

TSHWANE
TOWN-PLANNING SCHEME, 2008
(PROMULGATION DATE: 23 APRIL 2008)



CITY OF TSHWANE

"we are the same"

*COMPILED BY THE CITY PLANNING AND DEVELOPMENT DIVISION
ORIGINAL APPROVED BY VIRTUE OF
PREMIER'S NOTICE NO 497/2008, DATED 23 APRIL 2008*

GENERAL INFORMATION

1. The Tshwane Town-planning Scheme, 2008 is established in terms of section 18 of the Town-planning and Townships Ordinance, 1986.

In terms of Section 19 of said Ordinance the general purpose of a Town-planning Scheme is:

"Shall be the co-ordinated and harmonious development of the area to which it relates in such a way as will most effectively tend to promote the health, safety, good order, amenity, convenience and general welfare of such area as well as efficiency and economy in the process of such development."

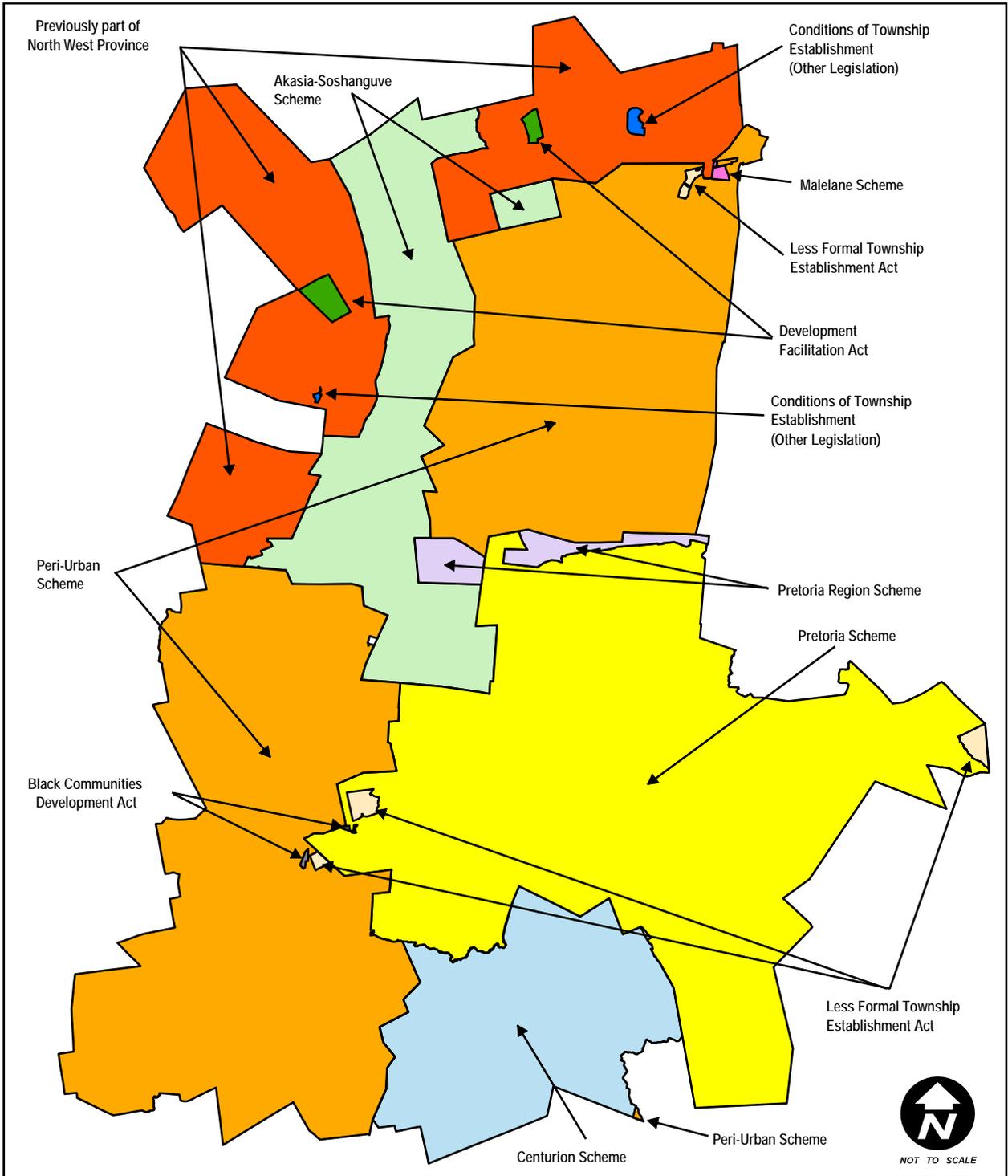
2. The Tshwane Town-planning Scheme, 2008, was drafted from a consolidation of the following former Town-planning Schemes:

- (1) The Akasia-Soshanguve Town-planning Scheme, 1996;
- (2) The Centurion Town-planning Scheme, 1992;
- (3) The Pretoria Town-planning Scheme, 1974;
- (4) The Peri-Urban Town-planning Scheme, 1975;
- (5) The Pretoria Region Town-planning Scheme, 1960;
- (6) The Malelane Town-planning Scheme, 1972; and

the following Land Use Legislation:

- (7) The Black Communities Development Act, 1984 (Act 4 of 1984);
- (8) The Development Facilitation Act, 1995 (Act 67 of 1995);
- (9) The Less Formal Township Establishment Act, 1991 (Act 113 of 1991); and
- (10) Conditions of Establishment (Other legislation).

The areas covered by these former schemes and other legislation are indicated on the map overleaf.



Town-planning Schemes and other Land Use Legislation in Tshwane Metropolitan Municipality

- | | |
|--|---|
|  Akasia-Soshanguve Town-planning Scheme, 1996 |  Conditions of Township Establishment (Other Legislation) |
|  Centurion Town-planning Scheme, 1992(revised 1999) |  Black Communities Development Act, 1984 (Act 4 of 1984)(Annexure F Land Use Conditions) |
|  Peri-Urban Town-planning Scheme, 1975 |  Malelane Town-planning Scheme, 1972 |
|  Pretoria Region Town-planning Scheme, 1960 |  Development Facilitation Act, 1995 (Act 67 of 1995) |
|  Pretoria Town-planning Scheme, 1974 |  Less Formal Township Establishment Act, 1991 (Act 113 of 1991)(Land Use Conditions) |
| |  Previously part of North West Province |

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PART 1
INTRODUCTION

CLAUSE 1: TITLE OF SCHEME

1. This Scheme shall be known as the of Tshwane Town-planning Scheme, 2008, as approved by virtue of Premier's Notice No 497/2008, dated 23 April 2008 and is applicable to all land and buildings within the area of jurisdiction of the City of Tshwane Metropolitan Municipality.

CLAUSE 2: RESPONSIBLE AUTHORITY

2. The City of Tshwane Metropolitan Municipality shall be the authority responsible for enforcing and carrying into effect the provisions of this Scheme.

CLAUSE 3: ARRANGEMENT OF THE SCHEME

3. This Scheme consists of the following documents:
 - (1) The Map which consists of:
 - (a) The Index Sheet.
 - (b) The Reference to the System of Notation.
 - (c) Primary Sheets.
 - (d) Annexure A as hereinafter defined.
 - (2) Annexures T as hereinafter defined.
 - (3) The Clauses which are divided into Parts relating to the following matters:
 - Part 1: Introduction.
 - Part 2: Streets, Building Lines and Building Restriction Areas.
 - Part 3: Use of Buildings and Land.
 - Part 4: Development Conditions.
 - Part 5: Parking and Loading Facilities.
 - Part 6: Amenities in and of the Environment and Appearance of Buildings.
 - Part 7: General Conditions.
 - Part 8: Schedules.

CLAUSE 4: TRANSITION CLAUSE

4. (1) Any consent, permission or approval granted in terms of the provisions of a Town-planning Scheme in force for the erection or use of buildings or for the use of land, or any rights legally exercised in terms of such scheme, before the date contemplated in Clause 1 and before the proclamation date of this Scheme, shall be deemed to be a consent, permission or approval in terms of the provisions of this scheme: Provided that any such consent, permission or approval shall continue to be of force subject to the provisions of section 43 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) to the extent that the same may be in conflict with this Scheme.
- (2) Any Annexures B, Annexures or Schedules promulgated in terms of the former Akasia-Soshanguve Town-planning Scheme, 1996, the Centurion Town-planning Scheme, 1992, the Pretoria Town-planning Scheme, 1974, or other rights granted or promulgated in terms of other applicable land use legislation shall be deemed to be granted or approved in terms of this Scheme. Conversion Tables, Schedules 16, 17, 18, 19, 20, 21 and 22, of this Scheme should be used to convert the terminology of the former land use rights to the terminology of this Scheme.

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

CLAUSE 5: DEFINITIONS

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

ABATTOIR

Means land and buildings used to slaughter animals and poultry and may include the processing of animal products.

ACT

Means the Gauteng Planning and Development Act, 2003.

ADULT PREMISES

Means land and buildings used for trade with sexually explicit material, including the distribution or exhibition of films or videos which are classified as "X18" or "R18" in terms of the provisions of the Films and Publications Act, 1996 or any amendment thereto. It also includes any shows, be it live or via films, videos or magazines, the distribution/exhibition of sex aids and/or the operation of an escort agency.

AGRICULTURE

Means land and buildings used for any bona fide farming activities such as inter alia market gardens, game farming, cattle and sheep farming, bee farming, bird breeding, plant nursery, plantations, aquaculture and orchards and activities normally regarded as incidental thereto, but excludes abattoirs, cattle feeding lots, poultry farming and pig farming.

AGRICULTURAL BUILDING

Means a building designed or used for Agricultural Purposes and may include a Dwelling-house.

AGRICULTURAL HOLDING

Means land as laid out in terms of the Agricultural Holdings (Transvaal) Registration Act, 1919 (Act 22 of 1919).

AGRICULTURAL INDUSTRY

Means any farming activity such as pig and poultry farming and cattle feeding lots, that is performed on such a scale and with such intensity that it could in the opinion of the Municipality possibly cause a health nuisance in respect of noise, smells, waste and effluent.

AIRFIELD

Means land and buildings used for the landing and take-off of aircraft and helicopters and may include the storage of aircraft and a fuel depot.

AIRPORT

Means land and buildings designed or used for the landing and take-off of fixed wing and rotary wing aircraft, airways control, aircraft hangers, fuel depot, fuel bays, workshops for manufacturing, repair and spray-painting of aircraft, engine run test area, training facilities for flight schools, passenger

terminals, luggage and freight storage and handling, customs and migration control, associated shops, sale of aircraft and parts, offices, places of refreshment, places of amusement, banks, ATMs, leasing of vehicles, vehicle valet service area, guest-house, clinic, residential buildings, dwelling-units, telecommunication masts, hotel and conference centre, aircraft and related clubs and other ancillary and subservient uses.

AIR RIGHTS

Means the use of a building, which spans across an existing street at a specific height above the street level and does not restrict the use of the street, for any use which has been approved by the Municipality.

ANCILLARY AND SUBSERVIENT USES

Means uses or activities which support and compliment the main use on the property and which shall not exist on their own when the main use on the property is discontinued.

ANIMAL BOARDING PLACE

Means land and buildings used for the boarding, breeding and grooming of dogs, cats and domestic animals and may include the sale of products related to the main use subject to the Municipality's relevant By-laws and Regulations.

ANNEXURE A

Means the plan on which those building lines that are not indicated on the Primary Sheets or detailed in these Clauses are indicated and exceptions to the parking requirements in terms of Clause 28 are indicated.

ANNEXURE T

Means the set of documents showing details of rights permitted and conditions imposed on certain erven and land marked with a black number within a black circle on the Map 3 which rights and conditions shall prevail over any other clause or provision of the Scheme except that if rights and conditions are not stipulated the provisions of the Scheme Clauses shall apply.

ATM

Means land and buildings used for an automatic teller machine of a bank or other financial institution.

AUCTIONEER

Means land and buildings used for the storage of new and second hand goods for sale to the public by means of an auction or over the counter.

BACKPACKERS

Means land and buildings consisting of habitable rooms including dormitories, a communal kitchen, dining-room, lounge and ablution facilities for the accommodation of guests and tourists for short periods and shall be managed by the owner or manager who shall reside on the same property.

BAKERY

Means land and buildings where bread, rusks, tarts, rolls, pies and other flour-baked products are manufactured in bulk for distribution to wholesale trade, shops and warehouses.

BANK

Means a public company provisionally or finally registered as a Deposit-taking Institution in terms of the Deposit-taking Institutions Act 1990 (Act 94 of 1990) and also includes an instant bank and automatic teller machines.

BASEMENT

Means any portion of a building complying with the provisions of Clauses 9(5) and 12(2)(c), the floor of which is 2 m or more below the mean natural ground level of the ground covered by the building, and of which no part of the ceiling is more than 1 m above such mean level.

BLOCK OF FLATS

Means two (2) or more dwelling-units on two or more storeys contained in a building with a common entrance or foyer to the dwelling-units.

BLOCK OF TENEMENTS

Means a building containing two (2) or more habitable rooms and may include communal kitchens and communal ablution facilities.

BOARDING HOUSE

Means land and buildings consisting of habitable rooms without a kitchen, which are let or rented to persons and where one or more meals are provided in a communal dining-room and a communal kitchen and includes a caretaker's flat on the property.

BUILDER'S YARD

Means land and buildings that are used for the storage and sale of building materials and equipment that:

- (1) are required for building works; or
- (2) have been obtained from demolitions or excavations; or
- (3) are required or are usually required for improvements on land, such as material that is used for any building work, whether for public or private purposes.

BUILDING

Means a building as defined in the National Building Regulations, 1985 and Building Standards Act, 1977.

BUILDING LINE

Means an imaginary line on a property that demarcates the building restriction area and is at a fixed distance from any boundary of such property.

BUILDING RESTRICTION AREA

Means the area on a property where no building, except as permitted by the scheme, may be erected and which is bounded on one side by a building line and on the other side by a boundary of the property and also includes open spaces or as indicated in an Annexure T to the Scheme.

BUILDING SOCIETY

A Mutual Building Society as defined in Section 1 of the Mutual Building Societies Act, 1965 (Act 24 of 1965) and also includes automatic teller machines.

BUSINESS BUILDING

Means land and buildings used as an office, financial institution, fitness centre, hairdresser, receiving depot for dry-cleaning and shoe repairs, dental workshop, medical and dental consulting rooms, optometrist or for other business purposes such as inter alia beauty salon, pet salon, but does not include any building mentioned whether by way of inclusion or exclusion in the definition of Institution nor a building designed or used as a Place of Instruction, Place of Amusement, Shop, Public Garage, Parking Garage, Industry, Noxious Industry, Warehouse, Vehicle Sales Mart or a factory or workshop.

BY-LAWS

Means the Municipality by-laws in force in the area of the Scheme.

CAFETERIA

Means a building or part of a building used for the preparation and sale of food and refreshments for the exclusive use of the employees and their guests or patrons of the building provided it is ancillary and subservient to the main use on the same property.

CALL CENTRE

Means land and buildings used for a telephonic or other communication centre for rerouting telephonic or other calls by means of call operators.

CAMPING SITE

Means land and buildings used for transient guests for the overnight accommodation of caravans, motor homes and tents and may include ablution facilities, caretaker's flat, communal kitchen and ancillary and subservient shops and other related buildings.

CANOPY

Means a permanent roof-like projection or overhanging shelter attached to a building.

CARETAKER'S FLAT

Means a dwelling-unit for a person and his/her family who is responsible for the care and supervision of the land and main buildings on the same property.

CAR WASH

Means land and buildings used for the washing, polishing and cleaning of vehicles by means of mechanical apparatus or by hand.

CEMETERY

Means land and buildings designed or used for the burial of deceased persons and human ashes, a crematorium, a wall of remembrance, a chapel and offices and storerooms for the management of the cemetery, parking and includes ancillary and subservient uses which the Municipality deems necessary.

CHILDREN'S HOME

Means land and buildings used for the accommodation, care and education of children with special needs or circumstances and includes staff accommodation, recreation facilities and ancillary and subservient facilities for the children and staff.

CLINIC

Means a hospital for day patients with no overnight accommodation.

COMMERCIAL USE

Means land and buildings used for distribution centres, wholesale trade, storage, warehouses, telecommunication centre, transport depot, laboratories and computer centres and may include offices, light industries, a cafeteria and a caretaker's flat, which are directly related and subservient to the main commercial use which is carried out on the land or in the building.

COMMUNE

Means a building designed as a dwelling-house which is used by not more than six persons other than a family for residential purposes and who share communal facilities, such as a kitchen, lounge, etc.: Provided that the outbuildings shall not be used for such accommodation and provided that a Home Enterprise shall not be exercised by any such occupant.

COMPUTER CENTRE

Means land and buildings used for the storage and processing of electronic data and may include computer training, the sale and repair of computers, printers and computer consumables, which are ancillary and subservient to the main use.

CONFECTIONERY

Means land and buildings where bread, biscuits, tarts, rolls, pies or other flour (baked) products are baked or (made) prepared for the sale and/or consumption on the premises, but does not include wholesale or distribution.

CONFERENCE CENTRE

Means land and buildings used for congresses, seminars, training, meetings, cultural events and social activities.

CONSENT USE

Consent Use means the use of land and buildings granted by the Municipality and subject to Clause 16 and conditions of approval.

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 Section 1 of the National Roads Act, 1971 (Act 54 of 1971) or the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001).

COVERAGE

Means the percentage area of a property including any servitude area covered by the roofed area of all buildings as seen vertically from above but does not include a structure or building that has no roof.

COVERAGE ZONE

Means a specific zone in Table E and indicated on the electronic database of the Municipality.

CREMATORIUM

Means land and buildings used for the cremation of human or animal tissue.

DISTRIBUTION CENTRE

Means a warehouse or other building from where goods are distributed and includes a transport depot.

DOMESTIC SERVICE CENTRE

Means land and buildings used for the repair of domestic equipment and appliances, the repair of lawnmower, irrigation systems and swimming pool equipment and the sales of spare parts of the afore-mentioned, property maintenance services and any other service that is, in the opinion of the Municipality, ancillary to such a centre.

DRIVE-IN RESTAURANT

Means land and buildings used for the preparation and consumption of food and refreshments by clients in parked vehicles and may include take-aways.

DUPLEX DWELLING

Means a building consisting of two or more dwelling-units each of two storeys with an internal staircase.

DWELLING-HOUSE

Means a single dwelling-unit on property zoned "Residential 1", "Agricultural" and "Undetermined".

DWELLING-UNIT

Means a self contained suite of rooms mutually connected and consisting of habitable room(s), a bathroom(s), toilet(s) and not more than one kitchen without the permission of the Municipality for the purpose of residence by a single family, or a single person or two unmarried persons and may include outbuildings which are ancillary and subservient to the dwelling-unit and may include a Home Enterprise subject to Schedule 9.

ELECTRICITY POWER STATION

Means land and buildings used for the generation of electricity and may include ancillary and subservient uses.

EQUESTRIAN SCHOOL

Means a place where horses are stabled and horse riders and horses are trained and may include horse competitions with the permission of the Municipality.

ERECTION OF A BUILDING

Means, inter alia, the construction of, any addition to, or structural alteration of a building.

ERF

Means an erf as defined in the Ordinance and the Gauteng Planning and Development Act, 2003 and includes any resultant portion of an erf obtained through subdivision of such an erf.

EXISTING BUILDING

Means respectively a building or work erected or carried out before the relative date set out in the definition of "Existing Use" and includes a building or work,

- (1) erected or carried out in pursuance of a contract made before the relevant date given in the definition of "Existing Use",
- (2) begun before, but completed after, the said date,
- (3) erected or carried out in accordance with the terms of any permission granted by the Municipality before the said date:

Provided that, notwithstanding the afore-mentioned definition the Municipality may refuse to regard any building or work which was the subject of a prohibition or instruction as contemplated in Section 43 of the Ordinance 15 of 1986 as an existing building or an existing work.

EXISTING ERF

Means any erf as defined in the Ordinance and the Gauteng Planning and Development Act, 2003 and includes any portion of an erf in the areas mentioned in the definition of "Existing Use".

EXISTING USE

Means, subject to Section 43 of the Ordinance, the continuous lawful use of a building or land for the purpose for which it was erected or was lawfully being used.

FAMILY

Means the following people that live together:

- (1) a married couple with or without their parents and/or their children; or
- (2) a single person with his/her parents and/or his/her children; or
- (3) brothers and sisters; or
- (4) a single person with his/her grandparents and/or his/her grandchildren; or
- (5) grandparents with their grandchildren.

FARMSTALL

Means a building on a property zoned "Agricultura" and "Undetermined" used for the sale of agricultural produce and subject to Schedule 10.

FILLING STATION

Means land and buildings used for:

- (1) the storage of fuels and the retail selling of vehicle fuel and lubricants;
- (2) one working bay for emergency repairs to vehicles;
- (3) a shop including a confectionery and take-away facility including a kitchen, with a maximum gross floor area, accessible to the general public, of 250 m², and
- (4) an automatic teller machine.

FITNESS CENTRE

Means a building where people exercise with or without exercise apparatus.

FIXED DATE

Means the date on which the Municipality gave notice in the Provincial Gazette that this scheme has been approved.

FLOOD LINES

Means the flood lines as defined in Section 144 of the National Water Act, 1998 (Act 36 of 1998), including any other flood lines that the Municipality may require.

FLOOR AREA RATIO

Means the ratio of the Gross Floor Area of a building to the total area of the property, including any servitudes, on which such building is erected or is to be erected, i.e. FAR = Gross Floor Area divided by Area of property.

FLOOR AREA RATIO (FAR) ZONE

Means a specific zone in Table C and indicated on the electronic database of the Municipality.

FUNERAL UNDERTAKER

Means land and buildings used for the administration of funeral arrangements including showrooms, offices, storage space, refrigeration rooms, funeral parlour for the preparation and viewing of the dead, waiting room and the sale of flowers, coffins, gravestones and other related products as well as a display area for gravestones, but excludes a crematorium, a chapel or church.

GARDEN CENTRE

Means land and buildings used for the storage, cultivation and sale of plants, bulbs, seed, fish, birds, pots, compost, fertiliser, pesticides, herbicides and may include the sale of ancillary and subservient gardening products and a place of refreshment not exceeding 40 seats.

GOVERNMENT PURPOSES

Means land and buildings designed or used for Government offices, depots, workshops, stores, communication centres, police stations, post offices etc. and includes incidental uses such as a cafeteria solely for Government Departments but excludes industries and noxious industries.

GROSS FLOOR AREA

The gross floor area of a building is determined by multiplying the area of the property by the FAR, for eg. 1 000 m² x 0,4 = 400 m²: Provided that certain floor areas can be deducted from the calculation of gross floor area as provided in Schedule 7.

GROUND FLOOR

Means the floor of a building which is the entry point into the building and which is at or closest to the natural ground level of the property on which such building stands and excludes a basement.

GROUND STOREY

Means that storey on the ground floor.

GUEST

Means a person who stays overnight for a short period away from his/her normal place of residence.

GUEST-HOUSE

Means a dwelling-unit, excluding a Home Enterprise, consisting of not more than 16 bedrooms for a maximum of 32 guests, a dining-room, lounge, bar and may ancillary and subservient facilities for the exclusive use of such guests and which shall be managed by the owner or manager who shall reside on the same property.

HABITABLE ROOM

Means a room designed or used for human habitation according to the minimum standards prescribed in Part C of the National Building Regulations, but shall not include a storeroom, kitchen, scullery, toilet, bathroom or a passage.

HEIGHT

Means the height of any part of a building as measured vertically from the natural ground level of the footprint of the building to the highest point of the building as indicated on the diagrams in Clause 26.

HEIGHT ZONE

Means a specific zone in Table D and indicated on the electronic database of the Municipality.

HELIPAD

Means land and buildings designed or used for the landing and take-off of helicopters and may include a terminal for passengers.

HOME ENTERPRISE

Means the practice of an activity, business, hobby or occupation in a dwelling-unit excluding a commune, a guest-house, a block of tenements, a boarding house, hostel and hotel, with the aim of deriving an income there-from subject to Schedule 9.

HOSTEL

Means a boarding house for persons attending a place of instruction or institution and which is owned or managed by or on behalf of the said place of instruction or institution.

HOSPITAL

Means land and buildings used for the accommodation and care of sick or injured persons or persons needing specialised medical treatment or operations and may include operating theatres, x-ray rooms, a place of refreshment, a shop, pharmacy and offices and consulting rooms directly related to the hospital and may include a caretaker's flat and ancillary and subservient uses.

HOTEL

Means a building that has been registered as a hotel in terms of Section 1 of the Hotels Act, 1965 (Act 70 of 1965), or any amendment thereof and may include a conference centre and a place of refreshment and ancillary and subservient uses required in terms of the afore-mentioned Act.

INDUSTRY

Means land and buildings where a product or part of a product is manufactured, mounted, processed, repaired, rebuilt or packed, including a power station and incinerator plant and may include a cafeteria and a caretaker's flat and any other activities connected to or incidental to the activities mentioned herein, excluding noxious industries, light industries and retail industries.

INSTITUTION

Means land and buildings, whether public or private, designed or used as a charitable institution, national government institution, provincial institution, municipal institution, hospital, nursing home and clinic for the care or treatment of humans .

INTERNET CAFÉ

Means land and buildings or part of a building used for hiring of computers to customers for use on the premises.

KITCHEN

Means a room or part of a room designed or used for the storage of food, utensils, crockery, cutlery, etc. and for the preparation of food by means of electrical, wood, coal or gas appliances and shall include washing facilities or have interleading washing facilities.

LABORATORIES

Means land and buildings used for scientific and medical research and experimenting but does not include any activities which create a danger or nuisance of noise, smoke, fumes or smell.

LANDSCAPE DEVELOPMENT PLAN

Means a plan drawn to a scale of 1:200 containing information on existing natural features and vegetation and proposed soft and hard landscape design information specifying species, quantities and qualities and compiled by a Professional Landscape Architect.

LIGHT INDUSTRY

Means land and buildings used for, inter alia, a bakery, a builder's yard, a car wash, a contractor's yard, dry-cleaners, carpet cleaners, joinery workshop, launderette, laundry, lawnmower workshop, painter's workshop, plumber's workshop, printing workshop, transport depot, panel-beater, motor workshops, a ready-mix plant and any other such industries, workshops or yards which in the opinion of the Municipality do not cause a nuisance to the environment, may be used for similar purposes and may include the retail sale of products ancillary and subservient to the main use on the same property.

LOCAL AUTHORITY

Means the City of Tshwane Metropolitan Municipality.

LODGE

Means land and buildings used for accommodating guests or tourists for short periods and may include recreation facilities, a conference centre or social hall, wedding chapel, staff quarters and ancillary and subservient uses.

LOFT

Means a storey in the roof of a building which can be used for the same purposes as the other storeys in the same building and which shall be calculated as gross floor area and height in terms of the relevant clause or Annexure T.

MAP

Means a map as defined in the Regulations of the Ordinance and which forms part of the Scheme including any amendment thereto.

MARKET GARDEN

Means land and buildings used for growing vegetables, flowers and fruit and may include the retail sale of such products on the same property.

MEDICAL CONSULTING ROOMS

Means land and buildings used for medical and dental practitioners including general practitioners, medical specialists, pathologists, radiologists, dentists, ophthalmologists and similar uses such as special therapists, psychiatrists and may include a dispensing chemist which does not exceed 36 m² but does not include the uses which are included under the definition of Institution.

MEZZANINE FLOOR

Means any mezzanine floor the area of which does not exceed 25% of the floor area below it.

MINING

Means the reconnaissance, exploration, production, excavation or extraction of minerals and soil deposits from the earth as provided for in the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002).

MOBILE DWELLING-UNIT

Means a dwelling-unit that can be moved.

MOBILE DWELLING-UNIT STAND

Means land meant for the placing of one mobile dwelling-unit and the permissible additional structures for the exclusive use of the occupants of such mobile dwelling-unit.

MOTOR DEALERSHIP

Means land and buildings used for an integrated service which provides a full range of related activities in respect of a specific vehicle range and includes a motor workshop, offices, the sale of new spare parts and the sale of new and used vehicles of that specific range only within a motor showroom: Provided that a motor showroom shall be in an approved building enclosed on all sides with brick and /or glass walls.

MOTOR WORKSHOP

Means land and buildings used for the following:

- (1) repair and servicing of vehicles, excluding panel-beating or spray-painting; and
- (2) installation of motor spare parts and accessories.

MUNICIPALITY

Means the City of Tshwane Metropolitan Municipality established and instituted in terms of Notice 6770 of 2000 promulgated in terms of Section 12(1) of the Local Government Structures Act, 1998 (Act 117 of 1998) as amended.

MUNICIPAL PURPOSES

Means such purposes as the Municipality may be authorised to carry out in terms of any law governing municipalities including but not limited to the Local Government Municipal Structures, 1998 (Act 117 of 1998) and the Local Government Municipal Systems Act, 2000 (Act 32 of 2000).

MUNICIPAL SERVICES

Means infrastructure services such as electricity cables, water pipes, sewage pipes, street furniture, electricity poles, light poles, traffic signs etc.

NATURAL GROUND LEVEL

Means the natural level of a property before any excavations or filling takes place and is the level which is used for measuring the height of a building.

NATURAL AREAS

Means land ecologically sensitive, naturally rich in biodiversity and non-renewable resources for conservation purposes.

NOTICE

Unless otherwise specifically provided in terms of this Town-planning Scheme or any other law means a written notice and notify means to give a notice in writing and the provisions of the Interpretation Act 33 of 1957, shall apply.

NOXIOUS INDUSTRY

Means land and buildings used for any use included in the list in Schedule 8 together with any living accommodation required for a caretaker and includes any other use on the same site, which is necessary in connection with the primary use.

NOXIOUS INDUSTRIAL BUILDING

Means a building designed or used for a "Noxious Industry".

NURSING HOME

Means land and buildings used for the medical and psychiatric, care and treatment of ill, injured, frail, mentally or physically disabled, alcoholics, drug addicts or sick persons or persons who need post operative care but excludes operating theatres, and may include a caretaker's flat, place of refreshment, shops and consulting rooms directly ancillary and subservient to the main use.

OCCASIONAL USE

The use of land and buildings once a month for a maximum continuous period of 72 hours within a calendar month for uses as prescribed in Clause 17(3).

OCCUPANT

Shall include any person in actual occupation of any land, or building or structure or premises without regard to the title under which he occupies, and in the case of premises subdivided and let to lodgers, various tenants, shall include the person receiving the rent payable by the lodgers or tenants whether on his own account or as agent for any person entitled thereto or interested therein and includes the agent of any person absent from the area or whose whereabouts is unknown.

OFFICE

Means land and buildings or part of a building used for professional, clerical, administrative, management, marketing and consulting services, but excludes a call centre, security and emergency response vehicles, courier services in post, parcels and money.

OPEN SPACE

Means land which is predominantly free of buildings or structures and which provides ecological, socio-economic and place-making functions such as natural areas, nature conservation areas, protected areas, nature reserve and includes ridges, watercourses, wetlands, ecological sensitive areas, parks, and squares as defined in the Tshwane Open Space Framework and may include ablution facilities, pergolas, benches, and braai facilities.

ORDINANCE

Means the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), as amended.

OUTBUILDING

Means a building(s) which has its own entrance or door and no inter leading door to the main building, which is attached or free standing from the main building on the same property and which may contain:

- (1) garages, storerooms, studios, exercise rooms, hobby rooms, music room, washrooms and a Home Enterprise, etc.;
- (2) a squash court only with the permission of the Municipality; and
- (3) residential accommodation, which shall not exceed 20% of the floor area of the main building up to a maximum of 50 m² without the permission of the Municipality and which may consist of habitable rooms, bathroom(s) and only one kitchen:

Provided that such outbuilding has a common vehicular access with the main building and it is for the purposes of only the occupants of the main building and their staff and the total gross floor area of such outbuilding(s) shall not exceed 40% of the gross floor area of the main building without the permission of the Municipality and such outbuildings shall not be leased to tenants or sold under sectional title.

OWNER

Means in relation to land or a registered right in land, the person in whose name such land or right is registered, in a Deeds Registry in terms of the Deeds Registry Act, 1937 (Act 47 of 1937) and includes-

- (1) if the owner is deceased, the executor of the deceased estate;
- (2) if the estate of the owner has been sequestrated, the trustee of the insolvent estate;
- (3) if the owner is a company or other juristic person;
- (4) if the owner is a company or other juristic person that is being wound up, the liquidator thereof;
- (5) if the owner is under legal disability, the owners legal representative;
- (6) the authorised representative of the owner; or
- (7) in the case of a road or public space under the control of the Municipality, that Municipality.

PANEL-BEATER

Means land and buildings used for the replacement, repair and spray-painting of the bodywork of motor vehicles.

PANHANDLE

Means that portion of a property, which is -

- (1) at least 3 m wide and not more than 8 m wide; and
- (2) used exclusively as an access to a public street.

PANHANDLE PROPERTY

Means an L-shaped property, consisting of a narrow portion, which is known as the panhandle and which abuts on a street, and a broader buildable portion.

PARKING GARAGE

Means a building designed or used for the parking of motor vehicles not being for trade or sale, and does not include a building any part of which is designed or used as a workshop for the repair of motor vehicles.

PARKING SITE

Means a property or part of a property, which is used solely for the parking of motor vehicles, excluding busses and trucks, not being for sale or trade and subject to Schedule 10.

PARKING SPACE

Means an area, used exclusively for the parking of a motor vehicle not being for trade or sale, the extent of which area shall be a minimum of 2,5 metres wide and a minimum of 5,0 metres long, excluding access or manoeuvring space, ramps, columns, etc.

PEDESTRIAN BRIDGE

Means a bridge across a road or street linking two buildings or two properties on either side of the road or street and providing access for pedestrians only and subject to the Municipality's requirements.

PERMISSION OF THE MUNICIPALITY

Means the permission or approval granted by the Municipality in terms of Clause 15 to use land and buildings for a specific use or to relax certain conditions applicable to the use of land and buildings.

PETTING ZOO

Means land and buildings used for the keeping and breeding of animals for display and interaction with persons visiting the property and may include a place of refreshment.

PHYSICAL BARRIER

Means a permanently-fixed barrier erected on the street boundary of an erf, consisting of either an approved brick or concrete wall or fencing or chains and/or bollard-type or crossed-over wooden, iron or steel poles or concrete plant boxes or other type of barrier acceptable to the Municipality.

PICNIC PLACE

Means land used for outdoor recreation and associated uses such as picnics and braais.

PLACE OF AMUSEMENT

Means land and buildings or a part of a building used for entertainment purposes such as a theatre, cinema, music hall, concert hall, table games, skating rink, dancing, amusement park, casino, electronic games, night club, an exhibition hall or sports arena/stadium used for live concerts or performances.

PLACE OF CHILD CARE

Means land and buildings used for the admission, protection and temporary or partial care of more than six children up to the age of 18 years away from their parents, but does not include a boarding school, school hostel, institution or place of instruction. Depending on its registration, a place of child care can admit babies, toddlers, pre-school aged children and school-going children on a full day or other basis and may include pre-primary school education.

PLACE OF INSTRUCTION

Means land and buildings used as a school, college, technical institute, university, academy, lecture hall, monastery, convent, public library, art museum, museum, other educational centre including ancillary and subservient hostel for persons attending any one of the afore-mentioned.

PLACE OF PUBLIC WORSHIP

Means land and buildings used for a church, chapel, mosque, temple, synagogue, or other religious purposes and may include ancillary social and recreational purposes and one dwelling-unit on the same property, but shall not include a funeral parlour, wall of remembrance or cemetery.

PLACE OF REFRESHMENT

Means land and buildings used for the preparation, sale and consumption of refreshments on the property such as a restaurant, café, coffee shop, tea room, tea garden, sports bar, pub, bar and may include take-aways and a maximum of two table games, two dartboards, two electronic games, television screens and soft background music for the customers but excludes a place of amusement. The kitchen layout shall comply with the Municipality's health requirements.

PLANT NURSERY

Means land and buildings used for the storage and cultivation of plants, bulbs and seed for distribution and sale to shops or garden centres and may include the retail sale to the public on the property.

PREMIER

Means the head of the Executive Council of the Gauteng Provincial Government.

PRIVATE CLUB

Means land buildings used for a private meeting by a group of people with a collective aim.

PRIVATE OPEN SPACE

Means Open Space as defined to which the general public has no right of access.

PROPERTY

Means any portion of land that has been registered as a separate unit in the Deeds Office.

PROPOSED STREETS AND WIDENING

Means land reserved for proposed streets or the widening of existing streets.

PUBLIC GARAGE

Means land and buildings used for the storage and retail sale of vehicle fuel and lubricants and one or more of the following uses:

- (1) repair and servicing of vehicles, excluding panel-beating or spray-painting;
- (2) sale of new and used vehicles;
- (3) a shop including a confectionery and take-away facility including a kitchen with a maximum gross floor area of 250 m²; and
- (4) an automatic teller machine.

PUBLIC OPEN SPACE

Shall mean any Open Space as defined and vested in the Municipality under Section 63 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) to which the general public has right of access.

RAILWAY PURPOSES

Means land and buildings used for transport purposes as defined in the Legal Succession to the South African Transport Services Act, 1989 (Act 9 of 1989 as amended).

REAR BOUNDARY

In relation means any boundary opposite to a street boundary: Provided that, where a property has two or more street boundaries, the boundaries opposite to such street boundaries shall be deemed to be side boundaries.

RECREATION RESORT

Means land and buildings used for recreational purposes mainly by day visitors and may include swimming pools, water slides, braai facilities, chalets, a camping site, cultural and music events, a place of refreshment, a conference centre or social hall, wedding chapel, staff accommodation, natural areas and ancillary and subservient uses.

REGULATIONS

Means the Town-planning and Township Regulations issued by the Premier in terms of the Ordinance.

RESERVOIR

Means land and buildings designed for the storage of water and pumping equipment and may include toilets, storerooms, lapa with braai facilities and ancillary and subservient municipal uses.

RESIDENTIAL BUILDINGS

Means a hotel, block of flats, tenements, boarding house and hostel together with such outbuildings as are ordinarily used therewith.

RETAIL INDUSTRY

Means, inter alia, catering, a confectionary, dress-making, and tailoring, engraving, instant printing and copying, jewellery manufacturing, photographic processing, picture framing, and screen printing; as well as the servicing and repair of air conditioners, audio equipment, basket ware and cane furniture, canvass goods and tents, bicycles, electronic equipment, domestic equipment, leather-works and shoes, office equipment, television and video equipment, upholstery, watches, weighing machines and window blinds, but does not include a Light Industry and the wholesale selling of goods.

RETIREMENT CENTRE

Means land and buildings designed or used to provide residential accommodation for persons of 50 years and older. The centre may include dwelling-units and a service centre for the use of the residents only and includes an assembly hall with recreational facilities, sick bay, medical consulting rooms, exercise and treatment rooms, dining facilities, a library, a tuck shop, a laundrette, hairdressing facilities, banking facilities, an automatic teller machine and other ancillary uses for the use of the residents only.

ROAD

Means a street or road as defined.

ROOFTOP ANTENNA

Means telecommunications, television or other electronic and/or radio antennas which are fixed to a building and may include a base station on the roof of the building or inside the building subject to Clause 18(5).

SCHEDULE

Means the Schedules to the clauses of this Scheme.

SCHEME AREA

Means the area to which the scheme is applicable as indicated on the map.

SCRAP YARD

Means land and buildings used as a junk yard or scrap yard for the dismantling, stacking, storing or preparation for resale of any used material, scrap metals, scrap vehicles, scrap machinery or other scrap material, whether or not such dismantling took place with the aim of disposal or re-use of such scrap.

SEWERAGE WORKS

Means land and buildings designed or used for the treatment and purification of sewage and may include ancillary offices and storerooms and ancillary and subservient uses deemed necessary by the Municipality.

SHOP

Means land and buildings used for the purpose of retail trade directly to the public, including inter alia retail sale and display of products, "off-sales" facilities on properties licensed in terms of any liquor law, pet shops, a pharmacy, a confectionary, a take-away, swop shop, pawn shop, auctioneers business and includes a Retail Industry.

SHOWGROUNDS

Means land and buildings designed and used for exhibitions of inter alia agricultural, residential and industrial products, tourist destinations and accommodation, livestock, vehicles, lifestyle products, etc. and may include places of entertainment and refreshment ancillary to the exhibition.

SHOWROOM

Means land and buildings designed or used only for display of products and materials and excludes the sale or delivery of such products or materials on the same property.

SIDE BOUNDARY

In relation to an erf or other portion of land means a boundary other than the street boundary or the rear boundary.

SIGN

Means an advertising sign as defined in the City of Tshwane Metropolitan Municipality: By-laws for the Control of Outdoor Advertising, 2006, as amended from time to time.

SITE

In relation to zoning, FAR, coverage and parking calculations, means the whole of the area registered as an erf or other part of a property, including the area of any servitude registered over such erf or other part of a property.

SITE DEVELOPMENT PLAN

Means a plan which shows the siting, elevations, finishings, parking areas and open spaces of the proposed development of a property and any salient natural features thereof, as prescribed by the Municipality.

SOCIAL HALL

Means land and buildings used for, inter alia, social and cultural gatherings, recreation activities, wedding receptions, fairs, bazaars and a non-residential club but does not include a place of amusement and place of refreshment.

SPAZA SHOP

Means a shop on a residential property only for the selling of daily convenience goods and prepared and pre-wrapped food, excluding alcoholic beverages, table games or electronic games.

SPECIAL USE

Means land or buildings used for any purpose other than that herein defined.

SPORT AND RECREATION CLUB

Means land and buildings used for indoor and/or outdoor sport such as soccer, rugby, cricket, hockey, tennis, swimming, golf etc. by members of the club and their guests only and may include dwelling-units for staff only, a place of refreshment and social hall ancillary and subservient to the main use on the property, which do not comply with Clause 17(4).

SPORTS GROUND

Means land and buildings used for sporting activities such as soccer, rugby, cricket, hockey, tennis, golf etc. and may include grandstands, change rooms, ablution facilities and other uses ancillary and subservient to the main use on the same property, which do not comply with Clause 17(4).

STOREY

Means that part of a building which is situated between the top of any floor and the top of the floor above it or if there be no floor above it that portion between such floor and the ceiling above it (any mezzanine floor, open work floor, catwalk or gallery being taken to be part of the storey in which it is situated).

STREET FRONTAGE

Means the common boundary between a property and a public street.

STREET OR PUBLIC STREET

Includes any street, road, or thoroughfare shown on the General Plan of a township, agricultural holding or other division of land or in respect of which the public have acquired a prescriptive or other right of way or zoned as Existing Street.

STRUCTURE

Means a construction, permanent or temporary by nature, of any material or combination of materials, with or without a roof.

SUBTERRANEAN RIGHTS

Means the use of land below a street for uses as approved by the Municipality.

SURROUNDING OWNERS

Means the owners of any property abutting or sharing a common boundary with the relevant property including any property, which is only separated by a road and any such other owners of property in the near vicinity as the Municipality may specifically identify.

TAVERN

Means land and buildings used for a combination of a Place of Refreshment and a Place of Amusement.

TEA GARDEN

Means a place of refreshment.

TELECOMMUNICATION CENTRE

Means land and buildings used for telecommunications and includes satellite dishes, antennas and electronic equipment.

TELECOMMUNICATION MAST

Means a mast and a base station which is designed for communication over a distance by means of telephone, radio, television etc.

TELECOMMUNICATION SERVICES

Means telecommunication cables and poles, electronic equipment, excluding telecommunication masts.

TEMPORARY USES

Means land and buildings used temporarily for uses in terms of Clause 14(8), which may be in conflict with the applicable zoning and general clauses of the Scheme, but which the Municipality has approved for a specific period not exceeding three months.

THEATRE

Means land and buildings designed or used for stage performances or movie shows.

TOWNSHIPS BOARD

Means the Townships Board as established in terms of the provisions of the Town-planning and Townships Ordinance, 1986.

TRANSPORT DEPOT

Means land and buildings where vehicles used for cartage, transport services such as busses and trucks, security and emergency response vehicles, courier services in post, parcels and money or taxi services are parked, serviced, repaired and refuelled but excludes a transport terminus.

TRANSPORT TERMINUS

Means land and buildings designed and used as a terminus or gathering place for various forms of transport arriving and departing from different directions or routes and may include wash bays for the vehicles, ablution facilities and a place of refreshment.

USE ZONE

Means that part of the Scheme Area that has been indicated by means of a distinguishing notation on the Map to indicate the zoning of the land.

VEHICLE SALES MART

Means land, with or without ancillary buildings, used for the display and/or sale of cars, trucks, motor cycles, agricultural implements, caravans, boats, tractors and trailers which are roadworthy and of good outward appearance, and may also include the hiring of vehicles as an ancillary use but excludes a motor dealership and a panel-beater.

VEHICLE SALES SHOWROOM

Means the display and sale of vehicles in a building only but does not include a scrap yard, public garage or vehicle sales mart or motor dealership.

VETERINARY CLINIC

Means land and buildings used for the treatment, care and operations on animals and may include the sale of veterinary medicines and specialised animal food and ancillary animal products but does not include overnight facilities.

VETERINARY HOSPITAL

Means a veterinary clinic with overnight facilities for animals.

WALL OF REMEMBRANCE

Means a structure where containers with the ashes of the deceased are interred in openings or niches in the structure and thereafter sealed and/or on which appropriate commemorative plaque can be attached.

WAREHOUSE

Means land and buildings designed or used as a storage depot in conjunction with a wholesale trading establishment or any other storage depot.

WHOLESALE TRADE

Means the sale and provision of goods to retailers or the public.

ZONE

Means that part of the Map which by distinctive colouring or in some other manner indicates the restrictions imposed by this Scheme on the erection and use of buildings or the use of land.

ZOO

Means land and buildings designed and used for the collection, care, breeding and display of animals in cages or enclosures and may include a place of refreshment and a place of instruction, which are ancillary and subservient to the main use on the same property.

PART 2**STREETS, BUILDING LINES AND BUILDING RESTRICTION AREAS****CLAUSE 6: CLOSED STREETS**

6. As from the date of the closure of a street or portion thereof in pursuance of the provisions of the Local Government Ordinance, 1939 (Ordinance 17 of 1939), amended, the land which formerly comprised such streets or portion thereof that has been closed shall be used only for such purposes as the Municipality may determine, on condition that where such land has been zoned on the Map it may be used only for the purpose for which it has been zoned.

CLAUSE 7: PROHIBITION OF ACCESS

7. Entry to or exit from any property to or from a public street, shall be subject to the following conditions:
- (1) Entrances to and exits from such property, "Residential 1" and "Residential 5" excluded, shall be located, constructed, drained and maintained to the satisfaction of the Municipality, and if required by the Municipality, constructed with a dust-free surface, internal driveways included: Provided that entrance gates to such property shall be located at least 6,0 m from the edge of the tar of a street or road.
 - (2) The Municipality may prohibit the entrance to or exit from a property to a public street from any boundary of such property, this boundary is indicated by the following symbol on the map:



With the proviso that the Municipality may revoke such access prohibition on receipt of a written application for its permission, subject to any conditions that the Municipality may impose, except in the case of access restrictions in respect of National or Provincial Roads.

CLAUSE 8: BUILDING LINES IN NEW TOWNSHIPS AND ON SUBDIVISIONS

8. In any township established or in respect of any subdivision of land effected after the coming into operation of this Scheme and not indicated in the electronic data base of the scheme (Schedule 1) or on the Map of the Scheme or in Annexures A and T, there shall be Building Lines along all streets as stipulated in Clause 9.

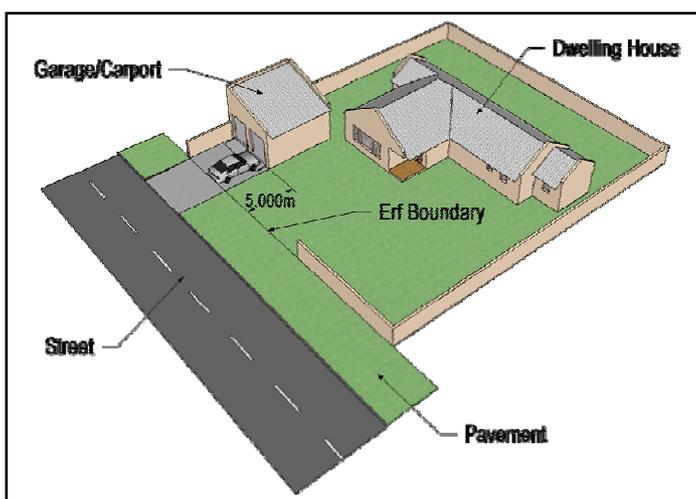
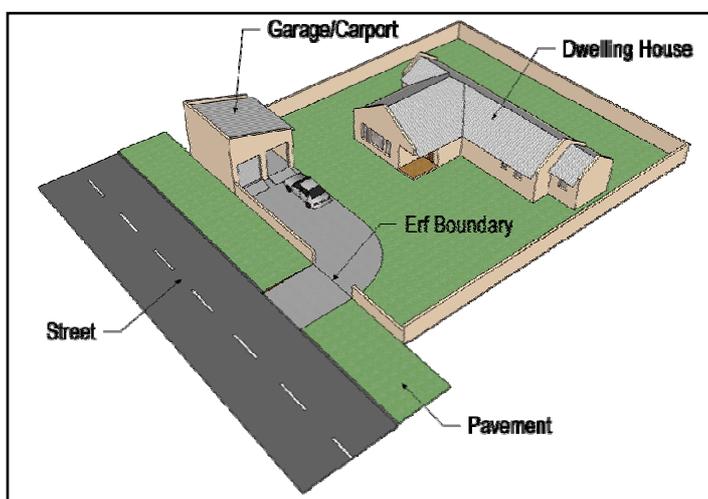
CLAUSE 9: BUILDING LINES RELATIVE TO STREETS

9. (1) Building lines relative to any existing street, widening of an existing street or proposed new street shall be as indicated in Schedule 1 and/or on the Map or Annexures A and T on condition that such building lines, if indicated on either of the afore-mentioned Map or Annexures, shall override the building lines as indicated in the afore-mentioned Schedule. The building lines as laid down in Schedule 1 shall, in the case of dwelling-houses, residential buildings and hotels, be additional to the widths of any servitude of right-of way:

Provided that:

- (a) where building lines are not specified in Schedule 1 or on the afore-mentioned Map, Annexure A or Annexure T, the following shall be applicable:
 - (i) "Residential 1" erven 700 m² and smaller: 2,0 m.
 - (ii) "Residential 1" erven 701 m² and larger: 5,0 m.
 - (iii) "Residential 2", "Residential 3", "Residential 4" and "Residential 5" erven: 2,0 m.
 - (iv) "Agricultural" and "Undetermined" zoned properties: 10,0 m.
 - (v) All other Use Zones: 5,0 m.

- (b) if no building line is indicated on the Map, Annexure T or in these Clauses, the Municipality may fix a building line;
- (c) where blocks of flats are erected with habitable rooms on the ground floor in "Business 1" or "Business 2" Use Zones an additional minimum distance of 3,5 metres between the building line and the street boundary shall be imposed;
- (d) on corner erven in "Residential 1" Use Zone where the building line is more than 3,5 metres the Municipality may on any one frontage reduce such building line to 3,5 metres, and
- (e) on a property which is zoned "Residential 1", a minimum street building line of 5,0 m shall be applicable to a garage or car-port which provides access perpendicular to the street. Where such access is parallel to the street then the garage or car-port may be erected on the street boundary of the property. See Diagrams 1 and 2 hereunder.

Diagram 1**Diagram 2**

- (2) Where a building line or a set-back on any street boundary or proposed street boundary or other boundary is indicated in Schedules 1, 3, 4 and/or on the Map or Annexures A and T or is determined in terms of Clause 9 hereof, no building or structure, other than those not prohibited in Clause 12(2) below, shall be erected on the land between the building line and the street boundary, proposed street boundary or other boundary:

Provided that,

- (a) the Municipality may grant its permission to relax any such building line or set-back; and
 - (b) if two or more erven are consolidated, the building line or set-back required in terms of this scheme in respect of the former common boundary shall fall away: Provided further that the provisions of this paragraph shall mutatis mutandis also apply if two or more erven are notorially tied.
- (3) In "Business 1", "Business 2", "Business 3" and "Business 4" Use Zones no boundary wall, fence or screen higher than 0,76 metres or any building other than temporary buildings for building operations may be erected on the land between the building line and the street boundary.
 - (4) In "Business 1", "Business 2", "Business 3" and "Business 4" Use Zones the parking of motor vehicles shall be permitted in the area between the building line and the street boundary and the Municipality may give its permission to the afore-mentioned area or part thereof being used for other purposes:

Provided that,

- (a) the area may be used for serving and consuming meals and refreshments only if used in conjunction with a Place of Refreshment and subject to an approved site development plan;
 - (b) the area shall not be used for the storage of goods, wares, merchandise or for advertisement;
 - (c) the area shall, if used as permitted in the afore-mentioned paragraph (a), be included in the Floor Area Ratio and in the Coverage,
 - (d) should the Municipality require additional ground for street widening, any structure shall be removed at no cost to the Municipality and the Municipality shall not be liable for any compensation other than for the ground so acquired.
- (5) Except with the permission of the Municipality no basement shall be permitted on any building restriction area.

CLAUSE 10: CANOPIES IN FRONT OF BUILDING LINES

10. Subject to permission being granted by the Municipality in terms of the by-laws, canopies shall be permitted to project in front of the street building line: Provided that canopies of public garages, excluding the columns, may encroach over the building line by a maximum of 3,0 m.

CLAUSE 11: LAND FOR STREET WIDENING

11. The Municipality may require land along street boundaries for street widening.

CLAUSE 12: BUILDING RESTRICTION AREAS

12. (1) Subject to any other provision of this Scheme, no person shall -
- (a) erect a building or make any alteration, extension or addition to an existing building, in such a manner that such building or any part thereof projects over or encroaches on a building restriction area stipulated in Table A;
- (2) Notwithstanding the provisions of Sub-clause (1) and Table A or any by-law -
- (a) any step, gate, fence or wall not exceeding 2,00 metres in height measured from natural ground level, or any open porch, may encroach on the building restriction area;
 - (b) in the case of a building consisting of flats, balconies may, project to a maximum distance of 0,70 metres over the building restriction area:

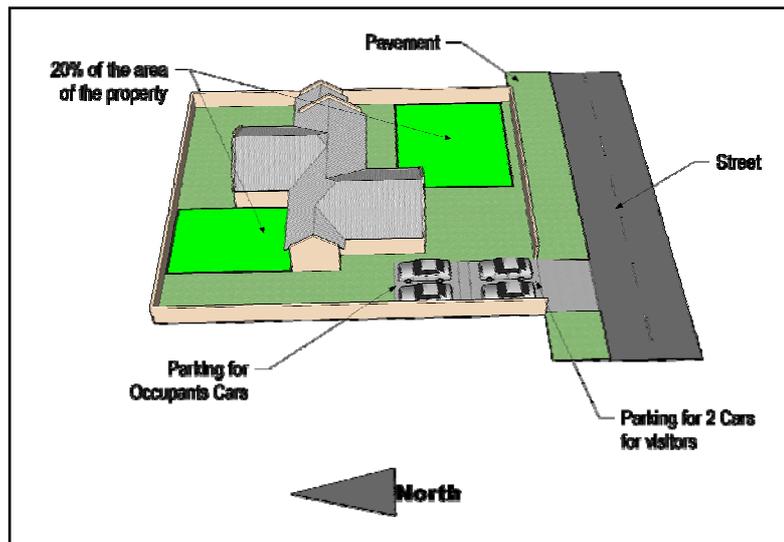
Provided that:

- (i) such balconies are single units and not enclosed;
- (ii) the aggregate length of all such balconies shall not exceed 50 % of the length of the building;
- (c) *(deleted)*;
- (d) a single storey garage; car-port or shelter; laundry; private swimming-pool; change room for a private swimming-pool, tennis court, squash court; or storeroom may be erected on any portion of a building restriction area other than where such structures are adjacent to a street boundary:

Provided that:

- (i) the position thereof is not detrimental to the amenities of the adjoining property or properties;
 - (ii) the height above natural ground level thereof shall not exceed 3,00 metres;
 - (iii) the external face of the boundary wall shall be of face brick, unless an alternative durable finish is agreed to in writing by the owner or owners of the adjoining property or properties;
 - (iv) except with the permission of the Municipality the distance between the main building and such other building is a minimum of 2,0 metres;
 - (v) any car-port, shelter, which is attached to the main building and which is built on any boundary other than a street boundary, shall be completely open on two sides, and the length thereof shall not exceed 7,50 metres.
 - (vi) it be erected on or directly against the erf boundary or at least 1 metre from the boundary.
- (e) the Municipality may, subject to such conditions as it may deem fit, give permission that:
- (i) any building to encroach on any of the building restriction areas specified in Table A: Provided that where it is adjacent to property zoned for residential uses, including Special for residential uses it shall be subject to the approval of a Site Development Plan;
 - (ii) any other wooden and/or metal structure designed and used exclusively as a doll's house, poultry-house, aviary, pigeon loft, potting-shed, tool-shed, coal-shed, cycle-shed, summer-house, pump-house, reservoir or dog kennel to be erected within a building restriction area, provided it is screened off behind a wall of at least 2,0 m high and not visible from a street and adjacent properties and it shall not be used for residential purposes or a Home Enterprise;
 - (iii) the maximum height of 3 m, as required by Proviso (ii) of Sub-clause (2)(d), and the maximum height of 2 m of a wall, as required by Sub-clause (2)(a), to be exceeded; and
 - (iv) *(deleted)*;
 - (v) the minimum distance of 2,0 m as required by proviso (iv) of Sub-clause (2)(d) to be reduced.
- (3) The reference to southern boundaries in Table A shall mean the boundaries of a property, which approximate the southern most side(s) of such property.
- (4) The building restriction areas on southern boundaries shall be maintained to prevent winter over shadowing onto the adjacent properties, except where special circumstances will allow an encroachment with permission of the Municipality but shall not apply where such boundaries are common with a street or road.
- (5) The percentage of the area of the property to be kept open as specified in Table A shall be maintained as a unified open space which may form not more than two separate open spaces for outdoor living areas: Provided that this may be relaxed with the permission of the Municipality.

See Diagram 3 below.

Diagram 3**TABLE A: BUILDING RESTRICTION AREAS IN RESPECT OF ALL BUILDINGS**

Use Zone	Building Lines in metres applicable to all buildings in Use Zone			Percentage of property to be kept open
	Rear and side boundary	1 st storey	Storeys above 1 st storey	
Residential 1: Erf size of 200 m ² or smaller	2,0	2,0	3,0	10%
Residential 1: Erf size of 201 m ² to 500 m ²	2,0	2,0	3,0	15%
Residential 1: Erf size of 501 m ² to 700 m ²	2,0	2,0	4,0	20%
Residential 1: Erf size of larger than 700 m ²	2,0	3,0	4,0	20%
Residential 2	2,0	2,0	3,0	15%
Residential 3	2,0	2,0	3,0	15%
Residential 4	4,5	4,5	4,5	15%
Residential 5	1,0	1,0	1,0	n.a.
Business 1 *1	4,5	4,5	4,5	n.a.
Business 2 *1	4,5	4,5	4,5	n.a.
Business 3 *1	4,5	4,5	4,5	n.a.
Business 4 *1	4,5	4,5	4,5	n.a.
Industrial 1 *1	4,5	4,5	4,5	n.a.
Industrial 2 *1	4,5	4,5	4,5	n.a.
Commercial *1	4,5	4,5	4,5	n.a.
Educational *1	4,5	4,5	4,5	n.a.
Institutional *1	4,5	4,5	4,5	n.a.
Municipal *1	4,5	4,5	4,5	n.a.
Government *1	4,5	4,5	4,5	n.a.
Agricultural	5,0	5,0	10,0	n.a.
Public Garage	5,0	5,0	5,0	n.a.
Undetermined	5,0	5,0	5,0	n.a.

Use Zone	Building Lines in metres applicable to all buildings in Use Zone			
	Rear and side boundary	Southern boundaries		Percentage of property to be kept open
		1 st storey	Storeys above 1 st storey	
Public Open Space	5,0	5,0	5,0	n.a.
Private Open Space	5,0	5,0	5,0	n.a.
Aerodrome	5,0	5,0	5,0	n.a.
SAR	5,0	5,0	5,0	n.a.
Cemetery	5,0	5,0	5,0	n.a.
Infrastructure Works	5,0	5,0	5,0	n.a.
Special	4,5 or as specified in the Annexure T	4,5 or as specified in the Annexure T	4,5 or as specified in the Annexure T	As specified in the Annexure T

Note:

- *1. These Use Zones in the above Table A may have a zero side and rear building line on properties that fall within an area bordered blue as shown on Annexure A.

PART 3**USE OF BUILDINGS AND LAND****CLAUSE 13: MIXED USE OF BUILDINGS**

13. (1) Where a building is used or a proposed building is designed for more than one use, it shall be deemed for the purpose of Clauses 14, 25, 26 and 27 hereof, to be used or designed partly for each of these uses, except that for the purposes of the other provisions of this part of the Scheme, it shall be deemed to be used or designed for its predominant use and the Municipality shall, on application made by the person having control of or proposing to erect the building, decide which is the predominant use.
- (2) The Municipality shall notify the applicant of any decision in terms of this Clause and the applicant, if aggrieved by the decision, may appeal.

CLAUSE 14: USE OF BUILDINGS AND LAND

14. (1) Proposed streets and widening of existing streets as specified in Table B shall not be deemed to be streets until such streets or any portions thereof fall within a township which may be established or they are proclaimed as streets or become vested in the Municipality for that purpose under any other law:

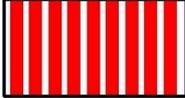
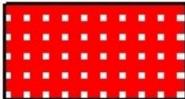
Provided that, if a township is established or subdivision is permitted the position of the aforementioned streets may be amended to conform to the layout of the township or subdivision.

