

CENTURION town planning scheme

1992

(REVISED 1999)



CENTURION TOWN PLANNING SCHEME

PART 1:

DIVISION OF SCHEME AND DEFINITIONS

1. DIVISION OF SCHEME

This scheme is divided into sections that respectively refer to the following aspects:

PART I	: Division and definitions
PART II	: General
PART III	: Building restriction areas
PART IV	: Land uses
PART V	: Density, Height, Coverage and Floor Area
PART VI	: Parking and Loading Facilities
PART VII	: Aesthetical Requirements
PART VIII	: Miscellaneous Regulations

2. DEFINITIONS

Unless the context or a specific provision otherwise requires:

ADMINISTRATOR: means the official as defined in the Ordinance;

ADVERTISEMENT: 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;

AFTER-SCHOOL CENTRE: means a centre for the care of more than 6 (six) school children after school or during school holidays;

AGRICULTURAL HOLDING: means land that has been registered in terms of the Agricultural Holdings (Transvaal) Registration Act [Act 22 of 1919];

AGRICULTURAL INDUSTRY: 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;

AGRICULTURAL PURPOSES: means land used for farming but does not include an agricultural industry;

ANIMAL BOARDING PLACE: means a property that is used for the temporary boarding and grooming of dogs and other pets;

ANNEXURE: means those documents that contain terms relating to special rights and conditions that are applicable to those properties indicated on the map by circled numbers (0), which annexure(s) form 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;

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;

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;

BASEMENT: means any storey below the ground storey;

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 the Local Authority.

BUILDING: means a structure with a roof;

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 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 LINE: means a line that demarcates the building restriction area and is a fixed distance from the boundary of a stand or property;

BY-LAWS: means the by-laws of the Local Authority;

CAFETERIA: means a building or part of a building that is used for the preparation of food and non-alcoholic beverages for the exclusive use of the employees of a concern;

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;

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;

CAR WASH: means the use of an area on a site for the washing, polishing and cleaning of cars;

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;

CONFECTIONERY: the activity where bread, biscuits, tarts, rolls, pies or other flour baked products are baked or made for sale and consumption on or use away from the business premises, or on a retail basis;

COVERAGE: 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:

(a) a veranda, stoep or balcony that:

[i] is not screened off;

[ii] is screened off by a parapet not exceeding 1.2 m, by a wire mesh screen or trellis-work;

- (b) a lean-to or carport or canopy (lapa), with open sides of which the surface area does not exceed 50 square metres;
- (c) a structure that does not have a roof;
- (d) normal roof overhangs not exceeding 1 m;

CRÈCHE / (PLACE OF CARE): 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;

DISTRIBUTION CENTRE: means a warehouse or other building from where goods are distributed and includes a transport depot;

DWELLING HOUSE: means a dwelling unit on an erf;

DWELLING UNIT: means an interconnected suite of rooms designed for habitation of which at least one is habitable and includes a single kitchen and separate toilet facilities;

ERF: means a registered property as described in the Ordinance;

EXISTING BUILDING: 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:

- (a) completed on or before the fixed date; or
- (b) started before the fixed date, but was only completed after that date; or
- (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;

EXISTING STAND: means a stand or any subdivision thereof that was registered before the fixed date;

FACTORY: 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;

FAMILY: means a man and/or a woman with his or her or their children and/or their parents who live together;

FIXED DATE: means the date on which the Local Authority gave notice in the Provincial Gazette that this scheme has been approved;

FLOOD LINES: means the flood lines referred to in Article 169 A(1)(a) of the Water Act No. 54 of 1956 and any amendments thereto;

FLOOR AREA RATIO [FAR]: 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,

$$\text{FAR} = \frac{\text{floor area of a building}}{\text{total area of the property}};$$

FLOOR AREA: means the sum total of the areas of each storey of a building with the exclusion of the following:

- (a) stairs and passages for common use;
- (b) parking places;
- (c) accommodation for the lift motor and other mechanical or electronic equipment and storage space for cleaning apparatus and cleaning material for a building;
- (d) a veranda, stoep or balcony that:
 - [i] is not screened off;
 - [ii] is screened off by a parapet not exceeding 1.2 m or by a wire mesh screen or trellis-work;

FUNERAL UNDERTAKER: 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;

GROSS LEASABLE FLOOR AREA (GLA): 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;

GROUND LEVEL: means the average level between the highest and lowest point of any property;

GROUND STOREY: means that storey of which the floor is at ground level;

GROUP HOUSING: 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;

GUEST HOUSE: a commercial accommodation establishment of not more than 16 bedrooms, and which can include a dining and conference facility for the exclusive uses of the residents guests;

GYMNASIUM: means a building where people exercise with or without exercise apparatus;

HEIGHT: means the height of a building expressed in terms of the number of stories;

HOME INDUSTRY: means any manufacturing done on a small scale with the permission of the Local Authority in a residential zone;

HOTEL: 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;

INDUSTRY: 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;

INSTITUTION: means a charitable organisation, hospital, nursing home, sanitarium or any other institution, whether private or public, but does not include institutions where dwelling units or any share in it are sold;

LIGHT INDUSTRY: 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;

LOCAL AUTHORITY: means the Town Council of Centurion, the Town Council's Management Committee, acting under the powers delegated 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 subsection 3 of said section to delegate and has in fact delegated the powers, functions and duties vesting in the Council;

MAP: means a map as defined in the regulations and which forms an integral part of the scheme, including any amendments to it;

MEDICAL SUITE: 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;

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 CAR SHOWROOM: 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;

NOXIOUS INDUSTRY: means an industry that by virtue of noise, smells or effluent:-

- (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;

NURSERY: 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.

