to the main use			Other uses not permitted in Columns 3, 4 & 5	8 per 100m ² G.L.F.A. 1 dust free per dwelling unit				60%	80%	5m	2m	2m
		Place of instruction				8 per 100m ² G.L.F.A.								
		Place of public worship				1 dust free per dwelling unit								
		Dwelling units related to the main use				8 per 100m ² G.L.F.A.								
Educational (cont.)		Institutions				2 per 100m ² G.L.F.A.								
		Telecommunication Mast												

Use zone	Notation on map (A Series)	TABLE "A"					TABLE "B" Parking spaces G.L.F.A. = Gross Leasable Floor Area	TABLE "C"				TABLE "D"		
		Uses permitted	Uses/rights permitted only with the special consent of the local municipality (Clause 20)	Uses/rights permitted only with the written consent of the local municipality (Clause 21)	Uses/rights not permitted	Number of dwelling units per netto hectare		Existing rights in terms of (Clause 21)	Relaxation in terms of (Clause 21)	Relaxation in terms of (Clause 20)	Maximum coverage permitted as % of erf	Existing rights	Street (m)	Side (m)
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
9. Municipal	 [Colour - i.e. dark grey]	Dwelling Unit Aerodrome Agricultural use Caravan Park Cemetery Dumping site Municipal purposes Nature conservation area Reservoir Recreation Sewerage farm Community hall Taxi Rank Telecommunication Mast	Uses/rights permitted only with the special consent of the local municipality (Clause 20)	Uses/rights permitted only with the written consent of the local municipality (Clause 21)	Other uses not permitted in Columns 3, 4 & 5	1 dust free per dwelling unit.	8	9	10	11	12	5m	2m	2m
10. Agricultural	 [Colour - i.e. light brown]	Dwelling unit Agricultural use Farm settlement Nature conservation area Guest house Institution Kennels Nursery Place of instruction Place of public worship Place of refreshment Recreation Social Hall Farm Stall Teagarden Mining Caravan Park Telecommunication Mast	Additional dwelling unit	Additional dwelling unit	Other uses not permitted in Columns 3, 4 & 5	1 dust free per bedroom 8 per 100m ² G.L.F.A. 2 per 100m ² G.L.F.A. In accordance with the local municipality's policy 8 per 100m ² G.L.F.A. 8 per 100m ² G.L.F.A. 8 per 100m ² G.L.F.A. In accordance with the local municipality's policy. 8 per 100m ² G.L.F.A. 2 per household enterprise 6 per 100m ² G.L.F.A. 1 per dealer 6 per 100m ² G.L.F.A.	1 per erf/portion	2 per erf/portion	30%	50%	10m	2m	2m	2m
11. Public Garage	 [Colour - i.e. dark brown]	Public garage Filling Station			Other uses not permitted in Columns 3, 4 & 5	70% of the uncovered area Must be dust free. 70% of the uncovered area Must be dust free. 2 per 100m ² G.L.F.A.	---	---	---	60%	80%	8m	2m	2m
12. Public Open Space	 [Colour - i.e. dark green]	Gardens Parks Place of refreshment Playgrounds Public open space Squares Recreation grounds Public Sport Grounds Caravan Park			Other uses not permitted in Columns 3, 4 & 5		---	---	---	---	---	5m	2m	2m

Use zone	Notation on map (A Series)	TABLE "A"				Uses/rights not permitted	TABLE "B" Parking spaces G.L.F.A. = Gross Leasable Floor Area	TABLE "C"			TABLE "D"			
		Uses permitted	Uses/rights permitted only with the special consent of the local municipality (Clause 20)	Uses/rights permitted only with the written consent of the local municipality (Clause 21)	Uses/rights permitted			Existing rights	Relaxation in terms of (Clause 21)	Relaxation in terms of (Clause 20)	Maximum coverage permitted as % of erf	Existing Rights	Street (m)	Side (m)
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Pub. Open Space (cont.)		Place of amusement Municipal purposes	Place of amusement Municipal purposes	Informal Business	Other uses not permitted in Columns 3, 4 & 5									
13. Private Open Space	 [Colour - i.e. light green]	One dwelling unit for caretaker Caravan Park Private open space Recreation	Private club Informal business Nursery Place of refreshment	Informal Business	Other uses not permitted in Columns 3, 4 & 5	In accordance with the local municipality's policy.	1 per erf	----	----	30%	60%	5m	2m	2m
14. Government	 R.S.A.	Government uses		Nursery Place of refreshment	Other uses not permitted in Columns 3, 4 & 5	In accordance with the local municipality's policy 2 per 100m ² G.L.F.A.								
15. Nature Reserve	 [Colour - i.e. green hatching]	Nature Reserve Caravan Park Dwellings units directly associated with the reserve & used for temporary accommodation. Farm settlement Nursery Place of refreshment Recreation	Conference facility Place of Amusement Restaurant Telecommunication Mast		Other uses not permitted in Columns 3, 4 & 5									
16. Game Reserve	 [Colour - i.e. green cross hatching]	Game Reserve Agricultural use Farm settlement	Caravan Park Nursery Place of refreshment Telecommunication Mast	Curio Shop Guest House	Other uses not permitted in Columns 3, 4 & 5									
17. Resort	 [Colour - i.e. dark blue hatching]	Resort Dwelling units directly associated with the resort & used for temporary accommodation. Caravan Park Curio Shop Recreation Restaurant	Conference facility Shops Telecommunication Mast	Place of amusement	Other uses not permitted in Columns 3, 4 & 5									

Use zone	Notation on map (A Series)	TABLE "A"				Uses/rights not permitted	TABLE "B" Parking spaces G.L.F.A. = Gross Leasable Floor Area	TABLE "C"			TABLE "D"			
		Uses permitted	Uses/rights permitted only with the special consent of the local municipality (Clause 20)	Uses/rights permitted only with the written consent of the local municipality (Clause 21)	Uses/rights permitted			Number of dwelling units per neto hectares	Relaxation in terms of (Clause 21)	Relaxation in terms of (Clause 20)	Existing rights	Maximum coverage permitted as % of erf	Building lines	Existing Rights
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
18. Rural Settlement (Village)	 [Colour - i.e. light blue cross hatching]	Informal Rural Settlement Semi-formal Rural Settlement			Other uses not permitted in Columns 3, 4 & 5									
20. Mining 1 & Quarrying	 [Colour - i.e. purple cross hatching]	Mining purposes Quarrying purposes Offices related to, but subordinate to the main use. Kiosk Social Hall	Telecommunication Mast Dwelling units only for key staff.		Other uses not permitted in Columns 3, 4 & 5									
21. Mining 2	 [Colour - i.e. purple hatching]		Residential Building Telecommunication Mast (Also refer to definition of Mining 2) Dwelling units only for key staff.		Other uses not permitted in Columns 3, 4 & 5									
22. Existing public roads		Agriculture Game Reserve Street or road		Informal business		In accordance with the local municipality's policy.								
23. S.A.R	 [hatching]	Railway purposes (Transnet)	Telecommunication Mast		Other uses not permitted in Columns 3, 4 & 5									
24. Special	 [Light Grey]	As indicated on the relevant annexure	As indicated on the relevant annexure											

**PART V - SPECIFIC CONDITIONS AND DEVELOPMENT CRITERIA APPLICABLE TO
USE ZONES**

11. CONDITIONS APPLICABLE TO ERVEN ZONED RESIDENTIAL 2

11.1 Subject to the general conditions in Clause 8, the following additional conditions will apply to the erven in Use Zone 2 (Residential 2):

- (a) The requirements as set out in Table "A" to "D".
- (b) A site development plan shall be submitted, as set out in Clause 16.
- (c) The erf or any group of erven shall not be subdivided into plots with single dwelling units thereon, before full implementation of the proposals embodied in the site development plan relating to the particular erf or group of erven have been fully implemented or the local municipality has granted written consent thereto. If it is not the intention to develop the whole of the erf or any group of erven simultaneously the grouping of the dwelling units and programming of the development must be shown clearly on the site development plan.
- (d) The internal roads on the property shall be constructed and maintained by the owner as required by the local municipality.

12. CONDITIONS APPLICABLE TO PUBLIC GARAGE AND FILLING STATION ERVEN

12.1 Subject to the general conditions in Clause 8, the following additional conditions will apply to erven used for public garages or filling stations:

- (a) The requirements as set out in Table "A" to "D".
- (b) A site development plan shall be submitted, as set out in Clause 16.
- (c) No material or equipment of any nature whatsoever may be stored or stacked to a height greater than the height of the screen wall.
- (d) No repair work to vehicles or equipment of any nature, shall be performed outside the garage building, except in an area screened off for the purpose to the satisfaction of the local municipality.
- (e) No material or equipment of any nature whatsoever shall be stored or stacked outside the garage building, except in an area screened off for the purpose.
- (f) The local municipality may relax conditions in Clauses 12(c), 12(d) and 12(e) by written consent in terms of Clause 21.