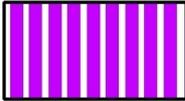
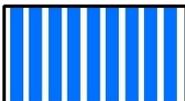
- (2) Where the Municipality has acquired, either by agreement or expropriation, any land together with buildings, structures or other erections there on Zoned in terms of Table B hereof, the Municipality may execute there on such works as may be required for or be incidental to the purpose for which the land is zoned or for Municipal purposes.
- (3) The following Table B indicates for each of the Use Zones the purposes
- in Column (3), for which buildings may be erected and used or land used,
- in Column (4), for which buildings may be erected and used or land used only with the consent of the Municipality, and
- in Column (5), for which buildings may not be erected and used, nor land used:

TABLE B: USE OF BUILDINGS AND LAND

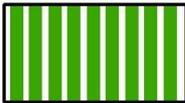
(1)	(2)	(3)	(4)	(5)
Use Zone Numbers and Notation on Map	Use Zones and Notation on Map	Purposes for which buildings may be erected or used or land used	Purposes for which buildings may be erected or used or land used only with the consent of the Municipality	Purposes for which buildings may not be erected or used or land used
1 	RESIDENTIAL 1	One Dwelling-house One additional Dwelling-house in areas described in Schedule 11, Schedule 12, Schedule 13 and Schedule 14	Backpackers Commune Guest-house Institution Parking Site adjacent to Use Zones 6, 7, 8 and 9 Place of Child Care Place of Instruction Place of Public Worship Retirement Centre Social Hall Special Use Sport and Recreation Club Sports Ground Telecommunication Mast Veterinary clinic which does not comply with Schedule 9 Veterinary Hospital Wall of Remembrance in conjunction with a Place of Public Worship	Uses not in Columns 3 and 4
2 	RESIDENTIAL 2	Dwelling-units subject to Schedule 4 or Annexure T	Institution Parking Site Place of Instruction Place of Public Worship Retirement Centre Social Hall Special Use Sport and Recreation Club Sports Ground Telecommunication Mast Wall of Remembrance in conjunction with a Place of Public Worship	Uses not in Columns 3 and 4
3 	RESIDENTIAL 3	Duplex Dwellings and Dwelling-units subject to Schedule 3 or Annexure T	Institution Parking site Place of Instruction Place of Public Worship Residential Building Retirement Centre Social Hall Special Use Sport and Recreation Club Sports Ground Telecommunication Mast Wall of Remembrance in conjunction with a Place of Public Worship	Uses not in Columns 3 and 4
4	RESIDENTIAL 4	Dwelling-units Guest-house Parking site subject to Schedule 10	Block of Tenements Boarding House Fitness Centre Hostel	Uses not in Columns 3 and 4

(1)	(2)	(3)	(4)	(5)
Use Zone Numbers and Notation on Map	Use Zones and Notation on Map	Purposes for which buildings may be erected or used or land used	Purposes for which buildings may be erected or used or land used only with the consent of the Municipality	Purposes for which buildings may not be erected or used or land used
		Residential Building excluding Boarding House, Hostel and Block of Tenements	Institution Parking Site Place of Instruction Place of Public Worship Retirement Centre Social Hall Special Use Sport and Recreation Club Sports Ground Telecommunication Mast Veterinary clinic which does not comply with Schedule 9 Veterinary Hospital Wall of Remembrance in conjunction with a Place of Public Worship	
5 	RESIDENTIAL 5	Dwelling-units and Residential Buildings subject to Schedule 15	Backpackers Guest-house Institution Medical Consulting Rooms Parking Site adjacent to Use Zones 6, 7, 8 and 9 Place of Child Care Place of Instruction Place of Public Worship Special Uses Sports Ground Social Hall Sport and Recreation Club Wall of Remembrance in conjunction with a Place of Public Worship	Uses not in Columns 3 and 4
6 	BUSINESS 1	Business Building Dwelling-units Government Purpose Guest-house Institution Light Industry subject to Schedule 10 Parking Garage subject to Schedule 10 Parking Site subject to Schedule 10 Place of Instruction Place of Public Worship Place of Refreshment Residential Building excluding Boarding House, Hostel and Blocks of Tenements Retail Industry Shop Social Hall Sport and Recreation Club	Blocks of Tenements Boarding House Hostel Other uses not in Columns 3 and 5	Industry Noxious Industry Panel-beater Scrap Yard

(1)	(2)	(3)	(4)	(5)
Use Zone Numbers and Notation on Map	Use Zones and Notation on Map	Purposes for which buildings may be erected or used or land used	Purposes for which buildings may be erected or used or land used only with the consent of the Municipality	Purposes for which buildings may not be erected or used or land used
		Vehicle Sales Mart subject to Schedule 10 Vehicle Sales Showroom Veterinary Clinic		
7 	BUSINESS 2	Business Building Dwelling-units Guest-house Institution Light Industries subject to Schedule 10 Parking Garage subject to Schedule 10 Parking Site subject to Schedule 10 Shop Place of Refreshment Residential Building excluding Boarding House, Hostel and Blocks of Tenements Retail Industry Vehicle Sales Mart subject to Schedule 10 Veterinary Clinic	Blocks of Tenements Boarding House Hostel Other uses not in Columns 3 and 5	Industry Noxious Industry Panel-beater Scrap Yard
8 	BUSINESS 3	Bank Building Societies Dwelling-unit Office Medical Consulting Room Place of Refreshment Retail Industry Shop Veterinary Clinic	Business Building Fitness Centre Institution Parking Site Parking Garage Place of Amusement Place of Child Care Place of Instruction Place of Public Worship Residential Building Social Hall Sport and Recreation Club Sports Ground Telecommunication Mast Transport Terminus Veterinary Hospital Wall of Remembrance in conjunction with a Place of Public Worship	Uses not in Columns 3 and 4
9 	BUSINESS 4	Dwelling-unit Medical Consulting Room Office Veterinary Clinic	Banks Building Societies Fitness Centre Institution Parking Garage Parking Site Place of Child Care Place of Instruction Place of Public Worship	Uses not in Columns 3 and 4

(1)	(2)	(3)	(4)	(5)
Use Zone Numbers and Notation on Map	Use Zones and Notation on Map	Purposes for which buildings may be erected or used or land used	Purposes for which buildings may be erected or used or land used only with the consent of the Municipality	Purposes for which buildings may not be erected or used or land used
			Place of Refreshment Retail Industry Social Hall Special Uses Sport and Recreation Club Sports Ground Telecommunication Mast Veterinary Hospital Wall of Remembrance in conjunction with a Place of Public Worship	
10 	INDUSTRIAL 1	Cafeteria Car Wash Commercial Use Industry Light Industry Parking Garage subject to Schedule 10 Parking Site subject to Schedule 10	Noxious Industry subject to Clause 14(6)(d)(ii) Uses not in Columns 3 and 5	N. A.
11 	INDUSTRIAL 2	Cafeteria Car Wash Commercial Use Light Industry Parking Garage subject to Schedule 10 Parking Site subject to Schedule 10	Uses not in Columns 3 and 5	Noxious Industry
12 	COMMERCIAL	Cafeteria Commercial Use Funeral Undertaker Retail Industry Showroom	Uses not in Columns 3 and 5	Industry Noxious Industry
13 	EDUCATIONAL	Place of Child Care Place of Instruction Place of Public Worship Social Hall Sport and Recreation Club	Dwelling-units Institution Place of Refreshment Residential Building Special Use Telecommunication Mast Wall of Remembrance	Uses not in Columns 3 and 4
14 	INSTITUTIONAL	Cafeteria Institution Place of Instruction Place of Public Worship	Dwelling-units Medical Consulting Rooms Place of Child Care Place of Refreshment Residential buildings Social Hall Special Use Telecommunication Mast Wall of Remembrance	Uses not in Columns 3 and 4

(1)	(2)	(3)	(4)	(5)
Use Zone Numbers and Notation on Map	Use Zones and Notation on Map	Purposes for which buildings may be erected or used or land used	Purposes for which buildings may be erected or used or land used only with the consent of the Municipality	Purposes for which buildings may not be erected or used or land used
15 	MUNICIPAL	Agriculture Farm Stall subject to Schedule 10 Municipal Purposes Sport and Recreation Club Sports Ground	Uses not in Columns 3 and 5	Noxious Industry
16 	GOVERNMENT	Government Purposes	Uses not in Columns 3 and 5	Industry Noxious Industry
17 	AGRICULTURAL	Agriculture Farm Stall subject to Schedule 10 One Dwelling-house	Agricultural Industry Airfield Animal Boarding Place Camping Site Commune Equestrian School Garden Centre Guest-house Institution Lodge Mining Parking Site Petting Zoo Picnic Place Place of Child Care Place of Instruction Place of Public Worship Place of Refreshment Recreation Resort Social Hall Sports Ground Sport and Recreation Club Telecommunication Mast Wall of Remembrance in conjunction with a Place of Public Worship	Uses not in Columns 3 and 4
18 	PUBLIC GARAGE	Filling Station Parking Garage Parking Site Public Garage	Car Wash Caretaker's Flat Panel-beater Place of Amusement Place of Refreshment Shop Special Uses Telecommunication Mast	Uses not in Columns 3 and 4
19 	UNDE-TERMINED	Agriculture Farm Stall subject to Schedule 10 One Dwelling-house	Uses not in Columns 3 and 5	Industry Noxious Industry Scrap Yard

(1)	(2)	(3)	(4)	(5)
Use Zone Numbers and Notation on Map	Use Zones and Notation on Map	Purposes for which buildings may be erected or used or land used	Purposes for which buildings may be erected or used or land used only with the consent of the Municipality	Purposes for which buildings may not be erected or used or land used
20 	PUBLIC OPEN SPACE	Public Open Space Sports Ground	Agriculture Market Garden Picnic Place Place of Refreshment Recreation Resort Special Use Sport and Recreation Club Telecommunication Mast	Uses not in Columns 3 and 4
21 	PRIVATE OPEN SPACE	Private Open Space	Caretaker's Flat Fitness Centre Picnic Place Place of Refreshment Recreation Resort Sport and Recreation Club Telecommunication Mast	Uses not in Columns 3 and 4
22 	EXISTING STREETS	Municipal Services Telecommunication Services Pedestrian Bridge Streets	Air Rights Special Use Subterranean Rights Telecommunication Mast Transport Terminus	Noxious Industry Uses not in Columns 3 and 4
23 	PROPOSED STREETS AND WIDENING	Streets and Widening	Telecommunication Mast	Noxious Industry
24 	AERODROME	Airport	Uses not in Columns 3 and 5	Noxious Industry
25 	S.A.R.	Railway Purposes	Dwelling-units Office Public Garage Special Use Telecommunication Mast	Uses not in Columns 3 and 4
26 	CEMETERY	Cemetery	Telecommunication Mast	Uses not in Columns 3 and 4
27 	INFRA-STRUCTURE WORKS	Agriculture Electricity station Reservoir Sewage Works	Telecommunication Mast	Uses not in Columns 3 and 4
28 	SPECIAL	Uses only as in Annexure T	Uses only as in Annexure T	All other Uses as in Annexure T or All other Uses if not stated in Annexure T

Provided that:

- (a) The owner of any property in any use zone, excluding "Residential 1", that is used for sectional title dwelling-units or blocks of flats shall develop and maintain at least 4 square meters per dwelling-unit with a minimum of 50 square meters on the property as a children's playground: Provided that the Municipality may grant permission to reduce this requirement; and
 - (b) the Premier may, notwithstanding anything to the contrary contained in the provisions of this Scheme after reference to the Municipality, give permission to any use in terms of the Title of any agricultural holding laid out in terms of the Agricultural Holdings (Transvaal) Registration Act, 1919 (Act 22 of 1919).
- (4) No person shall use or cause or allow to be used, any land or building or part thereof for a purpose other than that for which it was approved or has the rights in terms of Clause 14, unless such building has been altered for any new use and any necessary consent or permission of the Municipality therefore has been obtained.
- (5) In this Clause the expression "the erection and use" of a building for a particular use includes the conversion of the building for that use, whether or not involving the structural alteration thereof.
- (6) **CERTAIN USES ALWAYS SUBJECT TO THE MUNICIPALITY'S CONSENT IN TERMS OF CLAUSE 16**
- (a) No land in any use zone shall be used for the purpose of refuse or rubbish tipping, sewage disposal or a cemetery without the consent of the Municipality and subject to Clause 16;
 - (b) Subject to Clause 16, the Municipality may consent to the removal of soil, sand, clay, gravel or stone from any piece of land;
 - (c) With the exception of vehicles as described in Schedule 9, Condition 1(6), no land in Use Zones 1, 2, 3, 4 and 5 shall be used for the parking of commercial vehicles without the consent of the Municipality and subject to Clause 16; and
 - (d) subject to Clause 16, the Municipality may consent to the following:
 - (i) the manufacture of products of commercial value from soil, sand, clay, gravel and/or stone on the place where these materials are extracted, on condition that a guarantee is submitted to the effect that the ground will be restored in accordance with the conditions imposed; and
 - (ii) the erection and use of buildings for noxious industries in Use Zone 10, "Industrial 1", Table B, upon the production of a certificate issued by the Municipality's Health Officer in consultation with the Inspector of Factories, declaring that the process it is proposed to employ in the conduct of any of the industries listed in Schedule 8 will eliminate nuisance or danger to health on neighbouring properties arising from waste matter, effluvia, vapour, smoke or smell, on condition that if land treatment of such matters is proposed, the nature, slope and area of the land relative to dwellings, streams or water courses shall be satisfactory.

- (7) When application is made to the Municipality for any consent or permission in terms of this scheme the Municipality may, in giving consent or permission, impose any condition it may deem fit or grant exemption from the provisions of the scheme or relax the requirements of the provisions: Provided that such exemption or relaxation is stipulated in the scheme and that any application in terms of such exemption or relaxation may be submitted simultaneously with the application for the Municipality's consent: Provided that such relaxation shall not increase the FAR, or the maximum height, or the maximum coverage applicable to the primary uses of the property.
- (8) Notwithstanding any contrary stipulation contained in this Scheme the Municipality may grant permission for the temporary use of any building or land within any use zone for any of the following:
- (a) The erection and use of temporary buildings or the use of existing buildings or sites for site offices, storage rooms, workshops or such other uses that are in the opinion of the Municipality necessary for the erection of any permanent building or structure on the land or the installation of engineering services shall be to the satisfaction of the Municipality: Provided that such permission shall lapse, ipso facto, on completion of the permanent building or structure or the completion of the engineering contract.
 - (b) The temporary use of land or buildings for another purpose such as inter alia concerts, fairs, circuses, bazaars, street vendors, parking, place of amusement, public gatherings or meetings and social halls and subject to such conditions which the Municipality may impose and further subject to the condition that such permission:
 - (i) may be withdrawn after 30 days written notice to the owner if any conditions of the permission are not met, malpractice occurs or the amenity of the area is prejudiced; and
 - (ii) expires 3 months from the date on which permission was granted unless the Municipality extends it in writing.
- (9) Any land or building used in such a way that it will or is intended to generate income from the sale of goods or provision of services other than the renting of buildings for residential purposes, shall be regarded as a business for the purposes of the meaning of a business where it is stated in a condition in any Title Deed and such condition in the Title Deed shall be deemed to be restrictive.
- (10) Notwithstanding any stipulation in this Scheme, the Municipality may grant permission for the erection of one additional dwelling-house on property zoned "Residential 1", "Agricultural" and "Undetermined": Provided that:
- (a) A contribution in respect of engineering services and open spaces or parks is payable in terms of Section 20 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) as and when required by the Municipality;
 - (b) Clause 15, Clause 18(12), Clause 18(13) and Clause 19 shall be applicable; and
 - (c) the properties in the areas stipulated in Schedules 11, 12, 13 and 14 shall be excluded from the provision of Sub-clause (10).

CLAUSE 15: PERMISSION OF THE MUNICIPALITY

15. The permission of the Municipality to use land and buildings or to relax certain conditions stipulated in this Scheme, its Schedules and Annexures, where such permission is explicitly stated, shall be subject to an application procedure as required by the Municipality and such application shall be subject to the following:

- (1) documents as prescribed by the Municipality shall be submitted with the prescribed fee;
- (2) the prescribed advertisement procedure shall be complied with and the Municipality may waive this requisite wholly or partly if its satisfied that such non-compliance is not of such a material nature that it is likely to effect anyone detrimentally;
- (3) the Municipality may approve or refuse such application subject to such conditions the Municipality deems necessary to regulate such permission; and
- (4) the Municipality may require that a contribution in respect of engineering services is payable in terms of Section 20 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) as and when required by the Municipality.

CLAUSE 16: CONSENT USE PROCEDURE

16. (1) The owner of land or a building or his authorised agent intending to apply to the Municipality for consent for:
 - (a) the erection and use of a building or the use of land in Use Zones 1 up to and including 28, as set out in Column (4) of Table B;
 - (b) the erection of a building to a height greater than that permitted in Table D or Annexure T;
 - (c) an extension of the period contemplated in Section 43(5) of the Ordinance;
 - (d) land uses as mentioned in Clause 14(6) and Schedule 9;
 shall comply with provisions of Clauses 16(2), (3) and (5) hereof.
- (2) The applicant shall -
 - (a) publish once at his own expense a notice of such application in the Provincial Gazette provided that this notice shall comply with the requirements as prescribed in Sub-clause (3)(a) hereof;
 - (b) display in conspicuous positions, where it may be easily seen from public land or other such public place, a placard on each separate part of such land or building to which such consent is applicable;

Provided that -

- (i) the placards are to be maintained in good order for at least 14 days from the day of the first publication of the notice in the Provincial Gazette;
- (ii) if such land or building is situated at such a distance from a public road or other public place that the notice cannot be read from there, the placard shall also be displayed at every public entrance of the public place to the concerned property or building;
- (iii) if the property concerned has more than one street frontage, at least one placard shall be displayed and maintained on each street frontage;
- (iv) in the case of an application within an existing business centre or other similar place to which the public has access, a placard shall be displayed and maintained in a conspicuous place at the entrance of the shop to which the application refers, and at each public entrance of the business centre; and
- (v) the information on every placard shall be written or printed in a clearly legible script as prescribed in Sub-clause 16(3) hereof, in such a way that it is legible from a distance of two metres for any person with normal eyesight, during the full 14 days of display.

- (3) The notice referred to -
- (a) in Sub-clauses (2)(a) and (b) shall -
- (i) contain the full name, the residential or business address and telephone number of the applicant;
 - (ii) mention the relevant town-planning scheme, erf number and street address, township concerned, farm portion or agricultural holding, the existing zoning of the application site, the proposed land-use for which the application for consent use has been made;
 - (iii) state that the full details of the relevant application are available at the Municipality during normal office hours for the period of twenty-eight days from the first day of publication of the notice in the Provincial Gazette;
 - (iv) be written in English and one other of the official languages predominant in the municipal area;
 - (v) state that any objection or representation against such an application shall be submitted in writing to the Municipality within twenty-eight days, calculated from the first full day after appearance of the notice in the Provincial Gazette; the date of appearance of the notice in the Provincial Gazette as well as the closing date for acceptance of objections shall be indicated on the placard;
- (b) the placard specified in Sub-clause (2)(b) shall not be smaller than 594 mm x 420 mm and any letter there on shall be at least 6 mm high and be written in legible upright printed letters.
- (4) Any person with objections to or who makes representations against the application, shall lodge his written objections or representations to the Municipality with the reasons therefor within the period mentioned in Sub-clause (3)(a)(v) hereof.
- (5) The applicant shall:
- (a) lodge at the Municipality, prior to or simultaneous with the date of publication of the notice as required in Sub-clauses (2)(a) and (b) hereof, full details and plans as required by the Municipality; and
 - (b) draw up a sworn affidavit to the effect that the provisions in Sub-clause (2)(b) hereof have been complied with not earlier than 14 days after the day of publication of the notice, and submit the affidavit as soon as possible thereafter at the Municipality.
- (6) The consent shall not, if any objection has been received, be exercised within a period of twenty-eight days after the applicant and any objector have been notified of such decision or, if an appeal has been lodged, until such appeal has been disposed of.
- (7) After consideration of the application, the Municipality may grant the application, refuse it, or qualify it and the parties shall be informed of the decision.
- (8) The consent shall be null and void if the requirements imposed in considering the application have not been complied with.
- (9) The Municipality may, at the written request of the applicant, authorize the partial or total non-compliance with the provisions of Clauses 16(2), 16(3) and 16(5) if it is of the opinion that another way of giving the notice as prescribed by the Municipality, will inform the public in a better way, or that such non-compliance is not of such a material nature that it is likely to effect anyone detrimentally.

CLAUSE 17: USES NOT SUBJECT TO TABLE B

17. Without prejudice to any powers of the Municipality derived from any other law or to the remainder of this Scheme, nothing in Clauses 14(3) or 16 of this Scheme shall be construed as prohibiting or restricting or enabling the Municipality to prohibit or restrict,
- (1) subject to Clause 14(6)(b) and Clause 16 the mining of minerals by surface or underground working on condition that the land is not included in an established township;
 - (2) the letting, subject to the by-laws relating to lodging- and boarding houses, by any owner or occupant of a dwelling-house of any part of the dwelling-house excluding its outbuildings, on condition that not more than two rooms for a maximum of two persons in any dwelling-house are so let;
 - (3) the occasional use of a place of public worship, place of instruction or institution as a place of amusement or social hall; and
 - (4) the use of land or the erection of buildings for a sport or recreation ground excluding a sport or recreation ground normally open to the public on payment of an entrance fee.

PART 4**DEVELOPMENT CONDITIONS****CLAUSE 18: GENERAL CONDITIONS APPLICABLE TO ALL PROPERTIES**

18. (1) All erven are subject to the following conditions:
- (a) A servitude 2,0 metres wide in favour of the Municipality shall be provided for municipal services along any boundary, other than a street boundary, where such services are installed or planned to be installed.
 - (b) No building or other structure or any part of its foundations may be erected in the servitude area referred to in the afore-mentioned Sub-clause (a) and no tree with a potentially large root system may be planted within the afore-mentioned servitude area or within 2,0 metres thereof except with the permission of the Municipality.
 - (c) The Municipality shall be entitled to reasonable access to the land adjoining the servitude area referred to in the afore-mentioned Sub-clause (a) for the construction, maintenance or removal of such services as it may in its discretion deem necessary and shall be entitled to deposit temporarily on the afore-mentioned land material that may be excavated during the course of such activities subject to any damage thereby caused being made good by the Municipality at its cost.
- (2) In any township for which an amendment scheme has been promulgated in accordance with the provisions of the Ordinance the following conditions shall apply to all erven:
- (a) No bricks, tiles or earthenware pipes or other similar articles may be manufactured on the erf.
 - (b) No material may be excavated from any erf except to prepare the erf for building purposes, nor may any existing use be continued without the permission of the Municipality.
 - (c) No animal as defined in the Municipal By-laws: Keeping of Animals, Birds and Poultry and to Businesses involving the Keeping of Animals, Birds and Poultry and Pets as published in terms of Notice No 432/2004 on 26 May 2004 may be kept on any erf except with the permission of the Municipality.
 - (d) No wells or boreholes may be sunk on any erf except with the permission of the Municipality and subject to such conditions as the Municipality may impose.
 - (e) If in the opinion of the Municipality it is impracticable for storm water to be drained from any high-lying erf direct to a public street, the owner of any lower lying erf shall be obliged to accept and/or permit the passage of such storm water and the owner of such high-lying erf, the storm water from which is discharged over the lower lying erf, shall be liable for a proportionate share of the cost of any pipe-line or drain which the owner of such lower lying erf may find necessary to construct for the purpose of conducting the water so discharged.
 - (f) Main buildings shall be erected and completed simultaneously with or before the erection of the outbuildings.
- (3) Townships subject to further conditions are listed, together with such conditions, in Schedule 5.
- (4) Certain erven are subject to special conditions as set out in Schedule 5 hereof.

- (5) Rooftop antennas or dishes for telecommunication purposes may be fixed to any building except dwelling-units on property zoned "Residential 1", "Residential 2", "Residential 3", "Residential 5", and "Special" for one of the afore-mentioned zonings: Provided it is not higher than 3,0 m above the highest point of the building and it does not have a diameter of more than 2,0 m and a building plan for such has been approved. This will not apply to household television antenna or dishes. Rooftop antenna or dishes not complying with these conditions shall be subject to the Municipality's permission before being fixed to a building.
- (6) Goods shall only be loaded or off-loaded within the boundaries of the property unless the Municipality has provided loading facilities within the street reserve. This condition is not applicable to properties in Use Zones 1 to 5.
- (7) Except in the case of erven in the use zone "Residential 1" and "Residential 5", the Municipality may require that a screen wall of at least 2,0 m high be erected on one or more boundaries or elsewhere on such property.
- (8) If a property is fenced or walled in by any means whatsoever, such fence or wall shall be to the satisfaction of the Municipality.
- (9) Every owner and occupant of property is responsible for the maintenance of such property, including the improvements on it as well as the garden.
- (10) The area where rubbish or waste is temporarily stored before it is removed, shall be properly screened from the street and adjacent properties and regularly removed to the satisfaction of the Municipality's Health Officer.
- (11) Informal trade shall not be conducted in any street or road without the permission of the Municipality and subject to its By-laws and other legislation regulating such trade.
- (12) Septic tanks and french drains shall be located at least 50 m from any borehole being used for drinking water.
- (13) The design and construction of septic tanks and French drains shall comply with the Municipality's requirements.
- (14) The Municipality's By-laws and other relevant legislation relating to health and safety standards shall be applicable to all land and buildings and owners and occupants shall comply with the relevant standards as well as any other applicable legislation: Provided that in the event of conflict between the provisions of the Scheme and a By-law the provisions of the Scheme will prevail.
- (15) All relevant requirements specified in environmental legislation shall be complied with prior to final approval of an application in terms of this Scheme and the Ordinance or before any land use, which is a listed activity in terms of sections 24 and 24D of the National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA), is exercised in terms of the provisions of this Scheme.
- (16) Applicants intending to apply for any application in terms of this Scheme or the Ordinance must take cognisance of the restrictions on development in the vicinity of the landing and take-off areas of an airport as laid down in the South African Civil Aviation Authority Act, 1998 (Act 40 of 1998).

CLAUSE 19: DETRIMENTAL SOIL CONDITIONS

19. (1) For development of all properties situated on dolomitic ground, the Municipality may require one or more of the following:
 - (a) A dolomitic stability and foundation investigation shall be conducted by a qualified person acceptable to the Municipality, and a report shall be compiled from the results, indicating

areas suitable for development and specifying conditions under which development can take place, to the satisfaction of the Municipality, before any building operations may commence on the property.

- (b) Precautionary measures as identified in the report mentioned in Sub-clause (1)(a) shall be incorporated in the site development plans and building plans.
 - (c) A registered engineer shall be appointed to establish relevant measures with regard to structural work, drainage of the structures and site, as well as the installation of services, in accordance with the findings and recommendations made in report mentioned in Sub-clause (1)(a). A certificate completed by said engineer shall be submitted with building plans. On the completion of the development, the said engineer shall certify that all specifications have been complied with.
 - (d) A Construction Report, which is a further refinement of the dolomite stability report mentioned in Sub-clause (1)(a) and entails mapping of trenches, shall be compiled by a qualified person acceptable to the Municipality and submitted to the Municipality before transfer or occupation of the property shall be permitted.
 - (e) A Dolomite Risk Management Plan, specific to the said development shall be compiled by a qualified person acceptable to the Municipality and submitted to the Municipality before transfer or occupation of the property shall be permitted.
- (2) For development of all properties situated on non- dolomitic ground, the Municipality may require one or more of the following:
- (a) A geotechnical investigation shall be conducted by a qualified person acceptable to the Municipality and a soils report shall be compiled from the results indicating the various classes of soils in accordance with the NHBRC soils classification, as contained in the NHBRC Home Building Manual, to the satisfaction of the Municipality, before any building operations are commenced on the property.
 - (b) Precautionary measures and/or measures to overcome detrimental soil conditions, as identified in the report mentioned in Sub-clause (2)(a) shall be incorporated in the site development plans and building plans.
 - (c) A registered engineer shall be appointed to design, specify and supervise structural measures for the structures in accordance with the soil classification as identified in the report mentioned in Sub-clause (2)(a). The engineer may also be held responsible for other measures to overcome the detrimental soil conditions, as contained in the soils report, to the discretion of the Municipality. A certificate completed by the said engineer shall be submitted with building plans. On the completion of the development, the said engineer shall certify that all specifications have been complied with.

CLAUSE 20: CONDITIONS APPLICABLE TO RESIDENTIAL 1 ERVEN

20. (1) Where application is made in terms of Section 92 of the Town-planning and Townships Ordinance, 1986, for the subdivision of a "Residential 1" zoned erf into two or more erven (hereafter referred to as "resultant erf or erven"), the application shall, subject to the provisions of Sub-clause (2), not be granted if by that subdivision any resultant erf will -
- (a) have a size, excluding the area of a panhandle or the area of a servitude of right of way, if applicable, which is smaller than the minimum erf size specified in the electronic data base of the scheme (Schedule 6) or in an Annexure T.
 - (b) not have vehicular access to a public street to the satisfaction of the Municipality.
- (2) Notwithstanding the provisions of Sub-clause (1), the following further conditions are applicable to the subdivision approval:

- (a) such erf shall have an acceptable shape and street frontage for vehicular access; or if such resultant erf is an erf with a panhandle and the size of such resultant erf, exclusive of the panhandle, complies with the applicable minimum erf size: Provided that:
- (i) the panhandle shall provide access from a street to the panhandle portion;
 - (ii) the panhandle shall be not less than 3 m wide along its whole length and not wider than 8 m, except with the written permission of the Municipality;
 - (iii) the area of the panhandle portion, excluding the panhandle, shall be in accordance with the minimum erf size requirements of this Scheme;
 - (iv) the slope of the panhandle shall not exceed 1:8: Provided that it may be relaxed with the permission of the Municipality in special circumstances;
 - (v) 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 Municipality otherwise determines;
 - (vi) the registered owner of the panhandle portion shall at his own expense pave the panhandle to the satisfaction of the 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 Municipality;
 - (vii) the registered owner of the panhandle portion shall when required by the Municipality erect screen walls or dense barriers along the boundaries of the panhandle to the satisfaction of the Municipality. The extent, material, design, height, position and maintenance of such screen walls or barriers shall be to the satisfaction of the Municipality;
 - (viii) no buildings or structures shall be erected in the panhandle; and
 - (ix) the minimum street frontage shall not be less than 3,0 m.
- (b) Waive the requisite of a street frontage or a panhandle to such erf, on condition that:
- (i) a servitude of right of way to a public street, to the satisfaction of the Municipality, be registered in favour of such erf;
 - (ii) such servitude shall have a width of not less than 3,0 m and not more than 8,0 m; and
 - (iii) the boundaries of such servitude shall be deemed to be a side or rear boundary of the erf over which it is registered.
- (3) Where any portion of a "Residential 1" zoned erf is physically severed from such erf owing to the execution of public works or stands to be severed by the proposed execution of such works, the portion so severed shall be deemed to be an existing erf and a dwelling-house may be erected there-on or an existing dwelling-house may be retained there on: Provided that the size and shape of such erf in relation to the surrounding erven is to the satisfaction of the Municipality.
- (4) Where a "Residential 1" zoned erf has a density of "One dwelling-house per erf" as indicated on Schedule 6 then such erf shall not be subdivided.

CLAUSE 21: CONDITIONS APPLICABLE TO RESIDENTIAL 2 ERVEN

21. The erf is subject to the conditions contained in Schedule 4.

CLAUSE 22: CONDITIONS APPLICABLE TO RESIDENTIAL 3 ERVEN

22. The erf is subject to the conditions contained in Schedule 3.

CLAUSE 23: CONDITIONS APPLICABLE TO RESIDENTIAL 4 ERVEN

23. (1) The number of tenements which may be erected on an erf, is determined in terms of Condition 1 of Schedule 2 to the Scheme.
- (2) The stipulations of Clause 14(3)(a) are applicable.

CLAUSE 24: CONDITIONS APPLICABLE TO A PUBLIC GARAGE

24. (1) No material or equipment of any nature whatsoever shall be stored or stacked to a height exceeding the height of the screen wall: Provided that the Municipality may relax this condition if, in the opinion of the Municipality it shall not be detrimental to the general amenity of the neighbourhood.
- (2) No repairs of any nature to vehicles or equipment shall be affected outside the garage building, except in an area which is screened to the satisfaction of the Municipality for that purpose: Provided that the Municipality may relax this condition where the erf is situated within, adjacent to or surrounded by industrial uses.
- (3) No material or equipment of any nature shall be stored or stacked outside the garage building except in an area which is screened to the satisfaction of the Municipality for that purpose: Provided that fuel pumps or oil and fuel installations may be sited outside the building to the satisfaction of the Municipality: Provided further that the Municipality may relax this condition where the erf is situated within, adjacent to or surrounded by industrial uses.
- (4) Canopies over fuel pump installations are not regarded as coverage but shall be considered Gross Floor Area for FAR and subject to Clause 9.

CLAUSE 25: FLOOR AREA RATIO

25. No building shall be erected so as to exceed the Floor Area Ratio specified in the following Table C or Annexure T:

TABLE C: FLOOR AREA RATIO

(1)	(2)	(3)	(4)
FAR Zone as recorded in electronic data base of Scheme	FAR for all uses in other Use Zones except uses in Columns (3) and (4)	FAR for Boarding House, Guest-house, Hotel and Institutions	FAR for Agricultural Buildings, Blocks of Flats, Blocks of Tenements, Hostels, Duplex Dwellings, Dwelling-houses in Use Zones 1, 17 and 19, and Dwelling-units in Use Zones 2, 3 and 4
1	6,0	6,0	6,0
2	5,5	5,5	5,5
3	4,0	4,0	2,5
4	2,5	2,5	2,0
5 *1	2,0	2,0	1,5
6 *2	3,0	Not applicable	Not applicable
7	1,8	1,2	1,2
8	1,5	1,5	Not applicable

(1)	(2)	(3)	(4)
FAR Zone as recorded in electronic data base of Scheme	FAR for all uses in other Use Zones except uses in Columns (3) and (4)	FAR for Boarding House, Guest-house, Hotel and Institutions	FAR for Agricultural Buildings, Blocks of Flats, Blocks of Tenements, Hostels, Duplex Dwellings, Dwelling-houses in Use Zones 1, 17 and 19, and Dwelling-units in Use Zones 2, 3 and 4
9	0,75	0,8	0,75
10	0,6	0,6	0,6
11	1,8	0,9	0,9
12	3,0	2,4	2,4
13	Not applicable	Not applicable	0,4
14	2,0	1,8	1,8
15	2,1	2,1	2,1
16	0,4	0,4	0,4
17	0,5	0,5	0,5
18	0,8	0,8	0,8
19	1,2	1,2	1,2
20	1,5	1,5	1,5
21	0,3	1,5	Not applicable
22	0,9	0,9	0,9
23	2,1	1,2	1,2

Note:

- *1. If no FAR is indicated in an Annexure T or in the data base then this FAR Zone will apply to all Use Zones excluding Use Zones "Industrial 1" and "Industrial 2".
- *2. If no FAR is indicated in an Annexure T or in the data base then this FAR Zone will apply to Use Zones "Industrial 1" and "Industrial 2" only.

Provided that -

- (1) where a building is designed for more than one use a proportional Floor Area Ratio, based on the proportional usage as described in Paragraph 2 of Schedule 2, shall be permitted.

CLAUSE 26: HEIGHT OF BUILDINGS

26. (1) No building shall be erected so as to exceed the height or number of storeys specified in the following Table D or Annexure T:

TABLE D: HEIGHT

(1)	(2)	(3)
Height Zone per property as recorded in the electronic data base of the Scheme	Use Zones	Height in metres
1	All Use Zones	32
2	All Use Zones	28
3	All Use Zones	25

(1)	(2)	(3)
Height Zone per property as recorded in the electronic data base of the Scheme	Use Zones	Height in metres
4	All Use Zones	22
5 *1	All Use Zones	19
6 *2	All Use Zones	18
7	All Use Zones	15
8	All Use Zones	23
9	All Use Zones	13
10	All Use Zones	10

Note:

*1. If no height is indicated in an Annexure T or in the data base then this Height Zone will apply to all Use Zones excluding Use Zones "Industrial 1" and "Industrial 2".

*2. If no height is indicated in an Annexure T or in the data base then this Height Zone will apply to Use Zones "Industrial 1" and "Industrial 2" only.

- (a) In an "Industrial 1" zone the height of industrial buildings shall not be subject to the height as set out in the foregoing Table D.
- (b) In an "Industrial 2" zone the Municipality may grant permission to an increase in height in respect of any building, which requires additional height for a manufacturing process or storage purposes.
- (c) No dwelling-unit in Use Zones "Residential 1", "Residential 2", "Agricultural" and "Undetermined" shall exceed 10,0 m in height above natural ground level and such dwelling-unit shall not contain more than 2 storeys one above the other as indicated in Diagram 4 below and such height shall include the basement:

Provided that the Municipality may in special circumstances grant its permission to relax the afore-mentioned restrictions if it is satisfied that the privacy of the adjacent residents shall not be negatively affected and that it would result in a better development and to grant its permission that the height of each storey may vary from the minimum specified in the National Building Regulations to a maximum of 6,0 m measured from floor to ceiling depending on the design of the dwelling-unit.

- (d) The Municipality may in its discretion grant permission for an increased height in the case of:
 - (i) a building erected by the Municipality itself or any university established by law;
 - (ii) a building where, owing to the imposition of a building line, the applicable Floor Area Ratio cannot otherwise be attained;
 - (iii) a building which requires additional height in order to improve the architectural treatment thereof or to provide amenities solely for the occupants of the building, on condition that not more than 10% of the roof area is covered by that portion of the building for which additional height is required; and
 - (iv) a building to be erected after compliance with the provisions of Clause 16, to a height greater than that permitted in Table D, on condition that such building embodies in its design special features which in the opinion of the Municipality add to the general

amenity of the area and that provision shall be made for parking in accordance with Clause 28, or as required by the Municipality.

- (e) *(deleted)*
 - (f) No building on a property which falls within the area bordered blue as shown on Annexure C shall be permitted to be more than 1381 metres above mean sea level.
- (2) For the purposes of this Clause account shall not be taken of the following:
- (a) *(deleted)*
 - (b) One or part of one storey of a building excluding a dwelling-house or dwelling-unit, which is used for the parking of vehicles:

Provided that,

 - (i) the Municipality may grant permission for a maximum of three storeys to be used for the parking of motor vehicles except in the area bounded by Walker Street, the railway line and Mears Street, in Muckleneuk, where only one storey for the parking of motor vehicles shall be permitted;
 - (ii) if the parking storey is above the ground floor, an area of not less than 85% of such storey shall be used for parking purposes and access ramps; and
 - (iii) if the parking storey is on the ground floor, accommodation may also be provided on this floor for an entrance hall, lifts, stairs, accommodation for the employees necessary for the servicing of the building, facilities for the servicing and maintenance of the building and amenities for the occupants of the building, but excluding a caretaker's flat, on condition that the combined area of the afore-mentioned uses may not exceed 20% of the area of the erf which may be covered by the building.
 - (c) Any part of the building above the maximum permitted height, which is necessary for the maintenance and mechanical equipment, necessary for the servicing of the building, on condition that it is not used for any other purpose; and
 - (d) Any chimney, ornamental tower, turret, or other similar architectural feature and lightning conductor mast except that any parapet shall be taken into account.
- (3) The height of any part of a building shall be measured vertically from the natural ground level to the highest point of the building as indicated in Diagrams 4, 5 and 6 below.
- (4) Where the height of a building is specified in storeys only, then a storey shall be equivalent to a height of 3,0 m measured from the floor to the floor above except where a single storey is designed as a double volume, in which case the height of such storey shall not be more than 6,0 m floor to ceiling without the permission of the Municipality.
- (5) In the case of industrial buildings, light industrial buildings, warehouses, wholesalers and distribution centres where the height is expressed in storeys then the height of a single storey may be equivalent to the total height of all the storeys converted to metres and the maximum height of such building shall exclude the height of the roof.

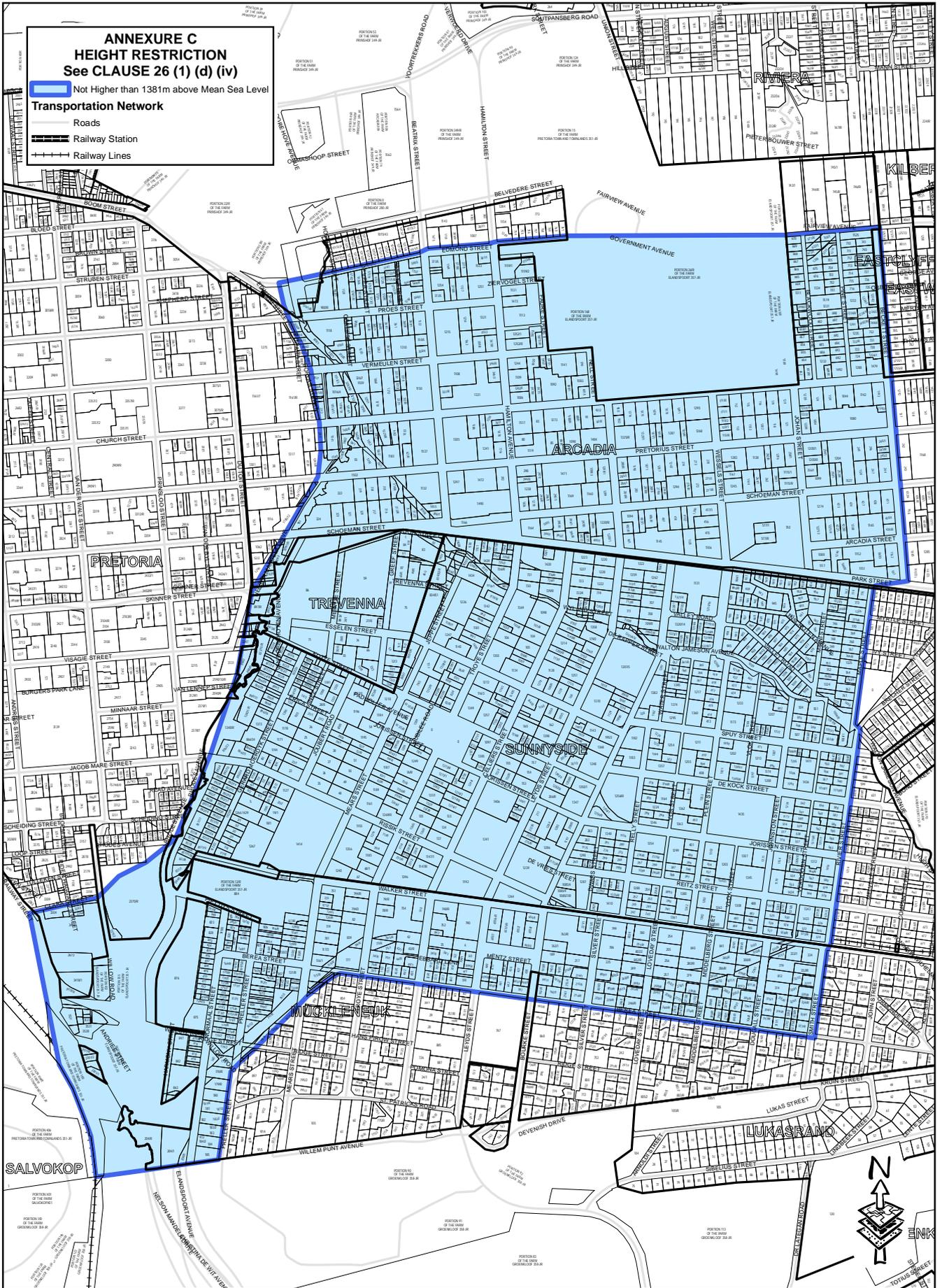


Diagram 4

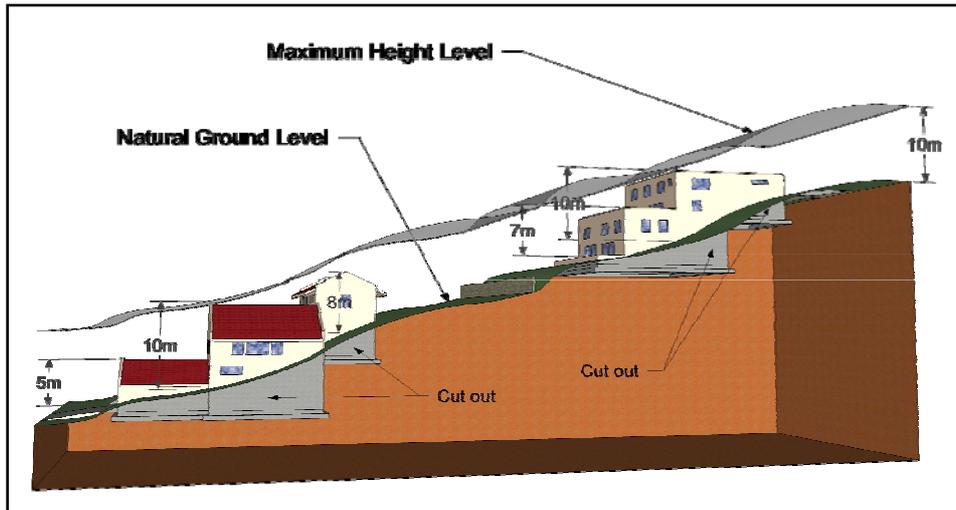


Diagram 5

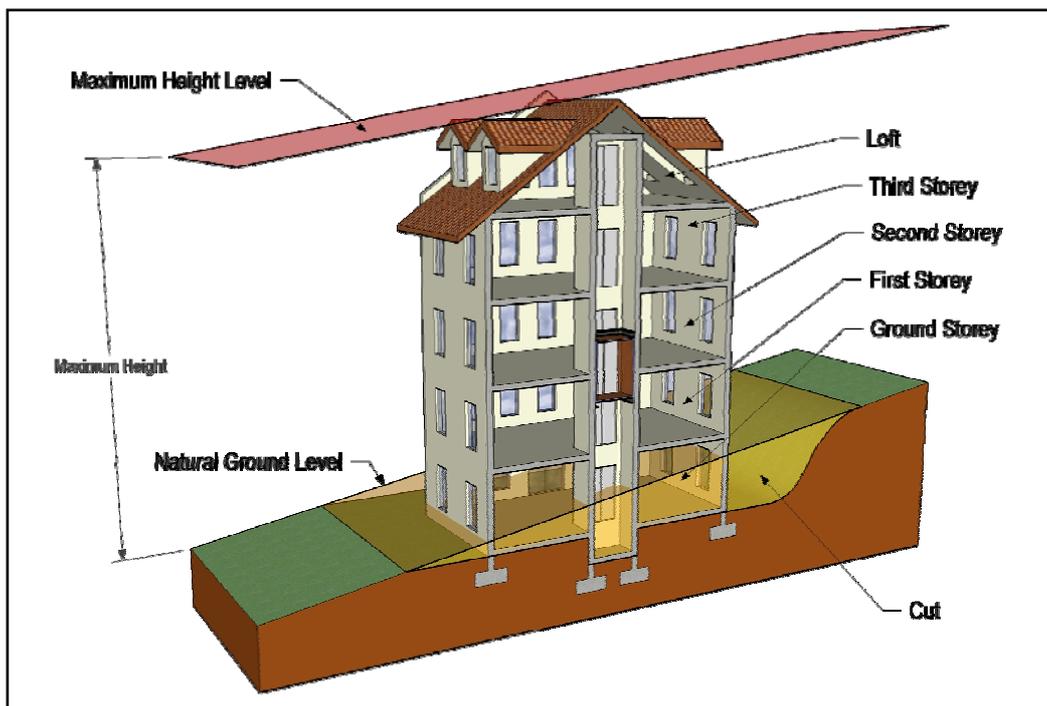
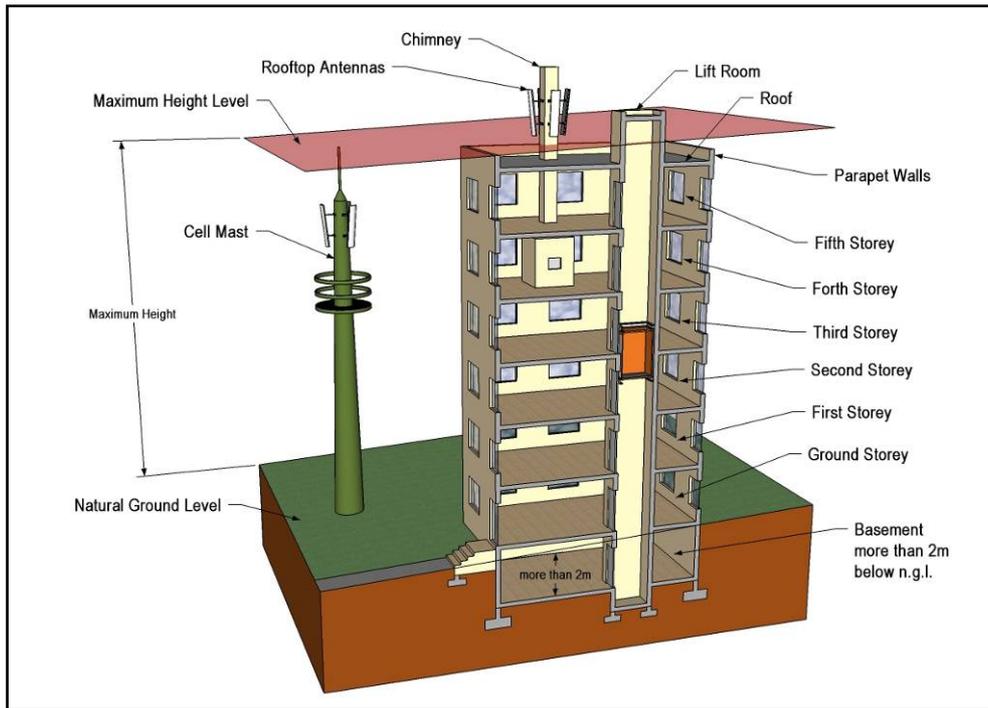


Diagram 6**CLAUSE 27: COVERAGE**

27. (1) No building shall be erected so that a greater portion of the site is covered by the building than is indicated in the following Table E or Annexure T:

TABLE E: COVERAGE

(1)	(2)	(3)	(4)	(5)	(6)
Cove-rage Zone per property as recorded in the electronic data base of the Scheme	Parking Garages and Public Garages, Warehouses, buildings used solely for the display of goods	Coverage for other uses not in Columns (2), (4) (5) and (6)	Coverage for Industries, Places of Instruction, Hotel, Boarding House and Guest-house	Coverage for Duplex Dwellings, Blocks of Flats, Blocks of Tenements and Dwelling-units in Residential 4 Use Zone	Coverage for Agricultural buildings, Dwelling-houses in Use Zones 1, 17 and 19, and Dwelling-units in Use Zones 2, 3 and 5, Hospitals and Institutions
1	95%	80%	75%	75%	50%
2	95%	80%	75%	75%	50%
3	95%	80%	75%	40%	50%
4	80%	60%	60%	40%	50%
5 *1	80%	60%	60%	40%	50%
6 *2	95%	80%	75%	40%	50%
7	80%	60%	60%	40%	50%
8	80%	60%	60%	30%	50%

(1)	(2)	(3)	(4)	(5)	(6)
Cove-rage Zone per property as recorded in the electronic data base of the Scheme	Parking Garages and Public Garages, Warehouses, buildings used solely for the display of goods	Coverage for other uses not in Columns (2), (4) (5) and (6)	Coverage for Industries, Places of Instruction, Hotel, Boarding House and Guest-house	Coverage for Duplex Dwellings, Blocks of Flats, Blocks of Tenements and Dwelling-units in Residential 4 Use Zone	Coverage for Agricultural buildings, Dwelling-houses in Use Zones 1, 17 and 19, and Dwelling-units in Use Zones 2, 3 and 5, Hospitals and Institutions
9	Not applicable	Not applicable	25%	25%	Not applicable
10	Not applicable	Not applicable	30%	30%	Not applicable
11	60%	60%	60% (Industry) 30% (other)	30%	30%
12	75%	75%	60%	40%	50%
13	75%	75%	60%	40%	50%
14	Not applicable	Not applicable	Not applicable	60%	Not applicable
15	30%	30%	30%	30%	30%
16	40%	40%	40%	40%	40%
17	60%	60%	60%	60%	60%
18	80%	80%	80%	80%	80%
19	70%	70%	70%	70%	70%
20	Not applicable	15%	Not applicable	Not applicable	Not applicable

Note:

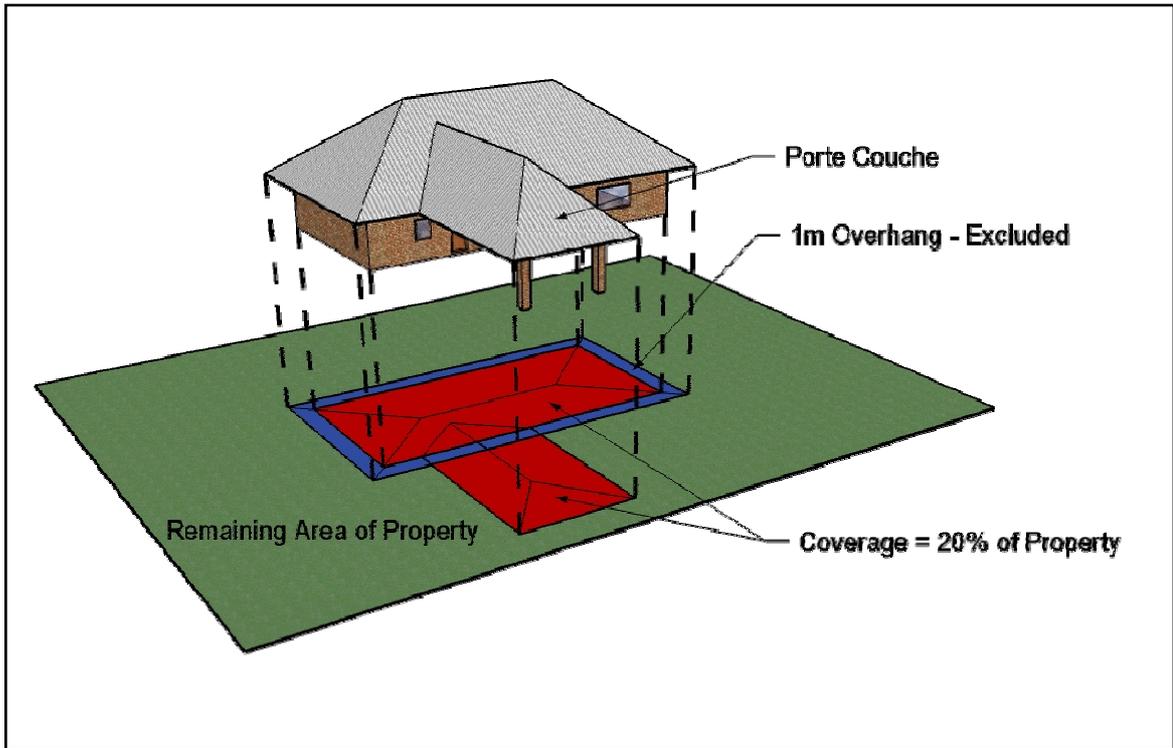
- *1. If no coverage is indicated in an Annexure T or in the data base then this Coverage Zone will apply to all Use Zones excluding Use Zones "Industrial 1" and "Industrial 2".
- *2. If no coverage is indicated in an Annexure T or in the data base then this Coverage Zone will apply to Use Zones "Industrial 1" and "Industrial 2" only.

Provided that,

- (a) in Coverage Zones 1 and 2 a maximum coverage of 95% may be permitted for any shop on condition that such shop shall have acceptable mechanical ventilation, which condition may be waived by the General Manager: City Planning, if he and the Municipality's Health Officer are satisfied that the shops have adequate natural ventilation;
- (b) in Coverage Zones 1 and 2 the permitted coverage for a Place of Amusement may not exceed 90% and in other Coverage Zones may not exceed 75% if artificial lighting and air-conditioning are installed;
- (c) if a building is designed for more than one use, the maximum percentage of the site occupied by buildings at each storey shall comply with the provisions of Table E in respect of the use or uses of such storey;
- (d) in the case of blocks of flats or tenements in Height Zones 3, 4, 5 and 6 a maximum additional coverage of 15% shall be permitted for single-storey garages erected for the use of the tenants of the blocks of flats or tenements and accommodation for the employees necessary for the servicing of the building, may be permitted on the top of such garages, subject to the condition that such garages and accommodation shall be erected in accordance with the National Building Regulations;

- (e) in a "Business 1" Zone, if business buildings or shops are erected in Coverage zones 4, 5, 6 and 8 additional coverage not exceeding 10% shall be permitted for single-storey garages erected on the same site for the use of the tenants of the buildings;
 - (f) *(deleted)*
 - (g) the Municipality may permit additional coverage in the case of a building used solely as a parking garage;
 - (h) the basement floor area shall not be considered in calculating the coverage;
 - (i) the applicant, if aggrieved by the Municipality's decision, may appeal; and
 - (j) in Coverage Zones 1, 2, 3 and 4 on erven zoned "Business 1", where existing Business Buildings are converted to Residential Buildings, the coverage for Residential Buildings may be increased with the permission of the Municipality to the maximum coverage for Business Buildings.
 - (k) The Municipality may grant permission for an additional 10% coverage for dwelling-houses and dwelling-units in "Residential 1", "Residential 2", "Residential 3", "Residential 4" and "Residential 5".
- (2) For the purpose of this Clause coverage shall be calculated as defined in Clause 5 (see Diagram 7) and the following shall be excluded:
- (a) Minor building works as defined in the National Building Regulations, 1985, up to a maximum of 40 m² for all such minor building works on a property.
 - (b) Canopies or eaves projections or roof overhangs up to a maximum of 1 metre measured horizontally from the exterior wall, fire escapes, laundry areas and patios (more than 50% open with louvres), municipal and other substations, projections used exclusively for the maintenance of a building or sun-protection purposes of pedestrians on ground level, rubbish-bin rooms and a roof over fuel-pumps at filling-stations or public garages.
 - (c) Any single-storey car shelter with four open sides which is not defined in Sub-clause 27(2)(a) and which is required in terms of Tables F or G, a consent use or Annexure T:
- Provided that:
- (i) the number and extent, the siting and the appearance thereof shall be subject to a site development plan and a landscape development plan, approved by the Municipality; and
 - (ii) the Municipality may impose any further conditions it may deem fit.

Diagram 7



PART 5**PARKING AND LOADING FACILITIES****CLAUSE 28: PARKING REQUIREMENTS**

28. Parking spaces together with enough manoeuvring space shall be provided on the property in accordance with the following Tables F and G and the layout and construction thereof, shall be subject to the approval of the Municipality.

**TABLE F: PARKING APPLICABLE TO AREAS
IN ZONES A AND B ON ANNEXURE A**

Use	Parking spaces to be provided
Duplex Dwellings	As per Schedule 3.
Flats	One parking space per 93 square metres of the gross floor area of the flats.
Residential Buildings	One parking space per 37 square metres of bedroom and bathroom accommodation (other than Dwelling-houses and Blocks of Flats).
Offices	One parking space per 116 square metres of the gross floor area of the offices and their appurtenances such as storerooms, cloak-rooms, corridors, etc.
Shops	One parking space per 116 square metres of the gross floor area of the shops and their appurtenances such as offices used in conjunction therewith, storerooms, cloak-rooms, corridors, etc.
Industries Restricted Industries Warehouses	One parking space per five employees including management.

**TABLE G: PARKING APPLICABLE TO AREAS
OUTSIDE ZONE A AND ZONE B ON ANNEXURE A**

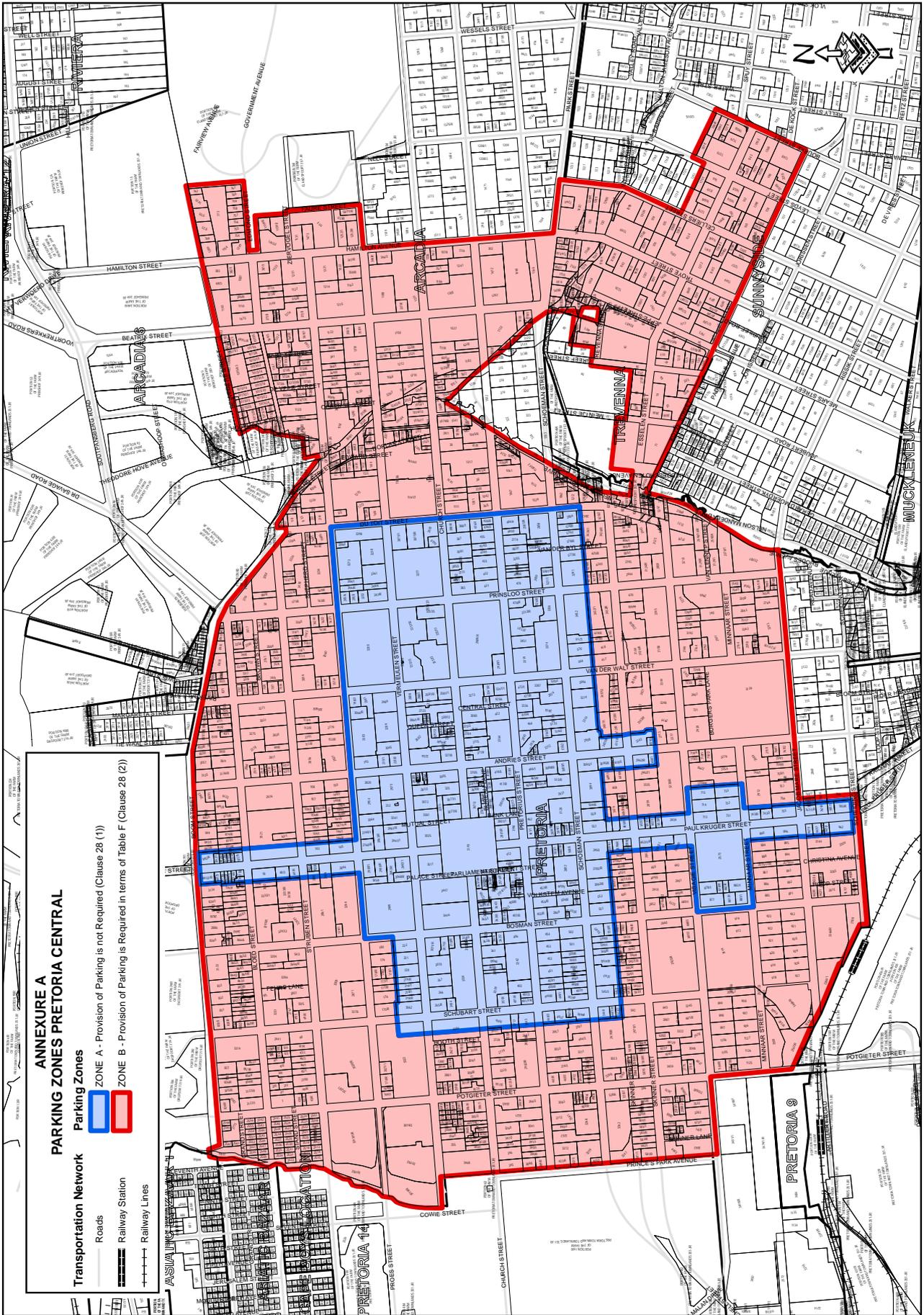
(1) Use	(2) Parking spaces to be provided on the property
Business buildings:	
(1) Fitness centres	(1) Ten parking spaces per 100 m ² of the gross floor area
(2) Medical and dental consulting rooms	(2) Six parking spaces per 100 m ² of the gross floor area
(3) Banks, building societies and other financial institutions	(3) Four parking spaces per 100 m ² of the gross floor area
(4) Offices, hairdressers and other businesses	(4) Four parking spaces per 100 m ² of the gross floor area
(5) Estate Agents	(5) Five parking spaces per 100 m ² gross floor area
Car Wash	7 parking spaces per car wash booth
Duplex Dwellings and Dwelling-units subject to Schedule 3	(1) One covered and paved parking space for each dwelling-unit with two habitable rooms or less. (2) One covered and paved and one paved parking spaces for each dwelling-unit with three habitable rooms or more. (3) One paved parking space per three dwelling-units for visitors.