NURSERY SCHOOL: 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;

OCCUPANT: means any person actually occupying a building or ground irrespective of whether such occupation is legal or not;

OFFICE: means any building or part of a building where mainly professional, clerical or administrative work is performed;

ORDINANCE: means the Town Planning and Townships Ordinance 1986 [No. 15 of 1986] as well as any amendment thereto;

OUTBUILDING: 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;

OWNER: with regards to property; means the registered owner as well as a leasee in terms of a long-term lease contract registered with the Deeds Office as well as the duly authorized agent of such owner or leasee and includes such owner's Executor, Curator, Liquidator or Judicial Manager;

PANEL BEATING: means the replacement, repair and spray painting of the bodywork of motor vehicles;

PANHANDLE: means the access part of a panhandle erf;

PANHANDLE ERF: means the improvable part of a stand that has access by means of a panhandle to a public road;

PARKING AREA: means property that is used for the parking of motor vehicles;

PARKING GARAGE: means a building that is used for the parking of motor vehicles;

PICNIC AREA: means land used for the outdoor recreation and associated uses approved by the Local Authority;

PLACE OF INSTRUCTION: 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;

PLACE FOR PUBLIC WORSHIP: means buildings used for Public Worship and associated activities;

PLACE OF AMUSEMENT: means a place that is used for entertainment and/or recreation with a view on making a profit and related uses;

PRIVATE OPEN SPACE: 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;

PROPERTY: means any portion of land that has been registered as a separate unit in the Deeds Office;

PUBLIC GARAGE: means a place where vehicles, spares for vehicles, fuel, lubricants and any accessories and other items are sold, repaired and vehicles are serviced but excludes panel beating and spray painting;

PUBLIC OPEN SPACE: means land to which the general public has right of access and is indicated as park on the general plan;

REGULATIONS: means the Town Planning and Township Regulations issued by the Administrator in terms of the Ordinance;

RESIDENTIAL BUILDING: means a boarding house, a club, a hotel and a hostel that is suitable for habitation;

RESTAURANT: means a building where refreshments are prepared and sold to the public;

RIDING SCHOOL: means a place where horse riders and horses are trained and includes related activities;

SCHEDULE(S): means the same as annexure as defined and is applicable to those properties indicated with an S on the map;

SCHEME AREA: means the area to which the scheme is applicable as indicated on the map;

SCRAP YARD: 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;

SERVICE INDUSTRY: 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;

SHOP: means a building or structure or part thereof used for the sale, delivery, packing or storage of goods and includes a cafe and a workshop associated with and subordinate to the main use but does not include a public garage;

SHOWROOMS: buildings, which are used for the display of goods.

SPECIAL USE: means any use for which no provision has been made in the scheme;

STOREY: 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 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:

- (a) a basement;
- (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;

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.

TRANSPORT DEPOT: means a place where vehicles used for cartage or transport services are parked, serviced, repaired and refueled;

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;

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.

PART II

GENERAL

3. APPLICABILITY OF THE SCHEME

- (a) The provisions of this scheme or any amendment thereof or any consent given by the Local Authority by virtue of this scheme, does not detract from or overrule:
- [i] any condition of a title deed; and/or
 - [ii] the conditions of any Act or Ordinance;
- (b) The conditions of this scheme are set out such that they do not affect any existing rights or consent granted by virtue of any repealed scheme.
- (c) The scheme is applicable to all land and buildings within the area of jurisdiction of the Local Authority.

4. BUILDING PLAN, SITE DEVELOPMENT PLAN AND AESTHETIC PLAN

(a) AESTHETIC PLAN

The owner of land where a building is to be erected, must, before a building plan is submitted to the Local Authority, submit an aesthetic plan in accordance with the regulations of the Local Authority, on which at least the proposed outside appearance of the building is shown and that also contains a description of the material that will be used;

(b) SITE DEVELOPMENT PLAN

If a site development plan is required by the Local Authority in terms of:

- [i] clause 20;
- [ii] clause 32;
- [iii] a condition of an amendment scheme;
- [iv] a condition of a consent given by the Local Authority;

such a site development plan that is submitted must conform to the requirements of the Local Authority. After approval of the site development plan, such plan may only be changed with the consent of the Local Authority;

(c) BUILDING PLAN:

Nobody may commence with the erection of a building without the consent of the Local Authority.

5. MULTIPURPOSE USE OF BUILDINGS

If a building is used for more than one purpose, then the conditions of the scheme that apply in respect of such uses, are applicable to each separate use.

6. USE OF LAND FOR A TEMPORARY PURPOSE

An owner of property may use it temporarily for another purpose than that for which it will normally be used with the written consent of the Local Authority and subject to such conditions which the Local Authority may impose and further subject to the condition that such permission:

- (a) may be withdrawn after 30 days written notice to the owner if any conditions of the consent are not met, malpractice occurs or the amenity of the area is prejudiced;
- (b) expires 12 months from the date on which permission was granted unless the Local Authority extends it in writing.

7. PUBLIC OPEN SPACE

- (a) In the case of
- [i] new townships; or
 - [ii] subdivision; or
 - [iii] an amendment to the scheme;
- [aa] the applicant must provide at his own cost public open spaces as required by the Local Authority; or
- [bb] if the Local Authority requires it, pay a cash contribution equal to the land value of the open space to the Local Authority.

