



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

MUNICIPAL PLANNING AMENDMENT BY-LAW, 2019

**APPROVED BY COUNCIL : 31 OCTOBER 2019
C26/10/19**

**PROMULGATED 06 DECEMBER 2019
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Western Cape Government • Wes-Kaapse Regering • URhulumente weNtshona Koloni

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INHOUD

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PROCLAMATION**By the****Executive Mayor of the City of Cape Town****CITY OF CAPE TOWN MUNICIPAL PLANNING AMENDMENT BY-LAW, 2019**

In terms of section 143 of the City of Cape Town Municipal Planning By-law, 2015, as adopted by the municipal council of the City of Cape Town on 25 March 2015, I hereby determine that the City of Cape Town Municipal Planning Amendment By-law, 2019, as adopted by the municipal council of the City of Cape Town on 31 October 2019, shall come into operation on **3 February 2020**.

PROKLAMASIE**Deur die****Uitvoerende burgemeester van die Stad Kaapstad****STAD KAAPSTAD: WYSIGINGSVERORDENING OP MUNISIPALE BEPLANNING, 2019**

Ingevolge artikel 143 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015, soos op 25 Maart 2015 deur die munisipale raad aangeneem, bepaal ek hiermee dat die Stad Kaapstad: Wysigingsverordening op Munisipale Beplanning, 2019, soos op 31 Oktober 2019 deur die munisipale raad van die Stad Kaapstad aangeneem, op **3 Februarie 2020** in werking sal tree.

ISIBHENGEO**Esenziwa****NguSodolophu weSigqeba weSixeka saseKapa****UMTHETHO KAMASIPALA WESIXEKO SASEKAPA OLUNGISIWEYO ONGEZOCWANGCISO WANGO-2019**

Ngokwecandelo-143 loMthetho kaMasipala ongezoCwangciso weSixeko saseKapa wango-2015, njengoko wamkelwe libhunga likamasipala leSixeko saseKapa ngowama-25 kweyoKwindla (Matshi) 2015, ndiyabhengeza ukuba uMthetho kaMasipala weSixeko saseKapa oLungisiweyo ongezoCwangciso wango-2019, njengoko wamkelwe libhunga likamasipala leSixeko saseKapa ngowama-31 kweyeDwarha (Okthobha) 2019, uyakuthi uqalise ukusebenza **ngowe-3 kweyoMdumba (Febhuwari) 2020**.

EXECUTIVE MAYOR**UITVOERENDE BURGEMEESTER****USODOLOPHU WESIGQEBA**



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

CITY OF CAPE TOWN MUNICIPAL PLANNING AMENDMENT BY-LAW, 2019

**CITY OF CAPE TOWN
MUNICIPAL PLANNING AMENDMENT BY-LAW, 2019**

GENERAL EXPLANATORY NOTE:

- [] Words in bold type in square brackets indicate omissions from existing enactments.
_____ Words underlined with a solid line indicate insertions in existing enactments.
-

BE IT ENACTED by the Council of the City of Cape Town, as follows: -

Amendment of section 1 of the City of Cape Town: Municipal Planning By-law, 2015

1. Section 1 of the City of Cape Town: Municipal Planning By-law, 2015 (hereinafter referred to as the principal By-law) is hereby amended by –
 - (a) the insertion after the definition of 'base zoning' of the following definition:
"certificate of registered title" has the meaning contemplated in the Deeds Registries Act No. 47 of 1937;";
 - (b) the substitution for the definition of 'land unit' of the following definition:
"land unit" means a portion of land registered or capable of being registered in a deeds registry and may include[s] a portion of land to which a registered servitude right or registered lease relates;"; and
 - (c) the substitution for the definition of 'restrictive condition' of the following definition:
"restrictive condition" means any condition registered against the title deed of land restricting the use, development or subdivision of land concerned[, **excluding servitudes creating real or personal rights**];".

Amendment of section 38 of the City of Cape Town: Municipal Planning By-law, 2015

2. Section 38 of the principal By-law is hereby amended by –
 - (a) the substitution for the words preceding paragraph (a) of subsection (1) of the following words:
“(1) Unless otherwise specified in this By-Law, an approval granted or deemed to have been granted in terms of this By-Law to use or develop land lapses **[two]** five years after the effective date of decision –“; and
 - (b) the substitution for subsection (2) of the following subsection:
“(2) An applicant may apply in terms of and subject to the requirements of section 107 for an extension of the validity periods contemplated in subsection (1), save that an extension may not exceed **[two]** five years from the date that the original approval lapses.”.

Amendment of section 42 of the City of Cape Town: Municipal Planning By-law, 2015

3. Section 42 of the principal By-law is hereby amended by –
 - (a) the substitution for paragraph (g) of the following paragraph:
“(g) amendment, suspension or **[deletion]** removal of a restrictive condition;”;
 - (b) the substitution for paragraph (q) of the following paragraph:

- "(q) alteration or amendment of a street name or number as contemplated in section 136;"; and
- (c) the insertion of 'or' at the end of paragraph (u) and the insertion after paragraph (u) of the following paragraph:
- "(v) approval in terms of section 55(4)(b) of this By-Law."

Insertion of section 49A into the City of Cape Town: Municipal Planning By-law, 2015

4. The principal By-Law is hereby amended by the insertion after section 49 of the following section:

- "49A Application for the use or development of land that would conflict with a restrictive condition or a servitude**
- (1) The City may not grant an application in terms of this By-Law for the use or development of land that would conflict with a restrictive condition or a servitude which is a condition of approval imposed in terms of this By-Law, the Ordinance or the Townships Ordinance 33 of 1934.
- (2) The City may grant an application contemplated in subsection (1) if it simultaneously grants applications to –
- (i) amend or remove such condition of approval; and
- (ii) amend, suspend or remove such restrictive condition or servitude.
- (3) The City may grant an application in terms of this By-Law for the use or development of land that would conflict with a restrictive condition or a servitude which is not a condition of approval imposed in terms of this By-Law, the Ordinance or the Townships Ordinance 33 of 1934."

Amendment of section 54 of the City of Cape Town: Municipal Planning By-law, 2015 as amended by section 10 of the Municipal Planning Amendment By-law, 2016

5. Section 54 of the principal By-law is hereby amended by –

- (a) the substitution for the words preceding paragraph (a) of subsection (1) of the following words:

"(1) No person may obtain transfer of a land unit or certificate of registered title of a land unit arising out of an approved subdivision or phase of a subdivision approved by the City unless –"; and

- (b) the substitution for subsection (2) of the following subsection:

"(2) No person may obtain transfer of a land unit arising out of an approved subdivision or certificate of registered title of a land unit, unless the City Manager has issued a transfer certificate contemplated in section 137."

Amendment of section 67 of the City of Cape Town: Municipal Planning By-law, 2015 as amended by section 14 of the Municipal Planning Amendment By-law, 2016, and by section 2 of the Municipal Planning Second Amendment By-law, 2016

6. Section 67 of the principal By-law is hereby amended by –

- (a) the substitution for paragraph (g) of subsection (1) of the following paragraph:

"(g) the registration of a servitude or lease for the provision or construction of –

- (i) an engineering service or other service provided by or on behalf of the state or a service provider including communication infrastructure and pipelines;
- (ii) an encroachment into a road reserve; [or]
- (iii) a municipal engineering service; [or]
- (iv) the imposition of height restrictions;
- (v) the granting of a right of habitation, private right of way or usufruct; [or]
- (vi) bore-hole or waterpipe[.]

- (vii) the granting of a right of way providing that it is located further than 30m from a common boundary to adjoining land, unless such adjoining land is owned by a beneficiary to the servitude or lease;
- (viii) provision of parking as contemplated in item 138; or
- (ix) a reservoir or dam more than 30m away from a common and street boundary.”; and

(b) the substitution for paragraph (b) of subsection (5) of the following paragraph:

“(b) when engineering services must be moved **[or provided]** as a result of a subdivision or consolidation; or”.

Amendment of section 71 of the City of Cape Town: Municipal Planning By-law, 2015 as amended by section 16 of the Municipal Planning Amendment By-law, 2016

7. Section 71 of the principal By-Law is hereby amended by the deletion of subparagraph (x) of paragraph (m) of subsection (1).

Amendment of section 73 of the City of Cape Town: Municipal Planning By-law, 2015

8. Section 73 of the principal By-Law is hereby amended by the substitution for paragraph (c) of subsection (1) of the following paragraph:

“(c) the application does not comply with an information specification~~[,]~~ or lacks necessary information required in terms of section 71 **[or contains manifestly incorrect information]**; or”.

Amendment of section 74 of the City of Cape Town: Municipal Planning By-law, 2015 as amended by section 1 of the Municipal Planning Amendment By-law, 2017

9. The following section is hereby substituted for section 74 of the principal By-Law:

“If the City accepts the application, the City Manager must –

- (a) acknowledge receipt of [an] the application [either by means of a stamp on the submitted application on the day of receipt or in writing];
- (b) within 7 days after acknowledgement of receipt of the application or such further period as may be agreed in writing either –
 - (i) call for additional information or fees; or
 - (ii) notify the applicant that the application is complete.”.

Amendment of section 78 of the City of Cape Town: Municipal Planning By-law, 2015

10. Section 78 of the principal By-Law is hereby amended by the substitution for subsection (2) of the following subsection:

“(2) A person who contravenes subsections (1)(a) or (1)(b) is guilty of an offence and upon conviction is liable to the penalties contemplated in sections 133(2) and 133(3).”.

Amendment of section 79 of the City of Cape Town: Municipal Planning By-law, 2015 as amended by section 17 of the Municipal Planning Amendment By-law, 2016

11. Section 79 of the principal By-Law is hereby amended by the deletion of subsection (5).

Amendment of section 84 of the City of Cape Town: Municipal Planning By-law, 2015

12. Section 84 of the principal By-Law is hereby amended by the substitution for paragraph (b) of subsection (5) of the following paragraph:

“(b) the provisions of **[the]** this Part do not apply, apart from sections 86, 87, 88, and 95.”.

Amendment of section 90 of the City of Cape Town: Municipal Planning By-law, 2015

13. Section 90 of the principal By-Law is hereby amended by the substitution for the words preceding paragraph (a) of subsection (5) of the following words:

"A person who submits an objection, comment or representation must provide on the prescribed form –".

Amendment of section 95 of the City of Cape Town: Municipal Planning By-law, 2015

14. Section 95 of the principal By-Law is hereby amended by –

- (a) the substitution for subsection (3) of the following subsection:

"(3) A record file created by the City concerning [the] an application is available for inspection by the public during office hours at any stage during the processing of the application if not being used by the Department and copies are available to the public on payment of the fee prescribed by the City's Tariff, fees and charges book."; and

- (b) the substitution for subsection (4) of the following subsection:

"(4) After a decision has been taken, copies of the decision and conditions imposed are available to the public on payment of the fee prescribed by the City's Tariff, fees and charges book.".

Amendment of section 99 of the City of Cape Town: Municipal Planning By-law, 2015 as amended by section 20 of the Municipal Planning Amendment By-law, 2016 and by section 8 of the Municipal Planning Amendment By-law, 2017

15. Section 99 of the principal By-Law is hereby amended by –

- (a) the deletion of paragraph (a) of subsection (1);

- (b) the substitution for paragraph (b) of subsection (1) of the following paragraph:

"(b) the proposed [land] use or development of land must comply with or be consistent with the municipal spatial development framework, or if not, a deviation from the municipal spatial development framework must be permissible;";

- (c) the deletion of paragraph (c) of subsection (1);

- (d) the substitution for paragraph (d) of subsection (1) of the following paragraph:

"(d) (i) subject to subparagraph d(ii), in the case of an application for a departure to alter the development rules relating to permitted floor space or height, approval of the application would not have the effect of granting the property the development rules of the next subzone within a zone[.]; (ii) the approval of an application for a departure to alter the development rules relating to permitted floor space or height that does not exceed 10% of the maximum height or floor space of the existing subzone does not trigger the minimum threshold requirement.";

- (e) the substitution for paragraph (d) of subsection (2) of the following paragraph:

"(d) the [extent of] desirability of the proposed [land] use or development of land as contemplated in subsection (3);";

- (f) the insertion after paragraph (g) of subsection (2) of the following paragraph:

"(h) whether the application complies with the requirements of this By-law.";

(g) the substitution for the words preceding paragraph (a) of subsection (3) of the following words:

"(3) The following considerations are relevant to the assessment **[under subsection (1)(c) of whether, and]** under subsection (2)(d) of the desirability of [extent to which], the proposed [land] use or development of land **[would be desirable]** –"; and

(h) the substitution for paragraph (j) of subsection (3) of the following paragraph:

"(j) whether the imposition of conditions can mitigate an adverse impact of the proposed [land] use or development of land.".

Amendment of section 105 of the City of Cape Town: Municipal Planning By-law, 2015

16. Section 105 of the principal By-Law is hereby amended by the deletion of subsection (4).

Amendment of section 108 of the City of Cape Town: Municipal Planning By-law, 2015

17. Section 108 of the principal By-law is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) A person contemplated in subsection (2) and an applicant contemplated in section 103 may appeal to the appeal authority by giving written notice of the appeal and grounds of appeal and by completing and signing the prescribed form.".

Amendment of section 109 of the City of Cape Town: Municipal Planning By-law, 2015

18. Section 109 of the principal By-Law is hereby amended by –

(a) the substitution for paragraph (a) of subsection (2) of the following paragraph:

"(a) the applicant if the applicant is not the appellant; **[and]** or"; and

(b) the substitution for paragraph (b) of subsection (2) of the following paragraph:

"(b) any person who submitted an objection to, comment on or representation about the application if the applicant is the appellant.".

Insertion of section 111A into the City of Cape Town: Municipal Planning By-law, 2015

19. The principle By-law is hereby amended by the insertion after section 111 of the following section:

111A Further notifications

If a person submits an objection, comment or representation to an application advertised in terms of this By-law by email, the City will deem the use of email to be consent to being notified by email at that email address as provided for in section 111(3).".

Amendment of section 120 of the City of Cape Town: Municipal Planning By-law, 2015 as amended by section 21 of the Municipal Planning Amendment By-law, 2016

20. Section 120 of the principal By-Law is hereby amended by the substitution for subsection (3) of the following subsection:

"(3) The Municipal Council may determine that the Municipal Planning Tribunal **[must]** constitute itself to comprise one or more panels to determine applications, **[with each panel designated to determine an application relating to land in a particular geographic area of the city and/or a particular type or category of application]**.".

Amendment of section 130 of the City of Cape Town: Municipal Planning By-law, 2015

21. Section 130 of the principal By-Law is hereby amended by the insertion after subsection (4) of the following subsection:

"(5) The City may prescribe a category of contraventions of this By-law to which the provisions of section 130(2) and (3) do not apply.".

Amendment of section 137 of the City of Cape Town: Municipal Planning By-law, 2015

22. Section 137 of the principal By-Law is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) A transferor intending to effect the first registration of transfer of a land unit or to obtain a certificate of registered title which arises out of an approved subdivision within the geographic area of the City must provide the City Manager with proof to the satisfaction of the City Manager that all the further requirements contemplated in section 54(1) have been met.".

Substitution of section 140 of the City of Cape Town: Municipal Planning By-law, 2015

23. Section 140 of the principal By-Law is hereby amended by the insertion after subsection (1) of the following subsections:

"(2) Subject to section 60(1) of the Land Use Planning Act, the City may in writing exempt a person, group of persons or an area of land within the area of jurisdiction of the City from the application of a provision or the whole of this By-Law for a specified period and the exemption may be subject to a condition stated in the exemption, and the City may withdraw or amend the exemption at any time.

(3) The City must publish an exemption on its website.".

Amendment of section 142 of the City of Cape Town: Municipal Planning By-law, 2015 as amended by section 25 of the Municipal Planning Amendment By-law, 2016

24. Section 142 of the principal By-Law is hereby amended by the insertion after subsection (8) of the following subsection:

"(9) Notwithstanding any amendment to this By-Law which may come into effect, an application that has already been accepted by the City in terms of section 74(a) before the date that the amendments become effective, will be processed and considered in terms of the legislation as it existed at the time of acceptance.".

AMENDMENT OF SCHEDULE 3: CITY OF CAPE TOWN DEVELOPMENT MANAGEMENT SCHEME

Amendment of Item 1 of Schedule 3: City of Cape Town Development Management Scheme as amended by section 26 of the Municipal Planning Amendment By-law, 2016

25. Item 1 of the City of Cape Town Development Management Scheme set out in schedule 3 to the principal By-law, hereinafter referred to as Schedule 3, is hereby amended by –

- (a) the deletion of the definition for 'average ground level';
- (b) the deletion of the definition for 'base level';
- (c) the substitution for the definition of 'bed and breakfast establishment' of the following definition:

"'bed and breakfast establishment' means a dwelling house, [or] second dwelling or third dwelling in which the owner occupant of the dwelling supplies lodging and meals for compensation to transient guests who have permanent residence elsewhere; provided that:

- (a) the dominant use of the dwelling unit**[house]** concerned remain for the living accommodation of a single family; and

- (b) the property complies with the requirements contained in this development management scheme for a bed and breakfast establishment;";
- (d) by the substitution for the definition of 'boarding house' of the following definition:
- "**boarding house**' means a building where lodging is provided, and may incorporate cooking, dining and communal facilities for the use of lodgers, together with such outbuildings as are normally used therewith; and includes a building in which rooms are rented for residential purposes, youth hostel, backpackers' lodge, guest house, home for the aged, handicapped or orphaned and residential club; but does not include a hotel, dwelling house, second dwelling, third dwelling or group house;"
- (e) the substitution for the definition of 'boundary wall' of the following definition:
- "**boundary wall**' means any wall[,] or fence [**or enclosing structure**] erected on or next to a cadastral [property boundary] line [and] with any other structure[, **including security devices, such as spikes, barbed wire, razor wire or electric fences,**] affixed to [**or on**] the top of a boundary wall, which serves as a division between properties;";
- (f) by the substitution for the definition of 'braai room' of the following definition:
- "**braai room**' means a room which is part of a dwelling unit [**the main dwelling**] or outbuilding[s] and is used primarily for entertainment purposes and where food and drinks may be prepared, but excludes a kitchen;"
- (g) by the insertion after the definition of "cemetery" of the following definition:
- "City of Cape Town Ground Level Map"** means a map approved in terms of the development management scheme, indicating the existing ground level based on floating point raster's and a contour dataset from LiDAR information available to the City;"
- (h) by the substitution for the definition of 'domestic staff quarters' of the following definition:
- "**domestic staff quarters**' means an outbuilding which has a floor space of not more than 50 m², including sanitary and cooking facilities, and used for the accommodation of domestic staff employed at the dwelling unit [**house**] concerned; provided that:
- (a) no more than one domestic staff quarters is allowed on a land unit without the approval of the City; and
 - (b) the domestic staff quarters may only have its own individual section within a sectional title scheme if it is legally tied to the dwelling unit concerned;"
- (i) the substitution for the definition of 'dwelling unit' of the following definition:
- "**dwelling unit**' means a self-contained, interleading group of rooms, with not more than one kitchen, used for the living accommodation and housing of one family or a maximum of 5 transient guests, together with such outbuildings as are ordinarily used therewith, but does not include domestic staff quarters, or tourist accommodation or accommodation used as part of a hotel;"
- (j) the substitution for the definition of 'existing ground level' of the following definition:
- "**existing ground level**' means the level of the land surface on a land unit as depicted on the City of Cape Town Ground Level Map. If this map has not been approved or is not applicable to a specific land unit(s), as determined by the City, then the following will apply to determine the level of the land surface on a land unit:
- (a) in its unmodified state, before any building had been erected or alterations in levels had been made thereon; or

- (b) [as] established from a plan indicating the contours of the land lodged with and accepted by an official agency such as the municipality or a government department, which depicts the existing level of the ground at or before the commencement date; or
- (c) in a state which has been graded, with the City's approval, for the purpose of development; or
- (d) as determined by the City, if in its opinion it is not possible to ascertain the existing level of the ground due to irregularities or disturbances of the land; and the City may require the owner or applicant to commission a registered surveyor to measure levels of the ground or interpolate levels, which shall be tied to the National Control Network, or where this is not possible, to provide at least two durable reference marks suitably located, in order to provide the City with sufficient information so that it can determine the most appropriate existing ground level for the purpose of administrating this development management scheme;"
- (k) by the substitution for the definition of 'flats' of the following definition:
- "**flats**' means a building containing three or more dwelling units, together with such outbuildings as are ordinarily associated therewith but excludes a dwelling house, second dwelling and third dwelling [: **provided further that in those zonings where flats are permissible, a building with less than three dwelling units shall also be permissible in a building approved for flats or purposes other than for flats**];";
- (l) the substitution for the definition of 'floor space' of the following definition:
- "**floor space**' in relation to any building means the area of a floor which is covered by a slab, roof or projection; provided that:
- (a) any basement or part of a basement not intended as habitable space shall be excluded;
 - (aA) any area which is reserved solely for parking or loading of vehicles shall be excluded;
 - (b) external entrance steps and landings, any canopy, any stoep and any area required for external fire escapes shall be excluded;
 - (bA) portions of passages, access ways and fire escapes [not wider than] up to 1,5m in width in a building on a land unit with a zoning other than Single Residential Zoning 1 and 2, Community Zoning 1 and 2, Agricultural Zoning and Rural Zoning, provided that they connect directly from the fire escape, vertical circulation to the entrance doors or both, shall be excluded;
 - (c) a projection including a projection of eaves, and a projection which acts as a sunscreen or an architectural feature, which projection does not exceed 1 m beyond the exterior wall or similar support, shall be excluded;
 - (d) any uncovered internal courtyard, lightwell or other uncovered shaft which has an area in excess of 10 m² shall be excluded;
 - (e) any covered paved area outside and immediately adjoining a building at or below the ground floor level, where such paved area is part of a forecourt, yard, external courtyard, pedestrian walkway, parking area or vehicular access, and which is permanently open to the elements on at least the front or long side, shall be excluded;
 - (f) any covered balcony, verandah or terrace which, apart from protective railings, is permanently open to the elements on at least the front or long side, and which does not exceed 2,5 m in width, shall be excluded;
 - (g) subject to paragraph (h) below, any stairs, stairwells and atriums that are covered by a roof shall be included;
 - (h) in the case of multi-level buildings, any stairwells, liftwells, lightwells or other wells, and any atrium, shall only be counted once;

and provided further that floor space shall be measured from the outer face of the exterior walls or similar supports of such building, and where the building consists of more than one level, the total floor space shall be the sum of the floor space of all the levels, including that of basements;"

(m) the substitution for the definition of 'ground level' of the following definition:

"**ground level**: see [**average ground level** and] 'existing ground level';";

(n) the substitution for the definition of 'guest house' of the following definition:

"**guest house**' means a dwelling house, **[or]** second dwelling **or third dwelling** which is used for the purpose of supplying lodging and meals to transient guests for compensation, in an establishment which exceeds the **[restrictions]** **allowable number of rooms** of a bed and breakfast establishment, and may include business meetings or training sessions by and for guests on the property;";

(o) the substitution for the definition of 'height' of the following definition:

"**height**' of a building **or boundary wall** means a vertical dimension from a specified level to another specified level, as set out in the development rules of a zoning, measured in metres; provided that **the following shall not be counted for the purpose of height control** –

- (a) chimneys (maximum horizontal dimension of 1,5m),
- (b) flues (maximum horizontal dimension of 1m),
- (c) lift shafts (maximum horizontal dimension of **[2,5]** **3m** and maximum vertical dimension of 2m per lift shaft),
- (d) masts, and
- (e) antennas **[shall not be counted for the purpose of height control]**;";

(p) by the insertion after the definition of 'heritage resource' of the following definition:

"**high intensity residential land unit**' means a land unit, with a base zoning of either Single Residential Zoning 1 or Single Residential Zoning 2, where more intensive land uses than those provided for in the base zoning are promoted, as demarcated on a scheduled public transport accessibility map approved by the City from time to time;";

(q) by the substitution for the definition of 'home child care' of the following definition:

"**home child care**' means the use of portion of a dwelling **[house]** **unit** or outbuilding**[s]** by the occupant to provide day care, after school care or instruction for a limited number of infants or children;";

(r) by the substitution for the definition of 'home occupation' of the following definition:

"**home occupation**' means the practising of an occupation or the conducting of an enterprise from a land unit, dwelling house, second dwelling, **third dwelling**, dwelling unit or outbuilding by one or more occupants who reside on the property and includes the sale of alcoholic beverages via internet or any other electronic means provided no alcoholic beverage is stored, received or despatched from the property;";

(s) by the substitution for the definition of 'house shop' of the following definition:

"**house shop**' means the conducting of a retail trade from **either** a dwelling house, second dwelling, **third dwelling** or outbuilding by one or more occupants who shall reside on the property;";

(t) by the insertion after the definition of 'lodger' of the following definition:

"**low intensity residential land unit**' means a land unit, other than a high intensity residential land unit, with a base zoning of either Single Residential Zoning 1 or Single Residential Zoning 2, where

more intensive land uses than those provided for in the base zoning are promoted, as demarcated on a scheduled public transport accessibility map approved by the City from time to time;

- (u) the insertion after the definition of 'mine' of the following definition:

"minor freestanding base telecommunication station" means a freestanding support structure on land or anchored to land and used to accommodate telecommunication infrastructure and may be attached to street lamps, traffic lights, road directional signage, camera poles and flag poles or similar support structure; provided that –

- (a) it may not exceed 12m in height measured from existing ground level or road surface or pavement as the case may be or a diameter of 300mm for the post or support structure to which the antenna is to be attached;
- (b) a screened container for antennas which must be part of the post or support structure may not exceed a vertical dimension of 2m, or diameter of 500mm; and
- (c) an equipment container may not exceed 1m x 1m x 1m cube above existing ground level;"

- (v) the insertion after the definition of 'mine' of the following definition:

"minor rooftop base telecommunication station" means a concealed support structure integrated with the roof, side or any other part of a building and used to accommodate telecommunication infrastructure, which does not exceed a vertical dimension of 1.5m above the top of the roof;"

- (w) the substitution for the definition of 'natural ground level' of the following definition:

"natural ground level": see [**"average ground level" or**] 'existing ground level';";

- (x) by the substitution for the definition of 'outbuilding' of the following definition:

"outbuilding" means a structure, whether attached or separate from another structure on a land unit, ordinarily used in connection with the lawfully permitted uses on a land unit[**from the main building, which is normally ancillary and subservient to the main building on a land unit, and includes a building which is designed to be used for the garaging of motor vehicles, and any other normal activities in so far as these are usually and reasonably required in the connection with the main building; as well as domestic staff quarters in the case of a dwelling house, but does not include a second dwelling]**";

- (y) the substitution for the definition of 'parking bay' of the following definition:

"parking bay" means an area measuring not less than 5 m by 2,5 m for perpendicular or angled parking and 6 m by 2,5 m for parallel parking, which is clearly identified [**and**], demarcated and accessible for the parking of one motor vehicle and may be provided in the form of a garage or carport[, **and which is accessible for easy and safe vehicle movement**];";

- (z) the substitution for the definition of 'pergola' of the following definition:

"pergola" means any unroofed horizontal or approximately horizontal grille or latticed framework and associated vertical support structure, to provide shade or structure to support vegetation growth [such that the area in the horizontal projection of the solid portions thereof does not exceed 25% of the total area thereof]";

- (aa) the substitution for the definition of 'public road' of the following definition:

"public road" means any highway, thoroughfare, lane, footpath, sidewalk, alley, passage, bridge or any other place of a similar nature or any portion thereof, other than a toll road, serving as a public right of way, whether for vehicles or pedestrians, established or proclaimed in terms of the

former Municipal Ordinance, 1974 (Ordinance 20 of 1974) or any equivalent current municipal by-law and/or national legislation and includes a public street;";

- (bb) the substitution for the definition of 'public street' of the following definition:

"**public street**" means any land indicated on an approved general plan, diagram or map, other than a toll road, as having been set aside as a public right of way, whether for vehicles or pedestrians or public or urban squares, of which the ownership is registered in favour of or vests in the municipality in terms of this By-Law or any other law;";

- (cc) the insertion after the definition of 'public street' of the following definition:

"**recreational vehicles and watercraft**" means any mobile vehicle, such as a caravan, mobile home, trailer and any water-borne vehicle, such as a ship, boat and yacht;"

- (dd) the insertion after the definition of 'scenic drive' of the following definition:

"**scheduled public transport accessibility map**" means a map identifying high intensity and low intensity residential land units";

- (ee) the substitution for the definition of 'second dwelling' of the following definition:

"**second dwelling**" means another dwelling unit which may, in terms of this development management scheme, be erected on a land unit where a dwelling house is also permitted; and such second dwelling may be a separate structure or attached to an outbuilding or may be contained in the same structure as the dwelling house; **[provided that:**

(a) the second dwelling shall remain on the same land unit as the dwelling house; and
(b) the second dwelling shall comply with the requirements specified in this development management scheme:]";

- (ff) the insertion after the definition of 'second dwelling' of the following definition:

"**service bay**" means an area where vehicles are worked on; and includes pits, hydraulic hoist areas, wash bays and similar areas but excludes a parking bay;"

- (gg) the substitution for the definition of 'shelter' of the following definition:

"**shelter**" means a structure **[and unit of accommodation]** intended for human occupation, as provided for in the Single Residential Zoning 2 [constructed of any material whatsoever, even though such material may not] that does not comply with [the standards of durability intended by] the National Building Act;"

- (hh) the insertion after the definition of 'site development plan' of the following definition:

"**stairs**" means a series of steps that lead from one level to a different level in a building or structure;"

- (ii) the insertion after the definition of 'third dwelling' of the following definition:

"**toll road**" means a highway, or portion thereof, whether with or without any bridge or tunnel thereon, upon which the driving or use of at least some vehicles by some users of the highway is conditional on the payment of a toll and includes ancillary structures;"

(jj) the insertion after the definition of 'tourist facilities' of the following definition:

"transient guest" means a person who is provided temporary accommodation on a land unit that is not their permanent place of residence, for a continuous period not exceeding 30 consecutive days at a time;"

(kk) the substitution for the definition of 'utility service' of the following definition:

"utility service" means a use or infrastructure that is required to provide engineering and associated services for the proper functioning of urban development and includes a water reservoir and purification works, electricity substation and transmission lines, stormwater retention facilities, and a waste-water pump station and treatment works, recycling facility, dumpsites and minor freestanding and rooftop base telecommunication station, but does not include road, wind turbine infrastructure or transport use;"

(ll) the deletion of the definition for 'vertical division'; and

(mm) the insertion after the definition for 'veterinary practice' of the following definition:

"visually permeable" means the extent to which visibility through a boundary wall is possible and consists of voids, fencing, painted steel palisade, wire, cast iron work, steel railings or similar materials;"

Insertion of Item 3A into Schedule 3: City of Cape Town Development Management Scheme

26. Schedule 3 is hereby amended by the insertion after item 3 of the following item:

3A Approval of a ground level map

The City must approve and may amend from time to time a ground level map after following a public participation process. A notice of its decision must be published on the City's website and in the Provincial Gazette.".

Amendment of Item 7 of Schedule 3: City of Cape Town Development Management Scheme

27. Item 7 of Schedule 3 is hereby amended by the substitution for sub-item (1) of the following sub-item:

"(1) [When a consent use is approved, the following shall apply:

- (a) If such consent use as listed in a specific zoning is a primary use in another zoning, it shall be subject to the most restrictive development rules operating either in such other zoning or in that zoning;**
- (b) If such consent use as listed in a zoning is not a primary use in another zoning, it shall be subject to the development rules in that zoning;**
- (c) The consent use shall be subject to any development rule imposed as a condition in the approval;] A consent use is subject to the development rules in the base zoning unless other development rules are imposed as conditions of approval."**

Amendment of Item 9 of Schedule 3: City of Cape Town Development Management Scheme

28. Item 9 of schedule 3 is hereby amended by the substitution for sub-item (2) of the following sub-item:

"(2) A rezoning application must be submitted if the change contemplated in sub-item (1) is equivalent to or greater than the permitted floor space or height of the next most intensive subzoning. This provision is not applicable in the case of an owner applying for a height or floor space departure that does not exceed 10% of the maximum height or floor space of the existing subzoning."

Deletion of Item 18 of Schedule 3: City of Cape Town Development Management Scheme

29. Item 18 of Schedule 3 is hereby deleted.

Amendment of Item 20 of Schedule 3: City of Cape Town Development Management Scheme as amended by section 32 of Municipal Planning Amendment By-law, 2016

30. Item 20 of Schedule 3 is hereby amended by the substitution for the Table A: Summary of the zonings and development rules of the following table:

"Table A: Summary of the zonings and development rules

SINGLE RESIDENTIAL ZONINGS	LAND UNIT AREA (m ²)	FLOOR FACTOR	MAXIMUM FLOOR SPACE	COVERAGE	MAXIMUM HEIGHT ABOVE [BASE] EXISTING GROUND LEVEL		BUILDING LINES		STREET CENTRELINE SETBACK	OTHER PROVISIONS
					To wallplate	To top of roof	Street boundary	Common boundaries		
SINGLE RESIDENTIAL ZONING 1: CONVENTIONAL HOUSING (SR1)	>2 000	N/a	1 500 m ²	N/a	9,0 m	11,0 m	6,0 m	6,0 m	N/a	Window and door placement Garages, carports and outbuildings Parking and access Additional use rights – home occupation, bed and breakfast establishment, <u>second dwelling, third dwelling and home child care</u>
PRIMARY USES Dwelling house, private road and additional use rights	>1 000 up to 2 000	N/a	1 500 m ²	N/a	9,0 m	11,0 m	4,5 m	3,0 m		
ADDITIONAL USE RIGHTS Second dwelling; <u>third dwelling</u> ; Home occupation or bed and breakfast establishment or home child care	>350 up to 650	1,0	N/a	N/a	8,0 m	10,0 m	3,5 m	0,0 m (12,0 m from street and 60%) and 3,0 m rest		
CONSENT USES Utility services, place of instruction, place of worship, house shop, institution, guest house, <u>minor rooftop base telecommunication station</u> , rooftop base telecommunication station, wind turbine infrastructure, open space, urban agriculture, halfway house and veterinary practice	>200 up to 350	1,0	N/a	75%	8,0 m	10,0 m	[3,5] 1,5 m	0,0 m [(12,0 m from street and 60%) and 3,0 m rest]		
		Refer to item 22(a)	Refer to item 22(b)	Refer to item 22(h)	Refer to item 22(c)	Refer to item 22(c)	Refer to item 22(d) & 22(e)	Refer to item 22(d) & 22(e)		
SINGLE RESIDENTIAL ZONING 2: INCREMENTAL HOUSING (SR2)	1,0	N/a	N/a		6,0 m dwelling units;	8,0 m dwelling units;	Formal township: 1,0 m	Formal township: 0,0 m for 60% and 1,0 m for remainder; 2,5 m between shelters and other buildings	N/a	Parking and access House shop Shelter Informal trading <u>Third dwelling</u> Land constructed as or identified for roads Land used as or identified for firebreaks Approval of building plans
PRIMARY USES Dwelling house, second dwelling, utility service, private road, urban agriculture, open space and additional use rights					8,0 m other buildings	10,0 m other buildings	No formal township: 1,0 m	No formal township: 3,0 m on perimeter; 2,5 m between shelters and other buildings		
ADDITIONAL USE RIGHTS Shelter, house shop, home occupation, bed and breakfast establishment, home child care, informal trading, <u>third dwelling</u> and any educational, religious, occupational or business purpose subject to conditions					Refer to item 27(b)	Refer to item 27(b)	Refer to Item 27(c) & 27(d)	Refer to Item 27(c) & 27(d)		
CONSENT USES Group housing, boarding house, place of worship, institution, clinic, place of assembly, place of instruction, office, restaurant, guest house, place of entertainment, service trade, authority use, <u>minor rooftop base telecommunication station</u> , rooftop base telecommunication station, wind turbine infrastructure, halfway house and veterinary practice		Refer to item 27(a)								

GENERAL RESIDENTIAL ZONING	SUB-ZONING	DENSITY	COVERAGE	MAXIMUM HEIGHT ABOVE [BASE] EXISTING GROUND LEVEL		BUILDING LINES		STREET CENTRELINE SETBACK	OTHER PROVISIONS
				To wallplate	To top of roof	Street boundary	Common boundaries		
GENERAL RESIDENTIAL SUBZONING 1: GROUP HOUSING (GR1) PRIMARY USES Dwelling house, group housing, private road, open space and additional use rights ADDITIONAL USE RIGHTS Flats and home occupation, subject to restriction CONSENT USES Utility services, home child care, minor rooftop base telecommunication station and rooftop base telecommunication station	GR1	35 du/ha	N/a	8,0 m	10,0 m	5,0 m external public street 0,0 m internal road Garages 5,0 m from kerb	3,0 m external boundaries 0,0 m internal boundaries	N/a	Design principles Open space Parking and access Site development plan Flats and home occupation as additional use right Dwelling house outside group scheme
GENERAL RESIDENTIAL SUBZONINGS (GR2-GR6) PRIMARY USES Dwelling house, second dwelling, group housing, boarding house, guest house, flats, private road and open space CONSENT USES Utility service, place of instruction, place of worship, institution, hospital, place of assembly, home occupation, shop, hotel, conference facility, minor rooftop telecommunication station, rooftop base telecommunication station and veterinary practice	GR2	1,0	60%	To top of roof		4,5 m	4,5 m or 0,6 H (0,0 m up to 15,0 m height for 18,0 m from street)	[8,0 m]	Parking and access Screening Wind mitigation Dwelling house and second dwelling Group housing Institution, place of instruction and place of assembly Shop
	GR3	[1,0] 1,25	60%	15,0 m		4,5 m	4,5 m or 0,6 H (0,0 m up to 15,0 m height for 18,0 m from street)	[8,0 m]	
	GR4	1,5	60%	20,0 m		4,5 m	4,5 m or 0,6 H (0,0 m up to 15,0 m height for 18,0 m from street)	[8,0 m]	
	GR5	2,5	60%	24,0 m		4,5 m	4,5 m or 0,6 H (0,0 m up to 15,0 m height for 18,0 m from street)	[8,0 m]	
	GR6	5,0	60%	35,0 m		4,5 m; 9 m above 25 m height	4,5 m or 0,6 H (0,0 m up to 15,0 m height for 18,0 m from street); 15,0 m above 25,0 m height	[8,0 m]	
		Refer to item 41(b)	Refer to item 41(a)	Refer to item 41(c)		Refer to item 41(e)	Refer to item 41(e)	[Refer to item 41(d)]	

COMMUNITY ZONINGS	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT ABOVE [BASE] EXISTING GROUND LEVEL	BUILDING LINES		STREET CENTRELINE SETBACK	OTHER PROVISIONS
				To top of roof	Street boundary		
COMMUNITY ZONING 1: LOCAL (C01) PRIMARY USES Place of instruction, place of worship, clinic, rooftop base telecommunication station, open space, minor freestanding base telecommunication station, minor rooftop base telecommunication station and filming CONSENT USES Institution, hospital, place of assembly, cemetery, freestanding base telecommunication station, urban agriculture and veterinary practice	0,8 Refer to item 47(a)	60% Refer to item 47(b)	12,0 m Refer to item 47(c)	5,0 m Refer to item 47(d)	5,0 m Refer to item 47(e)	N/a	Parking and access Loading Screening Noise mitigation
COMMUNITY ZONING 2: REGIONAL (C02) PRIMARY USES Institution, hospital, place of instruction, place of worship, place of assembly, rooftop base telecommunication station, minor freestanding base telecommunication station, minor rooftop base telecommunication station, open space and filming CONSENT USES Boarding house, conference facility, cemetery, crematorium, funeral parlour, freestanding base telecommunication station, wind turbine infrastructure, urban agriculture and veterinary practice	2,0 Refer to item 49(a)	60% Refer to item 49(b)	18,0 m Refer to item 49(c)	5,0 m Refer to item 49(d)	5,0 m Refer to item 49(e)	N/a	Parking and access Loading Screening Noise mitigation

LOCAL BUSINESS ZONING	LAND UNIT AREA (m ²)	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT ABOVE [BASE] EXISTING GROUND LEVEL		BUILDING LINES		STREET CENTRELINE SETBACK	OTHER PROVISIONS
				To wallplate	To top of roof	Street boundary	Common boundaries		
LOCAL BUSINESS ZONING 1: INTERMEDIATE BUSINESS (LB1)	>1 000	1,0	N/a	9,0 m	11,0 m	3,5 m	3,0 m	N/a	Garages and carports Parking and access Loading Screening Home occupation, bed & breakfast establishment and home child care Second dwelling House shop
PRIMARY USES Office, dwelling house, boarding house, utility services, flats and additional use rights	>650 up to 1 000	1,0		9,0 m	11,0 m	3,5 m	3,0 m		
ADDITIONAL USE RIGHTS Second dwelling and home occupation or house shop or bed and breakfast establishment or home child care	>350 up to 650	1,0		8,0 m	10,0 m	3,5 m	0,0 m (12,0 m from street and 60%) and 3,0 m rest		
CONSENT USES Place of instruction, place of worship, institution, clinic, place of assembly, guest house, shop, informal trading, service trade, rooftop base telecommunication station, wind turbine infrastructure, halfway house and veterinary practice	≤200 up to 350	1,0		8,0 m	10,0 m	3,5 m	0,0 m (12,0 m from street and 60%) and 3,0 m rest		
		Refer to item 51(a)		Refer to item 51(b)	Refer to item 51(b)	Refer to item 51(c)	Refer to item 51(c)		
LOCAL BUSINESS ZONING 2: LOCAL BUSINESS (LB2)				To top of roof					
PRIMARY USES Shop, office, dwelling house, second dwelling, bed and breakfast establishment, boarding house, flats, place of instruction, place of worship, institution, clinic, guest house, service trade, utility service, rooftop base telecommunication station, private road, open space and veterinary practice		1,0	75%	12,0 m		0,0 m		8,0 m	Canopy projection Street corners Parking and access Loading Screening Service station and motor repair garage Informal trading
CONSENT USES Place of assembly, informal trading, restaurant, sale of alcoholic beverages, funeral parlour, place of entertainment, adult shop, business premises, supermarket, plant nursery, hotel, conference facility, motor repair garage, service station, authority use, freestanding base telecommunication station, wind turbine infrastructure, transport use and multiple parking garage		Refer to item 56(a)	Refer to item 56(b)	Refer to item 56(c)		Refer to item 56(e) & 56(f)		Refer to item 56(d)	