(1)	(2)
Use	Parking spaces to be provided on the property
Dwelling-units subject to Schedule 4	(1) One covered and paved parking space for each dwelling-unit with two habitable rooms or less. (2) One covered and paved and one paved parking spaces for each dwelling-unit with three habitable rooms or more. (3) One paved parking space per three dwelling-units for visitors.
Home Enterprise	According to Schedule 9.
Industry	One parking space per 100 m ² of gross floor area.
Institution: (1) Charitable institution (2) Clinic (3) Hospital	(1) To the satisfaction of the Municipality. (2) One parking space per bed. (3) One parking space per bed.
Motor workshops not included in a public garage: (1) Installation of air-conditioning, alarm systems, auto-electrical components, exhaust systems, motor glass, radios, shock absorbers, sunroofs, towbars, upholstery and tyres etc. (2) Other	(1) Three parking spaces per work bay, work bay included (2) Six parking spaces per work bay, work bay included.
Place of Instruction: (1) Primary schools (2) Secondary schools (3) Other	(1) One parking space per classroom and/or office. (2) One parking space per classroom and/or office. (3) To the satisfaction of the Municipality.
Place of Child Care	One parking space per activity room plus one stopping place for every 10 children more than 20.
Place of Public Worship	One parking space per five seats.
Place of Refreshment	One parking space per two seats.
Public garages and filling station: (1) Workshop (2) Shop (3) ATM	(1) 4 parking spaces per 100 m ² of the gross floor area. (2) 6 parking spaces per 100 m ² of the gross floor area. (3) 3 parking spaces per ATM
Residential building: (1) Blocks of flats	(1) (a) One paved parking space for each flat with three habitable rooms or less. (b) Two paved parking spaces for each flat with four habitable rooms or more.; and

(1)	(2)
Use	Parking spaces to be provided on the property
(2) Hotel	(c) One paved parking space per three flats for visitors. (2) One parking space per leasable room, plus Six parking spaces per 100 m ² public floor area.
(3) Boarding house , hostel and block of tenements	(3) One parking space per 37 m ² of bedroom and bathroom accommodation.
Retail Industry	Six parking spaces per 100 m ² of gross floor area.
Light Industry:	
(1) Printing works	(1) Two parking spaces per 100 m ² of the gross floor area.
(2) Other Light industries	(2) One parking space per 100 m ² of the gross floor area.
Shop	Six parking spaces per 100 m ² of the gross floor area.
Residential 1:	
(1) Erven larger than 500 m ²	(1) Two paved parking spaces per dwelling- house.
(2) Erven smaller than 500 m ²	(2) One paved parking space per dwelling- house.
Social hall	One parking space per four seats or twenty parking spaces per 100 m ² of the gross floor area.
Vehicle Sales Showroom	One parking space per 100 m ² gross floor area.
Warehouse	One parking space per 100 m ² of the gross floor area.
All other land uses	To the satisfaction of the Municipality.

Provided that:

- (1) within the area (Zone A) bordered blue on Annexure A parking is not required;
- (2) within the area (Zone B) bordered red on Annexure A parking shall be provided as per Table F;
- (3) the Municipality may in special circumstances grant its permission for the provision of parking spaces elsewhere than on the site or accept a monetary contribution in lieu thereof, which contribution shall be used solely for the provision of public parking facilities in the vicinity of the site;
- (4) the requirements with regard to the number of parking spaces, prescribed in the above Table G or an Annexure T or a Consent Use, that shall be provided on the site, may be relaxed with the permission of the Municipality; and
- (5) the owner of a building or land in respect of which parking spaces are required in terms of this Clause shall maintain such parking spaces to the satisfaction of the Municipality.



CLAUSE 29: LOADING REQUIREMENTS

29. (1) Loading spaces, in accordance with the sizes in the following Table H and with enough manoeuvring space, entrances to and exits from the site, internal driveways, and, where required, waiting bays, receiving points and turning facilities, shall be provided on the site. If required, fuelling spaces, with enough manoeuvring space, shall also be provided on the site. The number, layout and construction of the loading and fuelling spaces are subject to the approval of the Municipality.

TABLE H: LOADING SPACES

(1)	(2)
Use	Size of loading spaces
Business Buildings Hotels (Residential Buildings) without off-sales Institution Motor Workshop Places of Amusement Places of Instruction Places of Refreshment Public Garages Light Industries Retail Industries Shops Social Halls	7,5 m x 4,5 m
Hotels (residential buildings) with off-sales Industries Warehouses	11 m x 7,5 m

- (2) An owner who undertakes or knowingly permits the loading, off-loading or fuelling of vehicles other than as approved by the Municipality, is guilty of an offence.

PART 6**AMENITY IN AND OF THE ENVIRONMENT AND APPEARANCE OF BUILDINGS****CLAUSE 30: AESTHETIC CONSIDERATIONS**

30. (1) GENERAL AMENITY

Where in the opinion of the Municipality the general amenity of property in any use zone is injured by:

- (a) any works of any nature undertaken or proceeded with;
- (b) any use made of any building, structure, curtilage or land of any nature; or
- (c) the condition of any building, structure, curtilage or land of any nature, or
- (d) any noise, smell, dust or effluent above the norm as determined by the Municipality's Health Officer, the Municipality may serve a notice on the owner or occupier of the property on which the injurious work, use or conditions exist or are being carried out, requiring the owner or occupier, within a period of twenty-eight days from the date of service of the notice, to take action to abate and/or make good the afore-mentioned injurious works, use or conditions and if he does not comply the Municipality will be entitled to do it itself or have it done and recover the cost thereof from the owner:

(2) SIGNS

- (a) No Signs and advertising structures as defined in the City of Tshwane Metropolitan Municipality: By-laws for the Control of Outdoor Advertising, 2006 as amended from time to time, shall be erected on a building or land without the permission of the Municipality in terms of said By-laws.
- (b) Where conditions regulating signs as defined in the City of Tshwane Metropolitan Municipality: By-laws for the Control of Outdoor Advertising have been prescribed in an Annexure T or Consent Use conditions, the Municipality may relax such conditions after application is made in terms of the said By-laws.

(3) OUTBUILDINGS

No outbuilding may be erected in any use zone so that its entrance faces an adjacent residential property or street in such a way that, in the opinion of the Municipality, it would be likely to cause injury to the amenities of the neighbourhood.

CLAUSE 31: SITE DEVELOPMENT PLAN AND LANDSCAPE DEVELOPMENT PLAN

31. (1) The Municipality may require the owner of any property intending to erect a building or structure there on or with the submission of an application to submit the following plans in addition to buildings plans required in terms of the National Building Regulations:

- (a) A site development plan and, if required, a landscape development plan to the satisfaction of the Municipality shall be submitted to the Municipality for approval before any building plans are submitted and such site development plan shall comply with the following:
 - (i) a fully detailed plan to a minimum scale of 1:200, which shall be amplified by means of sketch plans, sections and elevations of all buildings to a minimum scale of 1:100: Provided that the Municipality may accept scales other than the afore-mentioned and which fully illustrates the following aspects:

- (aa) The siting, height, FAR and coverage of all buildings and structures (proposed extensions included) and the number of dwelling-units per hectare.
 - (bb) Landscaping, communal open spaces, children's play areas, private living areas, backyards, laundry rooms, drying areas for washing, refuse-bin area, and swimming pool, as well as the location, height, construction and finish of screen-walls or other acceptable forms of screening.
 - (cc) Entrances to and exits from the erf to any public street.
 - (dd) The proposed lines of subdivision if the erf is to be subdivided.
 - (ee) Entrances to buildings, parking spaces and vehicular and pedestrian traffic systems.
 - (ff) Building restriction areas and the building set-backs on any boundary.
 - (gg) The location of existing buildings on adjoining erven.
 - (hh) Contour lines with 0,5 m intervals or other intervals or height indications to the satisfaction of the Municipality.
 - (ii) The grouping of dwelling-units and the phasing of the development if it is envisaged not to develop the whole erf simultaneously.
 - (jj) The design, height and finish of all buildings and physical barriers on the street boundaries if these are required by the Municipality.
- (ii) An approved site development plan shall only be amended with the permission of the Municipality and no building plan which does not comply with the proposals and conditions as set out in the approved site development plan, will be approved by the Municipality.
 - (iii) No individual dwelling-unit which is linked to another dwelling-unit and/or ancillary outbuilding, shall be occupied before the relevant building of which the dwelling-unit forms part, is completely developed: Provided that the Municipality may, in exceptional cases, grant permission thereto.
- (b) The landscaping in terms of the landscape development plan shall be completed within three months of the completion of the development or any phase thereof. The continued maintenance of the landscape development shall be to the satisfaction of the Municipality.
 - (c) A Professional Landscape Architect shall compile the landscape development plan, which shall comply with the following:
 - (i) A fully detailed plan to a scale of 1:200.
 - (ii) The existing natural features and vegetation on the property shall be indicated.
 - (iii) The proposed soft and hard landscape design information shall specify the species, quantities and qualities of the plants.

- (2) The Municipality shall, on submission of the site development plan and/or landscape development plan (hereafter referred to as "the plans"):
- (a) approve the plans; or
 - (b) having regard to the character and quality of the locality or of the existing and/or future buildings or structure therein, the proposed building or structure would, in the opinion of the Municipality, detract from the character and quality of the locality, disapprove of the plans and shall give notice of its decision to the owner with, if it disapproved of the particulars, the reasons therefor.
- (3) No owners of any property shall commence the erection of any building or structure before the afore-mentioned site development and building plans have been approved of by the Municipality.

PART 7**GENERAL CONDITIONS****CLAUSE 32: OVERRIDING RIGHTS OF THE MUNICIPALITY**

32. Nothing in this Scheme shall prevent the erection, use or maintenance of any building, works or land by the Municipality on its own property.

CLAUSE 33: ACCESS AND INSPECTION

33. (1) Authorised officials of the Municipality shall have the right to enter into and upon any property at any reasonable time for the purpose of any inspection which the Municipality may deem necessary or desirable for the purposes of this Scheme.
- (2) No person shall in any way obstruct such official in the execution of his/her duties.

CLAUSE 34: PERUSAL OF SCHEME DOCUMENTS

34. (1) The Municipality shall allow any person to inspect, at any reasonable time, the Scheme (Clauses, Maps, Annexures and Consents) in the the offices of the Municipality.
- (2) Any person desiring to obtain a copy of such records of the Scheme shall pay to the Municipality, fees as determined by the Municipality.

CLAUSE 35: APPEALS

35. Where provision is made in this Scheme for an appeal, such appeal shall be submitted to the Townships Board in terms of Section 139 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

CLAUSE 36: CONTRAVENTION OF THE SCHEME

36. Any person who commits or knowingly permits a contravention of any of the provisions of this Scheme or of the requirements of any order or notice issued or conditions imposed in terms of this Scheme shall be deemed to be guilty of an offence.

CLAUSE 37: SERVING OF NOTICES

37. (1) Any order, notice or other document to be served on any owner or occupier of a building or land shall be signed by the authorised official of the Municipality and shall be served in one of the following ways:
- (a) to the said person personally or to his authorized agent;
 - (b) by registered post to the person or his duly authorized agent at his last known address of abode, place of business or employment, or post office box number;
 - (c) at the domicilium citandi of the person to be served; or
 - (d) by fixing such order, notice or other document on a conspicuous part of the property if there is no such person on the premises at which service is to be effected.
- (2) Where any service is effected in accordance with the provisions of the preceding Sub-clause (1)(c), such service shall be deemed to have been effected at the time when such order, notice or other document would normally have been delivered and in providing such service it shall be sufficient to prove that the order, notice or other document was properly addressed and registered.

- (3) Any order, notice or other document required to be served on the owner or occupier of any property may be addressed to the "Owner" or "Occupant" without further name or description.

CLAUSE 38: COMPLIANCE WITH TITLE DEEDS, DEEDS OF GRANT AND CONDITIONS OF ESTABLISHMENT

38. (1) No consent or permission of the Municipality given in terms of this Scheme may be construed as conferring upon any person the right to erect or use any building or to use any land for any purpose which is prohibited in any condition registered against the Title Deed of the land or imposed in respect of the land under any law relating to the establishment of townships.
- (2) The stipulations of Clause 14(9) are also applicable.

CLAUSE 39: SHORT TITLE

39. For the purpose of short title this Scheme shall be known as "Tshwane Town-planning Scheme, 2008".

SCHEDULE 1

STREET BUILDING LINES, ACCESS AND PHYSICAL BARRIERS

A separate file is available at the information offices in Munitoria, Akasia and Centurion.

SCHEDULE 2
FORMULAS FOR TENEMENTS

1. FORMULA FOR CALCULATING TENEMENTS

The maximum permitted number of rooms in a tenement shall be determined by the following formula:

$$R = \frac{A}{116}$$

where

R = maximum permitted number of rooms, and
A = Area of erf in square metres.

SCHEDULE 3**CONDITIONS GOVERNING THE ERECTION OF DWELLING-UNITS IN USE ZONE 3: RESIDENTIAL 3**

1	Use Zone	3: RESIDENTIAL 3
2	Uses permitted	Duplex Dwellings and Dwelling-units.
3	Use with consent	Table B, Column 4.
4	Uses not permitted	Table B, Column 5.
5	Definitions	Clause 5
6	Density	N.A.
7	Coverage	40%
8	Height	3 storeys: Provided that a third storey shall only be allowed if the Municipality is satisfied that such storey will not detrimentally affect the privacy of the adjoining property owners.
9	Floor area ratio	0,4
10	Site development plan and landscape development plan	<p>(1) A site development plan and a landscape development plan, unless otherwise determined by the Municipality, compiled by a person suitably qualified to the satisfaction of the Municipality, shall be submitted to the Municipality for approval prior to the submission of building plans.</p> <p>(2) The landscaping, in terms of the landscape development plan, shall be completed by completion of the development or any phase thereof. The continued maintenance of the landscape development shall be to the satisfaction of the Municipality.</p> <p>(3) When the Site Development Plan is evaluated, special attention must be given to elements such as residential character, communal and private open space, exterior finishes, style etc. in order to create a special character which is harmonious with the surrounding residential area.</p> <p>(4) An approved site development plan shall only be amended with the permission of the Municipality and building plans which do not comply with the proposals and conditions as set out in the approved site development plan, will not be approved by the Municipality.</p>
11	Building lines	In terms of Clause 9 and Table A.
12	Parking requirements	<p>Demarcated parking spaces, together with the necessary paved manoeuvring space, shall be provided on the erf in the following ratios to the satisfaction of the Municipality:</p> <p>(1) One covered and paved parking space for each dwelling-unit with two habitable rooms or less.</p> <p>(2) One covered and paved and one paved parking spaces for each dwelling-unit with three habitable rooms or more.</p> <p>(3) One paved parking space per three dwelling-units for visitors.</p>
13	Paving areas	All parts of the erf upon which motor vehicles may move or park, shall be provided with a permanent dust-free surface, which surface shall be paved, drained and maintained to the satisfaction of the Municipality.
14	Access to the erf	<p>(1) Entrances to and exits from the erf shall be sited, constructed and maintained to the satisfaction of the Municipality.</p> <p>(2) Any panhandle must be at least 3 metres wide.</p>
15	Loading and off-loading facilities	The loading and off-loading of goods shall only take place within the boundaries of the erf.

16	Turning facilities	Not required.
17	Physical barriers	In accordance with the site development plan.
18	Health measures	<p>(1) Any requirements for air pollution-, noise abatement- or health measures set by Municipality shall be complied with to the satisfaction of the Municipality without any costs to the Municipality.</p> <p>(2) Air-conditioning units or compressors shall not be mounted to the exterior walls of buildings without the prior permission of the Municipality.</p>
19	Outdoor advertising	Advertisements and/or sign boards shall not be erected or displayed on the erf without the approval of the Municipality first being obtained in terms of municipal by-laws for outdoor advertising.
20	General:	<p>(1) Each dwelling-unit shall have direct access to its own private adjoining outdoor living area to the satisfaction of the Municipality.</p> <p>(2) That portion of the erf between the building(s) and the street boundary which is not used for traffic purposes, shall, within six months from the date on which the erf is first used for the permitted purposes, be laid out and maintained as a garden at the owner's cost and to the satisfaction of the Municipality. Should the owner fail to comply herewith, the Municipality is entitled to execute the work at the owner's cost.</p> <p>(3) No individual dwelling-unit which is linked to another dwelling-unit and/or ancillary outbuilding, shall be occupied before the relevant building of which the dwelling-unit forms part, is completely developed: Provided that the Municipality may, in exceptional cases, grant permission thereto.</p> <p>(4) No dwelling-unit may be sold before the whole development or the phase on the property is completed.</p> <p>(5) The Municipality shall not approve any building plan which does not comply with the proposals in the approved site development plan with particular reference to the elevation and architectural treatment of the proposed building or structure.</p> <p>(6) Subject to the provision of the relevant legislation but notwithstanding any other provision contained herein, the Municipality may grant permission to the subdivision of the erf, where such subdivision corresponds with the subdivision proposals shown on the approved site development plan applicable to the erf.</p> <p>(7) The stipulations of Clause 14(3)(a) are applicable.</p> <p>(8) In addition to the above conditions the erf and buildings thereon are further subject to the general provisions of the Tshwane Town-planning Scheme, 2008.</p>

SCHEDULE 4**CONDITIONS GOVERNING THE ERECTION OF DWELLING-UNITS IN USE ZONE 2: RESIDENTIAL 2**

1	Use Zone	2: RESIDENTIAL 2
2	Uses permitted	Dwelling-units.
3	Use with consent	Table B, Column 4.
4	Uses not permitted	Table B, Column 5.
5	Definitions	Clause 5.
6	Density	25 dwelling-units per hectare of gross erf area (i.e. prior to any part of the erf being cut off for a public street or communal open space).
7	Coverage	40%
8	Height	2 storeys: Provided that a second storey shall only be allowed if the Municipality is satisfied that such storey will not detrimentally affect the privacy of the adjoining property owners.
9	Floor area ratio	Not applicable.
10	Site development plan and landscape development plan	<p>(1) A site development plan and a landscape development plan, unless otherwise determined by the Municipality, compiled by a person suitably qualified to the satisfaction of the Municipality, shall be submitted to the Municipality for approval prior to the submission of building plans.</p> <p>(2) The landscaping, in terms of the landscape development plan, shall be completed by completion of the development or any phase thereof. The continued maintenance of the landscape development shall be to the satisfaction of the Municipality.</p> <p>(3) When the Site Development Plan is evaluated, special attention must be given to elements such as residential character, communal and private open space, exterior finishes, style etc. in order to create a special character which is harmonious with the surrounding residential area.</p> <p>(4) An approved site development plan shall only be amended with the permission of the Municipality and building plans which do not comply with the proposals and conditions as set out in the approved site development plan, will not be approved by the Municipality.</p>
11	Building lines	In terms of Clause 9 and Table A.
12	Parking requirements	<p>Demarcated parking spaces, together with the necessary paved manoeuvring space, shall be provided on the erf in the following ratios to the satisfaction of the Municipality:</p> <p>(1) One covered and paved parking space for each dwelling-unit with two habitable rooms or less.</p> <p>(2) One covered and paved and one paved parking spaces for each dwelling-unit with three habitable rooms or more.</p> <p>(3) One paved parking space per three dwelling-units for visitors.</p>
13	Paving areas	All parts of the erf upon which motor vehicles may move or park, shall be provided with a permanent dust-free surface, which surface shall be paved, drained and maintained to the satisfaction of the Municipality.
14	Access to the erf	(1) Entrances to and exits from the erf shall be sited, constructed and maintained to the satisfaction of the

		Municipality. (2) Any panhandle must be at least 3 metres wide.
15	Loading and off-loading facilities	The loading and off-loading of goods shall only take place within the boundaries of the erf.
16	Turning facilities	Not required.
17	Physical barriers	In accordance with the site development plan.
18	Health measures	(1) Any requirements for air pollution-, noise abatement- or health measures set by Municipality shall be complied with to the satisfaction of the Municipality without any costs to the Municipality. (2) Air-conditioning units or compressors shall not be mounted to the exterior walls of buildings without the prior permission of the Municipality.
19	Outdoor advertising	Advertisements and/or sign boards shall not be erected or displayed on the erf without the approval of the Municipality first being obtained in terms of municipal by-laws for outdoor advertising.
20	General:	<p>(1) Each dwelling-unit shall have direct access to its own private adjoining outdoor living area to the satisfaction of the Municipality.</p> <p>(2) That portion of the erf between the building(s) and the street boundary which is not used for traffic purposes, shall, within six months from the date on which the erf is first used for the permitted purposes, be laid out and maintained as a garden at the owner's cost and to the satisfaction of the Municipality. Should the owner fail to comply herewith, the Municipality is entitled to execute the work at the owner's cost.</p> <p>(3) The Municipality shall not approve any building plan which does not comply with the proposals in the approved site development plan with particular reference to the elevation and architectural treatment of the proposed building or structure.</p> <p>(4) Subject to the provision of the relevant legislation but notwithstanding any other provision contained herein, the Municipality may grant permission to the subdivision of the erf, where such subdivision corresponds with the subdivision proposals shown on the approved site development plan applicable to the erf.</p> <p>(5) The stipulations of Clause 14(3)(a) are applicable.</p> <p>(6) No individual dwelling-unit which is linked to another dwelling-unit and/or ancillary outbuilding shall be occupied before the relevant building of which the dwelling-unit forms part, is completely developed. Provided that the Municipality may, in exceptional cases, grant permission thereto.</p> <p>(7) No dwelling-unit may be sold before the whole development or the phase on the property is completed.</p> <p>(8) In addition to the above conditions the erf and buildings thereon are further subject to the general provisions of the Tshwane Town-planning Scheme, 2008.</p>

SCHEDULE 5

ADDITIONAL CONDITIONS APPLICABLE TO CERTAIN TOWNSHIPS

A separate file is available at the information offices
in Munitoria, Akasia and Centurion.

SCHEDULE 6

MINIMUM ERF SIZES AND DENSITY OF ERVEN ZONED "RESIDENTIAL 1"

This information is kept up to date on the Municipality's
electronic data base and can be produced on request.

SCHEDULE 7**METHOD OF CALCULATING GROSS FLOOR AREA**

CONDITIONS GOVERNING THE CALCULATION OF GROSS FLOOR AREA OF A BUILDING:

1. Gross Floor Area = (TFA - D) (1 - X) where -

- (1) "TFA" means the total floor area of a building, including, but not limited to, the floor area of mezzanine floors, and the floor area of basements, internal passages, the area covered by a roof over fuel pumps at a filling station or public garage, external passages and balconies as illustrated by the accompanying Diagrams 8, 9 and 10.
- (2) "D" means the sum of -
 - (a) the total area of a building used solely as a Parking Garage;
 - (b) the total area of any floor in any other building used for the parking and circulation of motor vehicles;
 - (c) 75% of the total area of any arcade, mall or atrium in a building: Provided that such area complies with all the requirements relating to health and safety, to the satisfaction of the Municipality; or 100% of the total area of any arcade, mall or atrium in a shopping centre building: Provided that such area is used exclusively as a pedestrian way; and
 - (d) The total floor area of a building used exclusively as a children's recreation area as contemplated by Clause 14(3)(a).
- (3) "X" represents 5% or such other percentage which shall be certified by a Quantity Surveyor or an Architect: Provided that such percentage -
 - (a) is truly and accurately calculated as contemplated by Condition 2 of this Schedule; and
 - (b) is acceptable to the Municipality.

2. Only the following areas of a building may be measured and expressed as a percentage for the purposes as contemplated in Condition 1(3) hereof:

- (1) Ducts.
- (2) Stairs, stairwells, stair-landings and external passages.
- (3) Lift shafts and lift motor-rooms.
- (4) External and internal walls and their finishing.
- (5) Fire escapes.
- (6) Areas used for mechanical, electrical, cleaning and maintenance equipment.
- (7) Projections and architectural features only if they form part of the calculations as per Condition 1(1) hereof.
- (8) Refuse rooms.
- (9) Municipal electricity substations.
- (10) Such other areas as may be approved by the Municipality.

For examples of the above areas, refer to the accompanying Diagrams 11, 12 and 13.

Diagram 8

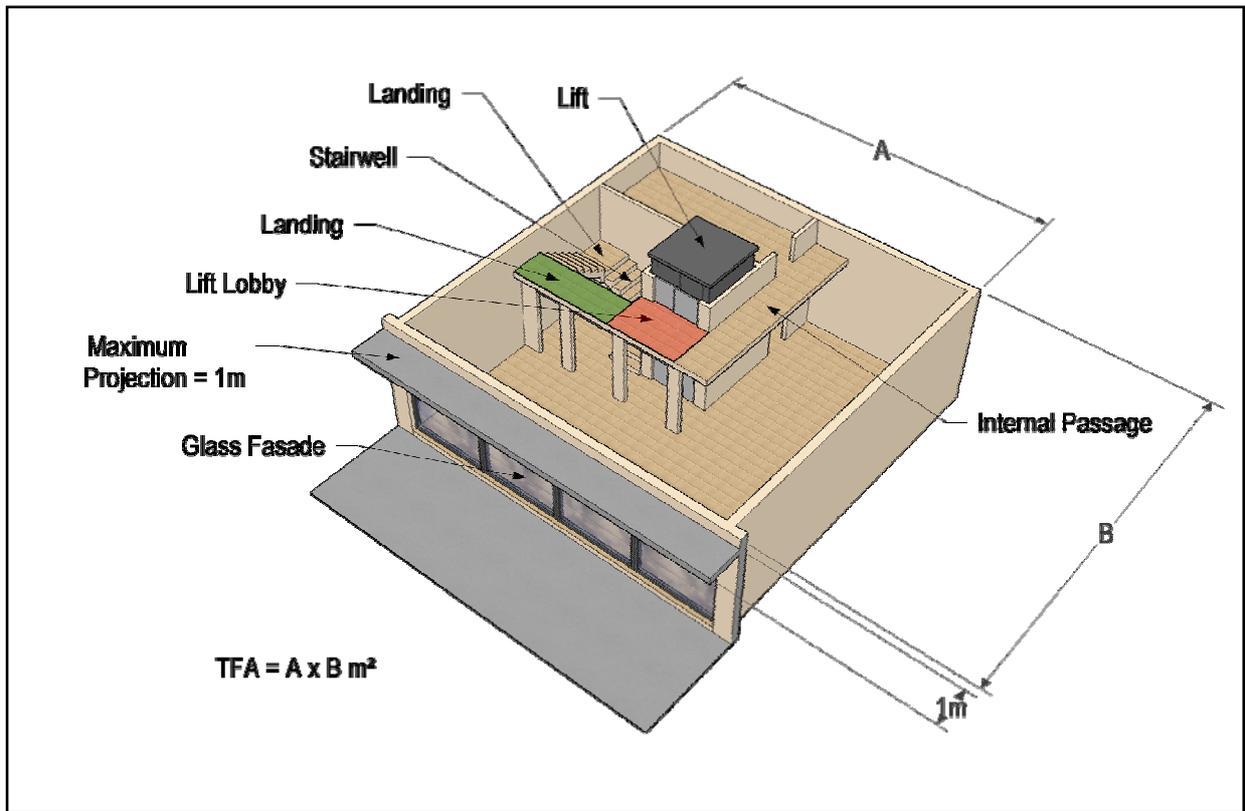


Diagram 9

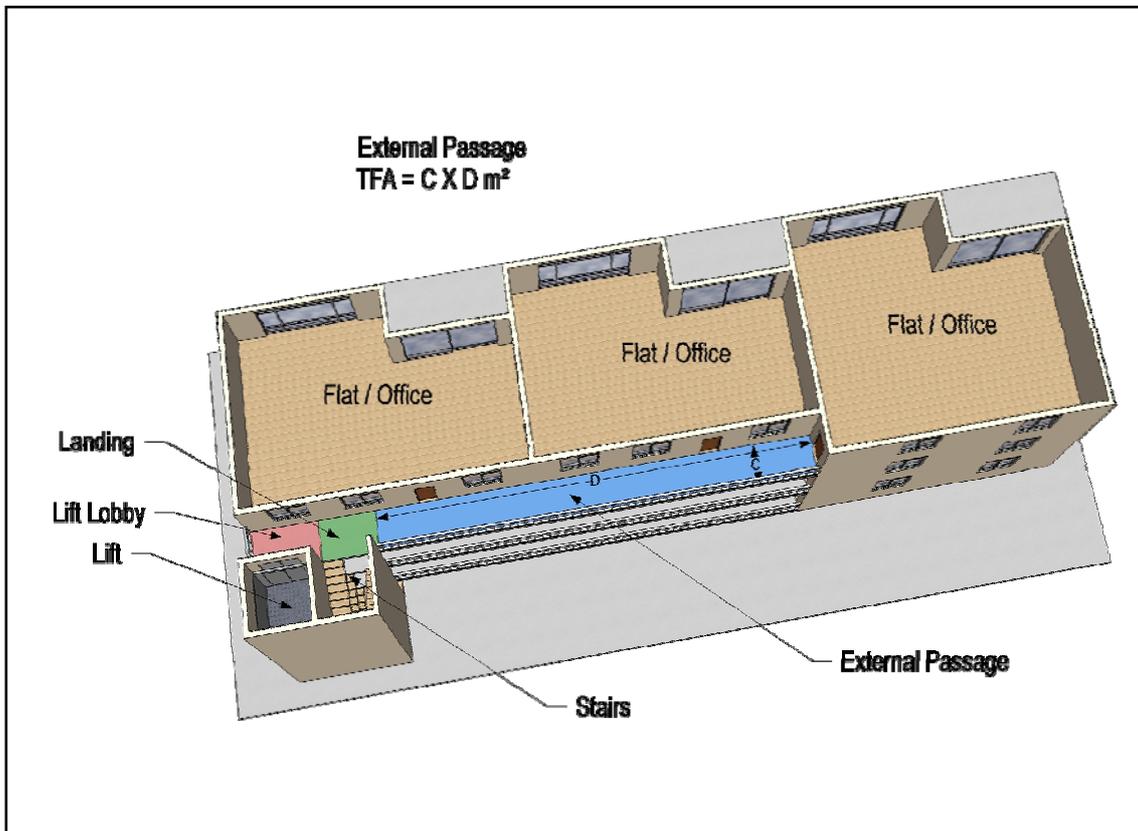


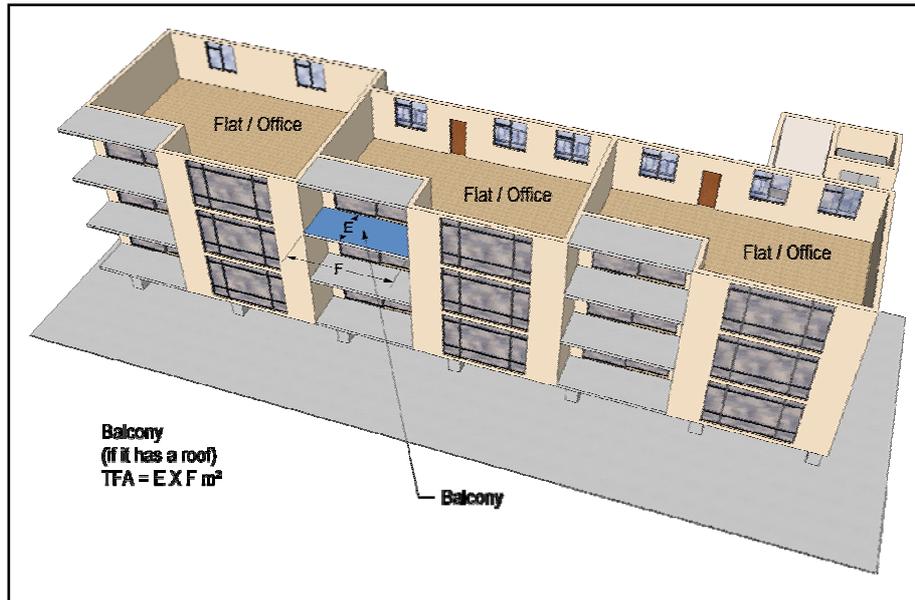
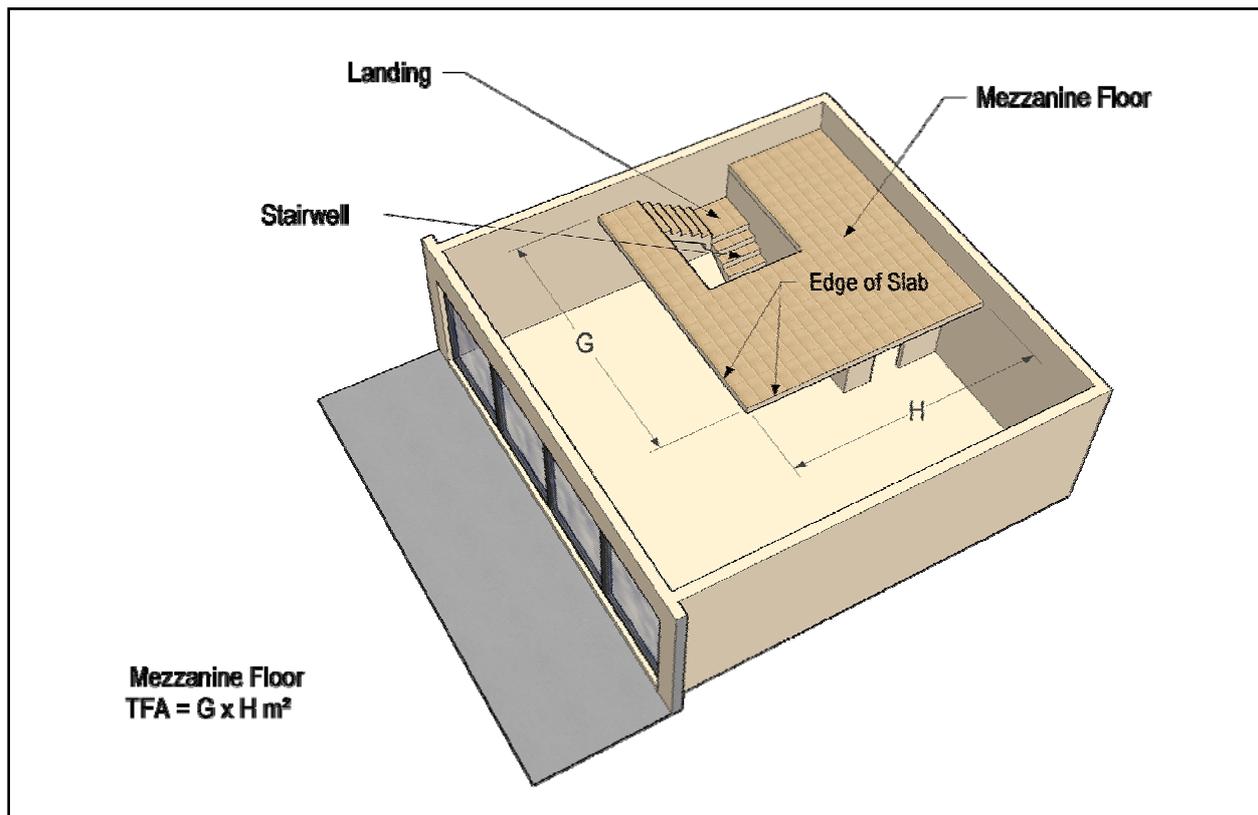
Diagram 10**Diagram 11**

Diagram 12

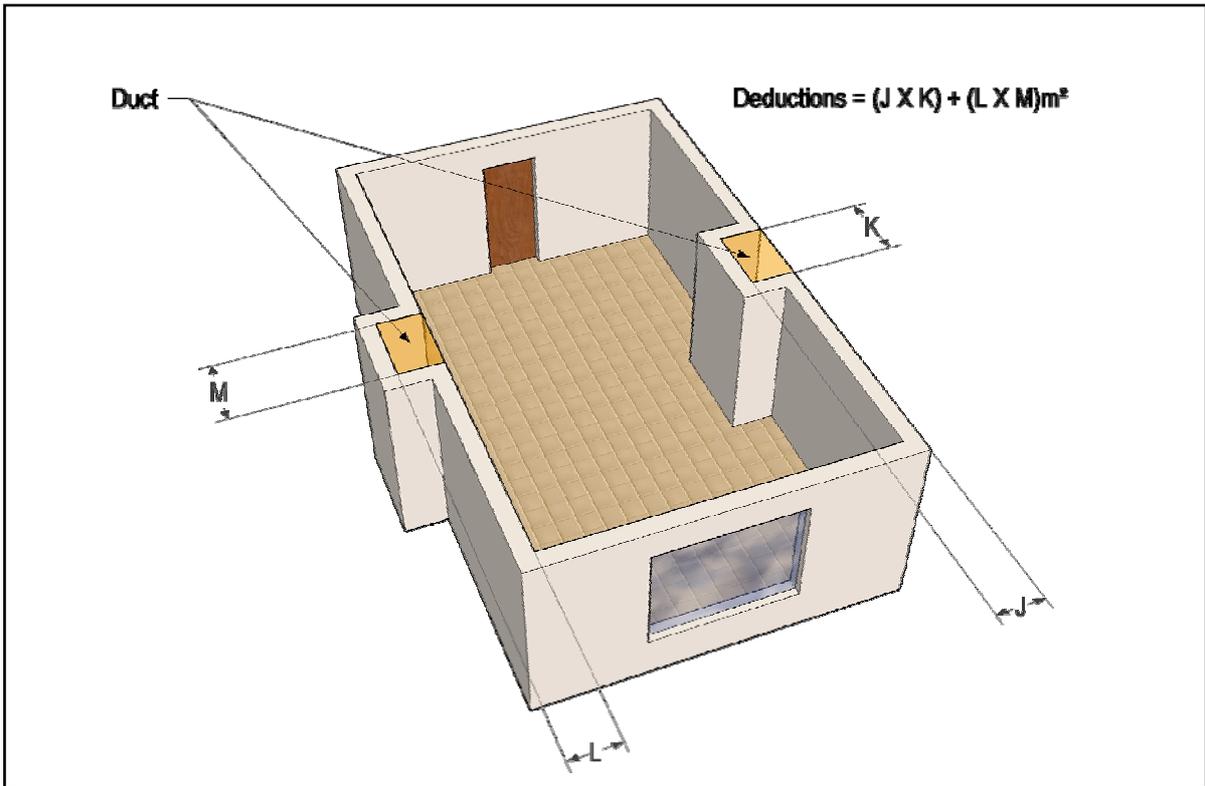
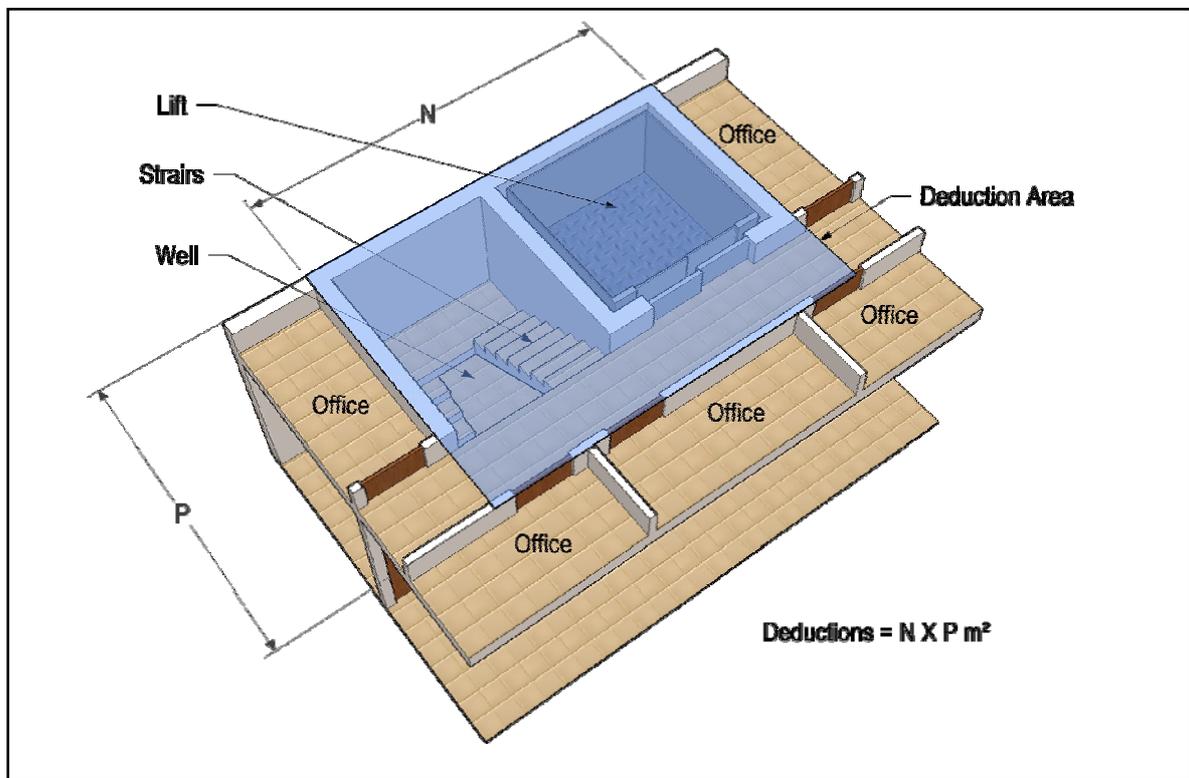


Diagram 13



SCHEDULE 8**LIST OF NOXIOUS INDUSTRIES**

1. 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) carbonisation of coal in coke ovens;
 - (6) charcoal-burning;
 - (7) converting, reheating, annealing, hardening or carburizing, forging or casting of 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) galvanising;
 - (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; and
 - (17) sintering of sulphur-bearing materials and viscose works.

2. The use of buildings or land for the production of or the employment in any process of:
 - (1) carbon bisulphide, cellulose lacquers, hot pitch or bitumen, pyridine, or pulverised fuel (except when used for a spray-painting trade);
 - (2) cyanogen or its compounds;
 - (3) liquid or gaseous sulphur dioxide; and
 - (4) sulphur chlorides or calcium carbide.

3. 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, calendaring, moulding, shaping or extrusion);
 - (2) paint or varnish manufacture (excluding mixing, milling and grinding);
 - (3) rubber from scrap; and
 - (4) ultra marine, zinc chloride and oxide.

4. 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 -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-melting 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;
 - (14) yeast-making; and
 - (15) taxi dermatist.

SCHEDULE 9**HOME ENTERPRISE****CONDITIONS GOVERNING A HOME ENTERPRISE**

1. With respect to a dwelling-unit and its outbuildings, but apart from the exceptions mentioned in Conditions 3 and 4, a Home Enterprise is restricted to -
 - (1) Only one bona fide occupant who shall reside permanently in the dwelling-unit.
 - (2) A maximum of 30% of the gross floor area of the dwelling-unit: Provided that without the written permission of the Municipality such area shall not exceed 60 m².
 - (3) The display of one sign showing only the name of the occupant intended in condition 1(1) hereof, the address and the telephone number and the nature of the home enterprise shall be subject to the Municipality's permission in terms of the City of Tshwane Metropolitan Municipality: By-laws for Outdoor Advertising.
 - (4) The storage of goods of whatever nature, reasonably essential for such home enterprise, within the area contemplated in Condition 1(2) hereof.
 - (5) The display of goods contemplated in Condition 1(4) hereof in such a way inside the dwelling-unit that it is not visible from the outside.
 - (6) The loading and off-loading of goods contemplated in Condition 1(4) hereof by means of a private motor vehicle or commercial vehicle with a mass not exceeding 3 500 kg (loading capacity included) and a maximum length, width and height of 5,500 m, 1,800 m and 2,100 m respectively, and of which only one such vehicle may be parked regularly at the dwelling-unit out of sight from the street.
 - (7) Place of Child Care, where a maximum of six (6) pre-school children are cared for:
 Provided that –
 - (a) the health and safety requirements of the Municipality shall be complied with;
 - (b) no activities shall be held on weekdays after 17:30, or on Saturdays, Sundays or public holidays;
 - (c) an acoustically-acceptable screen wall of at least 1,8 m high, shall be erected on the property boundary, where the play area abuts the living-room(s) of an adjoining dwelling-unit, to the satisfaction of the Municipality; and
 - (d) the dwelling-unit shall be on property zoned "Residential 1", "Agricultural" and "Undetermined" only.
2. One parking space per 25 m² or portion thereof of the area referred to in Condition 1(2), hereof shall be provided on the property.
3. Only in the case of a dwelling-house on property zoned "Residential 1"; "Agricultural"; or "Undetermined" may a maximum of two persons be employed, whether on the property or off the property.
4. Noxious Industries and Industries are not permitted.

5. No disturbance or pollution through noise, smell, dust, radio-activity, gases or vibrations or other offensive condition, which results in inconvenience to the public, is permitted. Any waste, especially medical waste, shall comply with the Municipality's requirements for the temporary storage and removal from the property.
6. The following uses shall not be permitted in any dwelling-unit:
 - (1) Animal boarding place; bank agency; blasting contractor; butcher; building society agency; call centre; car wash; escort agency; fish-fryer; funeral undertaker; hiring and selling of vehicles; institution; (other) light industries; manufacturing of concrete products; micro-lender; motor workshop; packaging contractor; panel-beater; parcel delivery service; pet salon; place of amusement; place of child care for more than six children; place of instruction for more than six persons; place of refreshment; transport depot; radio control/telephone exchange; shooting range; spray-painter; taxi business; tow-in service; travel agency; veterinary hospital; and visitors' information bureau.
 - (2) Shops (excluding the sale of liquor) and Retail Industries, except with the written consent of the Municipality, subject to Clause 16.
 - (3) Spaza Shops except with the permission of the Municipality, subject to Clause 15.

SCHEDULE 10**SPECIFIC CONDITIONS REGULATING CERTAIN PRIMARY USES**

1. Dry cleaners and carpet cleaners, launderettes, lawnmower workshops, printing works, farm stalls, parking garages, parking sites, places of refreshment and vehicle sales marts are regarded as primary uses on specific use zones, but subject to specific conditions:
2. The following LIGHT INDUSTRIES are permitted on "Business 2" and "Business 1" zones, subject to the following conditions:
 - (1) Dry-cleaner and carpet-cleaner:
 - (a) Steam and hot water shall be provided by means of electric boilers only or, with the Municipality's permission, by means of gas or automatic oil operated boilers.
 - (b) Provision shall be made for the discharge of industrial effluent into the municipal sewer to the satisfaction of the Municipality.
 - (c) Only chemicals of a non-flammable or non-explosive character as approved by the Municipality shall be used in the cleaning process.
 - (d) The public shall not be allowed in the work section which shall be partitioned off from public view.
 - (e) Provision for the disposal of fumes shall be made to the satisfaction of the Municipality.
 - (2) Launderette:
 - (a) The minimum open floor area per machine, be it washing machine or dryer, shall not be less than 2,25 m².
 - (b) Provision shall be made for the discharge of industrial effluent into the municipal sewer to the satisfaction of the Municipality.
 - (3) Lawnmower workshop:
 - (a) The servicing, repairing and storing of all lawnmowers shall take place in a building, out of public view.
 - (b) All loading activities shall take place on the premises.
 - (c) The screening-off of noise shall be to the satisfaction of the Municipality.
 - (d) Provision shall be made for the discharge of industrial effluent into the municipal sewer to the satisfaction of the Municipality.
3. FARM STALLS are permitted on "Agricultural", "Municipal" and "Undetermined" Use Zones, subject to the following conditions:
 - (1) The area of the building shall not exceed 35 m², excluding parking and manoeuvring space.
 - (2) The farm stall shall be situated at least 10 m from any property boundary, subject to the building line as defined in the Scheme and/or title deed.

4. PARKING GARAGES are permitted on "Business 1", "Business 2", "Industrial 1", and "Industrial 2" Use Zones, subject to the following conditions:

A site development plan and a landscape development plan shall be submitted in terms of Clause 31 of the Scheme.

5. PARKING SITES are permitted on "Residential 4", "Business 2", "Business 1", "Industrial 1" and "Industrial 2" Use Zones, subject to the following conditions:

- (1) A site development plan and a landscape development plan shall be submitted in terms of Clause 31 of the Scheme.
- (2) The following aspects shall be indicated on the site development plan to the satisfaction of the Municipality:
 - (a) Demarcation of the parking spaces and the layout of the site
 - (b) Position of the access control point
 - (c) Position of the screen walls and other physical barriers
 - (d) Positions, construction and maintenance of all vehicular entrances to and exits from the site
 - (e) The surfacing of the entrances and exits from the tar edge or kerbing to the site boundary as well as the internal roads and parking areas.

6. VEHICLE SALES MARTS are permitted on "Business 2" and "Business 1" Use Zones, subject to the following conditions:

- (1) Where the area between the property boundary and the building line is used for the display or storage of vehicles being offered for sale, a physical barrier shall be erected.
- (2) Vehicles may only be displayed on the natural ground level of the site, and no podium or platform shall be erected or used for display purposes, without the written permission of the Municipality.
- (3) The surface of the display area shall be graded, drained, paved and maintained to the satisfaction of the Municipality.
- (4) Where the vehicle sales mart adjoins residential property, an approved wall or fence shall be erected along the affected boundary of the property to the satisfaction of the Municipality.

SCHEDULE 11**MAXIMUM "RESIDENTIAL 1"-DENSITIES FOR PARTS OF
BROOKLYN, GROENKLOOF, WATERKLOOF AND WATERKLOOF RIDGE AND
THE CONSERVATION AREAS OF MUCKLENEUK (BAILEY'S) AND WATERKLOOF**

One additional dwelling-house in the following areas shall only be allowed subject to the maximum required density: Provided that, if there is a panhandle portion or servitude area which provides access to the subdivided portion, it not be taken into account, and also subject to a site development plan that has to be submitted for approval before building plans can be approved.

DESCRIPTION OF BOUNDARIES:

GROENKLOOF (12 dwelling-houses per hectare in other words a minimum erf size of 833 m² for one dwelling-house if the erf should be subdivided).

All erven except Erven 31, 37, 72, 83, 84, 85, 104, 126, 131, 132/R, 132/1, 132/2, 133, 148, 152, 193, 207, 224, 234, 259/R, 293, 305, 343, 370, 414, 427, 430, 443, 446, 479/1, 480, 481, 482, 493, 515, 529, 534, 535, 536, 561/R, 561/3/R, 580, 581, Part (ABCEDF) of George Storrar Drive and Part (EMNPQHG) of Baines Street.

WATERKLOOF/BROOKLYN AREA (10 dwelling-houses per hectare):

Bounded by Rupert Street, Charles Street, Brooklyn Road, Dely Road, the southern side of Erven 518, 522, 523, 526, 527, 1067, 530, 531, 534, the eastern side of Erven 536, and 662, the southern side of Erven 662, 665, 666, 1068, 669, 670, 673/R, 674, 677, 678, Edward Street, Rose Avenue, Auriga Street, the southern side of Erven 737, 738, 1261/1, 1276, 741/R, 742/R, 743 to 745, 1182, 1184, 1185, Kloof Avenue, the southern side of Erven 633, 634, 1178/1, 1180/R, Koningin Wilhelmina Avenue and Main Street; which erven are in Waterkloof.

WATERKLOOF RIDGE AREA (seven dwelling-houses per hectare):

Bounded by Auriga Street, Silver Oak Avenue, the eastern side of Erven 72, the northern side of Erf 83, Antares Street, Canopus Street, the western side of Erven 16/R, 15/6, 14/R, 13/R, 12, 7, 6/R, 5/R, 4/R, 1784/1, 2/R, 1/R, the northern side of Erven 1/R and 1, 734/1 and R and Kloof Avenue, the eastern side of Erf 735/R, the northern side of Erven 36/2 and 3, 37/1, en R, 1775, 42, Crescent Road, and the northern side of Erven 1764/3 and 2; which erven are in Waterkloof Ridge.

WATERKLOOF CONSERVATION AREA (five dwelling-houses per hectare):

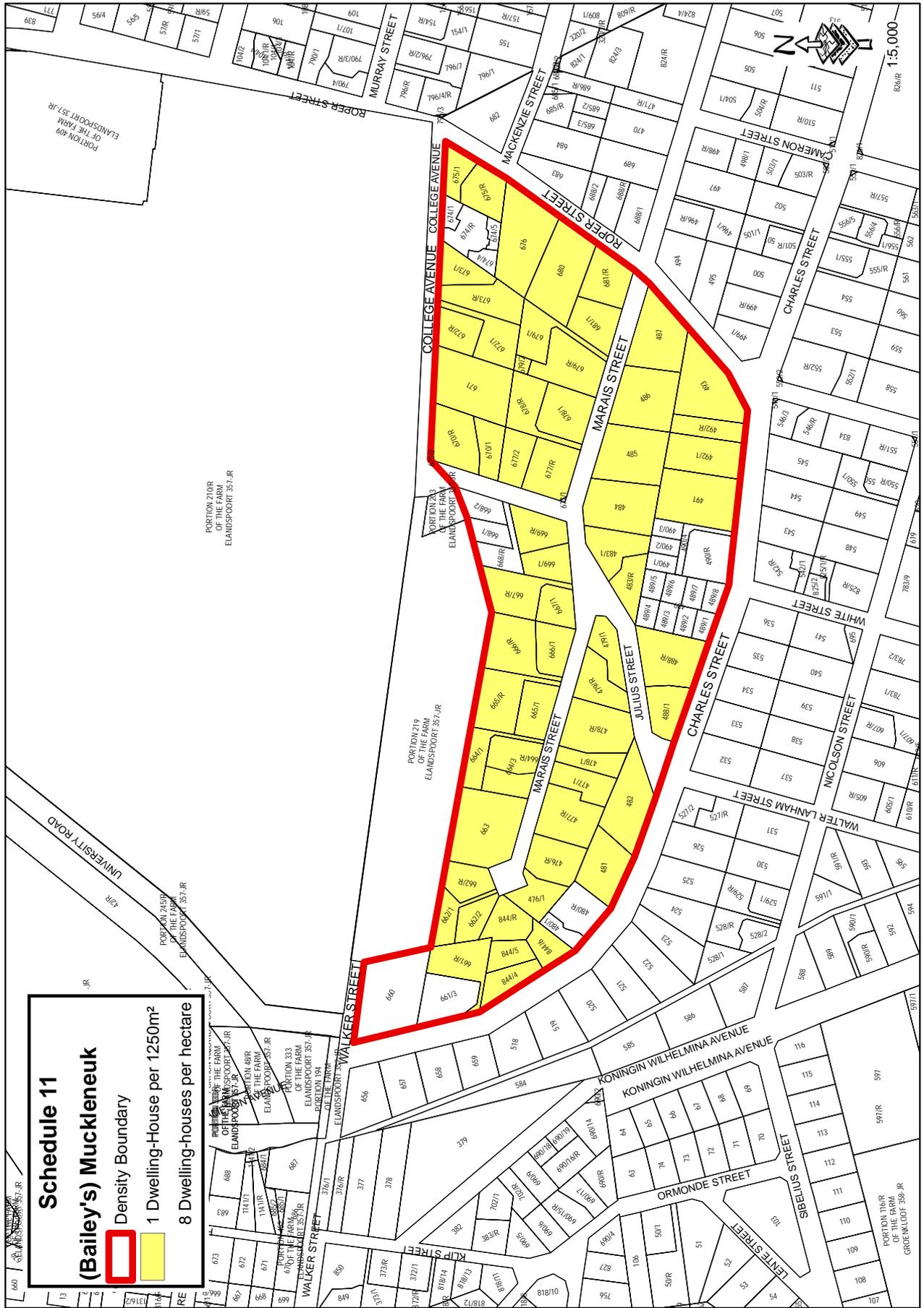
Bounded by Auriga Street, Rose Avenue, Edward Street, Sidney Avenue, the northern side of Erf 1192, the eastern side of Erven 1192, 1191/R - 1187, the southern side of erf 1187; which erven are in Waterkloof, Sidney Avenue, Aries Street, Canopus Street, Rigel Avenue, Antares Street, the southern- and western side of erf 84, which erf is in Waterkloof Ridge, and Silver Oak Avenue.

MUCKLENEUK (BAILEY'S) CONSERVATION AREA (eight dwelling-houses per hectare):

Bounded by Walker Street, the eastern side of Erf 660, the northern side of Erven 662/1 and R, 663, 664, 665/R, 666/R, 667/R, 668, College Avenue, Roper Street, and Charles Street, which erven are in Muckleneuk (Bailey's).

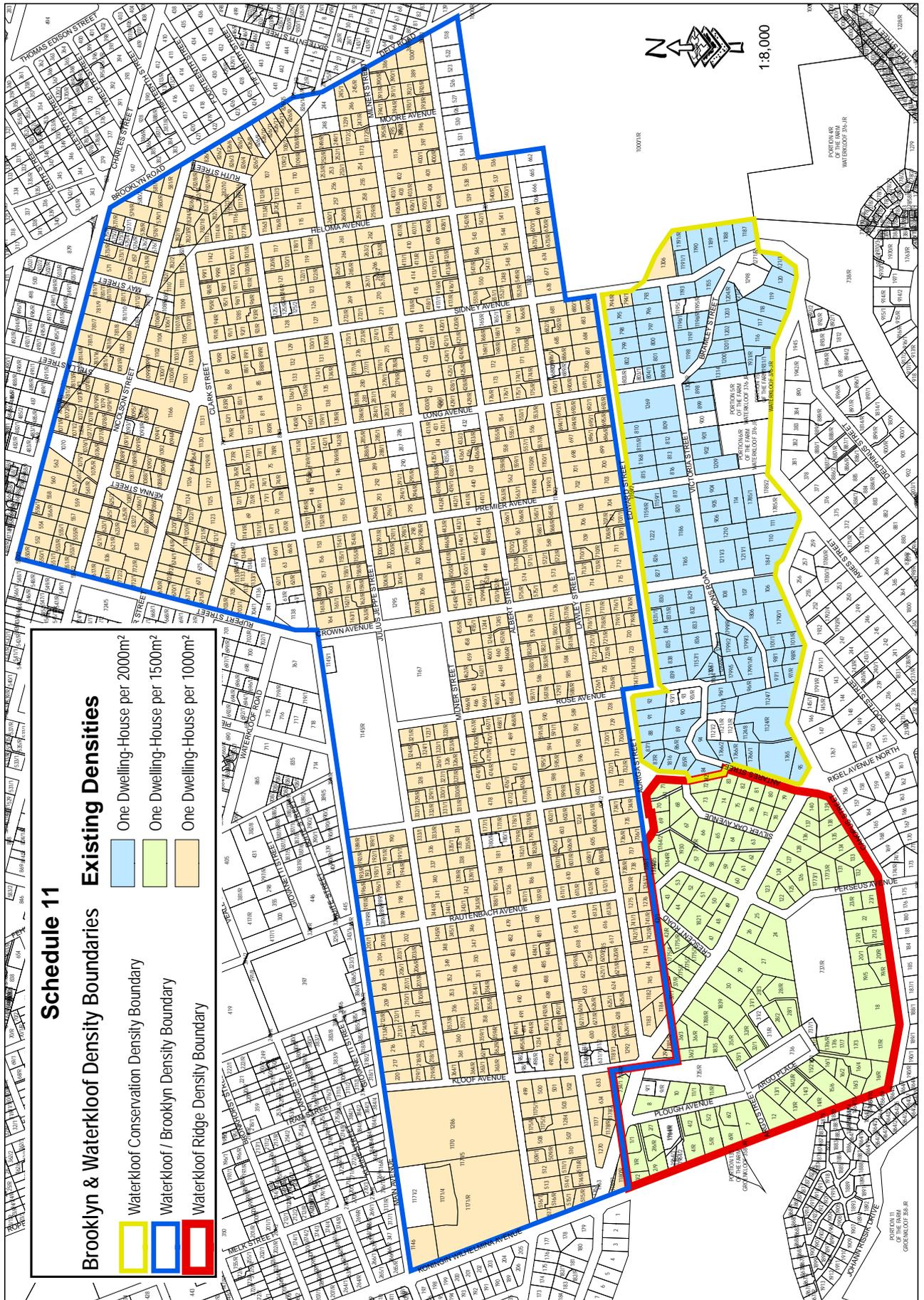
NOTE:

Any rezoning of the above-mentioned properties will override this Schedule.



Schedule 11
(Bailey's) Muckleneuk

-  Density Boundary
-  1 Dwelling-House per 1250m²
-  8 Dwelling-houses per hectare



SCHEDULE 12**MAXIMUM "RESIDENTIAL 1"-DENSITIES FOR PARTS OF
WATERKLOOF RIDGE AND WATERKLOOF HEIGHTS EXTENSION 3**

One additional dwelling-house in the following Zones shall only be allowed subject to the maximum prescribed density: Provided that, if there is a panhandle portion or servitude area which provides access to the subdivided portion, that such area not be taken into account in the calculating of the maximum density, and also subject to a site development plan that has to be submitted for approval before building plans can be approved:

ZONE A: 8 dwelling-units per hectare: Map 1

Erven 156 up to and including 171; 172; 173; 174/1; 174/2; 175 up to and including 186; 187/R; 187/1; 188/R; 188/1; 189/1; 189/3; 190/R; 190/1; 190/2; 192/R; 192/2; 192/3; 193/R; 193/1; 194/R; 195/R; 196 up to and including 207; 209 up to and including 224; 225/R; 225/1; 226 up to and including 230; 260 up to and including 278; 281/R; 282/R; 282/1; 283 up to and including 290; 292; 294 up to and including 301; 303/R; 303/2; 304; 305; 308 up to and including 311; 1125/R; 1772 and 1807.