8. GENERAL CONDITIONS APPLICABLE TO ALL PROPERTY

[a] Except with the written permission of the Local Authority and subject to such conditions as may be imposed, no person may:

- (i) make any excavations or remove any material except with a view to the preparation of ground for building purposes;
- (ii) drill boreholes or extract water from it;

[b] The placing of a building as well as the entrance to and exit from the property must be to the satisfaction of the Local Authority.

[c] Goods may only be loaded or off-loaded within the boundaries of the property unless the Local Authority has provided loading facilities within the street reserve. This condition is not applicable to properties in use zones Residential 1 to 4.

[d] Except in the case of erven in the use zone Residential 1, the Local Authority may require that a screen wall be erected on one or more boundaries or elsewhere on such property.

[e] If a property is fenced by any means whatsoever, such fence must be to the satisfaction of the Local Authority.

[f] The erection and maintenance of temporary structures must be to the satisfaction of the Local Authority.

[g] Every owner and occupant of property is responsible for the maintenance of such property, including the improvements on it as well as the garden.

[h] If required by the Local Authority, the area where rubbish is temporarily stored before it is removed, must be properly screened and placed under a roof.

[i] Except where otherwise indicated on the map, the angles of all street intersections of erven and agricultural holdings must be truncated by a distance of 5 cotangent $a/2$ meter (calculated to the nearest meter) from the street corner where "a" is the intersection angle with the street boundary.

[j] Servitude in favour of Local Authority:

1. A servitude with a width of 2m in favour of the Local Authority must be provided for municipal services along any two boundaries of an erf, excluding a street boundary, these boundaries can be determined by the Local Authority.
2. No building or other structures may be erected within said servitude and no trees with large root systems may be planted in the servitude area or within 2 m of it.
3. The Local Authority is entitled to reasonable access to the property adjacent to the servitude area for the construction, maintenance or removal of municipal services and will also be entitled to store any material that is excavated temporarily on the property subject to the condition that any damage caused by this must be repaired or compensated for by the Local Authority.
4. The Local Authority may waive the above mentioned rights on receipt of a written application by the owner.

[k] The Local Authority 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 Local Authority may revoke such access prohibition on receipt of a written application, subject to any conditions that the Local Authority may impose, except in the case of access restrictions in respect of National or Provincial roads.

[l] A dwelling is occupied by 1 (one) family plus not more than 2 (two) other persons, unless the Local Authority approves otherwise on application.

[m] Where, in the opinion of the local authority, it is impractical for stormwater to be drained from higher-lying erven direct to a public street, the owner of the lower-lying erf shall be obliged to accept or permit the passage of such stormwater over the erf: Provided that the owners of any higher-lying erven from which storm water is discharged over any lower-lying erf, shall be liable to pay a proportionate share of the cost of any pipeline or drain which the owner of any lower-lying erf may find necessary to lay or to construct for the purpose of conducting the water so discharged over the erf.

[n] If the erf is situated in an area where soil conditions can detrimentally affect or damage buildings and structures, building plans and site development plans submitted to the local authority shall indicate measures, in accordance with the recommendations in the geo-technical report compiled for the township, to limit possible damage to buildings and structures arising from unfavourable foundation conditions, unless proof to the contrary is submitted to the local authority that such measures are unnecessary or the same purpose can be achieved in a more effective manner.

9. DOLOMITIC AREAS

The following conditions apply to all properties situated on dolomitic ground:

[a] No French drains are permitted. In the case of farms and agricultural holdings it is permitted subject to the following conditions:

- (i) it must always be placed on the down slope from any dwelling;
- (ii) it must be placed such that it will not damage roads, services or adjacent properties;
- and
- (iii) the access pipes must have flexible joints.

[b] Any excavation must be filled to the satisfaction of the Local Authority with moist layers of earth that is not thicker than 150 mm and compacted to the same density as before such excavation;

[c] All pipes that transport water, must be water tight and must have water-tight flexible couplings to the satisfaction of the Local Authority;

[d] The whole area of the property must drain to the satisfaction of the Local Authority and the placing of buildings and structures must be such that no damming of water can occur;

[e] Water from roof gutters must be discharged away from foundations;

[f] The Local Authority may require that:

- (i) a soil report by an expert, that indicates amongst others the suitability of the soil for building purposes, including recommendations on building methods, be submitted to the Local Authority before any building operations are commenced on the property;
- (ii) measures be incorporated in the building plans to counter the adverse soil conditions.

10. NATIONAL AND PROVINCIAL ROADS

[a] Along any National or Provincial road a physical barrier must be erected and maintained in accordance with the current standards of the applicable authority during or prior to the development of the erf along the boundary adjacent to such road to the satisfaction of the Local Authority.

[b] A building line as in Table E is applicable.

11. THE PRACTICE OF AN OCCUPATION FROM A DWELLING UNIT

Any person may practice an occupation from a dwelling unit provided the conditions of the relevant by-laws are met and further subject to the following conditions:

[a] A person practicing an occupation must occupy the dwelling unit;

[b] The practice of such occupation may not, to the sole discretion of the Local Authority, cause any nuisance of any nature whatsoever nor disturb the amenity of the area;

[c] No goods may be exhibited, displayed or stored without the written permission of the Local Authority;

[d] It may not result in any increase in traffic that is, to the sole discretion of the Local Authority, excessive;

[e] The use of more than 25% of the floor area of the dwelling for the practice of such occupation is not permitted;

(f) Not more than two employees in a maintenance or support role or two agents may be employed unless the Local Authority has given prior written consent. The conditions of Clause 15 are applicable to such application;

(g) No occupation may be practiced from outbuildings unless the Local Authority has given prior written consent. The conditions of Clause 15 are applicable to such application.