GENERAL BUSINESS AND MIXED USE ZONINGS	SUB-ZONING	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT ABOVE [BASE] EXISTING GROUND LEVEL	BUILDING LINES		STREET CENTRELINE SETBACK	OTHER PROVISIONS
					Street boundary	Common boundaries		
GENERAL BUSINESS SUBZONINGS (GB1–GB7)	GB1	1,5	100%	15,0 m	0,0 m up to 10,0 m height; 4,5 m above 10,0 m	0,0 m	8,0 m	Residential incentive in respect of GB7
PRIMARY USES Business premises, dwelling house, second dwelling, boarding house, flats, place of instruction, place of worship, institution, hospital, place of assembly, place of entertainment, hotel, conference facility, service trade, authority use, utility service, rooftop base telecommunication station, multiple parking garage, private road, open space, veterinary practice and filming	GB2	2,0	100%	15,0 m	0,0 m up to 10,0 m height; 4,5 m above 10,0 m	0,0 m	8,0 m	Hotel floor space concession
	GB3	[2,0] 2,5	100%	25,0 m	0,0 m up to 10,0 m height; 4,5 m above 10,0 m	0,0 m	8,0 m	Canopy or balcony projection
	GB4	3,0	100%	25,0 m	0,0 m up to 10,0 m height; 4,5 m above 10,0 m	0,0 m	8,0 m	Public pedestrian footway along street boundary
	GB5	4,0	100%	25,0 m	0,0 m	0,0 m	8,0 m	Street corners
	GB6	6,0	100%	38,0 m	0,0 m up to 25,0 m height; $\frac{1}{2}$ (H-25 m) above 25,0 m	0,0 m	8,0 m	Parking and access
	GB7	12,0	100%	60,0 m	0,0 m up to 38,0 m height; $\frac{1}{2}$ (H-38 m) above 38,0 m	0,0 m	8,0 m	Loading Screening Wind mitigation
CONSENT USES Adult shop, adult entertainment business, adult services, informal trading, expo-centre, motor repair garage, warehouse, freestanding base telecommunication station, wind turbine infrastructure, transport use, helicopter landing pad and service station		Refer to item 60(c)	Refer to item 60(a)	Refer to item 60(d)	Refer to item 60(e)	Refer to item 60(e)	Refer to item 60(b)	Service station and motor repair garage Informal trading
MIXED-USE SUBZONINGS (MU1–MU3)	MU1	1,5	75%	15,0 m	0,0 m up to 10,0 m height; 4,5 m above 10,0 m		8,0 m	Canopy or balcony projection
PRIMARY USES Business premises, industry, dwelling house, second dwelling, boarding house, flats, place of instruction, place of worship, institution, hospital, place of assembly, place of entertainment, hotel, conference facility, authority use, utility service, rooftop base telecommunication station, transport use, multiple parking garage, private road, open space and filming	MU2	4,0	100%	25,0 m	0,0 m up to 10,0 m height; 4,5 m above 10,0 m		8,0 m	Parking and access Loading Screening Service station and motor repair garage
	MU3	6,0	100%	38,0 m	0,0 m up to 25,0 m height; $\frac{1}{2}$ (H-25 m) above 25,0 m		8,0 m	Informal trading
CONSENT USES Adult shop, adult entertainment business, adult services, informal trading, expo centre, scrap yard, freestanding base telecommunication station, wind turbine infrastructure, helicopter landing pad, service station, motor repair garage, veterinary practice and recycling centre		Refer to item 64(a)	Refer to item 64(a)	Refer to item 64(a)	Refer to item 64(c)		Refer to item 64(b)	

INDUSTRIAL ZONINGS	SUB-ZONING	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT ABOVE [BASE] EXISTING GROUND LEVEL	BUILDING LINES		STREET CENTRELINE SETBACK	OTHER PROVISIONS
					Street boundary	Common boundaries		
GENERAL INDUSTRY SUBZONINGS (GI1–GI2)	GI 1	1,5	75%	18,0 m	5,0 m	3,0 m	N/a	Boundary walls Parking and access Loading Screening Hazardous substances Service station and motor repair garage Factory shop Adult shop Informal trading
PRIMARY USES Industry, restaurant, service station, motor repair garage, funeral parlour, scrap yard, authority use, utility service, crematorium, rooftop base telecommunication station, freestanding base telecommunication station, transport use, multiple parking garage, agricultural industry, private road, open space, additional use rights, veterinary practice and filming	GI 2	4,0	75%	18,0 m, but no restriction in respect of manufacturing buildings	5,0 m	3,0 m		
ADDITIONAL USE RIGHTS Factory shop and adult shop		Refer to item 68(a)	Refer to item 68(a)	Refer to item 68(b)	Refer to item 68(c)	Refer to item 68(d)		
CONSENT USES Abattoir, place of worship, institution, clinic, place of assembly, adult entertainment business, adult services, aquaculture, informal trading, shop, office, sale of alcoholic beverages, place of entertainment, helicopter landing pad, wind turbine infrastructure and container site								
RISK INDUSTRY ZONING (RI)	2,0	75%	18,0 m, but no restriction in respect of noxious trade, risk activity or manufacturing buildings	5,0 m	5,0 m	N/a	Parking and access Loading Screening Boundary walls	
PRIMARY USE Noxious trade, risk activity, crematorium, rooftop base telecommunication station, freestanding base telecommunication station, private road, open space, additional use rights and filming		Refer to item 75(a)	Refer to item 75(b)	Refer to item 75(c)	Refer to item 75(d)	Refer to item 75(d)	Hazardous substances Service station and motor repair garage Factory shop Informal trading	
ADDITIONAL USE RIGHTS Factory shop								
CONSENT USE Shop, restaurant, informal trading, service station, motor repair garage, industry, scrap yard, abattoir, authority use, utility service, helicopter landing pad, wind turbine infrastructure, container site, transport use, multiple parking garage and recycling centre								

UTILITY, TRANSPORT AND NATIONAL PORT ZONINGS	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT ABOVE [BASE] EXISTING GROUND LEVEL	BUILDING LINES		STREET CENTRELINE SETBACK	OTHER PROVISIONS
				Street boundary	Common boundaries		
UTILITY ZONING (UT) PRIMARY USES Utility service, authority use, rooftop base telecommunication station, [and] freestanding base telecommunication station, minor freestanding base telecommunication station and minor rooftop base telecommunication station				As determined by a site development plan (Refer to item 81)			
CONSENT USES Cemetery, informal trading, funeral parlour, crematorium, urban agriculture, airport, wind turbine infrastructure and helicopter landing pad							
TRANSPORT ZONING 1: TRANSPORT USE (TR1) PRIMARY USES Transport use, multiple parking garage, utility service, shop, restaurant, service trade, office, warehouse, rooftop base telecommunication station, minor freestanding base telecommunication station, minor rooftop base telecommunication station and container site CONSENT USES Business premises, flats, place of assembly, place of entertainment, hotel, conference facility, service station, motor repair garage, service trade, freestanding base telecommunication station, wind turbine infrastructure, airport, helicopter landing pad, informal trading, industry and air and underground rights	2,0 Refer to item 83(a)	75% Refer to item 83(b)	15,0 m for stacked shipping containers 18,0 m for any other building Refer to item 83(c)	0,0 m Refer to item 83(d)	3,0 m Refer to item 83(d)	N/a	Parking and access Service station and motor repair garage Informal trading Air and underground rights
TRANSPORT ZONING 2: PUBLIC ROAD AND PUBLIC PARKING (TR2) PRIMARY USES Public street, public road, minor freestanding base telecommunication station, minor rooftop base telecommunication station and utility service CONSENT USES Multiple parking garage, informal trading, wind turbine infrastructure and air and underground rights				As determined by a site development plan (Refer to item 88)			
TRANSPORT ZONING 3: TOLL ROAD (TR3) PRIMARY USES Toll road, public street, public road, minor freestanding base telecommunication station, minor rooftop base telecommunication station and utility service CONSENT USES Wind turbine infrastructure and air and underground rights				As determined by a site development plan (Refer to item 92B)			

NATIONAL PORT ZONING (NPZ)	As determined by an approved Port development framework plan (Refer to item 95)	Deemed zoning
PRIMARY USES Land uses as set out in an approved Port development framework plan		Deemed zoning of land transferred to National Ports Authority
CONSENT USES None		

OPEN SPACE ZONING	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT ABOVE [BASE] EXISTING GROUND LEVEL	BUILDING LINES		STREET CENTRELINE SETBACK	OTHER PROVISIONS
				Street boundary	Common boundaries		
OPEN SPACE ZONING 1: ENVIRONMENTAL CONSERVATION (OS1) PRIMARY USES Environmental conservation use, <u>minor freestanding base telecommunication station and minor rooftop base telecommunication station</u> CONSENT USES Harvesting of natural resources, environmental facilities, tourist accommodation, tourist facilities, utility service, rooftop base telecommunication station, freestanding base telecommunication station, wind turbine infrastructure and cultural and social ceremonies				As determined by a site development plan (Refer to item 98)			
OPEN SPACE ZONING 2: PUBLIC OPEN SPACE (OS2) PRIMARY USES Public open space, <u>[and]</u> environmental conservation use, <u>minor freestanding base telecommunication station and minor rooftop base telecommunication station</u> CONSENT USES Environmental facilities, tourist facilities, utility service, cemetery, rooftop base telecommunication station, freestanding base telecommunication station, wind turbine infrastructure, cultural and social ceremonies, urban agriculture, informal trading, harvesting of natural resources and air and underground rights				As determined by a site development plan (Refer to item 100)		Deemed zoning Construction and deposit of material Air and underground rights Informal trading	
OPEN SPACE ZONING 3: SPECIAL OPEN SPACE (OS3) PRIMARY USES Open space, private road, <u>[and]</u> environmental conservation use, <u>minor freestanding base telecommunication station and minor rooftop base telecommunication station</u> CONSENT USES Environmental facilities, tourist facilities, place of instruction, place of assembly, place of entertainment, plant nursery, utility service, cemetery, rooftop base telecommunication station, freestanding base telecommunication station, wind turbine infrastructure, cultural and social ceremonies, urban agriculture, informal trading and harvesting of natural resources				As determined by a site development plan (Refer to item 105)		Approval of consent uses Informal trading	

AGRICULTURAL, RURAL AND LIMITED USE ZONINGS	MAXIMUM FLOOR SPACE	COVERAGE	MAXIMUM HEIGHT ABOVE [BASE] EXISTING GROUND LEVEL		BUILDING LINES		STREET CENTRELINE SETBACK	OTHER PROVISIONS
			To wallplate	To top of roof	Street boundary	Common boundaries		
AGRICULTURAL ZONING (AG)								
PRIMARY USES Agriculture, intensive horticulture, dwelling house, riding stables, environmental conservation use, environmental facilities, rooftop base telecommunication station, minor freestanding base telecommunication station, minor rooftop base telecommunication station and additional use rights	1 500 m ² for all dwelling units 100 m ² for farm shop	N/a	9,0 m for dwelling house Refer to item 109(a)	11,0 m for dwelling house 12,0 m for agricultural buildings other than dwelling house Refer to item 109(d)	> 20 ha : 30,0 m ≤ 20 ha : 15,0 m Refer to item 109(d)	> 20 ha : 30,0 m ≤ 20 ha : 15,0 m Refer to item 109(b)	N/a	Parking Minimum subdivision size Agricultural industry Second dwelling and additional dwelling units
ADDITIONAL USE RIGHTS Second dwelling and home occupation or bed and breakfast establishment or home child care								
CONSENT USES Additional dwelling units, guest house, hotel, tourist accommodation, tourist facilities, intensive animal farming, harvesting of natural resources, mine, utility service, freestanding base telecommunication station, wind turbine infrastructure, aquaculture, animal care centre, farm shop, agriculture industry, veterinary practice and renewable energy structure								
RURAL ZONING (RU)								
PRIMARY USES Dwelling house, agriculture and additional use rights	1 500 m ² for all buildings 100 m ² for farm shop	40%	9,0 m	11,0 m	10,0 m	5,0 m	N/a	Parking Minimum subdivision size Agricultural industry Second dwelling
ADDITIONAL USE RIGHTS Second dwelling and home occupation or bed and breakfast establishment or home child care								
CONSENT USES Guest house, tourist accommodation, tourist facilities, harvesting of natural resources, mine, rooftop base telecommunication station, freestanding base telecommunication station, wind turbine infrastructure, aqua-culture, intensive animal farming, intensive horticulture, riding stables, animal care centre, farm shop, agricultural industry and veterinary practice	Refer to item 113(a)	Refer to item 113(b)	Refer to item 113(e)	Refer to item 113(e)	Refer to item 113(c)	Refer to item 113(c)		
LIMITED USE ZONING (LU)	Refer to item 118						No rezoning Reconstruction of destroyed property	
PRIMARY USES Only existing lawful uses								
CONSENT USES None								

End of Table".

Amendment of Item 21 of Schedule 3: City of Cape Town Development Management Scheme as amended by section 33 of the Municipal Planning Amendment By-law, 2016

31. Item 21 of Schedule 3 is hereby amended by –

(a) the substitution for paragraph (b) of the following paragraph:

"(b) Additional use rights which may be exercised by the occupant of a property are home occupation, bed and breakfast establishment, second dwelling, third dwelling and home child care, subject to the following conditions:

- (i) Except for a second dwelling, only one of the activities listed as additional use rights shall be conducted on any land unit as a primary use. Where more than one such activity is required, the City's approval shall be obtained;
- (ii) The dominant use of the property shall be a dwelling house for accommodation of a single family;
- (iii) The proprietor of the activity concerned shall live on the property;
- (iv) The conditions stipulated in items 23, 24, 25, 25A or 25B **[or 53]** (whichever is applicable) shall be adhered to;
- (v) Any new structure or alteration to the property to accommodate an additional use right shall be compatible with the residential character of the area, particularly with regard to the streetscape, and shall be capable of reverting to use as part of the dwelling house, second dwelling, third dwelling or outbuilding concerned; and
- (vi) No more than three employees shall be engaged by the occupant in the activity concerned."; and

(b) the substitution for paragraph (c) of the following paragraph:

"(c) Consent uses are utility service, place of instruction, place of worship, house shop, institution, guest house, minor rooftop base telecommunication station, rooftop base telecommunication station, wind turbine infrastructure, open space, urban agriculture, veterinary practice and halfway house.".

Amendment of Item 22 of Schedule 3: City of Cape Town Development Management Scheme as amended by section 34 of the Municipal Planning Amendment By-law, 2016

32. Item 22 of Schedule 3 is hereby amended by –

(a) the substitution for subparagraph (i) of paragraph (c) of the following subparagraph:

"(i) The maximum height of a building, measured from the **[base]** existing ground level to the wallplate and top of the roof, shall be determined in accordance with the area of the land unit as shown in the following 'Table of floor factor, floor space, height and building lines in Single Residential Zoning 1';";

(b) the substitution for subparagraph (ii) of paragraph (c) of the following subparagraph:

"(ii) Where a building is permitted in this zoning within 3 m of a common boundary, the height will be limited to 4 m measured from **[base]** existing ground level to top of roof.";

(c) the substitution of Table of floor factor, floor space, height and building lines in Single Residential Zoning 1, with the following table:

"Table of floor factor, floor space, coverage, height and building lines in Single Residential Zoning 1

Land unit area (m²)	Floor factor	Maximum floor space	<u>Coverage</u>	Maximum height above [base] existing ground level		Street boundary building line	Common boundary building line
				To wall-plate	To top of roof		
>2 000	N/a	1 500 m ²	N/a	9,0 m	11,0 m	6,0 m	6,0 m
>1 000 up to 2 000	N/a	1 500 m ²	N/a	9,0 m	11,0 m	4,5 m	3,0 m
>650 up to 1 000	N/a	1 500 m ²	N/a	9,0 m	11,0 m	3,5 m	3,0 m
>350 up to 650	1,0	N/a	N/a	8,0 m	10,0 m	3,5 m	0,0 m for first 12,0 m measured perpendicular from street boundary and 0,0 m for 60% of total remaining linear distance along all common boundaries around land unit and 3,0 m for remainder, subject to paragraph d(iii).
>200 up to 350	1,0	N/a	75%	8,0 m	10,0 m	[3,5] 1,5 m	0,0 m [for first 12,0 m measured perpendicular from street boundary and 0,0 m for 60% of total remaining linear distance along all common boundaries around land unit and 3,0 m for remainder, subject to paragraphs (ii) and (iii).]
≤200	1,0	N/a	75%	8,0 m	10,0 m	1,0 m	0,0 m [for first 12,0 m measured perpendicular from street boundary and 0,0 m for 60% of total remaining linear distance along all common boundaries around land unit and 3,0 m for remainder, subject to paragraphs (ii) and (iii).]

End of Table";

- (d) the substitution for subparagraph (i) of paragraph (f) of the following subparagraph:
- “(i) A garage, carport and outbuildings are permitted within the common boundary building line or on the common property boundary provided that the garage, carport and outbuilding do not:
 (aa) extend higher than 3,5 m from **[base]** existing ground level to top of roof;
 (bb) contain more than a double garage façade; and
 (cc) exceed a width of 6,5 m.”;
- (e) the insertion after subparagraph (i) of paragraph (f) of the following subparagraph:
- “(iA) For land units of 350 m² and less, a garage or carport is permitted up to the street boundary provided the garage or carport:
(aa) is not higher than 3,5 m from existing ground level to top of roof;
(bb) does not contain more than a double garage façade; and
(cc) does not exceed a width of 6,5 m.”;
- (f) the substitution for subparagraph (ii) of paragraph (f) of the following subparagraph:
- “(ii) For land units **[of 650]** exceeding 350 m² [and less] up to 650 m², a garage or carport is permitted up to 1,5 m from the street boundary provided the garage or carport:
 (aa) is not higher than 3,5 m from **[base]** existing ground level to top of roof;
 (bb) does not contain more than a double garage façade; and
 (cc) does not exceed a width of 6,5 m.”;
- (g) the substitution for subparagraph (iv) of paragraph (f) of the following subparagraph:
- “(iv) Notwithstanding paragraphs (ii) and (iii), a garage or carport may be erected within the street boundary building line if, in the opinion of the City, compliance with the street boundary building line will not be practical due to the steepness of the ground between the road and the property concerned. The City will determine the street boundary building line, height, façade and width of the garage and carport in such a case.”; and
- (h) the insertion after paragraph (g) of the following paragraph:
- “(h) Coverage
 (i) The maximum coverage, if applicable, is determined in accordance with the area of land unit as shown in the above table of floor factor, floor space, coverage, height and building lines in Single Residential Zoning 1.”.

Amendment of Item 23 of Schedule 3: City of Cape Town Development Management Scheme

- 33.** Item 23 of Schedule 3 is hereby amended by the substitution for paragraph (a) of the following paragraph:
- “(a) No home occupation shall include a noxious trade, risk activity, shop, adult entertainment business, adult services, adult shop, sale of alcoholic beverages, motor repair garage, funeral parlour or activities that are likely to generate a public nuisance, including but not limited to panel beating and spray painting, auto electrician, builders yard, welding works **[J]** or joinery.”.

Insertion of items 25A and 25B into Schedule 3: City of Cape Town Development Management Scheme

34. Schedule 3 is hereby amended by the insertion, after item 25, of the following items:

"25A Second dwelling

The following conditions shall apply to a second dwelling:

- (a) The total floor space of a second dwelling may not exceed the total floor space of the main dwelling unit without the approval of the City. The floor space of ancillary buildings is excluded from this provision;
- (b) The City may require that a second dwelling be constructed in a style that is similar to the architecture of the main dwelling house;
- (c) A second dwelling that is a separate structure to a main dwelling house shall not exceed a height of 6 m measured from existing ground level to the wall plate and 8 m to the top of the roof;
- (d) A second dwelling contained within the same building as a main dwelling house must be designed so that the building appears as a single dwelling house; both units may have a ground floor, or one unit may be on the ground floor and the other unit above;
- (e) The existence of a second dwelling shall not in itself be sufficient reason for the City to grant an application in terms of this By-Law to subdivide the land unit containing the dwelling units;
- (f) The construction of a second dwelling is subject to the certification by all relevant municipal service department Directors, or their delegates, that capacity is available on the services network in the specific area.

25B Third dwelling

The following conditions shall apply to a third dwelling:

- (a) The total floor space of a third dwelling may not exceed the total floor space of the main dwelling without the approval of the City. The floor space of ancillary buildings is excluded from this provision;
- (b) The City may require that a third dwelling be constructed in a style that is similar to the architecture of the main dwelling house;
- (c) A third dwelling that is a separate structure to a main or second dwelling shall not exceed a height of 6 m measured from existing ground level to the wall plate and 8 m to the top of the roof;
- (d) A third dwelling contained within the same building as a main dwelling or second dwelling must be designed so that the building appears as a single dwelling house; all units may have a ground floor, or one unit may be on the ground floor and the other units above;
- (e) The existence of a third dwelling shall not in itself be sufficient reason for the City to grant an application in terms of this By-Law to subdivide the land unit containing the dwelling units;
- (f) The construction of a third dwelling is subject to the certification by all relevant municipal service department Directors, or their delegates, that capacity is available on the services network in the specific area.”.

Amendment of Item 26 of Schedule 3: City of Cape Town Development Management Scheme as amended by section 35 of the Municipal Planning Amendment By-law, 2016

35. Item 26 of Schedule 3 is hereby amended by –

(a) by the substitution for paragraph (b) of the following paragraph:

“(b) Additional use rights which may be exercised by the occupant of any unit of accommodation are shelter, house shop, home occupation, bed and breakfast establishment, home child care, informal trading, third dwelling and any educational, religious, occupational or business purpose excluding the sale of alcoholic beverages, provided that:

- (i) The dominant use of the unit shall remain residential;
- (ii) No noxious trade, risk activity, adult entertainment business, adult services or adult shop are permitted;

- (iii) No activities shall be carried out which constitute or are likely to constitute a source of nuisance, including the use of equipment that generates excessive noise, or any activity which results in the generation of dust, fumes, smoke, or waste material which could be detrimental to health, or which requires special waste removal processes;
 - (iv) The City may, at any stage, call for a cessation of the land use or activity, or impose conditions in order to minimise any potential nuisance to surrounding neighbours or the general public; and
 - (v) The development rules stipulated in items 23, 24, 25, 25B except for paragraph (b), 28, 29, and 30, whichever is applicable, shall be adhered to.”.
- (b) the substitution for paragraph (c) of sub-item (1) of the following paragraph:
- “(c) Consent uses are group housing, boarding house, place of worship, institution, clinic, place of assembly, place of instruction, office, restaurant, guest house, place of entertainment, service trade, authority use, minor rooftop base telecommunication station, rooftop base telecommunication station, wind turbine infrastructure, veterinary practice and halfway house.”; and
- (c) the substitution for paragraph (d) of sub-item (1) of the following paragraph:
- “(d) **[Multiple uses and buildings where no formal township exists]** The uses in sub-item (1) (a-c) are permissible where no formal township exists.”.

Amendment of Item 27 of Schedule 3: City of Cape Town Development Management Scheme

36. Item 27 of Schedule 3 is hereby amended by –

- (a) the substitution for paragraph (b) of the following paragraph:
- “(b) Height
- (i) The maximum height of a building, measured from **[base]** existing ground level to the wallplate, shall be 6m for dwelling units and 8m for all other buildings;
 - (ii) The maximum height of a building, measured from **[base]** existing ground level to the top of the roof, shall be 8m for dwelling units and 10m for all other buildings.
 - (iii) Earth banks and retaining structures are subject to item 126.”; and
- (b) the substitution for the table: Table of parking requirements in Single Residential Zoning 2, of the following table:

“Table of parking requirements in Single Residential Zoning 2

Use of property	Parking requirement
Shelter	None
Dwelling house	One bay, if required by the City (None on erven <100 m ²)
Second dwelling, <u>third dwelling</u> , home occupation	None
Other primary or consent uses	As required by the City
<i>End of Table”.</i>	

Amendment of Item 28 of Schedule 3: City of Cape Town Development Management Scheme

37. Item 28 of Schedule 3 is hereby amended by the substitution for paragraph (c) of the following paragraph:

- “(c) Any new structure, or alteration to the existing dwelling house, second dwelling, third dwelling or outbuilding, shall conform to the residential character of the area;”.

Amendment of Item 29 of Schedule 3: City of Cape Town Development Management Scheme

38. Item 29 of Schedule 3 is hereby amended by the substitution for the item of the following item:

"The following conditions apply to a shelter:

- (a) If the City's Building Control Officer is of the opinion that the shelter poses a public health, safety, fire or structural risk the City may serve notice on the owner or occupier describing the nature of the risk and calling upon them to submit documentation to the City or appoint a professional person to conduct an investigation and to report to the City on the nature and extent of the risk within a specified period of time and the steps to be taken to remedy such risk. [It shall be the sole responsibility of the occupant or owner of the shelter to ensure the structural, habitability, fire resistance or other standards of a shelter; and]
- (b) After considering the documentation or report submitted and if it is satisfied that there is a risk the City may issue a directive instructing the owner or occupier to take the steps set out in the directive [Any occupant or owner of a shelter who is instructed by the City to take action to remedy a public safety, health or fire risk, and who fails to do so, is guilty of an offence in terms of this By-Law].
- (c) If the owner or occupier fails to comply with sub-items (a) and (b) they are guilty of an offence in terms of this By-law.
- (d) A shelter may not exceed 4m in height measured from existing ground level to top of roof.".

Amendment of Item 34 of Schedule 3: City of Cape Town Development Management Scheme

39. Item 34 of Schedule 3 is hereby amended by the substitution for paragraph (c) of the following paragraph:

"(c) Consent uses are utility service, home child care, minor rooftop base telecommunication station and rooftop base telecommunication station.".

Amendment of Item 35 of Schedule 3: City of Cape Town Development Management Scheme

40. Item 35 of Schedule 3 is hereby amended by the substitution for subparagraph (i) of paragraph (c) of the following subparagraph:

"(i) The maximum height of a building, measured from [base] existing ground level to the top of the wallplate, shall be 8 m, and to the top of the roof shall be 10 m.".

Amendment of Item 39 of Schedule 3: City of Cape Town Development Management Scheme

41. Item 39 of Schedule 3 is hereby amended by –

(a) the substitution for paragraph (a) of subsection (2) of the following paragraph:

"(a) A second dwelling is permitted subject to the provisions for a second dwelling in **[Local Business Zoning 1]** item 25A;"; and

(b) the substitution for paragraph (c) of sub-item (2) of the following paragraph:

"(c) The development rules for erven greater than 350 m² and not exceeding **[500]** 650 m² as stipulated in the 'Table of **[coverage, height.]** floor factor, floor space, coverage, height and building lines in Single Residential Zoning 1' in item 22 shall apply;".

Amendment of Item 40 of Schedule 3: City of Cape Town Development Management Scheme as amended by section 36 of the Municipal Planning Amendment By-law, 2016

42. Item 40 of Schedule 3 is hereby amended by the deletion of paragraph (c).

Amendment of Item 41 of Schedule 3: City of Cape Town Development Management Scheme

43. Item 41 of Schedule 3 is hereby amended by –

- (a) the substitution for subparagraph (i) of paragraph (c) of the following subparagraph:

“(i) The maximum height of a building, measured from the **[base]** existing ground level to the top of the roof, shall be determined in accordance with the following ‘Table of coverage, height and floor factor in General Residential Subzonings GR2-GR6’.”;

- (b) the substitution of “Table of coverage, height and floor factor in General Residential Subzonings GR2-GR6”, with the following table:

“Table of coverage, height and floor factor in General Residential Subzonings GR2-GR6

Subzoning	Coverage	Floor factor	Maximum height above [base] <u>existing ground</u> level to top of roof
GR2	60%	1,0	15,0 m
GR3	60%	[1,0] <u>1,25</u>	20,0 m
GR4	60%	1,5	24,0 m
GR5	60%	2,5	35,0 m
GR6	60%	5,0	50,0 m

End of Table”;

- (c) the deletion of paragraph (d);

- (d) the substitution for subparagraph (i) of paragraph (e) of the following subparagraph:

“(i) No building shall be erected so that any point on the building is nearer to a street boundary or a common boundary than the distance specified in the following ‘Table of building lines in General Residential Subzonings GR2-GR6’, provided that:

- (aa) the symbol ‘H’ means the height in metres of the point concerned above the **[base level]** ground floor, and
 (bb) where two alternative building lines are prescribed, the greater of the two building lines shall apply.”;

- (e) by the substitution for subparagraph (ii) of paragraph (e) of the following subparagraph:

“(ii) An outbuilding is permitted within the common boundary building line provided the outbuilding is not higher than 3,5 m from the **[base]** existing ground level of the outbuilding to the top of the roof.”; and

- (f) by the substitution of "Table of building lines in General Residential Subzonings GR2-GR6", with the following table:

"Table of building lines in General Residential Subzonings GR2-GR6"

Subzoning	Street boundary building line		Common boundary building line	
	Points up to 25,0 m above [base] existing ground level	Points over 25,0 m above [base] existing ground level	Points up to 25,0 m above [base] existing ground level	Points over 25,0 m above [base] existing ground level
GR2	4,5 m	N/a	4,5 m or 0,6 H (0,0 m up to 15,0 m in height where intersecting a street boundary, for a distance of 18,0 m measured perpendicular from such street boundary)	N/a (unless a departure permitted in terms of this development management scheme has been approved)
GR3				
GR4				
GR5	4,5 m	9,0 m	4,5 m or 0,6 H (0,0 m up to 15,0 m in height where intersecting a street boundary, for a distance of 18,0 m measured perpendicular from such street boundary)	15,0 m
GR6				[(0,0 m up to 15,0 m in height where intersecting a street boundary, for a distance of 18,0 m measured perpendicular from such street boundary)]

End of Table".

Amendment of Item 42 of Schedule 3: City of Cape Town Development Management Scheme as amended by section 37 of the Municipal Planning Amendment By-law, 2016

- 44.** Item 42 of Schedule 3 is hereby amended by the substitution for the item of the following item:

"The provisions of item 21(b) and 22 apply to a dwelling in this zoning. The provisions of item 21(b), 22 and 25A [53] apply to a second dwelling in this zoning.".

Insertion of item 45A into Schedule 3: City of Cape Town Development Management Scheme

- 45.** Schedule 3 is hereby amended by the insertion after item 45 of the following item:

"45A Development rule for all uses in GR2-GR6, except dwelling house and second dwelling

Vehicle access to the property must be from an adjacent road reserve of at least 9m wide."

Amendment of Item 46 of Schedule 3: City of Cape Town Development Management Scheme as amended by section 38 of the Municipal Planning Amendment By-law, 2016

46. Item 46 of Schedule 3 is hereby amended by the substitution for paragraph (a) of the following paragraph:

“(a) Primary uses are place of instruction, place of worship, clinic, rooftop base telecommunication station, filming, minor freestanding base telecommunication station, minor rooftop base telecommunication station and open space.”.

Amendment of Item 47 of Schedule 3: City of Cape Town Development Management Scheme

47. Item 47 of Schedule 3 is hereby amended by the substitution for subparagraph (i) of paragraph (c) of the following subparagraph:

“(i) The maximum height of a building, measured from **[base]** existing ground level to the top of the roof, is 12 m, provided that there is no height limit for a bell tower, steeple, minaret or similar architectural feature designed to accentuate the significance of a building.”.

Amendment of Item 48 of Schedule 3: City of Cape Town Development Management Scheme as amended by section 39 of the Municipal Planning Amendment By-law, 2016

48. Item 48 of Schedule 3 is hereby amended by the substitution for paragraph (a) of the following paragraph:

“(a) Primary uses are institution, hospital, place of instruction, place of worship, place of assembly, rooftop base telecommunication station, minor freestanding base telecommunication station, minor rooftop base telecommunication station, filming and open space.”.

Amendment of Item 49 of Schedule 3: City of Cape Town Development Management Scheme

49. Item 49 of Schedule 3 is hereby amended by the substitution for subparagraph (i) of paragraph (c) of the following subparagraph:

“(i) The maximum height of a building, measured from **[base]** existing ground level to the top of the roof, shall be 18 m, provided that there is no height limit for a bell tower, steeple, minaret or similar architectural feature designed to accentuate the significance of a building.”.

Amendment of Item 50 of Schedule 3: City of Cape Town Development Management Scheme as amended by section 40 of the Municipal Planning Amendment By-law, 2016

50. Item 50 of Schedule 3 is hereby amended by the substitution for paragraph (b) of the following paragraph:

“(b) Additional use rights which may be exercised by the occupant of a dwelling house are second dwelling, home occupation or house shop or bed and breakfast establishment or home child care subject to the development rules in items 25A, 52[1, 53] and 54 whichever is applicable.”.

Amendment of Item 51 of Schedule 3: City of Cape Town Development Management Scheme

51. Item 51 of Schedule 3 is hereby amended by –

(a) the substitution for subparagraph (i) of paragraph (b) of the following subparagraph:

“(i) The maximum height of a building, measured from **[base]** existing ground level to the top of the wallplate and to the top of the roof, shall be determined in accordance with the area of the land unit as shown in the following ‘Table of floor factor, height and building lines in Local Business Zoning 1’.”;

(b) the substitution for subparagraph (ii) of paragraph (b) of the following subparagraph:

"(ii) Where a building is permitted in this zoning within 3 m of a common boundary, the height will be limited to 4 m measured from **[base]** existing ground level to the top of the roof.";

(c) the substitution of "Table of floor factor, height and building lines in Local Business Zoning 1", with the following table:

"Table of floor factor, height and building lines in Local Business Zoning 1"

Land unit area (m²)	Floor factor	Maximum above existing ground level		Street boundary building line	Common boundary building line
		To wallplate	To top of roof		
>1 000	1,0	9,0 m	11,0 m	3,5 m	3,0 m
>650 up to 1 000	1,0	9,0 m	11,0 m	3,5 m	3,0 m
>350 up to 650	1,0	8,0 m	10,0 m	3,5 m	0,0 m for first 12,0 m measured perpendicular from street boundary and 0,0 m for 60% of total remaining linear distance along all common boundaries around land unit and 3,0 m for remainder, subject to paragraph (d) (iii).
>200 up to 350	1,0	8,0 m	10,0 m	3,5 m	0,0 m for first 12,0 m measured perpendicular from street boundary and 0,0 m for 60% of total remaining linear distance along all common boundaries around land unit and 3,0 m for remainder; subject to paragraphs (d) (ii) and (d) (iii).
≤200	1,0	8,0 m	10,0 m	1,0 m	

End of Table";

(d) by the substitution for subparagraph (i) of paragraph (d) of the following subparagraph:

"(i) A garage or carport is permitted within the common boundary building line provided the garage or carport:
 (aa) does not extend higher than 3,5 m from **[base]** existing ground level to the top of the roof; and
 (bb) does not contain more than a double garage façade with a maximum width of 6,5 m.";

(e) by the substitution for subparagraph (ii) of paragraph (d) of the following subparagraph:

"(ii) For land units of 650 m² and less, a garage or carport is permitted up to 1,5 m from the street boundary provided the garage or carport:
 (aa) is not higher than 3,5 m from **[base]** existing ground level to the top of the roof; and
 (bb) does not contain more than a double garage facade with a maximum width of 6,5 m.".

Deletion of Item 53 of Schedule 3: City of Cape Town Development Management Scheme as amended by section 41 of the Municipal Planning Amendment By-law, 2016

52. Item 53 of Schedule 3 is hereby deleted.

Amendment of Item 56 of Schedule 3: City of Cape Town Development Management Scheme

53. Item 56 of Schedule 3 is hereby amended by the substitution for subparagraph (i) of paragraph (c) of the following subparagraph:

“(i) The maximum height of a building, measured from [base] existing ground level to the top of the roof, shall be 12 m.”.

Amendment of Item 60 of Schedule 3: City of Cape Town Development Management Scheme

54. Item 60 of Schedule 3 is hereby amended by –

(a) the substitution for subparagraph (i) of paragraph (d) of the following subparagraph:

“(i) The maximum height of a building, measured from the [base] existing ground level to the top of the roof, shall be determined in accordance with the following ‘Table of height and floor factor in General Business Zonings’.”;

(b) the substitution of “Table of height and floor factor in General Business Zoning”, with the following table:

“Table of height and floor factor in General Business Zonings”

Subzoning	Maximum height above [base] <u>existing ground</u> level to top of roof	Floor factor
GB1	15,0 m	1,5
GB2	15,0 m	2,0
GB3	25,0 m	[2,0] 2,5
GB4	25,0 m	3,0
GB5	25,0 m	4,0
GB6	38,0 m	6,0
GB7	60,0 m	12,0

End of Table”;

- (c) by the substitution for subparagraph (i) of paragraph (e) of the following subparagraph:

“(i) No building shall be erected so that any point thereon is nearer to a street or common boundary than the distance specified in the following ‘Table of building lines in General Business Zonings’, where the symbol ‘H’ means the height in metres of the point concerned above [base level]
ground floor.”; and

- (d) by the substitution of “Table of building lines in General Business Zonings”, with the following table:

"Table of building lines in General Business Zonings"

Sub-zoning	Street building line and common building line			
	Points on a building above [base] <u>existing ground level</u>			
	up to 10,0 m	over 10,0 m and up to 25,0 m	over 25,0 m and up to 38,0 m	over 38,0 m
GB1	0,0 m	4,5 m (0,0 m for common boundary)	N/a	N/a <u>(unless a departure permitted in terms of this development management scheme has been approved)</u>
GB2				
GB3				
GB4				
GB5	0,0 m	0,0 m	N/a	N/a <u>(unless a departure permitted in terms of this development management scheme has been approved)</u>
GB6	0,0 m	0,0 m	(H minus 25,0 m) divided by 2 (0,0 m for common boundary)	N/a <u>(unless a departure permitted in terms of this development management scheme has been approved)</u>
GB7	0,0 m	0,0 m	0,0 m	(H minus 38,0 m) divided by 2 (0,0 m for common boundary)

End of Table".

Amendment of Item 64 of Schedule 3: City of Cape Town Development Management Scheme

55. Item 64 of Schedule 3 is hereby amended by –

(a) the substitution for subparagraph (ii) of paragraph (a) of the following subparagraph:

"(ii) The maximum height of a building, measured from **[base]** existing ground level to the top of the roof, shall be determined in accordance with the following 'Table of floor factor, coverage and height in Mixed Use Zonings'.;"

(b) the substitution of "Table of floor factor, coverage and height in Mixed Use Zonings", with the following table:

"Table of floor factor, coverage and height in Mixed Use Zonings

Subzoning	Floor factor	Coverage	Maximum height above [base] existing ground level to top of roof
MU1	1,5	75%	15,0 m
MU2	4,0	100%	25,0 m
MU3	6,0	100%	38,0 m

End of Table";

- (c) the substitution for subparagraph (i) of paragraph (c) of the following subparagraph:
- "(i) No building shall be erected so that any point on the building is nearer to a street or common boundary than the distance specified in the following 'Table of building lines in Mixed Use Zonings', where the symbol 'H' means the height in metres of a point above **[base level]** ground floor."; and
- (d) by the substitution of "Table of building lines in Mixed Use Zonings", with the following table:

"Table of building lines in Mixed Use Zonings

Subzoning	Street building line and common building line		
	Points on a building above [base] <u>existing ground level</u>		
	up to 10,0m	over 10,0 m and up to 25,0 m	over 25,0 m and up to 38,0 m
MU1	0,0 m	4,5 m	N/a
MU2	0,0 m	4,5 m	N/a
MU3	0,0 m	0,0 m	(H minus 25,0 m) divided by 2

*End of Table".***Amendment of Item 68 of Schedule 3: City of Cape Town Development Management Scheme**

56. Item 68 of Schedule 3 is hereby amended by –

- (a) the substitution for subparagraph (i) of paragraph (b) of the following subparagraph:
- "(i) The maximum height of a building in General Industry Subzoning GI1 shall be 18 m measured from **[base]** existing ground level to the top of the roof;";
- (b) the substitution for subparagraph (iii) of paragraph (b) of the following subparagraph:
- "(iii) Any building in General Industry Subzoning GI2 that is not used for manufacturing purposes shall not exceed a height of 18 m measured from the **[base]** existing ground level to the top of the roof;"; and

(c) the substitution for subparagraph (v) of paragraph (b) of the following subparagraph:

"(v) Shipping or transport containers, when stored or stacked outside a building, may not extend higher than 15 m above **[average]** existing ground level.".

Amendment of Item 75 of Schedule 3: City of Cape Town Development Management Scheme

57. Item 75 of Schedule 3 is hereby amended by –

(a) the substitution for subparagraph (ii) of paragraph (c) of the following subparagraph:

"(ii) Buildings not used for noxious trade, risk activity or manufacturing purposes shall not exceed a height of 18 m measured from the **[base]** existing ground level to the top of the roof;"; and

(b) by the substitution for subparagraph (iv) of paragraph (c) of the following subparagraph:

"(iv) Shipping or transport containers, when stored or stacked outside a building, may not extend higher than 15 m above **[average]** existing ground level.".

Amendment of Item 80 of Schedule 3: City of Cape Town Development Management Scheme

58. Item 80 of Schedule 3 is hereby amended by the substitution for paragraph (a) of the following paragraph:

"(a) Primary uses are utility service, authority use, rooftop base telecommunication station, **[and]** freestanding base telecommunication station, minor freestanding base telecommunication station and minor rooftop base telecommunication station.".

Amendment of Item 82 of Schedule 3: City of Cape Town Development Management Scheme

59. Item 82 of Schedule 3 is hereby amended by the substitution for paragraph (a) of the following paragraph:

"(a) Primary uses are transport use, multiple parking garage, utility service, shop, restaurant, service trade, office, warehouse, rooftop base telecommunication station, minor freestanding base telecommunication station, minor rooftop base telecommunication station and container site.".

Amendment of Item 83 of Schedule 3: City of Cape Town Development Management Scheme

60. Item 83 of Schedule 3 is hereby amended by –

(a) the substitution for subparagraph (i) of paragraph (c) of the following subparagraph:

"(i) The maximum height of a building shall be 18 m measured from **[base]** existing ground level to the top of the roof;"; and

(b) the substitution for subparagraph (iii) of paragraph (c) of the following subparagraph:

"(iii) Shipping or transport containers, when stored or stacked outside a building, may not extend higher than 15 m above **[average]** existing ground level.".

Amendment of Item 87 of Schedule 3: City of Cape Town Development Management Scheme

61. Item 87 of Schedule 3 is hereby amended by the substitution for paragraph (a) of the following paragraph:

"(a) Primary uses are public street, public road, minor freestanding base telecommunication station, minor rooftop base telecommunication station and utility service.".

Insertion of Part 3A into Schedule 3: City of Cape Town Development Management Scheme

62. Schedule 3 is hereby amended by the insertion, after item 92, of the following part:

"Part 3A: Transport Zoning 3: Toll Road (TR3)
(items 92A-B)

The TR3 zoning provides for toll roads, whether constructed or still to be constructed.

92A Use of the property

The following use restrictions apply to property in this zoning:

- (a) Primary uses are toll road, public street, public road, minor freestanding base telecommunication station, minor rooftop base telecommunication station and utility service.
- (b) Consent uses are wind turbine infrastructure and air and underground rights.

92B Development rules

The following development rules apply:

- (a) The City shall require a site development plan for a primary and consent use.
- (b) The site development plan as approved by the City shall constitute the development rules for a primary use and a consent use, if applicable.
- (c) The provisions for a site development plan in item 123 shall apply.".

Amendment of Item 97 of Schedule 3: City of Cape Town Development Management Scheme

63. Item 97 of Schedule 3 is hereby amended by the substitution for paragraph (a) of the following paragraph:

"(a) Primary uses are environmental conservation use, minor freestanding base telecommunication station and minor rooftop base telecommunication station."

Amendment of Item 99 of Schedule 3: City of Cape Town Development Management Scheme

64. Item 99 of Schedule 3 is hereby amended by the substitution for paragraph (a) of the following paragraph:

"(a) Primary uses are public open space, [and] environmental conservation use, minor freestanding base telecommunication station and minor rooftop base telecommunication station."

Amendment of Item 104 of Schedule 3: City of Cape Town Development Management Scheme

65. Item 104 of Schedule 3 is hereby amended by the substitution for paragraph (a) of the following paragraph:

"(a) Primary uses are open space, private road, [and] environmental conservation use, minor freestanding base telecommunication station and minor rooftop base telecommunication station."

Amendment of Item 108 of Schedule 3: City of Cape Town Development Management Scheme as amended by section 46 of the Municipal Planning Amendment By-law, 2016

66. Item 108 of Schedule 3 is hereby amended by the substitution for paragraph (a) of the following paragraph:

"(a) Primary uses are agriculture, intensive horticulture, dwelling house, riding stables, environmental conservation use, environmental facilities, rooftop base telecommunication station, minor freestanding base telecommunication station, minor rooftop base telecommunication station and additional use rights as listed in paragraph (b)."

Amendment of Item 109 of Schedule 3: City of Cape Town Development Management Scheme

67. Item 109 of Schedule 3 is hereby amended by –

(a) the substitution for subparagraph (i) of paragraph (d) of the following subparagraph:

“(i) The maximum height of a dwelling house, measured from the **[base]** existing ground level to the top of the wallplate, shall be 9 m and to the top of the roof shall be 11 m.”; and

(b) the substitution for subparagraph (ii) of paragraph (d) of the following subparagraph:

“(ii) Agricultural buildings other than the dwelling houses shall not exceed a height of 12 m measured from the **[base]** existing ground level to the top of the roof.”.

Amendment of Item 111 of Schedule 3: City of Cape Town Development Management Scheme

68. Item 111 of Schedule 3 is hereby amended by the substitution for paragraph (d) of the following paragraph:

“(d) the development rules in item **[53]** 25A shall apply to second dwellings and additional dwelling units in this zoning.”.