ZONE B: 8 dwelling-units per hectare: Map 2

Erven 143; 144; 145/1; 145/R; 146 up to and including 153; 231 up to and including 236; 237/R; 238/R; 239; 240/1; 240/R; 241; 242; 243/1; 242/R; 245; 246; 247; 249; 250; 252; 253; 255; 256; 257; 259; 332 up to and including 336; 338; 339; 341 up to and including 346; 349 up to and including 359; 360/R; 360/1; 361; 362; 364; 365; 366; 369; 370; 372; 375; 376; 377; 378; 381 up to and including 384; 412; 413; 414; 415/R; 415/1; 416/R; 416/1; 417/R; 417/1; 421; 422/R; 422/1; 423/R; 423/1; 424/R; 424/1; 427/R; 427/1; 428; 429/R; 429/1; 430/R; 430/1; 431; 436; 874/R; 874/1; 875; 876/R; 876/1; 877; 880; 882 up to and including 885; 888/R; 888/1; 889/R; 889/1; 890; 893/R; 894/R; 894/2; 895; 896/R; 896/1; 897/R; 897/1; 899/R; 900/R; 900/1; 901; 902; 903/R; 903/1; 904/R; 904/1; 907/R; 908; 909; 910/R; 910/1; 1767; 1779/R; 1779/6; 1779/R/5; 1779/8; 1780/R; 1780/1; 1791/R; 1791/1; 1792/R; 1792/4; 1798/R; 1798/1; 1800; 1801/R; 1801/1; 1805/R; 1805/1; 1809; 1812; 1814/R; 1814/1; 1819/R; 1819/1; 1831; 1862; 1942/R and 1945.

ZONE C: 10 dwelling-units per hectare: Map 3

Erven 313/R; 313/1; 312/2; 314/R; 314/1; 323/R; 323/2; 323/3; 324/R; 324/1; 324/2; 325/R; 325/1; 325/2; 326; 327/R; 327/1; 327/2; 328; 329/R; 329/1; 329/2; 330/R; 330/1; 437/R; 437/1; 438; 439/R; 439/1; 442/R; 442/1; 445; 446/R; 446/1; 447; 448/R; 448/1; 449; 450/R; 450/1; 451; 452/R; 452/1; 453/R; 453/1; 454/R; 454/1; 455; 456; 471; 472/R; 472/1; 473/R; 473/1; 475; 476; 477/R; 477/1; 539; 540/R; 540/1; 541/R; 541/1; 543/R; 543/1; 544/R; 544/1; 546/R; 546/1; 548/R; 550; 551; 553/R; 553/1; 612/R; 612/1; 613/R; 614/R; 614/1; 615/R; 615/1; 617/R; 617/2; 617/3; 618/R; 618/1; 619; 620/R; 620/1; 625; 626/R; 626/1; 626/2; 626/3; 627; 628/R; 628/1; 634/R; 634/1; 634/2; 636/R; 636/1; 637/R; 637/1; 638; 639/R; 639/1; 640/R; 640/1; 642/5; 644/R; 644/1; 645/R; 646; 647; 748/R; 748/1; 749; 753; 754/R; 755; 756/R; 757; 759/R; 759/1; 760/R; 760/1; 761; 762/R; 762/1; 764/R; 764/1; 766; 767/R; 767/1; 767/2; 768/R; 768/1; 769; 770; 771/R; 771/1; 773/R; 773/1; 774/R; 774/1; 775/R; 775/1; 776/R; 776/1; 777/R; 777/1; 778/R; 778/1; 778/2; 778/R/1; 779/R; 780; 782/R; 782/3; 782/4; 783; 784/R; 786/R; 787/R; 787/1; 788/R; 788/3; 788/5; 789/R; 789/1; 791; 792/R; 792/1; 793/R; 793/1; 794/R; 794/1; 795/R; 795/1; 796/R; 796/1; 797; 798/R; 798/1; 799/R; 799/1; 799/2; 846/R; 846/2; 846/3; 847; 848/R; 848/1; 848/2; 849; 850/R; 850/1; 851/R; 853/R; 853/1; 854/R; 854/1; 855/R; 855/1; 856/R; 856/1; 857/R; 857/1; 858; 859; 860; 861/R; 861/1; 862; 863; 864/R/3; 864/4; 866/R; 866/2; 867/R; 867/1; 868/R; 868/1; 870; 871/R; 871/1; 872/R; 872/1; 873; 1769/R/1; 1769/2; 1770/R; 1770/2; 1770/3; 1811/1; 1813; 1817; 1820/R; 1820/1; 1820/2; 1837/R; 1846 and 1938.

ZONE D: 10 dwelling-units per hectare: Map 4

Erven 486/R; 486/1; 487 up to and including 490; 492; 493; 494/R; 494/1; 495/3; 495/5; 495/6; 503/R; 503/1; 504/R; 504/1; 505/R; 505/1; 506; 507/R; 507/1; 508/R; 508/1; 510/R; 510/1; 510/2; 511/R; 511/2; 513; 514/R; 514/1; 515; 516; 517; 519/R; 519/1; 520; 521/R; 521/1; 522/R; 522/1; 523/R; 523/1; 524/R; 524/1; 525; 526; 527; 528/R; 528/1; 529; 530/R; 530/1; 531/R; 531/1; 532/R; 532/1; 533; 534/R; 534/2; 534/3; 714/R; 714/1; 715/R; 715/3; 716; 717; 914/R; 914/2; 915/R; 915/1; 916/R; 916/1; 918; 919; 920/R; 920/1; 921/R; 921/1; 922; 923; 924/R; 924/2; 926; 927/R; 928/R; 929/R; 930/R; 933/R; 933/1; 934/R; 934/1; 935/R; 935/R/1; 935/2; 936; 937/R; 937/1; 938/1; 938/2; 938/3; 948/R; 948/1; 950/R; 950/1; 951/R; 951/1; 952; 953; 954/R; 954/1; 955/R; 955/1; 956/R; 956/1; 956/2; 957/R; 957/1; 958/R; 958/1; 959/R; 959/1; 960/R; 960/1; 961; 962/R; 962/1; 963; 964/R; 964/1; 965; 966/R; 966/1; 966/2; 967/R; 968; 969/R; 969/1; 970/R; 970/1; 971/R; 971/1; 971/2; 972/R; 972/1; 973/R; 973/1; 974/R; 974/1; 975; 976/2; 976/3; 976/5; 976/6; 976/13; 976/15; 976/20; 1083; 1084; 1087; 1088/R; 1088/1; 1091; 1094; 1098/R; 1098/R/1; 1098/2; 1100/R; 1100/1; 1100/2; 1103/R; 1103/R/1; 1103/2; 1104; 1105; 1106; 1108; 1109; 1110; 1111/1; 1112/4; 1112/5; 1112/6; 1112/7; 1119/R; 1763/R; 1763/2; 1783/R; 1783/1; 1793/1; 1793/2; 1793/3; 1793/7; 1793/8; 1793/9; 1793/10; 1793/11; 1826/R; 1826/1; 1826/2; 1830 and 1841/1; 1841/2; 1841/3; 1841/4; 1970/R; 1970/1; 1970/3; 1970/4; 1971 and 1977.

ZONE E: 10 dwelling-units per hectare: Map 5

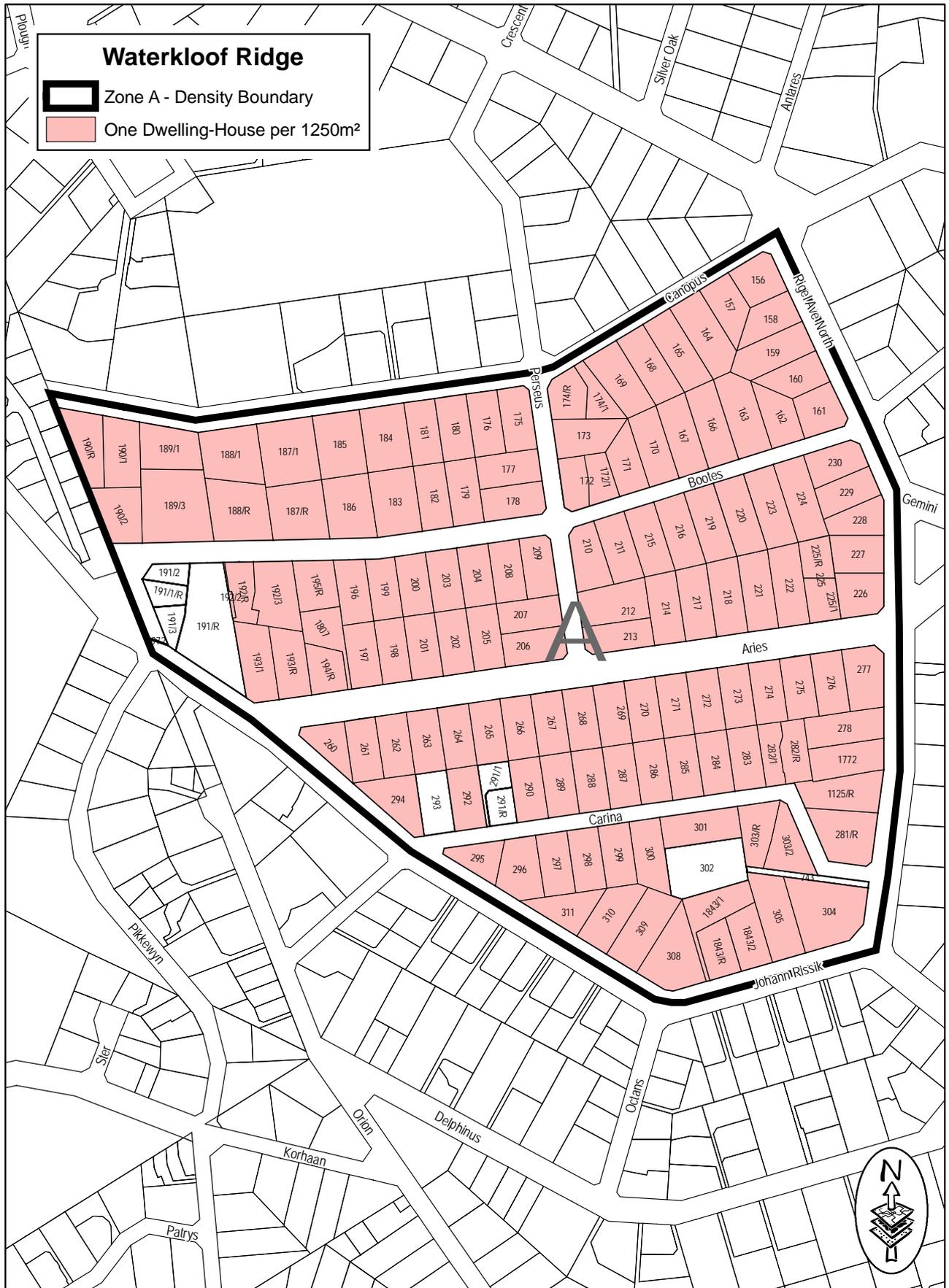
Erven 592/R; 592/1; 593/R; 593/1; 593/2; 595/R; 595/1; 596/R; 596/1; 597/R; 597/1; 598/R; 598/1; 599/R; 599/1; 600/R; 600/1; 601/R; 601/1; 603/R; 603/1; 604; 605/R; 605/1; 606/R; 606/1; 823/R; 823/1; 823/2; 827; 831/R; 831/1; 832; 835; 839/R; 839/1; 840/R; 840/3; 842/R; 842/1; 843/4; 843/6; 843/7; 844; 845; 982/R; 982/1; 985; 986/1; 990/R; 994; 995/1; 995/3; 995/4; 995/R/2; 996/R; 996/1; 997/R; 1000/R; 1000/1; 1000/2; Part of Erf 1002; 1004/R; 1004/2; 1005/R; 1005/3; 1006; 1007/R; 1007/1; 1008; 1009/R; 1009/2; 1010; 1013/R; 1014; 1017; 1794/1; 1794/3; 1794/5; 1794/8; 1794/9; 1794/10; 1794/11; 1794/12; 1794/25; 1794/27; 1794/30; 1794/31; 1794/32; 1794/33; 1794/35; 1794/36; 1794/37; 1794/R/38; 1794/R/39; 1794/40; 1794/R/42; 1794/43; 1794/44; 1794/R/45; 1794/46; 1794/R/47; 1794/48; 1794/49; 1794/50; 1794/56; 1794/60; 1795/1; 1795/2; 1795/3; 1795/4; 1795/5; 1795/R/6; 1795/7; 1795/8; 1795/9; 1795/10; 1795/11; 1795/14; 1795/15; 1795/18; 1795/25; 1795/R/26; 1795/27; 1795/28; 1795/29; 1802; 1808/R; 1808/1; 1828/2; 1828/3; 1828/4; 1828/6; 1828/7; 1828/9; 1828/10; 1828/11; and 1840.

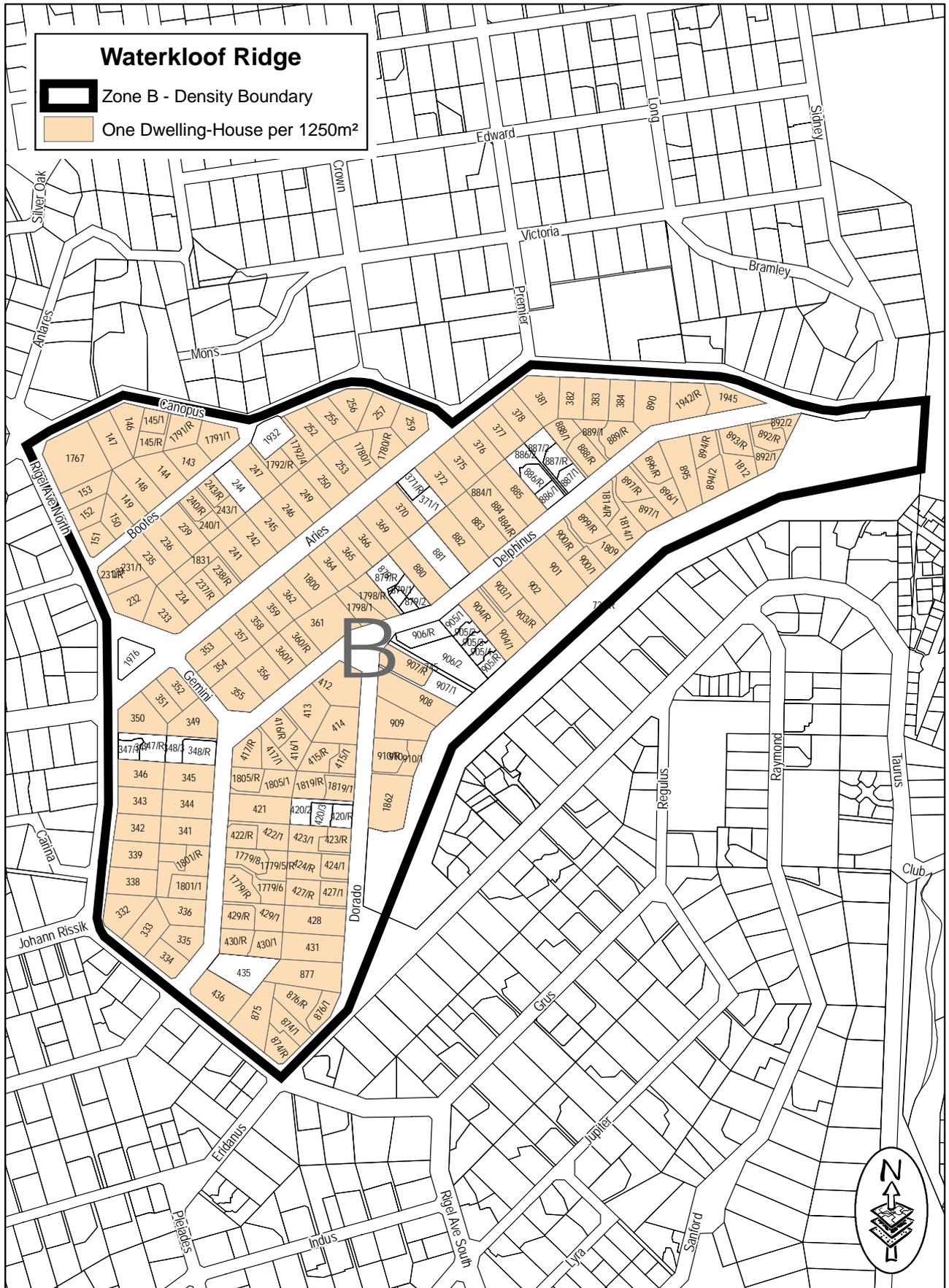
ZONE G: 10 dwelling-units per hectare: Map 7

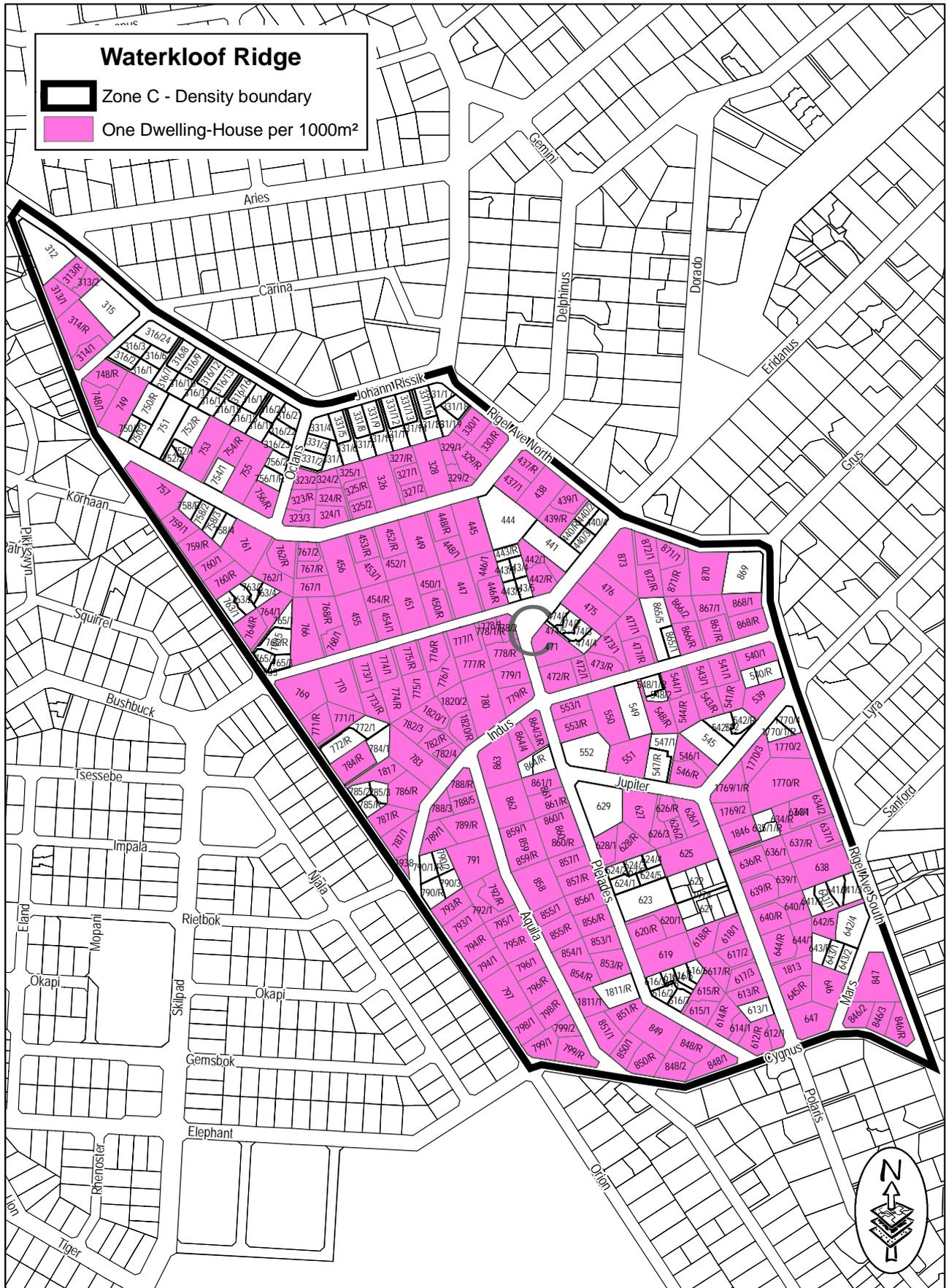
Erven 108; 109; 110; 113 up to and including 131; 136; 137; 138; 139; 140/R; 140/1; 141 up to and including 166; 167/R; 167/1; 168 up to and including 177; 180; 181; 201/1 and 201/2.

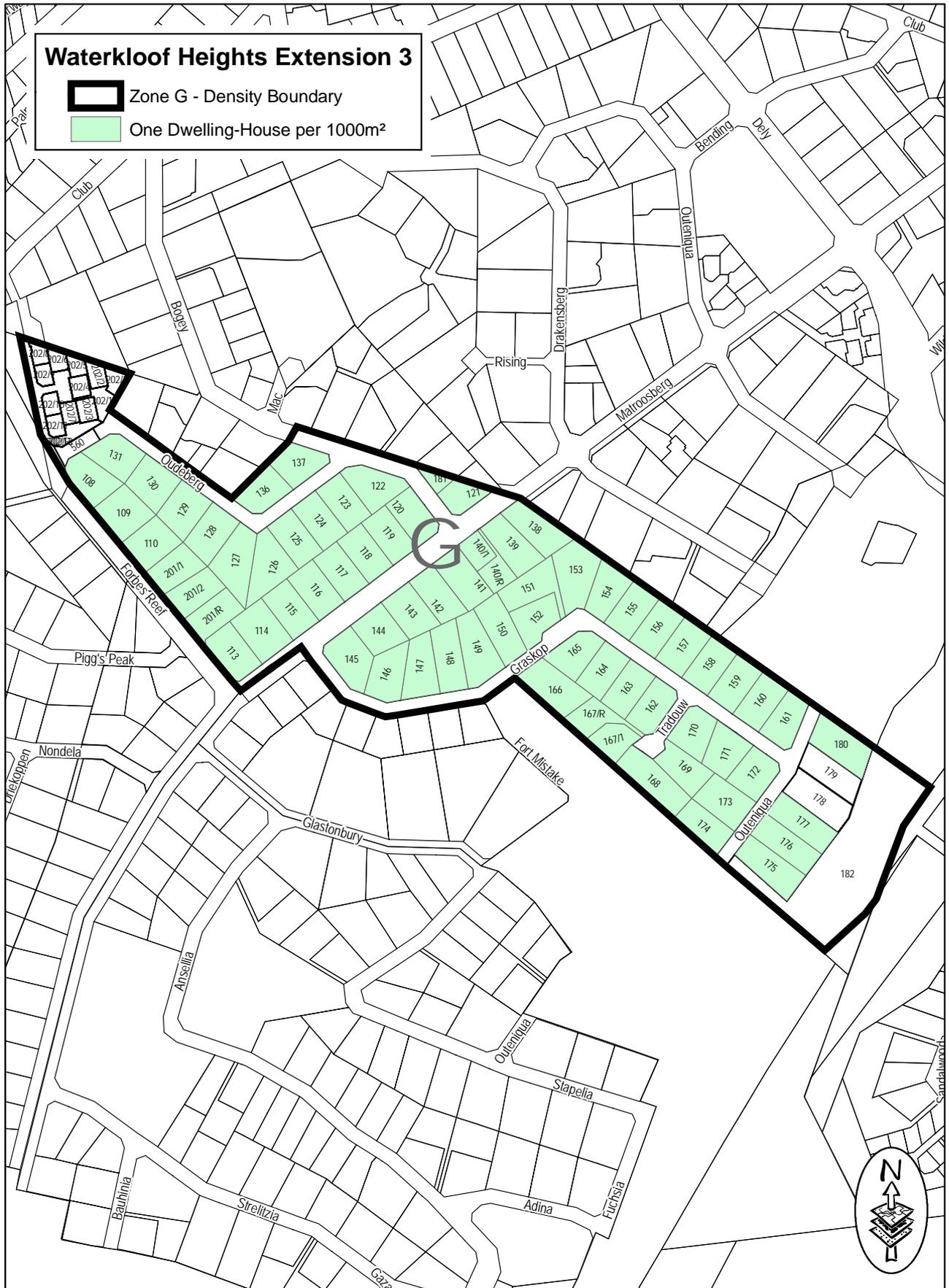
NOTE:

Any rezoning of the above-mentioned properties will override this Schedule.









SCHEDULE 13**MAXIMUM "RESIDENTIAL 1"-DENSITIES FOR ERVEN IN
DEERNESS, RIETONDALE AND RIVIERA**

1. One additional dwelling-house in the areas as described in Paragraph 2 shall only be allowed on erven with a minimum erf size of 1 400 m², subject to the following conditions:
 - (1) A site development plan shall be submitted for approval before building plans can be approved.
 - (2) The height of the additional dwelling-house shall not be more than two storeys: Provided that a second storey will only be allowed if the Municipality is satisfied that such additional storey will not detrimentally affect the privacy of the adjoining property owners.

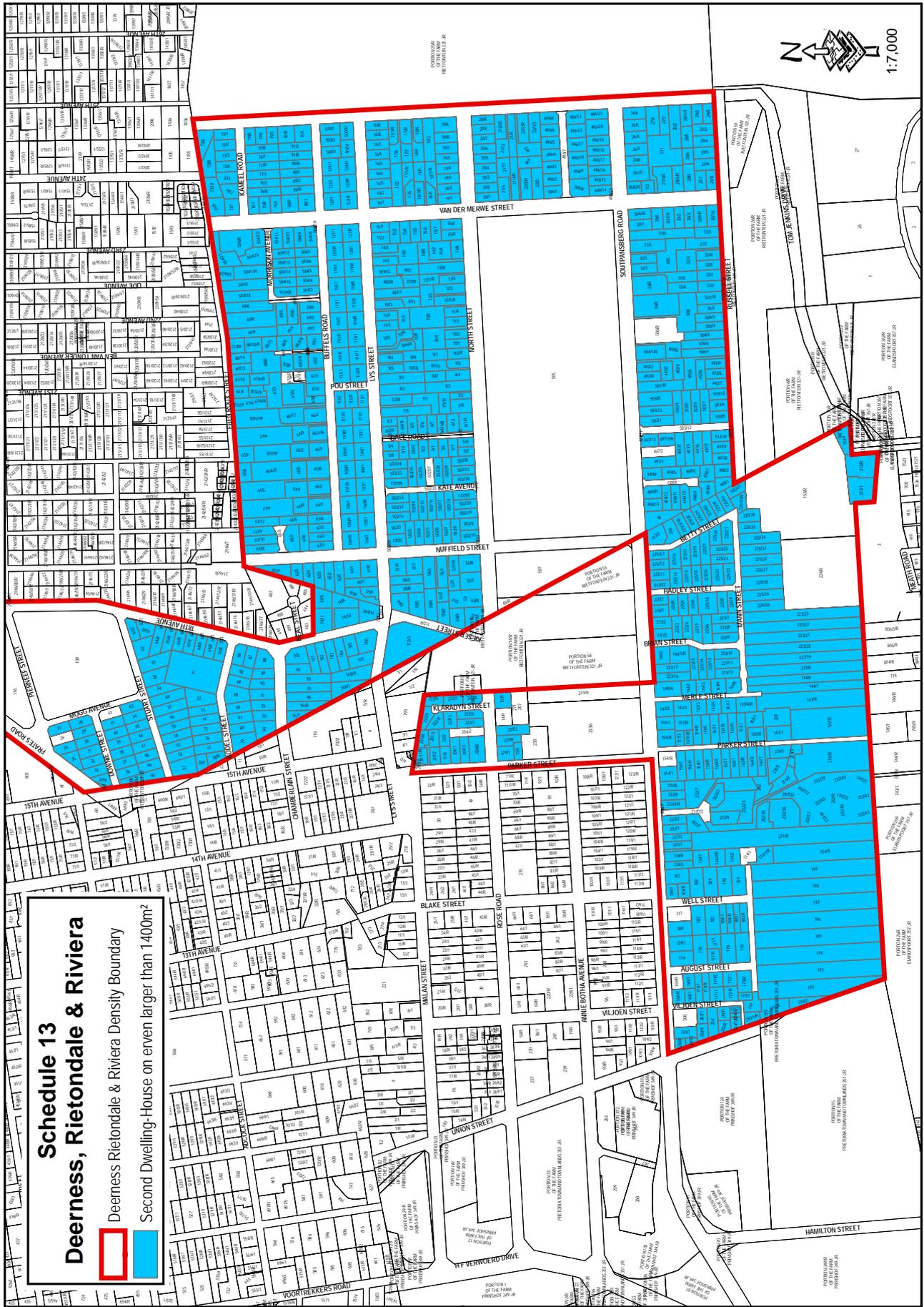
2. Description of areas:
 - (1) DEERNESS
All Residential 1 erven.

 - (2) RIETONDALE
All Residential 1 erven, except Erf 502/27.

 - (3) RIVIERA
All Residential 1 erven, except Erven 3/1 and 204/2 and the Residential 1 erven in the area bounded by Soutpansberg Road on the south, Parker Street on the east and the northern and western township boundaries.

NOTE:

Any rezoning of the above-mentioned properties will override this Schedule.



Schedule 13
Deerness, Rietondale & Riviera
 Deerness Rietondale & Riviera Density Boundary
 Second Dwelling-House on even larger than 1400m²

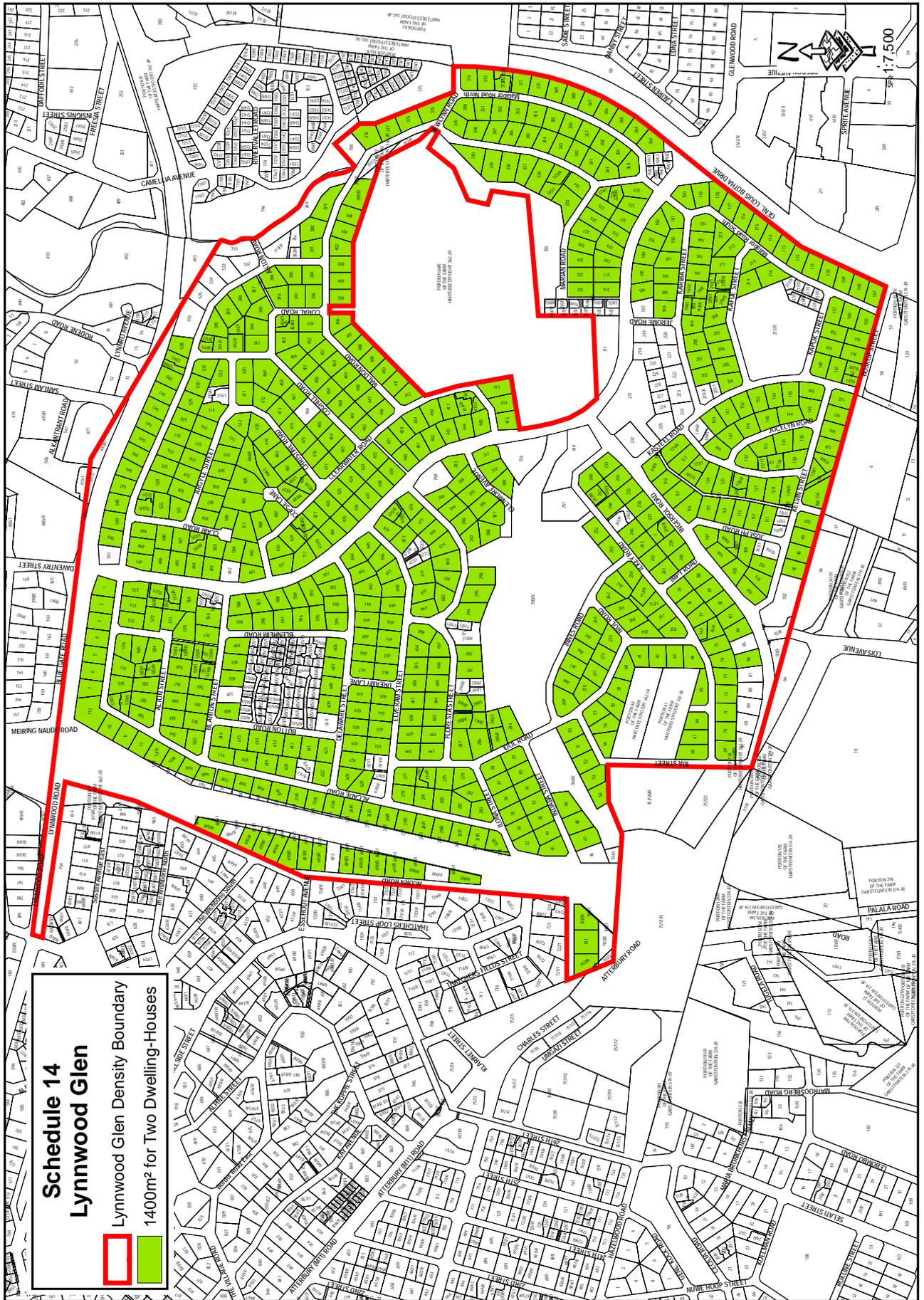
SCHEDULE 14**MAXIMUM "RESIDENTIAL 1"-DENSITIES FOR ERVEN IN
LYNNWOOD GLEN, LYNNWOOD MANOR, LYNNWOOD PARK AND LYNNWOOD RIDGE**

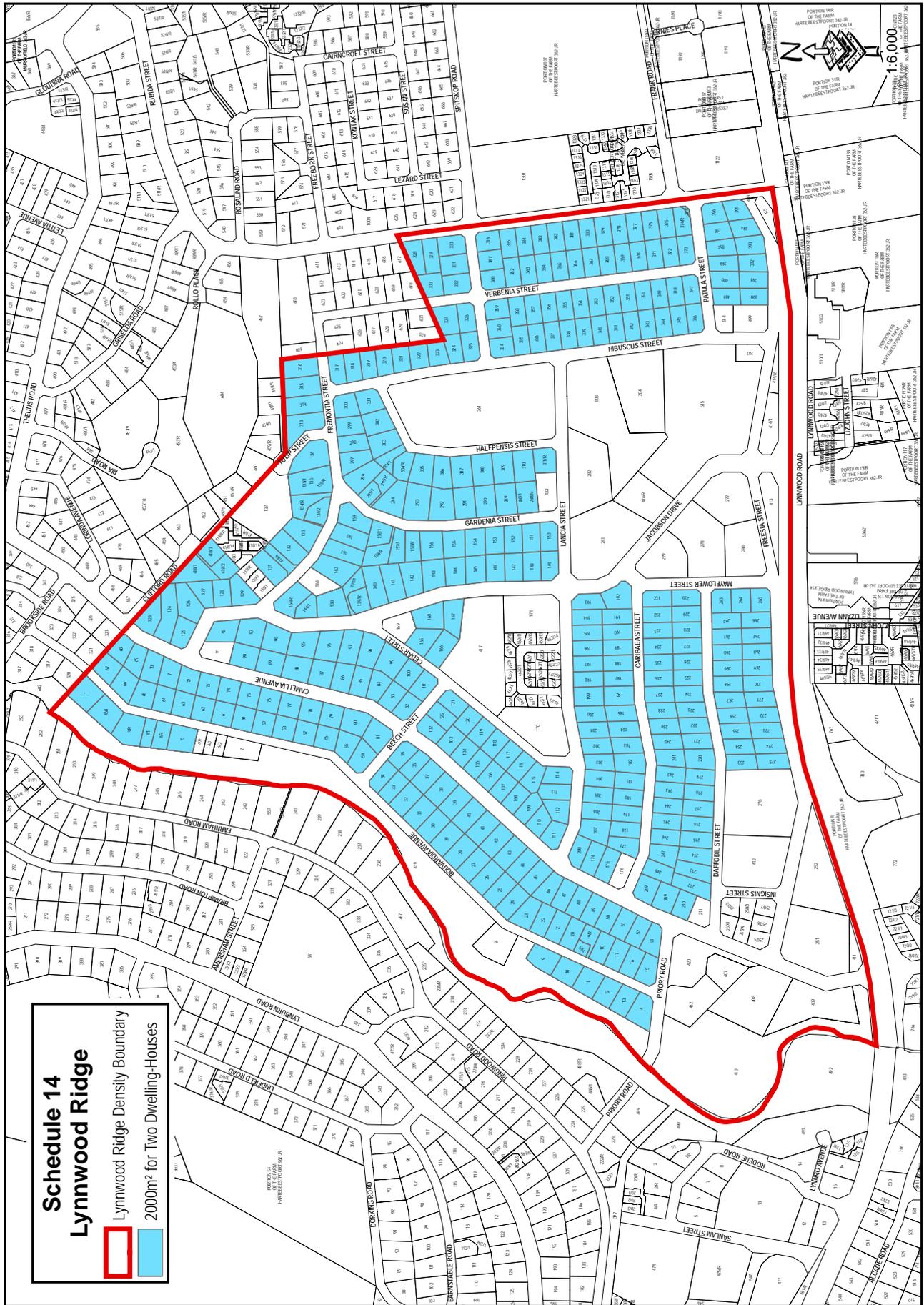
1. One additional dwelling-house in the following townships shall only be allowed subject to the maximum prescribed density:
 - (1) Lynnwood Glen : A minimum erf size of 1 400 m² for two dwelling-houses.
 - (2) Lynnwood Manor : A minimum erf size of 2 000 m² for two dwelling-houses.
 - (3) Lynnwood Ridge : A minimum erf size of 2 000 m² for two dwelling-houses.
 - (4) Lynnwood Park : A minimum erf size of 2 500 m² for two dwelling-houses.

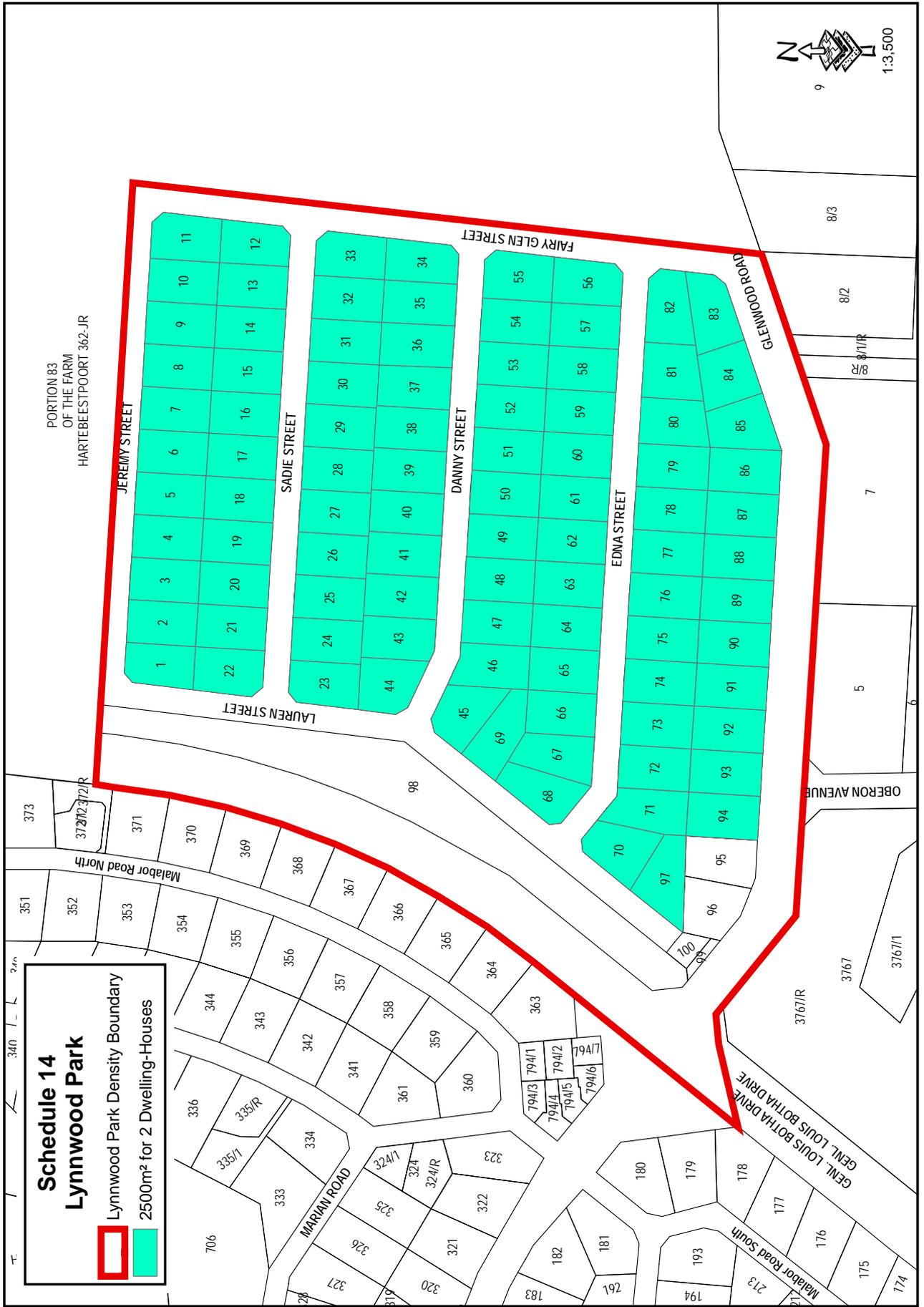
Provided that, if there is a panhandle portion or a servitude area which provides access to the subdivided portion it shall not be taken into account, and further provided that the height of the second dwelling-house shall not exceed two storeys: Provided that a second storey shall only be allowed if the Municipality is satisfied that such additional storey will not detrimentally affect the privacy of the adjoining owners.

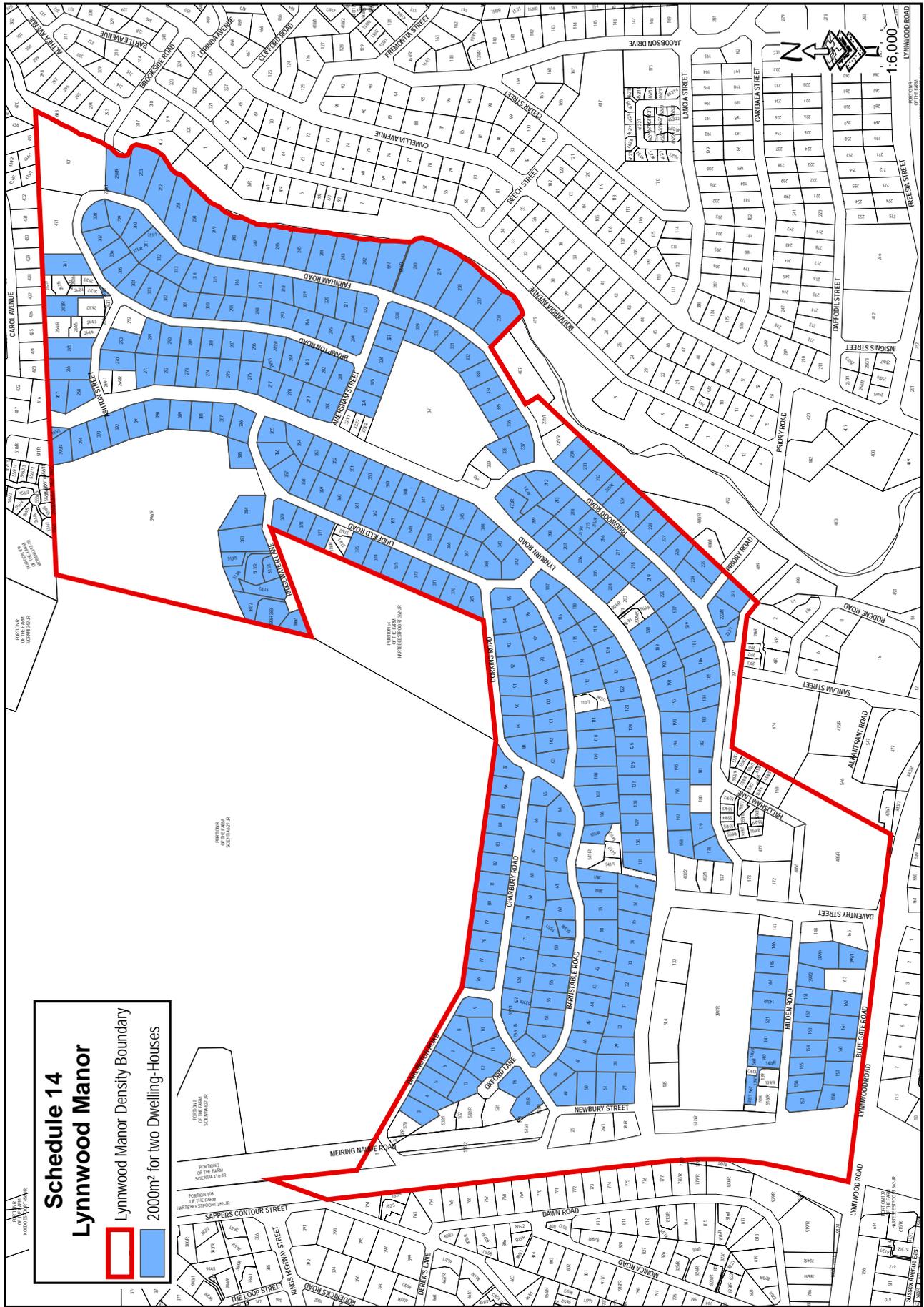
NOTE:

Any rezoning of the above-mentioned properties will override this Schedule.









SCHEDULE 15**CONDITIONS GOVERNING THE ERECTION OF DWELLING-UNITS IN USE ZONE 5: RESIDENTIAL 5**

1	Use Zone	5: RESIDENTIAL 5
2	Uses permitted	Table B, Column 3
3	Use with consent	Table B, Column 4
4	Uses not permitted	Table B, Column 5
5	Definitions	Residential building means land and buildings designed or used primarily for human habitation and the uses permitted in terms of condition 20 (1), which may include one or more dwelling-units. Dwelling-unit means an interconnected suite of rooms, designed for human habitation that may contain a kitchen or scullery. Other definitions: Clause 5.
6	Density	The number of dwelling-units and the size of a residential building that may be erected on a property shall be limited only by the height and coverage provisions of these conditions and by any applicable health and building regulations.
7	Coverage	Table E: Zone 17
8	Height	Table D: Zone 10
9	Floor space ratio	Table C: Zone 19
10	Site development plan and landscape development plan	Not required.
11	Building lines	Clause 12, Table A
12	Parking requirements	Demarcated parking spaces, together with the necessary paved manoeuvring space, shall be provided on the erf in the following ratios to the satisfaction of the Municipality: Dwelling-units and residential buildings on erven less than 2 000 m ² : Nil. Dwelling-units and residential buildings on erven 2 000 m ² and over: 1 Space per dwelling-unit.
13	Paving areas	Not required.
14	Access to the erf	Entrances to and exits from the erf shall be sited, constructed and maintained to the satisfaction of the Municipality.
15	Loading and off-loading facilities	Not required.
16	Turning facilities	Not required.
17	Physical barriers	Not required.
18	Health measures	(1) Any requirements for air pollution-, noise abatement- or health measures set by Municipality shall be complied with to the satisfaction of the Municipality without any costs to the Municipality. (2) Air-conditioning units or compressors shall not be mounted to the exterior walls of buildings without the prior permission of the Municipality.
19	Outdoor advertising	Advertisements and/or sign boards shall not be erected or displayed on the erf without the approval of the Municipality first being obtained in terms of municipal by-laws for outdoor advertising.

20	<p>General:</p> <p>(1) The occupants of a dwelling-unit or residential building may practise, <i>inter alia</i>, their social and religious activities and their occupations, professions, or trades, including retail trade, on the property on which such dwelling-unit or residential building is erected: Provided that:</p> <ul style="list-style-type: none">(a) the dominant use of the property shall remain residential;(b) the occupation, trade or profession or other activity shall not be noxious;(c) the occupation, trade or profession shall not interfere with the amenity of the neighbourhood; and(d) a Place of Amusement or a Tavern shall not be permitted. <p>(2) In addition to the above conditions the erf and buildings thereon are further subject to the general provisions of the Tshwane Town-planning Scheme, 2008.</p>
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SCHEDULE 16**CONVERSION TABLE: AKASIA-SOSHANGUVE TOWN-PLANNING SCHEME, 1996
TO TSHWANE TOWN-PLANNING SCHEME, 2008**

SCHEDULE 16: PART A	
AKASIA-SOSHANGUVE TOWN-PLANNING SCHEME, 1996: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
ADDITIONAL DWELLING-UNIT Means a dwelling-unit in addition to a dwelling-house.	Not included.
ADMINISTRATOR Means the official as defined in the Ordinance.	PREMIER Means the head of the Executive Council of the Gauteng Provincial Government.
AGRICULTURAL BUILDING Means a building designed for use in connection with, and which is ordinarily incidental to, or reasonably necessary in connection with the use of the land on which the building is situated as agricultural land, and may include a dwelling-house.	AGRICULTURE Means land and buildings used for any bona fide farming activities such as inter alia market gardens, game farming, cattle and sheep farming, bee farming, bird breeding, plant nursery, plantations, aquaculture and orchards and activities normally regarded as incidental thereto, but excludes abattoirs, cattle feeding lots, poultry farming and pig farming.
AGRICULTURAL LAND Means arable land, meadow or pasture land, market gardens, poultry farms and pig farms, land used for bee-farming, nursery gardens, plantations and orchards.	Not included.
ANNEXURES TO THE SCHEME An annexure as contemplated in Clause 5.	ANNEXURE A Means the plan on which those building lines that are not indicated on the Primary Sheets or detailed in these Clauses are indicated and exceptions to the parking requirements in terms of Clause 28 are indicated. and ANNEXURE T Means the set of documents showing details of rights permitted and conditions imposed on certain erven and land marked with a black number within a black circle on the Map 3 which rights and conditions shall prevail over any other clause or provision of the Scheme except that if rights and conditions are not stipulated the provisions of the Scheme Clauses shall apply.
AREA The area described in Clause 3.	See Clause 1.
BASEMENT Any part of a building which is below the level of the ground storey of the building.	BASEMENT Means any portion of a building complying with the provisions of Clause 9(5) and 12(2)(c), the floor of which is 2 m or more below the mean natural ground level of the ground covered by the building, and of which no part of the ceiling is more than 1 m above such mean level.

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AKASIA-SOSHANGUVE TOWN-PLANNING SCHEME, 1996: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>BUILDERS YARD</p> <p>Land and/or buildings which are used for the storage of materials -</p> <p>(a) required for a normally used in building operations; or</p> <p>(b) derived from demolition or excavation operations; or</p> <p>(c) required or normally used for improvements to land, such as material for the construction of streets, the installation of essential services, or for any other building works, whether used for public or private purposes, or land or buildings used for the preparation for use of materials thus stored but does not include a builder's yard established for the purpose of temporarily storing such materials in connection with and for the duration of construction or building works, in the vicinity of such builder's yard and does not include the storage at a "Shop" or a "Warehouse".</p>	<p>BUILDER'S YARD</p> <p>Means land and buildings that are used for the storage and sale of building materials and equipment that:</p> <p>(1) are required for building works; or</p> <p>(2) have been obtained from demolitions or excavations; or</p> <p>(3) are required or are usually required for improvements on land, such as material that is used for any building work, whether for public or private purposes.</p>
<p>BUILDING</p> <p>Includes a construction or structure of any nature as well as:</p> <p>(a) any other structure, whether of a temporary or permanent nature and irrespective of the materials used in the erection thereof, erected or used for or in connection with-</p> <p>(i) the accommodation or convenience of human beings or animals;</p> <p>(ii) the manufacture, processing, storage, display or sale of any goods;</p> <p>(iii) the rendering of any services;</p> <p>(iv) the destruction or treatment of refuse or other waste materials;</p> <p>(v) the cultivation or growing of any plant or crop;</p> <p>(b) any wall, swimming pool, reservoir or bridge or any other structure connected therewith;</p> <p>(c) any fuel pump or any tank used in connection therewith;</p> <p>(d) any part of a building, including a building as defined in Paragraph (a), (b) or (c);</p> <p>(e) any facilities or system, or part or portion thereof, within or outside incidental to a building, for the provision of a water supply, drainage, sewerage, storm-water disposal, electricity supply or other similar service in respect of the building.</p>	<p>BUILDING</p> <p>Means a building as defined in the National Building Regulations and Building Standards Act, 1977.</p>

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<p>BUILDING LINE</p> <p>A line indicating a building restriction area measured from a street, proposed street, street widening, or any other boundary of a property other than a street boundary and which is at a stipulated distance from the boundary of a property.</p>	<p>BUILDING LINE</p> <p>Means an imaginary line on a property that demarcates the building restriction area and is at a fixed distance from any boundary of such property.</p>
<p>BUILDING RESTRICTION AREA</p> <p>An area wherein no building, except permitted in the Scheme, may be erected.</p>	<p>BUILDING RESTRICTION AREA</p> <p>Means the area on a property where no building, except as permitted by the scheme, may be erected and which is bounded on one side by a building line and on the other side by a boundary of the property and also includes open spaces or as indicated in an Annexure T to the scheme.</p>
<p>BY-LAWS</p> <p>The municipal by-laws applicable in the area of the scheme.</p>	<p>BY-LAWS</p> <p>Means the Municipality by-laws in force in the area of the Scheme.</p>
<p>CAR WASH</p> <p>Land that is used for the washing, polishing and vacuum cleaning of motor vehicles.</p>	<p>CAR WASH</p> <p>Means land and buildings used for the washing, polishing and cleaning of vehicles by means of mechanical apparatus or by hand.</p>
<p>COMMERCIAL USE</p> <p>Land used or a building designed or used for such purposes as distribution centres, wholesale trade, storage, warehouses, cartage and transport services, laboratories and computer centres and may include offices and industries which are directly related and subservient to the main commercial use which is carried out on the land or in the building.</p>	<p>COMMERCIAL USE</p> <p>Means land and buildings used for distribution centres, wholesale trade, storage, warehouses, telecommunications centre, transport depot, laboratories and computer centres and may include offices, light industries, a cafeteria and a caretaker's flat, which are directly related and subservient to the main commercial use which is carried out on the land or in the building.</p>
<p>CONTROLLING AUTHORITY</p> <p>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 section 1 of the National Roads Act, 1971 (Act 54 of 1971), as the case may be.</p>	<p>CONTROLLING AUTHORITY</p> <p>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 Section 1 of the National Roads Act, 1971 (Act 54 of 1971) or the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001).</p>
<p>COVERAGE</p> <p>The area of a property covered by buildings measured over the external wall as seen vertically from above and expressed as a percentage of the area of the property excluding covered walkways.</p>	<p>COVERAGE</p> <p>Means the percentage area of a property including any servitude area covered by the roofed area of all buildings as seen vertically from above but does not include a structure or building that has no roof.</p>
<p>DENSITY ZONE</p> <p>A part of the area of this Scheme, shown on the map by means of a distinctive notation or edging or other distinctive manner for the purpose of indicating the restriction imposed on the erection and use of buildings or the use of land with regard to density.</p>	<p>DENSITY ZONE</p> <p>Means a part of the area of this Scheme, shown on the map by means of a distinctive notation or edging or other distinctive manner for the purpose of indicating the restriction imposed on the erection and use of buildings or the use of land with regard to density.</p>

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<p>DRIVE-IN RESTAURANT</p> <p>Land used or a building designed or used as a place of refreshment from where food and refreshments are served to clients who mainly remain seated in parked vehicles.</p>	<p>DRIVE-IN RESTAURANT</p> <p>Means land and buildings used for the preparation and consumption of food and refreshments by clients in parked vehicles and may include take-aways.</p>
<p>DWELLING-HOUSE</p> <p>A single detached dwelling-unit.</p>	<p>DWELLING-HOUSE</p> <p>Means a single dwelling-unit on property zoned "Residential 1", "Agriculture" and "Undetermined".</p>
<p>DWELLING-UNIT</p> <p>Means an interconnected suite of rooms which may not include more than one kitchen, designed for occupation and use by a single family and also includes such outbuildings and servant's quarters as are ordinarily incidental thereto.</p>	<p>DWELLING-UNIT</p> <p>Means a self contained suite of rooms mutually connected and consisting of habitable room(s), a bathroom(s), toilet(s) and not more than one kitchen without the permission of the Municipality for the purpose of residence by a single family, or a single person or two unmarried persons and may include outbuildings which are ancillary and subservient to the dwelling-unit and may include a Home Enterprise subject to Schedule 9.</p>
<p>ERECTION OF A BUILDING</p> <p>includes the structural alteration of or the making of any addition to a building other than a structural alteration which, in the opinion of the local authority, is of a limited extent such as, inter alia the removal of non-weight bearing internal walls, the erection of removable partitions, safes and toilets inside an existing building, or repair work inside or outside a building.</p>	<p>ERECTION OF A BUILDING</p> <p>Means, inter alia, the construction of, any addition to or structural alteration of a building.</p>
<p>ERF</p> <p>As defined in the Ordinance.</p>	<p>ERF</p> <p>Means an erf as defined in the Ordinance and the Gauteng Planning and Development Act, 2003 and includes any resultant portion of an erf obtained through subdivision of such an erf.</p>
<p>EXISTING BUILDING</p> <p>A building erected in accordance with building plans approved by the local authority and which is otherwise lawful, the construction of which –</p> <p>(a) was completed on or before the "Fixed date"; or</p> <p>(b) in the opinion of the local authority, commenced within a reasonable time before the "Fixed date", but was completed thereafter.</p>	<p>EXISTING BUILDING</p> <p>Means respectively a building or work erected or carried out before the relative date set out in the definition of 'Existing Use' and includes a building or work,</p> <p>(1) erected or carried out in pursuance of a contract made before the relevant date given in the definition of 'Existing Use',</p> <p>(2) begun before, but completed after, the said date,</p> <p>(3) erected or carried out in accordance with the terms of any permission granted by the Municipality before the said date:</p> <p>Provided that, notwithstanding the aforementioned definition, the Municipality may refuse to regard any building or work which was the subject of a prohibition or instruction as contemplated in Section 43 of the Ordinance as an existing building or an existing work.</p>

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<p>EXISTING ERF</p> <p>Any erf as defined in the Ordinance and includes any portion of an erf the subdivision of which was approved prior to the "Fixed date" and is registered in a Deeds Registry.</p>	<p>EXISTING ERF</p> <p>Means any erf as defined in the Ordinance and the Gauteng Planning and Development Act, 2003 and includes any portion of an erf in the areas mentioned in the definition of "Existing Use".</p>
<p>EXISTING USE</p> <p>As defined in Section 43 of the Ordinance.</p>	<p>EXISTING USE</p> <p>Means, subject to Section 43 of the Ordinance, the continuous lawful use of a building or land for the purpose for which it was erected or was lawfully being used.</p>
<p>FAMILY</p> <p>A man or woman, or both, with or without their parents, and with or without the children of one or the other or both, who all live together.</p>	<p>FAMILY</p> <p>Means the following people that live together:</p> <ol style="list-style-type: none"> (1) a married couple with or without their parents and/or their children; or (2) a single person with his/her parents and/or his/her children; or (3) brothers and sisters; or (4) a single person with his/her grandparents and/or his/her grandchildren; or (5) grandparents with their grandchildren.
<p>FILLING STATION</p> <p>land used or a building designed or used for the purposes of fuelling, washing, polishing and lubricating of motor vehicles, including incidental and routine maintenance but excluding a "Public Garage", panel beating, spray-painting and any major repairs.</p>	<p>FILLING STATION</p> <p>Means land and building(s) used for :</p> <ol style="list-style-type: none"> (1) the storage of fuels and the retail selling of vehicle fuel and lubricants, (2) one working bay for emergency repairs to vehicles, (3) a shop including a confectionery and take-away facility including a kitchen, with a maximum gross floor area, accessible to the general public, of 250 m², and (4) an automatic teller machine.
<p>FIXED DATE</p> <p>The date on which the Northern Pretoria Metropolitan Substructure gave notice in the Provincial Gazette that this Scheme had been approved.</p>	<p>FIXED DATE</p> <p>Means the date on which the Municipality gave notice in the Provincial Gazette that this scheme has been approved.</p>
<p>FLOOR AREA</p> <p>The total of the gross area occupied by a building at the floor level of each storey: Provided that in the calculation of the floor area the following areas shall not be included:-</p> <ol style="list-style-type: none"> (a) Unroofed buildings, open roofs and areas occupied by external fire-escapes. (b) Parking spaces for the occupants of the building. 	<p>GROSS FLOOR AREA</p> <p>The gross floor area of a building is determined by multiplying the area of the property by the FAR, for eg. 1 000 m² x 0,4 = 400 m²: Provided that certain floor areas can be deducted from the calculation of gross floor area as provided in Schedule 7.</p>

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<p>(c) Entrance passages and corridors (excluding entrance halls, porches and corridors in a dwelling unit or a residential building where such entrance halls, porches and corridors are not enclosed by outer walls or windows).</p> <p>(d) Accommodation for the lift motors and other mechanical or electrical equipment necessary for the proper utilisation of the building.</p> <p>(e) Housing for servants on the roof of a building: Provided that the floor area thus excluded shall not exceed three percent of the permissible floor area of such building.</p> <p>(f) A veranda or balcony in a building: Provided that such veranda or balcony shall not be enclosed except by means of a parapet at most one metre (1 m) high or a wire gauze screen.</p> <p>(g) Areas reasonably used for the cleaning, maintenance and care of the building or buildings, except dwelling units for supervisors, cleaners and caretakers.</p> <p>(h) Passage ways for pedestrians.</p>	
<p>FLOOR AREA RATIO” OR “F.A.R.”</p> <p>The ratio obtained by dividing the floor area of a building or buildings by the total area of the property on which the building is erected, thus –</p> $\text{F.A.R.} = \frac{\text{Floor area of a building or buildings.}}{\text{Total area of the property on which the building(s) is/are erected.}}$	<p>FLOOR AREA RATIO</p> <p>Means the ratio of the Gross Floor Area of a building to the total area of the property, including any servitudes, on which such building is erected or is to be erected, i.e. FAR = Gross Floor Area divided by Area of property.</p>
<p>GROUND FLOOR</p> <p>The storey on which there is an entrance or entrances to the building by means of an approach ramp, stairs or similar structure from the lowest natural ground level.</p>	<p>GROUND FLOOR</p> <p>Means the floor of a building which is the entry point into the building and which is at or closest to the natural ground level of the property on which such building stands and excludes a basement.</p>
<p>GROSS LEASABLE FLOOR AREA</p> <p>Means the floor area designed for occupation and control by a lessee, or which is suitable for such purpose, measured from the centre line of joint partitions and/or the outer surface of external walls, but excluding covered walkways.</p>	<p>GROSS FLOOR AREA</p> <p>The gross floor area of a building is determined by multiplying the area of the property by the FAR, for eg. 1 000 m² x 0,4 = 400 m²: Provided that certain floor areas can be deducted from the calculation of gross floor area as provided in Schedule 7.</p>
<p>GUEST-HOUSE</p> <p>A residential enterprise which, with the consent of the local authority, may be conducted from a dwelling house that is still occupied on a full-time base, subject to such conditions as may be set by the local authority.</p>	<p>GUEST-HOUSE</p> <p>Means a dwelling-unit, excluding a Home Enterprise, consisting of not more than 16 bedrooms for a maximum of 32 guests, a dining-room, lounge, bar and may include ancillary and subservient facilities for the exclusive use of such guests and which shall be managed by the owner or manager who shall reside on the same property.</p>