(h) No shops may be practiced from outbuildings or dwelling units unless the Local Authority has given prior written consent. The conditions of Clause 15 are applicable to such an application.

PART III

BUILDING RESTRICTION AREAS

12. BUILDING RESTRICTION AREAS AND BUILDING LINES

[a] unless otherwise indicated on the map or in the annexure or Table E, the following building lines apply:

TABEL A:

	Street	Side Space	Rear space
Agricultural Holdings	10m	5m	5m
Dwelling Houses, excluding garages and carports	3m	2m, in respect of one boundary only	2m
Dwelling units (Residential 2, 3 and 4)	as per site	development plan	
Public garages	8m	5m	5m
Other uses, including garages and carports	5m	0m	0m
Erven 750m ² and smaller	See Clause 22		

[b] Subject to clause 13 no building may be erected in a building restriction area and such building restriction area may only be used for lawns and gardens;

[c] Roof trusses may encroach over the building line by a maximum of 1 m;

[d] The canopy of public garages, excluding the column, may encroach over the building line by a maximum of 3 m.

13. ERECTION OF BUILDINGS WITHIN THE BUILDING RESTRICTION AREA WITH CONSENT FROM THE LOCAL AUTHORITY

(a) The erection of a building within the building restriction area, excluding the building restriction areas along National and Provincial roads may be permitted by the Local Authority if the owner applies in writing and the Local Authority may impose any condition(s).

(b) Buildings as indicated in clause 20 (a) may be erected in a building restrictions area on the street boundary provided it is in accordance with an approved site development plan.

PART IV

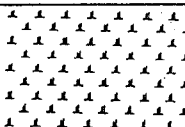
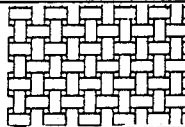
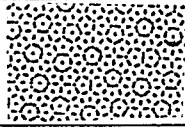
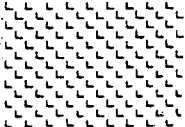
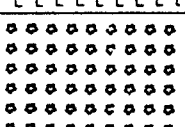
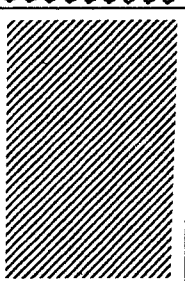
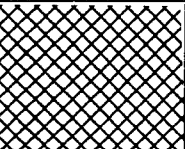
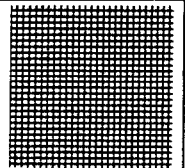
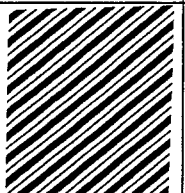
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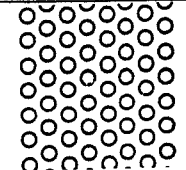
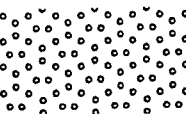
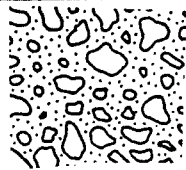
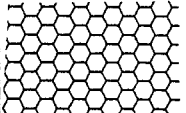
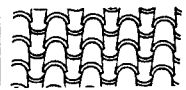

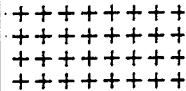

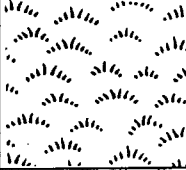

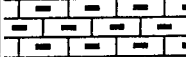
14. USE OF LAND


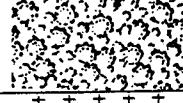

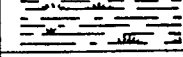
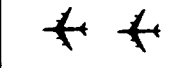


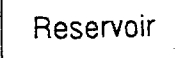



[a] The purposes for which land may be used or buildings erected and used:

- (i) as primary use as stated in column 3; and
- (ii) with consent of the Local Authority as stated in column 4;
are described in Table B;

[b] The purposes for which land may not be used or buildings erected and used, are described in column 5 of Table B.