13. DENSITIES, SUBDIVISION AND OCCUPATION

13.1 Table "C" Columns 8, 9 and 10 stipulates density in terms of the maximum number of dwelling units per netto hectare or per erf, attached to the erf as a primary right, as well as the extent to which

it may be relaxed by special consent in terms of Clause 20, or written consent in terms of Clause 21 by the local municipality, as the case may be.

- 13.2 The local municipality will compile a policy on residential densities permissible in different townships and rural villages and/or residential neighbourhoods to guide decisions with applications for the relaxation of densities by special consent in terms of Clause 20, or written consent in terms of Clause 21 by the local municipality, as the case may be.
- 13.3 The local municipality may, upon application being made for its special consent in terms of Clause 20, or its written consent in terms of Clause 21 as the case may be, amend the density of an erf in accordance with the local municipality's policy on density and as amended from time to time.
- 13.4 Where a dwelling unit has been erected on a "Residential 1" and "Agricultural" zoned property, the owner may apply in terms of Clause 21 to erect an additional dwelling unit on such property.
- 13.5 The local municipality will not consent to the subdivision of land or an erf if such subdivision does not comply with the density stipulations as set out in Table "C" or any other reasonable conditions the local municipality may require.

Notwithstanding any conditions that are applicable regarding the subdivision of erven in terms of the Ordinance or this scheme, the following further conditions are applicable to panhandle subdivisions:-

- (a) the panhandle shall provide access from a street to the panhandle portion;
- (b) the panhandle shall not be less than 3m wide along its whole length, unless the local municipality otherwise grants written consent;
- (c) the area of the panhandle portion, excluding the panhandle, shall be in accordance with the density requirements of this scheme;
- (d) except with the written consent of the local municipality the slope of the panhandle shall not exceed 1:8;
- (e) a panhandle shall provide access only to the erf of which it forms a part as well as the property in favour of which a servitude of right of way has been registered over the panhandle, except where the local municipality otherwise determines;
- (f) the registered owner of the panhandle portion shall, when required by the local municipality, at his own expense pave the panhandle to the satisfaction of the local municipality prior to or simultaneously with the erection of any building on the erf and such roadway shall thereafter be maintained dust free to the satisfaction of the local municipality;

- (g) the registered owner of the panhandle portion shall, when required by the local municipality, erect screen walls or dense barriers along the boundaries of the panhandle to the satisfaction of the local municipality. The extent, material, design, height, position and maintenance of such screen walls or barriers shall be to the satisfaction of the local municipality.
- (h) No buildings or structures except such walls and barriers envisaged in sub-clause 13.5(g) shall be erected in the panhandle.

13.6 Not more than one household, together with two other persons, or a maximum of eight (8) persons may live on a permanent basis in one dwelling unit. If the number of persons exceeds above-mentioned, written consent in terms of Clause 21 must be obtained.

14. *HEIGHT OF BUILDINGS*

14.1 Dwelling unit/s or residential buildings in the “Residential 1 and 2” use zone shall not exceed two storeys in height, except in accordance with the written consent of the local municipality, obtained in terms of Clause 21, prior to the erection of any new building.

14.2 If a dwelling unit or residential building in the “Residential 1 and 2” use zones exceeds 1 storey and due to the topography of the area may impair on the privacy, aesthetics, or view of adjacent properties a site development plan may be required for approval, by the local municipality.

14.3 Buildings in other use zones excluding those mentioned in Clause 14.1 shall not exceed five (5) storeys in height.

14.4 No building, other than those mentioned in Clause 14.1, may exceed five (5) storeys in height, except in accordance with written consent of the local municipality obtained in terms of Clause 21, prior to the erection of new buildings or additions to existing buildings.

15. *COVERAGE OF BUILDINGS*

15.1 Table “C”, Columns 11 and 12 contains respectively, the coverage which may be implemented on a property and the extent to which the coverage may be relaxed.

15.2 Coverage of buildings shall not exceed the coverage stipulated in Table “C” except in cases where the written consent of the local municipality in terms of Clause 21 had been obtained, and then only on condition that the total number of parking spaces required in terms of Clause 17, read together with Table “B”, Column 7 can be made available.

16. *SITE DEVELOPMENT PLANS*

- 16.1 A site development plan shall be prepared for all erven on which buildings are erected or extended in Use Zones 2 to 8, 11, 13 and 15 to 17.
- 16.2 A site development plan shall be submitted to the local municipality prior to submission of any building plans. No building may be erected on the erf before approval of such site development plan by the local municipality and the entire development on the erf shall be in accordance with the approved site development plan; Provided that the plan may from time to time be amended with the written consent of the local municipality; Provided further that alterations or additions to buildings, which in the opinion of the local municipality, will have no influence on the overall development of the erf, may be exempted from written consent procedures as referred to supra.
- 16.3 The local municipality shall use its best endeavours to consider a site development plan, submitted in terms of Clause 16.2 hereof, within 60 (sixty) days after submission thereof.

17. *PARKING AND LOADING ZONES*

- 17.1 The parking requirements are indicated in Column 7, Table "B":
- (a) Effective parking and manoeuvring space for the various use zones and uses shall be provided, laid out, constructed and maintained on all properties in accordance with the requirements stipulated in Table "B", to the satisfaction of the local municipality by and at the cost of the person who intends to erect a building.
 - (b) The number of parking spaces to be provided according to Table "B", shall be determined by the local municipality and shall be applicable to all existing and/or new buildings (excluding a single dwelling unit) and to extensions to existing buildings (excluding a single dwelling unit).
 - (c) The local municipality may consent to a maximum of thirty (30) percent of the required parking and manoeuvring space, as stipulated in Table "B", not being provided on the property: Provided that the owner shall in this event be liable for payment of a cash contribution to the local municipality in lieu of the provision of parking spaces for all parking spaces required to be supplied on the property in terms of sub-clause 17.1(a). Such contribution for parking shall be used solely for the provision of parking areas

- (d) The owner of a building in respect of which parking spaces are required in terms of sub-clause 17.1(a) shall keep such parking spaces in a proper condition for such purposes to the satisfaction of the local municipality.

17.2 Loading areas shall be provided as follows:

17.2.1. The local municipality may, upon application being made for approval of building plans submitted in terms of the National Building Regulations and Building Standards Act (Act 103 of 1977) and any amendments thereof, require the owner to in terms of Clause 16 submit proposals for the provision on the property of appropriate and sufficient facilities for loading and off-loading of goods, which proposals shall, indicate positions for parking, stopping or fuelling of service vehicles.

17.2.2 No owner or occupant of a building in respect whereof proposals in terms of this clause are required, may undertake or permit the loading, off-loading, parking or fuelling of vehicles otherwise than in accordance with a written approval from the local municipality and in accordance with the conditions imposed in this regard.

17.3 In every "Business 1 and 2" and "Industrial 1 and 2" use zone there shall be provided, if required by the local municipality, over and above parking, one loading area per erf, regardless of the size of the building erected thereon.

18. *USE OF ANNEXURES*

18.1 Special rights, conditions and restrictions applicable to any property within any use zone, may be stipulated in an Annexure to this land-use scheme.

18.2 The special conditions and restrictions referred to in Clause 18.1 shall:

- (a) apply in addition to the general conditions, restrictions and other provisions of this land-use scheme; and
- (b) prevail, in case of conflict between such special condition and any other condition, restriction or provision of this land-use scheme.

18.3 An Annexure contemplated in Clause 18.1 shall consists of:

- (a) a sheet upon which is inscribed the number of such Annexure, a description of the property to which it applies, the special rights, conditions and restrictions applicable to the property, as well as the name and number of the scheme in terms whereof the Annexure was prepared; and

- (b) a diagram of the property concerned which diagram shall correspond with the layout shown on the map.
- 18.4 The number of the Annexure concerned shall be inscribed inside a double circle within or adjacent to the figure of the relevant property on map 3A and, if adjacent to such figure, shall be joined thereto by means of a line.
- 18.5 The local municipality shall not, except as provided for in any of the conditions contained in an Annexure, grant any consent in terms of this land-use scheme.

PART VI - SPECIAL, WRITTEN AND TEMPORARY CONSENT OF THE LOCAL MUNICIPALITY

19. CRITERIA FOR THE CONSIDERATION OF APPLICATIONS

19.1 Subject to the provisions of Clauses 20, 21 and 22 hereof, the local municipality may, when application is made for its special, written or temporary consent in terms of this scheme refuse or grant such consent subject to such conditions as it may think fit, with due consideration of:

- (a) the amenities of the area;
- (b) health and safety of the area;
- (c) the character of other uses in the area;
- (d) the need and desirability of the use concerned; and
- (e) the Integrated Development Plan (IDP) and the Municipal Spatial Development Framework and any review thereof.