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<p>HEIGHT</p> <p>The height of a building expressed in the number of storeys.</p>	<p>HEIGHT</p> <p>Means the height of any part of a building as measured vertically from the natural ground level of the footprint of the building to the highest point of the building as indicated on the diagrams in Clause 26.</p>
<p>HEIGHT ZONE</p> <p>A part of the area of this Scheme, shown on the map by means of a distinctive notation or edging or other distinctive manner for the purpose of indicating the restriction imposed on the erection and use of buildings or the use of land with regard to height, coverage and floor area.</p>	<p>HEIGHT ZONE</p> <p>Means a specific zone in Table D and indicated on the electronic database of the Municipality.</p>
<p>HOME OFFICE</p> <p>A dwelling unit that is used by the occupant for the conduct of a practice, which in the opinion of the local authority is deemed to be a home practice; provided that such use shall be subservient to the residential use of the property in the opinion of the local authority.</p>	<p>HOME ENTERPRISE</p> <p>Means the practice of an activity, business, hobby or occupation in a dwelling-unit excluding a commune, a guest-house, a block of tenements, a boarding house, hostel and hotel, with the aim of deriving an income therefrom subject to Schedule 9.</p>
<p>HOTEL</p> <p>A building which is registered as a hotel in terms of Section 1 of the Hotel act, 1965 (Act 70 of 1965).</p>	<p>HOTEL</p> <p>Means a building that has been registered as a hotel in terms of Section 1 of the Hotels Act, 1965 (Act 70 of 1965), or any amendment thereof and may include a conference centre and a place of refreshment and ancillary and subservient uses required in terms of the aforementioned Act.</p>
<p>HOUSEHOLD ENTERPRISE</p> <p>A small scale enterprise which is practised by a maximum of two (2) persons, of which at least one is a full time resident of the property, from a dwelling unit or house in such a way that the residential character and use, dwelling-unit and environment shall not, in the opinion of the local authority, be in any way harmed or changed.</p>	<p>HOME ENTERPRISE</p> <p>Means the practice of an activity, business, hobby or occupation in a dwelling-unit excluding a commune, a guest-house, a block of tenements, a boarding house, hostel and hotel, with the aim of deriving an income therefrom subject to Schedule 9.</p>
<p>INDUSTRY</p> <p>A factory and industries as defined in the Machinery and Occupational Safety Act, 1983 (Act 6 of 1983 and including offices which are directly related to and subservient to the main use conducted on the property.</p>	<p>INDUSTRY</p> <p>Means land and buildings where a product or part of a product is manufactured, mounted, processed, repaired, rebuilt or packed, including a power station and incinerator plant and may include a cafeteria and a caretaker's flat and any other activities connected to or incidental to the activities mentioned herein, excluding noxious industries, light industries and retail industries.</p>
<p>INSTITUTION</p> <p>A building designed and used as a public institution or charitable institution, hospital, nursing home, sanatorium, clinic whether public or private, place of public worship or place of instruction but does not include "Institutions" which are primarily used as offices or which primarily perform administrative work.</p>	<p>INSTITUTION</p> <p>Means land and buildings, whether public or private, designed or used as a charitable institution, national government institution, provincial institution, municipal institution, hospital, nursing home and clinic for the care or treatment of humans.</p>

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<p>KENNELS</p> <p>Land used for the purpose of keeping, breeding, accommodating, and lodging of any domestic animal.</p>	<p>ANIMAL BOARDING PLACE</p> <p>Means land and buildings used for the boarding, breeding and grooming of dogs, cats and domestic animals and may include the sale of products related to the main use subject to the Municipality's relevant By-laws and Regulations.</p>
<p>LAND</p> <p>Also includes land covered by water.</p>	<p>Not included.</p>
<p>LIGHT INDUSTRY</p> <p>An industry in which the power source is such that no single motor is rated at more than 3 kW with a total maximum of 24 kW for all motors: Provided that a total demand of 49 kVa on the site shall not be exceeded and the maximum number of workers actively engaged on the site shall be restricted to twenty (20).</p>	<p>LIGHT INDUSTRY</p> <p>Means land and buildings used for, inter alia, a bakery, a builder's yard, a car wash, a contractor's yard, dry-cleaners, carpet cleaners, joinery workshop, launderette, laundry, lawnmower workshop, painter's workshop, plumber's workshop, printing workshop, transport depot, panel-beater, motor workshops, a ready-mix plant and any other such industries, workshops or yards which in the opinion of the Municipality do not cause a nuisance to the environment, may be used for similar purposes and may include the retail sale of products ancillary and subservient to the main use on the same property.</p>
<p>LIVING ROOM</p> <p>A room designed or used for human occupation, but does not include a storeroom, a kitchen, a scullery, a toilet, a bathroom or a passage.</p>	<p>HABITABLE ROOM</p> <p>Means a room designed or used for human habitation according to the minimum standards prescribed in Part C of the National Building Regulations, but shall not include a storeroom, kitchen, scullery, toilet, bathroom or a passage.</p>
<p>LOCAL AUTHORITY</p> <p>The Northern Pretoria Metropolitan Local Council.</p>	<p>LOCAL AUTHORITY</p> <p>Means the City of Tshwane Metropolitan Municipality.</p>
<p>MAP</p> <p>The scheme map indicated as "Map 3" as defined in the Regulations and as amended from time to time by any approved amendment scheme.</p>	<p>MAP</p> <p>Means a map as defined in the Regulations of the Ordinance and which forms part of the Scheme including any amendment thereto.</p>
<p>MEDICAL CONSULTING ROOMS</p> <p>A building that is designed or arranged and is used as professional rooms for medical doctors and includes general practitioners, medical specialists, pathologists, radiologists, dentists, ophthalmologists and similar uses such as veterinarians amongst others, and may include a dispensing chemist which does not exceed 36m²- but not the uses which are included under the definition of "Institution".</p>	<p>MEDICAL CONSULTING ROOMS</p> <p>Means land and buildings used for medical and dental practitioners including general practitioners, medical specialists, pathologists, radiologists, dentists, ophthalmologists and similar uses such as special therapists, psychiatrists and may include a dispensing chemist which does not exceed 36 m² but does not include the uses which are included under the definition of Institution.</p>
<p>MOTOR CAR SALES MARKET</p> <p>Land used, with or without buildings, for the sale or display of vehicles, excluding any form of workshop.</p>	<p>VEHICLE SALES MART</p> <p>Means land, with or without ancillary buildings, used for the display and/or sale of cars, trucks, motor cycles, agricultural implements, caravans, boats, tractors and trailers which are roadworthy and of good outward appearance, and may also include the hiring of vehicles</p>

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	as an ancillary use but excludes a motor dealership and a panel-beater.
<p>MUNICIPAL PURPOSES</p> <p>Such purposes as the local authority may be authorised to carry out in terms of the Local Government Ordinance, 1939 (Ordinance 17 of 1939), as amended, or any other law.</p>	<p>MUNICIPAL PURPOSES</p> <p>Means such purposes as the Municipality may be authorised to carry out in terms of any law governing municipalities including but not limited to the Local Government Municipal Structures Act, 117 of 1998 and the Local Government: Municipal Systems Act, 32 of 2000.</p>
<p>NOXIOUS INDUSTRY</p> <p>Meaning an industry, which as a result of noise or waste products, is dangerous or harmful to the health and well-being of the general public and includes: panel-beating, spray-painting, blood boiling, bone boiling, tallow melting, fat melting or extracting, soap boiling, tripe boiling or cleaning, skin storing, bone storing, fell-mongering, skin curing, blood drying, gut scrapping, leather dressing, tanning, glue making, size making, charcoal burning, brick burning, lime burning, manure making, manure storing, parchment making, malt making, yeast making, cement works, coke ovens, salt glazing, sintering of sulphur bearing materials, viscose works, smelting of ores and minerals, calcining, puddling and rolling of iron and other metals, conversion of pig iron into wrought iron, reheating, annealing, hardening, forging, converting and carburising iron and other metals, works for the production of, or which employ, carbon bisulphites, cellulose lacquers, cyanogens or its compounds, hot pitch or bitumen, pulverised fuel, pyridine, liquid or gaseous sulphur dioxide and sulphur chlorides, works for the production of amyl-acetate, aromatic ethers, butyric acid, caramel, enamelled wire, glass hexamine, iodoform, lampblack, B-naphthol, resin products, salicylic acid, sulfonated organic compounds, sulphur dyes, ultramarine, zinc chloride and zinc oxide and oil refining and the refining or processing of petrol, oil or their products or any other industry or process which, in the opinion of the local authority, is deemed to be noxious; Provided that when a certificate, issued by the Medical Officer of Health of a local authority in consultation with the Inspector of Factories or any responsible Health Authority, is produced, declaring that the process intended to be used in connection with any of the afore going activities or factories will eliminate all nuisances or any threat to the health in the neighbourhood of the property due to:</p> <p>(a) vapours or effluvia;</p> <p>(b) fluids or liquid wastes originating from the property (if it is the intention to purify the wastes according to the soil treatment method, the nature, slope and area of the piece of land and its position in relation to streams or water courses must be mentioned) and</p> <p>(c) solid waste material, the local authority may consent to the erection of such a building in Use Zone 6 (Industrial).</p>	<p>NOXIOUS INDUSTRY</p> <p>Means land and buildings used for any use included in the list in Schedule 8 together with any living accommodation required for a caretaker and includes any other use on the same site, which is necessary in connection with the primary use.</p>

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<p>NURSERY</p> <p>A business where agricultural crops, grass or plants are planted, cultivated or grown and may include the sale of these and other related products.</p>	<p>PLANT NURSERY</p> <p>Means land and buildings used for the storage and cultivation of plants, bulbs and seed for distribution and sale to shops or garden centres and may include the retail sale to the public on the property.</p>
<p>OCCUPANT</p> <p>In relation to any building, structure or land means and includes the following: Any person occupying such building, structure or land or legally entitled to occupy it, or anybody in charge or management thereof; or whom is entrusted with the care thereof and if such person is absent from the area or his whereabouts are unknown, his agent.</p>	<p>OCCUPANT</p> <p>Shall include any person in actual occupation of any land, or building or structure or premises without regard to the title under which he occupies, and in the case of premises sub-divided and let to lodgers, various tenants, shall include the person receiving the rent payable by the lodgers or tenants whether on his own account or as agent for any person entitled thereto or interested therein and includes the agent of any person absent from the area or whose whereabouts is unknown.</p>
<p>OFFICE</p> <p>A building or part of a building which is used for or designed to be used for administrative, clerical or professional purposes and includes a bank, insurance company and building society.</p>	<p>OFFICE</p> <p>Means land and buildings or part of a building used for professional, clerical, administrative, management, marketing and consulting services, but excludes a call centre, security and emergency response vehicles, courier services in post, parcels and money.</p>
<p>ORDINANCE</p> <p>The Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), as amended.</p>	<p>ORDINANCE</p> <p>Means the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), as amended.</p>
<p>OUTBUILDING</p> <p>A building other than the main building which, in the opinion of the local authority, is usually functionally necessary with the use of the main building.</p>	<p>OUTBUILDING</p> <p>Means a building(s) which has its own entrance or door and no inter leading door to the main building, which is attached or free standing from the main building on the same property and which may contain:</p> <ol style="list-style-type: none"> (1) garages, storerooms, studios, exercise rooms, hobby rooms, music room, washrooms and a Home Enterprise, etc.; (2) a squash court only with the permission of the Municipality; and (3) residential accommodation, which shall not exceed 20% of the floor area of the main building up to a maximum of 50 m² without the permission of the Municipality and which may consist of habitable rooms, bathroom(s) and only one kitchen: <p>Provided that such outbuilding has a common vehicular access with the main building and it is for the purposes of only the occupants of the main building and their staff and the total gross floor area of such outbuilding(s) shall not exceed 40% of the gross floor area of the main building without the permission of the Municipality and such outbuildings shall not be leased to tenants or sold under sectional title.</p>

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<p>OWNER</p> <p>In relation to a building, land or property -</p> <p>(a) the registered owner;</p> <p>(b) the holder of a stand licence;</p> <p>(c) a lessee by virtue of a lease which is registered by law and such other leasehold certificates, occupation certificates or such legal agreement which the local authority may determine.</p> <p>(d) the person who administers the estate of any person mentioned in (a), (b) or (c) above, whether as executor, administrator, guardian or in any other capacity;</p> <p>(e) any person who receives payment from any occupant or other person who would receive payment should such building or land be leased, whether for his own account or as agent for any person who is entitled thereto or who has an interest therein; and</p> <p>(f) a properly authorised agent of such owner as determined in (a) to (e) above.</p>	<p>OWNER</p> <p>Means in relation to land or a registered right in land, the person in whose name such land or right is registered, in a Deeds Registry in terms of the Deeds Registry Act, 1937 (Act 47 of 1937) and includes-</p> <p>(1) if the owner is deceased, the executor of the deceased estate;</p> <p>(2) if the estate of the owner has been sequestrated, the trustee of the insolvent estate;</p> <p>(3) if the owner is a company or other juristic person;</p> <p>(4) if the owner is a company or other juristic person that is being wound up, the liquidator thereof;</p> <p>(5) if the owner is under legal disability, the owners legal representative;</p> <p>(6) the authorised representative of the owner; or</p> <p>(7) in the case of a road or public space under the control of the Municipality, that Municipality.</p>
<p>PANEL BEATER</p> <p>The replacement, repair and/or panel beating of the bodywork and parts of vehicles and the spray painting thereof.</p>	<p>PANEL BEATER</p> <p>Means land and buildings used for the replacement, repair and spray painting of the bodywork of motor vehicles.</p>
<p>PANHANDLE</p> <p>The access portion giving access to the build able part of the panhandle portion.</p>	<p>PANHANDLE</p> <p>Means that portion of a property which is -</p> <p>(1) at least 3 m wide and not more than 8 m wide; and</p> <p>(2) used exclusively as an access to a public street.</p>
<p>PANHANDLE PORTION</p> <p>The portion of a property that obtains access by means of a panhandle.</p>	<p>PANHANDLE PROPERTY</p> <p>Means an L-shaped property, consisting of a narrow portion, which is known as the panhandle and which abuts on a street, and a broader buildable portion.</p>
<p>PANHANDLE SUBDIVISION</p> <p>A subdivision that results in one or more of the portions being created by such subdivision, obtaining access by means of a panhandle.</p>	<p>PANHANDLE PROPERTY</p> <p>Means an L-shaped property, consisting of a narrow portion, which is known as the panhandle and which abuts on a street, and a broader buildable portion.</p>
<p>PARKING AREA</p> <p>Land used or a building designed or used exclusively for the parking of motor vehicles not being for trade or sale.</p>	<p>PARKING SITE</p> <p>Means a property or part of a property, which is used solely for the parking of motor vehicles, excluding busses and trucks, not being for sale or trade and subject to Schedule 10.</p>

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<p>PLACE OF AMUSEMENT</p> <p>Land used or a building designed or used as a public hall, theatre, cinema, music-hall, concert hall, billiard saloon, sports stadium, skating rink, dance hall or for other recreational purposes, or for trade or industrial exhibitions.</p>	<p>PLACE OF AMUSEMENT</p> <p>Means land and buildings or a part of a building used for entertainment purposes such as a theatre, cinema, music hall, concert hall, table games, skating rink, dancing, amusement park, casino, electronic games, night club, an exhibition hall or sports arena/stadium used for live concerts or performances.</p>
<p>PLACE OF INSTRUCTION</p> <p>A building designed for use or used as a school, college, technical college, lecture hall, institute, or other educational centre and includes a crèche, a convent or monastery, a public library, art gallery, museum or gymnasium.</p>	<p>PLACE OF INSTRUCTION</p> <p>Means land and buildings used as a school, college, technical institute, university, academy, lecture hall, monastery, convent, public library, art museum, museum, other educational centre including ancillary and subservient hostel for persons attending any one of the aforementioned.</p>
<p>PLACES OF PUBLIC WORSHIP</p> <p>A building designed for use, or used as a church, chapel, oratory, house of worship, synagogue or other place of public devotion, and includes a building designed and used as a place of religious instruction or an institution on the same property as and associated with any of the foregoing buildings which is intended to be used for social intercourse and recreation but shall not include a funeral chapel which shall be deemed to be a "Special use".</p>	<p>PLACE OF PUBLIC WORSHIP</p> <p>Means land and buildings used for a church, chapel, mosque, temple, synagogue, or other religious purposes and may include ancillary social and recreational purposes and one dwelling-unit on the same property, but shall not include a funeral parlour, wall of remembrance or cemetery.</p>
<p>PLACE OF REFRESHMENT</p> <p>Includes a restaurant, tea-room or coffee-shop and means a building which is not a hotel, residential club, drive-in restaurant or boarding house, but which is designed and used for the preparation or the sale of meals, refreshments, as well as the sale of fresh produce, mineral water, tobacco, reading material and sweets.</p>	<p>PLACE OF REFRESHMENT</p> <p>Means land and buildings used for the preparation, sale and consumption of refreshments on the property such as a restaurant, café, coffee shop, tea room, tea garden, sports bar, pub, bar and may include take-aways and a maximum of two table games, two dartboards, two electronic games, television screens and soft background music for the customers but excludes a place of amusement. The kitchen layout shall comply with the Municipality's health requirements.</p>
<p>PREMIER</p> <p>The Administrator as defined in the Ordinance.</p>	<p>PREMIER</p> <p>Means the head of the Executive Council of the Gauteng Provincial Government.</p>
<p>PRIVATE CLUB</p> <p>Land used or a building designed to be used for a private meeting by a group of people with a collective aim.</p>	<p>PRIVATE CLUB</p> <p>Means land used or a building designed to be used for a private meeting by a group of people with a collective aim.</p>
<p>PRIVATE OPEN SPACE</p> <p>Land zoned for use as private grounds for a sport, play rest, and recreation area or as an ornamental garden to which the general public will have no right of admission, except with consent.</p>	<p>PRIVATE OPEN SPACE</p> <p>Shall mean any Open Space as defined vested in the Municipality under Section 63 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) to which the general public has right of access.</p>
<p>PROPERTY</p> <p>Any portion of land which is registered in a Deeds Registry.</p>	<p>PROPERTY</p> <p>Means any portion of land that has been registered as a separate unit in the Deeds Office.</p>

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<p>PUBLIC GARAGE</p> <p>A building and land which is used for the maintenance, repair or fuelling of vehicles and ancillary uses excluding panel-beating and spray-painting, and may include any one or more of the following uses: parking, or storage of vehicles, the sale of spare parts, accessories, fuel, lubricants for vehicles and retailing of new or used vehicles.</p>	<p>PUBLIC GARAGE</p> <p>Means land and buildings used for the storage and retail sale of vehicle fuel and lubricants and one or more of the following uses:</p> <ol style="list-style-type: none"> (1) repair and servicing of vehicles, excluding panel beating or spray-painting; (2) sale of new and used vehicles; (3) a shop including a confectionery and take-away facility including a kitchen with a maximum gross floor area of 250 m², and (4) an automatic teller machine.
<p>PUBLIC OPEN SPACE</p> <p>Land zoned for use by the public as an open space, including a park, garden, playground, recreation park or urban square.</p>	<p>PUBLIC OPEN SPACE</p> <p>Shall mean any open space as defined vested in the Municipality under section 63 of the Local Government Ordinance 17 of 1939 to which the general public has right of access provided that it is declared safe for human use by the Municipality.</p>
<p>PUBLIC RESORT</p> <p>Land and the use of buildings which, due to their natural or human made attraction is aimed at nature orientated, natural beauty orientated, water orientated-, and socio-historical recreation or recreation and overnight facilities aimed at the through traffic at transport routes and connection routes and may include uses incidental to the resort such as overnight facilities, motel, restaurant, eating house, retail for the convenience of the inhabitants of the resort, conference facilities and offices only for the administration and management of the resort.</p>	<p>RECREATION RESORT</p> <p>Means land and buildings used for recreational purposes mainly by day visitors and may include swimming pools, water slides, braai facilities, chalets, a camping site cultural and music events, a place of refreshment, a conference centre or social hall, wedding chapel, staff accommodation, natural areas and ancillary and subservient uses.</p>
<p>REGULATIONS</p> <p>The Town-planning and Townships Regulations published in terms of the Ordinance.</p>	<p>REGULATIONS</p> <p>Means the Town-planning and Township Regulations issued by the Premier in terms of the Ordinance.</p>
<p>RESIDENTIAL BUILDING</p> <p>A building, other than a "dwelling house" or "hotel", designed for use, or used for human habitation, and includes a boarding house, a residential club, a hostel or tenements but does not include any use mentioned, whether by way of inclusion or exclusion, in the definitions of "Place of instruction", "Institution" and "Dwelling-unit".</p>	<p>RESIDENTIAL BUILDINGS</p> <p>Means a hotel, block of flats, tenements, boarding house and hostel together with such outbuildings as are ordinarily used therewith.</p>
<p>RESTAURANT</p> <p>A building or part of a building used for the preparation and sale of meals and refreshments, confectionery for consumption on the erf or property and includes entertainment subsidiary to the main use and can include a place of refreshment.</p>	<p>PLACE OF REFRESHMENT</p> <p>Means land and buildings used for the preparation, sale and consumption of refreshments on the property such as a restaurant, café, coffee shop, tea room, tea garden, sports bar, pub, bar and may include take-aways and a maximum of two table games, two dartboards, two electronic games, television screens and soft background music for the customers but excludes a place of amusement. The kitchen layout shall comply with the Municipality's health requirements.</p>

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AKASIA-SOSHANGUVE TOWN-PLANNING SCHEME, 1996: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>RETAIL TRADE</p> <p>Any trade other than "Wholesale trade" as defined in this Scheme.</p>	<p>SHOP</p> <p>Means land and buildings used for the purpose of retail trade directly to the public, including inter alia retail sale and display of products, "off-sales" facilities on properties licensed in terms of any liquor law, pet shops, a pharmacy, a confectionary, a take-away, swop shop, pawn shop and auctioneers business and includes a Retail Industry.</p>
<p>RETIREMENT VILLAGE</p> <p>Includes dwelling-units and community facilities including a dining hall, sick-bay, sport and recreational facilities or such other facilities as approved by the local authority for occupation and use by elderly persons.</p>	<p>RETIREMENT CENTRE</p> <p>Means land and buildings designed or used to provide residential accommodation for persons of 50 years and older. The centre may include dwelling-units and a service centre for the use of the residents only and includes an assembly hall with recreational facilities, sick bay, medical consulting rooms, exercise and treatment rooms, dining facilities, a library, a tuck shop, a laundrette, hairdressing facilities, banking facilities, an automatic teller machine and other ancillary uses for the use of the residents only.</p>
<p>SCRAP-YARD</p> <p>Land or building used as a junk-yard or scrap-yard for the dismantling, stacking, storing or preparation for resale of any used material, scrap metals, scrap vehicles, scrap machinery, or any other scrap material, whether or not such dismantling or storage take place with the aim of the disposal or re-use of such scrap.</p>	<p>SCRAP-YARD</p> <p>Means land and buildings used as a junk yard or scrap yard for the dismantling, stacking, storing or preparation for resale of any used material, scrap metals, scrap vehicles, scrap machinery or other scrap material, whether or not such dismantling took place with the aim of disposal or re-use of such scrap.</p>
<p>SERVICE INDUSTRY</p> <p>A use which, in the opinion of the local authority, is a small scale or light industrial activity incidental to the needs of the local community and the retail trade and which, in the opinion of the local authority, will not interfere with the amenity of surrounding properties or be of nuisance by virtue of noise, appearance, smell or activities or for any other reason what so-ever but excludes a "Public garage" and "Filling station".</p>	<p>RETAIL INDUSTRY</p> <p>Means, inter alia, catering, a confectionary, dress-making, and tailoring, engraving, instant printing and copying, jewellery manufacturing, photographic processing, picture framing, and screen printing; as well as the servicing and repair of air conditioners, audio equipment, basket ware and cane furniture, canvass goods and tents, bicycles, electronic equipment, domestic equipment, leather-works and shoes, office equipment, television and video equipment, upholstery, watches, weighing machines and window blinds, but does not include a Light Industry and the wholesale selling of goods.</p>
<p>SHOP</p> <p>Land used or a building designed or used for the purposes of carrying out retail trade and the necessary accompanying storage and packaging, and includes service industries as well as any accompanying use on the same site which is incidental and subordinate to the conduct of the retail business: Provided that such accompanying storage and packaging an accompanying use shall not give rise to any disturbance or nuisance. The following uses shall not be considered as incidental to "Shop": - A "Noxious activity", "Drive-in restaurant", "Place of refreshment", "Scrap-yard", "Commercial use", "Warehouse", "Public garage", "Filling station", "Parking garage", "Place of amusement", "Motor sales market" and</p>	<p>SHOP</p> <p>Means land and buildings used for the purpose of retail trade directly to the public, including inter alia retail sale and display of products, "off-sales" facilities on properties licensed in terms of any liquor law, pet shops, a pharmacy, a confectionary, a take-away, swop shop, pawn shop and auctioneers business and includes a Retail Industry.</p>

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<p>STREET OR ROAD</p> <p>The area or portion of any street, road, bridge, subway, tunnel, avenue, lane, driveway, sanitary lane, thoroughfare or right of way, shown on the general plan of a township, agricultural holdings or other division of land, or in respect of which the public has acquired a right of way by prescription or any other means.</p>	<p>STREET OR PUBLIC STREET</p> <p>Includes any street, road, or thoroughfare shown on the General Plan of a township, agricultural holding or other division of land or in respect of which the public have acquired a prescriptive or other right of way or zoned as Existing Street.</p>
<p>SURROUNDING OWNERS</p> <p>The owners of any land abutting or sharing a common boundary with the relevant property (specifically including any land which is only separated by a road) and any such other person as the local authority may specifically identify.</p>	<p>SURROUNDING OWNERS</p> <p>Means the owners of any property abutting or sharing a common boundary with the relevant property including any property which is only separated by a road and any such other owners of property in the near vicinity as the Municipality may specifically identify.</p>
<p>TAVERN</p> <p>Land used or a building designed or used for on-site sale and consumption of liquor, including "Place of amusement" and "Place of refreshment".</p>	<p>TAVERN</p> <p>Means land and buildings used for a combination of a Place of Refreshment and a Place of Amusement.</p>
<p>USE ZONE</p> <p>A part of the area of this Scheme, shown on the Map by means of a distinctive notation or edging or other distinctive manner for the purpose of indicating the restriction imposed on the erection and use of buildings or the use of land with regard to land use.</p>	<p>USE ZONE</p> <p>Means that part of the Scheme Area that has been indicated by means of a distinguishing notation or bordering or any other distinguishing way on the Map to indicate the use of the land.</p>
<p>WAREHOUSE</p> <p>A building or use of land for the exclusive purpose of storage of goods, which in the opinion of the local authority are not dangerous, noxious or unsightly, and includes wholesale trade, and may also include ancillary office accommodation which is subsidiary to the main use, but excludes any retail trade on the property of such building, unless the special consent of the local authority has been obtained.</p>	<p>WAREHOUSE</p> <p>Means land and buildings designed or used as a storage depot in conjunction with a wholesale trading establishment or any other storage depot.</p>
<p>WHOLESALE TRADE</p> <p>Trade which is restricted to the sale of goods or products to licensed retailers.</p>	<p>WHOLESALE TRADE</p> <p>Means the sale and provision of goods to retailers or the public.</p>
<p>WORKSHOP</p> <p>Land used or a building designed or used for the purpose of trade of goods that are wholly or partially manufactured, processed, mounted or repaired on the property and in each case a building that is not described as a factory under the Factories, Machinery and Building Works Act, Act 22 of 1941 or any amendment thereof.</p>	<p>LIGHT INDUSTRY</p> <p>Means land and buildings used for, inter alia, a bakery, a builder's yard, a car wash, a contractor's yard, dry-cleaners, carpet cleaners, joinery workshop, launderette, laundry, lawnmower workshop, painter's workshop, plumber's workshop, printing workshop, transport depot, panel-beater, motor workshops, a ready-mix plant and any other such industries, workshops or yards which in the opinion of the Municipality do not cause a nuisance to the environment, may be used for similar purposes and may include the retail sale of products ancillary and subservient to the main use on the same property.</p>

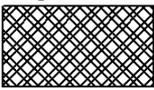
SCHEDULE 16: PART B	
AKASIA-SOSHANGUVE TOWN-PLANNING SCHEME, 1996: CLAUSES	TSHWANE TOWN-PLANNING SCHEME, 2008 : CLAUSES
Clause 1: Contents	Clause 3: Arrangement of Scheme
Clause 2: Definitions	Clause 5: Definitions
Clause 3: Area of Scheme	Clause 1: Title of Scheme
Clause 4: Responsible Authority	Clause 2: Responsible Authority
Clause 5: Use of Annexures	Clause 3: Arrangement of Scheme
Clause 6: Protection of existing buildings	Not included
Clause 7: Lines of no access	Clause 7: Prohibition of Access
Clause 8: Building lines	Clauses 8 & 9: Building lines
Clause 9: Relaxation and observance of building line requirements	Clauses 9 & 12: Building lines and Township Restriction areas
Clause 10: Physical barriers	See Schedule 1
Clause 11: Buildings used for more than one purpose	Clause 13: Mixed Use of Buildings
Clause 12: Erection and use of buildings or use of land	Clause 14: Use of Buildings and Land (Table B)
Clause 13: Conditions applicable to all properties	Clause 18: General Conditions applicable to all property
Clause 14: Conditions applicable to Residential 2 erven	Clause 2: Responsible Authority
Clause 15: Conditions applicable to Residential 3 erven	Clause 22: Conditions applicable to Residential 3 erven
Clause 16: Conditions applicable to Public Garages	Clause 24: Conditions applicable to a Public Garage
Clause 17: Conditions applicable to Townships or erven on land with detrimental soil conditions	Clause 19: Detrimental Soil Conditions
Clause 18: Parking	Clause 28: Parking Requirements (Table F and Table G)
Clause 19: Special Consent (Grade I and II), advertisements and objections	Clause 15: Permission of the Municipality
Clause 20: Reservation for Special purposes	Clause 16: Consent Use Procedure
Clause 21: Additional dwelling-unit	Clause 17: Uses not subject to Table B
Clause 22: Number of dwelling-houses, which may be erected, sub-divisions and consolidations	Clause 14(10): Use of buildings and land
Clause 23: Height, coverage, floor area ratio and number of dwelling-units per hectare	Clause 20: Conditions applicable to Residential 1 erven
Clause 24: Restriction on height of buildings	Clause 25: Floor Area Ratio (F.A.R.) Table C
Clause 25: Restriction on coverage of buildings	Clause 26: Height of Buildings (Table D)
Clause 26: Floor area ratio or number of dwelling-units per hectare	Clause 27: Coverage (Table E)
Clause 27: Removal of detrimental conditions in private gardens	Clause 26: Height of Buildings (Table D)
Clause 28: Fees payable	Clause 27: Coverage (Table E)
Clause 29: Binding force of conditions	Clause 25: Floor Area Ratio (F.A.R.) Table C
Clause 30: Entry and inspection of properties	Clause 30(1): General Amenity
Clause 31: Service of Notice	Not included
Clause 32: Conflict between Scheme, Title Conditions and Township Establishment Conditions	Not included
Clause 33: Title	Clause 33: Access and Inspection
Clause 34: Substitution	Clause 37: Serving of Notice
	Clause 38: Compliance with Title Deeds and Conditions of Establishment
	Clause 39: Short Title
	Not included

SCHEDULE 16: PART C	
AKASIA-SOSHANGUVE TOWN-PLANNING SCHEME, 1996: TABLE E: USE ZONE TABLE	TSHWANE TOWN-PLANNING SCHEME, 2008: TABLE B: USE ZONE TABLE
Use Zone 1: Residential 1	Use Zone 1: Residential 1
Use Zone 2: Residential 2	Use Zone 2: Residential 2
Use Zone 3: Residential 3	Use Zone 3: Residential 3
Use Zone 4: Business	Use Zone 7: Business 2
Use Zone 5: Special	Use Zone 28: Special

SCHEDULE 16: PART C	
AKASIA-SOSHANGUVE TOWN-PLANNING SCHEME, 1996: TABLE E: USE ZONE TABLE	TSHWANE TOWN-PLANNING SCHEME, 2008: TABLE B: USE ZONE TABLE
Use Zone 6: Industrial 1	Use Zone 11: Industrial 2
Use Zone 7: Industrial 2	Use Zone 10: Industrial 1
Use Zone 8: Institution	Use Zone 14: Institution
Use Zone 9: Municipal	Use Zone 15: Municipal
Use Zone 10: Agricultural	Use Zone 17: Agricultural
Use Zone 11: Public Garage	Use Zone 18: Public Garage
Use Zone 12: Government	Use Zone 16: Government
Use Zone 13: S.A.R.	Use Zone 25: S.A.R.
Use Zone 14: Existing public roads	Use Zone 22: Existing public roads
Use Zone 15: Proposed new roads and widening	Use Zone 23: Proposed new roads and widening
Use Zone 16: Public open spaces	Use Zone 20: Public Open Space

SCHEDULE 16: PART D		
AKASIA-SOSHANGUVE TOWN-PLANNING SCHEME, 1996: TABLE I, HEIGHT, COVERAGE, FAR AND DENSITY	TSHWANE TOWN-PLANNING SCHEME, 2008: HEIGHT ZONES OF TABLE D, COVERAGE ZONES OF TABLE E AND FLOOR AREA RATIO ZONES OF TABLE C	
Height Zone 0 Area not bordered	Residential 1	Table D: Height Zone 10 Table E: Coverage Zone 5 Table C: FAR Zone 21
	Residential 2	Height: Schedule 4 Coverage: Schedule 4 FAR: Schedule 4
	Residential 3	Height: Schedule 3 Coverage: Schedule 3 FAR: Schedule 3
	Business	Table D: Height Zone 9 Table E: Coverage Zone 12 Table C: FAR Zone 23
	Industrial 1	Table D: Height Zone 7 Table E: Coverage Zone 18 Table C: FAR Zone 14
	Industrial 2	Table D: Height Zone 7 Table E: Coverage Zone 18 Table C: FAR Zone 14
	Institution	Table D: Height Zone 7 Table E: Coverage Zone 19 Table C: FAR Zone 15
	Municipal	Table D: Height Zone 7 Table E: Coverage Zone 19 Table C: FAR Zone 15
	Agricultural	Table D: Height Zone 10 Table E: Coverage Zone 5 Table C: FAR Zone 21
	Public Garage	Table D: Height Zone 9 Table E: Coverage Zone 17 Table C: FAR Zone 16
	Government	Table D: Height Zone 7 Table E: Coverage Zone 19 Table C: FAR Zone 15
	S.A.R.	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan
	Existing public roads	Table D: Height Zone 5 Coverage: Not applicable FAR: Not applicable

SCHEDULE 16: PART D		
AKASIA-SOSHANGUVE TOWN-PLANNING SCHEME, 1996: TABLE I, HEIGHT, COVERAGE, FAR AND DENSITY		TSHWANE TOWN-PLANNING SCHEME, 2008: HEIGHT ZONES OF TABLE D, COVERAGE ZONES OF TABLE E AND FLOOR AREA RATIO ZONES OF TABLE C
	Proposed new roads and widening	Height: Not applicable Coverage: Not applicable FAR: Not applicable
	Public Open Space	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan
Height Zone 1 	Residential 1	Table D: Height Zone 10 Table E: Coverage Zone 5 Table C: FAR Zone 21
	Residential 2	Height: Schedule 4 Coverage: Schedule 4 FAR: Schedule 4
	Residential 3	Height: Schedule 3 Coverage: Schedule 3 FAR: Schedule 3
	Business	Table D: Height Zone 10 Table E: Coverage Zone 15 Table C: FAR Zone 16
	Industrial 1	Table D: Height Zone 10 Table E: Coverage Zone 15 Table C: FAR Zone 16
	Industrial 2	Table D: Height Zone 10 Table E: Coverage Zone 15 Table C: FAR Zone 16
	Institution	Table D: Height Zone 10 Table E: Coverage Zone 15 Table C: FAR Zone 16
	Municipal	Table D: Height Zone 10 Table E: Coverage Zone 15 Table C: FAR Zone 16
	Agricultural	Table D: Height Zone 10 Table E: Coverage Zone 15 Table C: FAR Zone 21
	Public Garage	Table D: Height Zone 10 Table E: Coverage Zone 15 Table C: FAR Zone 16
	Government	Table D: Height Zone 10 Table E: Coverage Zone 15 Table C: FAR Zone 16
	S.A.R.	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan
	Existing public roads	Table D: Height Zone 5 Coverage: Not applicable FAR: Not applicable
	Proposed new roads and widening	Height: Not applicable Coverage: Not applicable FAR: Not applicable
Public Open Space	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan	
Height Zone 2 	Residential 1	Table D: Height Zone 10 Table E: Coverage Zone 5 Table C: FAR Zone 21
	Residential 2	Height: Schedule 4 Coverage: Schedule 4 FAR: Schedule 4
	Residential 3	Height: Schedule 3 Coverage: Schedule 3 FAR: Schedule 3

SCHEDULE 16: PART D		
AKASIA-SOSHANGUVE TOWN-PLANNING SCHEME, 1996: TABLE I, HEIGHT, COVERAGE, FAR AND DENSITY	TSHWANE TOWN-PLANNING SCHEME, 2008: HEIGHT ZONES OF TABLE D, COVERAGE ZONES OF TABLE E AND FLOOR AREA RATIO ZONES OF TABLE C	
	Business	Table D: Height Zone 10 Table E: Coverage Zone 15 Table C: FAR Zone 17
	Industrial 1	Table D: Height Zone 10 Table E: Coverage Zone 15 Table C: FAR Zone 17
	Industrial 2	Table D: Height Zone 10 Table E: Coverage Zone 15 Table C: FAR Zone 17
	Institution	Table D: Height Zone 10 Table E: Coverage Zone 15 Table C: FAR Zone 17
	Municipal	Table D: Height Zone 10 Table E: Coverage Zone 15 Table C: FAR Zone 17
	Agricultural	Table D: Height Zone 10 Table E: Coverage Zone 15 Table C: FAR Zone 21
	Public Garage	Table D: Height Zone 10 Table E: Coverage Zone 15 Table C: FAR Zone 17
	Government	Table D: Height Zone 10 Table E: Coverage Zone 15 Table C: FAR Zone 17
	S.A.R.	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan
	Existing public roads	Table D: Height Zone 5 Coverage: Not applicable FAR: Not applicable
	Proposed new roads and widening	Height: Not applicable Coverage: Not applicable FAR: Not applicable
	Public Open Space	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan
Height Zone 3 	Residential 1	Table D: Height Zone 10 Table E: Coverage Zone 5 Table C: FAR Zone 21
	Residential 2	Height: Schedule 4 Coverage: Schedule 4 FAR: Schedule 4
	Residential 3	Height: Schedule 3 Coverage: Schedule 3 FAR: Schedule 3
	Business	Table D: Height Zone 10 Table E: Coverage Zone 16 Table C: FAR Zone 18
	Industrial 1	Table D: Height Zone 10 Table E: Coverage Zone 16 Table C: FAR Zone 18
	Industrial 2	Table D: Height Zone 10 Table E: Coverage Zone 16 Table C: FAR Zone 18
	Institution	Table D: Height Zone 10 Table E: Coverage Zone 16 Table C: FAR Zone 18
	Municipal	Table D: Height Zone 10 Table E: Coverage Zone 16 Table C: FAR Zone 18

SCHEDULE 16: PART D		
AKASIA-SOSHANGUVE TOWN-PLANNING SCHEME, 1996: TABLE I, HEIGHT, COVERAGE, FAR AND DENSITY	TSHWANE TOWN-PLANNING SCHEME, 2008: HEIGHT ZONES OF TABLE D, COVERAGE ZONES OF TABLE E AND FLOOR AREA RATIO ZONES OF TABLE C	
	Agricultural	Table D: Height Zone 10 Table E: Coverage Zone 16 Table C: FAR Zone 21
	Public Garage	Table D: Height Zone 10 Table E: Coverage Zone 16 Table C: FAR Zone 18
	Government	Table D: Height Zone 10 Table E: Coverage Zone 16 Table C: FAR Zone 18
	S.A.R.	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan
	Existing public roads	Table D: Height Zone 5 Coverage: Not applicable FAR: Not applicable
	Proposed new roads and widening	Height: Not applicable Coverage: Not applicable FAR: Not applicable
	Public Open Space	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan
Height Zone 4 	Residential 1	Table D: Height Zone 10 Table E: Coverage Zone 5 Table C: FAR Zone 21
	Residential 2	Height: Schedule 4 Coverage: Schedule 4 FAR: Schedule 4
	Residential 3	Height: Schedule 3 Coverage: Schedule 3 FAR: Schedule 3
	Business	Table D: Height Zone 10 Table E: Coverage Zone 17 Table C: FAR Zone 19
	Industrial 1	Table D: Height Zone 10 Table E: Coverage Zone 17 Table C: FAR Zone 19
	Industrial 2	Table D: Height Zone 10 Table E: Coverage Zone 17 Table C: FAR Zone 19
	Institution	Table D: Height Zone 10 Table E: Coverage Zone 17 Table C: FAR Zone 19
	Municipal	Table D: Height Zone 10 Table E: Coverage Zone 17 Table C: FAR Zone 19
	Agricultural	Table D: Height Zone 10 Table E: Coverage Zone 17 Table C: FAR Zone 21
	Public Garage	Table D: Height Zone 10 Table E: Coverage Zone 17 Table C: FAR Zone 19
	Government	Table D: Height Zone 10 Table E: Coverage Zone 17 Table C: FAR Zone 19
	S.A.R.	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan
	Existing public roads	Table D: Height Zone 5 Coverage: Not applicable FAR: Not applicable

SCHEDULE 16: PART D		
AKASIA-SOSHANGUVE TOWN-PLANNING SCHEME, 1996: TABLE I, HEIGHT, COVERAGE, FAR AND DENSITY	TSHWANE TOWN-PLANNING SCHEME, 2008: HEIGHT ZONES OF TABLE D, COVERAGE ZONES OF TABLE E AND FLOOR AREA RATIO ZONES OF TABLE C	
	Proposed new roads and widening	Height: Not applicable Coverage: Not applicable FAR: Not applicable
	Public Open Space	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan
Height Zone 5 	Residential 1	Table D: Height Zone 10 Table E: Coverage Zone 5 Table C: FAR Zone 21
	Residential 2	Height: Schedule 4 Coverage: Schedule 4 FAR: Schedule 4
	Residential 3	Height: Schedule 3 Coverage: Schedule 3 FAR: Schedule 3
	Business	Table D: Height Zone 10 Table E: Coverage Zone 18 Table C: FAR Zone 20
	Industrial 1	Table D: Height Zone 7 Table E: Coverage Zone 18 Table C: FAR Zone 14
	Industrial 2	Table D: Height Zone 10 Table E: Coverage Zone 18 Table C: FAR Zone 20
	Institution	Table D: Height Zone 10 Table E: Coverage Zone 18 Table C: FAR Zone 20
	Municipal	Table D: Height Zone 10 Table E: Coverage Zone 18 Table C: FAR Zone 20
	Agricultural	Table D: Height Zone 10 Table E: Coverage Zone 18 Table C: FAR Zone 21
	Public Garage	Table D: Height Zone 10 Table E: Coverage Zone 18 Table C: FAR Zone 20
	Government	Table D: Height Zone 10 Table E: Coverage Zone 18 Table C: FAR Zone 20
	S.A.R.	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan
	Existing public roads	Table D: Height Zone 5 Coverage: Not applicable FAR: Not applicable
	Proposed new roads and widening	Height: Not applicable Coverage: Not applicable FAR: Not applicable
	Public Open Space	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan

SCHEDULE 16: PART E	
AKASIA-SOSHANGUVE TOWN-PLANNING SCHEME, 1996: TABLES	TSHWANE TOWN-PLANNING SCHEME, 2008: TABLES
Table A	Table A : Building Restriction Areas
Table B	Not included

SCHEDULE 16: PART E	
AKASIA-SOSHANGUVE TOWN-PLANNING SCHEME, 1996: TABLES	TSHWANE TOWN-PLANNING SCHEME, 2008: TABLES
Table C	Schedule 1 : Building lines
Table D	Schedule 1 : Building lines
Table E	Table B : Use of Building and Lands
Table F	Clause 19 : Detrimental Soil Conditions
Table G	Table G : Parking Requirements
Table H	Schedule 6 : Minimum erf sizes
Table I	Table C : Floor Area Ratio (F.A.R.)
Table I	Table D : Height of buildings
Table I	Table E : Coverage

SCHEDULE 17**CONVERSION TABLE: CENTURION TOWN-PLANNING SCHEME, 1992
TO TSHWANE TOWN-PLANNING SCHEME, 2008**

SCHEDULE 17: PART A	
CENTURION TOWN-PLANNING SCHEME, 1992: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>ADMINISTRATOR</p> <p>Means the official as defined in the Ordinance.</p>	<p>PREMIER</p> <p>Means the head of the Executive Council of the Gauteng Provincial Government.</p>
<p>ADVERTISEMENT</p> <p>Also means any advertising sign or name plate of a permanent nature at any place to which the public has access but does not include a brass name plate.</p>	<p>SIGN</p> <p>Means an advertising sign as defined in the City of Tshwane Metropolitan Municipality: By-laws for the Control of Outdoor Advertising, 2006, as amended from time to time.</p>
<p>AFTER-SCHOOL CENTRE</p> <p>Means a centre for the care of more than 6 (six) school children after school or during school holidays.</p>	<p>PLACE OF CHILD CARE</p> <p>Means land and buildings used for the admission, protection and temporary or partial care of more than six children up to the age of 18 years away from their parents, but does not include a boarding school, school hostel, institution or place of instruction. Depending on its registration, a place of child care can admit babies, toddlers, pre-school aged children and school-going children on a full day or other basis and may include pre-primary school education.</p>
<p>AGRICULTURAL HOLDING</p> <p>Means land that has been registered in terms of the Agricultural Holdings (Transvaal) Registration Act, (Act 22 of 1919).</p>	<p>AGRICULTURAL HOLDING</p> <p>Means land as laid out in terms of the Agricultural Holdings (Transvaal) Registration Act, (Act 22 of 1919.)</p>
<p>AGRICULTURAL INDUSTRY</p> <p>Means any farming activity that is performed on such a scale and with such intensity that it could in the opinion of the Local Authority possibly cause a nuisance.</p>	<p>AGRICULTURAL INDUSTRY</p> <p>Means any farming activity such as pig and poultry farming and cattle feeding lots, that is performed on such a scale and with such intensity that it could in the opinion of the Municipality possibly cause a nuisance in respect of noise, smells, waste and effluent.</p>
<p>AGRICULTURAL PURPOSE</p> <p>Means land used for farming but does not include an agricultural industry.</p>	<p>AGRICULTURE</p> <p>Means land and buildings used for any bona fide farming activities such as inter alia market gardens, game farming, cattle and sheep farming, bee farming, bird breeding, plant nursery, plantations, aquaculture and orchards and activities normally regarded as incidental thereto, but excludes abattoirs, cattle feeding lots, poultry farming and pig farming.</p>
<p>ANIMAL BOARDING PLACE</p> <p>Means a property that is used for the temporary boarding and grooming of dogs and other pets.</p>	<p>ANIMAL BOARDING PLACE</p> <p>Means land and buildings used for the boarding, breeding and grooming of dogs, cats and domestic animals and may include the sale of products related to the main use subject to the Municipality's relevant By-laws and Regulations.</p>
<p>ANNEXURE</p> <p>Means those documents that contain terms relating to special rights and conditions that are applicable to</p>	<p>ANNEXURE T</p> <p>Means the set of documents showing details of rights permitted and conditions imposed on certain erven and</p>

SCHEDULE 17: PART A	
CENTURION TOWN-PLANNING SCHEME, 1992: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
those properties indicated on the map by circled numbers (0), which annexure(s) from an integral part of the scheme and have the same force of law – with the proviso that in the case of a dispute between the conditions of Part I to Part VIII and any conditions that are contained in the annexure(s) the conditions of the annexure(s) will be decisive; and provided further that the conditions contained in Part I to VIII in respect of the possible relaxation of the building lines, building restriction areas, height, coverage and FAR apply to all erven and sites that are referred to in the annexure unless they are specifically excluded.	land marked with a black number within a black circle on the Map 3 which rights and conditions shall prevail over any other clause or provision of the Scheme except that if rights and conditions are not stipulated the provisions of the Scheme Clauses shall apply.
BAKERY Means a building where bread, rusks, tarts, rolls, pies and other flour-baked products are manufactured in bulk for distribution to wholesalers or retailers.	BAKERY Means land and buildings where bread, rusks, tarts, rolls, pies and other flour-baked products are manufactured in bulk for distribution to wholesale trade, shops and warehouses.
BANK Means a public company provisionally or finally registered as a Deposit-taking Institution in terms of the Deposit-taking Institutions Act No. 94 of 1990, and also includes an instant bank and automatic teller machines.	BANK Means a public company provisionally or finally registered as a Deposit-taking Institution in terms of the Deposit-taking Institutions Act, 1990 (Act 94 of 1990) and also includes an instant bank and automatic teller machines.
BASEMENT Means any storey below the ground survey.	BASEMENT Means any portion of a building complying with the provisions of Clause 9(5) and 12(2)(c), the floor of which is 2 m or more below the mean natural ground level of the ground covered by the building, and of which no part of the ceiling is more than 1 m above such mean level.
BUILDERS YARD Means land or buildings that are being used on a permanent basis for the storage or sale of materials that: (a) is required for building work or is usually required for building work; or (b) has been obtained from demolitions or excavations; or (c) is required or is usually required for improvements on land, such as material that is used for any building work, whether for public or private purposes; Provided that the sale of material outside a building may only take place with the consent of the Local Authority.	BUILDER'S YARD Means land and buildings that are used for the storage and sale of building materials and equipment that: (1) are required for building works; or (2) have been obtained from demolitions or excavations; or (3) are required or are usually required for improvements on land, such as material that is used for any building work, whether for public or private purposes.
BUILDING Means a structure with a roof.	BUILDING Means a building as defined in the National Building Regulations and Building Standards Act, 1977.
BUILDING LINE Means a line that demarcates the building restriction area and is a fixed distance from the boundary of a	BUILDING LINE Means an imaginary line on a property that demarcates the building restriction area and is at a fixed distance from

SCHEDULE 17: PART A	
CENTURION TOWN-PLANNING SCHEME, 1992: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
stand or property.	any boundary of such property.
BUILDING RESTRICTION AREA Means an area on a stand or property where no building, except as permitted by the scheme, may be erected and which is bounded on one side by a building line and on the other side by a boundary of an erf or property and also includes open spaces.	BUILDING RESTRICTION AREA Means the area on a property where no building, except as permitted by the scheme, may be erected and which is bounded on one side by a building line and on the other side by a boundary of the property and also includes open spaces or as indicated in an Annexure T to the Scheme.
BUILDING SOCIETY A Mutual Building Society as defined in Section 1 of the Mutual Building Societies Act, No. 24 of 1965 and also includes automatic teller machines.	BUILDING SOCIETY A Mutual Building Society as defined in Section 1 of the Mutual Building Societies Act, 1965 (Act 24 of 1965) and also includes automatic teller machines.
BY-LAWS Means the by-laws of the Local Authority.	BY-LAWS Means the Municipality by-laws in force in the area of the Scheme.
CAFETERIA Means a building or part of a building used for the preparation of food and non-alcoholic beverages for the exclusive use of the employees of a concern.	CAFETERIA Means a building or part of a building used for the preparation and sale of food and refreshments for the exclusive use of the employees (or in a building) and their guests or patrons of the building provided it is ancillary and subservient to the main use on the same property.
CAMPING SITE Means land which has ablution and washing-up facilities that is used for the temporary housing of people and which may include any other suitable use as approved by the Local Authority.	CAMPING SITE Means land and buildings used for transient guests for the overnight accommodation of caravans, motor homes and tents and may include ablution facilities, caretaker's flat, communal kitchen and ancillary and subservient shops and other related buildings.
CARAVAN PARK Means a property where temporary accommodation is provided for persons with caravans and where drinking water, fire places and ablution blocks as well as any other applicable facilities as approved by the Local Authority are available.	CAMPING SITE Means land and buildings used for transient guests for the overnight accommodation of caravans, motor homes and tents and may include ablution facilities, caretaker's flat, communal kitchen and ancillary and subservient shops and other related buildings.
CAR WASH Means the use of an area on a site for the washing, polishing and cleaning of cars.	CAR WASH Means land and buildings used for the washing, polishing and cleaning of vehicles by means of mechanical apparatus or by hand.
COMMUNITY HALL Means a building that is used for cultural activities, social gatherings, meetings and recreational purposes which are not primarily operated for profit and includes among others a non-residential club but does not include a place of amusement.	SOCIAL HALL Means land and buildings used for, inter alia, social and cultural gatherings, recreation activities, wedding receptions, fairs, bazaars and a non-residential club but does not include a place of amusement and place of refreshment.
CONFECTIONERY The activity where bread, biscuits, tarts, rolls, pies or other flour baked products are baked or made for sale	CONFECTIONERY Means land and buildings where bread, biscuits, tarts, rolls, pies or other flour (baked) products are baked or

SCHEDULE 17: PART A	
CENTURION TOWN-PLANNING SCHEME, 1992: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
and consumption on or use away from the business premises, or on a retail basis.	(made) prepared for the sale and/or consumption on the premises, but does not include wholesale or distribution.
<p>COVERAGE</p> <p>Means the percentage area of an erf or property that is covered by buildings seen vertically from the air, measured across the outside walls but does not include the following:</p> <p>(a) a veranda, stoep or balcony that:</p> <p style="margin-left: 40px;">[i] is not screened off;</p> <p style="margin-left: 40px;">[ii] is screened off by a parapet not exceeding 1,2 m, by a wire mesh screen or trellis-work;</p> <p>(b) a lean-to or carport or canopy (lapa), with open sides of which the surface area does not exceed 50 square metres;</p> <p>(c) a structure that does not have a roof;</p> <p>(d) normal roof overhangs not exceeding 1 m.</p>	<p>COVERAGE</p> <p>Means the percentage area of a property including any servitude area covered by the roofed area of all buildings as seen vertically from above but does not include a structure or building that has no roof.</p>
<p>CRÈCHE/ (PLACE OF CARE)</p> <p>Means a property that is used for the care of more than 6 (six) children under the age of 3 (three) years during the day or part of the day, all days or only certain days of the week.</p>	<p>PLACE OF CHILD CARE</p> <p>Means land and buildings used for the admission, protection and temporary or partial care of more than six children up to the age of 18 years away from their parents, but does not include a boarding school, school hostel, institution or place of instruction. Depending on its registration, a place of child care can admit babies, toddlers, pre-school aged children and school-going children on a full day or other basis and may include pre-primary school education.</p>
<p>DISTRIBUTION CENTRE</p> <p>Means a warehouse or other building from where goods are distributed and includes a transport depot.</p>	<p>DISTRIBUTION CENTRE</p> <p>Means a warehouse or other building from where goods are distributed and includes a transport depot.</p>
<p>DWELLING-HOUSE</p> <p>Means a dwelling-unit on an erf.</p>	<p>DWELLING-HOUSE</p> <p>Means a single dwelling-unit on property zoned "Residential 1", "Agricultural" and "Undetermined."</p>
<p>DWELLING-UNIT</p> <p>Means an interconnected suite of rooms designed for habitation of which at least one is habitable and includes an single kitchen and separate toilet facilities.</p>	<p>DWELLING-UNIT</p> <p>Means a self contained suite of rooms mutually connected and consisting of habitable room(s), a bathroom(s), toilet(s) and not more than one kitchen without the permission of the Municipality for the purpose of residence by a single family, or a single person or two unmarried persons and may include outbuildings which are ancillary and subservient to the dwelling-unit and may include a Home Enterprise subject to Schedule 9.</p>
<p>ERF</p> <p>Means a registered property as described in the Ordinance.</p>	<p>ERF</p> <p>Means an erf as defined in the Ordinance and the Gauteng Planning and Development Act, 2003 and includes any resultant portion of an erf obtained through subdivision of such an erf.</p>

SCHEDULE 17: PART A	
CENTURION TOWN-PLANNING SCHEME, 1992: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>EXISTING BUILDING</p> <p>Means a building that was erected in accordance with plans approved by the Local Authority and which is otherwise legal and of which the building work was:</p> <p>(a) completed on or before the fixed date; or</p> <p>(b) started before the fixed date, but was only completed after that date; or</p> <p>(c) completed in accordance with the conditions set by the Local Authority before the fixed date, while the Scheme was being prepared and before it had been proclaimed.</p>	<p>EXISTING BUILDING</p> <p>Means respectively a building or work erected or carried out before the relative date set out in the definition of "Existing Use" and includes a building or work,</p> <p>(1) erected or carried out in pursuance of a contract made before the relevant date given in the definition of "Existing Use",</p> <p>(2) begun before, but completed after, the said date,</p> <p>(3) erected or carried out in accordance with the terms of any permission granted by the Municipality before the said date:</p> <p>Provided that, notwithstanding the afore-mentioned definition the Municipality may refuse to regard any building or work which was the subject of a prohibition or instruction as contemplated in Section 43 of the Ordinance as an existing building or an existing work.</p>
<p>EXISTING STAND</p> <p>Means a stand or any subdivision thereof that was registered before the fixed date.</p>	<p>EXISTING ERF</p> <p>Means any erf as defined in the Ordinance and the Gauteng Planning and Development Act, 2003 and includes any portion of an erf in the areas mentioned in the definition of "Existing Use".</p>
<p>FACTORY</p> <p>Means premises or a building where an article or part of an article is manufactured, mounted, processed, repaired, rebuilt or packed, including places where livestock are slaughtered and electricity is generated and includes any other activities connected to or incidental to the activities mentioned herein.</p>	<p>INDUSTRY</p> <p>Means land and buildings where a product or part of a product is manufactured, mounted, processed, repaired, rebuilt or packed, including a power station and incinerator plant and may include a cafeteria and a caretaker's flat and any other activities connected to or incidental to the activities mentioned herein, excluding noxious industries, light industries and retail industries.</p>
<p>FAMILY</p> <p>Means a man and/or a woman with his or her or their children and/or their parents who live together.</p>	<p>FAMILY</p> <p>Means the following people that live together:</p> <p>(1) a married couple with or without their parents and/or their children; or</p> <p>(2) a single person with his/her parents and/or his/her children; or</p> <p>(3) brothers and sisters; or</p> <p>(4) a single person with his/her grandparents and/or his/her grandchildren; or</p> <p>(5) grandparents with their grandchildren.</p>
<p>FIXED DATE</p> <p>Means the date on which the Local Authority gave notice in the Provincial Gazette that this scheme has been approved.</p>	<p>FIXED DATE</p> <p>Means the date on which the Municipality gave notice in the Provincial Gazette that this scheme has been approved.</p>

SCHEDULE 17: PART A	
CENTURION TOWN-PLANNING SCHEME, 1992: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>FLOOD LINES</p> <p>Means the flood lines referred to in Article 169 A(1)(a) of the Water Act No. 54 of 1956 and any amendments thereto.</p>	<p>FLOOD LINES</p> <p>Means the flood lines as defined in Section 144 of the National Water Act, 1998 (Act 36 of 1998), including any other flood lines that the Municipality may require.</p>
<p>FLOOR AREA</p> <p>Means the sum total of the areas of each storey of a building with the exclusion of the following:</p> <p>(a) stairs and passages for common use;</p> <p>(b) parking places;</p> <p>(c) accommodation for the lift motor and other mechanical or electronic equipment and storage space for cleaning apparatus and cleaning material for a building;</p> <p>(d) a veranda, stoep or balcony that:</p> <p style="padding-left: 20px;">(i) is not screened off;</p> <p style="padding-left: 20px;">(ii) is screened off by a parapet not exceeding 1,2 m or by a wire mesh screen or trelliswork.</p>	<p>GROSS FLOOR AREA</p> <p>The gross floor area of a building is determined by multiplying the area of the property by the FAR, for eg. 1 000 m² x 0,4 = 400 m²: Provided that certain floor areas can be deducted from the calculation of gross floor area as provided in Schedule 7.</p>
<p>FLOOR AREA RATIO</p> <p>Means the ratio that is obtained by dividing the floor area of a building by the total area of the property on which the building or buildings are or will be erected, that is,</p> <p>FAR = $\frac{\text{floor area of a building}}{\text{Total area of the property}}$.</p>	<p>FLOOR AREA RATIO</p> <p>Means the ratio of the Gross Floor Area of a building to the total area of the property, including any servitudes, on which such building is erected or is to be erected, i.e. FAR = Gross Floor Area divided by Area of property.</p>
<p>FUNERAL UNDERTAKER</p> <p>Means property that is used for the making of funeral arrangements and includes a shop, showrooms, offices, storage space, refrigeration rooms and funeral parlour that is exclusively used for the sale, exhibition, storage, care and administrative control of those articles and supplies that are usually associated with a funeral but does not include a monumental masonry or a crematorium.</p>	<p>FUNERAL UNDERTAKER</p> <p>Means land and buildings used for the administration of funeral arrangements including showrooms, offices, storage space, refrigeration rooms, funeral parlour for the preparation and viewing of the dead, waiting room and the sale of flowers, coffins, gravestones and other related products as well as a display area for gravestones, but excludes a crematorium, a chapel or church.</p>
<p>GROSS LEASABLE FLOOR AREA (GLA)</p> <p>Means the floor area that has been designed or is suitable for occupation by a renter, measured from the centre line of the communal partitions and the outside surface of the external walls, expressed in square metres, but does not include communal areas, such as lifts, fire escapes, toilets and passages.</p>	<p>GROSS FLOOR AREA</p> <p>The gross floor area of a building is determined by multiplying the area of the property by the FAR, for eg. 1 000 m² x 0,4 = 400 m²: Provided that certain floor areas can be deducted from the calculation of gross floor area as provided in Schedule 7.</p>
<p>GROUND LEVEL</p> <p>Means the average level between the highest and lowest point of any property.</p>	<p>NATURAL GROUND LEVEL</p> <p>Means the natural level of a property before any excavations or filling takes place and is the level which is used for measuring the height of a building.</p>