TABLE B				
USE ZONE	NOTATION	PURPOSES FOR WHICH LAND AND BUILDINGS MAY BE USED	PURPOSES FOR WHICH LAND AND BUILDINGS MAY BE USED ONLY WITH THE CONSENT OF THE LOCAL AUTHORITY	PURPOSES FOR WHICH LAND AND BUILDINGS MAY NOT BE USED
[1]	[2]	[3]	[4]	[5]
Residential 1 I		dwelling houses	place of instruction, institution, place of public worship, community hall, sport and recreation clubs, parking area, offices, medical suites, guest house, special uses	uses not in columns 3 and 4
Residential 2 II		dwelling units	place of instruction, institution, place of public worship, community hall, sport and recreation clubs, parking area, special uses	uses not in columns 3 and 4
Residential 3 III		dwelling units, residential building	place of instruction, institution, place of public worship, community hall, sport and recreation clubs, parking area, parking garage, gymnasium, special uses	uses not in columns 3 and 4
Residential 4 IV		dwelling units, residential building	place of instruction, institution, place of public worship, community hall, sport and recreation clubs, parking area, parking garage, gymnasium, hotel excluding off-sales, special uses	uses not in columns 3 and 4
Residential 5 V		mobile dwelling units, uses ancillary to and subservient to the main use.	place of instruction, institution, place of public worship, community hall, sport and recreation clubs, parking area, dwelling units, special uses.	uses not in columns 3 and 4
Business 1 VI		shops, offices, service industries, place of public worship, place of instruction, hotel, place of amusement, restaurant, confectionary, gymnasium, dwelling units, residential building, community hall, institution, parking area, parking garage, sport and recreation clubs car sales showroom, bank/ building societies, medical suites,	uses not in columns 3 and 5	noxious industries, industries, light industries, scrap yard
Business 2 VII		shops, offices, restaurant, gymnasium, service industry, confectionary, car sales showroom bank/ building societies medical suites, dwelling units,	uses not in columns 3 and 5	noxious industries, industries, light industries, scrap yard
Business 3 VIII		shops, service industry, confectionary, bank/ building societies, medical suites, restaurant, dwelling units	offices, restaurant, gymnasium, place of amusement, dwelling units, residential building, place of instruction, institution, place of public worship, community hall, sport and recreation clubs, parking area, parking garage.	uses not in columns 3 and 4
Business 4 IX		offices, medical suites, dwelling units	restaurant, gymnasium, parking garage, parking area, place of instruction, institution, place of public worship, community hall, sport and recreation clubs, dwelling units, banks/ building societies, special uses	uses not in columns 3 and 4

USE ZONE [1]	NOTATION [2]	PURPOSES FOR WHICH LAND AND BUILDINGS MAY BE USED [3]	PURPOSES FOR WHICH LAND AND BUILDINGS MAY BE USED ONLY WITH THE CONSENT OF THE LOCAL AUTHORITY [4]	PURPOSES FOR WHICH LAND AND BUILDINGS MAY NOT BE USED [5]
Special X		as in annexure/schedule	as in annexure/schedule	as in annexure/schedule
Industrial 1 XI		light industries, warehouses, laboratories, builders yards, computer centres, distribution centres, wholesale trade, transport depots, cafeteria, uses ancillary and subservient to the main use	uses not in columns 3 and 5	noxious industry
Industrial 2 XII		light industries as approved by the Local Authority, cafeteria wholesale trade, warehouses, distribution centre	uses not in columns 3	none
Commercial XIII		warehouses, laboratories, service industries, whole trade, computer centres, distribution centres, cafeteria, undertaker, transport depot, showrooms, uses ancillary and subservient to the main use	uses not in columns 3 and 5	noxious industry, industry, light industry
Institution XIV		institution, place of instruction, place of public worship, cafeteria, offices ancillary to and subservient to the main use.	community halls, uses ancillary to and subservient to the main use, dwelling units, residential building, medical suites, restaurant, special uses	uses not in columns 3 and 4
Educational XV		place of instruction, place of public worship, community hall	institution, dwelling units, residential building, sport and recreation clubs, restaurant, special uses	uses not in columns 3 and 4
Amusement XVI		place of amusement, community hall, dwelling units, residential building	place of instruction, institution, place of public worship, sport and recreation clubs, parking area, shops, special uses	uses not in columns 3 and 4
Municipal XVII		municipal purposes, sport and recreation clubs, agriculture	uses not in columns 3 and 5	noxious industries, industries, light industries, scrapyard, public garage
Undetermined XVIII		agriculture	uses not in columns 3 and 5	noxious industries, industries, light industries, scrapyard, public garage
Agriculture XIX		agriculture, dwelling houses	place of instruction, institution, place of public worship, community hall, sport and recreation clubs, parking area, agricultural industry, caravan park, picnic place, nursery, camping site, animal boarding facilities, guest house, special uses	uses not in columns 3 and 4
Public garage XX		public garage, parking area, parking garage	panel beaters, place of amusement, shop, restaurant, caretakers flat, bank/ building societies, car wash, special uses	uses not in columns 3 and 4
Parking XXI		parking area, parking garage, public toilet facilities	restaurant, shops, offices, car wash, caretakers flat, special uses	uses not in columns 3 and 4

USE ZONE [1]	NOTATION [2]	PURPOSES FOR WHICH LAND AND BUILDINGS MAY BE USED [3]	PURPOSES FOR WHICH LAND AND BUILDINGS MAY BE USED ONLY WITH THE CONSENT OF THE LOCAL AUTHORITY [4]	PURPOSES FOR WHICH LAND AND BUILDINGS MAY NOT BE USED [5]
Public Open Space XXII		public open space, sport and recreation clubs, open space, gardens, parks, public squares, public toilet facilities	restaurant, private open space	uses not in columns 3 and 4
Private Open Space XXIII		private sport and recreation clubs, gymnasium, agriculture	restaurant, shops, caretaker's flat, special uses	uses not in columns 3 and 4
Cemetery XXIV		cemetery and ancillary uses	special uses	uses not in columns 3 and 4
Sewage Farm XXV		sewerage works, agriculture	special uses	uses not in columns 3 and 4
Aerodrome XXVI		airfield and ancillary uses	special uses, dwelling units and/ or residential buildings for personel, restaurant, shop	uses not in columns 3 and 4
Government XXVII		Government purposes	none	uses not in column 3
S.A.R. XXVIII		Railways and ancillary uses	none	uses not in column 3
Reservoir XXIX	 Reservoir	reservoir, water towers and ancillary uses	none	uses not in column 3
Existing Roads XXX		existing roads	none	uses not in column 3
Proposed Roads XXXI		roads and widenings	temporary uses	uses not in columns 3 and 4
General XXXII		any uses other than noxious industries, industries and light industries	none	noxious industries, industries, light industries