Amendment of Item 113 of Schedule 3: City of Cape Town Development Management Scheme

69. Item 113 of Schedule 3 is hereby amended by the substitution for subparagraph (i) of paragraph (e) of the following subparagraph:

“(i) The maximum height of a building, measured from **[base]** existing ground level to the wallplate, shall be 9 m, and to the top of the roof shall be 11 m.”.

Amendment of Item 116 of Schedule 3: City of Cape Town Development Management Scheme

70. The following item is substituted for item 116 of Schedule 3:

“The development rules in item **[53]** 25A apply, provided that a dwelling unit for persons engaged in bond[e] fide agricultural activities on the land unit shall not be regarded as a second dwelling.”.

Amendment of Item 121 of Schedule 3: City of Cape Town Development Management Scheme as amended by section 50 of the Municipal Planning Amendment By-law, 2016

71. Item 121 of Schedule 3 is hereby amended by the substitution for paragraph (a) of sub-item (1) of the following paragraph:

- “(a) Notwithstanding the building line requirements set out in Division II, the following structures or portions thereof may be erected within the prescribed building lines, provided they do not extend beyond the boundaries of a land unit:
- (i) boundary walls, fences and gates;
 - (ii) open and uncovered stoeps;
 - (iii) entrance steps, landings and entrance porches leading to the ground floor or basement of a building;
 - (iv) a covered entrance or gatehouse that has a roofed area not exceeding 5 m² and a roof height not exceeding 3 m from floor to highest point;
 - (v) eaves and awnings projecting no more than 1 m from the wall of a building;
 - (vi) cornices, chimney breasts, flower boxes, water pipes, drain pipes and minor decorative features not projecting more than 500 mm from the wall of a building;
 - (vii) screen-walls not exceeding 2,1 m in height above the existing ground level abutting such wall;
 - (viii) swimming pools not closer than 1 m from any erf boundary;
 - (ix) any part of a basement[, provided] that is below [no part thereof projects above] existing ground level;
 - (x) a refuse room required by the City in terms of item 145;

- (xi) a retaining structure within a street boundary building line, subject to item 126, or any retaining structure located under the existing ground level~~I.1.~~;
- (xii) pergolas not exceeding 40 m² in area;
- (xiii) water tanks and their supporting structures not exceeding 3,2 m in height from existing ground level;
- (xiv) child's playhouse or similar play structure not exceeding 5 m² in area and 2,5 m in height from existing ground level, only from a common boundary; or
- (xv) unless provided elsewhere in this development management scheme, storage sheds not exceeding 5 m² in area and 2,5 m in height from existing ground level."

Amendment of item 122 of Schedule 3: City of Cape Town Development Management Scheme

72. Item 122 of Schedule 3 is hereby amended by the substitution for the item of the following item:

"The portion of a land unit falling within a street centreline setback area shall be excluded for the purpose of determining coverage and maximum floor space, unless the owner transfers the portion concerned to the City free of charge. In such case, the portion shall be included for the purpose of determining coverage or maximum floor space on a land unit and the street building line would be deemed to be 0m."

Amendment of item 129 of Schedule 3: City of Cape Town Development Management Scheme

73. Item 129 of Schedule 3 is hereby amended by the substitution for the heading and section of the following heading and section:

"129 [Mobile homes and caravans] Recreational vehicles and watercraft

- (1) **[A recreation vehicle, such as a mobile home or caravan.]** Recreational vehicles and watercraft may not be used for permanent habitation without the approval of the City, **[except if]** unless the applicable zoning **[lawfully]** allows such activity.
- (2) **[The following]** An approval granted in terms of sub-item (1) is subject to, but not limited to, the following conditions **[additional development rules shall apply with regard to mobile homes approved to be placed on a land unit zoned for residential purposes]:**
 - (a) The **[mobile home or caravan]** recreational vehicle or watercraft shall be sited on a foundation slab and properly anchored;
 - (b) Solid perimeter skirting, of material and colour complementary to the **[mobile home or caravan]** recreational vehicle or watercraft, shall be provided from the bottom of the **[mobile home]** recreational vehicle or watercraft to the ground surface;
 - (c) The roof and exterior siding of the **[mobile home or caravan]** recreational vehicle or watercraft shall be of a non-reflective material; and
 - (d) Any structural additions shall be of materials which, in the opinion of the City, are compatible with the **[mobile home or caravan]** recreational vehicle or watercraft.

Insertion of Item 136B into Schedule 3: City of Cape Town Development Management Scheme

74. Schedule 3 is hereby amended by the insertion, after item 136A, of the following item:

"136B Boundary walls

The following provisions shall apply to a boundary wall:

- (a) a street boundary wall must not exceed 2 metres in height when measured from the existing ground level on the public street side of the wall to the top of the boundary wall;
- (b) A retaining wall of up to 1m in height, when measured from the existing ground level on the public street side of the wall, may form part of a street boundary wall providing that if the retaining wall is 1m in height a 1m high balustrade is required;
- (c) a common boundary wall must not exceed 2,5 metres in height when measured from the lowest existing ground level on either side of the wall to the top of the boundary wall;
- (d) A retaining wall of up to 1,5m in height, when measured from the lowest existing ground level on either side of the wall, may form part of a common boundary wall providing that if the retaining wall is greater than 1m in height a 1m high balustrade is required;

- (e) security devices, such as spikes, barbed wire, razor wire or electric fences must not exceed a height of 1,0 metre measured from the top of a boundary wall;
- (f) any portion of a boundary wall in excess of 1 metre in height, when measured from the existing ground level on the public street side of the wall to the top of the boundary wall, located within 4,5 metres of the intersection of two street boundaries which create/enclose an angle of less than 135 degrees must be visually permeable;
- (g) All boundary walls that face a public street, public road or public open space and exceed 1,5m in height, when measured from the existing ground level on the public street or public open space side of the boundary wall to the top of the boundary wall, must comply with the following visual permeability requirements:
 - (aa) general business, industrial, risk industry and utility zonings: a minimum of 60% of the total vertical area of the boundary wall, excluding any visually permeable gates or garage doors.; and
 - (bb) in all other zonings: a minimum of 25% of the total vertical area of the boundary wall, excluding any garage doors or visually permeable gates.”.

Amendment of Item 138 of Schedule 3: City of Cape Town Development Management Scheme as amended by section 53 of the Municipal Planning Amendment By-law, 2016

75. Item 138 is hereby amended by the substitution for the table entitled “Minimum off-street parking requirements” of the following table:

“Minimum off-street parking requirements

Land use	Standard areas	PT1 areas	PT2 areas
Main dwelling house (SR1 Zoning)	2 bays per dwelling unit (1 bay per dwelling for erven < 350 m ²)	1 bay per dwelling unit	Nil
Main dwelling house (SR2 Zoning)	1 bay per dwelling unit (Nil per dwelling for erven < 100 m ²)	Nil	Nil
Second dwelling	1 bay per 2 nd dwelling unit	1 bay per 2 nd dwelling unit	Nil
Third dwelling on land unit larger than 650m ²	1 bay per 3 rd dwelling unit	1 bay per 3 rd dwelling unit	Nil
Group dwelling	1,75 bays per dwelling unit, plus 0,25 bays per dwelling unit for visitors	1 bay per dwelling unit, plus 0,25 bays per dwelling unit for visitors	Nil
Flats	[1,75] 1,25 bays per dwelling unit, plus 0,25 bays per dwelling unit for visitors	1 bay per dwelling unit, plus 0,25 bays per dwelling unit for visitors	Nil
Bed & breakfast establishment	1 additional bay per guest bedroom	1 additional bay per guest bedroom	Nil
Boarding house, guest house	[1,25] 1 bay[s] per bedroom for the first 10 bedrooms, thereafter 0.5 bays for each bedroom in excess of 10	[0,75] 1 bay[s] per bedroom for the first 10 bedrooms, thereafter 0.25 bays for each bedroom in excess of 10	Nil

Land use	Standard areas	PT1 areas	PT2 areas
Backpackers lodge	1 bay per [6] 10 beds plus associated reduced (based on parking sharing) requirement for any ancillary land uses open to general public	1 bay per [8] 10 beds plus associated reduced (based on parking sharing) requirement for ancillary land uses open to general public	Nil
Hotel	[0,75] 0,5 bays per bedroom, plus [20 bays if licensed] associated reduced (based on parking sharing) requirement for any ancillary land uses open to general public	[0,75] 0,5 bays per bedroom, plus [20 bays if licensed] associated reduced (based on parking sharing) requirement for any ancillary land uses open to general public	Nil
Retirement home, orphanage	[0,5] 0,25 bays per [bedroom] resident	[0,3] 0,25 bays per [bedroom] resident	Nil
Crèche	<p>[1 bay per 10 children, plus stop & drop facility] Nil. Facilities with more than 34 learners must be able to accommodate an informal stop and drop facility on-street.</p> <p>Pro-forma Traffic Management Plan to be submitted detailing planned operations of the stop and drop facility</p>	<p>[1 bay per 10 children] Nil. Facilities with more than 34 learners must be able to accommodate an informal stop and drop facility on-street.</p> <p>Pro-forma Traffic Management Plan to be submitted detailing planned operations of the stop and drop facility</p>	Nil

Land use	Standard areas	PT1 areas	PT2 areas
School	<p>1 bay per classroom and office, plus stop & drop facility.</p> <p><u>Capacity for stop and drop facility to be provided at a rate of 1 bay per 20 learners.</u></p> <p><u>If facility cannot be accommodated on street, provision must be made to accommodate the equivalent amount of bays required for this facility off-street</u></p>	<p>1 bay per classroom and office, plus stop & drop facility.</p> <p><u>Capacity for stop and drop facility to be provided at a rate of 1 bay per 20 learners.</u></p> <p><u>If facility cannot be accommodated on street, provision must be made to accommodate the equivalent amount of bays required for this facility off-street</u></p>	Nil
Place of instruction (post-school level)	<p>[0,4] 0,1 bays per student, plus 1 bay per classroom and <u>1 bay per office</u></p>	<p>[0,4] 0,1 bays per student, plus 1 bay per classroom and <u>1 bay per office</u></p>	Nil
Library, museum	<p>2 bays per 100 m²</p> <p>[GLA] floor space</p>	<p>1,5 bays per 100 m²</p> <p>[GLA] floor space</p>	Nil
Place of assembly, place of worship, place of entertainment, funeral parlour	<p>1 bay per 6 seats or persons, calculated at 1,4 m² floor space = 1 person</p>	<p>1 bay per 8 seats or persons, calculated at 1,4 m² floor space = 1 person</p>	Nil
Sport stadium	<p>1 bay per 4 seats or persons (or as per transport management plan)</p>	<p>3 bays per 20 seats or persons (or as per transport management plan)</p>	Nil
Recreation or sports complex	<p>1 bay per 8 seats or persons</p>	<p>1 bay per 10 seats or persons</p>	Nil
Gymnasium, health club	<p>[10] 2 bays per 100 m²</p> <p>GLA</p>	<p>[8] 2 bays per 100 m²</p> <p>GLA</p>	Nil
Hospital (general and private)	<p>1 bay per bed, plus 3 bays per consulting room</p>	<p>1 bay per bed, plus 2 bays per consulting room</p>	Nil

Land use	Standard areas	PT1 areas	PT2 areas
Clinic, medical consulting rooms, veterinary practice	<p>[4 bays per consulting room] Base ratio of 2.5 bays per consulting room for facilities comprising a maximum of 5 consulting rooms.</p> <p>For larger facilities, consecutively add 0.5 bays for each consulting room in excess of 5 consulting rooms, up to a maximum ratio of 5 bays per consulting room for facilities with 10 or more such rooms</p>	<p>[3 bays per consulting room] Base ratio of 2.5 bays per consulting room for facilities comprising a maximum of 5 consulting rooms.</p> <p>For larger facilities, consecutively add 0.5 bays for each consulting room in excess of 5 consulting rooms, up to a maximum ratio of 5 bays per consulting room for facilities with 10 or more such rooms</p>	Nil
Shops (excluding supermarket)	[4] 3 bays per 100 m² GLA	2 bays per 100 m ² GLA	Nil
Supermarket, shopping centre	[6] 4 bays per 100 m² GLA	[4] 2.5 bays per 100 m² GLA	Nil
Restaurant	[2] 6 bays per 100 [25] m² GLA	[1] 4 bays per 100 [25] m² GLA	Nil
Offices	4 bays per 100 m ² GLA	2.5 bays per 100 m ² GLA	Nil
Conference centre	6 bays per 10 seats	4 bays per 10 seats	Nil
Motor showroom	[3] 2 bays per 100 m² GLA	[3] 2 bays per 100 m² GLA	Nil
Motor repair garage, service station	4 bays per service bay, plus 4 bays per 100 m ² GLA, minimum 8 bays	4 bays per service bay, plus 4 bays per 100 m ² GLA, minimum 8 bays	[Nil] 4 bays per service bay
Motor fitment centre	2 bays per service bay	2 bays per service bay	[Nil] 2 bays per service bay
Industry	<p>[2] 1.5 bays per 100 m² GLA for facilities up to 3000m² GLA.</p> <p><u>1 bay per 100m² GLA for facilities larger than 3000m² GLA</u></p>	<p>[1.5] 0.5 bays per 100 m² GLA for facilities up to 3000m² GLA.</p> <p><u>1 bay per 100m² GLA for facilities larger than 3000m² GLA</u></p>	Nil
Warehouse, storage building	1 bay per 100 m ² GLA	1 bay per 100 m ² GLA	Nil
Self-storage	0.2 bays per 100m ² GLA	0.2 bays per 100m ² GLA	Nil

End of Table".

Amendment of Item 140 of Schedule 3: City of Cape Town Development Management Scheme as amended by section 54 of the Municipal Planning Amendment By-law, 2016

76. Item 140 of Schedule 3 is hereby amended by –

(a) the substitution for paragraph (c) of sub-item (2) of the following paragraph:

“(c) The minimum and maximum width[s] of any motor vehicle carriageway crossing[s] shall be 2,4 m and 8,0 m respectively [**in accordance with the following table, titled ‘Width of motor vehicle carriageway crossings’**].”;

(b) the deletion of paragraph (d) of sub-item (2); and

(c) the deletion of the table “Width of motor vehicle carriageway crossings”.

Amendment of Item 141 of Schedule 3: City of Cape Town Development Management Scheme

77. Item 141 of Schedule 3 is hereby amended by the substitution for paragraph (c) of sub-item (1) of the following paragraph:

“(c) A tandem bay accommodating two motor vehicles shall be regarded as one bay for the purposes of this development management scheme; except for single residential zonings, general residential subzoning 1: group housing or for a dwelling unit, other than flats, in any other zoning, where a tandem bay shall be regarded as two bays.”;

Amendment of Item 143 of Schedule 3: City of Cape Town Development Management Scheme

78. Item 143 of Schedule 3 is hereby amended by the substitution for the words preceding paragraph (a) of subsection (2) of the following words:

“(2) For every four motorcycle **[and]** or **[six]** ten bicycle parking spaces provided, a credit of one parking bay may be given towards the parking requirements, provided that:”

Amendment of Item 158 of Schedule 3: City of Cape Town Development Management Scheme

79. Item 158 of Schedule 3 is hereby amended by –

(a) the substitution for paragraph (c) of sub-item (1) of the following paragraph:

“(c) ‘**development application**’ means any construction or utilisation of land or any application made to **[a competent authority]** the City for [additional or new] increased use rights in terms of planning legislation or the zoning scheme regulations, other than that which is already permitted in terms of the development management scheme, and which either increases the transitory or permanent population within the Precautionary Action Zone (PAZ) or the Urgent Protective Action Zone (UPZ) and/or which might compromise the effective implementation of the Koeberg Nuclear Emergency Plan.”;

(b) the substitution for paragraph (b) of sub-item (2) of the following paragraph:

“(b) provided land owners may, subject to obtaining the approval of the **[competent authority]** City, exercise **[additional or new]** increased use rights which will not result in any transitory or permanent population growth and where the **[competent authority]** City is satisfied that the disaster management infrastructure necessary to ensure effective implementation of the approved traffic evacuation model and associated disaster risk management procedures, is adequate.”;

(c) the substitution for paragraph (a) of sub-item (3) of the following paragraph:

"(a) a development application shall only be approved by the **[competent authority]** **the City** where it is satisfied that the disaster management infrastructure necessary to ensure effective implementation of the approved traffic evacuation model and associated disaster risk management procedures, is adequate;"; and

(d) the substitution for paragraph (b) of sub-item (3) of the following paragraph:

"(b) provided land owners may, subject to obtaining the approval of the **[competent authority]** **the City**, exercise **[additional or new]** **increased use** which will not result in any transitory or permanent population growth; and".

Deletion of Item 158A of Schedule 3: City of Cape Town Development Management Scheme as inserted by section 56 of the Municipal Planning By-law, 2016

80. Item 158A of Schedule 3, as inserted by section 56 of the Municipal Planning Amendment By-law, 2016 is hereby deleted.

Substitution of Item 158B, C and D of Schedule 3: City of Cape Town Development Management Scheme as inserted by section 56 of the Municipal Planning By-law, 2016

81. Item 158B, C, and D of Schedule 3, as inserted by section 56 of the Municipal Planning Amendment By-law, 2016 is hereby amended by the substitution for the items of the following items:

"Part 3: Scheduled Public Transport Accessibility Overlay Zoning (SPTAO)
(Items 158B – 158DA)

158B Designated erven in the Scheduled Public Transport Accessibility Overlay Zoning

High intensity residential land units and low intensity residential land units as depicted on the scheduled public transport accessibility map and as designated to have this overlay zoning are subject to items 158C, 158D and 158DA.

158C Use of property: Scheduled Public Transport Accessibility Overlay Zoning

(1) High intensity residential land units have the following additional use rights, in addition to the additional use rights listed in the respective base zonings, and subject to the development rules in the base zoning and item 158C:

- (a) land units with a zoning of Single Residential 1 and 2 - office, guest house, restaurant, service trade and place of instruction; and
- (b) land units with a zoning of Single Residential 1 - business premises.

(2) Low intensity residential land units have the following additional use rights, in addition to the additional use rights listed in the respective base zonings, and subject to the development rules in the base zoning and item 158C:

- (a) land units with a zoning of Single Residential 1 and 2 - office, guest house, place of instruction and service trade; and
- (b) land units with a zoning of Single Residential 1 - house shop.

158D Development rules: Scheduled Public Transport Accessibility Overlay Zoning

(1) The following development rules are applicable to high intensity residential land units:

(a) Land units with a zoning of Single Residential 1:

- (i) floor factor of 1.5 on land units up to 350m² in area;
- (ii) floor factor of 2 on land units greater than 350m² up to 650m² in area; and
- (iii) 1,0 m street boundary building line, for land units up to 650m² in area.

(b) Land units with a zoning of Single Residential 2:

- (i) floor factor of 1.5 on all land units.

(2) The following conditions apply to the respective additional use rights on high intensity residential land units, in addition to the respective conditions listed in items 21(b)(i), (iii), (iv) and (v) and 26(b)(ii), (iii), (iv) and (v):

(a) Office, guest house and restaurant

At least one dwelling unit used for permanent accommodation of a single family must exist on the property.

(b) Service trade

- (i) At least one dwelling unit used for permanent accommodation of a single family must exist on the property;
- (ii) The extent and position of the service trade shall be clearly defined on a site development plan to be approved by the City and the floor space thereof shall not exceed 40% of the size of the land unit;
- (iii) No more than six persons in total shall be engaged in activities linked to the service trade on the property, excluding public visitors and clients;
- (iv) The hours of operation shall not extend beyond 08:00 to 18:00 on Mondays to Fridays;
- (v) A builder's yard and allied trades, recycling centre, spray-paint centre, fitment centre for tyres, shock absorbers or exhausts, and similar types of uses are not permitted;
- (vi) Service trade activities are only permitted on the ground floor of a building;
- (vii) The service trade is subject to the relevant City department permitting direct access from a public street; and
- (viii) The City may, at any stage, by written notice call for a cessation of the land use or activity, or impose conditions in order to minimise any potential nuisance to surrounding neighbours or the general public.

(c) Place of instruction

The following conditions apply:

- (i) At least one dwelling unit used for permanent accommodation of a single family must exist on the property;
- (ii) The extent and position of the place of instruction shall be clearly defined on a plan to be approved by the City and the floor space thereof shall not exceed 40% of the size of the land unit;
- (iii) No more than 35 persons in total shall be enrolled or involved in a place of instruction on the property, which include students, children; trainees, trainers and educators;
- (iv) The hours of operation shall not extend beyond 07:00 to 18:00 on Mondays to Fridays; and
- (v) The City may, at any stage, by written notice call for a cessation of the land use or activity, or impose conditions in order to minimise any potential nuisance to surrounding neighbours or the general public.

(d) Business premises

The following conditions apply to a business premises, other than a restaurant, office or service trade:

- (i) At least one dwelling unit used for permanent accommodation of a single family must exist on the property;
- (ii) The extent and position of the business premises shall be clearly defined on a plan to be approved by the City and the floor space thereof shall not exceed 40% of the size of the land unit;
- (iii) No more than ten persons shall be employed in activities linked to the business premises on the property, excluding public visitors and clients;
- (iv) The hours of operation shall not extend beyond 08:00 to 18:00 on Mondays to Fridays;
- (v) Business premises activities are only allowed from the ground floor of a building;
- (vi) A builder's yard and associated trades, recycling centre, spray-paint centre, fitment centre for tyres, shock absorbers or exhausts, and similar types of uses are not allowed as part of the business premises;
- (vii) The business premises is subject to the relevant City department permitting direct access from a public street; and
- (viii) The City may, at any stage, by written notice call for a cessation of the land use or activity, or impose conditions in order to minimise any potential nuisance to surrounding neighbours or the general public.

(3) The following conditions apply to the respective additional use rights on low intensity residential land units, in addition to the conditions listed in items 21(b)(i), (iii), (iv) and (v) and 26(b) (ii), (iii), (iv) and (v):

(a) Office and guest house

At least one dwelling unit used for permanent accommodation of a single family must exist on the property.

(b) Place of instruction

- (i) At least one dwelling unit used for permanent accommodation of a single family must exist on the property;
- (ii) The extent and position of the place of instruction shall be clearly defined on a plan to be approved by the City and the floor space thereof shall not exceed 25% of the size of the land unit;
- (iii) No more than 15 persons in total shall be enrolled or involved in a place of instruction on the property, which include students, children; trainees, trainers and educators;
- (iv) The hours of operation shall not extend beyond 07:00 to 18:00 on Mondays to Fridays; and
- (v) The City may, at any stage, by written notice call for a cessation of the land use or activity, or impose conditions in order to minimise any potential nuisance to surrounding neighbours or the general public.

(c) Service trade

- (i) At least one dwelling unit used for permanent accommodation of a single family must exist on the property;
- (ii) The extent and position of the service trade shall be clearly defined on a plan to be approved by the City and the floor space thereof shall not exceed 25% of the size of the land unit;
- (iii) No more than three persons in total shall be engaged in activities linked to the service trade on the property, excluding public visitors and clients;
- (iv) The hours of operation shall not extend beyond 09:00 to 17:00 on Mondays to Fridays;
- (v) A builder's yard and allied trades, recycling centre, spray-paint centre, fitment centre for tyres, shock absorbers or exhausts, and similar types of uses are not allowed;
- (vi) Service trade activities are only allowed from the ground floor of a building;

- (vii) The service trade is subject to the relevant City department permitting direct access from a public street; and
- (viii) The City may, at any stage, by written notice call for a cessation of the land use or activity, or impose conditions in order to minimise any potential nuisance to surrounding neighbours or the general public.

(d) House shop

The conditions listed in item 28 apply.

- (4) Any development rule contained in the public transport accessibility overlay zoning that exceeds the limitations of a base zoning shall be deemed to be an approved departure from the provisions of the base zoning.

Insertion of Item 158DA into Schedule 3: City of Cape Town Development Management Scheme

82. Schedule 3 is hereby amended by the insertion after item 158D of the following item:

"158DA General provisions: Scheduled Public Transport Accessibility Overlay Zoning

The following provisions apply:

- (1) The City's municipal services departments must certify that capacity is available on the services network for the additional use rights listed in item 158B.
- (2) The City may approve a scheduled public transport accessibility map which indicates high and low intensity residential land units.".

Amendment of Item 158E of Schedule 3: City of Cape Town Development Management Scheme as inserted by section 56 of the Municipal Planning By-law, 2016

83. Item 158E of Schedule 3, as inserted by section 56 of the Municipal Planning Amendment By-law, 2016 is hereby amended by the substitution for sub-item (2) of the following sub-item:

"(2) Additional use rights are second dwelling, subject to item [53] 25A."

Amendment of Item 163 of Schedule 3: City of Cape Town Development Management Scheme

84. Item 163 of Schedule 3 is hereby amended by the substitution for sub-item (1) of the following sub-item:

"(1) The City may apply specific provisions to a heritage place or heritage area protected as a Heritage Protection Overlay zone, which may be in addition or alternative to the general provisions in item 162, provided it relates to land use and development rules [and are recorded in a heritage management plan approved by the City in terms of this By-Law]."

Amendment of Item 164 of Schedule 3: City of Cape Town Development Management Scheme

85. Item 164 of Schedule 3 is hereby amended by the substitution for sub-item (3) of the following sub-item:

- (3) In approving an application referred to in item 162(1), the City may impose any conditions it believes appropriate for the protection and enhancement of the heritage place or area, including inter alia conditions regarding:
 - (a) requirements for landscaping;
 - (b) use of materials and finishes;
 - (c) heritage management plans;
 - (d) recycling or reuse of materials;
 - (e) method statements; **[and]**
 - (f) timescales within which work approved must be in place or be completed~~1.~~;
 - (g) architectural form and treatment; and
 - (h) development rules applicable to the land unit.

Amendment of Item 167 of Schedule 3: City of Cape Town Development Management Scheme

86. Item 167 of Schedule 3 is hereby amended by the substitution for sub-item (1) of the following sub-item:

"(1) The City may apply specific provisions in an environmental management overlay zone, which may be in addition or alternative to the general provisions in item 166, provided it relates to land use and development rules **[and are recorded in an environmental site- or activity-management plan approved by the City in terms of this development management scheme]**.".

Amendment of Item 176 of Schedule 3: City of Cape Town Development Management Scheme

87. Item 176 of Schedule 3 is hereby amended by –

(a) the substitution for sub-item (3) of the following sub-item:

"(3) The maximum height of a building, measured from **[base]** existing ground level to the wallplate, shall be 6 m, and to the top of the roof shall be 8 m.";

(b) the substitution for sub-item (6) of the following sub-item:

"(6) The common boundary setbacks specified in this development management scheme shall apply to all dwelling houses, second dwellings, third dwellings, group housing, blocks of flats, residential buildings, or outbuildings to any of the foregoing."; and

(c) the substitution for sub-item (7) of the following sub-item:

"(7) The coverage provisions of this development management scheme shall apply to all dwelling houses, second dwellings, third dwellings, group housing and blocks of flats or outbuildings on any site smaller than 350 m². Permitted coverage on sites greater than 350 m² in extent for all of the above buildings shall be 65%.".

Amendment of Item 185 of Schedule 3: City of Cape Town Development Management Scheme

88. Item 185 of Schedule 3 is hereby amended by –

(a) the substitution for paragraph (b) of sub-item (2) of the following paragraph:

"(b) notwithstanding the provisions of the development management scheme relating to floor factor, land that is zoned GB7 **[or MU3]**:

(i) shall be subject to the floor factor specified on Plan LAO/4 for the land unit concerned, unless there is no such specification, in which case the provisions of the development management scheme shall apply~~[: and]~~

[(ii) the floor factor may be increased by 30%, provided at least 30% of the building floor space remains in use as flats]."; and

(b) the insertion after paragraph (b) of sub-item (2) of the following paragraphs:

"(bA) Notwithstanding the provisions of the development management scheme relating to floor factor, land that is zoned MU3:

(i) shall be subject to the floor factor specified on Plan LAO/4 for the land unit concerned, unless there is no such specification, in which case the provisions of the development management scheme shall apply; and

(ii) the floor factor may be increased by 30%, provided at least 30% of the building floor space remains in use as flats.".

Short title

89. This By-law is called the City of Cape Town: Municipal Planning Amendment By-law, 2019.

**STAD KAAPSTAD
WYSIGINGSVERORDENING OP
MUNISIPALE BEPLANNING, 2019**

STAD KAAPSTAD
WYSIGINGSVERORDENING OP MUNISIPALE BEPLANNING, 2019

ALGEMENE VERKLARENDE AANTEKENING:

- [] Woorde in vetdruk tussen blokhakies dui op skrappings uit bestaande bepalings.
_____ Woorde wat met 'n volstreep onderstreep is, dui op invoegings in bestaande bepalings.
-

Die Raad van die Stad Kaapstad **VERORDEN** hiermee soos volg: -

Wysiging van artikel 1 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015

1. Artikel 1 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015 (hierna die hoofverordening) word hiermee gewysig –
- (a) deur die volgende omskrywing ná die omskrywing van 'sektorplan' in te voeg:
“**sertificaat van geregistreerde titel**” dieselfde as wat in die Registrasie van Aktes Wet (Wet 47 van 1937) beoog word;”;
- (b) deur die omskrywing van 'grondeenheid' met die volgende omskrywing te vervang:
“**grondeenheid**” 'n grondgedeelte wat in 'n aktesregister geregistreer is of kan word, wat kan insluit [met inbegrip van] 'n grondgedeelte waarop 'n geregistreerde serwituutreg of geregistreerde huurooreenkoms betrekking het;” en
- (c) deur die omskrywing van 'beperkende voorwaarde' met die volgende omskrywing te vervang:
“**beperkende voorwaarde**” enige voorwaarde wat teen die titelakte van grond geregistreer is wat die gebruik, ontwikkeling of onderverdeling van die betrokke grond beperk[, **met uitsluiting van serwitute wat saaklike of persoonlike regte skep**]”.

Wysiging van artikel 38 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015

2. Artikel 38 van die hoofverordening word hiermee gewysig –
- (a) deur die woorde voor paragraaf (a) van subartikel (1) met die volgende woorde te vervang:
“(1) Tensy hierdie verordening anders bepaal, verstryk 'n goedkeuring wat ingevolge hierdie verordening toegestaan is of as toegestaan beskou word, [**twee**] vyf jaar na die intreedatum van die besluit –”; en
- (b) deur subartikel (2) met die volgende subartikel te vervang:
“(2) 'n Aansoeker kan ingevolge en onderworpe aan die vereistes van artikel 107 aansoek doen om 'n verlenging van die geldigheidstydperke wat in subartikel (1) beoog word, hoewel geen verlenging vir langer as [**twee**] vyf jaar na die verstryking van die aanvanklike goedkeuring mag wees nie.”.

Wysiging van artikel 42 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015

3. Artikel 42 van die hoofverordening word hiermee gewysig –
- (a) deur paragraaf (g) met die volgende paragraaf te vervang:
“(g) die wysiging, opskorting of [**skrapping**] opheffing van 'n beperkende voorwaarde;”;
- (b) deur paragraaf (q) met die volgende paragraaf te vervang:

- "(q) die verandering of wysiging van 'n straatnaam of -nommer soos wat artikel 136 beoog"; en
- (c) deur die woord 'of' aan die einde van paragraaf (u) in te voeg, en dan die volgende paragraaf ná paragraaf (u) in te voeg:
- "(v) goedkeuring ingevolge artikel 55(4)(b) van hierdie verordening."

Invoeging van artikel 49A in die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015

4. Die hoofverordening word hiermee gewysig deur die volgende artikel ná artikel 49 in te voeg:

"49A Aansoek om die gebruik of ontwikkeling van grond wat in stryd sal wees met 'n beperkende voorwaarde of 'n serwituut"

- (1) Die Stad mag nie ingevolge hierdie verordening 'n aansoek goedkeur om die gebruik of ontwikkeling van grond wat in stryd sal wees met 'n beperkende voorwaarde of 'n serwituut wat 'n goedkeuringsvoorwaarde is wat ingevolge hierdie verordening, die Ordonnansie, of die Ordonnansie op Dorpe (Ordonnansie 33 van 1934) opgelê is nie.
- (2) Die Stad kan 'n aansoek wat in subartikel (1) beoog word, goedkeur indien dit terselfdertyd aansoeke goedkeur om –
- (i) sodanige goedkeuringsvoorwaarde te wysig of op te hef; en
- (ii) sodanige beperkende voorwaarde of serwituut te wysig, op te skort of op te hef.
- (3) Die Stad kan ingevolge hierdie verordening 'n aansoek goedkeur om die gebruik of ontwikkeling van grond wat in stryd sal wees met 'n beperkende voorwaarde of 'n serwituut wat nie 'n goedkeuringsvoorwaarde is wat ingevolge hierdie verordening, die Ordonnansie, of die Ordonnansie op Dorpe (Ordonnansie 33 van 1934) opgelê is nie."

Wysiging van artikel 54 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015, soos gewysig deur artikel 10 van die Wysigingsverordening op Munisipale Beplanning, 2016

5. Artikel 54 van die hoofverordening word hiermee gewysig –

- (a) deur die woorde voor paragraaf (a) van subartikel (1) met die volgende woorde te vervang:

"(1) Geen persoon mag oordrag neem van 'n grondeenheid, of 'n sertikaat van geregistreerde titel van 'n grondeenheid, wat uit 'n goedgekeurde onderverdeling of fase van 'n Stadsgoedgekeurde onderverdeling spruit nie, tensy –"; en

- (b) deur subartikel (2) met die volgende subartikel te vervang:

"(2) Geen persoon mag oordrag neem van 'n grondeenheid, of 'n sertikaat van geregistreerde titel van 'n grondeenheid, wat uit 'n goedgekeurde onderverdeling spruit tensy die Stadsbestuurder 'n oordragsertifikaat uitrek wat in artikel 137 beoog word nie.".

Wysiging van artikel 67 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015, soos gewysig deur artikel 14 van die Wysigingsverordening op Munisipale Beplanning, 2016, en deur artikel 2 van die Tweede Wysigingsverordening op Munisipale Beplanning, 2016

6. Artikel 67 van die hoofverordening word hiermee gewysig –

- (a) deur paragraaf (g) van subartikel (1) met die volgende paragraaf te vervang:

"(g) die registrasie van 'n serwituut of huurooreenkoms vir die voorsiening of oprigting van –

(i) 'n ingenieursdiens of ander diens wat deur of namens die staat of 'n diensverskaffer voorsien word, met inbegrip van kommunikasie-infrastruktuur en pyleidings;

(ii) 'n oorskryding op 'n padreserwe; [of]

(iii) 'n munisipale ingenieursdiens; [of]

(iv) hoogtebeperkings; [of]

- (v) 'n woonreg, privaat deurgangsreg of vruggebruik; **[of]**
- (vi) 'n boorgat of waterpyp~~[.]~~;
- (vii) ''n deurgangsreg, mits dit verder as 30 m van 'n gemeenskaplike grens met aangrensende grond geleë is, tensy sodanige aangrensende grond aan 'n begunstigde van die serwituut of huurooreenkoms behoort;
- (viii) parkeerplek soos wat item 138 beoog; of
- (ix) 'In wateropgaardam of dam verder as 30 m van 'n gemeenskaplike en straatgrens."; en

(b) deur paragraaf (b) van subartikel (5) met die volgende paragraaf te vervang:

"(b) waar ingenieursdienste verskuif **[of voorsien]** moet word as gevolg van 'n onderverdeling of konsolidasie; of".

Wysiging van artikel 71 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015, soos gewysig deur artikel 16 van die Wysigingsverordening op Munisipale Beplanning, 2016

7. Artikel 71 van die hoofverordening word hiermee gewysig deur subparagraph (x) van paragraaf (m) van subartikel (1) te skrap.

Wysiging van artikel 73 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015

8. Artikel 73 van die hoofverordening word hiermee gewysig deur paragraaf (c) van subartikel (1) met die volgende paragraaf te vervang:

"(c) die aansoek versuim om aan 'n bepaalde inligtingspesifikasie te voldoen~~[.]~~ of indien vereiste inligting ingevolge artikel 71 ontbreek~~[.]~~, **of indien die aansoek sigbaar verkeerde inligting bevat]**; of".

Wysiging van artikel 74 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015, soos gewysig deur artikel 1 van die Wysigingsverordening op Munisipale Beplanning, 2017

9. Artikel 74 van die hoofverordening word hiermee met die volgende artikel vervang:

"Indien die Stad die aansoek aanvaar, moet die Stadsbestuurder –

- (a) **[hetsy deur middel van 'n stempel op die ingediene aansoek op die datum van ontvangst, of skriftelik,]** ontvangst erken van die aansoek;
- (b) binne 7 dae na ontvangsterkennung van die aansoek, of sodanige verdere tydperk as waaroor skriftelik ooreengekom kan word, hetsy –
 - (i) bykomende inligting aanvra of fooie versoek; of
 - (ii) die aansoeker in kennis stel dat die aansoek volledig is."

Wysiging van artikel 78 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015

10. Nie van toepassing op Afrikaanse weergawe nie.

Wysiging van artikel 79 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015, soos gewysig deur artikel 17 van die Wysigingsverordening op Munisipale Beplanning, 2016

11. Artikel 79 van die hoofverordening word hiermee gewysig deur subartikel (5) te skrap.

Wysiging van artikel 84 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015

12. Artikel 84 van die hoofverordening word hiermee gewysig deur paragraaf (b) van subartikel (5) met die volgende paragraaf te vervang:

"(b) sal geen bepalings van hierdie afdeling buiten artikel 86, 87, **[99]** 88 en 95 geld nie".

Wysiging van artikel 90 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015

- 13.** Artikel 90 van die hoofverordening word hiermee gewysig deur die woorde voor paragraaf (a) van subartikel (5) met die volgende woorde te vervang:

"Persone wat besware, kommentaar of vertoë indien, moet die volgende op die voorgeskrewe vorm voorsien –".

Wysiging van artikel 95 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015

- 14.** Artikel 95 van die hoofverordening word hiermee gewysig –

- (a) deur subartikel (3) met die volgende subartikel te vervang:

"(3) 'n Rekordleer [Lêer] wat die Stad met betrekking tot [die] 'n aansoek skep, moet in enige stadium gedurende die verwerking van die aansoek beskikbaar wees vir openbare inspeksie in kantoortyd indien die Departement dit nie gebruik nie,en afskrifte moet vir die publiek beskikbaar wees by die betaling van die voorgeskrewe fooi ingevolge die Stad se tarief-, fooie- en heffingsboek.";"; en

- (b) deur subartikel (4) met die volgende subartikel te vervang:

"(4) Nadat 'n besluit geneem is, is afskrifte van die besluit en voorwaardes van die besluit beskikbaar vir die publiek by die betaling van die voorgeskrewe fooi ingevolge die Stad se tarief-, fooie- en heffingsboek.". "

Wysiging van artikel 99 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015, soos gewysig deur artikel 20 van die Wysigingsverordening op Munisipale Beplanning, 2016, en deur artikel 8 van die Wysigingsverordening op Munisipale Beplanning, 2017

- 15.** Artikel 99 van die hoofverordening word hiermee gewysig –

- (a) deur paragraaf (a) van subartikel (1) te skrap:

- (b) deur paragraaf (b) van subartikel (1) met die volgende paragraaf te vervang:

"(b) die voorgestelde grondgebruik of -ontwikkeling moet voldoen aan of strook met die munisipale raamwerk vir ruimtelike ontwikkeling, of so nie, moet 'n afwyking van die munisipale raamwerk vir ruimtelike ontwikkeling toelaatbaar wees;";

- (c) deur paragraaf (c) van subartikel (1) te skrap;

- (d) deur paragraaf (d) van subartikel (1) met die volgende paragraaf te vervang:

"(d) (i) onderworpé aan subparagraaf d(ii), in geval van 'n aansoek om 'n afwyking ten einde die ontwikkelingsreëls rakende toegelate vloerruimte of hoogte te wysig, moet goedkeuring van die aansoek nie tot gevolg hê dat die eiendom die ontwikkelingsreëls van die volgende subsone binne 'n sone aanneem nie[.];

(ii) die goedkeuring van 'n aansoek om 'n afwyking ten einde die ontwikkelingsreëls rakende toegelate vloerruimte of hoogte te wysig wat nie 10% van die maksimum hoogte of vloerruimte van die bestaande subsone oorskry nie, aktiveer nie die minimum drempelvereiste nie.";

- (e) deur paragraaf (d) van subartikel (2) met die volgende paragraaf te vervang:

"(d) die wenslikheid[somvang] van die voorgestelde grondgebruik of -ontwikkeling ingevolge subartikel (3);";

- (f) deur die volgende paragraaf ná paragraaf (g) van subartikel (2) in te voeg:

"(h) of die aansoek aan die vereistes van hierdie verordening voldoen";

(g) deur die woorde voor paragraaf (a) van subartikel (3) met die volgende woorde te vervang:

"(3) Die volgende oorwegings is ter sake vir die beoordeling **[ingevolge subartikel (1)(c) oor of die voorgestelde grondgebruik wenslik is, en die beoordeling]** ingevolge subartikel (2)(d) oor die **[omvang van sodanige]** wenslikheid van die voorgestelde grondgebruik of -ontwikkeling –"; en

(h) deur paragraaf (j) van subartikel (3) met die volgende paragraaf te vervang:

"(j) of die oplegging van voorwaardes 'n nadelige impak van die voorgestelde grondgebruik of -ontwikkeling kan temper.".

Wysiging van artikel 105 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015

16. Artikel 105 van die hoofverordening word hiermee gewysig deur subartikel (4) te skrap.

Wysiging van artikel 108 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015

17. Artikel 108 van die hoofverordening word hiermee gewysig deur subartikel (1) met die volgende subartikel te vervang:

"(1) 'n Persoon wat in subartikel (2) beoog word en 'n aansoeker wat in artikel 103 beoog word, kan by die appèlowerheid appelleer deur skriftelik kennis te gee van die appèl **[te gee]** en die redes vir die appèl, **[te verstrek]** en deur die voorgeskrewe vorm te voltooi en te onderteken."

Wysiging van artikel 109 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015

18. Artikel 109 van die hoofverordening word hiermee gewysig –

(a) deur paragraaf (a) van subartikel (2) met die volgende paragraaf te vervang:

"(a) die aansoeker, indien die aansoeker nie die appellant is nie; **[en] of**"; en

(b) deur paragraaf (b) van subartikel (2) met die volgende paragraaf te vervang:

"(b) enige persoon wat 'n beswaar teen, kommentaar op of vertoë oor die aansoek ingedien het,
indien die aansoeker die appellant is.".

Invoeging van artikel 111A in die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015

19. Die hoofverordening word hiermee gewysig deur die volgende artikel ná artikel 111 in te voeg:

111A Verdere kennisgewings

Indien 'n persoon 'n beswaar, kommentaar of vertoog in verband met 'n aansoek wat ingevolge hierdie verordening geadverteer is per e-pos indien, sal die Stad die gebruik van e-pos beskou as instemming tot kennisgewing per e-pos by daardie e-posadres, soos wat artikel 111(3) bepaal."

Wysiging van artikel 120 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015, soos gewysig deur artikel 21 van die Wysigingsverordening op Munisipale Beplanning, 2016

20. Artikel 120 van die hoofverordening word hiermee gewysig deur subartikel (3) met die volgende subartikel te vervang:

"(3) Die munisipale raad kan opdrag gee dat die munisipale beplanningstribunaal hom so saamstel dat hy uit een of meer panele bestaan om aansoeke te beslis], en dat elke paneel die

verantwoordelikheid ontvang om aansoeke met betrekking tot grond in 'n bepaalde geografiese gebied van die stad en/of 'n bepaalde soort aansoek of aansoekkategorie te beslis]."

Wysiging van artikel 130 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015

21. Artikel 130 van die hoofverordening word hiermee gewysig deur die volgende subartikel ná subartikel (4) in te voeg:

- "(5) Die Stad kan 'n kategorie van oortredings van hierdie verordening voorskryf waarop die bepalings van artikel 130(2) en (3) nie van toepassing is nie."