19.2 The local municipality may upon the granting of any consent contemplated in clauses 20 and 21 of this scheme, impose conditions regarding the payment of contributions for the provision of services, open spaces and parks, as envisaged in Section 20(2)(c) of the Ordinance, for which purposes the provisions of Section 63 of the Ordinance shall *mutatis mutandis* apply.

20. SPECIAL CONSENT OF THE LOCAL MUNICIPALITY

20.1 (a) Any owner (hereinafter referred to as "the applicant") intending to apply to the local municipality for special consent for:

- (i) the erection and use of a building or for the use of land in any use zone, whether wholly or partially for any purposes which requires the special consent of the local municipality in terms of Column 4, Table "A"; and
- (ii) an increase in the density of an erf (see Column 10, Table "C").

shall submit such application to the local municipality in writing, in the prescribed manner.

- (b) An application shall include a report to the local municipality, containing full particulars on the criteria referred to in Clause 19.1, as well as particulars appearing in notices as set out in Clause 20 (d) or any other relevant particulars which may be required by the local municipality.
- (c) The applicant shall:

- (i) At his own expense publish a notice twice (for two consecutive weeks) in a local newspaper/s, circulating in the area of the application;
 - (ii) such notice shall be in any two of the official languages of which one should be in English;
 - (iii) display a notice, referred to in sub-clauses 20.1(c)(i) and (ii) and maintain same, for a period of not less than 14 consecutive days from date of first publication, in a conspicuous position, visible from the street on each separate portion of the land to which such consent will apply.
 - (iv) Refer the application to any other person or body that may be required by the local municipality.
- (d) The notice referred to:
- (i) in sub-clause 20.1(b)(i) and (iii) shall contain the name and address of the applicant; the description, address and locality of the property as well as particulars of the existing zoning and the purpose for which the land and buildings will be used and shall state that it lies for inspection at the local municipality offices and that any objection to or representation in connection with such application shall be lodged simultaneously with the local municipality and the applicant within a period of 28 days calculated from the day when the notice was first published and displayed on the site; and
 - (ii) the notice in sub-clause 20.1(b)(iii) shall not be less than 594mm by 420mm in size and no letter thereon shall be less than 6mm in height.
- (e) The applicant shall within twenty-eight (28) days from the date of the first publishing and posting up of the notice on site as mentioned in sub-clauses 20.1 (c)(i) and (iii), lodge the application with the local municipality, failing which shall be deemed as non-compliance with the application procedures, save that the local municipality shall have the right to condone filing outside the 28 day time period, on good cause shown.
- (f) The applicant shall lodge, simultaneously with the application, an affidavit confirming that the notice referred to in sub-clause 20.1(c)(iii), was properly displayed and maintained.
- (g) The applicant shall submit proof that the application referred to in sub-clause 20.1(c)(i), was published twice.

20.2 The local municipality shall consider and hear any objection or representation received within the aforementioned period of twenty-eight (28) days, at a hearing arranged by the local municipality within a reasonable time period.

- 20.3 A reasonable time period referred to above shall be deemed to be 90 days calculated as from lapsing of 28 days referred to in paragraph 20.2 above.
- 20.4 Should any objection to, or representation against, the application be received by the local municipality, it shall set a time and place for the hearing of such objection or representation in a manner complying with the requirements of the administrative justice, and shall give written notice thereof, by registered post or by electronic communication or facsimile, at least 14 days prior to the hearing, to the applicant and/or his duly authorised agent and all objectors.
- 20.5 Where the objections or representations contemplated in Clause 20.2 of more than one person are contained in one document, it shall be deemed sufficient compliance with the provisions of Clause 20.4 if the person who has lodged the document or is a signatory thereto is notified as contemplated in the latter clause.
- 20.6 The local municipality shall after due consideration of any objections and the criteria stipulated in Clause 19 hereof, in writing notify the applicant and every person who has lodged an objection or had made representations, of such decision.
- 20.7 The decision of the local municipality shall (where any objection to this application was received) not come into operation before expiry of fifty-six (56) days calculated from the date of notification of the parties in writing envisaged in Clause 20.6 hereof.
- 20.8 The applicant may note an appeal in terms of the provisions of the Ordinance if the application is refused by the local municipality.
- 20.9 Every applicant shall, after approval by the local municipality, of an application envisaged in this clause, be obliged to, on an annual basis, in the month, during which the applicant was notified of such an approval as envisaged in Clause 20.6, to the satisfaction of the local municipality, submit an affidavit in confirmation of *inter alia* the fact that the conditions pertaining to such approval and use, are fully complied with.
- 20.10 Granting of special consent for a noxious industry shall be considered: Provided that there is proof of compliance with the Environment Conservation Act (Act 73 of 1989) and a certificate be issued by the Medical Officer of Health of a local municipality certifying that the process proposed to be used in connection with any of the industries or factories listed in Schedule 1 of this scheme, will effectively eliminate any nuisance or health hazard in the vicinity of the property due to:
- (a) vapours, smoke or odours;
 - (b) fluids or effluent originating on the property; and in the event of it being proposed to dispose of such materials by land

- treatment, the nature, slope and surface of the land concerned, as well as its location in relation to streams or water courses shall be disclosed; and
- (c) solid waste matter.

21. WRITTEN CONSENT OF THE LOCAL MUNICIPALITY

21.1 Any owner (hereinafter referred to as “the applicant”) intending to apply to the local municipality for consent to:

- 21.1.1 erect and use of a building or for the use of land in any use zone, whether wholly or partially for any purposes which requires the written consent of the local municipality (see Column 5, Table “A”).
- 21.1.2 the carrying on of a household enterprise from a dwelling unit in a “Residential 1” or “Agricultural” use zone in terms of Clause 23;
- 21.1.3 the use of a dwelling unit for a spaza or kiosk (see Column 5, Table “A”);
- 21.1.4 relaxation of height (see Clause 14);
- 21.1.5 relaxation of coverage (see Clause 15);
- 21.1.6 relaxation of building lines (see Clause 8.6.2(c));
- 21.1.7 amendment of a site development plan (see Clause 16);
- 21.1.8 relaxation of lines of no access (see Clause 8.6.3); and
- 21.1.9 consents as envisaged in Clauses 8.2.1, 11.1(c), 12.1 (f), 13(3), 13(4), 13(5), 13(6) and 17.2.2.

shall do so in writing in the prescribed manner (where applicable) to the local municipality.

21.2 An application shall include a report to the Local Municipality, containing full particulars on the criteria referred to in Clause 19.1 of the proposed uses, as well as:

- (i) the name and address of the applicant;
- (ii) the description, address and the locality of the subject property;
- (iii) existing zoning of the property; and
- (iv) a complete description of the proposed use of the land and/or building.

21.3 No written consent shall be granted in terms of this clause until the applicant has, to the satisfaction of the local municipality, obtained the written comments of the surrounding owners, as envisaged in Clause 21.4.

21.4 The applicant shall:

- (i) procure a form, as prescribed by the local municipality for the consent referred to in Clause 21.3, to be completed by every

occupant or owner of land or his duly authorized agent, who resides or conducts or owns a business undertaking on any property situated within a radius of 50m or such other distance as determined by the local municipality from the closest point of the property in respect of which an application is made; and

- (ii) supply full particulars and a description of the nature and extent of the intended use; relaxation required; the property description; the owner; and record therein that none of the persons referred to in sub-clause 21.4(i), notwithstanding their being aware of their right in terms of Clause 21.5 to object or to make representations against the application, has any objection thereto and such form shall be signed by, and disclose the name, street address and telephone number of, every person mentioned in sub-clause 21.4(i).

21.5 The local municipality shall consider any objection received and hear any representation made at a hearing arranged by the local municipality within a reasonable time period for which purpose the provisions of Clauses 20.3, 20.4 and 20.5 and 20.6 shall apply *mutatis mutandis*.

21.6 The local municipality shall notify in writing, the applicant, and if applicable to the objectors within a reasonable time of its decision.

21.7 Every applicant shall, after approval by the local municipality, of an application envisaged in this clause, be obliged to, on an annual basis, in the month, during which the applicant was notified of such an approval as envisaged in Clause 21.6, to the satisfaction of the local municipality, submit an affidavit in confirmation of *inter alia* the fact that the conditions pertaining to such approval and use, are fully complied with.

22. TEMPORARY CONSENT OF THE LOCAL MUNICIPALITY

Notwithstanding any other provision of this scheme, the local municipality may, upon receipt of a written request, give its consent to the temporary use of any land or building within any use zone, for any of the following purposes:

22.1 The erection and use of temporary buildings, or the use of existing buildings for site offices, storage rooms, workshops or such other uses as may be necessary during the erection of any permanent building or structure on the land; Provided that such consent shall ipso facto lapse upon completion of the permanent structure or on the expiry date thereof as determined by the local municipality.

22.2 The occasional use of land or buildings for public religious exercises, place of instruction, institution, place of amusement or social hall.