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CENTURION TOWN-PLANNING SCHEME, 1992: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>GROUND STOREY</p> <p>Means that storey of which the floor is at ground level.</p>	<p>GROUND STOREY</p> <p>Means that storey on the ground floor.</p>
<p>GROUP HOUSING</p> <p>Means a group of residential units on stands that have been designed to form a harmonious whole and that can be held by separate title.</p>	<p>Not included.</p>
<p>GUEST-HOUSE</p> <p>A commercial accommodation establishment of not more than 16 bedrooms and which can include a dining and conference facility for the exclusive use of the resident guests.</p>	<p>GUEST-HOUSE</p> <p>Means a dwelling-unit, excluding a Home Enterprise, consisting of not more than 16 bedrooms for a maximum of 32 guests, a dining-room, lounge, bar and may include ancillary and subservient facilities for the exclusive use of such guests and which shall be managed by the owner or manager who shall reside on the same property.</p>
<p>GYMNASIUM</p> <p>Means a building where people exercise with or without exercise apparatus.</p>	<p>FITNESS CENTRE</p> <p>Means a building where people exercise with or without exercise apparatus.</p>
<p>HEIGHT</p> <p>Means the height of a building expressed in terms of the number of stories.</p>	<p>HEIGHT</p> <p>Means the height of any part of a building as measured vertically from the natural ground level of the footprint of the building to the highest point of the building as indicated on the diagrams in Clause 26.</p>
<p>HOME INDUSTRY</p> <p>Means any manufacturing done on a small scale with the permission of the Local Authority in a residential zone.</p>	<p>HOME ENTERPRISE</p> <p>Means the practice of an activity, business, hobby or occupation in a dwelling-unit excluding a commune, a guest-house, a block of tenements, a boarding house, hostel and hotel, with the aim of deriving an income therefrom subject to Schedule 9.</p>
<p>HOTEL</p> <p>Means a building that has been registered as a hotel in terms of Section 1 of the Hotels Act (Act 70 of 1965), or any amendment thereof.</p>	<p>HOTEL</p> <p>Means a building that has been registered as a hotel in terms of Section 1 of the Hotels Act, 1965 (Act 70 of 1965), or any amendment thereof and may include a conference centre and a place of refreshment and ancillary and subservient uses required in terms of the afore-mentioned Act.</p>
<p>INDUSTRY</p> <p>Means a factory as defined by the Physical Planning Act (Act 88 of 1967), including offices and a cafeteria that is used in conjunction with it.</p>	<p>INDUSTRY</p> <p>Means land and buildings where a product or part of a product is manufactured, mounted, processed, repaired, rebuilt or packed, including a power station and incinerator plant and may include a cafeteria and a caretaker's flat and any other activities connected to or incidental to the activities mentioned herein, excluding noxious industries, light industries and retail industries.</p>
<p>INSTITUTION</p> <p>Means a charitable organisation, hospital, nursing home, sanitarium or any other institution, whether private or public, but does not include institutions where</p>	<p>INSTITUTION</p> <p>Means land and buildings, whether public or private, designed or used as a charitable institution, national government institution, provincial institution, municipal</p>

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CENTURION TOWN-PLANNING SCHEME, 1992: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
dwelling-units or any share in it are sold.	institution, hospital, nursing home and clinic for the care or treatment of humans.
<p>LIGHT INDUSTRY</p> <p>Means an industry that is conducted in such a way that it does not, in the opinion of the Local Authority, cause a nuisance to the environment.</p>	<p>LIGHT INDUSTRY</p> <p>Means land and buildings used for, inter alia, a bakery, a builder's yard, a car wash, a contractor's yard, dry-cleaners, carpet cleaners, joinery workshop, launderette, laundry, lawnmower workshop, painter's workshop, plumber's workshop, printing workshop, transport depot, panel-beater, motor workshops, a ready-mix plant and any other such industries, workshops or yards which in the opinion of the Municipality do not cause a nuisance to the environment, may be used for similar purposes and may include the retail sale of products ancillary and subservient to the main use on the same property.</p>
<p>LOCAL AUTHORITY</p> <p>Means the Town Council of Centurion, the Town Council's Management Committee, acting under the powers dele-gated to it in terms of Section 58 of the Local Government [Administration and Election] Ordinance 1960 and any official to whom the Committee has been empowered in terms of Sub-section 3 of said section to delegate and has in fact delegated the powers, functions and duties vesting in the Council.</p>	<p>LOCAL AUTHORITY</p> <p>Means the City of Tshwane Metropolitan Municipality.</p>
<p>MAP</p> <p>Means a map as defined in the regulations and which forms an integral part of the scheme, including any amendments to it.</p>	<p>MAP</p> <p>Means a map as defined in the Regulations of the Ordinance and which forms part of the Scheme including any amendment thereto.</p>
<p>MEDICAL SUITE</p> <p>Means a set of rooms where a practitioner delivers medical services to people irrespective if such a practitioner has been registered with the South African Medical and Dental Board.</p>	<p>MEDICAL CONSULTING ROOMS</p> <p>Means land and buildings used for medical and dental practitioners including general practitioners, medical specialists, pathologists, radiologists, dentists, ophthalmologists and similar uses such as special therapists, psychiatrists and may include a dispensing chemist which does not exceed 36 m² but does not include the uses which are included under the definition of Institution.</p>
<p>MOBILE DWELLING-UNIT</p> <p>Means a dwelling-unit that can be moved.</p>	<p>MOBILE DWELLING-UNIT</p> <p>Means a dwelling-unit that can be moved.</p>
<p>MOBILE DWELLING-UNIT STAND</p> <p>Means land meant for the placing of one mobile dwelling-unit and the permissible additional structures for the exclusive use of the occupants of such mobile dwelling-unit.</p>	<p>MOBILE DWELLING-UNIT STAND</p> <p>Means land meant for the placing of one mobile dwelling-unit and the permissible additional structures for the exclusive use of the occupants of such mobile dwelling-unit.</p>
<p>MOTOR CAR SHOWROOM</p> <p>Means a building or land that is used for the display and sale of motor vehicles but does not include a motor-car scrap yard or a public garage.</p>	<p>VEHICLE SALES SHOWROOM</p> <p>Means the display and sale of vehicles in a building only but does not include a scrap yard, public garage or vehicle sales mart or motor dealership.</p>

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CENTURION TOWN-PLANNING SCHEME, 1992: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>NOXIOUS INDUSTRY</p> <p>Means an industry that by virtue of noise, smells or effluent:</p> <p>(a) presents a danger to the health of the public; or (b) causes a nuisance; or (c) can cause pollution of the air, water or soil.</p>	<p>NOXIOUS INDUSTRY</p> <p>Means land and buildings used for any use included in the list in Schedule 8 together with any living accommodation required for a caretaker and includes any other use on the same site, which is necessary in connection with the primary use.</p>
<p>NURSERY</p> <p>Means a business where plants or seeds are grown or cultivated and includes the sale of associated products or items related to horticulture. The sale of building material such as sand, bricks, poles and thatching material is excluded from the definition.</p>	<p>PLANT NURSERY</p> <p>Means land and buildings used for the storage and cultivation of plants, bulbs and seed for distribution and sale to shops or garden centres and may include the retail sale to the public on the property.</p>
<p>NURSERY SCHOOL</p> <p>Means a building that is used for the care and education of more than 6 (six) children of 3 (three) years and older who have not yet reached compulsory school going age, during the day or part of a day or all or only certain days of the week and which has been registered as a nursery school at the appropriate authority.</p>	<p>PLACE OF CHILD CARE</p> <p>Means land and buildings used for the admission, protection and temporary or partial care of more than six children up to the age of 18 years away from their parents, but does not include a boarding school, school hostel, institution or place of instruction. Depending on its registration, a place of child care can admit babies, toddlers, pre-school aged children and school-going children on a full day or other basis and may include pre-primary school education.</p>
<p>OCCUPANT</p> <p>Means any person actually occupying a building or ground irrespective of whether such occupation is legal or not.</p>	<p>OCCUPANT</p> <p>Shall include any person in actual occupation of any land, or building or structure or premises without regard to the title under which he occupies, and in the case of premises subdivided and let to lodgers, various tenants, shall include the person receiving the rent payable by the lodgers or tenants whether on his own account or as agent for any person entitled thereto or interested therein and includes the agent of any person absent from the area or whose whereabouts is unknown.</p>
<p>OFFICE</p> <p>Means any building or part of a building where mainly professional, clerical or administrative work is performed.</p>	<p>OFFICE</p> <p>Means land and buildings or part of a building used for professional, clerical, administrative, management, marketing and consulting services, but excludes a call centre, security and emergency response vehicles, courier services in post, parcels and money.</p>
<p>ORDINANCE</p> <p>Means the Town-planning and Townships Ordinance 1986 (No. 15 of 1986) as well as any amendment thereto.</p>	<p>ORDINANCE</p> <p>Means the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), as amended.</p>
<p>OUTBUILDING</p> <p>Means a building that in the opinion of the Local Authority is reasonably required for the use of a dwelling-unit but does not include any building or structure or any facility used by someone other than the occupier or his family or his employees.</p>	<p>OUTBUILDING</p> <p>Means a building(s) which has its own entrance or door and no inter leading door to the main building, which is attached or free standing from the main building on the same property and which may contain:</p> <p>(1) garages, storerooms, studios, exercise rooms, hobby</p>

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	<p>rooms, music room, washrooms and a Home Enterprise, etc.;</p> <p>(2) a squash court only with the permission of the Municipality; and</p> <p>(3) residential accommodation, which shall not exceed 20% of the floor area of the main building up to a maximum of 50 m² without the permission of the Municipality and which may consist of habitable rooms, bathroom(s) and only one kitchen:</p> <p>Provided that such outbuilding has a common vehicular access with the main building and it is for the purposes of only the occupants of the main building and their staff and the total gross floor area of such outbuilding(s) shall not exceed 40% of the gross floor area of the main building without the permission of the Municipality and such outbuildings shall not be leased to tenants or sold under sectional title.</p>
<p>OWNER</p> <p>With regards to property; means the registered owner as well as the lessee in terms of a long-term lease contract registered with the Deeds Office as well as the duly authorized agent of such owner or lessee and includes such owner's Executor, Curator, Liquidator or Judicial Manager.</p>	<p>OWNER</p> <p>Means in relation to land or a registered right in land, the person in whose name such land or right is registered, in a Deeds Registry in terms of the Deeds Registry Act, 1937 (Act 47 of 1937) and includes-</p> <p>(1) if the owner is deceased, the executor of the deceased estate;</p> <p>(2) if the estate of the owner has been sequestrated, the trustee of the insolvent estate;</p> <p>(3) if the owner is a company or other juristic person;</p> <p>(4) if the owner is a company or other juristic person that is being wound up, the liquidator thereof;</p> <p>(5) if the owner is under legal disability, the owner's legal representative;</p> <p>(6) the authorised representative of the owner; or</p> <p>(7) in the case of a road or public space under the control of the Municipality, that Municipality.</p>
<p>PANEL-BEATING</p> <p>Means the replacement, repair and spray-painting of the bodywork of motor vehicles.</p>	<p>PANEL-BEATER</p> <p>Means land and buildings used for the replacement, repair and spray-painting of the bodywork of motor vehicles.</p>
<p>PANHANDLE</p> <p>Means the access part of a panhandle erf.</p>	<p>PANHANDLE</p> <p>Means that portion of a property which is -</p> <p>(1) at least 3 m wide and not more than 8 m wide; and</p> <p>(2) used exclusively as an access to a public street.</p>

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CENTURION TOWN-PLANNING SCHEME, 1992: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>PANHANDLE ERF</p> <p>Means the improvable part of a stand that has access by means of a panhandle to a public road.</p>	<p>PANHANDLE PROPERTY</p> <p>Means an L-shaped property, consisting of a narrow portion, which is known as the panhandle and which abuts on a street, and a broader buildable portion.</p>
<p>PARKING AREA</p> <p>Means property that is used for the parking of motor vehicles.</p>	<p>PARKING SITE</p> <p>Means a property or part of a property, which is used solely for the parking of motor vehicles, excluding busses and trucks, not being for sale or trade and subject to Schedule 10.</p>
<p>PARKING GARAGE</p> <p>Means a building that is used for the parking of motor vehicles.</p>	<p>PARKING GARAGE</p> <p>Means a building designed or used for the parking of motor vehicles not being for trade or sale, and does not include a building any part of which is designed or used as a workshop for the repair of motor vehicles.</p>
<p>PICNIC AREA</p> <p>Means land used for the outdoor recreation and associated uses approved by the Local Authority.</p>	<p>PICNIC PLACE</p> <p>Means land used for outdoor recreation and associated uses such as picnics and braais.</p>
<p>PLACE OF AMUSEMENT</p> <p>Means a place that is used for entertainment and/or recreation with a view on making a profit and related uses.</p>	<p>PLACE OF AMUSEMENT</p> <p>Means land and buildings or a part of a building used for entertainment purposes such as a theatre, cinema, music hall, concert hall, table games, skating rink, dancing, amusement park, casino, electronic games, night club, an exhibition hall or sports arena/stadium used for live concerts or performances.</p>
<p>PLACE OF INSTRUCTION</p> <p>Means a place where pre-school, primary, secondary and tertiary education and/or training is offered as well as any form of education and/or training whether such instruction is offered on a full-time or part time basis, including accommodation with a view to such instruction;</p>	<p>PLACE OF INSTRUCTION</p> <p>Means land and buildings used as a school, college, technical institute, university, academy, lecture hall, monastery, convent, public library, art museum, museum, other educational centre including ancillary and subservient hostel for persons attending any one of the afore-mentioned.</p>
<p>PLACE OF PUBLIC WORSHIP</p> <p>Means buildings used for Public Worship and associated activities.</p>	<p>PLACE OF PUBLIC WORSHIP</p> <p>Means land and buildings used for a church, chapel, mosque, temple, synagogue, or other religious purposes and may include ancillary social and recreational purposes and one dwelling-unit on the same property, but shall not include a funeral parlour, wall of remembrance or cemetery.</p>
<p>PRIVATE OPEN SPACE</p> <p>Means land that is used for a private sport, play, rest and recreation ground to which the general public does not have right of access, except with permission.</p>	<p>PRIVATE OPEN SPACE</p> <p>Means Open Space to which the general public has no right of access.</p>
<p>PROPERTY</p> <p>Means any portion of land that has been registered as a separate unit in the Deeds Office.</p>	<p>PROPERTY</p> <p>Means any portion of land that has been registered as a separate unit in the Deeds Office.</p>

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CENTURION TOWN-PLANNING SCHEME, 1992: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>PUBLIC GARAGE</p> <p>Means a place where vehicles, spares for vehicles, fuel, lubricants and any accessories and other items are sold, repaired and vehicles are services but excludes panel beating and spray-painting.</p>	<p>PUBLIC GARAGE</p> <p>Means land and buildings used for the storage and retail sale of motor fuel and lubricants and one or more of the following uses:</p> <ol style="list-style-type: none"> (1) repair and servicing of vehicles, excluding panel beating or spray-painting; (2) sale of new and used vehicles; (3) a shop including a confectionery and take-away facility including a kitchen with a maximum gross floor area of 250 m², and (4) an automatic teller machine.
<p>PUBLIC OPEN SPACE</p> <p>Means land to which the general public has right of access and is indicated as park on the general plan.</p>	<p>PUBLIC OPEN SPACE</p> <p>Shall mean any Open Space as defined vested in the Municipality under Section 63 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) to which the general public has right of access</p>
<p>REGULATIONS</p> <p>Means the Town-planning and Township Regulations issued by the Premier in terms of the Ordinance.</p>	<p>REGULATIONS</p> <p>Means the Town-planning and Township Regulations issued by the Premier in terms of the Ordinance.</p>
<p>RESIDENTIAL BUILDINGS</p> <p>Means a boarding house, a club, a hotel and a hostel that is suitable for habitation.</p>	<p>RESIDENTIAL BUILDINGS</p> <p>Means a hotel, block of flats, tenements, boarding house and hostel together with such outbuildings as are ordinarily used therewith.</p>
<p>RESTAURANT</p> <p>Means a building where refreshments are prepared and sold to the public.</p>	<p>PLACE OF REFRESHMENT</p> <p>Means land and buildings used for the preparation, sale and consumption of refreshments on the property such as a restaurant, café, coffee shop, tea room, tea garden, sports bar, pub, bar and may include take-aways and a maximum of two table games, two dartboards, two electronic games, television screens and soft background music for the customers but excludes a place of amusement. The kitchen layout shall comply with the Municipality's health requirements.</p>
<p>RIDING SCHOOL</p> <p>Means a place where horse riders and horses are trained and includes related activities.</p>	<p>EQUESTRIAN SCHOOL</p> <p>Means a place where horses are stabled and horse riders and horses are trained and may include horse competitions with the permission of the Municipality.</p>
<p>SCHEDULE(S)</p> <p>Means the same as annexure as defined and is applicable to those properties indicated with an S on the map.</p>	<p>ANNEXURE T</p> <p>Means the set of documents showing details of rights permitted and conditions imposed on certain erven and land marked with a black number within a black circle on the Map 3 which rights and conditions shall prevail over any other clause or provision of the Scheme except that if rights and conditions are not stipulated the provisions of the Scheme Clauses shall apply.</p>

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CENTURION TOWN-PLANNING SCHEME, 1992: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>SCHEME AREA</p> <p>Means the area to which the scheme is applicable as indicated on the map.</p>	<p>SCHEME AREA</p> <p>Means the area to which the scheme is applicable as indicated on the map.</p>
<p>SCRAP YARD</p> <p>Means property used for the dismantling and/or storage and the trade in any form of scrap material that does not constitute an noxious industry.</p>	<p>SCRAP YARD</p> <p>Means land and buildings used as a junk yard or scrap yard for the dismantling, stacking, storing or preparation for resale of any used material, scrap metals, scrap vehicles, scrap machinery or other scrap material, whether or not such dismantling took place with the aim of disposal or re-use of such scrap.</p>
<p>SERVICE INDUSTRY</p> <p>Means a use that in the opinion of the Local Authority is a small scale activity related to the needs of the local community and/or the retail trade which will not adversely affect the amenity of the environment by noise, appearance, smells or any other activity.</p>	<p>RETAIL INDUSTRY</p> <p>Means, inter alia, catering, a confectionary, dress-making, and tailoring, engraving, instant printing and copying, jewellery manufacturing, photographic processing, picture framing, and screen printing; as well as the servicing and repair of air conditioners, audio equipment, basket ware and cane furniture, canvass goods and tents, bicycles, electronic equipment, domestic equipment, leather-works and shoes, office equipment, television and video equipment, upholstery, watches, weighing machines and window blinds, but does not include a Light Industry and the wholesale selling of goods.</p>
<p>SHOP</p> <p>Means a building or structure or part thereof used for the sale, delivery, packing or storage of goods and includes a café and a workshop associated with a subordinate to the main use but does not include a public garage.</p>	<p>SHOP</p> <p>Means land and buildings used for the purpose of retail trade directly to the public, including inter alia retail sale and display of products, "off-sales" facilities on properties licensed in terms of any liquor law, pet shops, a pharmacy, a confectionary, a take-away, swop shop, pawn shop and auctioneers business and includes a Retail Industry.</p>
<p>SHOWROOMS</p> <p>Means buildings, which are used for the display of goods.</p>	<p>SHOWROOM</p> <p>Means land and buildings designed or used only for display of products and materials and excludes the sale or delivery of such products or materials on the same property.</p>
<p>SPECIAL USE</p> <p>Means any use for which no provision has been made in the scheme.</p>	<p>SPECIAL USE</p> <p>Means land or buildings used for any purpose other than that herein defined.</p>
<p>STOREY</p> <p>Means each of the horizontal sections of a building, one above the other, with a floor in between, with the proviso that if any storey or part of a building exceeds 6 m on the</p> <p>ground floor and 4,5 m on all other stories, each 6 m on the ground floor and 4,5 m on all the other stories will be regarded as a storey, but does not include the following:</p> <p>(a) a basement;</p>	<p>STOREY</p> <p>Means that part of a building which is situated between the top of any floor and the top of the floor above it or if there be no floor above it that portion between such floor and the ceiling above it (any mezzanine floor, open work floor, catwalk or gallery being taken to be part of the storey in which it is situated).</p>

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(b) rooms, spaces or structures that form part of a roof and are not deemed to be floor space.	
STREET OR ROAD Means any street, road, bridge, subway, lane, thoroughfare, alleyway or right of way indicated on the general plan of a town or agricultural holdings to which the public or Local Authority has obtained the right of way by prescription or otherwise and includes any road or right of way within the area of jurisdiction of the Local Authority that is not indicated on the general plan.	STREET OR PUBLIC STREET Includes any street, road, or thoroughfare shown on the General Plan of a township, agricultural holding or other division of land or in respect of which the public have acquired a prescriptive or other right of way or zoned as Existing Street.
STRUCTURE Means a construction, permanent or temporary by nature, of any material or combination of materials, with or without a roof.	STRUCTURE Means a construction, permanent or temporary by nature, of any material or combination of materials, with or without a roof.
TELECOMMUNICATION MAST Means a mast which is designed for communication over a distance by means of telephone, radio, television etc.	TELECOMMUNICATION MAST Means a mast and a base station which is designed for communication over a distance by means of telephone, radio, television etc.
TRANSPORT DEPOT Means a place where vehicles used for cartage or transport services are parked, serviced, repaired and refueled.	TRANSPORT DEPOT Means land and buildings where vehicles used for cartage, transport services such as busses and trucks, security and emergency response vehicles, courier services in post, parcels and money or taxi services are parked, serviced, repaired and refuelled but excludes a transport terminus.
USE ZONE Means that part of the Scheme Area that has been indicated by means of a distinguishing notation or bordering or any other distinguishing way on the Map to indicate the use of the land.	USE ZONE Means that part of the Scheme Area that has been indicated by means of a distinguishing notation or bordering or any other distinguishing way on the Map to indicate the use of the land.
WAREHOUSE Means a building or ground that is used for the temporary storage of goods.	WAREHOUSE Means land and buildings designed or used as a storage depot in conjunction with a wholesale trading establishment or any other storage depot.
WHOLESALE TRADE Means the sale and provision of goods to retailers or the public.	WHOLESALE TRADE Means the sale and provision of goods to retailers or the public.
ZONE Means a part of the scheme area indicated by means of a distinctive notation, bordering or other distinctive way on the map to show the particular rights, responsibilities and restrictions on the erection and use of a building and/or ground.	ZONE Means that part of the Map which by distinctive colouring, hatching or edging or in some other manner indicates the restrictions imposed by this Scheme on the erection and use of buildings or the use of land.

SCHEDULE 17: PART B	
CENTURION TOWN-PLANNING SCHEME, 1992: CLAUSES	TSHWANE TOWN-PLANNING SCHEME, 2008: CLAUSES
Clause 1: Division of Scheme	Clause 3: Arrangement of the Scheme
Clause 2: Definitions	Clause 5: Definitions, and Schedule 17, Part A
Clause 3: Applicability of the Scheme: Clause 3(a) Clause 3(b) Clause 3(c)	Clause 38: Compliance with the Title Deeds and Conditions of Establishment. Clause 4: Transition arrangements between former Town-planning Schemes and this Scheme. Clause 1: Title of Scheme
Clause 4: Building plan, Site development plan and Aesthetic plan Clause 4(a): Aesthetic Plan	Clause 31: Site Development Plan and Landscape Development Plan Not included
Clause 5: Multipurpose use of buildings	Clause 13: Mixed Use of Buildings
Clause 6: Use of land for a temporary purpose	Clause 14(8)
Clause 7: Public open space	Not included
Clause 8: General conditions applicable to all property Clause 8(b) Clause 8(i) Clause 8(k) Clause 8(n)	Clause 18: General Conditions applicable to all property Clause 7(a) Clause not included. Clause 7(b) Clause 19(2)
Clause 9: Dolomitic Areas	Clause 19: Detrimental Soil Conditions
Clause 10: National and provincial roads	Schedule 1: Building lines, access and physical barriers
Clause 11: The practice of an occupation from a dwelling-unit	Schedule 9: Home Enterprise
Clause 12: Building restriction areas and building lines (Table A)	Clause 12: Building restriction areas and building lines (Table A) Clause 8: Building lines in new Townships and on subdivisions Clause 9: Building lines relative to streets Clause 10: Canopies in front of Building Lines
Clause 13: Erection of buildings within the building restriction area with consent from the Local Authority	Clause 12(2)(e)
Clause 14: Use of land (Table B)	Clause 14: Use of Buildings and land (Table B) and Schedule 17, Part C
Clause 15: Application for consent in respect of use of land	Clause 16: Consent Use Procedure
Clause 16: Consideration of application Clause 16(b)	Clause 16: Consent Use Procedure Not included
Clause 17: Lapsing of consent on use of land	Not included
Clause 18: Certain uses always subject to consent	Clause 14(6)
Clause 19: Open space	Table B: Use of Buildings and Land
Clause 20: General site development conditions	Not included
Clause 21: Conditions applicable to Residential 5 erven	Not included
Clause 22: Conditions applicable to Residential 1 erven of 750 m ² and smaller.	Clause 12: Building Restriction Areas Clause 20: Conditions Applicable To Residential 1 Erven
Clause 23: Children's Playground	Clause 14(3)(a)

SCHEDULE 17: PART B	
CENTURION TOWN-PLANNING SCHEME, 1992: CLAUSES	TSHWANE TOWN-PLANNING SCHEME, 2008: CLAUSES
Clause 24: Public Garages	Clause 24: Conditions Applicable to a Public Garage
Clause 25: Telecommunication Masts	Table B: Use of Buildings and Land
Clause 26: Home Industry	Schedule 9: Home Enterprise
Clause 27: Riding School or Animal Boarding Place	Table B: Use of Buildings and Land
Clause 28: Restriction of Number of Kitchens	Included in Definition of Dwelling-unit
Clause 29: Density Clause 29(a)	Clause 20: Conditions Applicable to Residential1 Erven Clause 25: Floor Area Ratio Clause 26: Height of Buildings Clause 27: Coverage, and Schedule 17, Part D
Clause 29(b)	Not included
Clause 29(c)	Clause 20(4)
Clause 29(d)	Not included
Clause 29(e) Additional Dwelling-unit	Clause 14(10)
Clause 30: Height and Coverage (Table C: Height, coverage and FAR)	Clause 26: Height of Buildings (Table D) Clause 27: Coverage (Table E) Clause 25: Floor Area Ratio (Table C)
Clause 31: Floor Area	Clause 25: Floor Area Ratio
Clause 32: Subdivision and Consolidation Clause 32(a) Clause 32(b) Clause 32(c) Clause 32(d) Clause 32(e) Clause 32(f)	Clause 20(2) Clause 21 Not included Not included Not included Clause 20(3)(b)
Clause 33: Parking (Table D)	Clause 28: Parking Requirements (Table G)
Clause 34: Aesthetic Requirements	Clause 30: Clause 30: Aesthetic Considerations
Clause 35: Access and Inspection	Clause 33: Access and Inspection
Clause 36: Serving of Notices	Clause 37: Serving of Notice
Clause 37: Contravention of the conditions of the Scheme	Clause 36: Contravention of the Scheme
Clause 38: Saving for Powers of The Local Authority	Clause 32: Overriding Rights of the Municipality
Clause 39: Short Title	Clause 39: Short Title

SCHEDULE 17: PART C	
CENTURION TOWN-PLANNING SCHEME, 1992: TABLE B, USE ZONES TABLE	TSHWANE TOWN-PLANNING SCHEME, 2008: TABLE B, USE ZONES TABLE
Use Zone I: Residential 1	Use Zone 1: Residential 1
Use Zone II: Residential 2	Use Zone 2: Residential 2
Use Zone III: Residential 3	Use Zone 3: Residential 3
Use Zone IV: Residential 4	Use Zone 4: Residential 4
Use Zone V: Residential 5	Use Zone 28: Special
Use Zone VI: Business 1	Use Zone 6: Business 1
Use Zone VII: Business 2	Use Zone 7: Business 2

SCHEDULE 17: PART C			
CENTURION TOWN-PLANNING SCHEME, 1992: TABLE B, USE ZONES TABLE		TSHWANE TOWN-PLANNING SCHEME, 2008: TABLE B, USE ZONES TABLE	
Use Zone VIII:	Business 3	Use Zone 8:	Business 3
Use Zone IX:	Business 4	Use Zone 9:	Business 4
Use Zone X:	Special	Use Zone 28:	Special
Use Zone XI:	Industrial 1	Use Zone 10:	Industrial 1
Use Zone XII:	Industrial 2	Use Zone 11:	Industrial 2
Use Zone XIII:	Commercial	Use Zone 12:	Commercial
Use Zone XIV:	Institution	Use Zone 14:	Institution
Use Zone XV:	Educational	Use Zone 13:	Educational
Use Zone XVI:	Amusement	Use Zone 28:	Special
Use Zone XVII:	Municipal	Use Zone 15:	Municipal
Use Zone XVIII:	Undetermined	Use Zone 19:	Undetermined
Use Zone XIX:	Agriculture	Use Zone 17:	Agricultural
Use Zone XX:	Public garage	Use Zone 18:	Public Garage
Use Zone XXI:	Parking	Use Zone 28:	Special
Use Zone XXII:	Public Open Space	Use Zone 20:	Public Open Space
Use Zone XXIII:	Private Open Space	Use Zone 21:	Private Open Space
Use Zone XXIV:	Cemetery	Use Zone 26:	Cemetery
Use Zone XXV:	Sewage Farm	Use Zone 27:	Infrastructure Works
Use Zone XXVI:	Aerodrome	Use Zone 24:	Aerodrome
Use Zone XXVII:	Government	Use Zone 16:	Government
Use Zone XXVIII:	S.A.R	Use Zone 25:	S.A.R
Use Zone XXIX:	Reservoir	Use Zone 27:	Infrastructure Works
Use Zone XXX:	Existing Roads	Use Zone 22:	Existing Streets
Use Zone XXXI:	Proposed Roads	Use Zone 23:	Proposed Streets and Widening
Use Zone XXXII:	General	Use Zone deleted	

SCHEDULE 17: PART D	
CENTURION TOWN-PLANNING SCHEME, 1992: TABLE C: HEIGHT, COVERAGE AND FAR	TSHWANE TOWN-PLANNING SCHEME, 2008: HEIGHT ZONES OF TABLE D, COVERAGE ZONES OF TABLE E AND FLOOR AREA RATIO ZONES OF TABLE C
Residential 1	Table D, Height Zone 10 Table E, Coverage Zone 5 Table C, FAR Zone 21
Residential 2	Table D, Height Zone 10 Table E, Coverage Zone 16 Table C, FAR Zone 21
Residential 3	Table D, Height Zone 9 Table E, Coverage Zone 16 Table C, FAR Zone 10
Residential 4	Table D, Height Zone 9 Table E, Coverage Zone 16 Table C, FAR Zone 10
Institution	Table D, Height Zone 9 Table E, Coverage Zone 15 Table C, FAR Zone 10

SCHEDULE 17: PART D	
CENTURION TOWN-PLANNING SCHEME, 1992: TABLE C: HEIGHT, COVERAGE AND FAR	TSHWANE TOWN-PLANNING SCHEME, 2008: HEIGHT ZONES OF TABLE D, COVERAGE ZONES OF TABLE E AND FLOOR AREA RATIO ZONES OF TABLE C
Churches	Table D, Height Zone 9 Table E, Coverage Zone 15 Table C, FAR Zone 10
Public Garage	Table D, Height Zone 9 Table E, Coverage Zone 16 Table C, FAR Zone 16
Business 1	Table D, Height Zone 5 Table E, Coverage Zone 17 Table C, FAR Zone 19
Business 2	Table D, Height Zone 7 Table E, Coverage Zone 17 Table C, FAR Zone 19
Business 3	Table D, Height Zone 9 Table E, Coverage Zone 17 Table C, FAR Zone 19
Business 4	Table D, Height Zone 10 Table E, Coverage Zone 17 Table C, FAR Zone 19
Commercial	Table D, Height Zone 7 Table E, Coverage Zone 16 Table C, FAR Zone 18
Industrial 1	Table D, Height Zone 7 Table E, Coverage Zone 17 Table C, FAR Zone 19
Industrial 2	Table D, Height Zone 7 Table E, Coverage Zone 15 Table C, FAR Zone 22

SCHEDULE 17: PART E	
CENTURION TOWN-PLANNING SCHEME, 1992: SCHEDULE: HEIGHT, COVERAGE AND FAR INDICATED BY MEANS OF AN ASTERISK IN THE RELEVANT SCHEDULE	TSHWANE TOWN-PLANNING SCHEME, 2008: HEIGHT ZONES OF TABLE D, COVERAGE ZONES OF TABLE E AND FLOOR AREA RATIO ZONES OF TABLE C
Residential 1	Table D, Height Zone 10 Table E, Coverage Zone 5 Table C, FAR Zone 21
Residential 2	Table D, Height Zone 10 Table E, Coverage Zone 16 Table C, FAR Zone 21
Residential 3	Table D, Height Zone 9 Table E, Coverage Zone 16 Table C, FAR Zone 10
Residential 4	Table D, Height Zone 9 Table E, Coverage Zone 16 Table C, FAR Zone 10
Business 1	Table D, Height Zone 5 Table E, Coverage Zone 17 Table C, FAR Zone 19
Business 2	Table D, Height Zone 7 Table E, Coverage Zone 17 Table C, FAR Zone 19
Business 3	Table D, Height Zone 9 Table E, Coverage Zone 17 Table C, FAR Zone 19
Business 4	Table D, Height Zone 10 Table E, Coverage Zone 17 Table C, FAR Zone 19

SCHEDULE 17: PART E	
CENTURION TOWN-PLANNING SCHEME, 1992: SCHEDULE: HEIGHT, COVERAGE AND FAR INDICATED BY MEANS OF AN ASTERISK IN THE RELEVANT SCHEDULE	TSHWANE TOWN-PLANNING SCHEME, 2008: HEIGHT ZONES OF TABLE D, COVERAGE ZONES OF TABLE E AND FLOOR AREA RATIO ZONES OF TABLE C
Industrial 1	Table D, Height Zone 7 Table E, Coverage Zone 17 Table C, FAR Zone 19
Industrial 2	Table D, Height Zone 7 Table E, Coverage Zone 15 Table C, FAR Zone 22
Special	As referred to in Annexure T
Commercial	Table D, Height Zone 7 Table E, Coverage Zone 16 Table C, FAR Zone 18
Institution	Table D, Height Zone 9 Table E, Coverage Zone 15 Table C, FAR Zone 10
Educational	Table D, Height Zone 9 Table E, Coverage Zone 15 Table C, FAR Zone 10
Municipal	Table D, Height Zone 7 Table E, Coverage Zone 5 Table C, FAR Zone 5
Undetermined	Table D, Height Zone 10 Table E, Coverage Zone 15 Table C, FAR Zone 21
Agricultural	Table D, Height Zone 10 Table E, Coverage Zone 5 Table C, FAR Zone 21
Public Garage	Table D, Height Zone 9 Table E, Coverage Zone 16 Table C, FAR Zone 16
Public Open Space	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan
Private Open Space	Table D, Height Zone 9 Table E, Coverage Zone 20 Table C, FAR Zone 21
Cemetery	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan
Sewage Farm	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan
Aerodrome	Table D, Height Zone 5 Table E, Coverage Zone 16 FAR: Site Development Plan
Government	Table D, Height Zone 5 Table E, Coverage Zone 5 Table C, FAR Zone 5
S.A.R.	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan
Reservoir	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan
Existing Roads	Table D, Height Zone 5 Coverage: Not applicable FAR: Not applicable
Proposed Roads	Height: Not applicable Coverage: Not applicable FAR: Not applicable

SCHEDULE 17: PART F			
CENTURION TOWN-PLANNING SCHEME, 1992: TABLES		TSHWANE TOWN-PLANNING SCHEME, 2008: TABLES	
Table A:	Building Restriction Areas and Building Lines	Table A:	Building Restriction Areas and Building Lines
Table B:	Use of Land	Table B:	Use of Buildings and Land
Table C:	Height, Coverage and FAR	Table C:	Floor Area Ratio
		Table D:	Height
		Table E:	Coverage
Table D:	Parking Requirements	Table G:	Parking Requirements

SCHEDULE 18**CONVERSION TABLE: PRETORIA TOWN-PLANNING SCHEME, 1974
TO TSHWANE TOWN-PLANNING SCHEME, 2008**

SCHEDULE 18: PART A	
PRETORIA TOWN-PLANNING SCHEME, 1974 DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008 DEFINITIONS
<p>AGRICULTURE</p> <p>Means 'bona fide' farming activities and activities normally regarded as incidental thereto.</p>	<p>AGRICULTURE</p> <p>Means land and buildings used for any bona fide farming activities such as inter alia market gardens, game farming, cattle and sheep farming, bee farming, bird breeding, plant nursery, plantations, aquaculture and orchards and activities normally regarded as incidental thereto, but excludes abattoirs, cattle feeding lots, poultry farming and pig farming.</p>
<p>AGRICULTURAL BUILDING</p> <p>Means a building designed or used for 'Agriculture'.</p>	<p>AGRICULTURAL BUILDING</p> <p>Means a building designed or used for Agricultural Purposes and may include a Dwelling-house.</p>
<p>AGRICULTURAL HOLDING</p> <p>Means land as laid out in terms of the Agricultural Holdings (Transvaal) Registration Act, No 22 of 1919.</p>	<p>AGRICULTURAL HOLDING</p> <p>Means land as laid out in terms of the Agricultural Holdings (Transvaal) Registration Act, 1919 (Act 22 of 1919).</p>
<p>ANNEXURE A</p> <p>Means the plan on which those building lines that are not indicated on the Primary Sheets or detailed in these Clauses are indicated and exceptions to the parking requirements in terms of Clause 25 are indicated.</p>	<p>ANNEXURE A</p> <p>Means the plan on which those building lines that are not indicated on the Primary Sheets or detailed in these Clauses are indicated and exceptions to the parking requirements in terms of Clause 28 are indicated.</p>
<p>ANNEXURE B</p> <p>Means the set of plans showing details of rights permitted and conditions imposed on certain erven and land marked with a green number within a green circle on the Map which rights and conditions shall prevail over any other clause or provision of the Scheme except that if rights and conditions are not stipulated the provisions of the Scheme Clauses shall apply.</p>	<p>ANNEXURE T</p> <p>Means the set of documents showing details of rights permitted and conditions imposed on certain erven and land marked with a black number within a black circle on the Map 3 which rights and conditions shall prevail over any other clause or provision of the Scheme except that if rights and conditions are not stipulated the provisions of the Scheme Clauses shall apply.</p>
<p>ANNEXURE C</p> <p>Means the plan showing certain areas referred to in Clause 4, 'Existing Use'; Clause 13(4); Clause 24, Proviso (g) to Table G.</p>	<p>Not included.</p>
<p>BASEMENT</p> <p>Means any portion of a building complying with the provisions of Clause 13(5), the floor of which is 2 m or more below the mean natural ground level of the ground covered by the building, and of which no part of the ceiling is more than 1 m above such mean level.</p>	<p>BASEMENT</p> <p>Means any portion of a building complying with the provisions of Clause 9(5) and 12(2)(c), the floor of which is 2 m or more below the mean natural ground level of the ground covered by the building, and of which no part of the ceiling is more than 1 m above such mean level.</p>
<p>BUILDING LINE</p> <p>Means an imaginary line on an erf or piece of land parallel to and at a fixed distance from any boundary of such erf or other portion of land.</p>	<p>BUILDING LINE</p> <p>Means an imaginary line on a property that demarcates the building restriction area and is at a fixed distance from any boundary of such property.</p>

SCHEDULE 18: PART A	
PRETORIA TOWN-PLANNING SCHEME, 1974 DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008 DEFINITIONS
<p>BUILDING RESTRICTION AREA</p> <p>Means the area of land situated between the side and rear boundary of an erf or other portion of land and the building line fixed in relation to such boundary or rear boundary, as set out respectively in columns 2 and 3 of Table B1 hereto.</p>	<p>BUILDING RESTRICTION AREA</p> <p>Means the area on a property where no building, except as permitted by the scheme, may be erected and which is bounded on one side by a building line and on the other side by a boundary of the property and also includes open spaces or as indicated in an Annexure T to the Scheme.</p>
<p>BUSINESS BUILDING</p> <p>Means a building used as an office, a financial institution, inter alia, a bank or building society, fitness centre, hairdresser, receiving depot for, inter alia, dry cleaning and shoe repairs, dental workshop or for other business purposes but does not include any building stated, whether by way of inclusion or exclusion in the definition of 'Institution' nor a building designed or used as a 'Place of Instruction', 'Place of Amusement', 'Shop', 'Public Garage', 'Parking Garage', 'Industry', 'Noxious Industry', 'Warehouse', 'Vehicle Sales Mart' or a factory or workshop.</p>	<p>BUSINESS BUILDING</p> <p>Means land and buildings used as an office, financial institution, fitness centre, hairdresser, receiving depot for dry-cleaning and shoe repairs, dental workshop, medical and dental consulting rooms, optometrist or for other business purposes such as inter alia beauty salon, pet salon, but does not include any building mentioned whether by way of inclusion or exclusion in the definition of Institution nor a building designed or used as a Place of Instruction, Place of Amusement, Shop, Public Garage, Parking Garage, Industry, Noxious Industry, Warehouse, Vehicle Sales Mart or a factory or workshop.</p>
<p>BY-LAWS</p> <p>Means the Municipality by-laws in force in the area of the Scheme.</p>	<p>BY-LAWS</p> <p>Means the Municipality by-laws in force in the area of the Scheme.</p>
<p>CITY COUNCIL</p> <p>Means the City Council of Pretoria.</p>	<p>MUNICIPALITY</p> <p>Means the City of Tshwane Metropolitan Municipality established and instituted in terms of Notice 6770 of 2000 promulgated in terms of Section 12(1) of the Local Government Structures Act, 1998 (Act 117 of 1998) as amended.</p>
<p>CANOPY</p> <p>Means a permanent roof-like projection or overhanging shelter.</p>	<p>CANOPY</p> <p>Means a permanent roof-like projection or overhanging shelter attached to a building.</p>
<p>COMMUNE</p> <p>Means a dwelling-house, where persons, other than in a family context, live together, but does not comprise a dwelling-house as described in the definition of 'dwelling-house'.</p>	<p>COMMUNE</p> <p>Means a building designed as a dwelling-house but used by not more than six persons for residential purposes and who share communal facilities, such as a kitchen, lounge, etc.: Provided that the outbuildings shall not be used for such accommodation and provided that a Home Enterprise shall not be exercised by any such occupant.</p>
<p>CRECHE</p> <p>Means a building and land used for the care, without compulsory educational standards, of a maximum of 19 preschool children.</p>	<p>PLACE OF CHILD CARE</p> <p>Means land and buildings used for the admission, protection and temporary or partial care of more than six children up to the age of 18 years away from their parents, but does not include a boarding school, school hostel, institution or place of instruction. Depending on its registration, a place of child care can admit babies, toddlers, pre-school aged children and school-going children on a full day or other basis and may include pre-primary school education.</p>

SCHEDULE 18: PART A	
PRETORIA TOWN-PLANNING SCHEME, 1974 DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008 DEFINITIONS
<p>DUPLEX DWELLING</p> <p>Means a suite of rooms forming a complete living-unit situate on two floors, having an internal staircase giving access to the upper floor, designed or used as a residence by a single householder with his and/or her household, contained in a building consisting of two or more such living-units, each having direct access to its own adjoining garden to the satisfaction of the City Council.</p>	<p>DUPLEX DWELLING</p> <p>Means a building consisting of two or more dwelling-units each of two storeys with an internal staircase.</p>
<p>DWELLING-HOUSE</p> <p>Means a suite of rooms forming a unit which is designed, intended or used for residential purposes by single family.</p>	<p>DWELLING-HOUSE</p> <p>Means a single dwelling-unit on property zoned "Residential 1", "Agriculture" and "Undetermined".</p>
<p>DWELLING-PLACE</p> <p>Means a "Dwelling-house", "Flat", "Duplex dwelling", "Dwelling-unit" and "Tenement", including the ancillary outbuildings, as well as a habitable room in a hotel, boarding house or retirement centre.</p>	<p>DWELLING-UNIT</p> <p>Means a self contained suite of rooms mutually connected and consisting of habitable room(s), a bathroom(s), toilet(s) and not more than one kitchen without the permission of the Municipality for the purpose of residence by a single family, or a single person or two unmarried persons and may include outbuildings which are ancillary and subservient to the dwelling-unit and may include a Home Enterprise subject to Schedule 9.</p>
<p>DWELLING-UNIT</p> <p>Means a suite or rooms, including a bathroom and a kitchen, forming a living-unit for a single household.</p>	<p>DWELLING-UNIT</p> <p>Means a self contained suite of rooms mutually connected and consisting of habitable room(s), a bathroom(s), toilet(s) and not more than one kitchen without the permission of the Municipality for the purpose of residence by a single family, or a single person or two unmarried persons and may include outbuildings which are ancillary and subservient to the dwelling-unit and may include a Home Enterprise subject to Schedule 9.</p>
<p>ERECTION OF A BUILDING</p> <p>Means, inter alia, the construction of, any addition to or structural alteration of, a building.</p>	<p>ERECTION OF A BUILDING</p> <p>Means, inter alia, the construction of, any addition to, or structural alteration of a building.</p>
<p>ERF</p> <p>Means an erf as defined in Ordinance 15 of 1986 and includes any resultant portion of an erf obtained through subdivision of such erf.</p>	<p>ERF</p> <p>Means an erf as defined in the Ordinance and the Gauteng Planning and Development Act, 2003 and includes any resultant portion of an erf obtained through subdivision of such an erf.</p>
<p>EXISTING BUILDING AND EXISTING WORK</p> <p>Means respectively a building or work erected or carried out before the relative date set out in the definition of 'Existing Use' and includes a building or work,</p> <p>(1) erected or carried out in pursuance of a contract made before the relevant date given in the definition of 'Existing Use',</p> <p>(2) begun before, but completed after, the said date,</p>	<p>EXISTING BUILDING</p> <p>Means respectively a building or work erected or carried out before the relative date set out in the definition of "Existing Use" and includes a building or work,</p> <p>(1) erected or carried out in pursuance of a contract made before the relevant date given in the definition of "Existing Use",</p> <p>(2) begun before, but completed after, the said date,</p>

SCHEDULE 18: PART A	
PRETORIA TOWN-PLANNING SCHEME, 1974 DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008 DEFINITIONS
<p>(3) erected or carried out in accordance with the terms of any permission granted by the City Council before the said date:</p> <p>Provided that, notwithstanding the afore-mentioned definition and notwithstanding Proviso (a)(ii) to Clause 17(1), the City Council may refuse to regard any building or work which was the subject of a prohibition or instruction as contemplated in Section 43 of the Ordinance 15 of 1986 as an existing building or an existing work, in which event Proviso (a)(ii) to Clause 17(1) shall not apply to such building.</p>	<p>(3) erected or carried out in accordance with the terms of any permission granted by the Municipality before the said date:</p> <p>Provided that, notwithstanding the afore-mentioned definition the Municipality may refuse to regard any building or work which was the subject of a prohibition or instruction as contemplated in Section 43 of the Ordinance 15 of 1986 as an existing building or an existing work.</p>
<p>EXISTING ERF</p> <p>Means any erf as defined in the Ordinance and includes any portion of an erf in the areas mentioned in the definition of 'Existing Use'.</p>	<p>EXISTING ERF</p> <p>Means any erf as defined in the Ordinance and includes any portion of an erf in the areas mentioned in the definition of "Existing Use".</p>
<p>EXISTING USE</p> <p>Means, subject to Section 41 of the Ordinance, the continuous lawful use of a building or land for the purpose for which it was erected or was lawfully being used before the date specified hereafter for each of the relevant areas:</p> <ol style="list-style-type: none"> (1) 29 November, 1944 bordered green on Annexure C but excluding (6) and (7) hereafter, (2) 20 August, 1947 bordered purple on Annexure C (Innesdale), (3) 19 April, 1950 bordered red on Annexure C (Pretoria North), (4) 22 October, 1952 bordered brown on Annexure C (Hercules), (5) 21 May, 1955 bordered yellow on Annexure C (Silverton), (6) 21 November 1956 that part of Muckleneuk township known as Bailey's Muckleneuk and that portion known as Muckleneuk of the farm Elandspoort 357 - JR (Map No 3, Pretoria Town-planning Scheme No 1/19), (7) 9 November, 1960 Colbyn township, Colbyn Extension No 1 township, Colbyn Extension No 2 township and certain portions of the farm Koedoespoort 325 - JR (Map No 3, Pretoria Town-planning Scheme No 1/30), (8) 21 December, 1960 that part of Pretoria Region Town-planning Scheme, 1960, in so far as it affects the area described in the Schedule to Proclamation No 133, dated 29 June 1964, bordered light blue on Annexure C, 	<p>EXISTING USE</p> <p>Means, subject to Section 43 of the Ordinance, the continuous lawful use of a building or land for the purpose for which it was erected or was lawfully being used.</p>

SCHEDULE 18: PART A	
PRETORIA TOWN-PLANNING SCHEME, 1974 DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008 DEFINITIONS
<p>(9) 6 January, 1971 those portions of the farms Franspoort 332 - JR and Pienaarspoort 339 - JR (Map No 3, Pretoria Region Amendment Scheme No 181), bordered black on Annexure C,</p> <p>(10) 7 November, 1973 part of Waterkloof Township (Map 3, Pretoria Amendment Scheme 1/298),</p> <p>(11) 20 November, 1974 Koedoespoort Industrial Township.</p> <p>and further, also the continuous lawful use of any building or land for any purpose which was lawful in terms of the Town-planning Scheme in operation at the date of the approval of the plans of such building by the City Council or at the date of the use of such land:</p> <p>Provided that:</p> <p>(1) The interruption of the existing use of a building or land at any time after the appropriate date for a period which exceeds fifteen months, shall be deemed to be an interruption of the continuous use,</p> <p>(2) where a person who was using any land situate in the afore-mentioned areas before the said date for the purpose of mining, quarrying, the digging of clay, gravel or sand or the deposit of waste materials or refuse or any other purpose of a similar nature, was entitled also to use neighbouring land for any such purpose, such use of the neighbouring land shall, if otherwise lawful, be deemed an 'Existing Use'.</p>	
<p>FARMSTALL</p> <p>Means a building used for the sale of agricultural produce.</p>	<p>FARMSTALL</p> <p>Means a building on a property zoned "Agricultural" and "Undetermined" used for the sale of agricultural produce and subject to Schedule 10.</p>
<p>FILLING STATION</p> <p>Means a building(s) and land used for the storage and retail sale of motor fuel and lubricants and one or more of the following uses:</p> <p>(i) one work bay for emergency repairs to vehicles, and</p> <p>(ii) a 'shop' excluding the preparation of take-away meals with a maximum gross floor area of 100 m².</p>	<p>FILLING STATION</p> <p>Means land and buildings used for :</p> <p>(1) the storage of fuels and the retail selling of vehicle fuel and lubricants,</p> <p>(2) one working bay for emergency repairs to vehicles,</p> <p>(3) a shop including a confectionery and take-away facility including a kitchen, with a maximum gross floor area, accessible to the general public, of 250 m², and</p> <p>(4) an automatic teller machine.</p>

SCHEDULE 18: PART A	
PRETORIA TOWN-PLANNING SCHEME, 1974 DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008 DEFINITIONS
<p>FLAT</p> <p>Means a suite of rooms forming a complete living unit designed or used as a residence by a single householder with his household, if any, and contained in a building consisting of two or more such living units.</p>	<p>BLOCK OF FLATS</p> <p>Means two (2) or more dwelling-units on two or more storeys contained in a building with a common entrance or foyer to the dwelling-units.</p>
<p>FLOOR SPACE RATIO (F.S.R.)</p> <p>Means the ratio of the Gross Floor Area of a building to the total area of the site on which such building is erected or is to be erected, i.e. $FSR = \frac{\text{Gross Floor Area}}{\text{Area of Site}}$.</p>	<p>FLOOR AREA RATIO</p> <p>Means the ratio of the Gross Floor Area of a building to the total area of the property, including any servitudes, on which such building is erected or is to be erected, i.e. $FAR = \frac{\text{Gross Floor Area}}{\text{Area of property}}$.</p>
<p>GOVERNMENT BUILDING</p> <p>Means a building owned by the Government.</p>	<p>GOVERNMENT PURPOSES</p> <p>Means land and buildings designed or used for Government offices, depots, workshops, stores, communication centres, police stations, post offices etc. and includes incidental uses such as a cafeteria solely for Government Departments, but excludes industries and Noxious Industries.</p>
<p>GROSS FLOOR AREA</p> <p>Means the total area of all floors of a building and shall be calculated according to the method as set out in Schedule VI.</p>	<p>GROSS FLOOR AREA</p> <p>The gross floor area of a building is determined by multiplying the area of the property by the FAR, for eg. $1\ 000\ m^2 \times 0,4 = 400\ m^2$: Provided that certain floor areas can be deducted from the calculation of gross floor area as provided in Schedule 7.</p>
<p>HABITABLE ROOM</p> <p>Means a room designed or used for human habitation according to the minimum standards prescribed in Part C of the National Building Regulations, but shall not include a storeroom, kitchen, scullery, toilet, bathroom or a passage.</p>	<p>HABITABLE ROOM</p> <p>Means a room designed or used for human habitation according to the minimum standards prescribed in Part C of the National Building Regulations, but shall not include a storeroom, kitchen, scullery, toilet, bathroom or a passage.</p>
<p>HEIGHT</p> <p>In relation to a building, means the height thereof determined as contemplated in Clause 23(3).</p>	<p>HEIGHT</p> <p>Means the height of any part of a building as measured vertically from the natural ground level of the footprint of the building to the highest point of the building as indicated on the diagrams in Clause 26.</p>
<p>HOME UNDERTAKING</p> <p>Means the practice of an activity at a Dwelling-place with the aim of deriving an income there from.</p>	<p>HOME ENTERPRISE</p> <p>Means the practice of an activity, business, hobby or occupation in a dwelling-unit excluding a commune, a guest-house, a block of tenements, a boarding house, hostel and hotel, with the aim of deriving an income therefrom subject to Schedule 9.</p>
<p>INDUSTRIAL BUILDING</p> <p>Means a building designed or used for an "Industry".</p>	<p>INDUSTRY</p> <p>Means land and buildings where a product or part of a product is manufactured, mounted, processed, repaired, rebuilt or packed, including a power station and incinerator plant and may include a cafeteria and a caretaker's flat and any other activities connected to or incidental to the activities mentioned herein, excluding noxious industries, light industries and retail industries.</p>

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<p>INDUSTRY</p> <p>Means, other than a "Noxious Industry" or "Restricted Industry", a factory within the meaning of the Factories, Machinery and Building Work Act No 22 of 1941 *, as amended and includes any office or other accommodation on the same erf, the use of which is incidental to the use of such factory.</p>	<p>INDUSTRY</p> <p>Means land and buildings where a product or part of a product is manufactured, mounted, processed, repaired, rebuilt or packed, including a power station and incinerator plant and may include a cafeteria and a caretaker's flat and any other activities connected to or incidental to the activities mentioned herein, excluding noxious industries, light industries and retail industries.</p>
<p>INSTITUTION</p> <p>Means a building, whether public or private, designed or used as a charitable institution, hospital, nursing home, clinic or dispensary but does not include buildings designed wholly or principally for any of the following uses namely:</p> <ol style="list-style-type: none"> (1) a hospital, dispensary or clinic for the treatment of infectious or contagious diseases, (2) a certified institution or approved home for mental defectives, (3) a mental hospital, (4) a public assistance institution. 	<p>INSTITUTION</p> <p>Means land and buildings, whether public or private, designed or used as a charitable institution, national government institution, provincial institution, municipal institution, hospital, nursing home and clinic for the care or treatment of humans.</p>
<p>MAP</p> <p>Means Map No 3 as amended by any approved Amendment Scheme as defined in the Regulations promulgated under Administrator's Notice No 977 of 31 December, 1965.</p>	<p>MAP</p> <p>Means a map as defined in the Regulations of the Ordinance and which forms part of the Scheme including any amendment thereto.</p>
<p>MOTOR WORKSHOP</p> <p>Means a building/buildings and land used for the following:</p> <ol style="list-style-type: none"> (i) repair and servicing of vehicles, excluding panel beating and spray-painting (ii) installation of motor spare parts and accessories. 	<p>MOTOR WORKSHOP</p> <p>Means land and buildings used for the following:</p> <ol style="list-style-type: none"> (1) repair and servicing of vehicles, excluding panel-beating or spray-painting; and (2) installation of motor spare parts and accessories.
<p>NOXIOUS INDUSTRY</p> <p>Means any use included in the list in Schedule VIII together with any living accommodation required for a caretaker and includes any other use on the same site, which is necessary in connection with the primary use.</p>	<p>NOXIOUS INDUSTRY</p> <p>Means land and buildings used for any use included in the list in Schedule 8 together with any living accommodation required for a caretaker and includes any other use on the same site, which is necessary in connection with the primary use.</p>
<p>NOXIOUS INDUSTRIAL BUILDING</p> <p>Means a building designed or used for a 'Noxious Industry'.</p>	<p>NOXIOUS INDUSTRIAL BUILDING</p> <p>Means a building designed or used for a "Noxious Industry".</p>
<p>OCCUPIER</p> <p>Means the person in occupation of or legally entitled to occupy any building, structure or land or the person having the charge or management thereof and includes the agent of any person absent from the area or whose</p>	<p>OCCUPANT</p> <p>Shall include any person in actual occupation of any land, or building or structure or premises without regard to the title under which he occupies, and in the case of premises subdivided and let to lodgers, various tenants, shall include</p>

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whereabouts is unknown.	the person receiving the rent payable by the lodgers or tenants whether on his own account or as agent for any person entitled thereto or interested therein and includes the agent of any person absent from the area or whose whereabouts is unknown.
ORDINANCE Means the Town-planning and Townships Ordinance, 1986, as amended.	ORDINANCE Means the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), as amended.
OUTBUILDING Means a building which is ancillary and subordinate to the main building on the same property.	OUTBUILDING Means a building(s) which has its own entrance or door and no inter leading door to the main building, which is attached or free standing from the main building on the same property and which may contain: (1) garages, storerooms, studios, exercise rooms, hobby rooms, music room, washrooms and a Home Enterprise, etc.; (2) a squash court only with the permission of the Municipality; and (3) residential accommodation, which shall not exceed 20% of the floor area of the main building up to a maximum of 50 m ² without the permission of the Municipality and which may consist of habitable rooms, bathroom(s) and only one kitchen: Provided that such outbuilding has a common vehicular access with the main building and it is for the purposes of only the occupants of the main building and their staff and the total gross floor area of such outbuilding(s) shall not exceed 40% of the gross floor area of the main building without the permission of the Municipality and such outbuildings shall not be leased to tenants or sold under sectional title.
OWNER Means the person in whose name the title to any building, structure or land is registered or, if the title-holder is dead, insolvent, mentally disordered or defective, a minor or under any legal disability, the person in whom the administration of such holder's estate is vested, whether as executor, guardian or any other capacity whatever: Provided that, if the address of an owner as heretofore defined is unknown, the expression 'owner' shall include an agent of such owner or any person receiving or entitled to receive rent in respect of the property.	OWNER Means in relation to land or a registered right in land, the person in whose name such land or right is registered, in a Deeds Registry in terms of the Deeds Registry Act, 1937 (Act 47 of 1937) and includes- (1) if the owner is deceased, the executor of the deceased estate; (2) if the estate of the owner has been sequestrated, the trustee of the insolvent estate; (3) if the owner is a company or other juristic person; (4) if the owner is a company or other juristic person that is being wound up, the liquidator thereof; (5) if the owner is under legal disability, the owners legal representative; (6) the authorised representative of the owner; or

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	(7) in the case of a road or public space under the control of the Municipality, that Municipality.
<p>PANHANDLE</p> <p>Means a portion of land which is –</p> <p>(a) part of a subdivided portion;</p> <p>(b) at least 3 m wide and not more than 8 m wide; and</p> <p>(c) used exclusively as an access to a public street.</p>	<p>PANHANDLE</p> <p>Means that portion of a property which is -</p> <p>(1) at least 3 m wide and not more than 8 m wide; and</p> <p>(2) used exclusively as an access to a public street.</p>
<p>PANHANDLE SUBDIVISION</p> <p>Means an L-shaped subdivision, the narrowest portion of which is known as the 'panhandle' and the thin end of which abuts on a public street.</p>	<p>PANHANDLE PROPERTY</p> <p>Means an L-shaped property, consisting of a narrow portion, which is known as the panhandle and which abuts on a street, and a broader buildable portion.</p>
<p>PARKING GARAGE</p> <p>Means a building designed or used for the parking of motor vehicles not being for trade or sale, but does not include a building any part of which is designed or used as a workshop for the repair of motor vehicles.</p>	<p>PARKING GARAGE</p> <p>Means a building designed or used for the parking of motor vehicles not being for trade or sale, and does not include a building any part of which is designed or used as a workshop for the repair of motor vehicles.</p>
<p>PARKING SITE</p> <p>Means land which is used solely for the parking of motor vehicles not being for sale or trade.</p>	<p>PARKING SITE</p> <p>Means a property or part of a property, which is used solely for the parking of motor vehicles, excluding busses and trucks, not being for sale or trade and subject to Schedule 10.</p>
<p>PARKING SPACE</p> <p>Means an area, used exclusively for the parking of a motor vehicle not being for trade or sale, the extent of which area shall be a minimum of 2,5 metres wide and a minimum of 5,0 metres long, excluding access or manoeuvring space, ramps and columns.</p>	<p>PARKING SPACE</p> <p>Means an area, used exclusively for the parking of a motor vehicle not being for trade or sale, the extent of which area shall be a minimum of 2,5 metres wide and a minimum of 5,0 metres long, excluding access or manoeuvring space, ramps, columns, etc.</p>
<p>PHYSICAL BARRIER</p> <p>Means a permanently-fixed barrier erected on the street boundary of an erf, consisting of either an approved brick or concrete wall or fencing or chains and/or bollard-type or crossed-over wooden, iron or steel poles or concrete plant boxes or other type of barrier acceptable to the City Council.</p>	<p>PHYSICAL BARRIER</p> <p>Means a permanently-fixed barrier erected on the street boundary of an erf, consisting of either an approved brick or concrete wall or fencing or chains and/or bollard-type or crossed-over wooden, iron or steel poles or concrete plant boxes or other type of barrier acceptable to the Municipality.</p>
<p>PLACE OF AMUSEMENT</p> <p>Means a building designed or used or land used as, inter alia, a theatre, cinema, music hall, concert hall, billiard saloon, sports arena, skating rink, dance hall or for the purpose of exhibitions of trade or industry.</p>	<p>PLACE OF AMUSEMENT</p> <p>Means land and buildings or a part of a building used for entertainment purposes such as a theatre, cinema, music hall, concert hall, table games, skating rink, dancing, amusement park, casino, electronic games, night club, an exhibition hall or sports arena/stadium used for live concerts or performances.</p>