Wysiging van artikel 137 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015

22. Artikel 137 van die hoofverordening word hiermee gewysig deur subartikel (1) met die volgende subartikel te vervang:

- "(1) 'n Oordraer wat voornemens is om uitvoering te gee aan die eerste registrasie van oordrag van 'n grondeenheid of om 'n sertifikaat van geregistreerde titel te bekom wat uit 'n goedgekeurde onderverdeling binne die geografiese gebied van die Stad spruit, moet tot die Stadsbestuurder se bevrediging bewys lewer dat daar voldoen is aan alle verdere vereistes wat artikel 54(1) beoog."

Vervanging van artikel 140 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015

23. Artikel 140 van die hoofverordening word hiermee gewysig deur die volgende subartikels ná subartikel (1) in te voeg:

- "(2) Onderworpe aan artikel 60(1) van die Wet op Grondgebruikbeplanning, kan die Stad 'n persoon, groep persone of 'n gedeelte grond binne die Stad se regssgebied vir 'n bepaalde tydperk vrystel van die toepassing van 'n bepaling van hierdie verordening, of van die verordening in die geheel, en kan die vrystelling onderworpe wees aan 'n voorwaarde wat in die vrystelling neergelê word, en kan die Stad die vrystelling in enige stadium terugtrek of wysig.
(3) Die Stad moet 'n vrystelling op sy webtuiste publiseer."

Wysiging van artikel 142 van die Stad Kaapstad: Verordening op Munisipale Beplanning, 2015, soos gewysig deur artikel 25 van die Wysigingsverordening op Munisipale Beplanning, 2016

24. Artikel 142 van die hoofverordening word hiermee gewysig deur die volgende subartikel ná subartikel (8) in te voeg:

- "(9) Nieteenstaande enige wysiging aan hierdie verordening wat in werking kan tree, sal 'n aansoek wat die Stad ingevolge artikel 74(a) reeds voor die inwerkintredingsdatum van die wysiging aanvaar het, verwerk enoorweeg word ingevolge die wetgewing wat ten tyde van aanvaarding bestaan het."

WYSIGING VAN BYLAE 3: STAD KAAPSTAD ONTWIKKELINGSBESTUURSKEMA

Wysiging van item 1 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema, soos gewysig deur artikel 26 van die Wysigingsverordening op Munisipale Beplanning, 2016

25. Item 1 van die Stad Kaapstad Ontwikkelingsbestuurskema wat in bylae 3 by die hoofverordening uiteengesit word (hierna bylae 3), word hiermee gewysig –

- (a) deur die omskrywing van 'gemiddelde grondvlak' te skrap;
(b) deur die omskrywing van 'basisvlak' te skrap;
(c) deur die omskrywing van 'bed-en-ontbytonderneming' met die volgende omskrywing te vervang:

“bed-en-ontbytonderneming” 'n woonhuis, **[of]** tweede woning of derde woning waarin die **[eienaar]** bewoner van die woning teen vergoeding losies en etes voorsien aan verbygaande gaste wat permanent elders woon, mits –

- (a) die oorwegende gebruik van die betrokke **[woonhuis]** wooneenheid steeds die residensiële huisvesting van 'n enkele familie is; en
- (b) die eiendom aan die vereistes vir 'n bed-en-ontbytonderneming ingevolge hierdie ontwikkelingsbestuurskema voldoen;";

(d) deur die omskrywing van 'losieshuis' met die volgende omskrywing te vervang:

“losieshuis” 'n gebou waar losies voorsien word, wat kosbereiding-, eet- en gemeenskaplike fasiliteite virloseerders se gebruik kan insluit, tesame met sodanige buitegeboue as wat gewoonlik daarmee saam gebruik word, wat 'n gebou waarvan vertrekke vir residensiële doe-leindes verhuur word, 'n jeughostel, rugsakstappersverblyf, gastehuis, ouetehuis, 'n tehuis vir persone met gestremdhede, weeshuis en residensiële klub insluit, maar 'n hotel, woonhuis, tweede woning, derde woning of groepshuis uitsluit;";

(e) deur die omskrywing van 'grensmuur' met die volgende omskrywing te vervang:

“grensmuur” enige muur[,] of omheining **[of insluitingstruktuur]** wat op of langs 'n kadastrale **[eiendomsgrens]** lyn opgerig word, **[en]** saam met enige ander struktuur[, **met inbegrip van sekuriteitstoestelle, soos spykers, doringdraad, lemmetjiesdraad of elektriese draad,**] wat **[aan of bo-op]** 'n grensmuur aangebring word, wat as 'n afskorting tussen eiendomme dien;";

(f) deur die omskrywing van 'braaiamer' met die volgende omskrywing te vervang:

“braaiamer” 'n vertrek wat deel is van 'n wooneenheid [die hoofwoning] of buitegebou[e] en wat hoogsaklik vir vermaakdoeleindes gebruik word en waar kos en drank voorberei kan word, maar wat 'n kombuis uitsluit;";

(g) deur die volgende omskrywing ná die omskrywing van 'slagpale' in te voeg:

“Stad Kaapstad-grondvlakkaart” 'n kaart wat ingevolge die ontwikkelingsbestuurskema goedgekeur is en wat die bestaande grondvlak aandui op grond van 'n dryfpuntraster en 'n kontoerdatastel uit LiDAR-inligting tot die Stad se beskikking;";

(h) deur die omskrywing van 'huishoudelike personeelkwartiere' met die volgende omskrywing te vervang:

“huishoudelike personeelkwartier[e]” 'n buitegebou met 'n vloerruimte van nie meer as 50 m² nie, met inbegrip van sanitêre en kosbereidingsfasiliteite, en wat gebruik word vir die huisvesting van huishoudelike personeellede wat by die betrokke **[woonhuis]** wooneenheid in diens is; met dien verstande dat:

- (a) hoogstens een huishoudelike personeelkwartier sonder die Stad se goedkeuring op 'n grondeenheid toegelaat word; en
- (b) die huishoudelike personeelkwartier slegs sy eie, individuele deel binne 'n deeltelskema kan hê indien dit volgens wet aan die betrokke wooneenheid gekoppel is;";

(i) deur die omskrywing van 'wooneenheid' met die volgende omskrywing te vervang:

“wooneenheid” 'n groep selfstandige, aaneengeskakelde vertrekke met hoogstens een kombuis wat vir die residensiële huisvesting en behuising van een familie of hoogstens vyf verbygaande gaste gebruik word, tesame met sodanige buitegeboue as wat gewoonlik daarmee saam gebruik word, maar wat huishoudelike personeelkwartiere of toeristeverblyf of verblyf wat as deel van 'n hotel gebruik word, uitsluit;";

(j) deur die omskrywing van 'bestaande grondvlak' met die volgende omskrywing te vervang:

“bestaande grondvlak” die vlak van die grondoppervlak op 'n grondeenheid soos dit op die Stad Kaapstad-grondvlakkaart uitgebeeld word. Indien hierdie kaart nie goedgekeur is of op 'n bepaalde grondeenheid/-eenhede van toepassing is nie, na gelang van wat die Stad bepaal, is die bestaande grondvlak die vlak van die grondoppervlak op 'n grondeenheid:

- (a) in 'n onversteurde toestand voordat enige gebou daarop opgerig of wysigings aan vlakke daarop gemaak is; of
- (b) ingevolge 'n plan wat die kontoere van die grond aandui en wat ingedien is by en aanvaar is deur 'n amptelike agentskap soos die munisipaliteit of 'n staatsdepartement, wat die bestaande vlak van die grond voor of op die inwerkingtredingsdatum toon; of
- (c) in 'n toestand wat met die Stad se goedkeuring vir die doel van ontwikkeling verander is; of
- (d) soos wat die Stad bepaal indien onreëlmatighede of versteurings van die grond dit na die Stad se mening onmoontlik maak om die bestaande vlak van die grond te bepaal;

en kan die Stad die eienaar of aansoeker versoek om 'n geregistreerde landmeter opdrag te gee om die grondvlakke op te meet of vlakke te interpoleer wat aan die nasionale beheernetwerk gekoppel sal word of, waar dít nie moontlik is nie, om minstens twee blywende, toepaslik geleë verwysingsmerke te voorsien, ten einde die Stad van voldoende inligting te voorsien om die mees toepaslike bestaande grondvlak vir die administrasie van hierdie ontwikkelingsbestuurskema te bepaal;”;

- (k) deur die omskrywing van 'woonstelle' met die volgende omskrywing te vervang:

“woonstelle” 'n gebou wat uit drie of meer wooneenhede bestaan, tesame met sodanige buitegeboue as wat gewoonlik daarmee verband hou, maar sluit dit 'n woonhuis, tweede woning en derde woning uit [op die verdere voorwaarde dat in daardie sonerings waar woonstelle toelaatbaar is, 'n gebou met minder as drie wooneenhede ook toegelaat sal word in 'n gebou wat vir woonstelle of ander doeleinades as woonstelle goedgekeur is];”;

- (l) deur die omskrywing van 'vloerruimte' met die volgende omskrywing te vervang:

“vloerruimte”, met betrekking tot enige gebou, die oppervlakte van 'n vloer wat deur 'n blad, dak of uitsteeksel bedek word, met dien verstande dat –

- (a) enige kelder of deel van 'n kelder wat nie as bewoonbare ruimte bedoel is nie, uitgesluit word;
- (aA) enige oppervlakte wat uitsluitlik vir parkeerruimte of die laai van voertuie bestem is, uitgesluit word;
- (b) buite-ingangstrappe en -trapportale, enige afdak, enige stoep en enige gebied wat vir buitenoondutgange vereis word, uitgesluit word;
- (bA) gedeeltes van gange, toegangs- en nooduitgangsroetes met 'n breedte van **[hoogstens] tot 1,5 m in 'n gebou op 'n grondeenheid met 'n ander sonering as enkelresidensiële sonering 1 en 2, gemeenskapsonering 1 en 2, landbousonering en landelike sonering** uitgesluit word, met dien verstande dat dit direk met die nooduitgang, die vertikale bewegingsroetes na die ingangsdeure of albei verbind is;
- (c) 'n uitsteeksel, met inbegrip van 'n dakrand wat uitsteek en 'n uitsteeksel wat as 'n sonskerm of 'n argitektoniese kenmerk dien, wat nie meer as 1 m by die buitemuur of soortgelyke ondersteuning verbysteek nie, uitgesluit word;
- (d) enige onoordekte interne binnehof, ligskag of ander onoordekte skag van meer as 10 m² in oppervlakte uitgesluit word;
- (e) enige oordekte geplaveide gebied buite en direk langs 'n gebou op of onder die grondvloervlak uitgesluit word waar sodanige geplaveide gebied deel is van 'n voorhof, werf, eksterne binnehof, voetpad, parkeerruimte of voertuigtoegang en aan minstens die voor- of lang kant permanent aan die elemente blootgestel is;

- (f) enige oordekte balkon, veranda of terras uitgesluit word wat, benewens beskermde traliewerk, aan minstens die voor- of lang kant permanent aan die elemente blootgestel is en nie 2,5 m in breedte oorskry nie;
- (g) onderworpe aan paragraaf (h) hieronder, enige trappe, trapskagte en atriums met 'n dak ingesluit word;
- (h) in geval van meerverdiepinggeboue, enige trapskagte, hyserskagte, ligskagte of ander skagte sowel as enige atriums slegs een keer getel word;
en op die verdere voorwaarde dat vloerruimte gemeet word vanaf die buitevlak van die buitemure of soortgelyke ondersteuning van sodanige gebou, en dat waar die gebou uit meer as een verdieping bestaan, die totale vloerruimte die som van die vloerruimte van alle verdiepings is, met inbegrip van dié van kelders;";
- (m) deur die omskrywing van 'grondvlak' met die volgende omskrywing te vervang:
"grondvlak": sien [**gemiddelde grondvlak** **en**] 'bestaande grondvlak';";
- (n) deur die omskrywing van 'gastehuis' met die volgende omskrywing te vervang:
"gastehuis" 'n woonhuis, **[of]** tweede woning of derde woning wat gebruik word om teen vergoeding losies en etes aan verbygaande gaste te voorsien in 'n onderneming wat die **[beperkings]** toelaatbare getal kamers van 'n bed-en-ontbytonderneming oorskry, en wat sakevergaderings of opleidingssessies deur en vir gaste op die eiendom kan insluit;";
- (o) deur die omskrywing van 'hoogte' met die volgende omskrywing te vervang:
"hoogte", van 'n gebou of grensmuur, 'n vertikale dimensie in meter vanaf 'n bepaalde vlak tot 'n ander bepaalde vlak, soos dit in die ontwikkelingsreëls van 'n sonering uiteengesit word, met dien verstande dat die volgende nie vir die doeleindest van hoogtebeheer in ag geneem word nie –
(a) skoorstene (maksimum horizontale dimensie van 1,5 m),
(b) skoorsteenpype (maksimum horizontale dimensie van 1 m),
(c) hyserskagte (maksimum horizontale dimensie van **[2,5 m]** 3 m en maksimum vertikale dimensie van 2 m per hyserskag),
(d) maste, en
(e) antennas **[nie vir die doeleindest van hoogtebeheer in ag geneem word nie]**";
- (p) deur die volgende omskrywing ná die omskrywing van 'hinderbedryf' in te voeg:
"hoë-intensiteit- **residensiële** **grondeenheid"** 'n grondeenheid met hetsy enkelresidensiële sonering 1 of enkelresidensiële sonering 2 as basissonering, waar meer intensiewe grondgebruiken as dié waarvoor die basissonering voorsiening maak, bevorder word, soos afgebaken op 'n kaart van geskeduleerde openbareervoertoeganklikheid wat die Stad van tyd tot tyd goedkeur,";
- (q) deur die omskrywing van 'tuiskindersorg' met die volgende omskrywing te vervang:
"tuiskindersorg" die gebruik van 'n gedeelte van 'n **[woonhuis]** wooneenheid of buitegebou**[e]** deur die bewoner om dagsorg, naskoolse sorg of onderrig aan 'n beperkte getal babas of kinders te bied.:";
- (r) deur die omskrywing van 'tuisberoep' met die volgende omskrywing te vervang:
"tuisberoep" die beoefening van 'n beroep of die bedryf van 'n onderneming vanaf 'n grondeenheid, woonhuis, tweede woning, derde woning, wooneenheid of buitegebou deur een of meer bewoners wat op die eiendom woon, wat insluit die verkoop van alkoholiese drank deur

die internet of enige ander elektroniese middel, met dien verstande dat geen alkoholiese drank op die eiendom geberg, ontvang of daarvandaan versend word nie;"

- (s) deur die omskrywing van 'huiswinkel' met die volgende omskrywing te vervang:
- "huiswinkel"** die bedryf van 'n kleinhandelsaak vanaf hetsy 'n woonhuis, tweede woning, of derde woning of buitegebou deur een of meer bewoners wat op die eiendom woon;"
- (t) deur die volgende omskrywing ná die omskrywing van 'laaisone' in te voeg:
- "lae-intensiteit- residensiële grondeenheid"** 'n grondeenheid buiten 'n hoë-intensiteit- residensiële grondeenheid met 'n basissonering van hetsy enkelresidensiële sonering 1 of enkelresidensiële sonering 2, waar meer intensiewe grondgebruiken as dié waarvoor die basissonering voorsiening maak, bevorder word, soos afgebaken op 'n kaart van geskeduleerde openbareervoertoeganklikheid wat die Stad van tyd tot tyd goedkeur;"
- (u) deur die volgende omskrywing voor die omskrywing van 'kliniek' in te voeg:
- "klein vrystaande basistelekommunikasiestasie"** 'n vrystaande steunstruktur op grond of veranker in grond wat vir telekommunikasie-infrastruktuur gebruik word en aan straatlampe, verkeersligte, padtekens, kamerapale en vlagpale of 'n soortgelyke steunstruktur geheg kan wees, met dien verstande dat –
- (a) dit nie hoër mag wees as 12 m gemeet vanaf die bestaande grondvlak of padoppervlek of sypaadjie nie, na gelang van omstandighede, of 'n deursnee van 300 mm mag oorskry vir die paal of steunstruktur waaraan die antenna geheg is nie;
 - (b) 'n afgeskermde houer vir antennas wat moet deel uitmaak van die paal of steunstruktur nie 'n vertikale dimensie van 2 m of 'n deursnee van 500 mm mag oorskry nie; en
 - (c) 'n toerustinghouer nie 1 m³ bo die bestaande grondvlak mag oorskry nie;"
- (v) deur die volgende omskrywing ná die omskrywing van 'kelder' in te voeg:
- "klein dakgemonteerde basistelekommunikasiestasie"** 'n versteekte steunstruktur wat by die dak, kant of enige ander gedeelte van 'n gebou geïntegreer is en vir telekommunikasie-infrastruktuur gebruik word, en wat nie 'n vertikale dimensie van 1,5 m bo die bopunt van die dak oorskry nie;"
- (w) deur die omskrywing van 'natuurlike grondvlak' met die volgende omskrywing te vervang:
- "natuurlike grondvlak"**: sien [**gemiddelde grondvlak** en] 'bestaande grondvlak';"
- (x) deur die omskrywing van 'buitegebou' met die volgende omskrywing te vervang:
- "buitegebou"** 'n struktur wat hetsy vas aan of los van 'n ander struktur op 'n grondeenheid is, wat gewoonlik in verband met die regmatig toegelate gebruik op 'n grondeenheid gebruik word[**die hoofgebou is, wat gewoonlik aanvullend tot en ondergeskik aan die hoofgebou op 'n grondeenheid is, en wat 'n gebou insluit wat ontwerp is vir gebruik as 'n motorhuis vir motorvoertuie en vir enige ander gewone aktiwiteit in soverre dit gewoonlik en redelikerwys in verband met die hoofgebou vereis word, sowel as huishoudelike personeelkwartiere in geval van 'n woonhuis, maar wat 'n tweede woning uitsluit]**";"
- (y) deur die omskrywing van 'parkeerplek' met die volgende omskrywing te vervang:
- "parkeerplek"** 'n oppervlakte van minstens 5 m by 2,5 m vir loodregte of skuins parkering en 6 m by 2,5 m vir parallelle parkering wat duidelik aangewys [en], afgebaken en toeganklik is vir die parkering van een motorvoertuig[,] en in die vorm van 'n motorhuis of motorafdak kan wees[, en toeganklik is vir maklike en veilige voertuigbeweging];"

- (z) deur die omskrywing van 'prieel' met die volgende omskrywing te vervang:
- "‘prieel’ enige onoordekte horisontale of byna horisontale rooster of tralieraamwerk en verbandhoudende vertikale steunstruktur,om skadu te bied of plantegroei te ondersteun [waarvan die oppervlakte van die soliede gedeeltes op die horisontale vlak daarvan nie 25% van die algehele oppervlakte daarvan oorskry nie];"**
- (aa) deur die omskrywing van 'openbare pad' met die volgende omskrywing te vervang:
- "‘openbare pad’ enige snelweg, deurpad, laning, voetpad, sypaadjie, steeg, deurgang, brug of enige ander plek van 'n soortgelyke aard of enige gedeelte daarvan, buiten ‘n tolpad, wat aan hetsy voertuie of voetgangers 'n openbare deurgangsreg bied en wat ingevolge die voormalige Municipale Ordonnansie, 1974 (Ordonnansie 20 van 1974) of enige gelykstaande huidige municipale verordening en/of nasionale wetgewing tot stand gebring of geproklameer is, met inbegrip van 'n openbare straat;"**
- (bb) deur die omskrywing van 'openbare straat' met die volgende omskrywing te vervang:
- "‘openbare straat’ enige grond, buiten ‘n tolpad, wat ingevolge 'n goedgekeurde algemene plan, diagram of kaart opsygesit is om aan hetsy voertuie of voetgangers 'n openbare deurgangsreg te bied, of openbare of stadspleine waarvan die eienaarskap geregistreer is ten voordele van of setel in die munisipaliteit ingevolge hierdie verordening of enige ander wet;"**
- (cc) deur die volgende omskrywing ná die omskrywing van 'omgewingsterrein- of aktiwiteitsbestuursplan' in te voeg:
- "‘ontspanningsvoertuie en -vaartuie’ enige mobiele voertuig, soos 'n karavaan, mobiele huis en sleepwa, en enige vaartuig, soos 'n skip, boot en seiljag;"**
- (dd) deur die volgende omskrywing ná die omskrywing van 'intensiewe veeboerdery' in te voeg:
- "‘kaart van geskeduleerde openbareervoertoeganklikheid’ 'n kaart wat hoë-intensiteit- en lae-intensiteit- residensiële grondeenhede aandui;"**
- (ee) deur die omskrywing van 'tweede woning' met die volgende omskrywing te vervang:
- "‘tweede woning’ 'n ander wooneenheid wat ingevolge hierdie ontwikkelingsbestuurskema op 'n grondeenheid opgerig mag word waar 'n woonhuis ook toegelaat word, welke tweede woning 'n afsonderlike struktuur of vas aan 'n buitegebou of in dieselfde struktuur as die woonhuis mag wees[, mits –**
- (a) die tweede woning op dieselfde grondeenheid as die woonhuis bly; en**
- (b) die tweede woning aan die vereistes ingevolge hierdie ontwikkelingsbestuurskema voldoen];"**
- (ff) deur die volgende omskrywing ná die omskrywing van 'diensbedryf' in te voeg:
- "‘dienlsruimte’ 'n area waar daar aan voertuie gewerk word, met inbegrip van putte, hidrouliese hysareas, wasruimtes en soortgelyke areas, dog nie 'n parkeerplek nie;"**
- (gg) deur die omskrywing van 'skuiling' met die volgende omskrywing te vervang:
- "‘skuiling’ 'n struktuur [en huisvestingseenheid] wat vir menslike bewoning bedoel is, soos wat die enkelresidensiële sonering 2 bepaal, [wat van enige materiaal hoegenaamd gebou is, selfs al voldoen sodanige materiaal] wat nie [noodwendig] aan [die duursaamheidstandaarde wat] die Nasionale Bouwet voldoen [beoog] nie;"**

- (hh) deur die volgende omskrywing ná die omskrywing van 'totale vloerruimte' in te voeg:
"trappe" 'n reeks trappe wat in 'n gebou of struktuur van een vlak tot 'n ander lei;';
- (ii) deur die volgende omskrywing ná die omskrywing van 'toerustingkamer' in te voeg:
"tolpad" 'n hoofweg, of gedeelte daarvan, hetsy met of sonder 'n brug of tunnel, waarvoor ten minste sommige hoofweggebruikers in sommige voertuie tol moet betaal om op die pad te ry of dit te gebruik, met inbegrip van aanvullende strukture;';
- (jj) deur die volgende omskrywing ná die omskrywing van 'veranda' in te voeg:
"verbygaande gas" 'n persoon aan wie tydelike huisvesting toegestaan word op 'n grondeenheid wat nie sy of haar permanente woonplek is nie, vir 'n aaneenlopende tydperk van hoogstens 30 opeenvolgende dae op 'n slag;';
- (kk) deur die omskrywing van 'nutsdiens' met die volgende omskrywing te vervang:
"nutsdiens" 'n gebruik of infrastruktuur wat vereis word vir die voorsiening van ingenieurs- en verbandhoudende dienste vir die behoorlike funksionering van stedelike ontwikkeling, wat 'n wateropgaardam en -suiweringsaanleg, elektrisiteitssubstasie en -transmissielyne, stormwaterretensiefasiliteteit en 'n afvalwaterpompstasie en -behandelingsaanleg, herwinningsfasilitet, stortingsterreine en klein vrystaande en dakgemonteerde basistelekommunikasiestasie insluit, maar padinfrastruktuur, windturbine-infrastruktuur of vervoergebruik uitsluit;';
- (ll) deur die omskrywing van 'vertikale afskorting' te skrap; en
- (mm) deur die volgende omskrywing ná die omskrywing van 'vervoerimpakverklaring' in te voeg:
"visueel deursigtig" 'n grensmuur waardeur 'n mens in 'n mate kan sien, wat uit openinge, 'n heining, geverfde staalpalissade, draad, gegote yster, staalrelings of soortgelyke materiaal bestaan.'';

Invoeging van item 3A in bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

26. Bylae 3 word hiermee gewysig deur die volgende item ná item 3 in te voeg:

"3A Goedkeuring van 'n grondvlakkaart

Die Stad moet 'n grondvlakkaart goedkeur, en kan dit van tyd tot tyd wysig, nadat 'n proses van openbare deelname gevolg is. 'n Kennisgewing van die besluit moet op die Stad se webtuiste en in die Provinciale Koerant geplaas word."

Wysiging van item 7 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

27. Item 7 van bylae 3 word hiermee gewysig deur subitem (1) met die volgende subitem te vervang:

- "(1) [Wanneer 'n vergunningsgebruik goedgekeur word, sal die volgende geld:
(a) Indien sodanige vergunningsgebruik, soos dit in 'n spesifieke sonering gelys word, ook 'n primêre gebruik in 'n ander sonering is, sal dit onderworpe wees aan die mees beperkende ontwikkelingsreëls wat in hetsy sodanige ander sonering of in daardie spesifieke sonering geld.
(b) Indien sodanige vergunningsgebruik, soos dit in 'n spesifieke sonering gelys word, nie 'n primêre gebruik in 'n ander sonering is nie, sal dit onderworpe wees aan die ontwikkelingsreëls in die betrokke sonering.
(c) Die vergunningsgebruik is onderworpe aan enige ontwikkelingsreël wat as 'n voorwaarde in die goedkeuring opgelê word;]

'n Vergunningsgebruik is onderworpe aan die ontwikkelingsreëls in die basissonering, tensy ander ontwikkelingsreëls as goedkeuringsvooraardes opgelê word.'

Wysiging van item 9 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

28. Item 9 van bylae 3 word hiermee gewysig deur subitem (2) met die volgende subitem te vervang:

- "(2) 'n Hersoneringsaansoek moet ingedien word indien die verandering wat subitem (1) beoog gelyk is aan of groter is as die toegelate vloerruimte of hoogte van die volgende mees intensiewe subsonering. Hierdie bepaling is nie van toepassing in die geval van 'n eienaar wat aansoek doen om 'n hoogte- of vloerruimteafwyking wat nie 10% van die maksimum hoogte of vloerruimte van die bestaande subsonering oorskry nie."

Skrapping van item 18 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

29. Item 18 van bylae word hiermee geskrap.

Wysiging van item 20 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema, soos gewysig deur artikel 32 van die Wysigingsverordening op Munisipale Beplanning, 2016

30. Item 20 van bylae 3 word hiermee gewysig deur "Tabel A: Samevatting van die sonerings en ontwikkelingsreeëls", met die volgende tabel te vervang:

"Tabel A: Samevatting van die sonerings en ontwikkelingsreëls

ENKEL-RESIDENSIELLE SONERINGS	OPPER-VLAKTE VAN GROND-EENHEID (m ²)	VLOER-FAKTOR	MAKSIMUM VLOER-RUIMTE	DEKKING	MAKSIMUM HOOGTE BO [BASISVLAK] BESTAANDE GRONDVLAK		BOULYNE		STRAAT-MIDDELLYN-TERUGSET	ANDER BEPALINGS
					Tot by muur-plaat	Tot by bopunt van dak	Straat-grens	Gemeen-skaplike grense		
ENKEL-RESIDENSIELLE SONERING I: KONVENTIONELE BEHUIZING (SR1) PRIMÈRE GEBRUIKE Woonhuis, privaat pad en bykomende gebruikregte BYKOMENDE GEBRUIKREGTE Tweede woning, <u>derde woning</u> , tuisberoep of bed-en-ontbyt-onderneming of tuiskindersorg VERGUNNINGS-GEBRUIKE Nutsdienste, plek van onderrig, plek van aanbidding, huiswinkel, instelling, gastehuis, <u>klein dakgemonteerde basis-telekommunikasiestasie</u> , dakgemonteerde basistelekommunikasiestasie, windturbine-infrastruktuur, oop ruimte, stedelike landbou, halfweghuis en veeartsenykundige praktyk	>2 000 >1 000 tot en met 2 000 >650 tot en met 1 000 >350 tot en met 650 >200 tot en met 350 ≤200	n.v.t. n.v.t. n.v.t. 1,0 1,0 1,0 Sien item 22(a)	1 500 m ² 1 500 m ² 1 500 m ² n.v.t. n.v.t. 75% 75%	<u>n.v.t.</u> <u>n.v.t.</u> <u>n.v.t.</u> <u>n.v.t.</u> <u>75%</u> <u>75%</u> <u>Sien item 22(h)</u>	9,0 m 9,0 m 9,0 m 8,0 m 8,0 m 8,0 m 6,0 m woon-eenhede;	11,0 m 11,0 m 11,0 m 10,0 m 10,0 m 10,0 m 8,0 m woon-eenhede;	6,0 m 4,5 m 3,5 m 3,5 m [3,5] 1,5 m 1,0 m Formele dorpsgebied: 1,0 m	6,0 m 3,0 m 3,0 m 0,0 m (12,0 m vanaf straat en 60%) en 3,0 m restant 0,0 m [(12,0 m vanaf straat en 60%) en 3,0 m restant] 0,0 m [(12,0 m vanaf straat en 60%) en 3,0 m restant]	n.v.t.	Venster- en deurplasing Motorhuse, motorafdekke en buitegeboue Parkering en toegang Bykomende gebruikregte – tuisberoep, bed-en-ontbyt-onderneming, <u>tweede woning</u> , <u>derde woning</u> en tuiskindersorg
ENKELRESIDENSIELLE SONERING 2: INKREMENTELE BEHUIZING (SR2) PRIMÈRE GEBRUIKE Woonhuis, tweede woning, nutdsiens, privaat pad, stedelike landbou, oop ruimte en bykomende gebruikregte BYKOMENDE GEBRUIKREGTE Skuling, huiswinkel, tuisberoep, bed-en-ontbyt-onderneming, tuiskindersorg, informele handel, <u>derde woning</u> en enige opvoedkundige, godsdienstige, beroeps- of sakedoeleinde onderworpe aan voorwaardes	1,0	n.v.t.		<u>n.v.t.</u>	6,0 m woon-eenhede; 8,0 m ander geboue	8,0 m woon-eenhede; 10,0 m ander geboue	Formele dorpsgebied: 1,0 m Geen formele dorpsgebied: 1,0 m	Formele dorpsgebied: 0,0 m vir 60% en 1,0 m vir restant; 2,5 m tussen skulings en ander geboue Geen formele dorpsgebied: 3,0 m op grens; 2,5 m tussen skulings en ander geboue	n.v.t.	Parkering en toegang Huiswinkel Skuling Informele handel <u>Derde woning</u> Grond wat ontwikkel is as of aangewys is vir paaie Grond wat gebruik word as of aangewys is vir brandstroke Goedkeuring van bouplanne

VERGUNNINGSGEBRUIKE Groepsbehuising, losieshuis, plek van aanbidding, instelling, kliniek, plek van samekoms, plek van onderrig, kantoor, restaurant, gastehuis, plek van vermaak, diensbedryf, owerheidsgebruik, <u>klein</u> <u>dakgemonteerde</u> <u>basistelekommunikasiestasie,</u> <u>dakgemonteerde</u> <u>basistelekommuniestasie,</u> windturbine-infrastruktuur, halfweghuis en veeartsenykundige praktyk	Sien item 27(a)		Sien item 27(b)	Sien item 27(b)	Sien item 27(c) & 27(d)	Sien item 27(c) & 27(d)	
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ALGEMENE RESIDENSIËLE SONERING	SUB-SONERING	DIGTHEID	DEKKING	MAKSIMUM HOOGTE BO [BASISVLAK] BESTAANDE GRONDVLAK	BOULYNE		STRAAT-MIDDELLYNTERUGSET	ANDER BEPALINGS
					Straat-grens	Gemeenskaplike grense		
ALGEMENE RESIDENSIËLE SUBSONERING 1: GROEPS-BEHUISING (GR1)	GR1	35 woon-eenhede/ha	n.v.t.	Tot by muurplaat	Tot by bopunt van dak			
PRIMÈRE GEBRUIKE Woonhuis, groepsbehuising, privaat pad, oop ruimte en bykomende gebruikregte				8,0 m	10,0 m	5,0 m eksterne openbare straat 0,0 m interne pad Motorhuisie 5,0 m vanaf randsteen	3,0 m eksterne grense 0,0 m interne grense	n.v.t. Ontwerp-beginsels Oop ruimte Parkering en toegang Terrein-ontwikkelingsplan Woonstelle en huisberoep as bykomende gebruikreg Woonhuis buite groepskema
BYKOMENDE GEBRUIKREGTE Woonstelle en huisberoep, onderworpe aan beperking		Sien item 35(b)		Sien item 35(c)	Sien item 35(c)	Sien item 35(e) & 35(f)	Sien item 35(e) & 35(f)	
VERGUNNINGS-GEBRUIKE Nutsdienste, tuiskindersorg, <u>klein dakgemonteerde basistele-kommunikasiestasie</u> en dakgemonteerde basis-telekommunikasiestasie								
ALGEMENE RESIDENSIËLE SUBSONERINGS (GR2-GR6)	GR2	VLOER-FAKTOR	60%	Tot by bopunt van dak	4,5 m	4,5 m of 0,6 H (0,0 m tot en met 15,0 m hoogte vir 18,0 m vanaf straat)	[8,0 m]	Parkering en toegang Afskerming Wind-tempering Woonhuis en tweede woning Groeps-behuising Instelling, plek van onderrig en plek van samekoms Winkel
PRIMÈRE GEBRUIKE Woonhuis, tweede woning, groepsbehuising, losieshuis, gastehuis, woonstelle, privaat pad en oop ruimte	GR3	[1,0] 1,25		15,0 m				
VERGUNNINGS-GEBRUIKE Nutsdiens, plek van onderrig, plek van aanbidding, instelling, hospitaal, plek van samekoms, huisberoep, winkel, hotel, konferensie-fasiliteit, <u>klein dakgemonteerde basis-telekommunikasiestasie</u> , dakgemonteerde basis-telekommunikasiestasie en veeartsenkundige praktyk	GR4	1,5	60%	20,0 m	4,5 m	4,5 m of 0,6 H (0,0 m tot en met 15,0 m hoogte vir 18,0 m vanaf straat)	[8,0 m]	
	GR5	2,5	60%	24,0 m	4,5 m	4,5 m of 0,6 H (0,0 m tot en met 15,0 m hoogte vir 18,0 m vanaf straat)	[8,0 m]	
	GR6	5,0	60%	35,0 m	4,5 m; 9 m bo 25 m hoogte	4,5 m of 0,6 H (0,0 m tot en met 15,0 m hoogte vir 18,0 m vanaf straat); 15,0 m bo 25,0 m hoogte	[8,0 m]	
		Sien item 41(b)	Sien item 41(a)	Sien item 41(c)	Sien item 41(e)	Sien item 41(e)	[Sien item 41(d)]	

GEMEENSKAPSONERINGS	VLOER-FAKTOR	DEKKING	MAKSIMUM HOOGTE BO [BASISVLAK] BESTAANDE GRONDVLAK	BOULYNE		STRAAT-MIDDELYN-TERUGSET	ANDER BEPALINGS
			Tot by bopunt van dak	Straat-grens	Gemeens-kaplike grense		
GEMEENSKAPSONERING 2: STREEK (CO1) PRIMÈRE GEBRUIKE Plek van onderrig, plek van aanbidding, kliniek, dakgemonteerde basistelekommunikasiestasie, oop ruimte, klein vrystaande basistelekommunikasiestasie, klein dakgemonteerde basistelekommunikasiestasie en verfilming VERGUNNINGSGEBRUIKE Instelling, hospitaal, plek van samekoms, begraafplaas, vrystaande basistelekommunikasiestasie, stedelike landbou en veearsenykundige praktyk	0,8 Sien item 47(a)	60% Sien item 47(b)	12,0 m Sien item 47(c)	5,0 m Sien item 47(d)	5,0 m Sien item 47(e)	n.v.t.	Parkering en toegang Op-/aflaai Afskerming Geraas-tempering
GEMEENSKAPSONERING 2: STREEK (CO2) PRIMÈRE GEBRUIKE Instelling, hospital, plek van onderrig, plek van aanbidding, plek van samekoms, dakgemonteerde basistelekommunikasiestasie, klein vrystaande basistelekommunikasiestasie, klein dakgemonteerde basistelekommunikasiestasie, oop ruimte en verfilming VERGUNNINGSGEBRUIKE Losieshuis, konferensiefasiliteit, begraafplaas, krematorium, begrafnisonderneming, vrystaande basistelekommunikasiestasie, windturbine-infrastruktuur, stedelike landbou en veearsenykundige praktyk	2,0 Sien item 49(a)	60% Sien item 49(b)	18,0 m Sien item 49(c)	5,0 m Sien item 49(d)	5,0 m Sien item 49(e)	n.v.t.	Parkering en toegang Op-/aflaai Afskerming Geraas-tempering

PLAASLIKE SAKESONERING	OPPERVLAKTE VAN GROND-EENHEID (m ²)	VLOER-FAKTOR	DEKKING	MAKSIMUM HOOGTE BO [BASISVLAK] BESTAAANDE GRONDVLAK	BOULYNE		STRAAT-MIDDELLYN-TERUGSET	ANDER BEPALINGS
PLAASLIKE SAKESONERING 1: INTERMEDIËRE SAKE (LB1) PRIMÈRE GEBRUIKE Kantoor, woonhuis, losieshuis, nutsdienste, woonstelle en bykomende gebruikregte BYKOMENDE GEBRUIKREGTE Tweede woning en tuisberoep of huiswinkel of bed-en-ontbyt-onderneming of tuiskindersorg VERGUNNINGSGEBRUIKE Plek van onderrig, plek van aanbidding, instelling, kliniek, plek van samekoms, gastehuis, winkel, informele handel, diensbedryf, dakgemonteerde basistelekommunikasiestasie, windturbine-infrastruktuur, halfweghuis en veeartsenykundige praktyk	>1 000 >650 tot en met 1 000 >350 tot en met 650 >200 tot en met 350 ≤200	1,0 1,0 1,0 1,0 Sien item 51(a)	n.v.t.	Tot by muurplaat 9,0 m 9,0 m 8,0 m 8,0 m Sien item 51(b)	Tot by bopunt van dak 11,0 m 11,0 m 10,0 m 10,0 m Sien item 51(b)	Straatgrens 3,5 m 3,5 m 3,5 m 3,5 m Sien item 51(c)	Gemeenskaplike grense 3,0 m 3,0 m 0,0 m (12,0 m vanaf straat en 60%) en 3,0 m restant 0,0 m (12,0 m vanaf straat en 60%) en 3,0 m restant 0,0 m (12,0 m vanaf straat en 60%) en 3,0 m restant Sien item 51(c)	n.v.t. Motorhuise en motorafdkake Parkering en toegang Op-/aflaai Afskerming Tuisberoep, bed-en-ontbyt-onderneming en tuiskindersorg Tweede woning Huiswinkel
PLAASLIKE SAKESONERING 2: PLAASLIKE SAKE (LB2) PRIMÈRE GEBRUIKE Winkel, kantoor, woonhuis, tweede woning, bed-en-ontbytonderneming, losieshuis, woonstelle, plek van onderrig, plek van aanbidding, instelling, kliniek, gastehuis, diensbedryf, nutsdienst, dakgemonteerde basistelekommunikasiestasie, privaat pad, oop ruimte en veeartsenykundige praktyk VERGUNNINGSGEBRUIKE Plek van samekoms, informele handel, restaurant, verkoop van alkoholiese drank, begrafisonderneming, plek van vermaak, volwassenewinkel, sakeperseel, supermark, kwekery, hotel, konferensiefasiliteit, motorherstelhawe, diensstasie, overheidsgebruik, vrystaande basistelekommunikasiestasie, windturbine-infrastruktuur, vervoergebruik en parkade		1,0 Sien item 56(a)	75% Sien item 56(b)	Tot by bopunt van dak 12,0 m Sien item 56(c)		0,0 m Sien item 56(e) & 56(f)	8,0 m Sien item 56(d)	Afdakoorhang Straathoeke Parkering en toegang Op-/aflaai Afskerming Diensstasie en motorherstelhawe Informele handel

ALGEMENESAKE- EN GEMENGDEGEBRUIKSONERINGS	SUB-SONERING	VLOER-FAKTOR	DEKKING	MAKSIMUM HOOgte BO [BASISVLAK] BESTAAANDE GRONDVLAK	BOULYNE		STRAAT-MIDDELLYN-TERUGSET	ANDER BEPALINGS
					Straatgrens	Gemeenskaplike grense		
ALGEMENE SAKESUBSONERINGS (GB1–GB7) PRIMÈRE GEBRUIKE Sakeperseel, woonhuis, tweede woning, losieshuis, woonstelle, plek van onderrig, plek van aanbidding, instelling, hospitaal, plek van samekoms, plek van vermaak, hotel, konferensiefasilitet, diensbedryf, overheidsgesbruik, nutsvaardigheid, dakgemonteerde basistelekommunikasiestasie, parkade, privaat pad, oop ruimte, veeartsenykundige praktyk en verfilming VERGUNNINGSGEBRUIKE Volwassenewinkel, onderneming vir volwassenevermaak, volwassenedienste, informele handel, ekspo-sentrum, motorherstelhawe, pakhus, vrystaande basistelekommunikasiestasie, windturbine-infrastruktuur, vervoer gebruik, helikopterlandingsplek en diensstasie	GB1	1,5	100%	15,0 m	0,0 m tot en met 10,0 m hoogte; 4,5 m bo 10,0 m	0,0 m	8,0 m	Residensiële aansporing met betrekking tot GB7
	GB2	2,0	100%	15,0 m	0,0 m tot en met 10,0 m hoogte; 4,5 m bo 10,0 m	0,0 m	8,0 m	Hoteloeruimtetoegewing
	GB3	[2,0] 2,5	100%	25,0 m	0,0 m tot en met 10,0 m hoogte; 4,5 m bo 10,0 m	0,0 m	8,0 m	Afdak- of balkonoorhang
	GB4	3,0	100%	25,0 m	0,0 m tot en met 10,0 m hoogte; 4,5 m bo 10,0 m	0,0 m	8,0 m	Openbare voetpad langs straatgrens
	GB5	4,0	100%	25,0 m	0,0 m	0,0 m	8,0 m	Straathoek
	GB6	6,0	100%	38,0 m	0,0 m tot en met 25,0 m hoogte; $\frac{1}{2}$ (H-25 m) bo 25,0 m	0,0 m	8,0 m	Parkeren en toegang
	GB7	12,0	100%	60,0 m	0,0 m tot en met 38,0 m hoogte; $\frac{1}{2}$ (H-38 m) bo 38,0 m	0,0 m	8,0 m	Op-/aflaai
		Sien item 60(c)	Sien item 60(a)	Sien item 60(d)	Sien item 60(e)	Sien item 60(e)	Sien item 60(b)	Afskerming
GEMENGDEGEBRUIK-SUBSONERINGS (MU1– MU3) PRIMÈRE GEBRUIKE Sakeperseel, nywerheid, woonhuis, tweede woning, losieshuis, woonstelle, plek van onderrig, plek van aanbidding, instelling, hospitaal, plek van samekoms, plek van vermaak, hotel, konferensiefasilitet, overheidsgesbruik, nutsvaardigheid, dakgemonteerde basistelekommunikasiestasie, vervoer gebruik, parkade, privaat pad, oop ruimte en verfilming VERGUNNINGSGEBRUIKE Volwassenewinkel, onderneming vir volwassenevermaak, volwassenedienste, informele handel, ekspo-sentrum, skrootwerf, vrystaande basistelekommunikasiestasie, windturbine-infrastruktuur, helikopterlandingsplek, diensstasie, motorherstelhawe, veeartsenykundige praktyk en herwinningssentrum	MU1	1,5	75%	15,0 m	0,0 m tot en met 10,0 m hoogte; 4,5 m bo 10,0 m	8,0 m	Afdak- of balkonoorhang	
	MU2	4,0	100%	25,0 m	0,0 m tot en met 10,0 m hoogte; 4,5 m bo 10,0 m	8,0 m	Parkeren en toegang	
	MU3	6,0	100%	38,0 m	0,0 m tot en met 25,0 m hoogte; $\frac{1}{2}$ (H-25 m) bo 25,0 m	8,0 m	Op-/aflaai	
		Sien item 64(a)	Sien item 64(a)	Sien item 64(a)	Sien item 64(c)	Sien item 64(b)	Afskerming	
							Diensstasie en motorherstelhawe	
							Informele handel	