22.3 The use of land or buildings thereon for state or municipal purposes.

- 22.4 The use of land or the erection of buildings necessary for the purpose of informal retail trade.
- 22.5 Any temporary consent granted in terms of this clause shall not be granted for any period in excess of 12 months, which period may however be extended by the local municipality for further periods of 12 months each, subject to a maximum period of 3 years in aggregate in cases falling within the ambit of Clauses 22.1, 22.2 and 22.3.

23. CONSENT FOR THE PRACTICE OF A HOUSEHOLD ENTERPRISE

- 23.1 In addition to any conditions imposed by the local municipality in the granting of a special or written consent, the exercise of a household enterprise, from a dwelling unit, shall be subject to the following:
- (a) No title condition applicable to the property may be transgressed.
 - (b) The applicant may practice his occupation in any trade form subject thereto that he is personally on a day-to-day basis in charge of the enterprise and holds the majority interest in the business.
 - (c) The residential character and function of the dwelling unit must be maintained, and not more than 20% of the floor area of the dwelling unit, outbuildings excluded, or a maximum floor area of 75m² may be used for such practice.
 - (d) Should more than the prescribed number of persons be accommodated on the premises where the household enterprise is conducted or, if more than 20% of the dwelling unit, outbuildings excluded or more than the maximum floor area of 75m², is to be used for the household enterprise, the special consent of the local municipality must be obtained in terms of Clause 20.
 - (e) For the purposes of this clause, an agent or representative of the applicant will be considered an employee of such applicant.
 - (f) The necessary building plans to indicate the change in use must be submitted if required by the local municipality. Parking is to be provided to the satisfaction of the local municipality in accordance with Table "B".
 - (g) No goods may be displayed in public, in a window or in any other manner.
 - (h) No notice or sign except such notice or sign as is normally displayed at the dwelling unit, to reflect the name of the applicant and the nature of the household enterprise, may be displayed provided that the size of such notice shall not exceed 600mm by 450mm.
 - (i) The amenity of the area may not be prejudiced.

24. CONSENT FOR SPECIFIC PURPOSES

Without prejudice to any powers of the local municipality derived from any law, or the remainder of this scheme, nothing in the foregoing provisions of this scheme shall be construed as prohibiting or restricting the following:

- 24.1 the exploitation of minerals on any land not included in a proclaimed township;
- 24.2 the letting of a dwelling unit for occupancy of only one family; and
- 24.3 the letting of not more than two rooms of a dwelling unit.

25. CONVERSION RIGHTS

- 25.1 Where land is already zoned as “Mining and Quarrying Purposes” or “Mining 2”, the Mining Rights holder shall consequent upon complying with any relevant requirements prescribed in terms of Mining and Environmental legislation such as The Environmental Conservation Act, 1989 (Act No. 73 of 1989) with its amendments, and The Mineral and Petroleum Resources Development Act 2002 (Act No. 28 of 2002); such rights holder shall have the right to convert the land-use to “Mining and Quarrying Purposes”.
- 25.2 The mining company must provide:
 - a) Written notification;
 - b) Maps to the local municipality indicating the area of which the status has changed as indicated above.
- 25.3 Upon delivery of the documentation in paragraph 25.2 “Mining and Quarrying Purposes” rights shall commence forthwith.

26. REGISTER OF SPECIAL AND WRITTEN CONSENT APPROVALS AND RELEVANT CONDITIONS

- 26.1 The local municipality shall keep a complete register of amendments, special and written consents approved by it in terms of this land-use scheme, or granted through the verdict of appeals, as well as conditions imposed in such approvals. Such register together with the land-use scheme will be available for inspection at any reasonable time to any interested person or body.

PART VII - APPLICATION OF THE SCHEME AND POWERS OF THE LOCAL MUNICIPALITY

27. BINDING FORCE OF CONDITIONS

Where consent to erect a building, or to execute any works, or to use any building or land for a particular purpose, in terms of this land-use scheme is granted, subject to conditions, such conditions shall have the same legal force as if incorporated in this land-use scheme and shall be regarded as though they were part of this scheme.

28. ENTRY UPON AND INSPECTION OF PROPERTIES

28.1 The local municipality may, through its authorized officials, enter upon any property at all reasonable times to conduct any inspection which the local municipality or its representative may consider necessary or desirable for the application of this scheme.

28.2 No person shall in any manner hinder, obstruct or interfere with the execution of any duties by any authorized officer of the local municipality, or in so far as it may fall within his power, permit such official to be hindered, obstructed or interfered with.

29. SERVING OF NOTICES

29.1 Any directive, notice or other document which in terms of this scheme, requires or is authorized to be served, shall be signed by the Municipal Manager or another official authorized thereto by the local municipality, and shall be served in any of the following ways:

- (a) On the person concerned, in person, or on his authorized representative.
- (b) If service cannot be effected in the manner contemplated in sub-clause 29.1(a), at his residence or place of business or place of employment, on a person apparently not less than 16 years of age and apparently residing or employed there.
- (c) If no such person can be found on the property mentioned in sub-clause 29.1(b), by affixing such directive, notice or other document at a conspicuous place on the premises and by dispatching a copy of such directive, notice or other document by pre-paid registered post to the last known place of residence, business, employment or post box of the person concerned.
- (d) If such person upon whom a notice is to be served has chosen a domicilium et executandi, on such domicilium.

29.2 Where any service is effected in accordance with the provision of sub-clause 29.1(c), such service shall be deemed to have been effected at the time when a letter containing such directive, notice or other document would have been delivered in the ordinary course of postal deliveries and proof that such directive, notice or other document

was properly addressed and registered, shall be deemed sufficient proof of service thereof.

- 29.3 Any directive, notice or other document which in terms of the provisions of this land-use scheme is required to be given to the owner or occupant of any particular premises, may be addressed to the "owner" or "occupant" of such premises in respect whereof the directive, notice or other document is given, without any further name or description, and shall be deemed to be in compliance with the provisions of this clause.

30. POWERS OF LOCAL MUNICIPALITY IN CASE OF CONTRAVENTION OF LAND-USE SCHEME

30.1 Where any person, in conflict with any provision of the land-use scheme in operation -

- (a) Undertakes or proceeds with erection or alteration of or addition to a building or causes it to be undertaken or proceeded with;
- (b) Performs, undertakes or proceeds with any other work or causes it to be performed, undertaken or proceeded with;
- (c) Uses any land or building or causes it to be used;

The local municipality shall direct such person in writing:

- (i) to discontinue such erection, alteration, addition or other work or to discontinue such use or cause it to be discontinued; and
- (ii) at his own expense to:
 - (aa) remove such building or other work or cause it to be removed;
 - (bb) to cause such building or other work or such use to comply with the provisions of the scheme.

30.2 Any person who contravenes the provisions of this scheme or fails to comply with an instruction issued in terms of Clause 30.1 commits an offence.

30.3 If a person fails to comply with a directive issued in terms of Clause 30.1, the local municipality may irrespective of the fact that such a person has criminally been charged or prosecuted, remove the building or other works at the expense of such a person, obtain a court order to remove the building or other work or cause, the building or other work to comply with the provisions of its land-use scheme and to recover all expenditure incurred in connection therewith, from such person.

30.4 Whenever any person is required to perform any act to the satisfaction of the local municipality:

- (a) the local municipality shall have the right to inspect the property or works under question to satisfy itself of compliance;
 - (b) if the local municipality is not satisfied that compliance is taking place it shall:
 - (i) send a notice to such a person informing the person of non-compliance, giving such a person 14 days or such an extended period as may be required to ensure compliance; and
 - (ii) failing which the stipulations of Clause 30.2 and 30.3 shall apply mutatis mutandis to this clause.
- 30.5 any act or omission, being an offence in terms of clause 30.2 above, is triable in a Magistrates' Court created in terms of the MAGISTRATES COURTS ACT 1944 (Act 32 of 1944) and upon conviction, is punishable with a fine not exceeding R 5000,00.