15. APPLICATION FOR CONSENT IN RESPECT OF USE OF LAND

[a] In the case of an application for consent of the Local Authority as envisaged in paragraph 14.1 (ii), the following steps must be taken:

- (i) a notice with full particulars of the application as well as mention of the land to which it applies, must appear once a week for two successive weeks in English in an English newspaper and in Afrikaans in an Afrikaans newspaper that is circulated in the area where the land is located;
- (ii) a similar notice must be affixed in a conspicuous place on the site concerned and must be maintained for a continuous period of 14 days from the date of the first publication of the notice mentioned in paragraph [a](i) above;
- (iii) the notices mentioned in the preceding paragraphs [a](i) and (ii) must conform to the requirements as prescribed from time to time by the Local Authority;
- (iv) the applicant must prove to the satisfaction of the Local Authority that the conditions of the preceding subparagraphs [a](i) to (iii) have been met;
- (v) the application must be submitted prior to or simultaneous with the first notice mentioned in subclause [a](i) to the Local Authority;
- (vi) any person wishing to object to the proposed application must submit within 28 days from the date of the first publication of the notice implied in subparagraph [a](i) a written complaint to the Local Authority and simultaneously serve a copy to the applicant;
- (vii) within 14 days after receipt of a complaint the applicant may submit a written reply to the Local Authority and simultaneously serve a copy to the objector.

16. CONSIDERATION OF APPLICATION:

[a] After consideration of the application, the Local Authority may grant the application, refuse it or qualify it and the parties are informed in writing of the decision;

[b] Unless the Local Authority is of the opinion that changed circumstances justify it, no person may submit an application similar to the application for consent that has been granted or qualified by the Local Authority in terms of clause 16[a] within a period of 2 years for consent or the amendment of any qualification.

17. LAPSING OF CONSENT ON USE OF LAND

[a] Any consent that the Local Authority grants in terms of clause 16 lapses under the following conditions:

- (i) if any rights to which the consent applies are not exercised for a period of 12 months from the date of such consent;
- (ii) if such rights are exercised and such exercise is interrupted for a period of 15 months; with the proviso that the Local Authority may extend these periods at its discretion;

[b] If a building for which such consent has been granted, is demolished, falls into disuse or becomes unsuitable for the purpose for which such consent was given;

[c] If a condition that applies to any consent is not met, or if any act is contrary to such consent, provided that the Local Authority has given 28 days written notice to the owner and the owner after the elapse of such period still does not comply with the notice.

18. CERTAIN USES ALWAYS SUBJECT TO CONSENT

No activity in any use zone that in the opinion of the Local Authority constitutes a noxious industry or any activity concerning the removal of soil, sand, gravel or clay with the purpose of selling it, may be operated without the written consent of the Local Authority.

19. OPEN SPACE

No building or structure may be erected on an open space without the consent of the Local Authority.

20. GENERAL SITE DEVELOPMENT CONDITIONS

[a] A site development plan must be submitted for the consideration of the Local Authority in all cases of development on the following properties:

- (i) in use zones Residential 2, 3, 4 5;
- (ii) Business 1, 2, 3, 4;
- (iii) Industrial 1, 2;
- (iv) Commercial, Institution, Place of Instruction, Public Garage, Place of Amusement and Private Open Space;

[b] If a development on or the maintenance of a property does not conform to the site development plan, the Local Authority may take such steps to rectify the situation and recover all costs from the owner;

[c] The Local authority may consent to the provision of up to 10% less parking places than required by Table D or the Annexures, provided it is in accordance with an approved site development plan. (Written application must be submitted to the Local Authority for consent to provide less than 90% of the parking places required by Table D or the Annexures)

21. CONDITIONS APPLICABLE TO RESIDENTIAL 5 ERVEN

The following conditions apply in respect of mobile dwelling units:

[a] A parking slab and a permanent service connection for electricity, water and sewage must be provided at each mobile dwelling unit stand;

[b] Communal washing and ironing facilities, a private outdoor living area and servant's facilities must be designed and provided to the satisfaction of the Local Authority;

[c] Subject to Clause 30[f] the coverage of the property as well as the coverage of individual dwelling unit stands may not exceed 30%.

22. CONDITIONS APPLICABLE TO RESIDENTIAL 1 ERVEN OF 750 m² AND SMALLER

[a] The placing of all buildings, the building restriction area and the parking area must be indicated on the building plans;

[b] The parking area referred to in clause 22[a] comprises two components, viz.:

- (i) parking for 3 motor vehicles next to each other, either in open parking spaces, in front of car ports, in garages or a combination thereof; and
- (ii) a building restriction area of at least 5 m that covers the length of the parking area mentioned in sub-paragraph [b](i) for the purpose of visitors parking;