NYWERHEIDSONERINGS	SUB-SONERING	VLOER-FAKTOR	DEKKING	MAKSIMUM HOOGTE BO [BASISVLAK] BESTAANDE GRONDVLAK	BOULYNE		STRAAT-MIDDELYNTERUGSET	ANDER BEPALINGS
					Straat-grens	Gemeenskaplike grense		
ALGEMENE NYWERHEID-SUBSONERINGS (GI1-GI2) PRIMÈRE GEBRUIKE Nywerheid, restaurant, diensstasie, motorherstelhawe, begrafnisonderneming, skrootwerf, owerheidsgebruik, nutsgiens, krematorium, dakgemonteerde basistelekommunikasiestasie, vrystaande basistelekommunikasiestasie, vervoergebruik, parkade, landbounywerheid, privaat pad, oop ruimte, bykomende gebruikregte, veeartsenygundige praktyk en verfilming BYKOMENDE GEBRUIKREGTE Fabriekswinkel[s] en volwassenewinkel VERGUNNINGS-GEBRUIKE Slagpale, plek van aanbidding, instelling, kliniek, plek van samekoms, onderneming vir volwassenevermaak, volwassenedienste, akwakultuur, informele handel, winkel, kantoor, verkoop van alkoholiese drank, plek van vermaak, helikopterlandingsplek, windturbine-infrastruktuur en houerterrein	GI 1 GI 2	1,5 4,0	75% 75%	18,0 m 18,0 m, maar geen beperking met betrekking tot vervaardigingsgeboue nie	5,0 m 5,0 m	3,0 m 3,0 m	n.v.t.	Grensmure Parkering en toegang Op-/aflaai Afskerming Gevaarlike stowwe Diensstasie en motorherstelhawe Fabriekswinkel Volwassenewinkel Informele handel
RISIKONYWERHEIDSONERING (RI) PRIMÈRE GEBRUIK Hinderbedryf, risikoaktiwiteit, krematorium, dakgemonteerde basistelekommunikasiestasie, vrystaande basistelekommunikasiestasie, privaat pad, oop ruimte, bykomende gebruikregte en verfilming BYKOMENDE GEBRUIKREGTE Fabriekswinkel VERGUNNINGS-GEBRUIK Winkel, restaurant, informele handel, diensstasie, motorherstelhawe, nywerheid, skrootwerf, slagpale, owerheidsgebruik, nutsgiens, helikopterlandingsplek, windturbine-infrastruktuur, houerterrein, vervoergebruik, parkade en herwinningssentrum		2,0	75%	18,0 m, maar geen beperking met betrekking tot vervaardigingsgeboue nie	5,0 m	5,0 m	n.v.t.	Parkering en toegang Op-/aflaai Afskerming Grensmure Gevaarlike stowwe Diensstasie en motorherstelhawe Fabriekswinkel Informele handel

NUT-, VERVOER- EN NASIONALE HAWESONERINGS	VLOER-FAKTOR	DEKKING	MAKSIMUM HOOGTE BO [BASISVLAK] BESTAANDE GRONDVLAK	BOULYNE		STRAAT- MIDDELYN- TERUGSET	ANDER BEPALINGS
				Straat-grens	Gemeen-skaplike grense		
NUTSONERING (UT) PRIMÈRE GEBRUIKE Nutsdiens, owerheidsgebruik, dakgemonteerde basistelekommunikasiestasie, en vrystaande basistelekommunikasiestasie, <u>klein vrystaande</u> <u>basistelekommunikasiestasie en</u> <u>klein dakgemonteerde</u> <u>basistelekommunikasiestasie</u>				Soos ingevolge 'n terreinontwikkelingsplan (sien item 81)			
VERGUNNINGSGEBRUIKE Begraafplaas, informele handel, begrafnisonderneming, krematorium, stedelike landbou, lughawe, windturbine- infrastruktuur en helikopterlandingsplek							
VERVOERSONERING 1: VERVOERGEBRUIK (TR1) PRIMÈRE GEBRUIKE Vervoergebruik, parkade, nutsdiens, winkel, restaurant, diensbedryf, kantoor, pakhuis, dakgemonteerde basistelekommunikasiestasie, <u>klein vrystaande</u> <u>basistelekommunikasiestasie,</u> <u>klein dakgemonteerde</u> <u>basistelekommunikasiestasie en</u> houerterrein VERGUNNINGSGEBRUIKE Sakeperseel, woonstelle, plek van samekoms, plek van vermaak, hotel, konferensiefasiliteit, diensstasie, motorherstelhawe, diensbedryf, vrystaande basistelekommunikasiestasie, windturbine-infrastruktuur, lughawe, helikopterlandingsplek, informele handel, nywerheid en lug- en ondergrondse regte	2,0	75%	15,0 m vir opgestapelde skeepshouers 18,0 m vir enige ander gebou	0,0 m	3,0 m	n.v.t.	Parkering en toegang Diensstasie en motorherstelhawe Informele handel Lug- en ondergrondse regte
VERVOERSONERING 2: OPENBARE PAD EN OPENBARE PARKERING (TR2) PRIMÈRE GEBRUIKE Openbare straat, openbare pad, <u>klein vrystaande</u> <u>basistelekommunikasiestasie,</u> <u>klein dakgemonteerde</u> <u>basistelekommunikasiestasie en</u> nutsdiens VERGUNNINGSGEBRUIKE Parkade, informele handel, windturbine-infrastruktuur en lug- en ondergrondse regte				Soos ingevolge 'n terreinontwikkelingsplan (sien item 88)			Veronderstelde sonering Konstruksie en storting van materiale Lug- en ondergrondse regte Voorgestelde openbare straat, straatverbreding en straatsluiting Informele handel

VERVOERSONERING 3: TOLPAD (TR3)	Soos ingevolge 'n terreinontwikkelingsplan (sien item 92B)	
PRIMÈRE GEBRUIKE <u>Tolpad, openbare straat,</u> <u>openbare pad, klein vrystaande</u> <u>basistelekommunikasiestasie,</u> <u>klein dakgemonteerde</u> <u>basistelekommunikasiestasie en</u> <u>nutsdiens</u>		
VERGUNNINGSGEBRUIKE <u>Windturbine-infrastruktur en lug-</u> <u>en ondergrondse regte</u>		
NASIONALE HAWESONERING (NPZ) PRIMÈRE GEBRUIKE Grondgebruiken soos ingevolge 'n goedgekeurde raamwerkplan vir haweontwikkeling VERGUNNINGSGEBRUIKE Geen	Soos ingevolge 'n goedgekeurde raamwerkplan vir haweontwikkeling (sien item 95)	Veronderstelde sonering Veronderstelde sonering van grond wat aan Nasionale Hawewerheid oorgedra is

OOPRUIMTESONERING	VLOER-FAKTOR	DEKKING	MAKSIMUM HOOGTE BO [BASISVLAK] BESTAANDE GRONDVLAK	BOULYNE		STRAAT-MIDDELLYN-TERUGSET	ANDER BEPALINGS
				Straat-grens	Gemeenskaplike grense		
OOPRUIMTESONERING 1: OMGEWINGSBEWARING (OS1) PRIMÈRE GEBRUIKE Omgewingsbewaringsgebruik, <u>klein vrystaande basistelekommunikasiestasie en klein dakgemonteerde basistelekommunikasiestasie</u> VERGUNNINGSGEBRUIKE Oesting van natuurlike hulpbronne, omgewingsfasilitete, toeristeverblyf, toeristefasiliteite, nutsdiens, dakgemonteerde basistelekommunikasiestasie, vrystaande basistelekommunikasiestasie, windturbine-infrastruktur, en kulturele en sosiale plegtighede	Soos ingevolge 'n terreinontwikkelingsplan (sien item 98)						
OOPRUIMTESONERING 2: OPENBARE OOP RUIMTE (OS2) PRIMÈRE GEBRUIKE Openbare oop ruimte, <u>[en]</u> omgewingsbewaringsgebruik, <u>klein vrystaande basistelekommunikasiestasie en klein dakgemonteerde basistelekommunikasiestasie</u> VERGUNNINGSGEBRUIKE Omgewingsfasilitete, toeristefasiliteite, nutsdiens, begraafplaas, dakgemonteerde basistelekommunikasiestasie, vrystaande basistelekommunikasiestasie, windturbine-infrastruktur, kulturele en sosiale plegtighede, stedelike landbou, informele handel, oesting van natuurlike hulpbronne, en lug- en ondergrondse regte	Soos ingevolge 'n terreinontwikkelingsplan (sien item 100)					Veronderstelde sonering Konstruksie en storting van materiele Lug- en ondergrondse regte Informele handel	
OOPRUIMTESONERING 3: SPESIALE OOP RUIMTE (OS3) PRIMÈRE GEBRUIKE Oop ruimte, privaat pad, <u>[en]</u> omgewingsbewaringsgebruik, <u>klein vrystaande basistelekommunikasiestasie en klein dakgemonteerde basistelekommunikasiestasie</u> VERGUNNINGSGEBRUIKE Omgewingsfasilitete, toeristefasiliteite, plek van onderrig, plek van samekoms, plek van vermaak, kwekery, nutsdiens, begraafplaas, dakgemonteerde basistelekommunikasiestasie, vrystaande basistelekommunikasiestasie, windturbine-infrastruktur, kulturele en sosiale plegtighede, stedelike landbou, informele handel, en oesting van natuurlike hulpbronne	Soos ingevolge 'n terreinontwikkelingsplan (sien item 105)					Goedkeuring van vergunningsgebruike Informele handel	

LANDBOU-, LANDELIKE EN BEPERKTEGEBRUIKSONERINGS	MAKSIMUM VLOER-RUIMTE	DEKKING	MAKSIMUM HOOGTE BO [BASISVLAK] BESTAANDE GRONDVLAK		BOULYNE		STRAAT-MIDDELYN-TERUGSET	ANDER BEPALINGS
			Tot by muur-plaat	Tot by bopunt van dak	Straat-grens	Gemeen-skaplike grense		
LANDBOUSONERING (AG) PRIMÈRE GEBRUIKE Landbou, intensiewe tuinbou, woonhuis, perdestalle, omgewingsbewaringsgebruik, omgewingsfasilitete, dakgemonteerde basistelekommunikasiestasie, klein vrystaande basistelekommunikasiestasie, klein dakgemonteerde basistelekommunikasiestasie en bykomende gebruikregte BYKOMENDE GEBRUIKREGTE Tweede woning en huisberoep of bed-en-ontbytonderneming of tuiskindersorg VERGUNNINGSGEBRUIKE Bykomende wooneenhede, gastehuis, hotel, toeristeverblyf, toeristefasilitete, intensiewe veeboerdery, oesting van natuurlike hulpbronne, myn, nutsdiens, vrystaande basistelekommunikasiestasie, windturbine-infrastruktuur, akwakultuur, dieresorgsentrum, plaaswinkel, landbouwywerheid, veeartsenykundige praktyk en struktuur vir hernubare energie	1 500 m ² vir alle wooneenhede 100 m ² vir plaaswinkel	n.v.t. Sien item 109(a)	9,0 m vir woonhuis Sien item 109(d)	11,0 m vir woonhuis 12,0 m vir landbougeboue buiten woonhuis	> 20 ha: 30,0 m ≤ 20 ha: 15,0 m	> 20 ha: 30,0 m ≤ 20 ha: 15,0 m	n.v.t.	Parkerig Minimum onder-verdelings-grootte Landbouwywerheid Tweede woning en bykomende wooneenhede
LANDELIKE SONERING (RU) PRIMÈRE GEBRUIKE Woonhuis, landbou en bykomende gebruikregte BYKOMENDE GEBRUIKREGTE Tweede woning en huisberoep of bed-en-ontbytonderneming of tuiskindersorg VERGUNNINGSGEBRUIKE Gastehuis, toeristeverblyf, toeristefasilitete, oesting van natuurlike hulpbronne, myn, dakgemonteerde basistelekommunikasiestasie, vrystaande basistelekommunikasiestasie, windturbine-infrastruktuur, akwakultuur, intensiewe veeboerdery, intensiewe tuinbou, perdestalle, dieresorgsentrum, plaaswinkel, landbouwywerheid en veeartsenykundige praktyk	1 500 m ² vir alle geboue 100 m ² vir plaaswinkel	40% Sien item 113(a)	9,0 m Sien item 113(b)	11,0 m Sien item 113(e)	10,0 m Sien item 113(e)	5,0 m Sien item 113(c)	n.v.t.	Parkerig Minimum onder-verdelings-grootte Landbouwywerheid Tweede woning
BEPERKTEGEBRUIKSONERING (LU) PRIMÈRE GEBRUIKE Slegs bestaande regmatige gebruikte VERGUNNINGSGEBRUIKE Geen	Sien item 118							Geen hersonering Herbouing van vernietigde eiendom

Einde van tabel".

Wysiging van item 21 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema, soos gewysig deur artikel 33 van die Wysigingsverordening op Munisipale Beplanning, 2016

31. Item 21 van bylae 3 word hiermee gewysig –

(a) deur paragraaf (b) met die volgende paragraaf te vervang:

“(b) Bykomende gebruikregte wat die bewoner van 'n eiendom mag uitoefen, is 'n huisberoep, bedien-ontbytonderneiming, tweede woning, derde woning en tuiskindersorg, onderworpe aan die volgende voorwaardes:

- (i) Buiten vir 'n tweede woning, mag slegs een van die aktiwiteite wat as bykomende gebruikregte gelys word, op enige grondeenheid as primêre gebruik beoefen word. Waar meer as een sodanige aktiwiteit vereis word, moet die Stad se goedkeuring verkry word.
- (ii) Die eiendom moet oorwegend vir 'n woonhuis vir die verblyf van 'n enkele familie gebruik word.
- (iii) Die eienaar van die betrokke aktiwiteit moet op die eiendom woon.
- (iv) Die voorwaardes in item 23, 24, 25, 25A of 25B [of 53] (wat ook al van toepassing is) moet nagekom word.
- (v) Enige nuwe struktuur of verandering aan die eiendom om 'n bykomende gebruikreg moontlik te maak, moet versoenbaar wees met die residensiële karakter van die gebied, veral wat die strataansig betref, en moet kan terugkeer tot gebruik as deel van die betrokke woonhuis, tweede [wooneenheid] woning, derde woning of buitegebou.
- (vi) Die bewoner mag nie meer as drie werknemers by die betrokke aktiwiteit betrek nie.”; en

(b) deur paragraaf (c) met die volgende paragraaf te vervang:

“(c) Vergunningsgebruike is 'n nutsdiens, plek van onderrig, plek van aanbidding, huiswinkel, instelling, gastehuis, klein dakgemonteerde basistelekommunikasiestasie, dakgemonteerde basistelekommunikasiestasie, windturbine-infrastruktuur, oop ruimte, stedelike landbou, veeartsenkundige praktyk en halfweghuis.”.

Wysiging van item 22 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema, soos gewysig deur artikel 34 van die Wysigingsverordening op Munisipale Beplanning, 2016

32. Item 22 van bylae 3 word hiermee gewysig –

(a) deur subparagraph (i) van paragraaf (c) met die volgende subparagraph te vervang:

“(i) Die maksimum hoogte van 'n gebou, gemeet vanaf die **[basisvlak]** bestaande grondvlak tot by die muurplaat en die bopunt van die dak, word in ooreenstemming met die oppervlakte van die grondeenheid bepaal, soos wat die volgende “Tabel van vloerfactor, vloerruimte, hoogte en boulyne in enkelresidensiële sonering 1” toon;”;

(b) deur subparagraph (ii) van paragraaf (c) met die volgende subparagraph te vervang:

“(ii) Waar 'n gebou in hierdie sone binne 3 m van 'n gemeenskaplike grens toegelaat word, word die hoogte beperk tot 4 m, gemeet vanaf die **[basisvlak]** bestaande grondvlak tot by die bopunt van die dak.”;

(c) deur die “Tabel van vloerfactor, vloerruimte, hoogte en boulyne in enkelresidensiële sonering 1” met die volgende tabel te vervang:

"Tabel van vloerfaktor, vloerruimte, dekking, hoogte en boulyne in enkelresidensiële sonering 1

Oppervlakte van grond-eenheid (m ²)	Vloer-faktor	Maksimum vloerruimte	<u>Dekking</u>	Maksimum hoogte bo [basisvlak] bestaande grondvlak		Straat-grens-boulyn	Gemeenskaplike grensboulyn
				Tot by muur-plaat	Tot by bopunt van dak		
>2 000	n.v.t.	1 500 m ²	<u>n.v.t.</u>	9,0 m	11,0 m	6,0 m	6,0 m
>1 000 tot en met 2 000	n.v.t.	1 500 m ²	<u>n.v.t.</u>	9,0 m	11,0 m	4,5 m	3,0 m
>650 tot en met 1 000	n.v.t.	1 500 m ²	<u>n.v.t.</u>	9,0 m	11,0 m	3,5 m	3,0 m
>350 tot en met 650	1,0	n.v.t.	<u>n.v.t.</u>	8,0 m	10,0 m	3,5 m	0,0 m vir eerste 12,0 m loodreg gemeet vanaf die straatgrens, en vir 60% van die totale oorblywende lineêre afstand langs alle gemeenskaplike grense rondom die grondeenheid, en 3,0 m vir die restant, onderworpe aan paragraaf d(iii).
>200 tot en met 350	1,0	n.v.t.	<u>75%</u>	8,0 m	10,0 m	[3,5] 1,5 m	0,0 m [vir die eerste 12,0 m loodreg gemeet vanaf die straatgrens, en vir 60% van die totale oorblywende lineêre afstand langs alle gemeenskaplike grense rondom
≤200	1,0	n.v.t.	<u>75%</u>	8,0 m	10,0 m	1,0 m	

							<p style="text-align: right;">die grondeenheid, en 3,0 m vir die restant, onderworpe aan paragraaf d(ii) en (iii).]</p>
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Einde van tabel";

- (d) deur subparagraaf (i) van paragraaf (f) met die volgende subparagraaf te vervang:
- "(i) 'n Motorhuis, motorafdak en buitegeboue word binne die gemeenskaplikegrensboulyn of op die gemeenskaplike eiendomsgrens toegelaat, mits die motorhuis, motorafdak en buitegebou:
- (aa) nie hoër as 3,5 m vanaf die **[basisvlak]** bestaande grondvlak tot by die bopunt van die dak strek nie;
 - (bb) nie meer as 'n dubbele motorhuisfasade insluit nie; en
 - (cc) nie 'n breedte van 6,5 m oorskry nie.";
- (e) deur die volgende subparagraaf ná subparagraaf (i) van paragraaf (f) in te voeg:
- "(iA) Vir grondeenhede van 350 m² en kleiner is 'n motorhuis of motorafdak tot op die straatgrens toelaatbaar, mits die motorhuis of motorafdak:
- (aa) nie hoër as 3,5 m vanaf die bestaande grondvlak tot by die bopunt van die dak strek nie;
 - (bb) nie meer as 'n dubbele motorhuisfasade insluit nie; en
 - (cc) nie 'n breedte van 6,5 m oorskry nie.";
- (f) deur subparagraaf (ii) van paragraaf (f) met die volgende subparagraaf te vervang:
- "(ii) Vir grondeenhede **[van 650 m² en kleiner]** groter as 350 m² tot en met 650 m² word 'n motorhuis of motorafdak tot en met 1,5 m vanaf die straatgrens toegelaat, mits die motorhuis of motorafdak:
- (aa) nie hoër as 3,5 m vanaf die **[basisvlak]** bestaande grondvlak tot by die bopunt van die dak strek nie;
 - (bb) nie meer as 'n dubbele motorhuisfasade insluit nie; en
 - (cc) nie 'n breedte van 6,5 m oorskry nie.";
- (g) deur subparagraaf (iv) van paragraaf (f) met die volgende subparagraaf te vervang:
- "(iv) Nieteenstaande paragraaf (ii) en (iii), kan 'n motorhuis of motorafdak binne die straatgrensboulyn opgerig word indien nakoming van die straatgrensboulyn na die Stad se mening onprakties sal wees weens die steilheid van die grond tussen die pad en die betrokke eiendom. In sodanige geval sal die Stad die straatgrensboulyn, hoogte, fasade en breedte van die motorhuis en motorafdak bepaal."; en
- (h) deur die volgende paragraaf ná paragraaf (g) in te voeg:
- "(h) Dekking
- (i) Die maksimum dekking, indien van toepassing, word in ooreenstemming met die oppervlakte van die grondeenheid bepaal, soos wat bestaande "Tabel van vloefaktor, vloerruimte, dekking, hoogte en boulyne in enkelresidensiële sonering 1" toon.".

Wysiging van item 23 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

- 33.** Item 23 van bylae 3 word hiermee gewysig deur paragraaf (a) met die volgende paragraaf te vervang:

"(a) Geen huisberoep mag 'n hinderbedryf, risikoaktiwiteit, winkel, onderneming vir volwassenevermaak, volwassenedienste, volwassenewinkel, die verkoop van alkoholieuse drank, motorherstelhawe,

begrafnisonderneming of aktiwiteite wat waarskynlik 'n openbare steurnis tot gevolg sal hê, wat onder meer insluit paneelklop- en sputverfwerk, oto-elektriese werk, 'n bouerswerf, sweiswerke of skrynerkery, behels nie."

Invoeging van item 25A en 25B in bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

34. Bylae 3 word hiermee gewysig deur die volgende items ná item 25 in te voeg:

25A Tweede woning

Die volgende voorwaardes is van toepassing op 'n tweede woning:

- (a) Die totale vloerruimte van 'n tweede woning mag nie sonder die goedkeuring van die Stad die totale vloerruimte van die hoofwooneenheid oorskry nie. Die vloerruimte van aanvullende geboue is uitgesluit van hierdie bepaling.
- (b) Die Stad kan vereis dat 'n tweede woning in 'n soortgelyke boustyl as die hoofwoonhuis gebou word.
- (c) 'n Tweede woning wat apart is van 'n hoofwoonhuis mag nie 'n hoogte van 6 m gemeet vanaf die bestaande grondvlak tot by die muurplaat en 8 m tot by die bopunt van die dak oorskry nie.
- (d) 'n Tweede woning wat in dieselfde gebou as 'n hoofwoonhuis vervat is, moet so ontwerp word dat die gebou na 'n enkele woonhuis lyk; albei eenhede kan 'n grondvloer hê, of een eenheid kan op die grondvloer en die ander eenheid bo wees.
- (e) Die bestaan van 'n tweede woning is nie op sigself genoeg rede vir die Stad om 'n aansoek om die onderverdeling van die grondeenheid waarop die wooneenhede geleë is ingevolge hierdie verordening toe te staan nie.
- (f) Die oprigting van 'n tweede woning is onderworpe aan sertifisering deur die direkteure van alle tersaaklike municipale dienstesdepartemente, of hulle afgevaardigdes, dat die dienstenetwerk in die betrokke gebied oor genoeg vermoë beskik.

25B Derde woning

Die volgende voorwaardes is van toepassing op 'n derde woning:

- (a) Die totale vloerruimte van 'n derde woning mag nie sonder die goedkeuring van die Stad die totale vloerruimte van die hoofwoning oorskry nie. Die vloerruimte van aanvullende geboue is uitgesluit van hierdie bepaling.
- (b) Die Stad kan vereis dat 'n derde woning in 'n soortgelyke boustyl as die hoofwoonhuis gebou word.
- (c) 'n Derde woning wat apart is van 'n hoof- of tweede woning mag nie 'n hoogte van 6 m gemeet vanaf die bestaande grondvlak tot by die muurplaat en 8 m tot by die bopunt van die dak oorskry nie.
- (d) 'n Derde woning wat in dieselfde gebou as 'n hoof- of tweede woning vervat is, moet so ontwerp word dat die gebou na 'n enkele woonhuis lyk; alle eenhede kan 'n grondvloer hê, of een eenheid kan op die grondvloer en die ander eenhede bo wees.
- (e) Die bestaan van 'n derde woning is nie op sigself genoeg rede vir die Stad om 'n aansoek om die onderverdeling van die grondeenheid waarop die wooneenhede geleë is ingevolge hierdie verordening toe te staan nie.
- (f) Die oprigting van 'n derde woning is onderworpe aan sertifisering deur die direkteure van alle tersaaklike municipale dienstesdepartemente, of hulle afgevaardigdes, dat die dienstenetwerk in die betrokke gebied oor genoeg vermoë beskik."

Wysiging van item 26 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema, soos gewysig deur artikel 35 van die Wysigingsverordening op Municipale Beplanning, 2016

35. Item 26 van bylae 3 word hiermee gewysig –

- (a) deur paragraaf (b) van subitem (1) met die volgende paragraaf te vervang:

"(b) Bykomende gebruikregte wat die bewoner van enige wooneenheid mag uitoefen, is 'n skuling, huiswinkel, tuisberoep, bed-en-ontbytonderneming, tuiskindersorg, informele handel, derde woning,

en enige opvoedkundige, godsdienstige, beroeps- of sakedoeleinde, buiten die verkoop van alkoholiese drank, op die volgende voorwaardes:

- (i) Die eenheid moet steeds vir oorwegend residensiële doeleindes gebruik word.
 - (ii) Geen hinderbedryf, risikoaktiwiteit, onderneming vir volwassenevermaak, volwassenedienste of volwassenewinkel word toegelaat nie.
 - (iii) Geen aktiwiteit wat 'n bron van steurnis is of moontlik kan wees, onder meer die gebruik van toerusting wat uitermatige geraas veroorsaak, of enige aktiwiteit wat stof, dampe, rook of afvalmateriaal tot gevolg het wat gesondheid kan benadeel, of wat spesiale afvalverwyderingsprosesse vereis, mag uitgevoer word nie.
 - (iv) Die Stad kan op enige tydstip versoek dat die grondgebruik of aktiwiteit gestaak word, of voorwaardes oplê om enige moontlike steurnis vir omliggende bure en die algemene publiek te beperk.
 - (v) Die ontwikkelingsreëls in item 23, 24, 25, 25B buiten paragraaf (b), 28, 29 en 30, wat ook al van toepassing is, moet nagekom word.";
- (b) deur paragraaf (c) van subitem (1) met die volgende paragraaf te vervang:
- "(c) Vergunningsgebruike is groepsbehuising, losieshuis, plek van aanbidding, instelling, kliniek, plek van samekoms, plek van onderrig, kantoor, restaurant, gastehuis, plek van vermaak, diensbedryf, owerheidsgebruik, klein dakgemonteerde basistelekommunikasiestasie, dakgemonteerde basistelekommunikasiestasie, windturbine-infrastruktuur, veeartsenykundige praktyk en halfweghuis."; en
- (c) deur paragraaf (d) van subitem (1) met die volgende paragraaf te vervang:
- "(d) **[Veelvoudige gebruik en geboue waar geen formele dorpsgebied bestaan nie.]** Die gebruik in subitem (1)(a)-(c) is toelaatbaar waar geen formele dorpsgebied bestaan nie.".

Wysiging van item 27 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

36. Item 27 van bylae 3 word hiermee gewysig –

- (a) deur paragraaf (b) met die volgende paragraaf te vervang:
- "(b) Hoogte
- (i) Die maksimum hoogte van 'n gebou, gemeet vanaf die **[basisvlak]** bestaande grondvlak tot by die muurplaat, is 6 m vir wooneenhede en 8 m vir alle ander geboue.
 - (ii) Die maksimum hoogte van 'n gebou, gemeet vanaf die **[basisvlak]** bestaande grondvlak tot by die bopunt van die dak, is 8 m vir wooneenhede en 10 m vir alle ander geboue.
 - (iii) Grondwalle en keerstrukture is onderworpe aan item 126."; en
- (b) deur die "Tabel van parkeervereistes in enkelresidensiële sonering 2" met die volgende tabel te vervang:

"Tabel van parkeervereistes in enkelresidensiële sonering 2

Eiendomsgebruik	Parkeervereiste
Skuiling	Geen vereiste nie
Woonhuis	Een parkeerplek indien die Stad so vereis (geen vir erwe <100 m ² nie)
Tweede woning, derde woning, huisberoep	Geen vereiste nie
Ander primêre of vergunningsgebruiken	Soos wat die Stad vereis

Einde van tabel".

Wysiging van item 28 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

37. Item 28 van bylae 3 word hiermee gewysig deur paragraaf (c) met die volgende paragraaf te vervang:

"(c) Enige nuwe struktuur, of verandering aan die bestaande woonhuis, tweede woning, derde woning of buitegebou, moet versoenbaar wees met die residensiële karakter van die gebied."

Wysiging van item 29 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

38. Item 29 van bylae 3 word hiermee gewysig deur dit met die volgende item te vervang:

"Die volgende voorwaardes is van toepassing op 'n skuiling:

- (a) Indien die Stad se boubeheerbeampte van mening is dat die skuiling 'n openbare gesondheids-, brand- of strukturele risiko inhoud, kan die Stad 'n kennisgewing aan die eienaar of bewoner beteken waarin die aard van die risiko beskryf word en die eienaar of bewoner versoek word om binne 'n bepaalde tydperk die Stad van dokumente te voorsien, of 'n professionele persoon aan te stel om 'n ondersoek te onderneem en aan die Stad verslag te doen, oor die aard en omvang van die risiko sowel as die stappe wat gedoen sal word om sodanige risiko reg te stel. [Die bewoner of eienaar van 'n skuiling is alleenverantwoordelik om die strukturele, bewoonbaarheid-, brandbestandheid- en ander standarde van die skuiling te verseker.]
- (b) Nadat die Stad die dokumente of verslag wat ingedien is, bestudeer het en oortuig is dat daar wel 'n risiko bestaan, kan die Stad 'n direktief uitreik waarin die eienaar of bewoner opdrag ontvang om die stappe in die direktief te doen. [Enige bewoner of eienaar van 'n skuiling wat deur die Stad opdrag gegee is om stappe te doen om 'n openbare veiligheid-, gesondheid- of brandrisiko reg te stel, en wat versuim om dit te doen, sal skuldig wees aan 'n oortreding ingevolge hierdie verordening.]
- (c) Indien die eienaar of bewoner versuim om aan subitem (a) en (b) te voldoen, is sodanige persoon skuldig aan 'n oortreding ingevolge hierdie verordening.
- (d) 'n Skuiling mag nie 4 m in hoogte, gemeet vanaf die bestaande grondvlak tot by die bopunt van die dak, oorskry nie.'

Wysiging van item 34 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

39. Item 34 van bylae 3 word hiermee gewysig deur paragraaf (c) met die volgende paragraaf te vervang:

"(c) Vergunningsgebruike is 'n nutsdiens, tuiskindersorg, klein dakgemonteerde basistelekommunikasiestasie en 'n dakgemonteerde basistelekommunikasiestasie."

Wysiging van item 35 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

40. Item 35 van bylae 3 word hiermee gewysig deur subparagraph (i) van paragraaf (c) met die volgende subparagraph te vervang:

"(i) Die maksimum hoogte van 'n gebou, gemeet vanaf die **[basisvlak]** bestaande grondvlak tot by die muurplaat, is 8 m, en 10 m tot by die bopunt van die dak."

Wysiging van item 39 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

41. Item 39 van bylae 3 word hiermee gewysig –

(a) deur paragraaf (a) van subitem (2) met die volgende paragraaf te vervang:

"(a) 'n Tweede woning word toegelaat, onderworpe aan die bepalings vir 'n tweede woning in **[plaaslike sakesonering 1]** item 25A."; en

- (b) deur paragraaf (c) van subitem (2) met die volgende paragraaf te vervang:

“(c) Die ontwikkelingsreëls vir erwe groter as 350 m² tot en met [500] 650 m² is van toepassing, soos wat die “Tabel van **[dekking, hoogte,]** vloerfaktor, vloerruimte, dekking, hoogte en boulyne in enkelresidensiële sone 1” in item 22 bepaal.”.

Wysiging van item 40 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema, soos gewysig deur artikel 36 van die Wysigingsverordening op Munisipale Beplanning, 2016

- 42.** Item 40 van bylae 3 word hiermee gewysig deur paragraaf (c) te skrap.

Wysiging van item 41 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

- 43.** Item 41 van bylae 3 word hiermee gewysig –

- (a) deur subparagraaf (i) van paragraaf (c) met die volgende subparagraaf te vervang:

“(i) Die maksimum hoogte van 'n gebou, gemeet vanaf die **[basisvlak]** bestaande grondvlak tot by die bopunt van die dak, word ooreenkomsdig die volgende “Tabel van dekking, hoogte en vloerfaktor in algemene residensiële subsonerings GR2–GR6” bepaal.”;

- (b) deur “Tabel van dekking, hoogte en vloerfaktor in algemene residensiële subsonerings GR2–GR6” met die volgende tabel te vervang:

“Tabel van dekking, hoogte en vloerfaktor in algemene residensiële subsonerings GR2–GR6

Subsonering	Dekking	Vloerfaktor	Maksimum hoogte bo [basisvlak] <u>bestaande grondvlak</u> tot by bopunt van dak
GR2	60%	1,0	15,0 m
GR3	60%	[1,0] <u>1,25</u>	20,0 m
GR4	60%	1,5	24,0 m
GR5	60%	2,5	35,0 m
GR6	60%	5,0	50,0 m

Einde van tabel”;

- (c) deur paragraaf (d) te skrap;

- (d) deur subparagraaf (i) van paragraaf (e) met die volgende subparagraaf te vervang:

“(i) Geen gebou sal so opgerig word dat enige punt op die gebou nader aan 'n straatgrens of gemeenskaplike grens is as die afstand wat die “Tabel van boulyne in algemene residensiële subsonerings GR2–GR6” bepaal nie, met dien verstande dat:

- (aa) die simbool 'H' die hoogte in meter vanaf die betrokke punt bo die **[basisvlak]** grondvloer beteken; en
- (bb) waar twee alternatiewe boulyne voorgeskryf word, die groter van die twee boulyne sal geld.”;

- (e) deur subparagraaf (ii) van paragraaf (e) met die volgende subparagraaf te vervang:

“(ii) 'n Buitegebou word binne die gemeenskaplikegrensboulyn toegelaat, mits die buitegebou nie hoër as 3,5 m vanaf die **[basisvlak]** bestaande grondvlak van die buitegebou tot by die bopunt van die dak is nie.”; en

- (f) deur die "Tabel van boulyne in algemene residensiële subsonerings GR2-GR6" met die volgende tabel te vervang:

"Tabel van boulyne in algemene residensiële subsonerings GR2-GR6"

Subsonering	Straatgrensboulyn		Gemeenskaplikegrensboulyn	
	Punte tot en met 25,0 m bo [basisvlak] <u>bestaande grondvlak</u>	Punte bo 25,0 m bo [basisvlak] <u>bestaande grondvlak</u>	Punte tot en met 25,0 m bo [basisvlak] <u>bestaande grondvlak</u>	Punte bo 25,0 m bo [basisvlak] <u>bestaande grondvlak</u>
GR2	4,5 m	n.v.t.	4,5 m of 0,6 H (0 m tot en met 15,0 m in hoogte waar 'n straatgrens geraak word, vir 'n loodregte afstand van 18,0 m vanaf sodanige straatgrens)	n.v.t. <u>(tensy 'n toegelate afwyking ingevolge hierdie ontwikkelingsbestuurskema goedgekeur word)</u>
GR3				
GR4				
GR5	4,5 m	9,0 m	4,5 m of 0,6 H (0 m tot en met 15,0 m in hoogte waar 'n straatgrens geraak word, vir 'n loodregte afstand van 18,0 m vanaf sodanige straatgrens)	15,0 m
GR6				<u>[(0 m tot en met 15,0 m in hoogte waar 'n straatgrens geraak word, vir 'n loodregte afstand van 18,0 m vanaf sodanige straatgrens)]</u>

Einde van tabel".

Wysiging van item 42 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema, soos gewysig deur artikel 37 van die Wysigingsverordening op Munisipale Beplanning, 2016

44. Item 42 van bylae 3 word hiermee gewysig deur dit met die volgende item te vervang:

""Die bepalings van item 21(b) en 22 is van toepassing op 'n woning in hierdie sonering. Die bepalings van item 21(b), 22 en 25A [53] is van toepassing op 'n tweede woning in hierdie sonering."

Invoeging van item 45A in bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

45. Bylae 3 word hiermee gewysig deur die volgende item ná item 45 in te voeg:

"45A Ontwikkelingsreël vir alle gebruik in GR2-GR6, buiten woonhuis en tweede woning

Voertuigtoegang tot die eiendom moet vanaf 'n aanliggende padreserwe van ten minste 9 m breed verkry word."

Wysiging van item 46 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema, soos gewysig deur artikel 38 van Wysigingsverordening op Munisipale Beplanning, 2016

46. Item 46 van bylae 3 word hiermee gewysig deur paragraaf (a) met die volgende paragraaf te vervang:

"(a) Primêre gebruik is 'n plek van onderrig, plek van aanbidding, kliniek, dakgemonteerde basistelekommunikasiestasie, verfilming, klein vrystaande basistelekommunikasiestasie, klein dakgemonteerde basistelekommunikasiestasie en oop ruimte."

Wysiging van item 47 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

47. Item 47 van bylae 3 word hiermee gewysig deur subparagraaf (i) van paragraaf (c) met die volgende subparagraaf te vervang:

"(i) Die maksimum hoogte van 'n gebou, gemeet vanaf die **[basisvlak]** bestaande grondvlak tot by die bopunt van die dak, is 12 m, met dien verstande dat daar geen hoogtebeperking is vir 'n kloktoring, spitsoring, minaret of soortgelyke argitektoniese kenmerk wat ontwerp is om die belang van 'n gebou te beklemtoon nie."

Wysiging van item 48 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema, soos gewysig deur artikel 39 van die Wysigingsverordening op Munisipale Beplanning, 2016

48. Item 48 van bylae 3 word hiermee gewysig deur paragraaf (a) met die volgende paragraaf te vervang:

"(a) Primêre gebruik is 'n instelling, hospitaal, plek van onderrig, plek van aanbidding, plek van samekoms, dakgemonteerde basistelekommunikasiestasie, klein vrystaande basistelekommunikasiestasie, klein dakgemonteerde basistelekommunikasiestasie, verfilming en oop ruimte."

Wysiging van item 49 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

49. Item 49 van bylae 3 word hiermee gewysig deur subparagraaf (i) van paragraaf (c) met die volgende subparagraaf te vervang:

"(i) Die maksimum hoogte van 'n gebou, gemeet vanaf die **[basisvlak]** bestaande grondvlak tot by die bopunt van die dak, is 18 m, met dien verstande dat daar geen hoogtebeperking is vir 'n kloktoring, spitsoring, minaret of soortgelyke argitektoniese kenmerk wat ontwerp is om die belang van 'n gebou te beklemtoon nie."

Wysiging van item 50 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema, soos gewysig deur artikel 40 van die Wysigingsverordening op Munisipale Beplanning, 2016

50. Item 50 van bylae 3 word hiermee gewysig deur paragraaf (b) met die volgende paragraaf te vervang:

"(b) Bykomende gebruiksgesags wat die bewoner van 'n woonhuis mag uitoefen, is 'n tweede woning of huisberoep of huiswinkel of bed-en-ontbytonderneheming of tuiskindersorg, onderworpe aan die ontwikkelingsreeëls in item 25A, 52[, **53]** en 54, wat ook al van toepassing is."

Wysiging van item 51 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

51. Item 51 van bylae 3 word hiermee gewysig –

(a) deur subparagraaf (i) van paragraaf (b) met die volgende subparagraaf te vervang:

"(i) Die maksimum hoogte van 'n gebou, gemeet vanaf die **[basisvlak]** bestaande grondvlak tot by die muurplaats en die bopunt van die dak, word bepaal ooreenkomsdig die oppervlakte van die

grondeenheid, soos wat die volgende "Tabel van vloerfaktor, hoogte en boulyne in plaaslike sakesonering 1" toon.:";

(b) deur subparagraaf (ii) van paragraaf (b) met die volgende subparagraaf te vervang:

"(ii) Waar 'n gebou in hierdie sonering binne 3 m van 'n gemeenskaplike grens toegelaat word, word die hoogte tot 4 m beperk, gemeet vanaf die **[basisvlak]** bestaande grondvlak tot by die bopunt van die dak.:";

(c) deur die "Tabel van vloerfaktor, hoogte en boulyne in plaaslike sakesonering 1" met die volgende tabel te vervang:

"Tabel van vloerfaktor, hoogte en boulyne in plaaslike sakesonering 1"

Oppervlakte van grondeenheid (m^2)	Vloer-faktor	Maksimum hoogte bo [basisvlak] bestaande grondvlak		Straat-grens-boulyn	Gemeenskaplike-grensoulyne
		Tot by muur-plaat	Tot by bopunt van dak		
>1 000	1,0	9,0 m	11,0 m	3,5 m	3,0 m
>650 tot en met 1 000	1,0	9,0 m	11,0 m	3,5 m	3,0 m
>350 tot en met 650	1,0	8,0 m	10,0 m	3,5 m	0,0 m vir die eerste 12,0 m, loodreg gemeet vanaf die straatgrens, en 0 m vir 60% van die totale oorblywende lineêre afstand langs alle gemeenskaplike grense rondom die grondeenheid, en 3,0 m vir die restant, onderworpe aan paragraaf d(iii).
>200 tot en met 350	1,0	8,0 m	10,0 m	3,5 m	0 m vir die eerste 12,0 m, loodreg gemeet vanaf die straatgrens, en 0 m vir 60% van die totale oorblywende lineêre afstand langs alle gemeenskaplike grense rondom die grondeenheid, en 3,0 m vir die restant, onderworpe aan paragraaf d(ii) en d(iii).
≤200	1,0	8,0 m	10,0 m	1,0 m	

Einde van tabel";

(d) deur subparagraaf (i) van paragraaf (d) met die volgende subparagraaf te vervang:

"(i) 'n Motorhuis of motorafdak word binne die gemeenskaplikegrensboulyn toegelaat, mits die motorhuis of motorafdak:

(aa) nie hoër as 3,5 m vanaf die **[basisvlak]** bestaande grondvlak tot by die bopunt van die dak strek nie; en

(bb) nie meer as 'n dubbele motorhuisfasade met 'n maksimum breedte van 6,5 m insluit nie.;" en

(e) deur subparagraaf (ii) van paragraaf (d) met die volgende subparagraaf te vervang:

"(ii) Vir grondeenhede van 650 m^2 en minder word 'n motorhuis of motorafdak tot en met 1,5 m van die straatgrens toegelaat, mits die motorhuis of motorafdak:

- (aa) nie hoër as 3,5 m vanaf die **[basisvlak]** bestaande grondvlak tot by die bopunt van die dak strek nie; en
- (bb) nie meer as 'n dubbele motorhuisfasade met 'n maksimum breedte van 6,5 m insluit nie.".

Skrapping van item 53 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema, soos gewysig deur artikel 41 van die Wysigingsverordening op Munisipale Beplanning, 2016

52. Item 53 van bylae 3 word hiermee geskrap.

Wysiging van item 56 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

53. Item 56 van bylae 3 word hiermee gewysig deur subparagraaf (i) van paragraaf (c) met die volgende subparagraaf te vervang:

- "(i) Die maksimum hoogte van 'n gebou, gemeet vanaf die **[basisvlak]** bestaande grondvlak tot by die bopunt van die dak, is 12 m."