SCHEDULE 1

NOXIOUS INDUSTRIES

The use of buildings or land for any of the following purposes:

- (1) Asbestos-processing
- (2) The burning of building bricks
- (3) Chromium-plating
- (4) Cement production
- (5) Carbonization of coal in coke ovens
- (6) Charcoal-burning
- (7) Converting, reheating, annealing, hardening or carburizing, forging or casting or iron or other metals
- (8) Crushing or screening of stone or slag or plants for the preparation of road-surfacing material
- (9) Distilling, refining or blending of oils
- (10) Galvanizing
- (11) Lime and dolomite-burning
- (12) Lead-smelting
- (13) Pickling and treatment of metal in acid
- (14) Recovery of metal from scrap
- (15) Smelting, calcining, sintering or other reduction of ores or minerals
- (16) Salt glazing
- (17) Sintering of sulphur-bearing materials and viscose works

The use of buildings or land for the production of or the employment in any process of:

- (1) Carbon bisulphide, cellulose lacquers, hot pitch bitumen, pyridine, or pulverised fuel (except when used for a spray-painting trade)
- (2) Cyanogen or its compounds
- (3) Liquid or gaseous sulphur dioxide
- (4) Sulphur chlorides or calcium carbide

The use of buildings or land for the production of:

- (1) Amyl acetate, aromatic esters, butyric acid, caramel, enamelled wire, hexamine, iodoform, B-naphthol, salicylic acid, lamp-black, sulphurated organic compounds, sulphur dyes, glass and resin products (except synthetic resins, plastic-moulding or extrusion compositions and plastic sheets, rods, tubes, filaments or optical components produced by casting, calendering, moulding, shaping or extrusion)
- (2) Paint or varnish manufacture (excluding mixing, milling and grinding)
- (3) Rubber from scrap
- (4) Ultra marine, zinc chloride and oxide

For the purpose of:

- (1) An abattoir, animal bristle sterilizing and storing, and animal charcoal manufacture
- (2) A bacon factory, a brewery or distillery, blood-albumen making, blood-boiling, bone-boiling, -steaming, -burning, -storing, or bone-grinding, breeding of maggots from putrescible matter
- (3) Candle-making, catgut manufacture, boiling of chitterlings of pigs or other animals which are not subsidiary to a retail business or trade
- (4) Dealing in rags or bones (including receiving, storing or manipulating of rags in, or likely to become in, an offensive condition, or any bones, rabbit skins, fat or putrescible animal products of a like nature)
- (5) Fellmongery, fat-smelting or -extracting, fish-curing (other than a subsidiary to the business or trade as a fishmonger), fish-skin dressing or scraping, fish-canning

- (6) Glue-making, gut-cleaning or -scraping
- (7) A knacker's yard
- (8) Leather-dressing
- (9) The making of meal for feeding poultry, dogs, cattle or other animals from any fish, blood, bone, fat or animal offal, either in an offensive condition or subjected to any process causing noxious or injurious effluvia, manufacturing or storing of manure from bones, fish, fish offal, blood, spent hops, beans or other putrescible animal or vegetable matter, manufacturing of malt
- (10) Parchment-making, a paper mill
- (11) Size-making, skin-drying, -storing and -curing, soap-boiling, a slaughter house, a sugar-mill or -refinery
- (12) Tallow-melting or -refining, tanning, tripe-boiling or -cleaning
- (13) Wool-scouring, wattle-bark grinding or extracting, or
- (14) Yeast-making.

SCHEDULE 2

SITE DEVELOPMENT PLAN

Site Development Plan means a plan on a scale of 1:500 or such other scale as the local municipality may approve, showing the proposed development and any salient features of a property. Such site development plan shall at least indicate the following where applicable:

- (a) entrances to the property and entrances for emergency vehicles (emergency exists shall be shown);
- (b) building lines, servitudes and other limitations (e.g. flood lines), side spaces, back spaces, road widenings and corner splays. Topographical features, outcrops of rock, trees, bushes and the like. Earthworks, berm walls and their proposed treatment;
- (c) internal roads (also for pedestrians with a maximum fall of 1 in 8) and kerb lines;
- (d) parking areas (visitors, open and covered), type of paving material (show slope gradient) and kerb lines shall be shown;
- (e) open areas (walking trails, recreation area, private gardens, children's playgrounds and the like);
- (f) siting of all buildings (distinctively marked and recognizable respectively). Also existing buildings or buildings to be demolished. Distances between buildings and from property boundaries shall be shown;
- (g) municipal sewers, connections, internal layout, stormwater, catchment pits and stormwater layout or method of disposal. (For group housing the services shall be shown on separate drawings);
- (h) phasing of development (especially group housing);
- (i) the following town planning control factors shall be shown on the plan in tabular form (for group housing only the areas of the units and the number of units per hectare shall be shown):

CONTROL FACTOR	REQUIRED/ PERMISSIBLE	SUPPLIED
Coverage		
Floor area		
Floor area ratio		
Parking		

- (j) erf boundaries and other cadastral information (proposed subdivisional lines in case of group housing) and proposed road closures and/or park closures;
- (k) contours and ground level heights (1,0 metre contour intervals);
- (l) street names, adjoining properties (buildings in outline) and true north position;
- (m) position, height, material and trim of fences, boundary walls, screen walls, retaining walls and gates;
- (n) loading and offloading areas;
- (o) surfaces (tar) of existing roads and new roads (show kerbstone lines accurately);
- (p) the positions of firehose valves and firehose reels; and
- (q) landscaping.

APPLICATION FOR SPECIAL CONSENT IN TERMS OF CLAUSE 20

I/We _____ hereby apply in terms of Clause 23.1(a) of the Molemole Land-use Scheme, 2006 for _____ (indicate specific type of application in terms of Clause 23 of the Land-use Scheme).

Herewith find the following information with regard to my/our application:

1. Full name of applicant/agent:

2. Full property description according to Title Deed / Deed of Grant / Permission to Occupy Certificate:

3. Registered owner/s of property/ies:

4. Size of application property/ies: _____ m²/ha

5. Street address of application property:

6. Postal address of applicant/agent:

7. Telephone numbers:

Registered Owner: Work _____

Home _____

Applicant/Agent: Work _____

Cell _____

8. Existing zoning in terms of the Molemole Land-use Scheme, 2006:

9. Existing number of dwelling units on the property (where applicable):

10. Other land use rights granted on the property in terms of the Land Regulations, 1969 (Proc. No. 188 of 1969), Regulations for the Administration and Control of Townships in Black Areas, 1962 (Proc. No. R293 of 1962) or any other applicable legislation:

10.1 Before.../.../ 2006: _____

or, other land use rights - special or written consent - granted on the property:

10.2 After .../.../ 2006: _____

11. If paragraph 10 above is applicable, please provide the date of approval. (A copy of the letter of approval can be attached, if available)

Date of approval: _____

12. Are the rights mentioned in paragraph 10 above still being executed?

YES		NO	
-----	--	----	--

13. Is or may the property be classified by the National Monuments Council as a heritage and/or memorable place/building, or may the buildings on the property be older than 50 years?

YES		NO	
-----	--	----	--

If yes specify: _____

14. Describe the type of building for the proposed land-use/business:

15. Provide details on the size of the proposed land-use/business:

16. SUPPORTING DOCUMENTATION ATTACHED TO THE APPLICATION:

16.1 **Motivational Memorandum:**

Provide a complete motivation which amongst others address the criteria in Clause 19 of the Scheme, namely:

- (a) the amenity of the area;
- (b) health and safety of the area;
- (c) the character of uses in the area;
- (d) the need and desirability of the concerned use; and
- (e) the Integrated Development Plan (IDP) and the Municipal Spatial Development Framework and any review thereof.

YES		NO	
-----	--	----	--

16.2 **A copy of the Title Deed / Deed of Grant / Permission to Occupy Certificate**

YES		NO	
-----	--	----	--

16.3 **A power of attorney** (issued by the registered owner if the applicant/ agent is not the registered owner)

YES		NO	
-----	--	----	--

16.4 Provide copies of the pages of the newspapers (as proof) that a **notice of the application** has been published for two consecutive weeks, in a local bilingual newspaper in English and one other official language, prominent in the area where the application is lodged. (Also refer to the examples of the application form).

YES		NO	
-----	--	----	--

16.5 Provide an **affidavit** confirming that a **notice** with the same substance as the one published in the newspaper/s has been posted on a conspicuous place and maintained for 14 (fourteen) days **on the property**. (Also refer to attached example).

Note: The notice shall be placed simultaneously with the notice required in paragraph 17.4 above.

YES		NO	
-----	--	----	--

- 16.5 **A locality plan** indicating the application site in relation to the surrounding area. The site shall be clearly marked on the plan.

YES		NO	
-----	--	----	--

- 16.6 **An application fee of R_____** as provided for in terms of Ordinance 15 of 1986.

YES		NO	
-----	--	----	--

17. OBJECTIONS RECEIVED

YES		NO	
-----	--	----	--

17.1 If **YES**, attach copies of all objections to application.

17.2 Submit applicant's comments on objections.

YES		NO	
-----	--	----	--

18. ADDITIONAL INFORMATION

The municipality may require additional documentation/information (i.e. site development plan, traffic impact study, environmental report, etc) at its discretion when evaluating the application.

YES		NO	
-----	--	----	--

18.1 Specify any additional information provided with the submission of this application:

I/We hereby confirm that the information contained in this application is true and was completed to the best of my knowledge. I also understand that my application will not be considered if it is incomplete and undertake to submit any further information that may be required by the municipality to finalise the application.	
Signed	in _____ at this _____ day of _____ 20 _____.
SIGNATURE OF APPLICANT:	_____

Important Notes:

1. Please note that a stipulation of clause 20.1(e) also implies that the application should initially lie open for inspection at the office of the Molemole Municipality. The application and at least the information contemplated should be submitted to the local municipality on the first day of the notice in the local newspaper.
2. The complete application shall be submitted to the Molemole Municipality within 28 days from the date of the first publishing and posting of the notices mentioned in the application procedure.