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<p>PLACE OF INSTRUCTION</p> <p>Means a building and land, used as a school, a college, a technical institute, an academy, a lecture hall, a monastery, a convent, a public library, an art gallery, a museum, a nursery school, a creche-cum-nursery school, a creche-cum-nursery school-cum-after school centre, or other educational centre, including a hostel for persons attending any one of the abovementioned, but does not include a building designed for use wholly or principally as a certified reformatory or industrial school.</p>	<p>PLACE OF INSTRUCTION</p> <p>Means land and buildings used as a school, college, technical institute, university, academy, lecture hall, monastery, convent, public library, art museum, museum, other educational centre including ancillary and subservient hostel for persons attending any one of the aforementioned.</p>
<p>PLACE OF PUBLIC WORSHIP</p> <p>Means a building designed or used as a church, chapel, synagogue, Sunday school or other place of public devotion including an institute or other building for the purpose of social intercourse and recreation within the same site as and associated with any of the aforementioned buildings but shall not include a funeral chapel or funeral parlour.</p>	<p>PLACE OF PUBLIC WORSHIP</p> <p>Means land and buildings used for a church, chapel, mosque, temple, synagogue, or other religious purposes and may include ancillary social and recreational purposes and one dwelling-unit on the same property, but shall not include a funeral parlour, wall of remembrance or cemetery.</p>
<p>PLACE OF REFRESHMENT</p> <p>Means a building designed or used or land used for the sale and consumption of refreshments on the property and includes, inter alia a restaurant, cafe or tea-room.</p>	<p>PLACE OF REFRESHMENT</p> <p>Means land and buildings used for the preparation, sale and consumption of refreshments on the property such as a restaurant, café, coffee shop, tea room, tea garden, sports bar, pub, bar and may include take-aways and a maximum of two table games, two dartboards, two electronic games, television screens and soft background music for the customers but excludes a place of amusement. The kitchen layout shall comply with the Municipality's health requirements.</p>
<p>PRIVATE OPEN SPACE</p> <p>Means open space to which the general public has no right of access.</p>	<p>PRIVATE OPEN SPACE</p> <p>Means open space to which the general public has no right of access.</p>
<p>PUBLIC GARAGE</p> <p>Means a building/buildings and land used for the storage and retail sale of motor fuel and lubricants and one or more of the following uses:</p> <ul style="list-style-type: none"> (i) repair and servicing of vehicles, excluding panel beating or spray-painting; (ii) sale of new and used vehicles; (iii) a 'shop' with a maximum gross floor area of 100 m², excluding the preparation of take-away meals; (iv) washing of motor vehicles. 	<p>PUBLIC GARAGE</p> <p>Means land and buildings used for the storage and retail sale of vehicle fuel and lubricants and one or more of the following uses:</p> <ul style="list-style-type: none"> (1) repair and servicing of vehicles, excluding panel-beating or spray-painting; (2) sale of new and used vehicles; (3) a shop including a confectionery and take-away facility including a kitchen with a maximum gross floor area of 250 m², and (4) an automatic teller machine.
<p>PUBLIC OPEN SPACE</p> <p>Means open space to which the general public has right of access and includes, inter alia, a park, garden, playground, recreation ground and square.</p>	<p>PUBLIC OPEN SPACE</p> <p>Shall mean any Open Space as defined vested in the Municipality under Section 63 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) to which the general public has right of access.</p>

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<p>REAR BOUNDARY</p> <p>In relation to an erf or other portion of land, means any boundary opposite to a street boundary: Provided that, where an erf or other portion of land has two or more street boundaries, the boundaries opposite to such street boundaries shall be deemed to be side boundaries.</p>	<p>REAR BOUNDARY</p> <p>In relation means any boundary opposite to a street boundary: Provided that, where a property has two or more street boundaries, the boundaries opposite to such street boundaries shall be deemed to be side boundaries.</p>
<p>RESIDENTIAL BUILDING</p> <p>Means a building or part of a building designed or used for human habitation together with such outbuildings as are ordinarily used therewith, but does not include a "Dwelling-house" or any building mentioned whether by way of inclusion or exclusion, in the definitions of a "Place of Instruction" and "Institution", except an hostel.</p>	<p>RESIDENTIAL BUILDINGS</p> <p>Means a hotel, block of flats, tenements, boarding house and hostel together with such outbuildings as are ordinarily used therewith.</p>
<p>RESTRICTED INDUSTRY</p> <p>Means a building/buildings and land used for, inter alia, a bakery, a builder's yard, a contractor's yard, dry cleaners, and carpet cleaners, joinery workshop, launderette, laundry, lawnmower workshop, painter's workshop, plumber's workshop, printing workshop, and a transport undertaking, and any other such industries, workshops or yards, which in the opinion of the City Council, may be used for similar purposes.</p>	<p>LIGHT INDUSTRY</p> <p>Means land and buildings used for, inter alia, a bakery, a builder's yard, a car wash, a contractor's yard, dry-cleaners, carpet cleaners, joinery workshop, launderette, laundry, lawnmower workshop, painter's workshop, plumber's workshop, printing workshop, transport depot, panel-beater, motor workshops, a ready-mix plant and any other such industries, workshops or yards which in the opinion of the Municipality do not cause a nuisance to the environment, may be used for similar purposes and may include the retail sale of products ancillary and subservient to the main use on the same property.</p>
<p>RESTRICTED INDUSTRIAL BUILDING</p> <p>Means a building designed or used for a "Restricted Industry".</p>	<p>LIGHT INDUSTRY</p> <p>Means land and buildings used for, inter alia, a bakery, a builder's yard, a car wash, a contractor's yard, dry-cleaners, carpet cleaners, joinery workshop, launderette, laundry, lawnmower workshop, painter's workshop, plumber's workshop, printing workshop, transport depot, panel-beater, motor workshops, a ready-mix plant and any other such industries, workshops or yards which in the opinion of the Municipality do not cause a nuisance to the environment, may be used for similar purposes and may include the retail sale of products ancillary and subservient to the main use on the same property.</p>
<p>RETAIL INDUSTRY</p> <p>Means, inter alia, catering, a confectionary, dressmaking, and tailoring, engraving, instant printing and copying, jewelry manufacturing, photographic processing, picture framing, and screen printing; as well as the servicing and repair of air conditioners, audio equipment, basket-ware and cane furniture, canvass goods and tents, bicycles, electronic equipment, household equipment, leatherworks and shoes, office equipment, television and video equipment, upholstery, watches, weighing machines and window blinds; but does not include a 'Restricted Industry' and the wholesale selling of goods.</p>	<p>RETAIL INDUSTRY</p> <p>Means, inter alia, catering, a confectionary, dress-making, and tailoring, engraving, instant printing and copying, jewellery manufacturing, photographic processing, picture framing, and screen printing; as well as the servicing and repair of air conditioners, audio equipment, basket ware and cane furniture, canvass goods and tents, bicycles, electronic equipment, domestic equipment, leather-works and shoes, office equipment, television and video equipment, upholstery, watches, weighing machines and window blinds, but does not include a Light Industry and the wholesale selling of goods.</p>

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<p>SHOP</p> <p>Means a building and/or land used for the purpose of the display and retail sale of goods, including "off-sales" facilities on properties licensed in terms of any liquor law, and further includes a 'Retail Industry' on the same property.</p>	<p>SHOP</p> <p>Means land and buildings used for the purpose of retail trade directly to the public, including inter alia retail sale and display of products, "off-sales" facilities on properties licensed in terms of any liquor law, pet shops, a pharmacy, a confectionary, a take-away, swop shop, pawn shop and auctioneers business and includes a Retail Industry.</p>
<p>SIDE BOUNDARY</p> <p>In relation to an erf or other portion of land means a boundary other than the street boundary or the rear boundary.</p>	<p>SIDE BOUNDARY</p> <p>In relation to an erf or other portion of land means a boundary other than the street boundary or the rear boundary.</p>
<p>SITE</p> <p>In relation to FSR, coverage and parking calculations, means the whole of the area registered as an erf or other piece of land, including the area of any servitude registered over such erf or other piece of land.</p>	<p>SITE</p> <p>In relation to FAR, coverage and parking calculations, means the whole of the area registered as an erf or other property including the area of any servitude registered over such erf or other property.</p>
<p>SOCIAL HALL</p> <p>Means a building designed or used for, inter alia, social gatherings and recreation and a non-residential club but does not include those uses defined under 'Place of Amusement'.</p>	<p>SOCIAL HALL</p> <p>Means land and buildings used for, inter alia, social and cultural gatherings, recreation activities, wedding receptions, fairs, bazaars and a non-residential club but does not include a place of amusement and place of refreshment.</p>
<p>SPECIAL BUILDING</p> <p>Means a building designed or used for any purpose other than that herein defined and includes, inter alia a 'Government Building', funeral chapel or funeral parlour.</p>	<p>SPECIAL USE</p> <p>Means land or buildings used for any purpose other than that herein defined.</p>
<p>SPORTSGROUND</p> <p>Means land and buildings in conjunction therewith designed or used for sporting activities and includes, inter alia, a stadium, arena, public swimming bath, club pavilion, grandstand and change-rooms.</p>	<p>SPORTS GROUND</p> <p>Means land and buildings used for sporting activities such as soccer, rugby, cricket, hockey, tennis, golf etc. and may include grandstands, change rooms, ablution facilities and other uses ancillary and subservient to the main use on the same property.</p>
<p>STREET FRONTAGE</p> <p>Means the common boundary of an erf and a public street.</p>	<p>STREET FRONTAGE</p> <p>Means the common boundary between a property and a public street.</p>
<p>STREET OR PUBLIC STREET</p> <p>Means street as defined in the Local Government Ordinance, 1939.</p>	<p>STREET OR PUBLIC STREET</p> <p>Includes any street, road, or thoroughfare shown on the General Plan of a township, agricultural holding or other division of land or in respect of which the public have acquired a prescriptive or other right of way or zoned as Existing Street.</p>
<p>TENEMENT</p> <p>Means a living unit without a kitchen. (For restrictions or development see Schedule II.)</p>	<p>BLOCK OF TENEMENTS</p> <p>Means a building containing two (2) or more habitable rooms and may include communal kitchens and communal ablution facilities.</p>

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<p>TODDLERS' WORKSHOP</p> <p>Means a building and land used for the care, without compulsory educational standards, of a maximum of 19 children up to three years, accompanied by one or both parents and in the form of training sessions.</p>	<p>PLACE OF CHILD CARE</p> <p>Means land and buildings used for the admission, protection and temporary or partial care of more than six children up to the age of 18 years away from their parents, but does not include a boarding school, school hostel, institution or place of instruction. Depending on its registration, a place of child care can admit babies, toddlers, pre-school aged children and school-going children on a full day or other basis and may include pre-primary school education.</p>
<p>VEHICLE SALES MART</p> <p>Means land, with or without ancillary buildings, used for the display and/or sale of cars, trucks, agricultural implements, caravans, tractors and trailers which are roadworthy and of good outward appearance, and may also include the hiring of vehicles as an ancillary use</p>	<p>VEHICLE SALES MART</p> <p>Means land, with or without ancillary buildings, used for the display and/or sale of cars, trucks, motor cycles, agricultural implements, caravans, boats, tractors and trailers which are roadworthy and of good outward appearance, and may also include the hiring of vehicles as an ancillary use but excludes a motor dealership and a panel- beater.</p>
<p>WAREHOUSE</p> <p>Means a building designed or used as a storage depot in conjunction with a wholesale trading establishment or any other storage depot.</p>	<p>WAREHOUSE</p> <p>Means land and buildings designed or used as a storage depot in conjunction with a wholesale trading establishment or any other storage depot.</p>
<p>ZONE</p> <p>Means that part of the Map which by distinctive colouring, hatching or edging or in some other manner indicates the restrictions imposed by this Scheme on the erection and use of buildings or the use of land.</p>	<p>ZONE</p> <p>Means that part of the Map which by distinctive colouring or in some other manner indicates the restrictions imposed by this Scheme on the erection and use of buildings or the use of land.</p>

SCHEDULE 18: PART B	
PRETORIA TOWN-PLANNING SCHEME, 1974: CLAUSES	TSHWANE TOWN-PLANNING SCHEME, 2008: CLAUSES
Clause 1: Title of Scheme	Clause 1: Title of Scheme
Clause 2: Responsible Authority	Clause 2: Responsible Authority
Clause 3: Arrangement of Scheme	Clause 3: Arrangement of Scheme
	Clause 4: Transition arrangements between former Town-planning Schemes and this Scheme.
Clause 4: Definitions	Clause 5: Definitions
Clause 5: Use of Reserved Land (Table A)	Included into Table B Clause 14: Use of Buildings and Land.
Clause 6: Restriction on Use of Reserved Land	Clause 14: Use of Buildings and Land
Clause 6(5): Public Open Space in New Townships (Table B)	Not included.
Clause 7: Acquisition of Land	Clause 14(2)
Clause 8: Splaying of Corners	Not included.
Clause 9: Use of Closed Streets	Clause 6: Closed Streets.
Clause 10: Prohibition of Access	Clause 7: Prohibition of Access
Clause 11: Building Lines in New Townships and on Subdivisions	Clause 8: Building Lines in New Townships and on Subdivisions

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PRETORIA TOWN-PLANNING SCHEME, 1974: CLAUSES	TSHWANE TOWN-PLANNING SCHEME, 2008: CLAUSES
Clause 12: Building Lines relative to Existing and Proposed Streets	Clause 9: Building Lines relative to Streets
Clause 13: Use of Land between Building Lines and Street Boundaries	Clause 9: Building Lines relative to Streets
Clause 14: Canopies in front of Building Lines	Clause 10: Canopies in front of Building Lines
Clause 15: Land for Street Widening and Servitudes	Clause 11: Land for Street Widening and Servitudes
Clause 15A: Building Restriction Areas	Clause 12: Building Restriction Areas
Clause 15A: Side and Rear Space Building Lines	Clause 12: Building Restriction Areas
Clause 16: Mixed Use of Buildings	Clause 13: Mixed Use of Buildings
Clause 17: Use of Buildings and Land (Table C)	Clause 14: Use of Buildings and Land (Table B)
Clause 18: Consents of City Council and Procedure	Clause 16: Consent Use Procedure
Clause 19: Uses not subject to Table C	Clause 17: Uses not subject to Table B
Clause 20: Township Conditions	Clause 18: General Conditions applicable to all property
Clause 21: Size and Dimensions of Dwelling-house Erven (Schedule V)	Clause 20: Conditions applicable to Residential 1 erven
Clause 22: Floor Space Ration (F.S.R.) (Table E)	Clause 25: Floor Area Ratio (FAR) Table C
Clause 23: Height of Buildings (Table F)	Clause 26: Height of Buildings (Table D)
Clause 24: Coverage (Table G)	Clause 27: Coverage (Table E)
Clause 25: Parking Requirements (Table H and Table H1)	Clause 28: Parking Requirements (Table F and Table G)
Clause 26: Loading Facility Requirements (Table J)	Clause 29: Loading Facility Requirements (Table H)
Clause 27: Abatement and/or Removal of Injurious Conditions	Clause 30: Aesthetic Considerations
Clause 28: Aesthetic Considerations	Clause 31: Site Development Plan and Landscape Development Plan
Clause 29: Further Considerations	Clause 30(3): Outbuildings
Clause 31: Overriding Rights of City Council	Clause 32: Overriding Rights of Municipality.
Clause 32: Entry onto and Inspection of Properties	Clause 33: Access and inspection
Clause 33: Perusal of Scheme Documents	Clause 34: Perusal of Scheme Documents
Clause 34: Search Fees	Not included.
Clause 35: Appeals	Clause 35: Appeals
Clause 36: Contravention of the Scheme	Clause 36: Contravention of the Scheme
Clause 37: Serving of Notices	Clause 37: Serving of Notices
Clause 38: Compliance with the Title Deeds and Conditions of Establishment	Clause 38: Compliance with the Title Deeds and Conditions of Establishment
Clause 39: Consents before coming into operation of this Scheme	Clause 4: Transition arrangements
Clause 40: Short Title	Clause 39: Short Title

SCHEDULE 18: PART C	
PRETORIA TOWN-PLANNING SCHEME, 1974: SCHEDULES	TSHWANE TOWN-PLANNING SCHEME, 2008: SCHEDULES
Schedule I A: Building Lines	Schedule 1: Building Lines
Schedule I B: Street Widening	Not included.
Schedule I C: Servitudes of Right-of-way	Not included.
Schedule II: Formulas	Schedule 2: Formulas
Schedule IIIA: Duplex Dwellings	Schedule 3: Residential 3

SCHEDULE 18: PART C	
PRETORIA TOWN-PLANNING SCHEME, 1974: SCHEDULES	TSHWANE TOWN-PLANNING SCHEME, 2008: SCHEDULES
Schedule III C: Erection of Dwelling-units in Use Zone II	Schedule 4: Residential 2
Schedule IV: Additional Conditions applicable to Certain Townships	Schedule 5: Additional Conditions applicable to Certain Townships
Schedule V: Minimum Erf Sizes and Street Frontages	Schedule 6 in electronic data base
Schedule VI: Method of Calculating Gross Floor Area	Schedule 7: Method of Calculating Gross Floor Area
Schedule VIII: List of Noxious industries	Schedule 8: List of Noxious industries
Schedule IX: Home Undertakings	Schedule 9: Home Enterprise
Schedule X: Specific conditions regulating certain primary uses	Schedule 10: Specific conditions regulating certain primary uses
Schedule XI: Maximum "Special Residential"-densities for parts of Brooklyn, Groenkloof, Waterkloof and Waterkloof Ridge and the conservations areas of Muckleneuk (Bailey's) and Waterkloof	Schedule 11: Maximum "Residential 1"-densities for parts of Brooklyn, Groenkloof, Waterkloof and Waterkloof Ridge and the conservations areas of Muckleneuk (Bailey's) and Waterkloof
Schedule XII: Maximum "Special Residential" densities for parts of Waterkloof Ridge and Waterkloof Heights Ext 3	Schedule 12: Maximum "Residential 1" densities for parts of Waterkloof Ridge and Waterkloof Heights Ext 3
Schedule XIII: Maximum "Special Residential" densities for erven in Deerness, Rietondale and Riviera	Schedule 13: Maximum "Residential 1" densities for erven in Deerness, Rietondale and Riviera
Schedule XIV: Maximum "Special Residential" densities for erven in Lynnwood Glen, Lynnwood Manor, Lynnwood Park and Lynnwood Ridge	Schedule 14: Maximum "Residential 1" densities for erven in Lynnwood Glen, Lynnwood Manor, Lynnwood Park and Lynnwood Ridge

SCHEDULE 18: PART D	
PRETORIA TOWN-PLANNING SCHEME, 1974: TABLE C, USE ZONES TABLE	TSHWANE TOWN-PLANNING SCHEME, 2008: TABLE B, USE ZONES TABLE
Use Zone I: Special Residential	Use Zone 1 : Residential 1
Use Zone II: Group Housing	Use Zone 2: Residential 2
Use Zone III: Duplex Residential	Use Zone 3: Residential 3
Use Zone IV: General Residential	Use Zone 4: Residential 4
Use Zone V: Educational	Use Zone 13: Educational
Use Zone VI: Institutional	Use Zone 14: Institutional
Use Zone VII: Special Business	Use Zone 7: Business 2
Use Zone VIII: General Business	Use Zone 6: Business 1
Use Zone IX: Municipal	Use Zone 15: Municipal
Use Zone X: Government	Use Zone 16: Government
Use Zone XI: Restricted Industrial	Use Zone 11: Industrial 2
Use Zone XII: General Industrial	Use Zone 10: Industrial 1
Use Zone XIII: Agricultural	Use Zone 17: Agricultural
Use Zone XIV: Special	Use Zone 28: Special
Use Zone XV: Undetermined	Use Zone 19: Undetermined
Reservation: Existing Streets	Use Zone 22: Existing Streets
Reservation: Proposed streets and widening of existing streets	Use Zone 23: Proposed Streets and Widening
Reservation: Existing Public Open space	Use Zone 20: Public Open Space
Reservation: Proposed open space	Use Zone 20: Public Open Space

SCHEDULE 18: PART D	
PRETORIA TOWN-PLANNING SCHEME, 1974: TABLE C, USE ZONES TABLE	TSHWANE TOWN-PLANNING SCHEME, 2008: TABLE B, USE ZONES TABLE
Reservation: Existing Private Open Space	Use Zone 21: Private Open Space
Reservation: Proposed Private Open Space	Use Zone 21: Private Open Space
Reservation: Township Establishment Area	Use Zone 19: Undetermined
Reservation: Sewage Works	Use Zone 27: Infrastructure Works
Reservation: Cemetery	Use Zone 26: Cemetery
Reservation: Aerodrome	Use Zone 24: Aerodrome
Reservation: South African Railways	Use Zone 25: S.A.R.

SCHEDULE 18: PART E	
PRETORIA TOWN-PLANNING SCHEME, 1974: FSR, HEIGHT AND COVERAGE ZONES	TSHWANE TOWN-PLANNING SCHEME, 2008: F.A.R., HEIGHT AND COVERAGE ZONES
Table E: FSR Zone 1 Table F: Height Zone 1 Table G: Coverage Zone 1	Table C: FAR Zone 1 Table D: Height Zone 1 Table E: Coverage Zone 1
Table E: FSR Zone 2 Table F: Height Zone 2 Table G: Coverage Zone 2	Table C: FAR Zone 2 Table D: Height Zone 2 Table E: Coverage Zone 2
Table E: FSR Zone 3 Table F: Height Zone 3 Table G: Coverage Zone 3	Table C: FAR Zone 3 Table D: Height Zone 3 Table E: Coverage Zone 3
Table E: FSR Zone 4 Table F: Height Zone 4 Table G: Coverage Zone 4	Table C: FAR Zone 4 Table D: Height Zone 4 Table E: Coverage Zone 4
Table E: FSR Zone 5 Table F: Height Zone 5 Table G: Coverage Zone 5	Table C: FAR Zone 5 Table D: Height Zone 5 Table E: Coverage Zone 5
Table E: FSR Zone 6 Table F: Height Zone 6 Table G: Coverage Zone 6	Table C: FAR Zone 6 Table D: Height Zone 6 Table E: Coverage Zone 6
Table E: FSR Zone 7 Table F: Height Zone 7 Table G: Coverage Zone 7	Table C: FAR Zone 7 Table D: Height Zone 7 Table E: Coverage Zone 7
Table E: FSR Zone 8 Table F: Height Zone 8 Table G: Coverage Zone 8	Table C: FAR Zone 8 Table D: Height Zone 8 Table E: Coverage Zone 8
Table E: FSR Zone 9 Table F: Height Zone 9 Table G: Coverage Zone 9	Table C: FAR Zone 9 Table D: Height Zone 10 Table E: Coverage Zone 9
Table E: FSR Zone 10 Table F: Height Zone 10 Table G: Coverage Zone 10	Table C: FAR Zone 10 Table D: Height Zone 7 Table E: Coverage Zone 10
Table E: FSR Zone 11 Table G: Coverage Zone 11	Table C: FAR Zone 11 Table E: Coverage Zone 11
Table E: FSR Zone 12 Table G: Coverage Zone 12	Table C: FAR Zone 12 Table E: Coverage Zone 12
Table E: FSR Zone 13 Table G: Coverage Zone 13	Table C: FAR Zone 13 Table E: Coverage Zone 13
Annexures B 5454, 6154, 6158, 6161, 6162 and 6163	FAR: Schedule 15 Height: Schedule 15 Coverage: Schedule 15
Annexures B 5455, 6155 and 6166	Table C: FAR Zone 15 Table D: Height Zone 9 Table E: Coverage Zone 19
Annexures B 5456 and 6156	Table C: FAR Zone 15 Table D: Height Zone 19 Table E: Coverage Zone 9

SCHEDULE 18: PART E	
PRETORIA TOWN-PLANNING SCHEME, 1974: FSR, HEIGHT AND COVERAGE ZONES	TSHWANE TOWN-PLANNING SCHEME, 2008: F.A.R., HEIGHT AND COVERAGE ZONES
Annexures B 5457 and 6157	Table C: FAR Zone 15 Table D: Height Zone 19 Table E: Coverage Zone 9

SCHEDULE 18: PART F	
PRETORIA TOWN-PLANNING SCHEME, 1974: TABLES	TSHWANE TOWN-PLANNING SCHEME, 2008: TABLES
Table A	Taken up in Table B
Table B	Not included
Table B 1	Table A
Table C	Table B
Table E	Table C
Table F	Table D
Table G	Table E
Table H	Table F
Table H1	Table G
Table J	Table H

SCHEDULE 19**CONVERSION TABLE: TOWNSHIPS APPROVED IN TERMS OF THE DEVELOPMENT FACILITATION ACT, 1995 (ANNEXURE L) OR BLACK COMMUNITIES DEVELOPMENT ACT, 1984 (ANNEXURE F) OR OTHER APPLICABLE LAND USE LEGISLATION SUCH AS THE LESS FORMAL TOWNSHIP ESTABLISHMENT ACT, 1991 TO TSHWANE TOWN-PLANNING SCHEME, 2008**

SCHEDULE 19: PART A			
DESCRIPTION	ANNEXURE L	ANNEXURE F	TSHWANE TOWN-PLANNING SCHEME, 2008
Definitions	Condition 1	Condition 1	Clause 5 (see Part B)
Application of Document	Condition 2	Condition 2	Clause 1
Responsible Authority	Condition 3	Condition 3	Clause 2
Side and rear space	Condition 4	Condition 4	Clauses 8 and 9, Table A and Schedule 15 for Residential 5
Relaxation of side and rear space	Condition 5	Condition 5	Clauses 8 and 9
Erection and use of building or use of land	Condition 6 and Table A	Condition 6 and Table A	Clauses 13 and 14 and Table B (see Part C)
Conditions applicable to all properties	Condition 7	Condition 7	Clauses 7 and 18
Additional uses permitted in respect of residential properties	Condition 8	Condition 8	Schedule 15 for Residential 5
Special conditions applying to public garages	Condition 9	Condition 9	Clause 24
Consent use or approval by the responsible authority	Condition 10	Condition 10	Clauses 16 and 17
Application for consent use and objections	Condition 11	Condition 11	Clause 16
Lapsing of consent	Condition 12	Condition 12	--
Subdivision and consolidation of properties	Condition 13	Condition 13	--
Provision of parking	Condition 14 and Table B	Condition 14 and Table B	Clause 28, Table G and Schedule 15 for Residential 5
Restrictions of height of buildings	Condition 15	Condition 15	Clause 26, Table D and Schedule 15 for Residential 5 (see Part C)
Restrictions of coverage of buildings	Condition 16 and Table C	Condition 16 and Table C	Clause 27, Table E and Schedule 15 for Residential 5 (see Part C)
General amenity and convenience	Condition 19	Condition 19	Clause 30
Serving of notice	Condition 20	Condition 20	Clause 37
Offences	--	Condition 21	Clause 36
Title	--	Condition 22	Clauses 1 and 39

SCHEDULE 19: PART B	
ANNEXURE F, ANNEXURE L AND OTHER LAND USE CONDITIONS OF RELEVANT ACTS: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
In these conditions, unless the context otherwise indicates to:	
" building " includes a construction or structure of any nature;	BUILDING Means a building as defined in the National Building Regulations and Building Standards Act, 1977.
" business purposes " means a use of a building and or land for offices, show-rooms, restaurants or any other business or commercial purposes other than for a place of instruction, a shop, a public garage, an industry, a	BUSINESS BUILDING Means land and buildings used as an office, financial institution, fitness centre, hairdresser, receiving depot for

SCHEDULE 19: PART B	
ANNEXURE F, ANNEXURE L AND OTHER LAND USE CONDITIONS OF RELEVANT ACTS: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
noxious industry, a builder's yard or a scrapyard;	dry-cleaning and shoe repairs, dental workshop, medical and dental consulting rooms, optometrist or for other business purposes such as inter alia beauty salon, pet salon, but does not include any building mentioned whether by way of inclusion or exclusion in the definition of Institution nor a building designed or used as a Place of Instruction, Place of Amusement, Shop, Public Garage, Parking Garage, Industry, Noxious Industry, Warehouse, Vehicle Sales Mart or a factory or workshop.
" coverage " means the area of a property covered by buildings measured over the external walls as seen vertically from above and expressed as a percentage of the area of the property;	COVERAGE Means the percentage area of a property including any servitude area covered by the roofed area of all buildings as seen vertically from above but does not include a structure or building that has no roof.
" dwelling-unit " means an interconnected suite of rooms, designed for human habitation that may contain a kitchen or scullery;	DWELLING-UNIT Means a self contained suite of rooms mutually connected and consisting of habitable room(s), a bathroom(s), toilet(s) and not more than one kitchen without the permission of the Municipality for the purpose of residence by a single family, or a single person or two unmarried persons and may include outbuildings which are ancillary and subservient to the dwelling-unit and may include a Home Enterprise subject to Schedule 9. (For dwelling-unit on Residential 5 refer to Schedule 15.)
" floor area " means the sum of the areas covered by the building at the floor level of each storey;	GROSS FLOOR AREA The gross floor area of a building is determined by multiplying the area of the property by the FAR, for eg. $1\ 000\ m^2 \times 0,4 = 400\ m^2$: Provided that certain floor areas can be deducted from the calculation of gross floor area as provided in Schedule 7.
" industry " means an activity on any premises amounting to the use of such premises as a factory as contemplated in the definition of that word in the general Administrative Regulations made in terms of section 35 of the Machinery and Occupational Safety Act, 1983 (Act 6 of 1983), under Government Notice R.2206 of 5 October 1984;	INDUSTRY Means land and buildings where a product or part of a product is manufactured, mounted, processed, repaired, rebuilt or packed, including a power station and incinerator plant and may include a cafeteria and a caretaker's flat and any other activities connected to or incidental to the activities mentioned herein, excluding noxious industries, light industries and retail industries.
" institution " means a building designed or primarily used as a charitable institution, hospital, nursing home, sanatorium, clinic or any other institution, whether public or private;	INSTITUTION Means land and buildings, whether public or private, designed or used as a charitable institution, national government institution, provincial institution, municipal institution, hospital, nursing home and clinic for the care or treatment of humans .
" noxious industry " includes any industry or trade by virtue of noise or effluents is dangerous or harmful to the health and welfare of the general public, such as but not limited to smelting ores and minerals, works for the production of sulphur dyes, or the sintering of sulphur-bearing materials;	NOXIOUS INDUSTRY Means land and buildings used for any use included in the list in Schedule 8 together with any living accommodation required for a caretaker and includes any other use on the same site, which is necessary in connection with the primary use.

SCHEDULE 19: PART B	
ANNEXURE F, ANNEXURE L AND OTHER LAND USE CONDITIONS OF RELEVANT ACTS: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>"occupant" in relation to any building, structure or land, includes any person occupying such building, structure or land legally entitled to occupy it, or anybody having the charge or management thereof, and includes the agent of such a person who is absent from the area or whose whereabouts are unknown;</p>	<p>OCCUPANT</p> <p>Shall include any person in actual occupation of any land, or building or structure or premises without regard to the title under which he occupies, and in the case of premises subdivided and let to lodgers, various tenants, shall include the person receiving the rent payable by the lodgers or tenants whether on his own account or as agent for any person entitled thereto or interested therein and includes the agent of any person absent from the area or whose whereabouts is unknown.</p>
<p>"owner" in relation to a building or land, means –</p> <p>(a) the registered owner;</p> <p>(b) a person who administers the estate of any person mentioned in (a) above, whether as executor, administrator or guardian or in any other capacity;</p> <p>(c) a person who receives payment from any occupant, or person who would receive payment should such a building or land be let, whether for his own account or as agent for any person who is entitled thereto or who has an interest therein; and</p> <p>(d) the duly authorised agent of a person contemplated in (a) to (d) above;</p>	<p>OWNER</p> <p>Means in relation to land or a registered right in land, the person in whose name such land or right is registered, in a Deeds Registry in terms of the Deeds Registry Act, 1937 (Act 47 of 1937) and includes-</p> <ol style="list-style-type: none"> (1) if the owner is deceased, the executor of the deceased estate; (2) if the estate of the owner has been sequestrated, the trustee of the insolvent estate; (3) if the owner is a company or other juristic person; (4) if the owner is a company or other juristic person that is being wound up, the liquidator thereof; (5) if the owner is under legal disability, the owners legal representative; (6) the authorised representative of the owner; or (7) in the case of a road or public space under the control of the Municipality, that Municipality.
<p>"place of instruction" means land used or a building designed or primarily used as a school, technical college, lecture hall, institute or other educational centre, and includes a crèche, a convent or monastery, a public library, an art gallery, a museum and a gymnasium;</p>	<p>PLACE OF INSTRUCTION</p> <p>Means land and buildings used as a school, college, technical institute, university, academy, lecture hall, monastery, convent, public library, art museum, museum, other educational centre including ancillary and subservient hostel for persons attending any one of the aforementioned.</p>
<p>"place of public worship" means a building designed for use or primarily used as a church, chapel, oratory, house of worship, synagogue, mosque or other place of public devotion, and includes a building designed for use and used as a place of religious instruction and an institution on the same property as and associated with any of the afore-going buildings that is intended to be used for social intercourse and reaction, but does not include a funeral chapel, which shall be deemed to be a "special purpose";</p>	<p>PLACE OF PUBLIC WORSHIP</p> <p>Means land and buildings used for a church, chapel, mosque, temple, synagogue, or other religious purposes and may include ancillary social and recreational purposes and one dwelling-unit on the same property, but shall not include a funeral parlour, wall of remembrance or cemetery.</p>
<p>"property" means any portion of land that has been registered as a separate unit in the deeds registry;</p>	<p>PROPERTY</p> <p>Means any portion of land that has been registered as a separate unit in the Deeds Office.</p>

SCHEDULE 19: PART B	
ANNEXURE F, ANNEXURE L AND OTHER LAND USE CONDITIONS OF RELEVANT ACTS: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
" public garage " means a building designed for or land used primarily for the maintenance, repair or fuelling of vehicles and purposes ancillary thereto;	<p>PUBLIC GARAGE</p> <p>Means land and buildings used for the storage and retail sale of vehicle fuel and lubricants and one or more of the following uses:</p> <ol style="list-style-type: none"> (1) repair and servicing of vehicles, excluding panel-beating or spray-painting; (2) sale of new and used vehicles; (3) a shop including a confectionery and take-away facility including a kitchen with a maximum gross floor area of 250 m², and (4) an automatic teller machine.
" residential building " means a building designed or used primarily for human habitation and the uses permitted in terms of paragraph 6, which may include one or more dwelling-units;	<p>RESIDENTIAL BUILDINGS</p> <p>Means a hotel, block of flats, tenements, boarding house and hostel together with such outbuildings as are ordinarily used therewith.</p> <p>(For dwelling-unit on Residential 5 refer to Schedule15.)</p>
" responsible authority " means the authority referred to in paragraph (<i>read as condition</i>) 3.	<p>MUNICIPALITY</p> <p>Means the City of Tshwane Metropolitan Municipality established and instituted in terms of Notice 6770 of 2000 promulgated in terms of Section 12(1) of the Local Government Structures Act,1998 (Act 117 of 1998) as amended.</p>
" shop " means land used or a building designed or used primarily for the purposes of carrying on retail trade and the necessary accompanying storage and packaging, and includes any accompanying use on the same site that is incidental and subordinate to the conduct of the retail trade;	<p>SHOP</p> <p>Means land and buildings used for the purpose of retail trade directly to the public, including inter alia retail sale and display of products, "off-sales" facilities on properties licensed in terms of any liquor law, pet shops, a pharmacy, a confectionery, a take-away, swop shop, pawn shop and auctioneers business and includes a Retail Industry.</p>
" social hall " means a building designed for use or used primarily for social assemblies, gatherings, meetings or recreational purposes;	<p>SOCIAL HALL</p> <p>Means land and buildings used for, inter alia, social and cultural gatherings, recreation activities, wedding receptions, fairs, bazaars and a non-residential club but does not include a place of amusement and place of refreshment.</p>
" special purposes " means purposes for which land or buildings may be used that are not specified in these conditions;	<p>SPECIAL USE</p> <p>Means land or buildings used for any purpose other than that herein defined.</p>
" storey " means the space in a building between one floor level and the following floor level or between one floor level and the ceiling or roof above;	<p>STOREY</p> <p>Means that part of a building which is situated between the top of any floor and the top of the floor above it or if there be no floor above it that portion between such floor and the ceiling above it (any mezzanine floor, open work floor, catwalk or gallery being taken to be part of the storey in which it is situated).</p>

SCHEDULE 19: PART B	
ANNEXURE F, ANNEXURE L AND OTHER LAND USE CONDITIONS OF RELEVANT ACTS: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
“use zone” means a zone that is subject to the restrictions imposed on the erection and use of buildings or the use of land contained in Table A.	USE ZONE Means that part of the Scheme Area that has been indicated by means of a distinguishing notation or bordering or any other distinguishing way on the Map to indicate the use of the land.

SCHEDULE 19: PART C	
ANNEXURE F, ANNEXURE L AND OTHER LAND USE CONDITIONS OF RELEVANT ACTS: USE ZONES	TSHWANE TOWN-PLANNING SCHEME, 2008: TABLE B, USE ZONES TABLE
Residential	Use Zone 5: Residential 5 subject to Schedule 15
Business	Use Zone 7: Business 2
Industrial	Use Zone 10: Industrial 1
Community Facility	Use Zone 13: Educational
Municipal	Use Zone 15: Municipal
Undetermined	Use Zone 19: Undetermined
Public open space	Use Zone 20: Public open space
<u>Additional use zones in certain township approvals:</u>	
Educational	Use Zone 13: Educational
Government	Use Zone 16: Government
Multiple Residential	Use Zone 5: Residential 5 subject to Schedule 15
Railway Reserve	Use Zone 25: SAR

SCHEDULE 19: PART D	
ANNEXURE F, ANNEXURE L AND OTHER LAND USE CONDITIONS OF RELEVANT ACTS: HEIGHT, COVERAGE AND FAR	TSHWANE TOWN-PLANNING SCHEME, 2008: HEIGHT ZONES OF TABLE D, COVERAGE ZONES OF TABLE E AND FLOOR AREA RATIO ZONES OF TABLE C
Residential	FAR: Schedule 15 Height: Schedule 15 Coverage: Schedule 15
Business	Table D, Height Zone 9 Table E, Coverage Zone 19 Table C, FAR Zone 15
Industrial	Table D, Height Zone 9 Table E, Coverage Zone 19 Table C, FAR Zone 15
Community Facility	Table D, Height Zone 9 Table E, Coverage Zone 19 Table C, FAR Zone 15
Municipal	Table D, Height Zone 7 Table E, Coverage Zone 5 Table C, FAR Zone 5
Undetermined	Table D, Height Zone 9 Table E, Coverage Zone 5 Table C, FAR Zone 21
Public open space	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan

SCHEDULE 19: PART D	
ANNEXURE F, ANNEXURE L AND OTHER LAND USE CONDITIONS OF RELEVANT ACTS: HEIGHT, COVERAGE AND FAR	TSHWANE TOWN-PLANNING SCHEME, 2008: HEIGHT ZONES OF TABLE D, COVERAGE ZONES OF TABLE E AND FLOOR AREA RATIO ZONES OF TABLE C
<u>Additional use zones in certain DFA approvals:</u>	
Educational	Table D, Height Zone 9 Table E, Coverage Zone 19 Table C, FAR Zone 15
Government	Table D, Height Zone 5 Table E, Coverage Zone 5 Table C, FAR Zone 5
Multiple Residential	Table D, Height Zone 10 Table E, Coverage Zone 17 Table C, FAR Zone 19
Railway Reserve	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan

SCHEDULE 19: PART E	
ANNEXURE F, ANNEXURE L AND OTHER LAND USE CONDITIONS OF RELEVANT ACTS: TABLES	TSHWANE TOWN-PLANNING SCHEME, 2008: TABLES
TABLE A	TABLE B
TABLE B	TABLE G
TABLE C	TABLE E

SCHEDULE 20**CONVERSION TABLE: MALELANE TOWN-PLANNING SCHEME, 1972
TO TSHWANE TOWN-PLANNING SCHEME, 2008**

SCHEDULE 20: PART A	
MALELANE TOWN-PLANNING SCHEME, 1972: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>ADMINISTRATOR</p> <p>Means the officer appointed under the provisions of Section 66(1) of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961) acting on the advice and with the consent of the Executive Committee of the Province.</p>	<p>PREMIER</p> <p>Means the head of the Executive Council of the Gauteng Provincial Government.</p>
<p>AGRICULTURAL BUILDING</p> <p>Means a building designed for use in connection with, and which may in the opinion of the Local Authority ordinarily be incidental to, or reasonably necessary for the use of the land on which such building is situated as agricultural land and includes one dwelling-house.</p>	<p>AGRICULTURAL BUILDING</p> <p>Means a building designed or used for Agricultural Purposes and may include a Dwelling-house.</p>
<p>AGRICULTURAL LAND</p> <p>Means Land as defined in Section 1 of the Subdivision of Agricultural Land Act, 1970 (No 70 of 1970).</p>	<p>AGRICULTURE</p> <p>Means land and buildings used for any bona fide farming activities such as inter alia market gardens, game farming, cattle and sheep farming, bee farming, bird breeding, plant nursery, plantations, aquaculture and orchards and activities normally regarded as incidental thereto, but excludes abattoirs, cattle feeding lots, poultry farming and pig farming.</p>
<p>AREA</p> <p>Means the area to which this scheme applies as described in Clause 2.</p> <p>AREA OF THE SCHEME</p> <p>The area to which this scheme applies shall consist of the whole of the area lying within the inner edge of the boundary line coloured dark blue on the map.</p>	<p>SCHEME AREA</p> <p>Means the area to which the scheme is applicable as indicated on the map.</p>
<p>BUILDING</p> <p>Means a structure of any nature or description whatsoever.</p>	<p>BUILDING</p> <p>Means a building as defined in the National Building Regulations, 1985 and Building Standards Act, 1977.</p>
<p>BUSINESS BUILDING</p> <p>Means a building designed for use as an office, consulting room, warehouse, or for other business purposes, but does not include a place of instruction or place of amusement or any other building mentioned, whether by way of inclusion or exclusion, in the definition of "institution", or a building designed for use as a shop, public garage, parking garage, noxious industrial building.</p>	<p>BUSINESS BUILDING</p> <p>Means land and buildings used as an office, financial institution, fitness centre, hairdresser, receiving depot for dry-cleaning and shoe repairs, dental workshop, medical and dental consulting rooms, optometrist or for other business purposes such as inter alia beauty salon, pet salon, but does not include any building mentioned whether by way of inclusion or exclusion in the definition of Institution nor a building designed or used as a Place of Instruction, Place of Amusement, Shop, Public Garage, Parking Garage, Industry, Noxious Industry, Warehouse, Vehicle Sales Mart or a factory or workshop.</p>

SCHEDULE 20: PART A	
MALELANE TOWN-PLANNING SCHEME, 1972: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>BY-LAWS</p> <p>Means the by-laws of the Local Authority for the time being in force in the "Area".</p>	<p>BY-LAWS</p> <p>Means the Municipality by-laws in force in the area of the Scheme.</p>
<p>CARAVAN PARK</p> <p>Means a public place with accommodation for two or more caravans and which is designed for such accommodation irrespective of whether or not such accommodation is paid for.</p>	<p>CAMPING SITE</p> <p>Means land and buildings used for transient guests for the overnight accommodation of caravans, motor homes and tents and may include ablution facilities, caretaker's flat, communal kitchen and ancillary and subservient shops and other related buildings.</p>
<p>COVERAGE</p> <p>Means that area of an erf covered by buildings and is expressed as a percentage.</p>	<p>COVERAGE</p> <p>Means the percentage area of a property including any servitude area covered by the roofed area of all buildings as seen vertically from above but does not include a structure or building that has no roof.</p>
<p>DWELLING-HOUSE</p> <p>Means a house designed as a dwelling for a single family together with such outbuildings as are ordinarily used therewith.</p>	<p>DWELLING-HOUSE</p> <p>Means a single dwelling-unit on property zoned "Residential 1", "Agricultural" and "Undetermined".</p> <p>DWELLING-UNIT</p> <p>Means a self contained suite of rooms mutually connected and consisting of habitable room(s), a bathroom(s), toilet(s) and not more than one kitchen without the permission of the Municipality for the purpose of residence by a single family, or a single person or two unmarried persons and may include outbuildings which are ancillary and subservient to the dwelling-unit and may include a Home Enterprise subject to Schedule 9.</p>
<p>ERF</p> <p>Means every piece of land in an approved township registered in a deeds registry as an erf, plot or stand or shown as such on a general plan of an approved township, and includes every defined portion (not intended to be a public place) of a piece of land laid out as a township, whether or not it has been recognised or approved as such in terms of the Town Planning and Townships Ordinance (No 25 of 1965) or any other law.</p>	<p>ERF</p> <p>Means an erf as defined in the Ordinance and the Gauteng Planning and Development Act, 2003 and includes any resultant portion of an erf obtained through subdivision of such an erf.</p>
<p>EXISTING USE</p> <p>Means in relation to any building or land, the continuous lawful use of that building or land for any purpose for which it was being lawfully used on the date of proclamation of this scheme or in the case of newly-erected building erected before such date and which has not been used before that date, a use for any purpose for which it was designed, including in any case, any use of a building or land permitted by the Local Authority pending the preparation and approval of this scheme.</p> <p>Provided that:</p>	<p>EXISTING USE</p> <p>Means, subject to Section 43 of the Ordinance, the continuous lawful use of a building or land for the purpose for which it was erected or was lawfully being used.</p>

SCHEDULE 20: PART A	
MALELANE TOWN-PLANNING SCHEME, 1972: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>(1) The discontinuance for a period exceeding fifteen (15) months of the existing use of a building, at any time after the approval of this scheme, shall be deemed to be an interruption of the continuous use.</p> <p>(2) Where, on the date of proclamation of this scheme, a person who was using any land for the purpose of mining, quarrying, the digging of clay, gravel or sand or the deposit of waste material or refuse, or for any other purpose or a similar nature, was entitled also to use neighbouring land for any such purpose, such use, by virtue of that right on that neighbouring land, whether before or after the date of the approval of this scheme, shall be deemed to be an existing use.</p>	
<p>FLOOR SPACE RATIO (F.S.R.)</p> <p>Means the ratio obtained by dividing the total area of all the storeys (excluding a basement, open roofs and floor spaces used exclusively for the parking of motor vehicles for the residents of the building or buildings) of the proposed building or buildings, which area to be measured over the external walls and includes any form of space, except decorations (such as pinnacles, turrets and bell-towers) and space which is reasonable or necessary for the cleaning, maintenance, care or the mechanical equipment of the building or buildings, by the total area of the erf; that is:</p> $\text{F.S.R.} = \frac{\text{Total floor area of all the floors of the building or buildings as set out above}}{\text{Total area of the erf.}}$	<p>FLOOR AREA RATIO</p> <p>Means the ratio of the Gross Floor Area of a building to the total area of the property, including any servitudes, on which such building is erected or is to be erected, i.e. FAR = Gross Floor Area divided by area of property.</p>
<p>FUNERAL PARLOUR</p> <p>Means a building used or designed to be used as a mourning or funeral chapel and includes any building designed for use in connection with and which is normally ancillary to or is reasonably necessary in connection with the use of such mourning or funeral chapel.</p>	<p>FUNERAL UNDERTAKER</p> <p>Means land and buildings used for the administration of funeral arrangements including showrooms, offices, storage space, refrigeration rooms, funeral parlour for the preparation and viewing of the dead, waiting room and the sale of flowers, coffins, gravestones and other related products as well as a display area for gravestones, but excludes a crematorium, a chapel or church.</p>
<p>GENERAL DEALER</p> <p>Means a dealer in groceries, clothing and hardware, but does not include the sale of second hand goods of any nature whatsoever.</p>	<p>SHOP</p> <p>Means land and buildings used for the purpose of retail trade directly to the public, including inter alia retail sale and display of products, "off-sales" facilities on properties licensed in terms of any liquor law, pet shops, a pharmacy, a confectionary, a take-away, swop shop, pawn shop and auctioneers business and includes a Retail Industry.</p>
<p>HEIGHT</p> <p>Means the height of a building expressed in the number of storeys;</p> <p>Provided that:</p> <p>(a) The height of one storey shall not exceed five (5)</p>	<p>HEIGHT</p> <p>Means the height of any part of a building as measured vertically from the natural ground level of the footprint of the building to the highest point of the building as indicated on the diagrams in Clause 26.</p>

SCHEDULE 20: PART A	
MALELANE TOWN-PLANNING SCHEME, 1972: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
metres; and (b) Towers, architectural features and basements which are not designed for use for living, working, sleeping or storing purposes, shall not be regarded as storeys for the purpose of this scheme.	
INDUSTRIAL BUILDING Means a building, other than a building for noxious industries, designed for use as a factory within the meaning of the Factories, Machinery and Building Work Act, 1941 (No 22 of 1941), and any amendment thereof and includes an "office" or any other building on the same site, the use of which is incidental to or reasonably necessary in connection with the use of such factory.	INDUSTRY Means land and buildings where a product or part of a product is manufactured, mounted, processed, repaired, rebuilt or packed, including a power station and incinerator plant and may include a cafeteria and a caretaker's flat and any other activities connected to or incidental to the activities mentioned herein, excluding noxious industries, light industries and retail industries.
INSTITUTION Means a building designed to be used as a public or charitable institution and includes a hospital, nursing-home, sanatorium or clinic, hostel, or crèche, whether public or private.	INSTITUTION Means land and buildings, whether public or private, designed or used as a charitable institution, national government institution, provincial institution, municipal institution, hospital, nursing home and clinic for the care or treatment of humans.
LAND Also means any improvement on land and any interest in or to land including land covered by water.	PROPERTY Means any portion of land that has been registered as a separate unit in the Deeds Office.
LOCAL AUTHORITY Means the Transvaal Board for the Development of Peri-Urban Areas, established by Section 2 of the Transvaal Board for the Development of Peri-Urban Areas Ordinance, 1943 (No 20 of 1943), as amended, or any other local authority, which may be entrusted with the administration of the area.	MUNICIPALITY Means the City of Tshwane Metropolitan Municipality established and instituted in terms of Notice 6770 of 2000 promulgated in terms of Section 12(1) of the Local Government Structures Act, 1998 (Act 117 of 1998) as amended. LOCAL AUTHORITY Means the City of Tshwane Metropolitan Municipality.
MAP Means the map marked "Map No 3" as defined in the Town Planning and Townships regulations promulgated under Administrator's Notice No 977 of 31 st December 1965, as may be amended from time to time.	MAP Means a map as defined in the Regulations of the Ordinance and which forms part of the Scheme including any amendment thereto.
OFFICE Means a building being used or designed for use for administrative work including a bank but not a post office.	OFFICE Means land and buildings or part of a building used for professional, clerical, administrative, management, marketing and consulting services, but excludes a call centre, security and emergency response vehicles, courier services in post, parcels and money.
ORDINANCE Means the Townships and Town Planning Ordinance, 1931, (No 11 of 1931) as amended.	ORDINANCE Means the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), as amended.

SCHEDULE 20: PART A	
MALELANE TOWN-PLANNING SCHEME, 1972: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>PANHANDLE SUBDIVISION</p> <p>Means an L-shaped subdivision, the narrowest portion of which is known as the 'panhandle' and the thin end of which abuts on a public street.</p>	<p>PANHANDLE PROPERTY</p> <p>Means an L-shaped property, consisting of a narrow portion, which is known as the panhandle and which abuts on a street, and a broader buildable portion.</p> <p>PANHANDLE</p> <p>Means that portion of a property, which is -</p> <p>(1) at least 3 m wide and not more than 8 m wide; and (2) used exclusively as an access to a public street.</p>
<p>PLACE OF AMUSEMENT</p> <p>Means a building designed for use as a public hall, theatre, cinema, music-hall, concert-hall, sports stadium, skating rink, dance-hall or any other building which may in the opinion of the Local Authority, readily be included hereunder.</p>	<p>PLACE OF AMUSEMENT</p> <p>Means land and buildings or a part of a building used for entertainment purposes such as a theatre, cinema, music hall, concert hall, table games, skating rink, dancing, amusement park, casino, electronic games, night club, an exhibition hall or sports arena/stadium used for live concerts or performances.</p>
<p>PLACE OF INSTRUCTION</p> <p>Means a building designed for use as a school, college, university, research institute, academy, lecture-hall, or other educational centre, and includes a boarding house appertaining thereto, public library, art gallery, museum or gymnasium.</p>	<p>PLACE OF INSTRUCTION</p> <p>Means land and buildings used as a school, college, technical institute, university, academy, lecture hall, monastery, convent, public library, art museum, museum, other educational centre including ancillary and subservient hostel for persons attending any one of the aforementioned.</p>
<p>PLACE OF PUBLIC WORSHIP</p> <p>Means a building used or designed for use as a church, temple, chapel, oratory, synagogue or any other place of public devotion and religious instruction and may, with the special permission of the Local Authority, include a rectory. A building designed for the purpose of religious instruction, social intercourse and recreation and associated with any of the foregoing buildings may be erected on the same site: Provided that a funeral parlour shall not be included hereunder.</p>	<p>PLACE OF PUBLIC WORSHIP</p> <p>Means land and buildings used for a church, chapel, mosque, temple, synagogue, or other religious purposes and may include ancillary social and recreational purposes and one dwelling-unit on the same property, but shall not include a funeral parlour, wall of remembrance or cemetery.</p>
<p>PRIVATE OPEN SPACE</p> <p>Means any land reserved in this scheme for use as a private ground for sports, play and recreation or as an ornamental garden or public resort.</p>	<p>PRIVATE OPEN SPACE</p> <p>Means open space to which the general public has no right of access.</p> <p>OPEN SPACE</p> <p>Means land which is predominantly free of buildings or structures and which provides ecological, socio-economic and place-making functions such as natural areas, nature conservation areas, protected areas, nature reserve and includes ridges, watercourses, wetlands, ecological sensitive areas, parks, and squares as defined in the Tshwane Open Space Framework and may include ablution facilities, pergolas, benches, and braai facilities.</p>

SCHEDULE 20: PART A	
MALELANE TOWN-PLANNING SCHEME, 1972: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>PUBLIC GARAGE</p> <p>Means a building, designed for the purpose of the parking, sale and/or repair and fuelling of motor vehicles for purposes of gain. A store for the sale of new motor spare parts and motor accessories may be included hereunder.</p>	<p>PUBLIC GARAGE</p> <p>Means land and buildings used for the storage and retail sale of vehicle fuel and lubricants and one or more of the following uses:</p> <ol style="list-style-type: none"> (1) repair and servicing of vehicles, excluding panel-beating or spray-painting; (2) sale of new and used vehicles; (3) a shop including a confectionery and take-away facility including a kitchen with a maximum gross floor area of 250 m²; and (4) an automatic teller machine.
<p>PUBLIC OFFICE</p> <p>Means a building used or designed to be used as a government or Local Authority office and includes a room, town hall, administrative office, police station and post office.</p>	<p>GOVERNMENT PURPOSES</p> <p>Means land and buildings designed or used for Government offices, depots, workshops, stores, communication centres, police stations, post offices etc. and includes incidental uses such as a cafeteria solely for Government Departments but excludes industries and noxious industries.</p> <p>MUNICIPAL PURPOSES</p> <p>Means such purposes as the Municipality may be authorised to carry out in terms of any law governing municipalities including but not limited to the Local Government Municipal Structures, 1998 (Act 117 of 1998) and the Local Government Municipal Systems Act, 2000 (Act 32 of 2000).</p>
<p>PUBLIC OPEN SPACE</p> <p>Means any land, used or reserved in this scheme for use by the public as an open space, park, garden, play or recreation area or square.</p>	<p>PUBLIC OPEN SPACE</p> <p>Shall mean any Open Space as defined vested in the Municipality under Section 63 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) to which the general public has right of access.</p> <p>OPEN SPACE</p> <p>Means land which is predominantly free of buildings or structures and which provides ecological, socio-economic and place-making functions such as natural areas, nature conservation areas, protected areas, nature reserve and includes ridges, watercourses, wetlands, ecological sensitive areas, parks, and squares as defined in the Tshwane Open Space Framework and may include ablution facilities, pergolas, benches, and braai facilities.</p>
<p>PUBLIC RESORT</p> <p>Means a place of rest, holiday place, caravan park, tent camp and picnic spot.</p>	<p>RECREATION RESORT</p> <p>Means land and buildings used for recreational purposes mainly by day visitors and may include swimming pools, water slides, braai facilities, chalets, a camping site, cultural and music events, a place of refreshment, a conference centre or social hall, wedding chapel, staff accommodation, natural areas and ancillary and subservient uses.</p>

SCHEDULE 20: PART A	
MALELANE TOWN-PLANNING SCHEME, 1972: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
	<p>CAMPING SITE</p> <p>Means land and buildings used for transient guests for the overnight accommodation of caravans, motor homes and tents and may include ablution facilities, caretaker's flat, communal kitchen and ancillary and subservient shops and other related buildings.</p>
<p>RESIDENTIAL BUILDING</p> <p>Means a building, other than a dwelling-house, designed for use for human habitation together with such outbuildings as are ordinarily used therewith and includes blocks of flats, tenements, boarding houses and hostels, but does not include any building mentioned in the definitions of "Place of Instruction" or "Institution".</p>	<p>RESIDENTIAL BUILDINGS</p> <p>Means a hotel, block of flats, tenements, boarding house and hostel together with such outbuildings as are ordinarily used therewith.</p>
<p>RESERVATION OF LAND</p> <p>The several pieces of land specified in Column 1 of Table A are reserved for use for the respective purposes indicated in Column 2 of the table and, except as hereinafter provided, shall not be used for any other purposes except for municipal purposes.</p>	<p>Reservation of land is included in Table B as Use Zones.</p>
<p>RESPONSIBLE AUTHORITY</p> <p>The Local Authority shall be the authority responsible for enforcing and carrying into effect the provisions of this scheme.</p>	<p>MUNICIPALITY</p> <p>Means the City of Tshwane Metropolitan Municipality established and instituted in terms of Notice 6770 of 2000 promulgated in terms of Section 12(1) of the Local Government Structures Act, 1998 (Act 117 of 1998) as amended.</p> <p>LOCAL AUTHORITY</p> <p>Means the City of Tshwane Metropolitan Municipality.</p>
<p>SHOP</p> <p>Means a building designed for the purpose of carrying on a retail trade and does not include a "Public Garage", but includes a building for use as a hairdressing salon auctioneer, dry-cleaning depot and in addition, also a building designed for use as a warehouse or workshop, which is used in connection with such retail trade.</p>	<p>SHOP</p> <p>Means land and buildings used for the purpose of retail trade directly to the public, including inter alia retail sale and display of products, "off-sales" facilities on properties licensed in terms of any liquor law, pet shops, a pharmacy, a confectionary, a take-away, swop shop, pawn shop and auctioneers business and includes a Retail Industry.</p>
<p>SITE</p> <p>In relation to a building includes the area of land upon which offices, outbuildings, yard, court or garden are situated and which is occupied or intended to be occupied in connection therewith.</p>	<p>SITE</p> <p>In relation to FAR, coverage and parking calculations, means the whole of the area registered as an erf or other property, including the area of any servitude registered over such erf or other property.</p>
<p>SOCIAL HALL</p> <p>Means a building designed to be used for social meetings and recreation and includes a club (non-residential) "Place of Instruction" and "Place of Public Worship" but does not include a "Place of Amusement".</p>	<p>SOCIAL HALL</p> <p>Means land and buildings used for, inter alia, social and cultural gatherings, recreation activities, wedding receptions, fairs, bazaars and a non-residential club but does not include a place of amusement and place of refreshment.</p>

SCHEDULE 20: PART A	
MALELANE TOWN-PLANNING SCHEME, 1972: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>SPECIAL BUILDING</p> <p>Means a building designed for any use other than one of the uses for which buildings herein defined are designed and which, in the opinion of the Local Authority appertains to the use zone in which the land is or is to be situated.</p>	<p>SPECIAL USE</p> <p>Means land or buildings used for any purpose other than that herein defined.</p>
<p>STREET OR ROAD</p> <p>Includes the whole or part of any street, road, bridge, subway, lane or thoroughfare, shown on the general plan of a township, or in respect of which the public or the Local Authority has acquired a right-of-way by prescription or any other means.</p>	<p>STREET OR PUBLIC STREET</p> <p>Includes any street, road, or thoroughfare shown on the General Plan of a township, agricultural holding or other division of land or in respect of which the public have acquired a prescriptive or other right of way or zoned as Existing Street.</p>
<p>TENEMENT</p> <p>Means a building consisting mainly of living rooms, each of which could separately be occupied as a dwelling and which is let as such.</p>	<p>BLOCK OF TENEMENTS</p> <p>Means a building containing two (2) or more habitable rooms and may include communal kitchens and communal ablution facilities.</p>
<p>TOWNSHIPS BOARD</p> <p>Means the Townships Board as constituted by Section 3 of the Ordinance.</p>	<p>TOWNSHIPS BOARD</p> <p>Means the Townships Board as established in terms of the provisions of the Town-planning and Townships Ordinance, 1986.</p>
<p>WAREHOUSE</p> <p>Means a building designed to be used for the storage of goods, excluding goods of a noxious or dangerous nature.</p>	<p>WAREHOUSE</p> <p>Means land and buildings designed or used as a storage depot in conjunction with a wholesale trading establishment or any other storage depot.</p>
<p>WORKSHOP</p> <p>Means a building, designed to be used for the purpose of retail trade in goods that are wholly or partially manufactured, processed, assembled or repaired on the premises: Provided that the process and machinery used in connection with such manufacturing, processing, assembling or repairing of goods, are not such that, in the opinion of the Local Authority they are noxious, or detract from the amenity of the area as a result of noise, vibration, smell, gasses, smoke, soot, ash, dust or filings.</p>	<p>LIGHT INDUSTRY</p> <p>Means land and buildings used for, inter alia, a bakery, a builder's yard, a car wash, a contractor's yard, dry-cleaners, carpet cleaners, joinery workshop, launderette, laundry, lawnmower workshop, painter's workshop, plumber's workshop, printing workshop, transport depot, panel-beater, motor workshops, a ready-mix plant and any other such industries, workshops or yards which in the opinion of the Municipality do not cause a nuisance to the environment, may be used for similar purposes and may include the retail sale of products ancillary and subservient to the main use on the same property.</p>
<p>ZONE</p> <p>Means a portion of the area shown on the map by distinctive colouring, hatching or edging, or in some other distinctive manner for the purpose of indicating the restrictions imposed by this scheme on the erection and use of buildings or the use of land, and the terms "Density Zone", "Use Zone" and "Height Zone" mean zones indicating the restrictions as to density, use and height of buildings respectively.</p>	<p>ZONE</p> <p>Means that part of the Map which by distinctive colouring or in some other manner indicates the restrictions imposed by this Scheme on the erection and use of buildings or the use of land.</p> <p>COVERAGE ZONE</p> <p>Means a specific zone in Table E and indicated on the electronic database of the Municipality.</p>