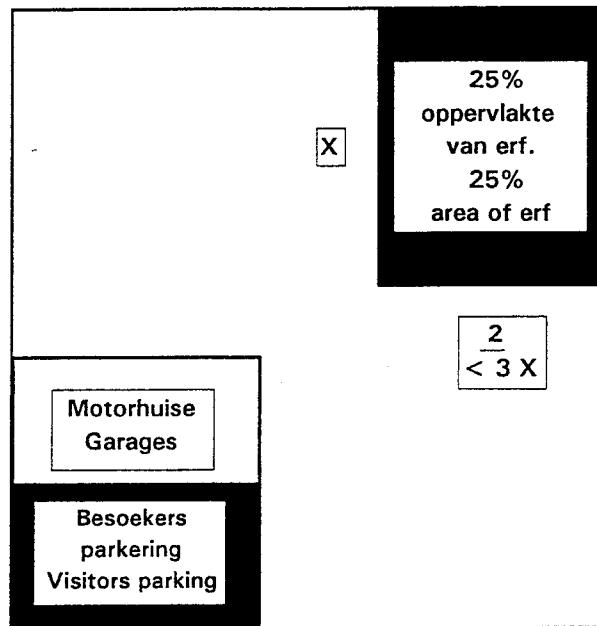
[c] A building restriction area of at least 25% of the area of the erf and where the length of one side may not be less than two thirds of the length of any other side, must be provided;

[d] Except where required by the National Building Regulations, or for service servitudes, no other building restriction areas apply;

[e] Only such pre-cast concrete walls as approved by the Local Authority may be erected along a street boundary;

(f) In order to obtain a better development the Local Authority may, on receipt of a written application accompanied by a site development plan, under certain conditions agree to the amendment of the clauses 22[b] and [c] above.

The provision of building restriction area and parking area as required by this clause, is described with the aid of a sketch below.



23. CHILDREN'S PLAYGROUND

[a] The owner of any property in use zone Residential 2 or 3 that is used for dwelling units, excluding a dwelling house or group housing must develop and maintain at least 4 square meters per dwelling unit with a minimum of 50 square meters of the property as a children's playground;

(b) The Local Authority may reduce or waive the above requirement.

24. PUBLIC GARAGES

The following conditions apply to public garages:

[a] No material of any nature may be stacked:

- (i) higher than the height of a screen wall; or
- (ii) outside the garage building;

[b] No repairs of any nature may be performed outside the garage building;

[c] Canopies over fuel pump installations are not regarded as coverage.

25. TELECOMMUNICATION MASTS

- (a) No telecommunication masts may be erected without the permission of the Local Authority be it on the ground or on any structure;
- (b) In the case of an application for a telecommunication mast higher than 12 m the conditions of clause 15 apply *mutatis mutandis*.

26. HOME INDUSTRY

- [a] No home industry may be operated from a dwelling unit without the written consent of the Local Authority;
- [b] the conditions of clause 15 apply *mutatis mutandis* to applications for such consent.

27. RIDING SCHOOL OR ANIMAL BOARDING PLACE

- [a] No riding school or animal boarding place may be operated without the written consent of the Local Authority;
- [b] The conditions of clause 15 apply *mutatis mutandis* to applications for such consent.

28. RESTRICTION ON NUMBER OF KITCHENS

A dwelling unit may not contain more than one kitchen without the consent of the Local Authority.

PART V

DENSITY, HEIGHT, COVERAGE AND FLOOR AREA

29. DENSITY

[a] The number of dwelling units that may be erected on a property in the various use zones, is determined as follows:

- (i) Residential 1 and other use zones where dwelling houses are permitted, as indicated on the map;
- (ii) Residential 2 and 5 with a maximum of 30 dwelling units per hectare;
- (iii) Residential 3 and 4 in accordance with the conditions for height, coverage and FAR that apply to the particular property.

[b] In the calculation of the density, the area of a corner splay or part of a street that was previously part of an erf, to a maximum of 10%, is regarded to be part of the area of such erf.

[c] If the Local Authority or other public authority acquires a portion of an erf for the purpose of public works and the remaining part of such erf comprises at least 75 % of the minimum area as indicated on the map, such remaining portion is regarded as an erf.

[d] For the purpose of the determination of the area of erven indicated on a general plan approved before 1 September 1970, a reduction of 1% of the density requirements as set out in clause 29[a] may be permitted.

[e] ADDITIONAL DWELLING UNIT:

Notwithstanding the conditions of clause 29[a] the Local Authority may approve that:

- (i) an additional dwelling unit be erected on a property;
 - (ii) a dwelling unit be subdivided in such a way that not more than 2 dwelling units are created:
- Use zone not specified*

subject to the following conditions:

- (aa) subject to Clause 30[f] the prescribed coverage may not be exceeded;
- (bb) a site development plan must be submitted simultaneously with the application for the erection of the second dwelling unit.

30. HEIGHT AND COVERAGE

- [a] No building may:
- (i) have more stories; or
 - (ii) occupy a larger percentage of the site than prescribed in Table C.

TABLE C: HEIGHT AND COVERAGE

Use Zone	Height	Coverage	FAR
Residential 1	2	40%	-
Residential 2	2	-	-
Residential 3 and 4	2, provided that the Local Authority may consent to additional height.	30%, provided that the Local Authority may consent to additional coverage	0.6, provided that the Local Authority may consent to additional FAR.

TABLE C continues			
Use Zone	Height	Coverage	FAR
Institutions	2	30%	0.6
Churches	2	30%	0.6
Public Garage	2	40%	-
Business 1,2,3,4	2	60%	1.2
Commercial	2	40%, provided that the local Authority may consent to additional coverage	0.8, provide that the Local Authority may consent to additional FAR.
Industrial 1	2	60%	1.2
Industrial 2	3	30%	0.9

(b) Notwithstanding the conditions of clause 30[a](i) the Local Authority may agree after receipt of a written application that the number of stories and any height zone may be increased;

[c] If 75 % of any storey is used for parking, such storey will not be deemed to be a storey for the purposes of this clause;

[d] Any chimney, tower or similar architectural structure does not constitute a storey;

[e] In the calculation of coverage the area of any corner splay is deemed to be part of the area of the erf;

(f) Notwithstanding the conditions of clause 30[a](ii) the Local Authority may consent to an additional 10% coverage after receipt of a written application.