APPLICATION FOR WRITTEN CONSENT IN TERMS OF CLAUSE 21

I/We _____ hereby apply in terms of Clause 21.1 of the Molemole Land-use Scheme, 2006 for _____ (indicate specific type of application in terms of Clause 21.1 of the Land-use Scheme).

Herewith find the following information with regard to my/our application:

1. **Full name of applicant/agent:**

2. **Full property description according to Title Deed / Deed of Grant / Permission to Occupy Certificate:**

3. **Registered owner/s of property/ies (as described in Title Deed / Deed of Grant / Permission to Occupy Certificate):**

4. **Size of application property/ies:**

_____ m²/ha

5. **Street address of application property:**

6. **Postal address of applicant/agent:**

7. **Telephone numbers:**

Registered Owner: Work _____

Home _____

Applicant/Agent: Work _____

Cell _____

8. **Existing zoning in terms of the Molemole Land-use Scheme, 2006:**

9. **Existing number of dwelling units on the property (where applicable):**

10. **Other land use rights granted on the property in terms of the Land Regulations, 1969 (Proc. No. 188 of 1969), Regulations for the Administration and Control of Townships in Black Areas, 1962 (Proc. No. R293 of 1962) or any other applicable legislation:**

10.1 Before.../.../ 2006: _____

or, other land use rights - special or written consent - granted on the property:

10.2 After .../.../ 2006: _____

11. If paragraph 10 above is applicable, please provide the date of approval. (A copy of the letter of approval can be attached, if available)

Date of approval: _____

12. Are the rights mentioned in paragraph 10 above still being executed?

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

13. Is or may the property be classified by the National Monuments Council as a heritage and/or memorable place/building, or may the buildings on the property be older than 50 years?

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

If yes
specify: _____

14. Describe the type and size of building/s:

Main Building: _____ m² Outbuildings: _____ m²
Other: _____ m² Total Area: _____ m²

15. Total area of proposed use (if applicable): _____ m²
Also indicate area of proposed use on sketch plan / draft site plan / draft building plan.

16. Specific type of application in terms of Clause 21.1 (Indicate in Table below with ✓)

Sub-Clause	Type- Application	Specify	Indicate (✓) in relevant box
21.1.1	Uses permitted - Column 5 - Table "A"	(i.e. additional dwelling unit)	<input type="checkbox"/>
21.1.2	Household enterprise - Clause 23		<input type="checkbox"/>
21.1.3	Dwelling unit for Spaza or Kiosk		<input type="checkbox"/>
21.1.4	Relaxation of height - Clause 14		<input type="checkbox"/>
21.1.5	Relaxation of coverage - Clause 15		<input type="checkbox"/>
21.1.6	Relaxation of Building lines - Clause 8.6.2(c)		<input type="checkbox"/>
21.1.7	Amendment of Site Development Plan - Clause 16		<input type="checkbox"/>
21.1.8	Relaxation of lines of no access - Clause 8.6.3		<input type="checkbox"/>
21.1.9	Permission in terms of: - Clause 8.2.1	(i.e. excavation, sink borehole, manufacturing)	<input type="checkbox"/>
	- Clause 8.10.1	Use of building/s for more than one purpose	<input type="checkbox"/>
	- Clause 11.1(c)	Erven zoned Residential 2	<input type="checkbox"/>
	- Clause 12.1(f)	Public Garage/Filling station	<input type="checkbox"/>

- Clause 13.3	Density amendment	
- Clause 13.4	Additional dwelling	
- Clause 13.5	Subdivision	
- Clause 13.6	Occupation	
- Clause 17.1 (c)	Parking - rentals	
- Clause 17.2	Loading and off-loading	

17. Application for Household Enterprise [In terms of Clause 23 of the Scheme]

[This paragraph must also be completed but only for applications for a household enterprise]

17.1 I will/will not practice my occupation personally on a day-to-day basis from the property.

WILL		WILL NOT	
-------------	--	-----------------	--

If the answer is will not: Specify _____

17.2 Are you a full time resident on the property?

YES		NO	
------------	--	-----------	--

17.3 Provide the names of persons who are full time residents on the property:

1	
2	
3	
4	
5	

17.4 Who is in charge of the enterprise and holds the majority interest in the business?

17.5 Provide the following information on the dwelling unit (outbuildings excluded):

- Existing total floor area of building/dwelling unit:
_____ m²
- Total floor area where proposed use / occupation / practice will be conducted from:
_____ m²
- Percentage of floor area of building/dwelling unit to be used for household enterprise/practise. Indicate area on building plan/sketch plan:
_____ %

17.6 Total number of persons to be accommodated on the property where the household enterprise will be conducted: _____

Excluding myself/applicant, the names and status of people which will be accommodated on the property:

NAMES	SPECIFY (i.e. partner, employee)
1	
2	

3	
4	
5	

Specify (if more than 5 people): _____

17.7 I undertake to provide parking areas on the property in accordance with the provisions of Table "B" of the Scheme. Specify number: _____

17.8 Will any retail trade take place on the application property?

YES		NO	
-----	--	----	--

17.9 Will any notice or sign be displayed at the dwelling unit to indicate the nature of the household enterprise?

YES		NO	
-----	--	----	--

18. SUPPORTING DOCUMENTATION ATTACHED TO THE APPLICATION:

18.1 **Motivational Memorandum:**
 Provide a complete motivation which amongst others address the criteria in Clause 19 of the Scheme, namely:
 (a) the amenity of the area;
 (b) health and safety of the area;
 (c) the character of uses in the area;
 (d) the need and desirability of the concerned use; and
 (e) the Integrated Development Plan (IDP) and the Municipal Spatial Development Framework and any review thereof.

YES		NO	
-----	--	----	--

18.2 **A copy of the Title Deed / Deed of Grant / Permission to Occupy Certificate**

YES		NO	
-----	--	----	--

18.3 **A power of attorney** (issued by the registered owner if the applicant/agent is not the registered owner)

YES		NO	
-----	--	----	--

18.4 Written comments of the surrounding owners as prescribed in Clause 21.3 and 21.4 of the Scheme (Annexure A must be completed separately for every surrounding owner)

YES		NO	
-----	--	----	--

18.5 **A locality plan** indicating the application site in relation to the surrounding properties situated in a radius of 50m. [Refer to Clause 21.4(i) in the Scheme] The site shall be clearly marked on the plan, as well as the relevant surrounding properties.

YES		NO	
-----	--	----	--

18.6 **An application fee of R_____** as provided for in terms of Ordinance 15 of 1986.

YES		NO	
-----	--	----	--

19. OBJECTIONS

YES		NO	
-----	--	----	--

19.1 If **YES**, attach copies of all objections to application.

19.2 Submit applicant's comments on objections.

YES		NO	
-----	--	----	--

20. ADDITIONAL INFORMATION

The municipality may require additional documentation/information (i.e. site development plan, traffic impact study, environmental report, etc) at its discretion when evaluating the application.

YES		NO	
-----	--	----	--

20.1 Specify any additional information provided with the submission of this application:

I/We hereby confirm that the information contained in this application is true and was completed to the best of my knowledge. I also understand that my application will not be considered if it is incomplete and undertake to submit any further information that may be required by the municipality to finalise the application.

Signed in _____ at this _____ day of
_____ 20_____.

SIGNATURE OF APPLICANT: _____

ANNEXURE A

MOLEMOLE TOWN PLANNING SCHEME, 2006

APPLICATION FOR WRITTEN CONSENT I.T.O. CLAUSE 21

NOTICE TO SURROUNDING OWNERS

Notice is hereby given that I / we, the undersigned intend applying to the Molemole Municipality, in terms of Clause 21 of the Molemole Town Planning Scheme of 2006, for consent/permission to:

(Mention written consent required as stated in Part A of application form)

on the following property, namely:

Erf No:

Street address:

(Provide complete property description and street address)

Particulars relating to the application are summarized on the attached page.

(A short summary of the proposed use/consent required, the extend thereof and reasons must be provided by the applicant or alternatively, the applicant may provide surrounding owner with a copy of the motivational memorandum)

SIGNATURE OF ADJACENT OWNERS/RESIDENTS

As you are my/our adjacent owner within a distance of 50m, please complete the table below so as to confirm that you have been informed of the proposed use by the applicant and that he/she has explained and disclose all information of the proposed use/consent required.

Please also confirm that a form, marked Annexure B, was handed to you for completion to **submit any comments or objections (if you do not support the application)** to the applicant **or it can also be submitted to** the Molemole Municipality, P.O. Box 990, JUNO 0748.

Note that should no comments/objections be received within 14 days of the date of this notice, the Molemole Municipality will have no option to assume that you are in support of the application.