SCHEDULE 20: PART A	
MALELANE TOWN-PLANNING SCHEME, 1972: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
	<p>FLOOR AREA RATIO (FAR) ZONE</p> <p>Means a specific zone in Table C and indicated on the electronic database of the Municipality.</p> <p>HEIGHT ZONE</p> <p>Means a specific zone in Table D and indicated on the electronic database of the Municipality.</p>

SCHEDULE 20: PART B	
MALELANE TOWN-PLANNING SCHEME, 1972: CLAUSES	TSHWANE TOWN-PLANNING SCHEME, 2008: CLAUSES
Clause 1 : Definition	Clause 5 : Definitions.
Clause 2 : Area of the Scheme	Clause 1 : Title of Scheme.
Clause 3 : Responsible Authority	Clause 2 : Responsible Authority.
Clause 4 : Reservation of Land	Included into Table B, Clause 14 : Use of Buildings and Land; Clause 17 : Uses not subject to Table B.
Clause 5 : Streets and Building lines	Clause 8 : Building Lines; Clause 9 : Building Lines relative to streets; Clause 12 : Building Restriction Areas, Table A.
Clause 6 : Erection and Use of Buildings	Clause 14 : Use of Buildings and Land.
Clause 7 : Use of Annexure	Included as a definition "Annexure T"; Clause 4 : Transition Clause.
Clause 8 : Density and Subdivisions	Clause 20 : Conditions applicable to Residential 1 erven; Schedule 6.
Clause 9 : Approval of Local Authority	Clause 14 : Use of Buildings and Land; Clause 15 : Permission of Municipality;
Clause 10 : Advertisement and Appeal	Clause 16 : Consent Use Procedure; Clause 35 : Appeals.
Clause 11 : Advertisement and Hoardings	Clause 30(2) : Signs.
Clause 12 : Buildings used for more than one purpose	Clause 13 : Mixed use of buildings.
Clause 13 : Contravention of the Scheme	Clause 36 : Contravention of Scheme.
Clause 14 : Entry and Inspection of Premises	Clause 33 : Access and inspection.
Clause 15 : External appearance of Buildings	Clause 30(1) : General Amenity.
Clause 16 : Conditions are Binding	Clause 4 : Transition Clause. Clause 15 : Permission of Municipality; Clause 16 : Consent Use Procedure; Clause 38 : Compliance with Title Deeds and Conditions of Establishment.
Clause 17 : (Title of Scheme)	Clause 1 : Title of Scheme

SCHEDULE 20: PART C	
MALELANE TOWN-PLANNING SCHEME, 1972: TABLES A AND C, LAND USE TABLE AND RESERVATION TABLE	TSHWANE TOWN-PLANNING SCHEME, 2008: TABLE B, LAND USE TABLE
Use Zone (i) : Special Residential purposes	Use Zone 1 : Residential 1
Use Zone (iii) : Special	Use Zone 28 : Special
Use Zone (vii) : Educational purposes	Use Zone 13 : Educational
Use Zone (ix) : Municipal purposes	Use Zone 15 : Municipal
Reservation : Existing Public Open Space	Use Zone 20 : Public Open Space
Reservation : Government purposes	Use Zone 16 : Government

SCHEDULE 20: PART D	
MALELANE TOWN-PLANNING SCHEME, 1972: TABLES	TSHWANE TOWN-PLANNING SCHEME, 2008: TABLES
Table A : (Reservation of Land)	Table B
Table B : (Building lines)	Table A
Table C : (Use Zone Table)	Table B

SCHEDULE 20: PART E	
MALELANE TOWN-PLANNING SCHEME, 1972: USE ZONES (NO TABLE IS INCLUDED IN SCHEME FOR HEIGHT, COVERAGE AND FAR)	TSHWANE TOWN-PLANNING SCHEME, 2008: HEIGHT ZONES OF TABLE D, COVERAGE ZONES OF TABLE E AND FLOOR AREA RATIO ZONES OF TABLE C
Use Zone (i) : Special Residential purposes	Table D, Height Zone 10 Table E, Coverage Zone 5 Table C, FAR Zone 21
Use Zone (iii) : Special	As referred to in Annexure T or per Site Development Plan.
Use Zone (vii) : Educational purposes	Table D, Height Zone 9 Table E, Coverage Zone 15 Table C, FAR Zone 10
Use Zone (ix) : Municipal purposes	Table D, Height Zone 7 Table E, Coverage Zone 5 Table C, FAR Zone 5
Reservation : Existing Public Open Space	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan
Reservation : Government purposes	Table D, Height Zone 5 Table E, Coverage Zone 5 Table C, FAR Zone 5

SCHEDULE 21**CONVERSION TABLE: PERI-URBAN AREAS TOWN-PLANNING SCHEME, 1975
TO TSHWANE TOWN-PLANNING SCHEME, 2008**

SCHEDULE 21: PART A	
PERI-URBAN AREAS TOWN PLANNING SCHEME, 1975: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>ACCOMMODATION ESTABLISHMENT</p> <p>Means a building used or designed for the purpose of providing board, lodging and meals to human beings at a fee as defined in the Hotels Act, 1965 (Act No. 70 of 1965).</p>	<p>BOARDING HOUSE</p> <p>Means land and buildings consisting of habitable rooms without a kitchen, which are let or rented to persons and where one or more meals are provided in a communal dining-room and a communal kitchen and includes a caretaker's flat on the property.</p> <p>HOTEL</p> <p>Means a building that has been registered as a hotel in terms of Section 1 of the Hotels Act, 1965 (Act 70 of 1965), or any amendment thereof and may include a conference centre and a place of refreshment and ancillary and subservient uses required in terms of the afore-mentioned Act.</p>
<p>AGRICULTURAL BUILDING</p> <p>Means a building designed for use in connection with and which may ordinarily be incidental to or reasonably necessary for the use of the property concerned as agricultural land, but does not include a "cultivation shed".</p>	<p>AGRICULTURAL BUILDING</p> <p>Means a building designed or used for Agricultural Purposes and may include a Dwelling-house.</p>
<p>AGRICULTURAL HOLDING</p> <p>Means a holding established in accordance with the Agricultural Holdings (Transvaal) Registration Act, 1919 (Act No. 22 of 1919) or any amendment thereof.</p>	<p>AGRICULTURAL HOLDING</p> <p>Means land as laid out in terms of the Agricultural Holdings (Transvaal) Registration Act, 1919 (Act 22 of 1919).</p>
<p>ANNEXURE</p> <p>Means the plan on which the particulars of a specific portion of the area of this scheme are recorded and which is numbered and added at the end of these clauses.</p>	<p>ANNEXURE T</p> <p>Means the set of documents showing details of rights permitted and conditions imposed on certain erven and land marked with a black number within a black circle on the Map 3 which rights and conditions shall prevail over any other clause or provision of the Scheme except that if rights and conditions are not stipulated the provisions of the Scheme Clauses shall apply.</p>
<p>AREA</p> <p>Means the area defined in clause 2 hereof.</p>	<p>SCHEME AREA</p> <p>Means the area to which the scheme is applicable as indicated on the map.</p>
<p>BUILDING SITE</p> <p>In relation to a building, means that portion of an area of a property covered or intended to be covered by a building, structure or any particular part thereof.</p>	<p>Not included.</p>

SCHEDULE 21: PART A	
PERI-URBAN AREAS TOWN PLANNING SCHEME, 1975: DEFINITIONS	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>BUSINESS BUILDING</p> <p>Means a building used or designed for use as a consulting room, show room, travel bureau, house agency, duplicating business and/or the businesses of a hair dresser, photographer and similar purposes but does not include a building defined in any other way in this scheme.</p>	<p>BUSINESS BUILDING</p> <p>Means land and buildings used as an office, financial institution, fitness centre, hairdresser, receiving depot for dry-cleaning and shoe repairs, dental workshop, medical and dental consulting rooms, optometrist or for other business purposes such as inter alia beauty salon, pet salon, but does not include any building mentioned whether by way of inclusion or exclusion in the definition of Institution nor a building designed or used as a Place of Instruction, Place of Amusement, Shop, Public Garage, Parking Garage, Industry, Noxious Industry, Warehouse, Vehicle Sales Mart or a factory or workshop.</p>
<p>BY-LAWS</p> <p>Means the by-laws of the local authority controlling the area at the given time.</p>	<p>BY-LAWS</p> <p>Means the Municipality by-laws in force in the area of the Scheme.</p>
<p>COMMERCIAL PURPOSES</p> <p>Means the utilisation of land or buildings for the use of any commercial – or business activity except dwelling houses, flats, retail trade or manufacturing, and may with the consent of the Minister of Planning and the Environment include any activity or building which falls within the scope of a “factory” as defined in the Factories, Machinery and Building Work Act, 1941 (Act No. 22 of 1941) and any amendment thereof, where such building or activity is complementary or related to the commercial – or trade activity and also includes such uses as offices in relation to the main commercial use exercised on the premises, distribution centres, wholesale, storage, warehouses, cartage, transport and laboratories.</p>	<p>COMMERCIAL USE</p> <p>Means land and buildings used for distribution centres, wholesale trade, storage, warehouses, telecommunications centre, transport depot, laboratories and computer centres and may include offices, light industries, a cafeteria and a caretaker's flat, which are directly related and subservient to the main commercial use which is carried out on the land or in the building.</p>
<p>CONTROLLING AUTHORITY</p> <p>In relation to a national road means the National Transport Commission and in relation to any other road, not under the control of a local authority, the Administrator.</p>	<p>CONTROLLING AUTHORITY</p> <p>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 Section 1 of the National Roads Act, 1971 (Act 54 of 1971) or the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001).</p>
<p>COVERAGE</p> <p>Means the portion of a property which is covered by buildings and is expressed as a percentage of the area of the property.</p>	<p>COVERAGE</p> <p>Means the percentage area of a property including any servitude area covered by the roofed area of all buildings as seen vertically from above but does not include a structure or building that has no roof.</p>
<p>CULTIVATION SHED</p> <p>Means a building or structure used or designed for the purposes of raising plants or animals and/or animal products, independently from the land outside the building, as for instance a building or structure used for the raising of mushrooms or chickens, laying or incubating of eggs (battery systems); for the purposes of this scheme such a building is not considered an “agricultural building”.</p>	<p>AGRICULTURE</p> <p>Means land and buildings used for any bona fide farming activities such as inter alia market gardens, game farming, cattle and sheep farming, bee farming, bird breeding, plant nursery, plantations, aquaculture and orchards and activities normally regarded as incidental thereto, but excludes abattoirs, cattle feeding lots, poultry farming and pig farming.</p>

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	<p>AGRICULTURAL BUILDING</p> <p>Means a building designed or used for Agricultural Purposes and may include a Dwelling-house.</p>
<p>DESIGNATION</p> <p>In relation to land is a reference to the purposes for which the land may be used and the manner in which, buildings may be erected and used on land and the expressions "use designation", "density designation" and "height designation" indicate the uses, maximum density and maximum height permissible on the land.</p>	<p>COVERAGE ZONE</p> <p>Means a specific zone in Table E and indicated on the electronic database of the Municipality.</p> <p>FLOOR AREA RATIO (FAR) ZONE</p> <p>Means a specific zone in Table C and indicated on the electronic database of the Municipality.</p> <p>HEIGHT ZONE</p> <p>Means a specific zone in Table D and indicated on the electronic database of the Municipality.</p> <p>ZONE</p> <p>Means that part of the Map which by distinctive colouring or in some other manner indicates the restrictions imposed by this Scheme on the erection and use of buildings or the use of land.</p>
<p>DWELLING-HOUSE</p> <p>Means a building designed for and/or used as a residence by one family together with such buildings as are reasonably accessory and/or necessary to and used in connection therewith.</p>	<p>DWELLING-HOUSE</p> <p>Means a single dwelling-unit on property zoned "Residential 1", "Agricultural" and "Undetermined".</p> <p>DWELLING-UNIT</p> <p>Means a self contained suite of rooms mutually connected and consisting of habitable room(s), a bathroom(s), toilet(s) and not more than one kitchen without the permission of the Municipality for the purpose of residence by a single family, or a single person or two unmarried persons and may include outbuildings which are ancillary and subservient to the dwelling-unit and may include a Home Enterprise subject to Schedule 9.</p>
<p>ERECTION OF A BUILDING</p> <p>Also includes the alteration or extension of a building.</p>	<p>ERECTION OF A BUILDING</p> <p>Means, inter alia, the construction of, any addition to, or structural alteration of a building.</p>
<p>EXISTING USE</p> <p>Means an existing use of land or buildings which is not in accordance with the provisions of this scheme as defined in section 41 of the Town Planning and Townships Ordinance, 1965 (Ordinance No. 25 of 1965) or any amendment thereof.</p>	<p>EXISTING USE</p> <p>Means, subject to Section 43 of the Ordinance, the continuous lawful use of a building or land for the purpose for which it was erected or was lawfully being used.</p>
<p>FAMILY</p> <p>Means a household composed in such a manner that all the members of the household are controlled and provided for solely by a single family head: Provided that, with the exception of unmarried children, every</p>	<p>FAMILY</p> <p>Means the following people that live together:</p> <p>(1) a married couple with or without their parents and/or their children; or</p>

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member of the household shall be a dependent, as defined in relation to a taxpayer in the Income Tax Act, No. 58 of 1962, of the said family head.	<p>(2) a single person with his/her parents and/or his/her children; or</p> <p>(3) brothers and sisters; or</p> <p>(4) a single person with his/her grandparents and/or his/her grandchildren; or</p> <p>(5) grandparents with their grandchildren.</p>
FARM PORTION Means any portion of land which is not an erf, agricultural holding, road or street and which is registered as a separate unit in the Deeds Office.	PROPERTY Means any portion of land that has been registered as a separate unit in the Deeds Office.
FLAT Means any suite of rooms not forming a single dwelling house but constitutes a complete dwelling unit, designed for use by one family, and which forms part of a building consisting of two more dwelling units.	BLOCK OF FLATS Means two (2) or more dwelling-units on two or more storeys contained in a building with a common entrance or foyer to the dwelling-units.
FLOOR SPACE RATIO (F.S.R.) Is the ratio obtained by dividing the total area of all storeys (except a basement, open roofs and floor spaces solely utilised for the parking of motor vehicles or storage purposes for the residents of the building or buildings) of the proposed building or buildings, which area is measured across the outer walls and includes every form of space except decorations (such as steeples, spires and bell towers) and space reasonable or necessary for the cleaning, maintenance, care or mechanical equipment of the building, by the area of the erf, i.e. $\text{F.S.R.} = \frac{\text{Total area of all floors of the building or buildings as set out above}}{\text{Total area of the erf.}}$	FLOOR AREA RATIO Means the ratio of the Gross Floor Area of a building to the total area of the property, including any servitudes, on which such building is erected or is to be erected, i.e. FAR = Gross Floor Area divided by area of property.
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.	FUNERAL UNDERTAKER Means land and buildings used for the administration of funeral arrangements including showrooms, offices, storage space, refrigeration rooms, funeral parlour for the preparation and viewing of the dead, waiting room and the sale of flowers, coffins, gravestones and other related products as well as a display area for gravestones, but excludes a crematorium, a chapel or church.
HEIGHT Means the height of a building expressed in the number of storeys of which it consists; provided that – (a) the height of one storey shall not exceed five (5) metres; and	HEIGHT Means the height of any part of a building as measured vertically from the natural ground level of the footprint of the building to the highest point of the building as indicated on the diagrams in Clause 26.

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(b) towers, architectural features and basements, which are not designed for living, working, sleeping or storage purposes, shall not be regarded as storeys for the purposes of this scheme.	
HOTEL Means and accommodation establishment registered as an hotel in terms of the Hotels Act, 1965 (Act No. 70 of 1965).	HOTEL Means a building that has been registered as a hotel in terms of Section 1 of the Hotels Act, 1965 (Act 70 of 1965), or any amendment thereof and may include a conference centre and a place of refreshment and ancillary and subservient uses required in terms of the afore-mentioned Act.
INDUSTRIAL BUILDING Means a building, other than a noxious industrial building, used or designed for uses as a factory within the meaning of the Factories, Machinery and Building Work Act, 1941 (Act No. 22 of 1941) and any amendment thereof and includes an office or other building on the same property the use of which, in the opinion of the local authority, is incidental to or reasonably necessary in connection with the use of such factory.	INDUSTRY Means land and buildings where a product or part of a product is manufactured, mounted, processed, repaired, rebuilt or packed, including a power station and incinerator plant and may include a cafeteria and a caretaker's flat and any other activities connected to or incidental to the activities mentioned herein, excluding noxious industries, light industries and retail industries.
INDUSTRIAL USE Means such industrial and/or trade purposes (for example factories, warehouses, workshops and similar purposes) as approved by the local authority in writing and for purposes incidental therewith. No retail trade whatsoever may be conducted thereon or therefrom except as specified herein. The prohibition on retail trade as specified above, does not prohibit the owner of the property with the written consent of the local authority to sell on property goods which have been wholly or partially manufactured, processed or assembled on the property or an other goods which, although not manufactured, processed or assembled on the property, form part of or are connected to the sale of and/or used in or together with goods wholly or partially manufactured, processed or assembled on the property. For the purpose of this clause the expression "purposes incidental thereto" shall mean – (i) the erection and use on the property of buildings for residential purposes for managers and caretakers of works, warehouses or factories and, with the written consent of the Administrator after consultation with the local authority and subject to such conditions as imposed by the Administrator, provision can be made for the accommodation of an unqualified person as defined in the Group Areas Act, 1966 (Act No. 36 of 1966), such person being <u>bona fide</u> and essentially and full-time employed by the industry conducted on the property; and (ii) the erection of buildings to be used as offices or storerooms by the owner or occupier of the property.	INDUSTRY Means land and buildings where a product or part of a product is manufactured, mounted, processed, repaired, rebuilt or packed, including a power station and incinerator plant and may include a cafeteria and a caretaker's flat and any other activities connected to or incidental to the activities mentioned herein, excluding noxious industries, light industries and retail industries.

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No restaurant, tearoom or Bantu eating-house shall be erected on the property except for the use of persons <u>bona fide</u> employed by the industry conducted on the property.	
INSTITUTION Means a building used or designed to be used as a nursery school or crèche, public or charitable institution, hospital, nursing home, sanatorium or clinic, whether public or private, and may include a dispensary and consulting rooms coupled thereto, but does not include a reformatory and a school for the mentally handicapped.	INSTITUTION Means land and buildings, whether public or private, designed or used as a charitable institution, National Government institution, Provincial institution, Municipal institution, hospital, nursing home, clinic and includes a veterinary clinic and veterinary hospital.
LOCAL AUTHORITY Means the Transvaal Board for the Development of Peri-Urban Areas.	MUNICIPALITY Means the City of Tshwane Metropolitan Municipality established and instituted in terms of Notice 6770 of 2000 promulgated in terms of Section 12(1) of the Local Government Structures Act, 1998 (Act 117 of 1998) as amended. LOCAL AUTHORITY Means the City of Tshwane Metropolitan Municipality.
MAP Means the map marked "Map No. 3" and which can include the whole area or portions thereof as defined in the Regulations promulgated by Administrator's Notice No. 977, dated 21 st December, 1965, and as amended from time to time.	MAP Means a map as defined in the Regulations of the Ordinance and which forms part of the Scheme including any amendment thereto.
NOXIOUS INDUSTRIAL BUILDING Means a building used or designed for the purposes of conducting a noxious industry as in section 95(1) of the Local Government Ordinance, 1939 (Ordinance No. 17 of 1939) or any amendment thereof.	NOXIOUS INDUSTRIAL BUILDING Means a building designed or used for a "Noxious Industry". NOXIOUS INDUSTRY Means land and buildings used for any use included in the list in Schedule 8 together with any living accommodation required for a caretaker and includes any other use on the same site, which is necessary in connection with the primary use.
OCCUPIER In relation to any building, structure or land, means and includes anyone actually occupying such building, structure or land, or who is entitled thereto, or anyone in control thereof, and includes the agent or any person absent from the area or unknown address.	OCCUPANT Shall include any person in actual occupation of any land, or building or structure or premises without regard to the title under which he occupies, and in the case of premises subdivided and let to lodgers, various tenants, shall include the person receiving the rent payable by the lodgers or tenants whether on his own account or as agent for any person entitled thereto or interested therein and includes the agent of any person absent from the area or whose whereabouts is unknown.

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<p>OFFICE</p> <p>Means a building used or designed to be used for administrative purposes and includes a bank, building society office or similar commercial establishment and professional consulting room but does not include any type of building referred to under the definition of a "public office".</p>	<p>OFFICE</p> <p>Means land and buildings or part of a building used for professional, clerical, administrative, management, marketing and consulting services, but excludes a call centre, security and emergency response vehicles, courier services in post, parcels and money.</p>
<p>ORDINANCE</p> <p>Means the Town Planning and Townships Ordinance, 1965 (Ordinance No. 25 of 1965), or any amendment thereof.</p>	<p>ORDINANCE</p> <p>Means the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), as amended.</p>
<p>PLACE OF AMUSEMENT</p> <p>Means a building used or designed for use as a public hall, theatre, cinema, music hall, concert hall, billiard room, sports stadium, skating rink or dance hall or any other purpose which may, in the opinion of the local authority, readily be included hereunder.</p>	<p>PLACE OF AMUSEMENT</p> <p>Means land and buildings or a part of a building used for entertainment purposes such as a theatre, cinema, music hall, concert hall, table games, skating rink, dancing, amusement park, casino, electronic games, night club, an exhibition hall or sports arena/stadium used for live concerts or performances.</p>
<p>PLACE OF INSTRUCTION</p> <p>Means a building used or designed for use as a school, college, university, academy, research institute, technical institute, lecture room, or other educational centre and includes a hostel in connection therewith, a convent, public library, art gallery, museum or gymnasium but does not include a building defined as an "institution".</p>	<p>PLACE OF INSTRUCTION</p> <p>Means land and buildings used as a school, college, technical institute, university, academy, lecture hall, monastery, convent, public library, art museum, museum, other educational centre including ancillary and subservient hostel for persons attending any one of the aforementioned.</p>
<p>PLACE OF PUBLIC WORSHIP</p> <p>Means a building used or designed for use as a church, temple, chapel, oratory, cathedral, mosque, synagogue or other place of public devotion and includes a parsonage and a building used or designed to be used for the purposes of a Sunday School. It may also include any other building used or designed to be used for social gatherings and recreation on the same property and appurtenant to any of the foregoing buildings such as a church hall but does not include a "funeral parlour".</p>	<p>PLACE OF PUBLIC WORSHIP</p> <p>Means land and buildings used for a church, chapel, mosque, temple, synagogue, or other religious purposes and may include ancillary social and recreational purposes and one dwelling-unit on the same property, but shall not include a funeral parlour, wall of remembrance or cemetery.</p>
<p>PRIVATE OPEN SPACE</p> <p>Means any land used or reserved in terms of this scheme for use as a private sports, play and recreation ground or as an ornamental garden, but does not include a "Public Resort".</p>	<p>PRIVATE OPEN SPACE</p> <p>Means open space to which the general public has no right of access.</p> <p>OPEN SPACE</p> <p>Means land which is predominantly free of buildings or structures and which provides ecological-, socio-economic and place-making functions such as natural areas, nature conservation areas, protected areas, nature reserve and includes ridges, watercourses, wetlands, ecological sensitive areas, parks, and squares as defined in the Tshwane Open Space Framework and may include ablution facilities, pergolas, benches, and braai facilities.</p>

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<p>PROPERTY</p> <p>Means a farm portion, erf or agricultural holding registered as a separate unit in the Deeds Office.</p>	<p>PROPERTY</p> <p>Means any portion of land that has been registered as a separate unit in the Deeds Office.</p>
<p>PUBLIC GARAGE</p> <p>Means a building used or designed for the purposes of storing, selling, repairing and refuelling motor vehicles or for any one or more of these uses by trading or for gain and may include a stores section for the sale of motor accessories and spare parts but does not include a motor scrap yard or panel-beating business: Provided that motor accessories and spare parts may not be displayed in such a manner as to be visible from any street.</p>	<p>PUBLIC GARAGE</p> <p>Means land and buildings used for the storage and retail sale of vehicle fuel and lubricants and one or more of the following uses:</p> <ol style="list-style-type: none"> (1) repair and servicing of vehicles, excluding panel-beating or spray-painting; (2) sale of new and used vehicles; (3) a shop including a confectionery and take-away facility including a kitchen with a maximum gross floor area of 250 m²; and (4) an automatic teller machine.
<p>PUBLIC OFFICE</p> <p>Means a building used or designed for use as a government or municipal office and includes a court room, town hall, police station and post office.</p>	<p>GOVERNMENT PURPOSES</p> <p>Means land and buildings designed or used for Government offices, depots, workshops, stores, communication centres, police stations, post offices etc. and includes incidental uses such as a cafeteria solely for Government Departments but excludes industries and noxious industries.</p> <p>MUNICIPAL PURPOSES</p> <p>Means such purposes as the Municipality may be authorised to carry out in terms of any law governing municipalities including but not limited to the Local Government Municipal Structures, 1998 (Act 117 of 1998) and the Local Government Municipal Systems Act, 2000 (Act 32 of 2000).</p>
<p>PUBLIC OPEN SPACE</p> <p>Means any portion of land used or reserved in this scheme for use by the public as an open space, park, garden, play or recreation area or square, but does not include a "Public Resort".</p>	<p>PUBLIC OPEN SPACE</p> <p>Shall mean any Open Space as defined vested in the Municipality under Section 63 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) to which the general public has right of access.</p> <p>OPEN SPACE</p> <p>Means land which is predominantly free of buildings or structures and which provides ecological-, socio-economic and place-making functions such as natural areas, nature conservation areas, protected areas, nature reserve and includes ridges, watercourses, wetlands, ecological sensitive areas, parks, and squares as defined.</p>
<p>PUBLIC RESORT</p> <p>Also means a place of rest, holiday place, caravan park, camping place and picnic place, but does not include a "Private Open Space".</p>	<p>RECREATION RESORT</p> <p>Means land and buildings used for recreational purposes mainly by day visitors and may include swimming pools, water slides, braai facilities, chalets, a camping site, cultural and music events, a place of refreshment, a</p>

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	<p>conference centre or social hall, wedding chapel, staff accommodation, natural areas and ancillary and subservient uses.</p> <p>CAMPING SITE</p> <p>Means land and buildings used for transient guests for the overnight accommodation of caravans, motor homes and tents and may include ablution facilities, caretaker's flat, communal kitchen and ancillary and subservient shops and other related buildings.</p>
<p>RESIDENTIAL BUILDING</p> <p>Means a building used or designed for human habitation together with such outbuildings as are ordinarily used in connection therewith and includes blocks of flats, semi-detached residences, tenements, boarding houses, accommodation establishments, residential clubs and hostels. It does not include a "dwelling house", "institution" or "place of instruction".</p>	<p>RESIDENTIAL BUILDINGS</p> <p>Means a hotel, block of flats, tenements, boarding house and hostel together with such outbuildings as are ordinarily used therewith.</p>
<p>SHOP</p> <p>Means a building used or designed for the purpose of conducting a retail business and includes an accompanying storeroom and a small workshop which is reasonably necessary and incidental to the specific retail business.</p>	<p>SHOP</p> <p>Means land and buildings used for the purpose of retail trade directly to the public, including inter alia retail sale and display of products, "off-sales" facilities on properties licensed in terms of any liquor law, pet shops, a pharmacy, a confectionary, a take-away, swop shop, pawn shop and auctioneers business and includes a Retail Industry.</p>
<p>SOCIAL HALL</p> <p>Means a building used or designed for use for social gatherings, meetings and recreation and includes a freemason's club building (without board and lodging) but does not include a "place of amusement".</p>	<p>SOCIAL HALL</p> <p>Means land and buildings used for, inter alia, social and cultural gatherings, recreation activities, wedding receptions, fairs, bazaars and a non-residential club but does not include a place of amusement and place of refreshment.</p>
<p>SPECIAL BUILDING</p> <p>Means a building used or designed for any use other than a use for which buildings defined herein are designed and which, in the opinion of the local authority, belongs in the use zone in which the building is to be situated.</p>	<p>SPECIAL USE</p> <p>Means land or buildings used for any purpose other than that herein defined.</p>
<p>STREET OR ROAD</p> <p>Includes the whole or part of any street, road, bridge, sub-way, lane, alley, arcade, sanitary alley, servitude of right-of-way or passage indicated on an approved surveyor general diagram or general plan of a township or agricultural holdings or in respect of which the public or the local authority gained a right of thoroughfare, by way of superannuation or otherwise, and includes all land which is reserved, intended, designated or defined for the purposes of vehicular traffic in terms of any legal provision as well as the area taken up by a specific road reserve.</p>	<p>STREET OR PUBLIC STREET</p> <p>Includes any street, road, or thoroughfare shown on the General Plan of a township, agricultural holding or other division of land or in respect of which the public have acquired a prescriptive or other right of way or zoned as Existing Street.</p>

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<p>WAREHOUSE</p> <p>Means a building used or designed for the purposes of storing goods and includes buildings for a trade which usually requires great areas such as the business of a wholesaler, cartage contractor, building contractor, building materials dealer, agricultural requisites dealer and/or a dealer in other heavy equipment.</p>	<p>WAREHOUSE</p> <p>Means land and buildings designed or used as a storage depot in conjunction with a wholesale trading establishment or any other storage depot.</p>
<p>WORKSHOP</p> <p>Means a building used or designed for the purpose of conducting a retail business in goods manufactured, processed, assembled or repaired wholly or partially on the property and in any case a building not classified as a factory in terms of the Factories, Machinery and Building Work Act, 1941 (Act No. 22 of 1941) or any amendment thereof.</p>	<p>LIGHT INDUSTRY</p> <p>Means land and buildings used for, inter alia, a bakery, a builder's yard, a car wash, a contractor's yard, dry-cleaners, carpet cleaners, joinery workshop, launderette, laundry, lawnmower workshop, painter's workshop, plumber's workshop, printing workshop, transport depot, panel-beater, motor workshops, a ready-mix plant and any other such industries, workshops or yards which in the opinion of the Municipality do not cause a nuisance to the environment, may be used for similar purposes and may include the retail sale of products ancillary and subservient to the main use on the same property.</p>
<p>ZONE</p> <p>Means a portion of the area, shown on the annexures to this scheme by means of distinctive colouring, hatching or edging or in some other distinctive manner for the purposes of indicating the restrictions imposed by this scheme on the erection and use of buildings or the use of land and the expressions "density zone", "use zone", and "height zone" mean the zones indicating the restrictions as to density, use and height of buildings, respectively.</p>	<p>ZONE</p> <p>Means that part of the Map which by distinctive colouring or in some other manner indicates the restrictions imposed by this Scheme on the erection and use of buildings or the use of land.</p> <p>COVERAGE ZONE</p> <p>Means a specific zone in Table E and indicated on the electronic database of the Municipality.</p> <p>FLOOR AREA RATIO (FAR) ZONE</p> <p>Means a specific zone in Table C and indicated on the electronic database of the Municipality.</p> <p>HEIGHT ZONE</p> <p>Means a specific zone in Table D and indicated on the electronic database of the Municipality.</p>

SCHEDULE 21: PART B	
PERI-URBAN TOWN-PLANNING SCHEME, 1975: CLAUSES	TSHWANE TOWN-PLANNING SCHEME, 2008: CLAUSES
Clause 1: Definitions	Clause 5: Definitions
Clause 2: Area of scheme	Clause 1: Title of Scheme
Clause 3: Responsible authority	Clause 2: Responsible Authority
Clause 4: Reservation of land	Included into Table B; Clause 14: Use of Buildings and Land.
Clause 5: Roads, streets and building lines	Clause 8: Building Lines; Clause 9: Building Lines relative to streets; Clause 12: Building Restriction Areas.
Clause 6: Erection and use of buildings and the use of land	Clause 14: Use of Buildings and Land; Clause 17: Uses not subject to Table B.
Clause 7: Consent of local authority, advertisements	Clause 14: Use of Buildings and Land;

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PERI-URBAN TOWN-PLANNING SCHEME, 1975: CLAUSES	TSHWANE TOWN-PLANNING SCHEME, 2008: CLAUSES
and appeal	Clause 15: Permission of the Municipality; Clause 16: Consent Use Procedure; Clause 35: Appeals.
Clause 8: Plans, drawings, details and appearance of buildings	Clause 30(1): General Amenity
Clauses 8(3)	Not included.
Clause 9: Advertisements and hoardings	Clause 30(2): Signs
Clause 10: Buildings used for more than one purpose	Clause 13: Mixed use of buildings
Clause 11: Number of dwellings, consolidation and subdivision	Clause 14(10) Clause 20: Conditions applicable to Residential I erven
Clause 12: Parking, turning, loading and other areas	Clause 28: Parking Requirement; Clause 29: Loading Requirements.
Clause 13: Entry and inspection of properties	Clause 33: Access and inspection
Clause 14: Appeals	Clause 35: Appeals
Clause 15: Binding force of conditions	Clause 4: Transition Clause; Clause 15: Permission of the Municipality; Clause 16: Consent Use procedure.
Clause 16: Contravention of scheme and title conditions	Clause 26: Contravention of the Scheme; Clause 38: Compliance with the Title Deeds and Conditions of Establishment
Clause 17: Title	Clause 1: Title of Scheme; Clause 39: Short Title.

SCHEDULE 21: PART C	
PERI-URBAN TOWN-PLANNING SCHEME, 1975: TABLE D, LAND USE TABLE TABLE B, RESERVATION OF LAND	TSHWANE TOWN-PLANNING SCHEME, 2008: TABLE B, USE ZONES TABLE
Use Zone I: Residential 1	Use Zone 1: Residential 1
Use Zone VI: Industrial 1	Use Zone 10: Industrial 1
Use Zone X: Special	Use Zone 28: Special
Use Zone XII: Educational	Use Zone 13: Educational
Use Zone XIII: Municipal	Use Zone 15: Municipal
Use Zone XV: Undetermined	Use Zone 19: Undetermined
Reservation: Public Open Space	Use Zone 20: Public Open Space
Reservation: Private Open Space	Use Zone 21: Private Open Space

SCHEDULE 21: PART D	
PERI-URBAN TOWN-PLANNING SCHEME, 1975: TABLES	TSHWANE TOWN-PLANNING SCHEME, 2008: TABLES
Table A	Not included
Table B	Table B
Table C	Tables C, D and E
Table D	Table B

SCHEDULE 21: PART E	
PERI-URBAN TOWN-PLANNING SCHEME, 1975: TABLE C, HEIGHT, COVERAGE AND FSR	TSHWANE TOWN-PLANNING SCHEME, 2008: HEIGHT ZONES OF TABLE D, COVERAGE ZONES OF TABLE E AND FLOOR AREA RATIO ZONES OF TABLE C
Use Zone I: Residential 1	Table D, Height Zone 10 Table E, Coverage Zone 5 Table C, FAR Zone 21
Use Zone VI: Industrial 1	Table D, Height Zone 7 Table E, Coverage Zone 17 Table C, FAR Zone 19

SCHEDULE 21: PART E	
PERI-URBAN TOWN-PLANNING SCHEME, 1975: TABLE C, HEIGHT, COVERAGE AND FSR	TSHWANE TOWN-PLANNING SCHEME, 2008: HEIGHT ZONES OF TABLE D, COVERAGE ZONES OF TABLE E AND FLOOR AREA RATIO ZONES OF TABLE C
Use Zone X: Special	As referred to in Annexure T or Site Development Plan
Use Zone XII: Educational	Table D, Height Zone 9 Table E, Coverage Zone 19 Table C, FAR Zone 15
Use Zone XIII: Municipal	Table D, Height Zone 7 Table E, Coverage Zone 5 Table C, FAR Zone 5
Use Zone XV: Undetermined	Table D, Height Zone 10 Table E, Coverage Zone 5 Table C, FAR Zone 21
Reservation: Public Open Space	Height: Site Development Plan Coverage: Site Development Plan FAR: Site Development Plan
Reservation: Private Open Space	Table D, Height Zone 9 Table E, Coverage Zone 20 Table C, FAR Zone 21

SCHEDULE 22**CONVERSION TABLE: PRETORIA REGION TOWN-PLANNING SCHEME, 1960
TO TSHWANE TOWN-PLANNING SCHEME, 2008**

SCHEDULE 22: PART A	
PRETORIA REGION TOWN-PLANNING SCHEME, 1960: DEFINITIONS (INTERPRETATIONS ACCORDING TO CLAUSES 2 AND 13)	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>ADMINISTRATOR</p> <p>Means the officer appointed under Sub-section (1) of Section 68 of the South Africa Act 1909, and any amendment thereof acting on the authority of the Executive Committee of the Province.</p>	<p>PREMIER</p> <p>Means the head of the Executive Council of the Gauteng Provincial Government.</p>
<p>AGRICULTURAL BUILDING</p> <p>Shall mean a building designed for use in connection with, and which would ordinarily be incidental to, or reasonable necessary in connection with the use of the site of that building as agricultural land and includes a dwelling-house.</p>	<p>AGRICULTURAL BUILDING</p> <p>Means a building designed or used for Agricultural Purposes and may include a Dwelling-house.</p>
<p>AGRICULTURAL HOLDINGS</p> <p>Means holdings as laid out under the Agricultural Holdings (Transvaal) Registration Act, No 22 of 1919 or any amendment thereto.</p>	<p>AGRICULTURAL HOLDINGS</p> <p>Means land as laid out in terms of the Agricultural Holdings (Transvaal) Registration Act, 1919 (Act 22 of 1919).</p>
<p>AGRICULTURAL LAND</p> <p>Means land as defined in Section 4 of the Local Authorities Rating Ordinance, 1933 or any amendments thereof.</p>	<p>Not included.</p>
<p>AREA</p> <p>Means the area described in Clause 3 hereof.</p>	<p>SCHEME AREA</p> <p>Means the area to which the scheme is applicable as indicated on the map.</p>
<p>BUILDING</p> <p>Shall include a structure or erection in Clauses 14 to 18 inclusive, but not elsewhere in this part of this Scheme.</p>	<p>BUILDING</p> <p>Means a building as defined in the National Building Regulations, 1985 and Building Standards Act, 1977.</p>
<p>BUSINESS PREMISES</p> <p>Means a building designed for use as an office, warehouse, or for other business purposes, but does not include a place of instruction or place of amusement, or any building mentioned, whether by way of inclusion or exclusion, in the definition of "institution" or a building designed for use as a shop, public garage, parking garage, industrial building, or noxious industrial building.</p>	<p>BUSINESS BUILDING</p> <p>Means land and buildings used as an office, financial institution, fitness centre, hairdresser, receiving depot for dry-cleaning and shoe repairs, dental workshop, medical and dental consulting rooms, optometrist or for other business purposes such as inter alia beauty salon, pet salon, but does not include any building mentioned whether by way of inclusion or exclusion in the definition of Institution nor a building designed or used as a Place of Instruction, Place of Amusement, Shop, Public Garage, Parking Garage, Industry, Noxious Industry, Warehouse, Vehicle Sales Mart or a factory or workshop.</p>
<p>BOARD</p> <p>Means the Townships Board as constituted by Section 2 of the Ordinance.</p>	<p>TOWNSHIP BOARD</p> <p>Means the Townships Board as established in terms of the provisions of the Town-planning and Townships Ordinance, 1986.</p>

SCHEDULE 22: PART A	
PRETORIA REGION TOWN-PLANNING SCHEME, 1960: DEFINITIONS (INTERPRETATIONS ACCORDING TO CLAUSES 2 AND 13)	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>BY-LAWS</p> <p>Means the by-laws of the Local Authority for the time being in force in the area.</p>	<p>BY-LAWS</p> <p>Means the Municipality by-laws in force in the area of the Scheme.</p>
<p>DWELLING-HOUSE</p> <p>Means a house designed for and used as a dwelling for a single family together with such outbuildings as are ordinarily used therewith, erected simultaneously with or after the main building and shall include domestic servants quarters which shall be used specifically for that purpose.</p>	<p>DWELLING-HOUSE</p> <p>Means a single dwelling-unit on property zoned "Residential 1", "Agricultural" and "Undetermined".</p> <p>DWELLING-UNIT</p> <p>Means a self contained suite of rooms mutually connected and consisting of habitable room(s), a bathroom(s), toilet(s) and not more than one kitchen without the permission of the Municipality for the purpose of residence by a single family, or a single person or two unmarried persons and may include outbuildings which are ancillary and subservient to the dwelling-unit and may include a Home Enterprise subject to Schedule 9.</p>
<p>EXISTING BUILDING AND EXISTING WORK</p> <p>Mean respectively a building or work lawfully erected, constructed or carried out before the date of the approval of this Scheme and include also a building or work:</p> <ol style="list-style-type: none"> (1) erected, constructed or carried out in pursuance of a contract made before the said date; or (2) begun before, but completed after, the said date; or (3) erected, constructed or carried out in accordance with the terms of any permission granted by the Local Authority pending the preparation and approval of this Scheme. 	<p>EXISTING BUILDING</p> <p>Means respectively a building or work erected or carried out before the relative date set out in the definition of "Existing Use" and includes a building or work,</p> <ol style="list-style-type: none"> (1) erected or carried out in pursuance of a contract made before the relevant date given in the definition of "Existing Use", (2) begun before, but completed after, the said date, (3) erected or carried out in accordance with the terms of any permission granted by the Municipality before the said date: <p>Provided that, notwithstanding the afore-mentioned definition the Municipality may refuse to regard any building or work which was the subject of a prohibition or instruction as contemplated in Section 43 of the Ordinance 15 of 1986 as an existing building or an existing work.</p>
<p>EXISTING ERF</p> <p>Means any erf as defined in the Townships and Town Planning Ordinance No 11 of 1931, and includes any portion of an erf the subdivision of which was approved by the Local Authority or Administrator before the 10th December 1954.</p>	<p>EXISTING ERF</p> <p>Means any erf as defined in the Ordinance and the Gauteng Planning and Development Act, 2003 and includes any portion of an erf in the areas mentioned in the definition of "Existing Use".</p>
<p>EXISTING USE</p> <p>Means in relation to any building or land, the continuous use of that building or land for any purpose for which it was being lawfully used on the date of proclamation of the Scheme or in the case of a newly-erected building erected before such date and which has not been used before that date, a continuous use for any purpose for which it was designed including, in any case, any use of a building or land permitted by the Local Authority</p>	<p>EXISTING USE</p> <p>Means, subject to Section 43 of the Ordinance, the continuous lawful use of a building or land for the purpose for which it was erected or was lawfully being used.</p>

SCHEDULE 22: PART A	
PRETORIA REGION TOWN-PLANNING SCHEME, 1960: DEFINITIONS (INTERPRETATIONS ACCORDING TO CLAUSES 2 AND 13)	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>pending the preparation and approval of this Scheme: Provided that:</p> <p>(1) the discontinuance of the existing use of a building at any time after the approval of this Scheme for a period exceeding fifteen (15) months, shall be deemed to interrupt the continuous use;</p> <p>(2) where, on the date of approval of this Scheme, a person who was lawfully using any land for the purpose of mining, quarrying, the digging of clay, gravel, or sand, or the deposit of waste material or refuse, or any other purpose of a similar nature, was entitled also to use neighbouring land for any such purpose, such use of that neighbouring land, whether before or after the date of the approval of this Scheme, shall be deemed to be an existing use.</p>	
<p>FEET</p> <p>Means Cape Feet.</p>	Not included.
<p>FLAT</p> <p>Means any suite of rooms not being a single dwelling-house designed for use by a single family and contained in one building and having a common entrance.</p>	<p>BLOCK OF FLATS</p> <p>Means two (2) or more dwelling-units on two or more storeys contained in a building with a common entrance or foyer to the dwelling-units.</p>
<p>INDUSTRIAL BUILDING</p> <p>Means a building, other than a noxious industrial building, designed for use as a factory within the meaning of the factories, Machinery and Building Work Act No 22 of 1941, and any amendment thereof and includes any office or other building within the same site the use of which is incidental to, or reasonably necessary in connection with the use of such factory.</p>	<p>INDUSTRY</p> <p>Means land and buildings where a product or part of a product is manufactured, mounted, processed, repaired, rebuilt or packed, including a power station and incinerator plant and may include a cafeteria and a caretaker's flat and any other activities connected to or incidental to the activities mentioned herein, excluding noxious industries, light industries and retail industries.</p>
<p>INSTITUTION</p> <p>Means a building designed for use as a public or charitable institution, hospital, nursing-home, sanatorium or clinic whether public or private.</p>	<p>INSTITUTION</p> <p>Means land and buildings, whether public or private, designed or used as a charitable institution, national government institution, provincial institution, municipal institution, hospital, nursing home and clinic for the care or treatment of humans.</p>
<p>LAND</p> <p>Includes land covered with water and any right in or over land. Any reference to land is limited to land in the area.</p>	<p>PROPERTY</p> <p>Means any portion of land that has been registered as a separate unit in the Deeds Office.</p>
<p>LOCAL AUTHORITY</p> <p>Means the Peri-Urban Areas Health Board established by Section 2 of Ordinance No 20 of 1943, or in the case of Lyttelton Township and Lyttelton Extension No 1 Township the Lyttelton Town Council established by Administrator's Proclamation No 20 of 1955.</p>	<p>MUNICIPALITY</p> <p>Means the City of Tshwane Metropolitan Municipality established and instituted in terms of Notice 6770 of 2000 promulgated in terms of Section 12(1) of the Local Government Structures Act, 1998 (Act 117 of 1998) as amended.</p>

SCHEDULE 22: PART A	
PRETORIA REGION TOWN-PLANNING SCHEME, 1960: DEFINITIONS (INTERPRETATIONS ACCORDING TO CLAUSES 2 AND 13)	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
	<p>LOCAL AUTHORITY</p> <p>Means the City of Tshwane Metropolitan Municipality.</p>
<p>MAP</p> <p>Means the map marked "Map No 3" as defined in the Regulation promulgated under Administrator's Notice No 383 of the 10th October, 1945 and as amended from time to time by any approved amending scheme.</p>	<p>MAP</p> <p>Means a map as defined in the Regulations of the Ordinance and which forms part of the Scheme including any amendment thereto.</p>
<p>NOXIOUS INDUSTRIAL BUILDING</p> <p>Means an industrial building designed or used for the purpose of carrying on an offensive trade as set out in Section 95(1) of the Local Government Ordinance 1939 with any additions made thereto in terms of such Ordinance; Provided that:</p> <p>(i) where the Local Authority with the sanction of the Administrator in terms of Section 95(1) of the Local Government Ordinance, 1939, adds to the list of noxious trades in terms of that Ordinance such additions should also be deemed to be included in the above definition;</p> <p>(ii) upon the production of a certificate by the Medical Officer of Health, in consultation with the Inspector of Factories, that the process it is proposed to employ in the conduct of any of the foregoing industries or factories will eliminate nuisance or danger to health in neighbouring premises arising from:</p> <p>(a) vapour or effluvia;</p> <p>(b) fluids or liquid waste matters to be discharged from the premises, and if land treatment of such matters is proposed, the nature, slope and area of the land and its position in relation to dwellings, streams or water courses;</p> <p>(c) solid waster matter;</p> <p>the Local Authority may consent to the erection and use of buildings for such industries in the Use Zone VII, Table "D".</p>	<p>NOXIOUS INDUSTRIAL BUILDING</p> <p>Means a building designed or used for a "Noxious Industry".</p>
<p>OCCUPIER</p> <p>In relation to any building, structure or land means and includes:</p> <p>Any person in actual occupation of, or legally entitled to occupy such building, structure or land; or any person having the charge or management thereof and includes the agent of any person absent from the area or whose whereabouts is unknown.</p>	<p>OCCUPANT</p> <p>Shall include any person in actual occupation of any land, or building or structure or premises without regard to the title under which he occupies, and in the case of premises subdivided and let to lodgers, various tenants, shall include the person receiving the rent payable by the lodgers or tenants whether on his own account or as agent for any person entitled thereto or interested therein and includes the agent of any person absent from the area or whose whereabouts is unknown.</p>

SCHEDULE 22: PART A	
PRETORIA REGION TOWN-PLANNING SCHEME, 1960: DEFINITIONS (INTERPRETATIONS ACCORDING TO CLAUSES 2 AND 13)	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>ORDINANCE</p> <p>Means the Townships and Town Planning Ordinance No 11 of 1931 with any amendments thereof.</p>	<p>ORDINANCE</p> <p>Means the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), as amended.</p>
<p>OWNER</p> <p>In relation to any building, structure or land means and includes:</p> <p>(a) the person in whose name the title to such building, structure or land is registered and includes the holder of the stand licence;</p> <p>or</p> <p>(b) if such person or holder is dead, 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 capacity whatever;</p> <p>or</p> <p>(c) If the premises are under lease the registration whereof is in law necessary for the validity of such lease, the lessee.</p> <p>When an owner as herein defined is absent from the area or his whereabouts is unknown the expression "owner" includes an agent of such owner or any person receiving, or entitled to receive, rent in respect of the premises.</p>	<p>OWNER</p> <p>Means in relation to land or a registered right in land, the person in whose name such land or right is registered, in a Deeds Registry in terms of the Deeds Registry Act, 1937 (Act 47 of 1937) and includes-</p> <p>(1) if the owner is deceased, the executor of the deceased estate;</p> <p>(2) if the estate of the owner has been sequestrated, the trustee of the insolvent estate;</p> <p>(3) if the owner is a company or other juristic person;</p> <p>(4) if the owner is a company or other juristic person that is being wound up, the liquidator thereof;</p> <p>(5) if the owner is under legal disability, the owners legal representative;</p> <p>(6) the authorised representative of the owner; or</p> <p>(7) in the case of a road or public space under the control of the Municipality, that Municipality.</p>
<p>PLACE OF AMUSEMENT</p> <p>Includes, inter alia, a building designed for use as a public hall, theatre, cinema, music-hall, concert-hall, billiard saloon, sports arena, skating rink, or dance-hall, or for the purpose of exhibitions of trade or industry.</p>	<p>PLACE OF AMUSEMENT</p> <p>Means land and buildings or a part of a building used for entertainment purposes such as a theatre, cinema, music hall, concert hall, table games, skating rink, dancing, amusement park, casino, electronic games, night club, an exhibition hall or sports arena/stadium used for live concerts or performances.</p>
<p>PLACE OF INSTRUCTION</p> <p>Means a building designed for use as a school, college, technical institute, academy lecture-hall, or other educational centre and includes a hostel appertaining thereto, a monastery, convent, public library, art gallery, museum or gymnasium but does not includes a building designed for use wholly or principally as a reformatory or industrial school, or as a school for mentally defective children.</p>	<p>PLACE OF INSTRUCTION</p> <p>Means land and buildings used as a school, college, technical institute, university, academy, lecture hall, monastery, convent, public library, art museum, museum, other educational centre including ancillary and subservient hostel for persons attending any one of the aforementioned.</p>
<p>PLACE OF PUBLIC WORSHIP</p> <p>Means a building designed for use as a church, chapel, oratory, meeting-house, synagogue or other place of public devotion and includes a building designed for use as a Sunday School and an institute or other building</p>	<p>PLACE OF PUBLIC WORSHIP</p> <p>Means land and buildings used for a church, chapel, mosque, temple, synagogue, or other religious purposes and may include ancillary social and recreational purposes and one dwelling-unit on the same property, but shall not</p>

SCHEDULE 22: PART A	
PRETORIA REGION TOWN-PLANNING SCHEME, 1960: DEFINITIONS (INTERPRETATIONS ACCORDING TO CLAUSES 2 AND 13)	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
designed for purposes of social intercourse and recreation within the same site as, and associated with, any of the foregoing buildings but shall not include a funeral chapel, which shall be deemed to be a "special building.	include a funeral parlour, wall of remembrance or cemetery.
PRIVATE OPEN SPACE Means any land used or reserved in this Scheme for use as a private ground for sports, play, rest and recreation, or as an ornamental garden or pleasure ground.	PRIVATE OPEN SPACE Means open space to which the general public has no right of access. OPEN SPACE Means land which is predominantly free of buildings or structures and which provides ecological , socio-economic and place-making functions such as natural areas, nature conservation areas, protected areas, nature reserve and includes ridges, watercourses, wetlands, ecological sensitive areas, parks, and squares as defined in the Tshwane Open Space Framework and may include ablution facilities, pergolas, benches, and braai facilities.
PUBLIC GARAGE Means a building designed for the purpose of the storage, sale, repair and fuelling of motor vehicles, or for any one or more of these uses, by way of trade or for purposes of gain.	PUBLIC GARAGE Means land and buildings used for the storage and retail sale of vehicle fuel and lubricants and one or more of the following uses: (1) repair and servicing of vehicles, excluding panel-beating or spray-painting; (2) sale of new and used vehicles; (3) a shop including a confectionery and take-away facility including a kitchen with a maximum gross floor area of 250 m ² ; and (4) an automatic teller machine.
PUBLIC OPEN SPACE Means any land used or reserved in this Scheme for use by the public as an open space, park, garden, playground, recreation ground or square.	PUBLIC OPEN SPACE Shall mean any Open Space as defined and vested in the Municipality under Section 63 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) to which the general public has right of access. OPEN SPACE Means land which is predominantly free of buildings or structures and which provides ecological , socio-economic and place-making functions such as natural areas, nature conservation areas, protected areas, nature reserve and includes ridges, watercourses, wetlands, ecological sensitive areas, parks, and squares as defined in the Tshwane Open Space Framework and may include ablution facilities, pergolas, benches, and braai facilities.
RESIDENTIAL BUILDING Means a building, other than a dwelling-house, designed for use for human habitation together with such	RESIDENTIAL BUILDINGS Means a hotel, block of flats, tenements, boarding house and hostel together with such outbuildings as are ordinarily

SCHEDULE 22: PART A	
PRETORIA REGION TOWN-PLANNING SCHEME, 1960: DEFINITIONS (INTERPRETATIONS ACCORDING TO CLAUSES 2 AND 13)	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
outbuildings as are ordinarily used therewith and includes blocks of flats, tenements, boarding houses, hotels, residential clubs and hostels but does not include any building mentioned whether by way of inclusion or exclusion in the definitions of "place of instruction" and "institution".	used therewith.
SHOP Means a building designed for the purpose of carrying on retail trade not being a noxious industrial building or public garage and includes an industrial building on the same premises and ordinarily incidental to the conduct of the retail business thereon.	SHOP Means land and buildings used for the purpose of retail trade directly to the public, including inter alia retail sale and display of products, "off-sales" facilities on properties licensed in terms of any liquor law, pet shops, a pharmacy, a confectionary, a take-away, swap shop, pawn shop and auctioneers business and includes a Retail Industry.
SITE In relation to a building includes the area of any offices, outbuilding, yard, court or garden occupied or intended to be occupied therewith.	SITE In relation to FAR, coverage and parking calculations, means the whole of the area registered as an erf or other property, including the area of any servitude registered over such erf or other property.
SOCIAL HALL Means a building designed to be used for social meetings, gatherings and recreation and includes a masonic temple and a non-residential club but does not include "a place of amusement".	SOCIAL HALL Means land and buildings used for, inter alia, social and cultural gatherings, recreation activities, wedding receptions, fairs, bazaars and a non-residential club but does not include a place of amusement and place of refreshment.
SPECIAL BUILDING Means a building designed for any use other than one of the uses for which buildings herein defined are designed.	SPECIAL USE Means land or buildings used for any purpose other than that herein defined.
STREET OR ROAD Includes the whole or part of any street, road, bridge, subway, avenue, lane, sanitary-lane or thoroughfare, shown on the general plan of a township or agricultural holdings or in respect of which the public or the Local Authority has acquired a prescriptive or other right-of-way.	STREET OR PUBLIC STREET Includes any street, road, or thoroughfare shown on the General Plan of a township, agricultural holding or other division of land or in respect of which the public have acquired a prescriptive or other right of way or zoned as Existing Street.
TENEMENT Means a building having more than two entrances and containing rooms one or more of which are designed to be separately occupied as a dwelling.	BLOCK OF TENEMENTS Means a building containing two (2) or more habitable rooms and may include communal kitchens and communal ablution facilities.
THE ERECTION OF A BUILDING Includes the structural alteration of, or the making of any addition to a building.	ERECTION OF A BUILDING Means, inter alia, the construction of, any addition to, or structural alteration of a building.

SCHEDULE 22: PART A	
PRETORIA REGION TOWN-PLANNING SCHEME, 1960: DEFINITIONS (INTERPRETATIONS ACCORDING TO CLAUSES 2 AND 13)	TSHWANE TOWN-PLANNING SCHEME, 2008: DEFINITIONS
<p>ZONE</p> <p>Means a portion of the area shown on the Map by distinctive colouring, hatching or edging, or in some other distinctive manner for the purpose of indicating the restrictions imposed by this part of this Scheme on the erection and use of buildings or the use of land; and the terms “density zone” and “use zone” and “height zone” mean zones indicating restrictions as to density, use and height of buildings respectively.</p>	<p>ZONE</p> <p>Means that part of the Map which by distinctive colouring or in some other manner indicates the restrictions imposed by this Scheme on the erection and use of buildings or the use of land.</p> <p>COVERAGE ZONE</p> <p>Means a specific zone in Table E and indicated on the electronic database of the Municipality.</p> <p>FLOOR AREA RATIO (FAR) ZONE</p> <p>Means a specific zone in Table C and indicated on the electronic database of the Municipality.</p> <p>HEIGHT ZONE</p> <p>Means a specific zone in Table D and indicated on the electronic database of the Municipality.</p>

SCHEDULE 22: PART B	
PRETORIA REGION TOWN-PLANNING SCHEME, 1960: CLAUSES	TSHWANE TOWN-PLANNING SCHEME, 2008: CLAUSES
Clause 1 : Arrangement of Scheme	Clause 3 : Arrangement of Scheme
Clause 2 : Interpretation	Clause 5 : Definitions
Clause 3 : Area of the Scheme	Clause 1 : Title of Scheme
Clause 4 : Responsible Authority	Clause 2 : Responsible Authority
Clause 5 : Reservation of Land	Included into Table B; Clause 14 : Use of Buildings and Land
Clause 6 : Buildings, etc., not to be erected on reserved land	
Clause 7 : Acquisition of land	Clause 14(2)
Clause 8 : Splaying of corners	Not included
Clause 9 : Closing or diversion of streets	Clause 6 : Closed Streets
Clause 10 : Building lines in new townships and agricultural holdings	Clause 8 : Building Lines; Clause 9 : Building Lines relative to Streets; Clause 12 : Building Restriction Areas.
Clause 11 : Building lines in existing townships, agricultural holdings and farm land	
Clause 12 : Observance of building lines	
Clause 13 : Interpretation	Clause 5 : Definitions
Clause 14 : Buildings used for more than one purpose	Clause 13 : Mixed Use of Buildings
Clause 15 : Erection and use of Buildings	Clause 14 : Use of Buildings and Land; Clause 17 : Uses not subject to Table B.
Clause 16 : Use of Land	
Clause 17 : Advertisement and appeal in certain cases	Clause 15 : Permission of the Municipality; Clause 16 : Consent Use Procedure; Clause 35 : Appeals.
Clause 18 : Saving for special purposes	Clause 17: Uses not subject to Table B
Clause 19 : Number of dwelling-houses, which may be erected and subdivisions	Clause 14(10); Clause 20 : Conditions applicable to Residential 1 erven.
Clause 20 : Allowance for spayed corners and servitudes of right-of-way	Not included
Clause 21 : Portion of land physically separated	Clause 20 (3)
Clause 22 : Side Space	Clause 12 : Building Restriction Areas
Clause 23 : Non-European servants quarters for residential buildings	Clause 30(3): Outbuildings
Clause 24 : Limitation of height of buildings	Clause 26 : Height of Buildings

SCHEDULE 22: PART B	
PRETORIA REGION TOWN-PLANNING SCHEME, 1960: CLAUSES	TSHWANE TOWN-PLANNING SCHEME, 2008: CLAUSES
Clause 25 : Portion of site which may be occupied by buildings	Clause 27 : Coverage
Clause 26 : Submission of drawings and particulars	Clause 30(1): General Amenity; Clause 31: Site Development Plan and Landscape Development Plan.
Clause 27 : Removal of injurious conditions in private gardens, etc.	Clause 30(1): General Amenity
Clause 28 : Advertisements and hoardings	Clause 30(2): Signs
Clause 29 : Provision of loading accommodation	Clause 29 : Loading Requirements
Clause 30 : Permission granted before approval of this Scheme	Clause 4 : Transition Clause
Clause 31 : Binding force of conditions imposed	Clause 4 : Transition Clause; Clause 15 : Permission of the Municipality; Clause 16 : Consent Use Procedure.
Clause 32 : Entry and inspection of premises	Clause 33 : Access and inspection
Clause 33 : Contravention of Scheme	Clause 36 : Contravention of Scheme
Clause 34 : Appeals	Clause 35 : Appeals
Clause 35 : Record of permissions and conditions	Clause 34 : Perusal of Scheme Documents
Clause 36 : Inspection of Scheme	Clause 33 : Access and inspection
Clause 37 : Service of Notices	Clause 37 : Serving of Notices
Clause 38 : Saving for powers of Local Authority	Clause 32 : Overriding rights of the Municipality
Clause 39 : Conflict of Scheme and Township conditions	Clause 38 : Compliance with Title Deeds and Conditions of Establishment
Clause 40 : Short Title	Clause 39 : Short Title

SCHEDULE 22: PART C	
PRETORIA REGION TOWN-PLANNING SCHEME, 1960: TABLE D, LAND USE TABLE	TSHWANE TOWN-PLANNING SCHEME, 2008: TABLE B, LAND USE TABLE
Use Zone V : Special	Use Zone 28: Special
Use Zone XI : Agricultural	Use Zone 17: Agricultural

SCHEDULE 22: PART D	
PRETORIA REGION TOWN-PLANNING SCHEME, 1960: TABLES	TSHWANE TOWN-PLANNING SCHEME, 2008: TABLES AND SCHEDULES
Table A: (Reservation of Land)	Table B
Table B: (Building Lines)	Table A; Schedule 1; Schedule 5
Table C: (Building Lines)	Table A; Schedule 1; Schedule 5
Table D: (Use of Land)	Table B
Table E	Table A; Schedule 1; Schedule 5
Table F	Schedule 6
Table G: (Height)	Table D
Table H: (Coverage)	Table E

SCHEDULE 22: PART E	
PRETORIA REGION TOWN-PLANNING SCHEME, 1960: USE ZONES	TSHWANE TOWN-PLANNING SCHEME, 2008: HEIGHT ZONES OF TABLE D, COVERAGE ZONES OF TABLE E AND FLOOR AREA RATIO ZONES OF TABLE C
Use Zone V : Special	As referred to in Annexure T or per Site Development Plan
Use Zone XI : Agricultural	Table D, Height Zone 10 Table E, Coverage Zone 5 Table C, FAR Zone 21