31. FLOOR AREA

No building has a larger floor area or FAR than prescribed in Table C.

32. SUBDIVISION AND CONSOLIDATION

[a] The Local Authority may, in terms of any appropriate legislation and subject to any conditions consent to the consolidation and/or subdivision of land;

[b] A subdivision in use zone Residential 2 is in accordance with an approved site development plan and at a stage when a development has progressed satisfactorily to the satisfaction of the Local Authority;

[c] The Local Authority may consent to the subdivision of an existing erf that is zoned 1 dwelling unit per erf provided that the area of such erf is at least twice the area of the average area of all the erven in the same street or block in which it is located;

[d] The Local Authority may consent to the subdivision of an erf where the area of one of the erven that will be created is not more than 10% smaller than the required area or not more than 10% smaller than the average area of all the erven in the same street block in which such erf is located;

[e] Where new roads are created through subdivision the legal ownership in respect of the roads and other services, if any, are transferred to the Local Authority prior to or simultaneously with the transfer of any subdivision of such erf;

[f] In panhandle subdivisions the panhandle may not be less than 3 m and more than 8 m wide.

PART VI

PARKING

33. PARKING

A owner of property must provide paved parking on such land in accordance with the provisions of Table D below and maintain it to the satisfaction of the Local Authority.

TABLE D: PARKING REQUIREMENTS

Land Use	Parking Requirements
Residential 1: Erven 750m ² and less.	3 parking places which may be paved or unpaved
Residential 2,3 and 4	1 covered and 1 open parking place per dwelling unit and 1 open parking place per 3 dwelling units for visitors
Hotels	1 parking place per suite or bedroom and 6 parking places per 100m ² in respect of other facilities to which the public has access.
Hospitals, clinics	1 parking place per bed and 6 parking places per 100m ² for medical suites and other facilities to which the public has access.
Offices	4 parking places per 100m ² GLA
Shops	6 parking places per 100m ² GLA
Shops (neighbourhood and local centers)	5 parking places per 100m ² GLA
Medical suites	6 parking places per 100m ² GLA and one parking place per medical practitioner
Estate Agents	5 parking places per 100 m ² floor area
Nursery school/crèche	1 parking place per classroom or office and 6 parking places per 100 children
Churches	1 parking place per 4.5 seats in the church and hall dependent on the design thereof
Gymnasiums	7 parking places per 100 m ² floor area
Industry: (a) workshop storage space (b) other uses	1 parking place per 100m ² floor area 4 parking places per 100m ² floor area
Service industry	4 parking places per 100m ² floor area
Public garages: Workshop : Retail	4 parking places per 100m ² floor area 4 parking places per 100m ² floor area
Motor car showroom	1 parking place per 100m ² floor area
Other uses	As determined by the Local Authority

- (b) The Local Authority may after receipt of a written application:
- (i) consent to the provision of less parking places; or
 - (ii) consent to the payment of an amount as required by the Local Authority in lieu of parking;
 - (iii) consent to the provision of parking on another site .

PART VII

AESTHETIC REQUIREMENTS

34. [a] UNSIGHTLY CONDITIONS

If, in the sole discretion of the Local Authority the amenity of the environment is injured by the condition of a boundary wall, fence, garden, courtyard, structure, building or anything else that may occur on the land, the Local Authority may serve written notice on the owner to repair the unsightly condition within a period stated in the notice and if he does not comply the Local Authority will be entitled to do it itself or have it done and recover the cost thereof from the owner;

[b] ADVERTISEMENTS

- (i) Any person wishing to display an advertisement must first submit a written application to the Local Authority for consideration and approval;
- (ii) The Local Authority may require the developer or owner of a shopping complex to formulate a policy regarding advertisements in such shopping complex and submit it to the Local Authority for approval.

PART VIII

GENERAL CONDITIONS

35. ACCESS AND INSPECTION

[a] An authorised official in the service of the Local Authority may enter any property within the area of the scheme for inspection purposes;

[b] No person shall in any way obstruct such official in the execution of his duties.

36. SERVING OF NOTICE

[a] The serving of any notice in terms of this scheme is in accordance with the following:

- (i) by personally handing the notice to a person or legal body or any of their employees;
or
- (ii) by sending the notice by prepaid registered post to a last-known address;
- (iii) for the purposes of the calculation of any period in any notice referred to, it is assumed that a notice sent in terms of clause 36[a](ii) is received by the addressee on the fifth business day after posting.

37. CONTRAVENTION OF THE CONDITIONS OF THE SCHEME

If any person contravenes or allows a condition of this scheme or a notice issued in terms of this scheme or a condition set by virtue of it to be contravened, the Local Authority will be entitled to take any steps, including legal action against such person or institution as may be required.

38. SAVING FOR POWERS OF THE LOCAL AUTHORITY

Nothing in this scheme shall operate to prevent the Local Authority from erecting a building or works for any purpose permitted under any other law.

39. SHORT TITLE

This scheme replaces the Pretoria Region Town Planning Scheme No. 1 of 1960 that had previously applied to the area of the scheme and is known as the Centurion Town Planning Scheme 1992.