DECLARATION BY SURROUNDING OWNERS

As the surrounding owner I hereby confirm that I have been fully informed of the proposed use and that a form marked Annexure B has been handed to me:

*No.	NAME OF SURROUNDING OWNER	STREET ADDRESS	SIGNATURE	DATE
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

****(This number should also be indicated on Locality Plan)***

Applicant's full name:	
Applicant's signature:	
Date:	

Particulars relating to the proposed use/application can be summarized as follows:

--

(Page to be attached to notice to surrounding owners)

ANNEXURE B

MOLEMOLE TOWN PLANNING SCHEME, 2006

APPLICATION FOR WRITTEN CONSENT I.T.O. CLAUSE 21

STATEMENT BY THE SURROUNDING OWNERS

APPLICATION ON: *(State property description of application site)*

--

I, the undersigned, being the:

**Mark applicable blocks
with X**

Registered owner; and/or	<input type="checkbox"/>	<input type="checkbox"/>
Occupant; and/or	<input type="checkbox"/>	<input type="checkbox"/>
Lessee	<input type="checkbox"/>	<input type="checkbox"/>

of the property on the property mentioned hereafter, declare that:

Mark applicable block with X

I have no objection to the above mentioned application which was fully explained to me	<input type="checkbox"/>
I have an objection against the application and proposed use/consent to be granted. <i>(Full reasons can be attached)</i>	<input type="checkbox"/>

My particulars are as follows:

FULL NAME	Erf number & Township (e.g. Erf 10, Molemole Ext 1)	Street Address

Signature of surrounding owner:	
Date:	

Note: Surrounding owner should submit any objections within 14 days from date of receipt of notice.

MOLEMOLE TOWN PLANNING SCHEME: LIST OF CO-ORDINATES

<u>Point no</u>	<u>Co-ordinate</u>	<u>Point no</u>	<u>Co-ordinate</u>
12	S 24.12.398	39	S 23.22.247
12	E 029.05.842	39	E 029.06.921
13	S 23.17.600	40	S 23.22.153
13	E 029.14.626	40	E 029.06.584
14	S 23.17.123	41	S 23.22.158
14	E 029.14.755	41	E 029.07.084
15	S 23.16.943	42	S 23.22.905
15	E 029.14.793	42	E 029.07.344
16	S 23.16.825	43	S 23.22.975
16	E 029.15.137	43	E 029.07.340
17	S 23.17.101	44	S 23.24.411
17	E 029.14.865	44	E 029.07.706
18	S 23.17.532	45	S 23.24.436
18	E 029.15.041	45	E 029.07.616
19	S 23.17.731	46	S 23.24.525
19	E 029.15.074	46	E 029.07.639
20	S 23.17.722	47	S 23.24.594
20	E 029.15.005	47	E 029.07.567
21	S 23.17.777	48	S 23.24.537
21	E 029.14.880	48	E 029.07.236
22	S 23.18.064	49	S 23.24.528
22	E 029.14.806	49	E 029.07.210
23	S 23.17.620	50	S 23.24.472
23	E 029.14.628	50	E 029.07.262
24	S 23.17.590	51	S 23.24.524
24	E 029.14.723	51	E 029.07.184
25	S 23.17.223	52	S 23.24.688
25	E 029.14.946	52	E 029.07.231
26	S 23.16.953	53	S 23.24.687
26	E 029.14.861	53	E 029.07.196
27	S 23.17.604	54	S 23.24.674
27	E 029.14.478	54	E 029.07.165
28	S 23.18.354	55	S 23.24.492
28	E 029.06.865	55	E 029.07.407
29	S 23.18.271	56	S 23.24.502
29	E 029.06.112	56	E 029.07.654
30	S 23.18.356	57	S 23.24.502
30	E 029.06.102	57	E 029.07.654
31	S 23.18.358	58	S 23.23.820
31	E 029.06.152	58	E 029.06.665
32	S 23.18.505	59	S 23.23.563
32	E 029.06.435	59	E 029.05.840
33	S 23.21.233	60	E 23.23.492
33	E 029.06.973	60	E 029.05.141
34	S 23.21.443	61	S 23.23.583
34	E 029.06.955	61	E 029.05.160
35	S 23.21.618	62	S 23.23.595
35	E 029.06.968	62	E 029.05.063
36	S 23.21.813	63	S 23.23.485
36	E 029.06.920	63	E 029.04.961
37	S 23.21.909	64	S 23.23.500
37	E 029.06.904	64	E 029.04.525
38	S 23.22.273	65	S 23.23.400
38	E 029.07.022	65	E 029.04.589

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66 S 23.23.408
66 E 029.03.932
67 S 23.20.709
67 E 029.03.361
68 S 23.20.689
68 E 029.03.182
69 S 23.20.399
69 E 029.02.980
70 S 23.20.628
70 E 029.02.524
71 S 23.20.855
71 E 029.02.476
72 S 23.20.806
72 E 029.02.491
73 S 23.20.725
73 E 029.02.502
74 S 23.20.572
74 E 029.02.534
75 S 23.20.553
75 E 029.02.540
76 S 23.20.542
76 E 029.02.540
77 S 23.20.483
77 E 029.02.547
78 S 23.20.432
78 E 029.02.560
79 S 23.30.384
79 E 029.02.569
80 S 23.20.333
80 E 029.02.565
81 S 23.20.268
81 E 029.02.573
82 S 23.20.254
82 E 029.02.581
83 S 23.20.188
83 E 029.02.598
84 S 23.20.146
84 E 029.02.583
85 S 23.20.156
85 E 029.02.490
86 S 23.20.073
86 E 029.02.224
87 S 23.19.941
87 E 029.02.738
88 S 23.19.973
88 E 029.02.670
89 S 23.20.160
89 E 029.02.756
90 S 23.20.271
90 E 029.02.742
91 S 23.20.511
91 E 029.03.148
92 S 23.20.629
92 E 029.03.248

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93 S 23.20.817
93 E 029.03.586
94 S 23.20.761
94 E 029.03.513
95 S 23.20.619
95 E 029.03.783
96 S 23.20.655
96 E 029.03.794
98 S 23.22.418
98 E 019.08.723
98 S 23.23.534
98 E 029.06.534
99 S 23.22.371
99 E 029.08.928
100 S 23.22.453
100 E 029.08.995
101 S 23.22.452
101 E 029.09.032
102 S 23.22.460
102 E 029.09.110
103 S 23.22.801
103 E 029.09.284
104 S 23.22.759
104 E 029.09.389
105 S 23.24.040
105 E 029.09.921
106 S 23.24.073
106 E 029.09.888
107 S 23.24.110
107 E 029.09.945
108 S 23.24.175
108 E 029.09.963
109 S 23.24.155
109 E 029.09.876
110 S 23.24.037
110 E 029.10.174
111 S 23.25.288
111 E 029.10.085
112 S 23.25.001
112 E 029.09.855
113 S 23.25.000
113 E 029.09.868
114 S 23.24.949
114 E 029.09.885
115 S 23.23.157
115 E 029.10.528
116 S 23.22.211
116 E 029.10.662
117 S 23.22.226
117 E 029.906
118 S 23.21.889
118 E 029.10.956
119 S 23.21.552
119 E 029.11.042

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120 S 23.21.562
120 E 029.11.037
121 S 23.21.506
121 E 029.11.088
122 S 23.20.975
122 E 029.12.114
123 S 23.20.891
123 E 029.11.802
124 S 23.20.647
124 E 029.10.539
125 S 23.20.601
125 E 029.10.345
126 S 23.20.640
126 E 029.10.282
127 S 23.20.600
127 E 029.10.244
128 S 23.20.472
128 E 029.09.832
129 S 23.20.101
129 E 029.09.173
130 S 23.20.083
130 E 029.09.255
131 S 23.19.909
131 E 029.08.747
132 S 23.19.898
132 E 029.08.702
133 S 23.19.485
133 E 029.08.635
134 S 23.19.443
134 E 029.08.565
135 S 23.19.276
135 E 029.09.811
136 S 23.18.916
136 E 029.10.238
137 S 23.18.059
137 E 029.10.313
138 S 23.18.722
138 E 029.10.237
139 S 23.18.69
139 E 029.10.256
140 S 23.18.277
140 E 029.09.948
141 S 23.18.311
141 E 029.09.804
142 S 23.18.297
142 E 029.09.801
143 S 23.18.309
143 E 029.09.824
144 S 23.18.250
144 E 029.09.900
145 S 23.18.227
145 E 029.09.715
146 S 23.18.202
146 E 029.09.745

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147 S 23.18.078
147 E 029.09.777
148 S 23.19.816
148 E 029.13.361
149 S 23.19.744
149 E 029.13.580
150 S 23.19.755
150 E 029.13.608
151 S 23.20.157
151 E 029.13.461
152 S 23.20.137
152 E 029.13.393
153 S 23.20.141
153 E 029.13.459
154 S 23.20.160
154 E 029.13.494
155 S 23.19.959
155 E 029.13.528
156 S 23.19.920
156 E 029.13.585
157 S 23.19.911
157 E 029.13.587
158 S 23.19.899
158 E 029.13.536
159 S 23.19.807
159 E 029.13.485
160 S 23.19.702
160 E 029.13.624
161 S 23.19.701
161 E 029.13.613
162 S 23.19.697
162 E 029.13.597
163 S 23.19.664
163 E 029.13.641
164 S 23.19.664
164 E 029.13.641
165 S 23.19.667
165 E 029.13.642
166 S 23.19.632
166 E 029.13.652
167 S 23.19.510
167 E 029.13.722
168 S 23.19.508
168 E 029.13.759
169 S 23.19.653
169 E 029.14.180
170 S 23.19.669
170 E 029.14.224
171 S 23.19.981
171 E 029.14.142
172 S 23.19.702
172 E 029.14.330
173 S 23.19.152
173 E 029.13.612