Wysiging van item 60 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

54. Item 60 van bylae 3 word hiermee gewysig –

- (a) deur subparagraaf (i) van paragraaf (d) met die volgende subparagraaf te vervang:

"(i) Die maksimum hoogte van 'n gebou, gemeet vanaf die **[basisvlak]** bestaande grondvlak tot by die bopunt van die dak, word ooreenkomsdig die volgende "Tabel van hoogte en vloerfaktor in algemene sakesonerings" bepaal.";

- (b) deur die "Tabel van hoogte en vloerfaktor in algemene sakesonerings" met die volgende tabel te vervang:

"Tabel van hoogte en vloerfaktor in algemene sakesonerings

Subsonering	Maksimum hoogte bo [basisvlak] <u>bestaande grondvlak</u> tot by bopunt van dak	Vloerfaktor
GB1	15,0 m	1,5
GB2	15,0 m	2,0
GB3	25,0 m	[2,0] 2,5
GB4	25,0 m	3,0
GB5	25,0 m	4,0
GB6	38,0 m	6,0
GB7	60,0 m	12,0

Einde van tabel";

- (c) deur subparagraaf (i) van paragraaf (e) met die volgende subparagraaf te vervang:

"(i) Geen gebou mag so opgerig word dat enige punt daarop nader aan 'n straat- of gemeenskaplike grens is as wat die volgende "Tabel van boulyne in algemene sakesonerings" spesifieer nie, waar die simbool H die hoogte in meter vanaf die betrokke punt bo die **[basisvlak]** grondvlak beteken.;" en

- (d) deur die "Tabel van boulyne in algemene sakesonerings" met die volgende tabel te vervang:

"Tabel van boulyne in algemene sakesonerings

Sub-sonering	Straatboulyn en gemeenskaplike boulyn			
	Punte op 'n gebou bo [basisvlak] bestaande grondvlak			
	Tot en met 10,0 m	Oor 10,0 m en tot en met 25,0 m	Oor 25,0 m tot en met 38,0 m	Oor 38,0 m
GB1	0,0 m	4,5 m (0,0 m vir gemeenskaplike grens)	n.v.t.	n.v.t. (<u>tensy 'n toegelate afwyking ingevolge hierdie ontwikkelingsbestuurskema goedgekeur word</u>)
GB2				
GB3				
GB4				
GB5	0,0 m	0,0 m	n.v.t.	n.v.t. (<u>tensy 'n toegelate afwyking ingevolge hierdie ontwikkelingsbestuurskema goedgekeur word</u>)
GB6	0,0 m	0,0 m	(H minus 25,0 m) gedeel deur 2 (0,0 m vir gemeenskaplike grens)	n.v.t. (<u>tensy 'n toegelate afwyking ingevolge hierdie ontwikkelingsbestuurskema goedgekeur word</u>)
GB7	0,0 m	0,0 m	0,0 m	(H minus 38,0 m) gedeel deur 2 (0,0 m vir gemeenskaplike grens)

Einde van tabel".

Wysiging van item 64 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

55. Item 64 van bylae 3 word hiermee gewysig –

- (a) deur subparagraph (ii) van paragraaf (a) met die volgende subparagraph te vervang:
 - "(ii) Die maksimum hoogte van 'n gebou, gemeet vanaf die **[basisvlak]** bestaande grondvlak tot by die bopunt van die dak, word ooreenkomsdig die volgende "Tabel van vloerfaktor, dekking en hoogte in gemengdegebruiksonerings" bepaal.";
- (b) deur die "Tabel van vloerfaktor, dekking en hoogte in gemengdegebruiksonerings" met die volgende tabel te vervang:

"Tabel van vloerfaktor, dekking en hoogte in gemengdegebruiksonerings

Subsonering	Vloerfaktor	Dekking	Maksimum hoogte bo [basisvlak] bestaande grondvlak tot by bopunt van dak
MU1	1,5	75%	15,0 m
MU2	4,0	100%	25,0 m
MU3	6,0	100%	38,0 m

Einde van tabel";

- (c) deur subparagraaf (i) van paragraaf (c) met die volgende subparagraaf te vervang:

"(i) Geen gebou sal so opgerig word dat enige punt daarop nader aan 'n straat- of gemeenskaplike grens is as wat die volgende "Tabel van boulyne in gemengdegebruiksonerings" spesifieer nie, waar die simbool H die hoogte in meter van die betrokke punt bo die **[basisvlak]** grondvloer beteken.>"; en

- (d) deur die "Tabel van boulyne in gemengdegebruiksonerings" met die volgende tabel te vervang:

"Tabel van boulyne in gemengdegebruiksonerings

Subsonering	Straatboulyn en gemeenskaplike boulyn		
	Punte op 'n gebou bo [basisvlak] bestaande grondvlak		
	Tot en met 10,0 m	Oor 10,0 m en tot en met 25,0 m	Oor 25,0 m en tot en met 38,0 m
MU1	0,0 m	4,5 m	n.v.t.
MU2	0,0 m	4,5 m	n.v.t.
MU3	0,0 m	0,0 m	(H minus 25,0 m) gedeel deur 2

Einde van tabel".

Wysiging van item 68 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

56. Item 68 van bylae 3 word hiermee gewysig –

- (a) deur subparagraaf (i) van paragraaf (b) met die volgende subparagraaf te vervang:

"(i) Die maksimum hoogte van 'n gebou in algemene nywerheidsubsonering GI1 is 18 m, gemeet vanaf die **[basisvlak]** bestaande grondvlak tot by die bopunt van die dak.>";

- (b) deur subparagraaf (iii) van paragraaf (b) met die volgende subparagraaf te vervang:

"(iii) Geen gebou in algemene nywerheidsubsonering GI2 wat nie vir vervaardigingsdoeleindes gebruik word nie, mag 'n hoogte van 18 m, gemeet vanaf die **[basisvlak]** bestaande grondvlak tot by die bopunt van die dak, oorskry nie.>"; en

(c) deur subparagraaf (v) van paragraaf (b) met die volgende subparagraaf te vervang:

“(v) Skeeps- of vervoerhouers mag nie hoër as 15 m bo die **[gemiddelde]** bestaande grondvlak uitstrek as dit buite 'n gebou geberg of opgestapel word nie.”.

Wysiging van item 75 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

57. Item 75 van bylae word hiermee gewysig –

(a) deur subparagraaf (ii) van paragraaf (c) met die volgende subparagraaf te vervang:

“(ii) Geboue wat nie vir 'n hinderbedryf, risikoaktiwiteit of vervaardiging gebruik word nie, mag nie 'n hoogte van 18 m, gemeet vanaf die **[basisvlak]** bestaande grondvlak tot by die bopunt van die dak, oorskry nie.”; en

(b) deur subparagraaf (iv) van paragraaf (c) met die volgende subparagraaf te vervang:

“(iv) Skeeps- of vervoerhouers mag nie hoër as 15 m bo die **[gemiddelde]** bestaande grondvlak uitstrek as dit buite 'n gebou geberg of opgestapel word nie.”.

Wysiging van item 80 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

58. Item 80 van bylae 3 word hiermee gewysig deur paragraaf (a) met die volgende paragraaf te vervang:

“(a) Primêre gebruiks is nutsdiens, owerheidsgebruik, dakgemonteerde basistelekommunikasiestasie, **[en]** vrystaande basistelekommunikasiestasie, klein vrystaande basistelekommunikasiestasie en klein dakgemonteerde basistelekommunikasiestasie.”

Wysiging van item 82 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

59. Item 82 van bylae 3 word hiermee gewysig deur paragraaf (a) met die volgende paragraaf te vervang:

“(a) Primêre gebruiks is vervoergebruik, parkade, nutsdiens, winkel, restaurant, diensbedryf, kantoor, pakhuis, dakgemonteerde basistelekommunikasiestasie, klein vrystaande basistelekommunikasiestasie, klein dakgemonteerde basistelekommunikasiestasie en houerterrein.”

Wysiging van item 83 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

60. Item 83 van bylae 3 word hiermee gewysig –

(a) deur subparagraaf (i) van paragraaf (c) met die volgende subparagraaf te vervang:

“(i) Die maksimum hoogte van 'n gebou is 18 m, gemeet vanaf die **[basisvlak]** bestaande grondvlak tot by die bopunt van die dak.”; en

(b) deur subparagraaf (iii) van paragraaf (c) met die volgende subparagraaf te vervang:

“(iii) Skeeps- of vervoerhouers mag nie hoër as 15 m bo die **[gemiddelde]** bestaande grondvlak uitstrek as dit buite 'n gebou geberg of opgestapel word nie.”.

Wysiging van item 87 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

61. Item 87 van bylae 3 word hiermee gewysig deur paragraaf (a) met die volgende paragraaf te vervang:

"(a) Primêre gebruik is 'n openbare straat, openbare pad, klein vrystaande basistelekommunikasiestasie, klein dakgemonteerde basistelekommunikasiestasie en nutsdiens."

Invoeging van deel 3A in bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

62. Bylae 3 word hiermee gewysig deur die volgende deel ná item 92 in te voeg:

"Deel 3A: Vervoersonering 3: Tolpad (TR3)

(items 92A-B)

Die TR3-sonering maak voorsiening vir tolpaale, hetsy dié wat reeds gebou is of wat nog gebou moet word.

92A Gebruik van die eiendom

Die volgende gebruikbeperkings is van toepassing op eiendom in hierdie sonering:

- (a) Primêre gebruik is tolpad, openbare straat, openbare pad, klein vrystaande basistelekommunikasiestasie, klein dakgemonteerde basistelekommunikasiestasie en nutsdiens.
- (b) Vergunningsgebruik is windturbine-infrastruktuur en lug- en ondergrondse regte.

92B Ontwikkelingsreëls

Die volgende ontwikkelingsreëls is van toepassing:

- (a) Die Stad vereis 'n terreinontwikkelingsplan vir 'n primêre en vergunningsgebruik.
- (b) Die terreinontwikkelingsplan soos die Stad dit goedgekeur het, is die ontwikkelingsreëls vir 'n primêre gebruik en 'n vergunningsgebruik, indien van toepassing.
- (c) Die bepalings oor 'n terreinontwikkelingsplan in item 123 is van toepassing."

Wysiging van item 97 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

63. Item 97 van bylae 3 word hiermee gewysig deur paragraaf (a) met die volgende paragraaf te vervang:

"(a) Primêre gebruik is omgewingsbewaringsgebruik, klein vrystaande basistelekommunikasiestasie en klein dakgemonteerde basistelekommunikasiestasie."

Wysiging van item 99 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

64. Item 99 van bylae 3 word hiermee gewysig deur paragraaf (a) met die volgende paragraaf te vervang:

"(a) Primêre gebruik is openbare oop ruimte, **[en]** omgewingsbewaringsgebruik, klein vrystaande basistelekommunikasiestasie en klein dakgemonteerde basistelekommunikasiestasie."

Wysiging van item 104 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

65. Item 104 van bylae 3 word hiermee gewysig deur paragraaf (a) met die volgende paragraaf te vervang:

"(a) Primêre gebruik is oop ruimte, privaat pad, **[en]** omgewingsbewaringsgebruik, klein vrystaande basistelekommunikasiestasie en klein dakgemonteerde basistelekommunikasiestasie."

Wysiging van item 108 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema, soos gewysig deur artikel 46 van die Wysigingsverordening op Munisipale Beplanning, 2016

66. Item 108 van bylae 3 word hiermee gewysig deur paragraaf (a) met die volgende paragraaf te vervang:

"(a) Primêre gebruik is landbou, intensiewe tuinbou, woonhuis, perdestalle, omgewingsbewaringsgebruik, omgewingsfasilitete, dakgemonteerde basistelekommunikasiestasie, klein vrystaande

basistelekommunikasiestasie, klein dakgemonteerde basistelekommunikasiestasie[,] en bykomende gebruiksgrepe soos wat paragraaf (b) bepaal.”

Wysiging van item 109 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

67. Item 109 van bylae 3 word hiermee gewysig –

(a) deur subparagraaf (i) van paragraaf (d) met die volgende subparagraaf te vervang:

“(i) Die maksimum hoogte van 'n woonhuis, gemeet vanaf die **[basisvlak]** bestaande grondvlak tot by die muurplaat, is 9 m, en 11 m vanaf die basisvlak tot by die bopunt van die dak.”; en

(b) deur subparagraaf (ii) van paragraaf (d) met die volgende subparagraaf te vervang:

“(ii) Landbougeboue buiten woonhuise mag nie 'n hoogte van 12 m, gemeet vanaf die **[basisvlak]** bestaande grondvlak tot by die bopunt van die dak, oorskry nie.”.

Wysiging van item 111 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

68. Item 111 van bylae 3 word hiermee gewysig deur paragraaf (d) met die volgende paragraaf te vervang:

“(d) die ontwikkelingsreëls in item **[53] 25A** op tweede wonings en bykomende wooneenhede in hierdie sonering van toepassing is.”

Wysiging van item 113 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

69. Item 113 van bylae 3 word hiermee gewysig deur subparagraaf (i) van paragraaf (e) met die volgende subparagraaf te vervang:

“(i) Die maksimum hoogte van 'n gebou, gemeet vanaf die **[basisvlak]** bestaande grondvlak tot by die muurplaat, is 9 m, en 11 m tot by die bopunt van die dak.”

Wysiging van item 116 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

70. Item 116 van bylae 3 word met die volgende item vervang:

“Die ontwikkelingsreëls in item **[53] 25A** is van toepassing, met dien verstande dat 'n wooneenheid vir persone wat by bona fide-landbouaktiwiteite op die grondeenheid betrokke is, nie as 'n tweede woning beskou word nie.”

Wysiging van item 121 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema, soos gewysig deur artikel 50 van die Wysigingsverordening op Munisipale Beplanning, 2016

71. Item 121 van bylae 3 word hiermee gewysig deur paragraaf (a) van subitem (1) met die volgende paragraaf te vervang:

“(a) Ondanks die boulynvereistes in afdeling II, kan die volgende strukture of gedeeltes daarvan binne die voorgeskrewe boulyne opgerig word, mits dit nie verby die grense van 'n grondeenheid strek nie:

- (i) Grensmure, heinings en hekke
- (ii) Oop en onoordekte stoepe
- (iii) Ingangstrappe, trappartale en ingangsportale wat na die grondvloer of kelder van 'n gebou lei
- (iv) 'n Oordekte ingang of hekhuis met 'n oordekte oppervlakte van hoogstens 5 m² en 'n dakhoogte van hoogstens 3 m, gemeet vanaf die vloer tot by die hoogste punt
- (v) Dakrande en sonkappe wat hoogstens 1 m van die muur van 'n gebou uitsteek
- (vi) Kroonlyste, skoorsteenborste, blombakke, waterpype, afvoerpype en klein sierkenmerke wat hoogstens 500 mm van die muur van die gebou uitsteek
- (vii) 'n Skermmuur van hoogstens 2,1 m hoog bo die bestaande grondvlak waaraan die betrokke muur grens
- (viii) Swembaddens nie nader as 1 m aan enige erfgrens nie

- (ix) Enige deel van 'n [K]kelder[, mits geen deel daarvan bo] onder die bestaande grondvlak [uitsteek nie]
- (x) 'n Vulliskamer soos wat die Stad ingevolge item 145 vereis
- (xi) 'n Keerstruktur binne 'n straatgrensboulyn, onderworpe aan item 126, of enige keerstruktur wat onder die bestaande grondvlak geleë is
- (xii) Priële van hoogstens 40 m² in oppervlakte
- (xiii) Watertanks en hulle steunstrukture van hoogstens 3,2 m in hoogte bo die bestaande grondvlak
- (xiv) 'n Kinderspeelhuisie of soortgelyke speelstruktur van hoogstens 5 m² in oppervlakte en 2,5 m in hoogte bo die bestaande grondvlak, slegs vanaf 'n gemeenskaplike grens
- (xv) Tensy hierdie ontwikkelingsbestuurskema elders anders bepaal, 'n pakhuisie van hoogstens 5 m² in oppervlakte en 2,5 m in hoogte bo die bestaande grondvlak."

Wysiging van item 122 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

72. Item 122 van bylae 3 word hiermee gewysig deur dit met die volgende item te vervang:

"Die gedeelte van 'n grondeenheid wat binne 'n straatmiddellynterugsetgebied val, word uitgesluit vir die doeleindes van die bepaling van dekking en maksimum vloerruimte, tensy die eienaar die betrokke gedeelte kosteloos aan die Stad oordra. In so 'n geval word die gedeelte ingesluit by die berekening van dekking of maksimum vloerruimte op 'n grondeenheid en word die straatboulyn as 0 m beskou."

Wysiging van item 129 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

73. Item 129 van bylae 3 word hiermee gewysig deur die opskrif en item met die volgende opskrif en item te vervang:

"129 [Mobiele huise en karavane] Ontspanningsvoertuie en -vaartuie

- (1) [n Ontspanningsvoertuig soos 'n mobiele huis of karavaan] Ontspanningsvoertuie en -vaartuie mag nie sonder die Stad se goedkeuring vir permanente bewoning gebruik word nie, tensy die betrokke sonering sodanige aktiwiteit toelaat.
- (2) [Die volgende bykomende ontwikkelingsreëls is van toepassing op mobiele huise wat goedkeur is om vir residensiële doeleindes op 'n grondeenheid te staan] 'n Goedkeuring wat ingevolge subitem (1) toegestaan word, is onderworpe aan, dog nie beperk nie tot, die volgende voorwaarde:
 - (a) Die [mobiele huis of karavaan] ontspanningsvoertuig of -vaartuig moet op 'n fondasieblad geplaas word en moet behoorlik geanker wees.
 - (b) 'n Soliede omranding van 'n materiaal en kleur wat by die kleur van die [mobiele huis of karavaan] ontspanningsvoertuig of -vaartuig aanpas, moet van die onderkant van die [mobiele huis] ontspanningsvoertuig of -vaartuig tot op die grondoppervlak voorsien word.
 - (c) Die dak en buitebekleding van die [mobiele huis of karavaan] ontspanningsvoertuig of -vaartuig moet van 'n nieweerkaatsende materiaal wees.
 - (d) Enige strukturele aanbouings moet van materiale wees wat na die Stad se mening versoenbaar is met dié van die [mobiele huis of karavaan] ontspanningsvoertuig of -vaartuig."

Invoeging van item 136B in bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

74. Bylae 3 word hiermee gewysig deur die volgende item ná item 136A in te voeg:

"136B Grensmure

Die volgende bepalings is van toepassing op 'n grensmuur:

- (a) 'n Straatgrensmuur mag nie 2 m in hoogte, gemeet vanaf die bestaande grondvlak aan die openbarestraatkant van die muur tot by die bopunt van die grensmuur, oorskry nie.
- (b) 'n Keermuur van tot en met 1 m hoog, gemeet vanaf die bestaande grondvlak aan die openbarestraatkant van die muur, kan deel uitmaak van 'n straatgrensmuur, met dien verstande dat indien die keermuur 1 m hoog is, 'n balustrade van 1 m hoog vereis word.
- (c) 'n Gemeenskaplike grensmuur mag nie 2,5 m in hoogte, gemeet vanaf die laagste bestaande grondvlak aan weerskante van die muur tot by die bopunt van die grensmuur, oorskry nie.

- (d) 'n Keermuur van tot en met 1,5 m hoog, gemaat vanaf die laagste bestaande grondvlak aan weerskante van die muur, kan deel uitmaak van 'n gemeenskaplike grensmuur, met dien verstaande dat indien die keermuur 1 m hoog is, 'n balustrade van 1 m hoog vereis word.
- (e) Sekuriteitstoestelle soos spykers, doringdraad, lemmetjiesdraad of elektriese draad mag nie 'n hoogte van 1,0 m, gemaat vanaf die bopunt van 'n grensmuur, oorskry nie.
- (f) Enige gedeelte van 'n grensmuur hoër as 1 m, gemaat vanaf die bestaande grondvlak aan die openbarestraatkant van die muur tot by die bopunt van die grensmuur, wat geleë is binne 4,5 m van die kruising van twee straatgrense wat 'n hoek van minder as 135 grade skep/insluit, moet visueel deursigtig wees.
- (g) Alle grensmure wat op 'n openbare straat, openbare pad of openbare oop ruimte uitkyk en hoër is as 1,5 m, gemaat vanaf die bestaande grondvlak aan die openbarestraat- of openbare-oopruimtekant van die grensmuur tot by die bopunt van die grensmuur, moet aan die volgende vereistes vir visuele deursigtigheid voldoen:
 - (aa) Algemene sake-, nywerheid-, risikonywerheid- en nutsonerings: Minstens 60% van die totale vertikale oppervlakte van die grensmuur, wat enige visueel deursigtige hekke of motorhuisdeure uitsluit
 - (bb) In alle ander sonerings: Minstens 25% van die totale vertikale oppervlakte van die grensmuur, wat enige motorhuisdeure of visueel deursigtige hekke uitsluit"

Wysiging van item 138 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema, soos gewysig deur artikel 53 van die Wysigingsverordening op Munisipale Beplanning, 2016

75. Item 138 word hiermee gewysig deur die tabel getiteld "Minimum terreinparkeervereistes" met die volgende tabel te vervang:

"Minimum terreinparkeervereistes

Grondgebruik	Standaardgebiede	PT1-gebiede	PT2-gebiede
Hoofwoonhuis (SR1-sonering)	2 parkeerplekke per wooneenheid (1 parkeerplek per wooneenheid vir erwe <350 m ²)	1 parkeerplek per wooneenheid	Nul
Hoofwoonhuis (SR2-sonering)	1 parkeerplek per wooneenheid (nul per wooneenheid vir erwe < 100 m ²)	Nul	Nul
Tweede woning	1 parkeerplek per 2 ^{de} wooneenheid	1 parkeerplek per 2 ^{de} wooneenheid	Nul
<u>Derde woning op grondeenheid groter as 650 m²</u>	<u>1 parkeerplek per 3^{de} wooneenheid</u>	<u>1 parkeerplek per 3^{de} wooneenheid</u>	<u>Nul</u>
Groepsbehuising	1,75 parkeerplekke per wooneenheid, plus 0,25 parkeerplek[ke] per wooneenheid vir besoekers	1 parkeerplek per wooneenheid, plus 0,25 parkeerplek[ke] per wooneenheid vir besoekers	Nul
Woonstelle	[1,75] 1,25 parkeerplekke per wooneenheid, plus 0,25 parkeerplek per wooneenheid vir besoekers	1 parkeerplek per wooneenheid, plus 0,25 parkeerplek[ke] per wooneenheid vir besoekers	Nul

Grondgebruik	Standaardgebiede	PT1-gebiede	PT2-gebiede
Bed-en-ontbyt-onderneming	1 bykomende parkeerplek per gasteslaapkamer	1 bykomende parkeerplek per gasteslaapkamer	Nul
Losieshuis, gastehuis	[1,25] 1 parkeerplek[ke] per slaapkamer <u>vir die eerste 10 slaapkamers, daarna 0,5 parkeerplek vir elke slaapkamer bo 10</u>	[0,75] 1 parkeerplek [ke] per slaapkamer <u>vir die eerste 10 slaapkamers, daarna 0,25 parkeerplek vir elke slaapkamer bo 10</u>	Nul
Rugsakstappers-verblyf	1 parkeerplek per [6] <u>10 beddens, plus 'n gepaardgaande verminderde vereiste (op grond van gedeelde parkeerplek) vir enige aanvullende grondgebruiken wat oop is vir die algemene publiek</u>	1 parkeerplek per [8] <u>10 beddens, plus 'n gepaardgaande verminderde vereiste (op grond van gedeelde parkeerplek) vir aanvullende grondgebruiken wat oop is vir die algemene publiek</u>	Nul
Hotel	[0,75] <u>0,5 parkeerplek per slaapkamer, plus [20 parkeerplekke indien gelisensieer] 'n gepaardgaande verminderde vereiste (op grond van gedeelde parkeerplek) vir enige aanvullende grondgebruiken wat oop is vir die algemene publiek</u>	[0,75] <u>0,5 parkeerplek per slaapkamer, plus [20 parkeerplekke indien gelisensieer] 'n gepaardgaande verminderde vereiste (op grond van gedeelde parkeerplek) vir enige aanvullende grondgebruiken wat oop is vir die algemene publiek</u>	Nul
Ouetehuis, weeshuis	[0,5] <u>0,25 parkeerplek per [slaapkamer] inwoner</u>	[0,3] <u>0,25 parkeerplek per [slaapkamer] inwoner</u>	Nul

Grondgebruik	Standaardgebiede	PT1-gebiede	PT2-gebiede
Bewaarskool	<p>[1 parkeerplek per 10 kinders, plus stop-en-aflaafasilititeit] Nul. Fasilitete met meer as 34 leerders moet vir 'n informele stop-en-aflaafasilititeit in die straat voorsiening maak.</p> <p>'n Pro forma-verkeersbestuursplan moet ingedien word wat die besonderhede van die beplande bedryf van die stop-en-aflaafasilititeit uiteensit.</p>	<p>[1 parkeerplek per 10 kinders] Nul. Fasilitete met meer as 34 leerders moet vir 'n informele stop-en-aflaafasilititeit in die straat voorsiening maak.</p> <p>'n Pro forma-verkeersbestuursplan moet ingedien word wat die besonderhede van die beplande bedryf van die stop-en-aflaafasilititeit uiteensit.</p>	Nul
Skool	<p>1 parkeerplek per klaskamer of kantoor, plus stop-en-aflaafasilititeit.</p> <p><u>Vermoë om stop-en-aflaafasilititeit teen 'n verhouding van 1 parkeerplek per 20 leerders te voorsien.</u></p> <p><u>Indien fasilitet nie in die straat voorsien kan word nie, moet daar op die terrein voorsiening gemaak word vir die gelykstaande getal parkeerplekke wat vir hierdie fasilitet vereis word.</u></p>	<p>1 parkeerplek per klaskamer of kantoor, plus stop-en-aflaafasilititeit.</p> <p><u>Vermoë om stop-en-aflaafasilititeit teen 'n verhouding van 1 parkeerplek per 20 leerders te voorsien.</u></p> <p><u>Indien fasilitet nie in die straat voorsien kan word nie, moet daar op die terrein voorsiening gemaak word vir die gelykstaande getal parkeerplekke wat vir hierdie fasilitet vereis word.</u></p>	Nul
Plek van onderrig (naskoolse vlak)	<p>[0,4] 0,1 parkeerplek per student, plus 1 parkeerplek per klaskamer en 1 parkeerplek per [of] kantoor</p>	<p>[0,4] 0,1 parkeerplek per student, plus 1 parkeerplek per klaskamer en 1 parkeerplek per [of] kantoor</p>	Nul
Biblioteek, museum	2 parkeerplekke per 100 m ² [BVR] vloerruimte	1,5 parkeerplekke per 100 m ² [BVR] vloerruimte	Nul

Grondgebruik	Standaardgebiede	PT1-gebiede	PT2-gebiede
Plek van samekoms, plek van aanbidding, plek van vermaak, begrafnis-onderneming	1 parkeerplek per 6 sitplekke of persone, bereken teen 1,4 m ² vloerruimte = 1 persoon	1 parkeerplek per 8 sitplekke of persone, bereken teen 1,4 m ² vloerruimte = 1 persoon	Nul
Sportstadion	1 parkeerplek per 4 sitplekke of persone (of soos per vervoerbestuursplan)	3 parkeerplekke per 20 sitplekke of persone (of soos per vervoerbestuursplan)	Nul
Ontspannings- of sportkompleks	1 parkeerplek per 8 sitplekke of persone	1 parkeerplek per 10 sitplekke of persone	Nul
Gimnasium, gesondheidsklub	[10] Z parkeerplekke per 100 m ² BVR	[8] Z parkeerplekke per 100 m ² BVR	Nul
Hospitaal (algemeen en privaat)	1 parkeerplek per bed, plus 3 parkeerplekke per spreekkamer	1 parkeerplek per bed, plus 2 parkeerplekke per spreekkamer	Nul
Kliniek, mediese spreekkamers, veeartsenykundige praktyk	[4 parkeerplekke per spreekkamer] <u>Basisverhouding van 2,5 parkeerplekke per spreekkamer vir fasilitete wat uit 'n maksimum van 5 spreekkamers bestaan.</u> <u>Vir groter fasilitete, voeg telkens 0,5 parkeerplek by vir elke spreekkamer bo 5 spreekkamers, tot en met 'n maksimum verhouding van 5 parkeerplekke per spreekkamer vir fasilitete met 10 of meer sulke kamers.</u>	[3 parkeerplekke per spreekkamer] <u>Basisverhouding van 2,5 parkeerplekke per spreekkamer vir fasilitete wat uit 'n maksimum van 5 spreekkamers bestaan.</u> <u>Vir groter fasilitete, voeg telkens 0,5 parkeerplek by vir elke spreekkamer bo 5 spreekkamers, tot en met 'n maksimum verhouding van 5 parkeerplekke per spreekkamer vir fasilitete met 10 of meer sulke kamers.</u>	Nul
Winkels (wat supermark uitsluit)	[4] 3 parkeerplekke per 100 m² BVR	2 parkeerplekke per 100 m ² BVR	Nul
Supermark, winkelsentrum	[6] 4 parkeerplekke per 100 m² BVR	[4] 2,5 parkeerplekke per 100 m² BVR	Nul
Restaurant	[2] 6 parkeerplekke per 100 [25] m² BVR	[1] 4 parkeerplekke per 100 [25] m² BVR	Nul
Kantore	4 parkeerplekke per 100 m ² BVR	2,5 parkeerplekke per 100 m ² BVR	Nul
Konferensiesentrum	6 parkeerplekke per 10 sitplekke	4 parkeerplekke per 10 sitplekke	Nul

Grondgebruik	Standaardgebiede	PT1-gebiede	PT2-gebiede
Motorvertoon-lokaal	[3] 2 parkeerplekke per 100 m ² BVR	[3] 2 parkeerplekke per 100 m ² BVR	Nul
Motorherstelhawe, diensstasie	4 parkeerplekke per diensruimte, plus 4 parkeerplekke per 100 m ² BVR, minimum 8 parkeerplekke	4 parkeerplekke per diensruimte, plus 4 parkeerplekke per 100 m ² BVR, minimum 8 parkeerplekke	[Nul] 4 parkeerplekke per diensruimte
Monteringsentrum vir voertuie	2 parkeerplekke per diensruimte	2 parkeerplekke per diensruimte	[Nul] 2 parkeerplekke per diensruimte
Nywerheid	<p>[2] 1,5 parkeerplekke per 100 m² BVR <u>vir fasiliteite van tot en met 3 000 m² BVR.</u></p> <p><u>1 parkeerplek per 100 m² BVR vir fasiliteite groter as 3 000 m² BVR.</u></p>	<p>[1,5] 0,5 parkeerplek [ke] per 100 m² BVR <u>vir fasiliteite van tot en met 3 000 m² BVR.</u></p> <p><u>1 parkeerplek per 100 m² BVR vir fasiliteite groter as 3 000 m² BVR.</u></p>	Nul
Pakhuis, stoorgebou	1 parkeerplek per 100 m ² BVR	1 parkeerplek per 100 m ² BVR	Nul
<u>Selfstoorfasiliteite</u>	<u>0,2 parkeerplek per 100 m² BVR</u>	<u>0,2 parkeerplek per 100 m² BVR</u>	<u>Nul</u>

Einde van tabel".

Wysiging van item 140 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema, soos gewysig deur artikel 54 van die Wysigingsverordening op Munisipale Beplanning, 2016

76. Item 140 van bylae 3 word hiermee gewysig –

(a) deur paragraaf (c) van subitem (2) met die volgende paragraaf te vervang:

"(c) Die minimum en maksimum breedte van enige voertuigrybaankruising[s] [moet] is onderskeidelik 2,4 m en 8,0 m [met die tabel "Breedte van voertuigrybaankruisings" strook].";

(b) deur paragraaf (d) van subitem (2) te skrap; en

(c) deur die tabel "Breedte van voertuigrybaankruisings" te skrap.

Wysiging van item 141 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

77. Item 141 van bylae 3 word hiermee gewysig deur paragraaf (c) van subitem (1) met die volgende paragraaf te vervang:

"(c) 'n Tandemparkeerplek met plek vir twee motorvoertuie moet vir die doeleindes van hierdie ontwikkelingsbestuurskema as een parkeerplek beskou word, behalwe in enkelresidensiële sonerings, algemene residensiële subsonering 1: groepsbehuising of vir 'n wooneenhed, buiten woonstelle, in enige ander sonering, waar 'n tandemparkeerplek as twee parkeerplekke beskou word."

Wysiging van item 143 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

78. Item 143 van bylae 3 word hiermee gewysig deur die woorde voor paragraaf (a) van subitem (2) met die volgende woorde te vervang:

“(2) Vir elke vier motorfiets- **[en] of [ses]** tien fietsparkeerplekke wat voorsien word, kan 'n toegif van een parkeerplek as deel van die nakoming van die parkeervereistes gegee word, met dien verstande dat:”

Wysiging van item 158 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

79. Item 158 van bylae 3 word hiermee gewysig –

- (a) deur paragraaf (b) van subitem (1) met die volgende paragraaf te vervang:

“(b) ‘**ontwikkelingsaansoek**’ enige bouwerk of aanwending van grond of enige aansoek by **[in bevoegde owerheid]** die Stad om **[bykomende of nuwe]** verdere gebruikregte ingevolge beplanningswetgewing of die soneringskemaregulasies buiten dié wat reeds ingevolge die ontwikkelingsbestuurskema toegestaan is, en wat hetsy die tydelike of permanente bevolking binne die voorsorgaksiesone (PAZ) of dringendebeskermsaksiesone (UPZ) laat toeneem en/of die doeltreffende implementering van die Koebergkernkragnoodplan in gevaar kan stel; en”;

- (b) deur paragraaf (b) van subitem (2) met die volgende paragraaf te vervang:

“(b) met dien verstande dat grondeienaars, onderworpe aan goedkeuring deur die **[bevoegde owerheid]** Stad, **[bykomende of nuwe]** verdere gebruikregte kan uitoefen wat nie aanleiding sal gee tot enige tydelike of permanente bevolkingsgroei nie, en waar die **[bevoegde owerheid]** Stad tevrede is dat die vereiste rampbestuurinfrastruktur vir die doeltreffende inwerkingstelling van die goedgekeurde verkeersontruimingsplan én verwante ramprisikobestuursprosedures voldoende is.”;

- (c) deur paragraaf (a) van subitem (3) met die volgende paragraaf te vervang:

“(a) **[word]** sal die Stad slegs 'n ontwikkelingsaansoek [slegs toegelaat] goedkeur **[met die goedkeuring van die bevoegde owerheid]** waar die Stad [sodanige owerheid] tevrede is dat die vereiste rampbestuurinfrastruktur vir die doeltreffende inwerkingstelling van die goedgekeurde verkeersontruimingsplan én verwante ramprisikobestuursprosedures voldoende is;” en

- (d) deur paragraaf (b) van subitem (3) met die volgende paragraaf te vervang:

“(b) met dien verstande dat grondeienaars, onderworpe aan goedkeuring deur die **[bevoegde owerheid]** Stad, **[bykomende of nuwe]** verdere gebruikregte kan uitoefen wat nie aanleiding sal gee tot tydelike of permanente bevolkingsgroei nie; en”.

Skrapping van item 158A van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema, soos ingevoeg deur artikel 56 van die Wysigingsverordening op Municipale Beplanning, 2016

80. Item 158A van bylae 3, soos ingevoeg deur artikel 56 van die Wysigingsverordening op Municipale Beplanning, 2016, word hiermee geskrap.

Vervanging van item 158B, C en D van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema, soos ingevoeg deur artikel 56 van die Wysigingsverordening op Municipale Beplanning, 2016

81. Item 158B, C en D van bylae 3, soos ingevoeg deur artikel 56 van die Wysigingsverordening op Municipale Beplanning, 2016, word hiermee gewysig deur dit in die geheel met die volgende items te vervang:

"Deel 3: Geskedeerde openbareervoertoeganklikheidsoorlegsonering (SPTAO)
(items 158B–DA)

158B Aangewese erwe in die geskedeerde openbareervoertoeganklikheidsoorlegsonering

Hoë-intensiteit- residensiële grondeenhede en lae-intensiteit- residensiële grondeenhede wat op die kaart van geskedeerde openbareervoertoeganklikheid uitgebeeld word en waaraan hierdie oorlegsonering toegeken is, is onderworpe aan item 158C, 158D en 158DA.

158C Eiendomsgebruik: Geskedeerde openbareervoertoeganklikheidsoorlegsonering

- (1) Hoë-intensiteit- residensiële grondeenhede het die volgende bykomende gebruikregte, benewens die bykomende gebruikregte wat in die onderskeie basissonerings gelys word, en onderworpe aan die ontwikkelingsreëls in die basissonering en item 158C:
 - (a) Grondeenhede met die sonering enkelresidensieel 1 en 2 -
Kantoor, gastehuis, restaurant, diensbedryf en plek van onderrig
 - (b) Grondeenhede met die sonering enkelresidensieel 1 -
Sakeperseel
- (2) Lae-intensiteit- residensiële grondeenhede het die volgende bykomende gebruikregte, benewens die bykomende gebruikregte wat in die onderskeie basissonerings gelys word, en onderworpe aan die ontwikkelingsreëls in die basissonering en item 158C:
 - (a) Grondeenhede met die sonering enkelresidensieel 1 en 2 –
Kantoor, gastehuis, plek van onderrig en diensbedryf
 - (b) Grondeenhede met die sonering enkelresidensieel 1 -
Huiswinkel

158D Ontwikkelingsreëls: Geskedeerde openbareervoertoeganklikheidsoorlegsonering

- (1) Die volgende ontwikkelingsreëls is van toepassing op hoë-intensiteit- residensiële grondeenhede:
 - (a) Grondeenhede met die sonering enkelresidensieel 1:
 - (i) Vloefaktor van 1,5 op grondeenhede van tot en met 350 m² in oppervlakte
 - (ii) Vloefaktor van 2 op grondeenhede groter as 350 m² tot en met 650 m² in oppervlakte
 - (iii) 'n Straatgrensboulyn van 1,0 m vir grondeenhede van tot en met 650 m² in oppervlakte
 - (b) Grondeenhede met die sonering enkelresidensieel 2:
 - (i) Vloefaktor van 1,5 op alle grondeenhede
- (2) Die volgende voorwaardes is van toepassing op die onderskeie bykomende gebruikregte op hoë-intensiteit- residensiële grondeenhede, benewens die onderskeie voorwaardes wat in item 21(b)(i), (iii), (iv) en (v) en 26(b)(ii), (iii), (iv) en (v) gelys word:
 - (a) Kantoor, gastehuis en restaurant
Die eiendom moet ten minste een wooneenheid insluit wat vir die permanente huisvesting van 'n enkele gesin gebruik word.
 - (b) Diensbedryf

- (i) Die eiendom moet ten minste een wooneenheid insluit wat vir die permanente huisvesting van 'n enkele gesin gebruik word.
- (ii) Die grootte en ligging van die diensbedryf moet duidelik aangedui word op 'n terreinontwikkelingsplan wat die Stad moet goedkeur, en die vloerruimte daarvan mag nie 40% van die grootte van die grondeenheid oorskry nie.
- (iii) Hoogstens ses persone altesaam mag betrokke wees by aktiwiteite wat met die diensbedryf op die eiendom verband hou, wat openbare besoekers en kliënte uitsluit.
- (iv) Die bedryfsure mag nie 08:00 tot 18:00 van Maandae tot Vrydae oorskry nie.
- (v) 'n Bouerswerf en verwante bedrywe, herwinningssentrum, spuitverfsentrum, monteringsentrum vir bande, skokabsorbeerders of uitlaatstelsels en soortgelyke tipes gebruik is verbode.
- (vi) Diensbedryfaktiwiteite word slegs op die grondvloer van 'n gebou toegelaat.
- (vii) Die diensbedryf is onderworpe daaraan dat die tersaaklike Stadsdepartement direkte toegang vanuit 'n openbare straat toelaat.
- (viii) Die Stad kan in enige stadium deur skriftelike kennisgewing daarop aandring dat die grondgebruik of aktiwiteit gestaak word, of voorwaardes oplê om enige moontlike steurnis vir omliggende bure of die algemene publiek te beperk.

(c) Plek van onderrig

Die volgende voorwaardes is van toepassing:

- (i) Die eiendom moet ten minste een wooneenheid insluit wat vir die permanente huisvesting van 'n enkele gesin gebruik word.
- (ii) Die grootte en ligging van die plek van onderrig moet duidelik aangedui word op 'n plan wat die Stad moet goedkeur, en die vloerruimte daarvan mag nie 40% van die grootte van die grondeenheid oorskry nie.
- (iii) Hoogstens 35 persone altesaam mag ingeskryf of betrokke wees by 'n plek van onderrig op die eiendom, wat studente, kinders, leerlinge, opleiers en opvoeders insluit.
- (iv) Die bedryfsure mag nie 07:00 tot 18:00 van Maandae tot Vrydae oorskry nie.
- (v) Die Stad kan in enige stadium deur skriftelike kennisgewing daarop aandring dat die grondgebruik of aktiwiteit gestaak word, of voorwaardes oplê om enige moontlike steurnis vir omliggende bure of die algemene publiek te beperk.

(d) Sakeperseel

Die volgende voorwaardes is van toepassing op 'n sakeperseel, buiten 'n restaurant, kantoor of diensbedryf:

- (i) Die eiendom moet ten minste een wooneenheid insluit wat vir die permanente huisvesting van 'n enkele gesin gebruik word.
- (ii) Die grootte en ligging van die sakeperseel moet duidelik aangedui word op 'n plan wat die Stad moet goedkeur, en die vloerruimte daarvan mag nie 40% van die grootte van die grondeenheid oorskry nie.
- (iii) Hoogstens tien persone mag in diens geneem word vir aktiwiteite wat met die sakeperseel op die eiendom verband hou, wat openbare besoekers en kliënte uitsluit.
- (iv) Die bedryfsure mag nie 08:00 tot 18:00 van Maandae tot Vrydae oorskry nie.
- (v) Sakeperseelaktiwiteite word slegs vanaf die grondvloer van 'n gebou toegelaat.
- (vi) 'n Bouerswerf en verwante bedrywe, herwinningssentrum, spuitverfsentrum, monteringsentrum vir bande, skokabsorbeerders of uitlaatstelsels en soortgelyke tipes gebruik is verbode.
- (vii) Die sakeperseel is onderworpe daaraan dat die tersaaklike Stadsdepartement direkte toegang vanuit 'n openbare straat toelaat.
- (viii) Die Stad kan in enige stadium deur skriftelike kennisgewing daarop aandring dat die grondgebruik of aktiwiteit gestaak word, of voorwaardes oplê om enige moontlike steurnis vir omliggende bure of die algemene publiek te beperk.

(3) Die volgende voorwaardes is van toepassing op die onderskeie bykomende gebruikregte op lae-intensiteit- residensiële grondeenhede, benewens die voorwaardes wat in item 21(b)(i), (iii), (iv) en (v) en 26(b)(ii), (iii), (iv) en (v) gelys word:

(a) Kantoor en gastehuis

Die eiendom moet ten minste een wooneenheid insluit wat vir die permanente huisvesting van 'n enkele gesin gebruik word.

(b) Plek van onderrig

- (i) Die eiendom moet ten minste een wooneenheid insluit wat vir die permanente huisvesting van 'n enkele gesin gebruik word.
- (ii) Die grootte en ligging van die plek van onderrig moet duidelik aangedui word op 'n plan wat die Stad moet goedkeur, en die vloerruimte daarvan mag nie 25% van die grootte van die grondeenheid oorskry nie.
- (iii) Hoogstens 15 persone altesaam mag ingeskryf of betrokke wees by 'n plek van onderrig op die eiendom, wat studente, kinders, leerlinge, opleiers en opvoeders insluit.
- (iv) Die bedryfsure mag nie 07:00 tot 18:00 van Maandae tot Vrydae oorskry nie.
- (v) Die Stad kan in enige stadium deur skriftelike kennisgewing daarop aandring dat die grondgebruik of aktiwiteit gestaak word, of voorwaardes oplê om enige moontlike steurnis vir omliggende bure of die algemene publiek te beperk.

(c) Diensbedryf

- (i) Die eiendom moet ten minste een wooneenheid insluit wat vir die permanente huisvesting van 'n enkele gesin gebruik word.
- (ii) Die grootte en ligging van die diensbedryf moet duidelik aangedui word op 'n terreinontwikkelingsplan wat die Stad moet goedkeur, en die vloerruimte daarvan mag nie 25% van die grootte van die grondeenheid oorskry nie.
- (iii) Hoogstens drie persone altesaam mag betrokke wees by aktiwiteite wat met die diensbedryf op die eiendom verband hou, wat openbare besoekers en kliënte uitsluit.
- (iv) Die bedryfsure mag nie 09:00 tot 17:00 van Maandae tot Vrydae oorskry nie.
- (v) 'n Bouerswerf en verwante bedrywe, herwinningssentrum, sputverfsentrum, monteringsentrum vir bande, skokabsorbeerders of uitlaatstelsels en soortgelyke tipes gebruike is verbode.
- (vi) Diensbedryfaktiwiteite word slegs vanaf die grondvlak van 'n gebou toegelaat.
- (vii) Die diensbedryf is onderworpe daaraan dat die tersaaklike Stadsdepartement direkte toegang vanuit 'n openbare straat toelaat.
- (viii) Die Stad kan in enige stadium deur skriftelike kennisgewing daarop aandring dat die grondgebruik of aktiwiteit gestaak word, of voorwaardes oplê om enige moontlike steurnis vir omliggende bure of die algemene publiek te beperk.

(d) Huiswinkel

Die voorwaardes in item 28 is van toepassing.

(4) Enige ontwikkelingsreël wat in die openbareervoertoeganklikheidsoorlegsonering vervat is wat die perke van 'n basissonering oorskry, word as 'n goedgekeurde afwyking van die bepalings van die basissonering beskou.

Invoeging van item 158DA in bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

82. Bylae 3 word hiermee gewysig deur die volgende item ná item 158D in te voeg:

"158DA Algemene bepalings: Geskeduleerde openbareervoertoeganklikheidsoorlegsonering

Die volgende bepalings is van toepassing:

- (1) Die Stad se municipale dienstedepartemente moet sertifiseer dat die dienstenetwerk oor genoeg vermoë vir die bykomende gebruikregte in item 158B beskik.
- (2) Die Stad kan 'n kaart van geskedeerde openbareervoertoeganklikheid goedkeur wat hoë- en lae-intensiteit- residensiële grondeenhede aandui."

Wysiging van item 158E van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema, soos ingevoeg deur artikel 56 van die Wysigingsverordening op Municipale Beplanning, 2016

83. Item 158E van bylae 3, soos ingevoeg deur artikel 56 van die Wysigingsverordening op Municipale Beplanning, 2016, word hiermee gewysig deur subitem (2) met die volgende subitem te vervang:
- "(2) Bykomende gebruikregte is tweede woning, onderworpe aan item [53] 25A."

Wysiging van item 163 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

84. Item 163 van bylae 3 word hiermee gewysig deur subitem (1) met die volgende subitem te vervang:
- "(1) Die Stad kan spesifieke voorskrifte toepas op 'n erfenisplek of erfenisgebied wat as 'n erfenisbewaringsoorlegsone bewaar word, wat bykomend tot of as alternatief vir die algemene bepalings in item 162 kan wees, mits dit met grondgebruik en ontwikkelingsreëls verband hou [**en aangeteken word in 'n erfenisbestuursplan wat die Stad ingevolge hierdie verordening goedgekeur het**]."

Wysiging van item 164 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

85. Item 164 van bylae 3 word hiermee gewysig deur subitem (3) met die volgende subitem te vervang:
- "(3) By die goedkeuring van 'n aansoek waarna item 162(1) verwys, kan die Stad voorwaardes ople wanneer dit as toepaslik vir die beskerming en verbetering van die erfenisplek of -gebied beskou, wat onder ander insluit voorwaardes met betrekking tot:
- (a) vereistes vir buiteontwerp;
 - (b) gebruik van materiale en afwerkings;
 - (c) erfenisbestuursplanne;
 - (d) herwinning of hergebruik van materiale;
 - (e) verklaring van werkswyse; [**en**]
 - (f) tydraamwerke waarbinne goedgekeurde werk gereed of afgehandel moet wees[.];
 - (g) argitektoniese vorm en behandeling; en
 - (h) ontwikkelingsreëls van toepassing op die grondeenheid."

Wysiging van item 167 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

86. Item 167 van bylae 3 word hiermee gewysig deur subitem (1) met die volgende subitem te vervang:
- "(1) Die Stad kan spesifieke voorskrifte benewens of as alternatief vir die algemene voorskrifte in item 166 op 'n omgewingsbestuursoorlegsone toepas, mits dit met grondgebruik en ontwikkelingsreëls verband hou [**en aangeteken word in 'n omgewingsterrein- of aktiwiteitsbestuursplan wat die Stad ingevolge hierdie ontwikkelingsbestuurskema goedgekeur het**]."

Wysiging van item 176 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

87. Item 176 van bylae 3 word hiermee gewysig –
- (a) deur subitem (3) met die volgende subitem te vervang:

"(3) Die maksimum hoogte van 'n gebou, gemeet vanaf die [**basisvlak**] bestaande grondvlak tot by die muurplaat, is 6 m, en 8 m tot by die bopunt van die dak.;"
 - (b) deur subitem (6) met die volgende subitem te vervang:

"(6) Die gemeenskaplikegrensterugsette wat hierdie ontwikkelingsbestuurskema bepaal, is van toepassing op alle woonhuise, tweede wonings, derde wonings, groepsbehuising, woonstelblokke, residensiële geboue, of buitegeboue van enige van die voormalde."); en

(c) deur subitem (7) met die volgende subitem te vervang:

"(7) Die dekkingsbepalings van hierdie ontwikkelingsbestuurskema is van toepassing op alle woonhuise, tweede wonings, derde wonings, groepsbehuising en woonstelblokke of buitegeboue op enige terrein van kleiner as 350 m². Toelaatbare dekking vir al bogenoemde geboue op alle terreine groter as 350 m² is 65%.".

Wysiging van item 185 van bylae 3: Stad Kaapstad Ontwikkelingsbestuurskema

88. Item 185 van bylae 3 word hiermee gewysig –

(a) deur paragraaf (b) van subitem (2) met die volgende paragraaf te vervang:

"(b) Nieteenstaande die bepalings van die ontwikkelingsbestuurskema met betrekking tot vloerfaktor:
(i) is grond wat as GB7 [**of MU3**] gesoneer is[,] onderworpe aan die vloerfaktor wat plan LAO/4 vir die betrokke grondeenheid bepaal, tensy daar geen sodanige spesifikasie is nie, in welke geval die bepalings van die ontwikkelingsbestuurskema geld[;]
(ii) **kan die vloerfaktor van voormalde grond met 30% verhoog word, mits ten minste 30% van die gebouvloerruimte as woonstelle in gebruik bly.**"; en

(b) deur die volgende paragrawe ná paragraaf (b) van subitem (2) in te voeg:

"(bA) Nieteenstaande die bepalings van die ontwikkelingsbestuurskema met betrekking tot vloerfaktor:
(i) is grond wat as MU3 gesoneer is onderworpe aan die vloerfaktor wat plan LAO/4 vir die betrokke grondeenheid bepaal, tensy daar geen sodanige spesifikasie is nie, in welke geval die bepalings van die ontwikkelingsbestuurskema geld; en
(ii) kan die vloerfaktor van voormalde grond met 30% verhoog word, mits ten minste 30% van die gebouvloerruimte as woonstelle in gebruik bly.".

Kort titel

89. Hierdie verordening is bekend as die Stad Kaapstad: Wysigingsverordening op Munisipale Beplanning, 2019.

**UMTHETHO KAMASIPALA
WEZILUNGISO WOCWANGCISO
LOMASIPALA WESIXEKO
SASEKAPA, 2019**

**UMTHETHO KAMASIPALA WEZILUNGISO WOCWANGCISO LOMASIPALA:
WESIXEKO SASEKAPA, 2019**

INGCACISO GABALALA:

- [] Amagama abhalwe ngqindilili akwizibiyeli ezsikwere abonisa izinto ezsisiweyo kwimithetho.
 - Amagama akrwelwe umgca ngaphantsi abonisa izinto ezifakelweyo kwimithetho ekhoyo.
-

MAWUMISELWE liBhunga leSixeko saseKapa, ngolu hlobo lulandelayo: -

Ukwenziwa kwezilungiso kwicandelo 1 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015

1. Icandelo 1 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015 (ekubhekiswe kuwo apha njengoMthetho-ngqangi) lenziwa izilungiso ngokuthi –
 - (a) ngokufakela emva kwenkazelo 'yokuzowuna okusiseko' kwale nkczelo ilandelayo:
"isatifikethi setayitile ebhalisiweyo sinentsingiselo exelwe kumthetho iDeeds Registries Act Nomb. 47 wango-1937;";
 - (b) ngokufakela endaweni yenkazelo enikiwego 'yeyunithi yomhlaba' kwale nkczelo ilandelayo:
"iyunithi yomhlaba' ithetha inxalenyne yomhlaba ebhalisiweyo okanye enokubhaliswa kuvimba wabanini-zipropati yaye ibandakanya inxalenyne yomhlaba enelungelo lobunini-mhlaba elibhalisiweyo;" ; kunye
 - (c) nangokufakela endaweni yenkazelo enikiwego 'yomqathango othintelayo' kwale nkczelo ilandelayo:
"umqathango othintelayo' uthetha nawuphi umqathango obhalisiweyo ochasa ubunini-mhlaba bomhlaba othintela usetyenziso, uphuhliso okanye ulwahlulahlulo lomhlaba ochaphazelekayo [**, ngaphandle kobunini-mhlaba obunelungelo lomntu**];".

Ukwenziwa kwezilungiso kwicandelo 38 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015

2. Icandelo 38 loMthetho-ngqangi lenziwa izilungiso ngokuthi –
 - (a) ngokufakela endaweni yamagama aphambi komhlathi (a) wecandelwana (1) kwala magama alandelayo:
"(1) Ngaphandle kokuba kuchaziwe kulo Mthetho kaMasipala, imvume enikezelweyo okanye oluthathwa njengolunikezelweyo ngokwalo Mthetho kaMasipala yokusebenzia umhlaba iyaphelelelwa kweminyaka **[emibini] emihlanu** emva komhla wokuqala wokusebenza –"; kunye
 - (b) nangokufakela endaweni yecandelwana (2) kweli candelwana lilandelayo:
"(2) Umfaki-sicelo angafaka isicelo ngokwemiqathango nangokweemfuno zecandelo 107 ukuba ongezelwe isithuba esixelwe kwicandelwana (1), kodwa eso sithuba singabikho ngaphezu kweminyaka **[emibini] emihlanu** ukususela ngomhla wokuphelelelwa kwaso.".

Ukwenziwa kwezilungiso kwicandelo 42 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015

3. Icandelo 42 loMthetho-ngqangi lenziwa izilungiso ngokuthi –

(a) endaweni yomhlathi (g) kufakwe lo mhlathi ulandelayo:

"(g) ukwensiwa kwezilungiso, ukumiswa okanye **[ukucinywa]** ukususwa komqathango othintelayo;"

(b) endaweni yomhlathi (q) kufakwe lo mhlathi ulandelayo:

"(q) utshintsho okanye ukwensiwa kwezilungiso kwigama okanye inombolo yesitrato njengoko kuchaziwe kwicandelo 136"; kunye

(c) nangokufakela u'okanye' ekupheleni komhlathi (u) nokufakela emva komhlathi (u) kwalo mhlathi ulandelayo:

"(v) imvume ngokwecandelo 55(4)(b) lalo Mthetho kaMasipala."

Ukufakelwa kwecandelo 49A kuMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015

4. Lo Mthetho-ngqangi wenziwa izilungiso ngokufakela emva kwecandelo 49 kweli candelo lilandelayo:

"49A Isicelo sosetyenziso okanye sophuhliso lomhlaba esinokungquzulana nomqathango okanye ilungelo

- (1) ISixeko asinakunikeza imvume kwisicelo ngokwalo Mthetho kaMasipala sosetyenziso okanye sophuhliso lomhlaba enokungquzulana nomqathango obekiweyo okanye ilungelo lobunini-mhlaba elingumqathango wemvume olandela lo Mthetho kaMasipala, okanye uMmiselo okanye iTownships Ordinance 33 ka-1934.
- (2) ISixeko singanikeza imvume exelwe kwicandelwana (1) ukuba ngaseshanye sinikeza imvume yezicelo –
(i) zokwenza izilungiso okanye zokususa loo mqathango wemvume; kunye
(ii) zokwenza izilungiso okanye zokususa loo mqathango okanye elo lungelo lobunini-mhlaba.
- (3) ISixeko singanikeza imvume ngokwalo Mthetho kaMasipala sosetyenziso okanye sophuhliso lomhlaba enokungquzulana nomqathango obekiweyo okanye ilungelo lobunini-mhlaba elingengomqathango wonikezo-mvume obekwe kulandelwa lo Mthetho kaMasipala, okanye uMmiselo okanye iTownships Ordinance 33 ka-1934.

Ukwensiwa kwezilungiso kwicandelo 54 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015 njengoko wenziwe izilungiso licandelo 10 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016

5. Icandelo 54 loMthetho-ngqangi lenziwa izilungiso –

(a) ngokufakela endaweni yamagama aphambi komhlathi (a) wecandelwana (1) kwala magama alandelayo:

"(1) Akukho mntu unokunikwa umhlaba okanye isatifikethi setayitile ebhalisiweyo yeyunithi yomhlaba osele wahlula-hluluwe ngokusemthethweni okanye owahluluwa ngezigaba wolwahlula-hlulo olwamkelwe siSixeko ngaphandle kokuba–"; kunye

(b) nokufakela endaweni yecandelwana (2) kweli candelwana lilandelayo:

"(2) Akukho mntu unokudluliselwa iyunithi yomhlaba ngenxa yowlahlula-hlulo olwamkelweyo okanye okanye isatifikethi setayitile ebhalisiweyo yeyunithi yomhlaba, ngaphandle kokuba uManejala weSixeko ukhuphe isatifikethi sonikezelo-mhlaba esixelwe kwicandelo 137.".

Ukwensiwa kwezilungiso kwicandelo 67 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015 njengoko wenziwe izilungiso licandelo 14 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016, nalicandelo 2 loMthetho kaMasipala weZilungiso weSibini woCwangciso loMasipala, 2016

6. Icandelo 67 loMthetho-ngqangi lenziwa izilungiso ngokuthi –

(a) endaweni yomhlathi (g) wecandelwana (1) kufakwe lo mhlathi ulandelayo:

- "(g) ubhaliso lwelungelo lobunini-mhlaba okanye ubonelelo okanye ulwakhiwo lwezi zinto –
- (i) inkonzo yobunjinel iokanye ezinye iinkonzo ezinikezwa okanye ezbonelelo egameni likarhulumente kubandakanya izibonelelo zonxibelelwano nemibhobho;
 - (ii) into eweleta kumda wendlela; **[okanye]**
 - (iii) inkonzo yobunjinel kamasipala; **[okanye]**
 - (iv) ukubekwa kwemiqathango yobude;
 - (v) ukunikezwa kwelungelo lokuhlala, ilungelo labucala okanye lokusebenzisa ipropati yomnye mntu; **[okanye]**,
 - (vi) iqula lamanzi okanye umbhobho wamanzi [.]
 - (vii) unikezo lwelungelo lokwenza indlela phakathi kweepropati ezimbini kumgama ongaphezu kwe-30m ukusuka kumda womhlaba ozihlanganisayo, ngaphandle kokuba umhlaba ohlanganisa ezo propati ngowominini onelungelo lomhlaba okanye orientayo;
 - (viii) ubonelelo lwendawo yokupaka echazwekumba 138; okanye
 - (ix) iqula okanye idama elikde nge-30m ukusuka kumda womhlaba okanye wesitrato."; ze

(b) endaweni yomhlathi (b) wecandelwana (5) kufakwe lo mhlathi ulandelayo:

"(b) xa iinkonzo zobunjinel kufuneka zisuswe **[okanye zibonelelwe]** ngenxa yolwahlula-hlulo okanye uhlanganiso lomhlaba; okanye".

Ukwenziwa kwezilungiso kwicandelo 71 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015 njengoko wenziwe izilungiso licandelo 16 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016

7. Icandelo 71 loMthetho-ngqangi lenziwa izilungiso ngokuthi kucinywe umhlathana (x) womhlathi (m) wecandelwana (1).

Ukwenziwa kwezilungiso kwicandelo 73 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015

8. Icandelo 73 loMthetho-ngqangi lenziwa izilungiso ngokuthi endaweni yomhlathi (c) wecandelwana (1) kufakwe lo mhlathi ulandelayo:

"(c) isicelo asithobel iinkukacha ezifuniwego[,] okanye asinazo iinkukacha ezifunekayo ngokwecandelo **Error! Reference source not found.71 [okanye sineenkukacha ezingeyonyani]**; okanye".

Ukwenziwa kwezilungiso kwicandelo 74 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015 njengoko wenziwe izilungiso licandelo 1 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2017

9. Eli candelo lilandelayo lingena endaweni yecandelo 74 loMthetho-ngqangi:

"Ukuba iSixeko samkela isicelo, uManejala weSixeko kufuneka –

- (a) abonise ukuba isicelo mhlawumbi **[ngokufaka isitampu kwisicelo esifakiwego ngemini asifumene ngayo okanye ngembalelwano]**;
- (b) kwiintsku ezisi-7 emva kokwamkela isicelo okanye kwisithuba ekuvunyelwene ngaso ngembalelwano aze –
 - (i) afune iinkukacha ezonegezelekileyo okanye iintlawulo; okanye
 - (ii) azise umfaki-sicelo ukuba isicelo siphelele

Ukwenziwa kwezilungiso kwicandelo 78 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015

10. Icandelo 78 loMthetho-ngqangi lenziwa izilungiso ngokufakela endaweni yecandelwana (2) kweli candelwana lilandelayo:

"(2) Umntu owaphula amacandelwana (1)(a) okanye (1)(b) unetyala yaye emva kwsigwebo uya kuhlawula intlawulo exelwe kumacandelo 133(2) no-133(3).".

Ukwenziwa kwezilungiso kwicandelo 79 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015 njengoko wensiwe izilungiso licandelo 17 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016

11. Icandelo 79 loMthetho-ngqangi lenziwa izilungiso ngokuthi kucinywe icandelwana (5).

Ukwenziwa kwezilungiso kwicandelo 84 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015

12. Icandelo 84 loMthetho-ngqangi lenziwa izilungiso ngokuthi endaweni yomhlathi (b) wecandelwana (5) kufakwe lo mhlathi ulandelayo:

"(b) imiqathango yesi Siqendu ayisebenzi, ngaphandle kwamacandelo 86, 87, 88, no-95.".

Ukwenziwa kwezilungiso kwicandelo 90 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015

13. Icandelo 90 loMthetho-ngqangi lenziwa izilungiso ngokufakela endaweni yamagama aphambi komhlathi (a) wecandelwana (5) kwala magama alandelayo:

"Umntu ongenisa isichaso okanye uluvo kufuneka akwenze oko kwifomu yokwenza oko –".

Ukwenziwa kwezilungiso kwicandelo 95 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015

14. Icandelo 95 loMthetho-ngqangi lenziwa izilungiso ngokuthi –

- (a) ngokufakela endaweni yecandelwana (3) kweli candelwana lilandelayo:

"(3) Ifayile yerekhodi evulwe siSixeko ngesicelo iyafumaneka kofuna ukuyibona ngeeyure zomsebenzi nanini na ngexesha lenqubo yesicelo ukuba ayisetyenziswa liSebe kananjalo iikopi ziayafumaneka kuluntu xa umntu ehlawue imali echaziweyo kwincwadi yeeNtlawulo neMirhumo yeSixeko."; kunye

- (b) ngokufakela endaweni yecandelwana (4) kweli candelwana lilandelayo:

"(4) Emva kokuthathwa kwsigqibo, iikopi zesigqibo nemiqathango ebekiweyo zinganikezwa uluntu xa luhlawule imali echazwe kwincwadi yeeNtlawulo neMirhumo yeSixeko.".

Ukwenziwa kwezilungiso kwicandelo 99 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015 njengoko wensiwe izilungiso licandelo 20 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016 necandelo 8 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2017

15. Icandelo 99 loMthetho-ngqangi lenziwa izilungiso ngokwenza oku –

- (a) ukucinywa komhlathi (a) wecandelwana (1);

- (b) endaweni yomhlathi (b) wecandelwana (1) kufakwe lo mhlathi ulandelayo:

"(b) usetyenziso **[lomhlaba]** oluphakanyisewyo okanye uphuhliso lomhlaba maluthobele okanye luhambelane nesikhokelo sophuhliso lomhlaba sikamasipala, okanye kungenjalo, makuvunyelwe utyeko kwisikhokelo sophuhliso lomhlaba sikamasipala;";

- (c) ukucinywa komhlathi (c) wecandelwana (1);

- (d) endaweni yomhlathi (d) wecandelwana (1) kufakwe lo mhlathi ulandelayo:

"(d) (i) kulandelwa umhlathana d(ii), kwimeko yesicelo sotyeshelo-mthetho sokutshintsha imigaqo yophuhliso emalunga nobungakanani bomgangatho okanye ubude bawo, imvume yesicelo ayizi kuba nafuthe ekunikeni kwemigaqo yowlakhiwo lwepropati xa kuzowunwa kwakhona loo zowuni[.];

(ii) imvume yesicelo sotyeshelo-mthetho sokutshintsha imigaqo yophuhliso emalunga nobungakanani bomgangatho okanye ubude bawo ongekho ngaphezu kwe-10% yobungakanani bomgangatho bezowuni ekhoyo ayenzi ukuba kubekwe imiqathango yobungakanani ekufuneka kungedlulwanga kubo.";

(e) endaweni yomhlathi (d) wecandelwana (2) kufakwe lo mhlathi ulandelayo:

"(d) **[ubungakanani]** bodingeko losetyenziso **[lomhlaba]** okanye lophuhliso lomhlaba njengoko kuxeliwe kwicandelwana (3);";

(f) ufakelo emva komhlathi (g) wecandelwana (2) kwalo mhlathi ulandelayo:

"h) ukuba ingaba isicelo siyahambelana neemfuno zalo Mthetho kaMasipala.";

(g) ngokufakela endaweni yamagama aphambi komhlathi (a) wecandelwana (3) kwala magama alandelayo:

"(3) Ezi ngqwalasela zilandelayo zidingeka xa kuvavanywa **[phantsi kwecandelwana (1)(c) malunga nokuba, kunye]** phantsi kwecandelwana (2)(d) udingeko [nobungakanani.] losetyenziso oluphakanyisiweyo **[lomhlaba]** okanye lophuhliso lomhlaba [lunokudingeka] -"; kuze

(h) endaweni yomhlathi (j) wecandelwana (3) kufakwe lo mhlathi ulandelayo:

"(j) nokuba ukubekwa kwemiqathango kungehlisa ifuthe elibi losetyenziso [lomhlaba] olucetywayo okanye uphuhliso lomhlaba.";

Ukwensiwa kwezilungiso kwicandelo 105 IoMthetho kaMasipala woCwangciso IoMasipala: weSixeko saseKapa, 2015

16. Icandelo 105 IoMthetho-ngqangi lenziwa izilungiso ngokuthi kucinywe icandelwana (4).

Ukwensiwa kwezilungiso kwicandelo 108 IoMthetho kaMasipala woCwangciso IoMasipala: weSixeko saseKapa, 2015

17. Icandelo 108 IoMthetho-ngqangi lenziwa izilungiso ngokufakela endaweni yecandelwana (1) kweli candelwana lilandelayo:

"(1) Umntu oxelwe kwicandelo 2 nomfaki-sicelo oxelwe kwicandelo 103 bangafaka isibheno kuGunnyaziwe weSibheno ngokungenisa isaziso esibhaliweyo sesibheno nezizathu zesibheno nangokuzalisa nokusayina ifomu elungiselelw oku."

Ukwensiwa kwezilungiso kwicandelo 109 IoMthetho kaMasipala woCwangciso IoMasipala: weSixeko saseKapa, 2015

18. Icandelo 109 IoMthetho-ngqangi lenziwa izilungiso ngokuthi –

(a) endaweni yomhlathi (a) wecandelwana (2) kufakwe lo mhlathi ulandelayo:

"(a) umfaki-sicelo ukuba umfaki-sicelo asingombheni; **[kunye]** okanye"; ze

(b) endaweni yomhlathi (b) wecandelwana (2) kufakwe lo mhlathi ulandelayo:

"(b) nawuphi na umntu ofake isichaso okanye ulovo ngesicelo ukuba umfaki-sicelo asingombheni.".

Ukufakelwa kwecandelo 111A kuMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015

19. Umthetho-ngqangi wenziwa izilungiso ngokufakela emva kwecandelo 111 eli candelo lilandelayo:

"111A Ezinye izaziso

Ukuba ngaba umntu ufaka isichaso okanye ulovo ngesicelo esipapashwe kulandelwa lo Mthetho kaMasipala ngeimeyili, iSixeko siya kuthatha ukusetyenziswa kweimeyili njengemvume yokwaziswa ngeimeyili kuloo dilesi yeimeyili enikeziweyo njengoko kuxeliwe kwicandelo 111(3)."

Ukwenziwa kwezilungiso kwicandelo 120 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015 njengoko wenziwe izilungiso licandelo 21 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016

20. Icandelo 120 loMthetho-ngqangi lenziwa izilungiso ngokufakela endaweni yecandelwana (3) kweli candelwana lilandelayo:

"(3) IBhunga leSixeko lingathi ligqibe ukuba iSigqeba soCwangciso IweMihlaba kaMasipala sibe neephaneli yokujongana nezicelo, [ze iphaneli nganye ijongane nesicelo esimalunga nomhlaba okummandla othile weSixeko kunye(okanye uhlobo oluthile Iwesicelo okanye loluhlu Iwesicelo]".

Ukwenziwa kwezilungiso kwicandelo 130 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015

21. Icandelo 130 loMthetho-ngqangi lenziwa izilungiso ngokufakela emva kwecandelwana (4) kweli candelwana lilandelayo:

"(5) ISixeko singabeka uluhlu Iwezinto ezophula imigaqo yalo Mthetho kaMasipala aphi kungasebenzi khona imigaqo yecandelo 130(2) no-(3)."

Ukwenziwa kwezilungiso kwicandelo 137 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015

22. Icandelo 137 loMthetho-ngqangi lenziwa izilungiso ngokufakela endaweni yecandelwana (1) kweli candelwana lilandelayo:

"(1) Xa kuza kunikezwa umhlaba oza kuphumeza ubhaliso lokuqala Iweyunithi yomhlaba enikezelweyo okanye ukulungiselela ukufumana isatifikethi setayitile ebhalisiweyo edalwe lulwahlula-hlulo olwamkelweyo olukummandla weSixeko kufuneka kunikwe uManejala weSixeko ubungqina obanelisa uManejala weSixeko bokuba zonke iimfuno ezixelwe kwicandelo 54(1) zithotyelwe.".

Ukutshintshwa kwecandelo 140 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015

23. Icandelo 140 loMthetho-ngqangi lenziwa izilungiso ngokufakela emva kwecandelwana (1) kwala macandelwana alandelayo:

"(2) Ngokwemiqathango yecandelo 60 leLand Use Planning Act iSixeko singathi ngembalelwano saphulele umntu, iqela labantu okanye ummandla womhlaba ophantsi kweSixeko kwisicelo sokuthobela umqathango okanye kuwo wonke lo Mthetho kaMasipala isithuba esithile esichaiziweyo yaye olo Iwaphulelo lungaxhomekeka kwimiqathango yolwaphulelo olo, yaye iSixeko singarhoxisa okanye sitshintshe lo miqathango yesaphulelo nanini na.

(3) ISixeko kufuneka sipapashe isaphulelo kwimiqathango kwiwebhusayithi yaso.".

Ukwenziwa kwezilungiso kwicandelo 142 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2015 njengoko wenziwe izilungiso licandelo 25 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016

24. Icandelo 142 loMthetho-ngqangi lenziwa izilungiso ngokufakela emva kwecandelwana (8) kweli candelwana lilandelayo:

"(9) Noxa kwenziwe izilungiso kulo Mthetho kaMasipala enokuthi iaale ukusebenza, isicelo esele samkelwe siSixeko ngokwecandelo 74(a) phambi kokuqala kokusetyenziswa, siya kuproseswa ze siqwalaselwe kulandelwa umthetho obukhona ngexesha eso sicelo besisamkelwa".

UKWENZIWA KWEZILUNGISO KWISHEDYULI 3: INKQUBO YOLAWULO LOPHULISO LWESIXEKO SASEKAPA

Ukwenziwa kweZilungiso kuMba 1 weShedyuli 3: INkqubo yolawulo loPhuhliso IweSixeko saseKapa njengoko wenziwe izilungiso licandelo 26 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016

25. Umba 1 weNkqubo yoLawulo loPhuhliso IweSixeko saseKapa echazwe kwiShedyuli 3 yoMthetho-ngqangi, ekubhekiswe kuyo apha njengeShedyuli 3, wenziwa izilungiso ngokwenza oku kulandelayo –

- (a) ukucinywa kwenkcazel yebinzana, 'umyinge womgangatho ophantsi;
- (b) ukucinywa kwenkcazel yebinzana 'umgangatho osezantsi;
- (c) ngokufakela endaweni yenkcazel enikiwego yebinzana 'indlu yeendwendwe yokulala neyokudla isidlo sakusasa' kwale nkcazel ilandelayo:

“indlu yeendwendwe yokulala neyokudla isidlo sakusasa” ithetha indlu yokuhlala, **[okanye]** indawo yesibini **okanye indawo yesithathu** yokuhlala apho **[umnni wendlu]** **umntu ohlala apho** ebonelela ngegumbi lokulala nokutya kwindwendwe ezidlulayo ukze ahlawule; ukuba ngaba:

- (a) ukusetyenziswa okuninzi **kweyunithi** eyiyindawo yokuhlala **[bendlu]** echaphazelekayo yeyosapho olunye; yaye
- (b) ipropati ithobela iimfuno eziqulethwe kule nkqubo yolawulo lophuhliso zendlu yeendwendwe yokulala neyokudla isidlo sakusasa;”;

- (d) ngokufakela endaweni yenkcazel enikiwego yehostele' kwale nkcazel ilandelayo:
“ihostele” ithetha isakhiwo apho kubonelela ngegumbi lokulala, yaye ingabandakanya ukupheka, ukutya, izibonelelo zabantu abaninzi ezietyenziswa ngabantu abahlala apho, nezinye izakhiwo ezingaphandle ezietyenziswa apho; ikhaya labadala, iklabhu yabantu abakhubhazekileyo okanye abazinkedama; kodwa ayibandakanyi ihotele, indlu yokuhlala, indawo yesibini yokuhlala, **indawo yesithathu yokuhlala** okanye indlu yeqela;”;

- (e) ngokufakela endaweni yenkcazel enikiwego ‘yodonga olungumda’ kwale nkcazel ilandelayo:
“udonga olungumda” luthetha naluphi udonga **[.] okanye ucingo [okanye isakhiwo esibiyeleyo]** kufuphi nomda wepropati, kune nasiphi esinye isakhiwo **[, kubandakanya izixhobo zokhuseleko ezifana nezipayikhi, ucingo olunezinto ezitsolo okanye olunombane otshowukhayo,]** olubekwe ngaphezulu kodonga olungumdal, **olwahlula iipropati;**”;

- (f) ngokufakela endaweni yenkcazel yebinzana ‘igumbi lokoja’ kwale nkcazel ilandelayo:
“igumbi lokoja” lithetha igumbi eliyinxalenye **yeyunithi yokuhlala [yendlu]** okanye isakhiwo esingaphandle elisetyenziselwa ukonwabis nalapho kunokwensiwa ukutya kulungiswe neziselo, kodwa alibandakanyi ikhitshi;”;

- (g) ngokufakela emva kwenkcazel “yamangcwaba” kwale nkcazel ilandelayo:
“iMephu yoMgangatho osezantsi yeSixeko saseKapa” ithetha imephu eyamkelwe kulandelwa inkqubo yolawulo lophuhliso, ebonisa umgangatho osezantsi okhoyo ngokusekelwe kumfanekiso we-reysta eflowuthayo nedatha yekhonto zeenkukacha ezifunyanwa kwiLiDAR yeSixeko;”

- (h) ngokufakela endaweni yenkcazel enikiwego ‘yamagumbi abasebenzi’ kwale nkcazel ilandelayo:

“‘amagumbi abasebenzi’ athetha isakhiwo esingaphandle esinobungakanani bomgangatho obungekho ngaphezu kwe-50 m², kubandakanya izixhobo zococeko nezokupheka, ezisetyenziselwa ukuhlala abasebenzi abaqeshwe kuloo [mzi] ndawo yokuhlala ichaphazelekayo; kuphela xa kulandelwa oku:

- (a) akuvumelekanga ukuba kubekho amagumbi abasebenzi angaphezu kweyuniti enye kumhlaba kungafunyenwanga imvume yeSixeko; kunye
- (b) amagumbi abasebenzi anganecandelo lomntu ngamnye ngaphakathi kwiindawo enezindlu ngezindlu ukuba ngaba elo gumbi lihlangene nendlu ekuhlalwa kuyo”;

(i) ngokufakela endaweni yenkcazel enikiwego ‘yeyuniti eyindlu’ kwale nkcazel ilandelayo:

“‘iyuniti eyindlu’ ithetha iqela lamagumbi anekhitshi, esetyenziselwa ukuhlala usapho olunye, okanye iindwendwe ezi-5 ezidlulayo, ebandakanya izakhiwo ezingaphandle, kodwa ayibandakanyi amagumbi abasebenzi, okanye indawo yokulala yabakhenkethi okanye indawo esetyenziswa njengenxalenyehotele;”;

(j) ngokufakela endaweni yenkcazel enikiwego yebinanza ‘umgangatho osezantsi okhoyo’ kwale nkcazel ilandelayo:

“‘umgangatho osezantsi okhoyo’ uthetha umgangatho osezantsi kwiyuniti yomhlaba njengoko uboniswe kwiMephu yoMgangatho oseZantsi yeSixeko saseKapa. Ukuba le mephu ayamkelwanga okanye ayisebenzi kuloo yuniti yomhlaba, njengoko kuxeliwe siSixeko, ngoko ke kuya kusebenza oku kulandelayo ukuggiba ngezinga lomgangatho womhlaba okwiyunithi yomhlaba:

- (a) ongatshintshwanga, phambi kokuba kwakhiwe isakhiwo okanye kutshintshwe imigangatho eyenziwe aphi; okanye
 - (b) **[njengoko]** uchaziwe kwiplani ebonisa iikhonto zomhlaba eyamkele yiarchente esemthethweni njengomasipala okanye iSebe likarhulumente, ebonisa umgangatho osezantsi ngexesha okanye phambi kokuqala komsebenzi; okanye
 - (c) kwimeko yokugreyidwa ngemvume yeSixeko, kulungiselelwa uphuhliso; okanye
 - (d) njengoko ugqitywe siSixeko, ukuba ngokokubona kwaso awubonakali umgangatho osezantsi ngenxa yokuphazamiseka komhlaba; kunye
- iSixeko singafuna ukuba umnini okanye umfaki-sicelo akhomishine umcwangcisi-mihlaba obhalisiwego ukuba amete imigangatho yomgangatho osezantsi okanye imigangatho efakelwego, eza kuhlanganiswa neNational Control Network, okanye aphi oku kungakwazi ukwenzeka, ukubonelela ubuncinane iimpawu ezimbini ezomeleleyo ezikwindawo ezifanelekileyo ukuze kubonelelw iSixeko ngeenkukacha ezaneleyo ukuze ibone owona umgangatho osezantsi okhoyo onguwo ukuze ikwazi ukulandeleta le nkqubo yolawulo lophuhliso;”;

(k) ngokufakela endaweni yenkcazel enikiwego ‘yeflethi’ kwale nkcazel ilandelayo:

“‘iiflethi’ ithetha isakhiwo esineeyuniti ezizindlu zokuhlala ezintathu nangaphezulu nezakhiwo ezingaphandle eziyinxaleny yazo kodwa azibandakanyi indlu ekuhlawla kuyo, indlu yesibini okanye indlu yesithathu [;ukuba ngaba kwezo ndawo eziZowuniwego iiflethi zivumelekile, isakhiwo esineeyuniti ezizindlu zokuhlala ezintathu naso sivumelekile kwisakhiwo esamkelwe njengeeflethi okanye esamkelwe enye injongo engeyoflethi];”;

(l) ngokufakela endaweni yenkcazel enikiwego ‘yobungakanani bomgangatho’ kwale nkcazel ilandelayo:

“‘ubungakanani bomgangatho’ kwisakhiwo, buthetha ummandla womgangatho okhavarishwe sisilebhu, uphahla okanye into ekrobileyo; ukuba ngaba:

- (a) nawuphi ummandla, kubandakanya ibheyisimenti ebekelwe ukupaka imoto okanye eyindawo yokulayisha yeemoto ayizi kubandakanya;
- (aA) nawuphi na ummandla obekelwe ukuba ube yindawo yokupaka iimoto okanye wokulayisha izinto kwizithuthi awuyi kubandakanya;

- (b) izitpsi zokungena ezingaphandle, nayiphi ikhenophi, nasiphi isitpu kanye nawuphi ummandla ofunekayo wokusaba xa kusitsha, zonke ezi aziz kubandakanywa;
- (bA) iinxalenye zepaseji, iindlela zokungena neendawo zokuphuma xa kusitsha ezinobubanzi **[obungekho ngaphezu]** ukuya kuma kwi-1,5m ngobubanzi kwisakhiwo esikwiyunithi yomhlaba ozowunwe ngenqubo yokuzowuna engelulo uZowuno lweZindlu 1 no-2, uZowuno lweNdawo zoLuntu 1 no-2 kanye noZowuno lweMihlabu yokuLima noZowuno lweMimandla eseMaphandleni, ukuba ngaba zidibana ngqo nesango lokuphuma xa kusitsha, amasango ajonge ngakumacango okungena okanye zombini, azizi kubandakanywa;
- (c) into ekrobileyo kubandakanywa ulundi nento ekrobileyo eksusela elangeni okanye yokuhombisa, engekho ngaphezu kwe-1m ngaphaya kodonga olungaphandle okanye isixhaso esibunjalo, ayizi kubandakanywa;
- (d) intendelezo engabiyelwanga, indawo engenisa ukukhanya okanye ishafti engekhavarishwanga enommandla ongaphezu kwe-10 m² ayizi kubandakanywa;
- (e) indawo epheyiviweyo engaphandle ejoyina isakhiwo ngezantsi komgangatho, apha loo mmandla upheyiviweyo uyinxalenyne yamabala aaphandle, indawo yokupaka imoto nendawo yokungena nokuphuma iimoto, evulekileyo ngaphambili okanye emacaleni, ayizi kubandakanywa;
- (f) ibhalkhoni, iveranda nethala ezikhavarishiweyo ngaphandle kokusebenzisa intsimbi ezizizikhusteli, vulekileyo ngaphambili okanye emacaleni, engekho ngaphezu kwe-2,5 m ububanzi, ayizi kubandakanywa;
- (g) ngokomhlathi **Error! Reference source not found.** ongezantsi, naziphi izitpsi neeatriyam ezigqunywe luphahla, ziza kubandakanywa;
- (h) kwisakhiwo esinemigangatho emininzi, iindawo ezinezitpsi, neelifti, neendawo ezingenisa umbane neeatriyam ziya kubalwa kanye;
yaye ukuba ubungakanani bomgangatho buza kubalwa ukusuka kumadonga angaphandle okanye ezinye izixhasi ezibunjalo zesakhiwo eso, yaye apha isakhiwo sinemigangatho emininzi ubungakanani bomgangatho buponke iya kuba yindibanisela yobungakanani bomgangatho bawo onke amanqwanqwa, kubandakanywa nebheyisimenti;"
- (m) ngokufakela endaweni yenkcachelo enikiwego 'yomgangatho osezantsi' kwale nkczelo ilandelayo:
- "“umgangatho osezantsi”:** jonga **[‘umgangatho osezantsi wesiqhelo’ kanye]** ‘umgangatho osezantsi okhoyo’;”;
- (n) ngokufakela endaweni yenkcachelo enikiwego 'yendlu yeendwendwe' kwale nkczelo ilandelayo:
- ““indlu yeendwendwe”** ithetha indlu yokuhlala, **[okanye]** indawo yesibini, indawo yesithathu yokuhlala esetyenziswa njengegumbi lokulala ze kubonelelwe nangokutya kwindwendwe ezithi zikuhlawulele, kwindawo engaphezulu **[kwezithintelo]** kwenani lamagumbi avunyelweyo yeendwendwe yokulala neyokudla isidlo sakusasa, yaye ingabandakanya indawo yeentlanganiso zoosomashishini okanye yeeseshoni zoqeqesho zeendwendwe ezikwipropati;”;
- (o) ngokufakela endaweni yenkcachelo enikiwego 'yobude' kwale nkczelo ilandelayo:
- ““ubude”** kwisakhiwo okanye kudonga lomda wesakhiwo buthetha a umlinganiselo onyukayo ukusuka kwelinje inqwanqwa ukuya kwelinje, njengoko buchaziwe kwimigaqo yophuhliso yokuzowuna, obumetwa ngeemitha; ukuba ngaba ezi zinto zilandelayo azizi kubala xa kubheksa kulawulo lobude –
- (a) iitshimini (enobukhulu nobude obuyi-1,5m),
 - (b) umphakathi wetshimini (enobukhulu nobude obuyi-1m),
 - (c) imiphakathi yeelifti (enobukhulu nobude obuyi-**[2,5m]** 3m nobubanzi obuyi-2m ngeshafti yelifti nganye),
 - (d) iipali, kanye
 - (e) nee-eriyali **[azizi kubala ukuze kulawulwe ubude];”**

- (p) ngokufakela emva kwenkcazelo yebinanza ‘ummandla welifa lemveli’ kwale nkcazelo ilandelayo:
“iyunithi yomhlaba ekwindawo yokuhlala esetyenziselwa izinto ezinizi” ithetha iyunithi yomhlaba, enozowuno olusiseko lweZindlu zokuHlala zeZowuni 1 okanye lweZindlu zokuHlala zeZowuni 2, apha umhlaba usetyenziselwa nezinye izinto ngaphandle kwezo ezikuzowuno olusiseko, njengoko kubonisiwe kwimephu yofikelelo kwizithuthi ezithutha uluntu eyamkelwe siSixeko amaxesha ngamaxesha;”;
- (q) ngokufakela endaweni yenkcazelo enikiwego yebinanza ‘indlu eliziko lokukhathalela abantwana’ kwale nkcazelo ilandelayo:
“indlu eliziko lokukhathalela abantwana” uthetha ukusetyenziswa kwenxalenye **[yendlu] yeyunithi** yokuhlala okanye yezakhiwo ezingaphandle zietyenziswa ngabantu abahlala kuloo ndlu ukubonelela iziko lokukhathalela abantwana, okanye lokufundisa iintsana ezimbalwa;”;
- (r) ngokufakela endaweni yenkcazelo enikiwego ‘yokusebenzia indlu’ kwale nkcazelo ilandelayo:
“Ukusebenzia indlu” kuthetha ukuhlala okanye ukuqhuba ishishinini kwiyunithi yomhlaba, indlu yokuhlala, indawo yesibini yokuhlala, indawo yesithathu yokuhlala, iyunithi eyindlu okanye isakhiwo esingaphandle ngumntu omnye okanye abaninzi abahlala kuloo propati;”;
- (s) ngokufakela endaweni yenkcazelo enikiwego ‘yevenkile esendlwini’ kwale nkcazelo ilandelayo:
“ivenkile esendlwini” ithetha ivenkile eyenziwa kwindlu yokuhlala, indawo yesibini yokuhlala, indawo yesithathu yokuhlala okanye isakhiwo esingaphandle ngumntu omnye okanye abaninzi abahlala kuloo propati;”;
- (t) ngokufakela emva kwenkcazelo ‘yomnxusi’ kwale nkcazelo ilandelayo:
“iyunithi yomhlaba ekwindawo yokuhlala esetyenziselwa nezinye izinto” ithetha iyunithi yomhlaba, engeyoyunithi yomhlaba ekwindawo yokuhlala esetyenziselwa izinto ezinizi, enozowuno olusiseko lweZindlu zokuHlala zeZowuni 1 okanye lweZindlu zokuHlala zeZowuni 2, apha umhlaba usetyenziselwa nezinye izinto ngaphandle kwezo ezikuzowuno olusiseko, njengoko kubonisiwe kwimephu yofikelelo kwizithuthi ezithutha uluntu eyamkelwe siSixeko amaxesha ngamaxesha;”;
- (u) ngokufakela emva kwenkcazelo ‘yomgodi’ kwale nkcazelo ilandelayo:
“isitishi sonxibelewano esincinci esizimeleyo” sithetha isakhiwo senkxaso esizimeleyo esimiswe emhlabeni esisetyenziselwa ukumisela izibonelelo zonxibelewano yaye singancanyathielwa kwizibane ezisezitratweni, kwirowubhoti, kwizalathisi zeendalela, kwiipali zeekhamera nakwiipali zeelegi okanye ezinye izixhasi ezbunjalo; kodwa kufuneka sithobele oku –
(a) asikwazi kuba nobude obungaphezulu kwe12m obumetwa ukusuka emhlabeni okanye endeleni okanye ukusuka kwipavumente ngokwemeko leyo, okanye idayamitha ye300mm yepali okanye intsika encanyathiselwe kuyo ieriyali;
(b) ikhonteyina eskriniwego yee-eriyali eyinxalenye yepali okanye intsika engenakuba ngaphezulu kobude obuyi2m, okanye idayamitha ye500mm; kunye
(c) ikhonteyina yezixhobo ayinakuba ngaphezulu kwe-1m x 1m x 1m yeetyhubhu ukusuka emhlabeni;”;
- (v) ngokufakela emva kwenkcazelo kwenkcazelo ‘yomgodi’ kwale nkcazelo ilandelayo:
“isitishi sonxibelewano esikuphahla Iwesakhiwo” sithetha isakhiwo senkxaso esigxunyekwe kuphahla Iwendlu, ecaleni okanye nayiphi inxalenye yesakhiwo esisetyenziselwa izibonelelo zonxibelewano zokuhambisa nokufumana unxibelewano ngombane, esinobude obungekho ngaphezu kwe-1,5m ngentla kompheulu wophahla;”;