<u>Point no</u>	<u>Co-ordinate</u>
174	S 23.19.100
174	E 029.13.607
175	S 23.19.207
175	E 029.13.484
176	S 23.19.063
176	E 029.13.278
177	S 23.18.738
177	E 029.13.117
178	S 23.18.643
178	E 029.12.645
179	S 23.18.642
179	E 029.12.644
180	S 23.18.586
180	E 029.12.635
181	S 23.18.599
181	E 029.12.576
182	S 23.18.593
182	E 029.12.519
183	S 23.18.588
183	E 029.12.492
184	S 23.18.571
184	E 029.12.358
185	S 23.18.612
185	E 029.12.265
186	S 23.18.934
186	E 029.13.466
194	S 23.28.660
194	E 029.42.580
195	S 23.28.497
195	E 029.42.525
196	S 23.28.405
196	E 029.42.575
197	S 23.28.319
197	E 029.42.513
198	S 23.28.168
198	E 029.42.443
199	S 23.28.116
199	E 029.42.422
200	S 23.28.048
200	E 029.42.356
201	S 23.27.984
201	E 029.42.329
202	S 23.28.092
202	E 029.42.543
203	S 23.28.089
203	E 029.42.591
204	S 23.27.896
204	E 029.42.563
205	S 23.27.873
205	E 029.42.569
206	S 23.28.016
206	E 029.42.101
207	S 23.27.747
207	E 029.41.944

<u>Point no</u>	<u>Co-ordinate</u>
208	S 23.27.473
208	E 029.41.679
209	S 23.27.462
209	E 029.41.682
210	S 23.27.670
210	E 029.41.817
211	S 23.27.426
211	E 029.41.534
212	S 23.27.420
212	E 029.41.448
213	S 23.27.564
213	E 029.41.393
214	S 23.27.562
214	E 029.41.255
215	S 23.27.666
215	E 029.41.171
216	S 23.27.656
216	E 029.41.103
217	S 23.27.374
217	E 029.41.256
218	S 23.27.378
218	E 029.41.259
219	S 23.27.398
219	E 029.41.332
220	S 23.27.354
220	E 029.41.539
221	S 23.27.094
221	E 029.41.429
222	S 23.27.388
222	E 029.40.987
223	S 23.27.465
223	E 029.40.974
224	S 23.27.566
224	E 029.40.967
225	S 23.27.572
225	E 029.40.968
226	S 23.27.467
226	E 029.40.892
227	S 23.27.253
227	E 029.40.532
228	S 23.27.280
228	E 029.40.725
229	S 23.27.315
229	E 029.40.910
230	S 23.28.645
230	E 029.42.702
230	S 23.27.730
230	E 029.49.783
231	S 23.28.636
231	E 029.42.736
231	S 23.38.625
231	E 029.48.366
232	S 23.28.533
232	E 029.42.491

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232 S 23.30.313
232 E 029.49.988
233 S 23.26.521
233 E 029.44.537
233 S 23.30.606
233 E 029.50.693
234 S 23.26.290
234 E 029.44.339
234 S 23.30.898
234 E 029.50.739
235 S 23.26.133
235 E 029.44.251
235 S 23.30.551
235 E 029.50.414
236 S 23.26.099
236 E 029.44.216
236 S 23.30.546
236 E 029.50.174
237 S 23.25.962
237 E 029.44.187
237 S 23.30.753
237 E 029.50.196
238 S 23.25.935
238 E 029.44.171
238 S 23.30.753
238 E 029.50.411
239 S 23.25.936
239 E 029.44.164
239 S 23.30.914
239 E 029.50.350
240 S 23.25.891
240 E 029.44.004
240 S 23.31.017
240 E 029.50.405
241 S 23.25.729
241 E 029.42.950
241 S 23.31.001
241 E 029.50.419
242 S 23.31.103
242 E 029.50.890
243 S 23.31.114
243 E 029.50.495
244 S 23.31.149
244 E 029.50.371
245 S 23.31.173
245 E 029.50.356
246 S 23.31.197
246 E 029.50.335
247 S 23.31.221
247 E 029.50.303
248 S 23.31.194
248 E 029.50.217
249 S 23.31.241
249 E 029.50.298

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250 S 23.31.271
250 E 029.50.267
251 S 23.31.289
251 E 029.50.250
252 S 23.31.303
252 E 029.50.240
253 S 23.31.318
253 E 029.50.231
254 S 23.31.426
254 E 029.50.115
255 S 23.31.650
255 E 029.49.925
256 S 23.31.637
256 E 029.49.929
257 S 23.31.650
257 E 029.49.913
258 S 23.31.666
258 E 029.49.904
259 S 23.31.692
259 E 029.50.473
260 S 23.31.689
260 E 029.50.536
261 S 23.31.942
261 E 029.50.503
262 S 23.32.395
262 E 029.50.087
263 S 23.32.209
263 E 029.50.042
264 S 23.31.787
264 E 029.50.115
265 S 23.31.710
265 E 029.50.081
266 S 23.31.687
266 E 029.49.974
267 S 23.31.691
267 E 029.49.960
268 S 23.31.703
268 E 029.49.924
269 S 23.31.720
269 E 029.49.892
270 S 23.31.803
270 E 029.49.826
271 S 23.31.967
271 E 029.49.651
272 S 23.31.329
272 E 029.50.675
273 S 23.31.304
273 E 029.50.692
274 S 23.29.281
274 E 029.45.866
275 S 23.28.906
275 E 029.45.628
276 S 23.28.935
276 E 029.45.396

<u>Point no</u>	<u>Co-ordinate</u>
277	S 23.28.940
277	E 029.45.396
278	S 23.28.947
278	E 029.45.331
279	S 23.38.940
279	E 029.45.203
280	S 23.28.784
280	E 029.45.340
281	S 23.28.900
281	E 029.45.544
282	S 23.28.892
282	E 029.45.074
283	S 23.28.828
283	E 029.44.736
284	S 23.38.828
284	E 029.44.736
285	S 23.28.828
285	E 029.44.736
286	S 23.29.321
286	E 029.45.446
287	S 23.29.351
287	E 029.45.271
288	S 23.29.379
288	E 029.45.264
289	S 23.29.379
289	E 029.45.264
290	S 23.29.379
290	E 029.45.264
291	S 23.29.379
291	E 029.45.264
292	S 23.39.379
292	E 029.45.264
293	S 23.29.379
293	E 029.45.264
294	S 23.29.379
294	E 029.45.264
295	S 23.29.379
295	E 029.45.264
296	S 23.29.379
296	E 029.45.264
297	S 23.29.379
297	E 029.45.264
298	S 23.29.363
298	E 029.43.489
299	S 23.29.559
299	E 029.43.467
300	S 23.29.482
300	E 029.43.545
301	S 23.29.514
301	E 029.43.534
302	S 23.29.533
302	E 029.43.528
303	S 23.29.586
303	E 029.43.504

<u>Point no</u>	<u>Co-ordinate</u>
304	S 23.29.625
304	E 029.43.553
305	S 23.39.638
305	E 029.43.519
306	S 23.29.539
306	E 029.43.707
307	S 23.29.643
307	E 029.43.940
308	S 23.29.531
308	E 029.44.599
309	S 23.29.550
309	E 029.44.500
310	S 23.29.570
310	E 029.44.434
311	S 23.29.588
311	E 029.44.344
312	S 23.29.650
312	E 029.44.255
313	S 23.39.679
313	E 029.44.263
314	S 23.29.680
314	E 029.44.245
315	S 23.29.683
315	E 029.44.010
316	S 23.29.632
316	E 029.44.168
317	S 23.29.869
317	E 029.44.323
318	S 23.29.873
318	E 029.44.478
319	S 23.30.281
319	E 029.44.716
320	S 23.30.262
320	E 029.44.537
321	S 23.30.349
321	E 029.44.459
322	S 23.30.132
322	E 029.44.524
323	S 23.30.015
323	E 029.44.390
324	S 23.30.015
324	E 029.44.390
325	S 23.20.370
325	E 029.44.156
326	S 23.20.360
326	E 029.44.138
327	S 23.30.367
327	E 029.44.042
328	S 23.30.534
328	E 029.44.358
329	S 23.30.296
329	E 029.44.096
330	S 23.30.258
330	E 029.44.038