- (w) ngokufakela endaweni yenkcazel enikiweyo yebinzana 'umgangatho osezantsi wesiqhelo' kwale nkcazel ilandelayo:
- " "**umgangatho osezantsi wesiqhelo**": jonga [**'umgangatho osezantsi' okanye**] 'umgangatho osezantsi okhoyo';";
- (x) ngokufakela endaweni yenkcazel enikiweyo 'yesakhiwo esingaphandle' kwale nkcazel ilandelayo:
- " '**isakhiwo esingaphandle**' sithetha isakhiwo, esincamathele kwsinye okanye esizimele geqe kwsinye isakhiwo eskwiyunithi yomhlaba, esisetenzisewa oko kuchazwe kwimigaqo yokusisebenzisa kwiyunithi leyo yomhlaba [**kwisakhiwo esikhulu, esixhasa eso sikhulu kwiyunithi yomhlaba, yaye sibandakanya isakhiwo esidizayinelwe ukusetyenziswa ukufaka izithuthi, nezinye izinto ezidingwa neziqhagamshelene nesakhiwo esingundoqo kune namagumbi abasebenzi kwimeko yendlu yokuhlala, kodwa asibandakanyi indawo yesibini yokuhlala**];";
- (y) ngokufakela endaweni yenkcazel enikiweyo 'yebheyi yokupaka' kwale nkcazel ilandelayo:
- " "**ibheyi yokupaka**" ithetha ummandla ongekho ngaphantsi kwe-5 m nge-2,5 m oyindawo yokupakisha eme nkqo okanye indawo yokupakisha ene-engile eyi-6 m nge-2,5 kwipakingi ebanzi, echongwe[, n], esikwe nelungiselelwe ukuba ibe yindawo yokupaka isithuthi esinye yaye ingayigaraji okanye ikhapoti[, **elungiselelwe ukungena nokupuma iimoto lula nangokukhuselekileyo**];";
- (z) ngokufakela endaweni yenkcazel enikiweyo ye 'pergola' kwale nkcazel ilandelayo:
- " "**iipali ezibhijelweyo ngezityalo**": uthetha iipali ezingenaphahla ezenzelwe ukuba zibonelele ngomthunzi okanye isakhelo sokuncedisa ukukhula kwemifuno [**ezimileyo ezingekho ngaphezu kwe-25% yommndla uwonke**];";
- (aa) ngokufakela endaweni yenkcazel enikiweyo 'yendlela kawonkewonke' kwale nkcazel ilandelayo:
- " '**indlela kawonke-wonke**' ithetha nawuphi uhola wendlela, indledlana, irhange, ibhulorho okanye nayiphi indawo ebunjalo ngaphandle kwendlela ehlawulisayo okanye nayiphi inxalenyeyo eyindlela kawonkewonke yezithuthi okanye yabahambi-ngenyawo emiselwe ngokoMmiselo wangaphambili, 1974 (UMmiselo 20 ka-1974) okanye nawuphi na umthetho kamaspala okhoyo ngoku ohambelana noku kune / okanye umthetho wesizwe yaye ibandakanya isitrato sikawonkewonke";;
- (bb) ngokufakela endaweni yenkcazel enikiweyo 'yesitrato sikawonkewonke' kwale nkcazel ilandelayo:
- " '**isitrato sikawonkewonke**' sithetha nawuphi umhlaba oboniswe kwiplani, kumzobo okanye kwiplani eyamkelweyo njengendlela yoluntu, nokuba yeyoluntu okanye yeyezithuthi okanye iindledlana ezisezdolophini ngaphandle kwendlela ehlawulisayo, apho umnini ingumasipala ngokwalo Mthetho kaMasipala okanye nawuphi na omnye umthetho;;";
- (cc) ngokufakela emva kwenkcazel 'yesitrato sikawonkewonke' kwale nkcazel ilandelayo:
- " **izithuthi zokonwaba nezithuthi ezhamba emanzini**": zithetha naziphi izithuhti ezifana nekharaveni, ikhaya elithuthekayo, itreyila nezithuthi ezhamba emanzini ezifana ezifana neenqanawe kune nezikhitshane;";
- (dd) ngokufakela emva kwenkcazel 'yendlela ebukekayo' kwale nkcazel ilandelayo:

“imephu yofikelelo kwizithuthi zoluntu ezhamba ngokweshedyuli” ithetha imephu echonga iyunithi zemihlabo ezikwindawo zokuhlala ezisetyenziselwa nezinye izinto ezininzi”;

(ee) ngokufakela endaweni yenkcachelo enikiweyo ‘yendawo yesibini yokuhlala’ kwale nkczelo ilandelayo:

“indawo yesibini yokuhlala” ithetha enye iyunithi eyindlu enokwakhiwa, ngokwale nkqubo yolawulo lophuhliso, kwiyunithi yomhlabo aphi indlu yokuhlala ivunyelweyo yaye loo ndawo yesibini yokuhlala ingasisakhiwo esizimele sodwa okanye esincanyathisewa kwisakhiwo esingaphandle okanye sibe nesakhiwo esifana nendlu yokuhlala; **[ukuba ngaba:**

(a) indawo yesibini yokuhlala iza kuba kule yunithi yomhlabo enendlu yokuhlala; yaye
(b) indawo yesibini yokuhlala iza kuthobela iimfuno ezikule nkqubo yolawulo lophuhliso;]”;

(ff) ngokufakela emva kwenkcachelo ‘yendawo yesibini yokuhlala’ kwale nkczelo ilandelayo:

“indawo yokulungisa iimoto” ithetha ummandla ekusetyenzwa kuwo iimoto; kubandakanywa iindawo ezinemmingxuma, iindawo zokuphakamisa iimoto ngemishini, iindawo zokuhlambela iimoto, nezifana nezo, ezingabandakanya iibhevi zokumisa iimoto;”;

(gg) ngokufakela endaweni yenkcachelo enikiweyo ‘yendawo yokuhlala’ kwale nkczelo ilandelayo:

“[indawo yokuhlala] ikhusi” lithetha isakhiwo nendawo yokuhlala abantu, niengoko ichaziwe kuZowuno 2 lweziNdu zokuHlala aBantu [eyakhiwe ngayo nayiphi na imathiriyeli, nokuba loo mathiriyeli ayithobelij] engathobeli [imigangatho yokomeleta echazwe kw] iNational Building Act;

(hh) ngokufakela emva kwenkcachelo ‘yeplani yophuhliso lwsiza’ kwale nkczelo ilandelayo:

“izitepsi” zithetha izitepsi zokunyuka nezokuhla ukusuka kumgangatho wokuqala ukuya komnye umgangatho kwisakhiwo okanye isakhelo;”;

(ii) ngokufakela emva kwenkcachelo ‘yendlu yesithathu’ kwale nkczelo ilandelayo:

“indlela ehlawulelwayo” ithetha uholo wendlela okanye inxalenye yawo, onebhulorho okanye ongenabulorho okanye onetonele, eyindlela aphi athi xa umntu eghuba kuyo okanye xa eyisebenzisa alandele umqathango wokuhlawula umrhumo wokughuba kuyo yaye ibandakanya izakhelo eziyixhasyo;”;

(jj) ngokufakela emva kwenkcachelo ‘yeziboneielo zabakhenkethi’ kwale nkczelo ilandelayo:

“umhambi” uthetha umntu onikezwe indawo yokuhlala okwexeshana kwiyunithi yomhlabo engeyondawo yokuhlala isigxina, isithuba esngekho ngaphezu kweentsuku eziyi-30 ezilandeelanayo ngexesha;”;

(kk) ngokufakela endaweni yenkcachelo enikiweyo ‘yenkonzo elulutho’ kwale nkczelo ilandelayo:

“inkonzo elulutho” ithetha usetyenziso okanye isibonelelo esifunekayo ukubonelela iinkonzo zobunjineli nezo zihambelana nazo ukuze uphuhliso lwasezidolophini luhambe kakuhle yaye ibandakanya ipitsi lamanzi nendawo yococo, isitishi sombane neentambo zohaniso lothungelwano, izibonelelo zamanzi esiphango nesitishi sokumpompa amanzi amdaka nokucoca amanzi, isibonelelo sokurisayiklisha, iitiphu zenkunkuma kune nesitishi sonxibelewano esincinci esizimeleyo nesikuphahla, kodwa ayibandakanyi iindlela, izibonelelo zenjini ejikeleziswa ngumoya okanye usetyenziso lwezithuthi;”;

(ll) ukucinywa kwenkcachelo ‘yesahlulo sesakhiwo’; kune

(mm) nokufakela emva kwenkcachelo ‘yendawo yogqirha wezilwanyana’ kwale nkczelo ilandelayo:

“ukubonakala” kuthetha ukuba kubonakala kangakanani na ngaphaya kwedonga elingumda wesakhwiyo yaye lo mda ingaba sisithuba esingenanto, ucingo lokubiyela, iintsimbi ezipheyintiwego, intambo yokubiyela, udonga okanye imathiriyeli enjengezi;”.

Ukufakelwa koMba 3A kwiShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

26. Ischedyuli 3 yenziwa izilungiso ngokufakela emva komba 3 kwalo mba ulandelayo :

“3A Ukwamkelwa kwempehu yomgangatho osezantsi

ISixeko kufuneka samkele yaye singamane sisenza izilungiso kumaxesha ngamaxesha kwimephu yomgangatho osezantsi emva kokulandela inkubo yokumamela izimvo zoluntu. Isaziso sesiggibo saso kufuneka sipapashwe kwiwebhusayithi yeSixeko nakwiGazethi yePhondo.”.

Ukwenziwa kweZilungiso kuMba 7 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

27. Umba 7 weShedyuli 3 wenziwa izilungiso ngokufakela endaweni yombana (1) kwalo mbana ulandelayo:

“(1) [Xa usetyenziso ngemvume Iwamkelwe, kuya kusebenza oku kulandelayo:

- (a) **Ukuba olo setyenziso ngemvume njengoko luxeliwe kuzowuno oluthile lusetyenziswa kwenye indawo ezowuniwego, luya kuba lulo kuxhomekeke kwimigaqo yophuhliso esebeanza kolo zowuno okanye kolwa zowuno;**
- (b) **Ukuba olo setyenziso ngemvume njengoko luxeliwe kuzowuno asilo setyenziso olungundoqo kwenye indawo ezowuniwego, luya kuba lulo kuxhomekeke kwimigaqo yophuhliso esebeanza kulo zowuni;**
- (c) **Usetyenziso ngemvume luya kuxhomekeka kuwo nawuphi umgaqo wophuhliso obekwe njengomgathango kunikezo Iwemvume;]** Imvume ixhomekeke kwimigaqo yophuhliso kuzowuno olusisiko ngaphandle kokuba kusetyenziswe eminye imigaqo yophuhliso njengemiqathango yemvume.”.

Ukwenziwa kweZilungiso kuMba 9 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

28. Umba 9 weShedyuli 3 wenziwa izilungiso ngokufakelwa endaweni yombana (2) kwalo mbana ulandelayo:

“(2) Isicelo sokuzowuna kwakhona kufuneka kufuneka singeniswe ukuba utshintsho oluxelwe kumbana (1) lubufana okanye lungaphezulu kobungakanani bomgangatho obuvunyelwego okanye kobude bezowunana. Lo mqathango awusebenzi kwimeko aphi umnini ofaka isicelo sotyeshelo-mthetho kubude okanye kumgangatho waphantsi ongekho ngaphezu kwe10% yobude okanye yomgangatho waphantsi wozowuno olukhoyo ngoku.”.

Ukucinywa koMba 18 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

29. Umba 18 weShedyuli 3 uyacinywa.

Ukwenziwa kweZilungiso kuMba 20 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa njengoko wenziwe izilungiso licandelo 32 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016

30. Umba 20 weShedyuli 3 wenziwa izilungiso ngokuthi kufakwe enye itheyibhile endaweni yeTheyibhile A: isishwankathelo seendawo ezizowuniwego nemigaqo yophuhliso kule theyibhile ilandelayo:

"Ithayibhile A: Isishwankathelo seendawo eziZowuniweyo nemigaqo yophuhliso

IINDAWO ZOKUHLALA EZIZINDLU ZOSAPHOLUNYE	UMMANDL AWEYUNI- THI YOMHLABA (m ²)	UBUNGA-KANANI	UBUNGAKANA NI BOMPHEZULU UMGANGA-THO OSEZANTSIOKHOYO NGOKU	OBONA BUDE BUPHAKAMILEYO NGAPHEZU KOMGANGATHO OSISISEKO		IMIDA YEZAKHIWO		UMBIN DI WOMDA	EZINYE IZIBONELELO
				Kwisixhasi sophahla	Ukuya eluphahleni	Umda wesirato	Imida efanayo		
UKUZOWUNWA KWEZINDLU ZOSAPHOLUNYE 1: IZINDLU ZESIQHELO (SR1)	>2 000 >1 000 ukuya kuma ku-2 000 >650 ukuya kuma ku-1 000	N/a N/a N/a	1 500 m ² 1 500 m ² 1 500 m ²	9,0 m 9,0 m 9,0 m	11,0 m 11,0 m 11,0 m	6,0 m 4,5 m 3,5 m	6,0 m 3,0 m 3,0 m	N/a	Ifestile neeGaraji, indawo yokumisa imoto nezakhiwo ezingaphandle Ukupaka nokungena Amalungelo osetyenziso ongezelelekileyo – Ukusebenzisa indlu, Indlu yeendwendwe yokulala neyokudla isidlo sakusasa, <u>indlu yesibini; indlu yesithathu</u> kune nendlu eliziko lokukhathalela abantwana
AMALUNGELO OSETYENZISO ONGEZELELKILE YO Indlu yesibini; <u>indlu yesithathu</u> ; ukusebenzisa indlu okanye Indlu yeendwendwe yokulala neyokudla isidlo sakusasa okanye Indlu eliziko lokukhathalela abantwana	>200 ukuya kuma ku-350 ≤200	1,0 1,0 Jonga kumba Error! Reference source not found.	N/a N/a Jonga kumba Error! Reference source not found.	8,0 m 8,0 m Jonga kumba Error! Reference source not found.	10,0 m 10,0 m Jonga kumba Error! Reference source not found.	3,5 m 3,5 m Jonga kumba Error! Reference source not found. & Error! Reference source not found.	0,0 m (12,0 ukusuka esitratweni kune ne-60%) yesipheyo 0,0 m [(12,0 ukusuka esitratweni kune ne-60%) yesipheyo] Jonga kumba Error! Reference source not found.&Error! Reference source not found.		
USETYENZISO NGEMVUME ilinkonzo ezelulutho, indawo yokufundisela, indawo yokukhonza, ivenkile esendlwini, iziko, indlu yeendwendwe, <u>isitishi esincinci sonxibelelwano esikupahala lwasakhiwo</u> , isitishi sonxibelelwano esikupahala lwasakhiwo, izibonelelo zenjini ejikeleziswa ngumoya, indawo elibala, ulimo lwasezidolphini, [kunye] iziko lobuyiselo lwezimo zabantu kune nendawo yokunyanga izilwanyana									
UKUZOWUNWA KWEZINDLU ZOSAPHOLUNYE 2: IZINDLU EZIMANA ZIXOKOZELELWA (SR2)	1,0	N/a	6,0 m iiyunithi ezizindlu zokuhlala;	8,0 m iiyunithi ezizindlu zokuhlala;	Ilokishi:1,0 m	Ilokishi:0,0 m kwi60% ne-1,0 m kwintalela eyi-2,5 m phakathi kweendawo zokuhlala nezinye izakhiwo		N/a	Ukupaka nokungena ivenkile esendlwini Indawo yokuhlala Urhwebo olungekho sikheli, <u>indawo yokuhlala yesithathu</u>
USETYENZISO OLUNGUNDOQO Indlu yokuhlala, indawo yesibini yokuhlala, inkonzo elulutho, indlela yabucala yomntu, ulimo lwasezidolphini namalungelo osetyenziso ongezelelekileyo									

AMALUNGELO OSETYENZISO ONGEZELEKILEYO Indawo yokuhlala, ivenkile esendlwini, Ukusebenzisa indlu, indlu yeendwendwe yokulala neyokudla isidlo sakusasa, indlu eliziko lokukhathalela abantwana, urhwebo olungekho sikhweni, <u>indawo yokuhlala yesithathu</u> kanye nayiphi injongo yokufundisa, yenkolo, yomsebenzi okanye yeshishini kuxhomekeke kwimiqathango		8,0 m kwezinye izakhiwo	10,0 m kwezinye izakhiwo	Apho kungekho lokishi:1,0 m	Apho kungekho lokishi:3,0 m kwiperimitha eyi;2,5 m phakathi kweendawo zokuhlala nezinye izakhiwo		Umhlaba ekwenziwe kuwo iindlela okanye obekelwe iindlesa Umhlaba osetyenzisiweyo okanye ochongelwe ukunqanda ukuqhambuka kwemililo Ukwamkelwa kweplani zokwakha
USETYENZISO NGEMVUME Iqela lezindlu, ihostele, indawo yokukhonza, iziko, iklaniki, indawo yokuhlanganelu, indawo yokufundisela, ofisi, irestyu, indlu yeendwendwe, indawo yolonwabo, urhwebo ngeenkondo, usetyenziso ngegunya, <u>isitishi esincinci sonibelelwano nesikupahla lwasakhiwo</u> , izibonelelo zenjini ejikeleziswa ngumoya, iziko lobuyiselo lwezimo zabantu kanye nendawo yokunyanga izilwanyana	Jonga kumba Error! Reference source not found. & Error! Reference source not found.	Jonga kumba Error! Reference source not found. & Error! Reference source not found.					

UZOWUNO LWEZINDLU	UZOWUNO LWEMIMA NDLANA	INGXINA NO	UBU- NGAKA- NANI	UBUNGAKANANI BOMPHEZULU <u>UMGANGATHO</u> <u>OSEZANTS</u> <u>OKHOYO NGOKU</u>	IMIDA YEZAKHIWO		UMBINDI WOMDA	EZINYE IZIBONELELO		
					Umda wesitrato	Imida efanayo				
IINDAWANA EZOWUNELWE UKUHLALA ULUNTU 1:QELA LEZINDLU (GR1)	GR1	35 du/ha	N/a	Ukuya edo- negeni	8,0 m	10,0 m	5,0 m isitrato esingaphan dle sikawonke onke	3,0 m imida engaphandle	N/a	Iziseko zokudizayina
USETYENZISO OLUNGUNDOQO Indlu yokuhlala, iqela lezindlu, indlela yomntu, ibala namalungelo osetyenziso ongezelelekileyo				Ukuye phahle ni			0,0 m indlela ngaphakathi	0,0 m imida engaphakathi		Indawo elibala
AMALUNGELO OSETYENZISO ONGEZELELEKI LEYO liflethi nokusebenzia indlu, kuxhomekeke kwisithintelo			Jonga kumba Error! Referenc e source not found.	Jonga kumba Error! Refere nce source not found.	Jonga kumba Error! Refere nce source not found.	Jonga kumba Error! Refere nce source not found.	ligaraji 5,0 m ukusuka kwikhebh u	Jonga kumba Error! Reference source not found. & Error! Reference source not found.		Ukupaka nokungena
USETYENZISO NGEMVUME linkonzo ezilulutho, indlu eliziko lokukhathalela abantwana, <u>isitishi esincinci</u> <u>sonxibelwelwano</u> <u>esikuphahla</u> <u>l wesakhwi</u> nesitishi sonxibelwelwano esikuphahla l wesakhwi										Iplani yophuhliso l wesiza
IIFLETHI NOKUSEBENZISA INDLU KUXHOMEKEKE KWISITHINTEL O										liflethi nokusebenzia indlu njengelungelo lokusebenzia elongezelelekileyo
IINDAWANA EZIZOWUNWE NJENGEZINDLU ZOKUHLALA ULUNTU (GR2-GR6)	GR2	1,0	60%	UMLING ANISELO WOMGA NGATHO	Ukuya eluphahleni					
USETYENZISO OLUNGUNDOQO Indlu yokuhlala, indawo yesibini yokuhlala, iqela lezindlu, ihostele, indle yeendwendwe, iflethi, indlela yomntu kanye nebala	GR3	1,0	60%		15,0 m	4,5 m	4,5 m okanye 0,6 H (0,0 m ukuya kuma ku-15,0 m ubude ku-18,0 m ukusuka esitratweni)	8,0 m	Ukupaka nokungena	
USETYENZISO NGEMVUME Inkonzo elulutho, indawo yokufundisela, indawo yokukhonza, iziko, isibhdele, indawo yokuhlanganel, Ukusebenzia indlu, ivenkile, ihotele indawo yokubambela inkomfa, <u>isitishi</u> <u>esincinci</u> <u>sonxibelwelwano</u> <u>esikuphahla</u> <u>l wesakhwi</u> isitishi sonxibelwelwano esikuphahla l wesakhwi kanye nendawo yokunyanga izilwanya	GR4	1,5	60%		20,0 m	4,5 m	4,5 m okanye 0,6 H (0,0 m ukuya kuma ku-15,0 m ubude ku-18,0 m ukusuka esitratweni)	8,0 m	Uhlolo lokunqanda umoya	
	GR5	2,5	60%		24,0 m	4,5 m	4,5 m okanye 0,6 H (0,0 m ukuya kuma ku-15,0 m ubude ku-18,0 m ukusuka esitratweni)	8,0 m	Indlu yokuhlala kanye nendawo yesibini yokuhlala	
	GR6	5,0	60%		35,0 m	4,5 m; 9 m ngaphezu kwe-25 m ubude	4,5 m okanye 0,6 H (0,0 m ukuya kuma ku-15,0 m ubude ku-18,0 m ukusuka esitratweni); 15,0 m ngaphezu kwe- 25,0 m ubude	8,0 m	Iqela lezindlu	
			Jonga kumba Error! Referenc e source	Jonga kumba Error! Referenc e source	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference	Jonga kumba Error! Reference source not found.	Iziko, isikolo nendawo yokuhlanganel		
									Ivenkile	

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IINDAWO EZIZOWUNWE UKUBA ZIBE NGAMAZIKO OLUNTU	UMLINGANI SELO WOMGANG ATHO	UBUNGA-KANANI	UBUNGAK ANANI BOMPHEZU LU UMGANGA THO OSEZANTSİ OKHOYO NGOKU	IMIDA YEZAKHIWO		UMBINDI WOMDA	EZINYE IZIBONELELO
			Ukuya eluphahleni	Umda wesitrato	Imida efanayo		
UKUZOWUNA AMAZIKO OLUNTU 1: KWIINGINGQI (CO1) USETYENZISO OLUNGUNDOQO Indawo yokufundisela, indawo yokukhonza, iklinski, isitishi sonxibelelwano esikuphahla lwersakhiwo, indawo elibala, <u>isitishana esizimele sodwa sonxibelelwano esikuphahla lwersakhiwo, isitishi esincinci sonxibelelwano esikuphahla lwersakhiwo</u> nesitishi sonxibelelwano esikuphahla lwersakhiwo_nokwenzwiwa kweefilimu USETYENZISO NGEMVUME Iziko, isibhedele, indawo yokuhlanganelia, amangcwaba, isitishi sonxibelelwano esizimele ngokwaso, [kunye] ulimo lwasezidolophini, kunye nendawo yokunyanga izilwanyana	0,8 Jonga kumba Error! Reference source not found.	60% Jonga kumba Error! Reference source not found.	12,0 m Jonga kumba Error! Reference source not found.	5,0 m Jonga kumba Error! Reference source not found.	5,0 m Jonga kumba Error! Reference source not found.	N/a Ukupaka nokungena Ukulayisha Uhlolo Ukunqanda ingxolo	
UKUZOWUNA AMAZIKO OLUNTU 2: KWIMIMANDLA (CO2) USETYENZISO OLUNGUNDOQO Iziko, isibhedele, indawo yokufundisela, indawo yokukhonza, indawo yokuhlanganelia, isitishi sonxibelelwano esikuphahla lwersakhiwo, indawo elibala, <u>isitishi esincinci sonxibelelwano esikuphahla lwersakhiwo nesitishana esizimele sodwa sonxibelelwano esikuphahla lwersakhiwo</u> kunye nendawo yefilimu USETYENZISO NGEMVUME Ihostele, indawo yokubambela inkomfa, amangcwaba, indawo yokutshisa izidumbu, indawo yomngcwabi, isitishi sonxibelelwano esizimele ngokwaso, izibonelelo zenjini ejikeleziswa ngumoya [kunye] ulimo lwasezidolophini, kunye nendawo yokunyanga izilwanyana	2,0 Jonga kumba Error! Reference source not found.	60% Jonga kumba Error! Reference source not found.	18,0 m Jonga kumba Error! Reference source not found.	5,0 m Jonga kumba Error! Reference source not found.	5,0 m Jonga kumba Error! Reference source not found.	N/a Ukupaka nokungena Ukulayisha Uhlolo Ukunqanda ingxolo	

INDAWO EZOWUNWE NJENGESHISHINI LENGINGQI	UMMANDLA WEYUNITHI YOMHLABA (m ²)	UMLINGANI SELO WOMGA-NGATHO	UBUNGAKA NANI	OBONA BUDE BUPHAKAMILEYO NGAPHEZU KOMGANGATHO OSISISEKO OKHOYO NGOKU	IMIDA YEZAKHIWO		UMBIND I WOMDA	EZINYE IZIBONELELO
INDAWO EZOWUNWE NJENGESHISHINI LENGINGQI 1:ISHISHINI ELIPHAKATHI (LB1)	>1 000	1,0	N/a	Kwisiwhasi sopahla	Ukuya eluphahleni	Umda wesirato	Imida efanayo	N/a
USETYENZISO OLUNGUNDOQO Iofisi, indlu yokuhlala, ihostele, iinkonzo ezelulutho, iflethi namalungelo osetyenziso ongezelelekileyo	>650 ukuya kuma ku-1 000	1,0		9,0 m	11,0 m	3,5 m	3,0 m	ligaraji neekhapoti
AMALUNGELO OSETYENZISO ONGEZELELEKILEYO Indawo yesibini yokuhlala nokusubenzisa indlu okanye ivenkili esendlwini okanye Indlu yeendwendwe yokulala neyokudla isidlo sakusasa okanye Indlu eliziko lokukhathalela abantwana	>350 ukuya kuma ku-650	1,0		8,0 m	10,0 m	3,5 m	0,0 m (12,0 ukusuka esitratweni kanye ne-60%) yesipheolo	Ukupaka nokungena
USETYENZISO NGEMVUME Indawo yokufundisela, indawo yokukhonza, iziko, iklinski, indawo yokuhlanganelo, indlu yeendwendwe, ivenkile, urhwebo olungekho sikweni, urhwebo ngeenkonzo, isitishi sonxibelelwano esikuphahla lwasakhiwo, izibonelelo zenjini ejikeleziswa ngumoya, [kunye] iziko lobuyiseloo lwezimo zabantu kanye nendawo yokunyanga izilwanyana	>200 ukuya kuma ku-350	1,0		8,0 m	10,0 m	3,5 m	0,0 m (12,0 ukusuka esitratweni kanye ne-60%) yesipheolo	Ukulayisha Uhlolo
	≤200	1,0	Jonga kumba Error! Reference source not found.	8,0 m	10,0 m	1,0 m	0,0 m (12,0 ukusuka esitratweni kanye ne-60%) yesipheolo	Ukusebenzisa indlu, indlu yeendwendwe yokulala neyesidlo sakusasa kanye nendlu eliziko lokukhathalela abantwana
				Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Indawo yesibini yokuhlala
				Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Ivenkile esendlwini
INDAWO EZOWUNWE NJENGESHISHINI LENGINGQI 2:ISHISHINI LENGINGQI (LB2)				Ukuya eluphahleni				
USETYENZISO OLUNGUNDOQO Ivenkile, iofisi, indlu yokuhlala, indawo yesibini yokuhlala, Indlu yeendwendwe yokulala neyokudla isidlo sakusasa, ihostele, iflethi, indawo yokufundisela, indawo yokukhonza, iziko, iklinski, indlu yeendwendwe, urhwebo ngeenkonzo, inkonzo elulutho, isitishi sonxibelelwano esikuphahla lwasakhiwo, indlela yomntu, ibala kanye nendawo yokunyanga izilwanyana	1,0	75%		12,0 m		0,0 m	8,0 m	Ukukroba kwekhenophi likona zezialato
USETYENZISO NGEMVUME Indawo yokuhlanganelo, urhwebo olungekho sikweni, iresty, ukuthengiswa koytswala, indawo yomngcwabi, indawo yolonwabo, ivenkile yezinto zesondo, izakhiwo zoshishino, isuphamakeithi, indawo yokukhulisa izityalo, ihotele indawo yokubambela inkomfa, igaraji yokulungisa iimoto, igaraji yokutha amafutha eemoto, usetyenziso ngegunya, isitishi sonxibelelwano esizimele ngokwaso, izibonelelo zenjini ejikeleziswa ngumoya, usetyenziso lwezithuthi kanye negaraji yokupaka iimoto ezinanzi			Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Ukupaka nokungena
								Ukulayisha
								Uhlolo
								Igaraji yokutha amafutha emoto neyokulungisa iimoto
								Urhwebo olungekho sikweni

IINDAWO EZIZOWUNELWE UKUSETYENZISELWA USHISHINO KUNYE NEZINYE IZINTO	UKUZOWUNA	UMLINGANI SELO WOMGANG ATHO	UBUNGA`- KANANI	OBONA BUDE BUPHAKAMILEY O NGAPHEZU KOMGANGATHO OSISISEKO OKHOYO NGOKU	IMIDA YEZAKHIWO		UMBINDI WOMDA	EZINYE IZIBONELELO
					Umda wesitrato	Imida efanayo		
IINDAWO EZIZOWUNELWE USHISHINO GABALALA (GB1-GB7)	GB1	1,5	100%	15,0 m	0,0 m ukuya kuma ku-10,0 m ubude; 4,5 m ngaphezu kwe-10,0 m	0,0 m	8,0 m	Imbuyekezo yezindlu kwib7
USETYENZISO OLUNGUNDOQO Izakhiwo zoshishino, indlu yokuhlala, indawo yesibini yokuhlala, ihostele, iflethi, indawo yokufundisela, indawo yokukhonza, iziko, isibhedele, indawo yokuhlanganel, indawo yolonwabo, ihostele indawo yokubambela inkomfa, urhwebo ngeenkonzo, usetyenziso ngegunya, inkonzo elulutho, isitishi sonxibelewano esikupahala lwasakhiwo, igaraji yokupaka iimoto ezininzi, indlela yomntu, [kunye] ibala, indawo yokunyanga izilwanyana kunye nokwenza iffilimu	GB2	2,0	100%	15,0 m	0,0 m ukuya kuma ku-10,0 m ubude; 4,5 m ngaphezu kwe-10,0 m	0,0 m	8,0 m	Ihotele ubungakanani bomgangatho
	GB 3	2,0						Imboniselo yesiqqubuthelo okanye yebhalkoni
	GB4	3,0						Indlela ehamba abantu ekumda wesitrato
	GB5	4,0						likona zezialato
	GB6	6,0						Ukupaka nokungena
USETYENZISO NGEMVUME Ivenkile yezinto zesondo, isishini lokonwabisa abantu abadala, iinkonzo zesondo, urhwebo olungekho sikweni, iziko loboniso, iwehawusi, isitishi sonxibelewano esizimele ngokwaso, izibonelelo zenjini ejikeleziswa ngumoya, usetyenziso lwezithuthi, indawo yokuchopha ihelikhoptha negaraji yokutha amafutha eemoto, igaraji yokulungisa iimoto, _indawo yokunyanga izilwanyana kunye neziko lokurisayiklisha	GB7		100%	25,0 m	0,0 m ukuya kuma ku-10,0 m ubude; 4,5 m ngaphezu kwe-10,0 m	0,0 m	8,0 m	Uhlolo
			100%	25,0 m	0,0 m ukuya kuma ku-10,0 m ubude; 4,5 m ngaphezu kwe-10,0 m	0,0 m	8,0 m	Unqando lomoya
			100%	25,0 m	0,0 m	0,0 m	8,0 m	Igaraji yokutha amafutha emoto neyokulungisa iimoto
			100%	38,0 m	0,0 m ukuya kuma ku-25,0 m ubude; $\frac{1}{2}$ (H-25 m) ngaphezu kwe-25,0 m	0,0 m	8,0 m	Urhwebo olungekho sikweni
			100%	60,0 m	0,0 m ukuya kuma ku-38,0 m ubude; $\frac{1}{2}$ (H-38 m) ngaphezu kwe-38,0 m	0,0 m	8,0 m	
		Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.
IINDAWANA EZIZOWUNIWEYO UKUSETYENZISELWA IZINTO EZIXUBLEYEO (MU1- MU3)	MU1	1,5	75%	15,0 m	0,0 m ukuya kuma ku-10,0 m ubude; 4,5 m ngaphezu kwe-10,0 m		8,0 m	Imboniselo yesiqqubuthelo okanye yebhalkoni
USETYENZISO OLUNGUNDOQO Izakhiwo zoshishino, ifemu, indlu yokuhlala, indawo yesibini yokuhlala, ihostele, iflethi, indawo yokufundisela, indawo yokukhonza, iziko, isibhedele, indawo yokuhlanganel, indawo yolonwabo, ihostele indawo yokubambela inkomfa, usetyenziso ngegunya, inkonzo elulutho, isitishi sonxibelewano esikupahala lwasakhiwo, usetyenziso lwezithuthi, igaraji yokupaka iimoto ezininzi, indlela yomntu, [kunye] ibala nokwenziwa kwefilimu	MU2	4,0	100%	25,0 m	0,0 m ukuya kuma ku-10,0 m ubude; 4,5 m ngaphezu kwe-10,0 m		8,0 m	Ukupaka nokungena
	MU3	6,0	100%	38,0 m	0,0 m ukuya kuma ku-25,0 m ubude; $\frac{1}{2}$ (H-25 m) ngaphezu kwe-25,0 m		8,0 m	Uhlolo Igaraji yokutha amafutha emoto neyokulungisa iimoto
USETYENZISO NGEMVUME			Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Urhwebo olungekho sikweni

Ivenkile yezinto zesondo,
ishishini lokonwabisa abantu
abadala, iinkonzo zesondo,
urhwebo olungekho sikweni,
iziko loboniso, isikirephuyadi,
isitishi sonxibelelwano
esizimele ngokwaso,
izibonelelo zenjini ejikeleziswa
ngumoya, indawo yokuchopha
ihelikhoptha, igaraji yokutha
amafutha emoto neyokulungisa
iimoto, indawo yokunyanga
izilwanyana kanye neziko
lokurisyiklisha

IINDAWO EZIZOWUNELWE IIFEMU	UZOWUNO LWEMIMA NDLANYA NA	UMLINGA-NISELO WOMGANGATHO	UBUNGA-KANANI	OBONA BUDE BUPHAKAMIL EYO NGAPHEZU KOMGANGATH O OSISIEKO OKHOYO NGOKU	IMIDA YEZAKHIWO		UMBINDI WOMDA	EZINYE IZIBONELELO
					Umda wesitrato	Imida efanayo		
IINDAWANA EZIZOWUNELWE USHISHINO GABALALA (GI1-GI2) USETYENZISO OLUNGUNDOQO Ifemu, iresty, igaraji yokutha amafutha eemoto, igaraji yokulungisa iimoto, indawo yomngcwabi, isikirephuyadi, usetyenziso ngegunya, inkonzo elulutho, indawo yokutshisa izidumbu, isitishi sonxibelelwano esikupahala lwasakhiwo, isitishi sonxibelelwano esizimele ngokwaso, usetyenziso lwezithuthi, igaraji yokupaka iimoto ezinini, ushishino lwezolimo, indlela yomntu, ibala, amalungelo osetyenziso ongezelelekileyo, indawo yokunyanga izilwanyana kunye nokwenza iifilim AMALUNGELO OSETYENZISO ONGEZELELKILEYO Ifektri nevenkile yezinto zesondo USETYENZISO NGEMVUME Indawo yokuxhela, indawo yokukhonna, iziko, iklinski, indawo yokuhlanganel, isishini lokonwabisu abantu abadala, iinkonzo zesondo, ukufama izilwanyana zasemanzini, urhwebo olungekho sikweni, ivenkile, iofisi, ukuthengiswa konywala, indawo yolonwabo, indawo yokuchopha ihelikhoptha, izibonelelo zenjini ejikeleziswa ngumoya nesiza seekhonteyina	GI 1 GI 2	1,5 4,0	75% Jonga kumba Error! Reference source not found.	18,0 m 18,0 m, kodwa akukho miqathango kwizakhiwo zeemveliso Jonga kumba Error! Reference source not found.	5,0 m 5,0 m Jonga kumba Error! Reference source not found.	3,0 m 3,0 m Jonga kumba Error! Reference source not found.	N/a	Amadonga ayimida Ukupaka nokungena Ukulayisha Uhlolo Izinto ezinobungozi Igaraji yokutha amafutha emoto neyokulungisa iimoto Ifektri Ivenkile yezinto zesondo Urhwebo olungekho sikweni
IINDAWO EZIZOWUNELWE AMASHISHINI ANOBUNGOZI (RI) USETYENZISO OLUNGUNDOQO Ushishino olunobungozi, umsebenzi onobungozi, indawo yokutshisa izidumbu, isitishi sonxibelelwano esikupahala lwasakhiwo, isitishi sonxibelelwano esizimele ngokwaso, indlela yomntu, ibala, amalungelo osetyenziso ongezelelekileyo kunye nokwenziwa kweefilimu AMALUNGELO OSETYENZISO ONGEZELELKILEYO Ifektri USETYENZISO NGEMVUME Ivenkile, iresty, urhwebo olungekho sikweni, igaraji yokutha amafutha eemoto, igaraji yokulungisa iimoto, ifemu, isikirephuyadi, indawo yokuxhela, usetyenziso ngegunya, inkonzo elulutho, indawo yokuchopha ihelikhoptha, izibonelelo zenjini ejikeleziswa ngumoya, isiza seekhonteyina, usetyenziso lwezithuthi, igaraji yokupaka iimoto ezinini kunye nezik lokurisyayklisha		2,0	75%	18,0 m, kodwa akukho miqathango kushishino olunobungozi, umsebenzi onobungozi okanye izakhiwo zoveliso Jonga kumba Error! Reference source not found.	5,0 m Jonga kumba Error! Reference source not found.	5,0 m Jonga kumba Error! Reference source not found.	N/a	Ukupaka nokungena Ukulayisha Uhlolo Amadonga ayimida Izinto ezinobungozi Igaraji yokutha amafutha emoto neyokulungisa iimoto Ifektri Urhwebo olungekho sikweni

IINDAWO EZIZOWUNWE NJENGEZISETYENZISWA NJENGEZIBONELELO, EZOTHUTHO NAMANXWEME ESIZWE	UMLING ANISELO WOMGA NGATHO	UBUNGA KANANI	OBONA BUDE BUPHAKAMILLEY O NGAPHEZU KOMGANGATHO OSISISEKO OKHOYO NGOKU	IMIDA YEZAKHIWO		UMBINDI WOMDA	EZINYE IZIBONELELO
				Umda wesitrato	Imida efanayo		
IINDAWO EZIZOWUNWE NJENGEZISETYENZISWA NJENGEZIBONELELO (UT)			Ngokweplani yophuhliso lwasiza (Jonga kumba 81.)				
USETYENZISO OLUNGUNDOQO Inkonzo elulutho, usetyenziso ngegunya, <u>isitishi sonxibelelwano esikuphahla</u> <u>lwasakhiwo nesitishi sonxibelelwano</u> esizimele ngokwaso							
USETYENZISO NGEMVUME Amangcwaba, urhwebo olungekho sikweni, indawo yomngcwabi, indawo yokutshisa izidumbu, ulimo lwasezidolphini, iziko leenqwelomoya, izibonelelo zenjini ejikeleziswa ngumoya nendawo yokuchopha ihelikhoptha							
IINDAWO EZIZOWUNWE NJENGEZISETYENZISELWA EZOTHUTHO 1:USETYENZISO LWEZHITHUTHI (TR1) USETYENZISO OLUNGUNDOQO Usetyenziso lwezhithuthi, igaraji yokupaka iimoto ezininzi, inkonzo elulutho, iwehawusi, <u>isitishana esizimele sodwa</u> <u>sonxibelelwano esikuphahla lwasakhiwo</u> , isitishi sonxibelelwano esikuphahla lwasakhiwo nesiza seekhonteyina	2,0	75%	15,0 m kwikhonteyina ezipakishiweyo 18,0 m yaso nasiphi esinye isakhiwo	0,0 m	3,0 m	N/a	Ukupaka nokungena Igaraji yokutha amafutha emoto neyokulungisa iimoto Urhwebo olungekho sikweni Ilungelo lokusebenzia isithuba esisemoyeni nesisemhlabeni
USETYENZISO NGEMVUME Izakhiwo zoshishino, iiflethi, indawo yokuhlanganelo, indawo yolonwabo, ihotele indawo yokubambela inkonfa, igaraji yokutha amafutha eemoto, igaraji yokulungisa iimoto, urhwebo ngeenkonzo, <u>isitishana esizimele sodwa</u> <u>sonxibelelwano esikuphahla lwasakhiwo</u> isitishi sonxibelelwano esizimele ngokwaso, izibonelelo zenjini ejikeleziswa ngumoya, iziko leenqwelomoya, indawo yokuchopha ihelikhoptha, urhwebo olungekho sikweni, ifemu nelungelo lokusebenzia isithuba esisemoyeni nesisemhlabeni	Jonga kumbaError or! Referenc e source not found.	Jonga kumba 83(b)	Jonga kumba 83 (c)	Jonga kumbaError ! Reference source not found.	Jonga kumbaError or! Referenc e source not found.		
IINDAWO EZIZOWUNWE NJENGEZISETYENZISELWA EZOTHUTHO 2:INDELA KAWONKEWONKE NENDAWO YOKUPAKA KAWONKEWONKE (TR2) USETYENZISO OLUNGUNDOQO Isitrato sikawonkewonke, indela kawonke-wonke nenkonzo elulutho			Ngokweplani yophuhliso lwasiza (Jonga kumba 88)				Umhlaba othathwa njengozowuniweyo Ukwakha nokulahlia imathiriyeli Ilungelo lokusebenzia isithuba esisemoyeni nesisemhlabeni Isitrato sikawonke-wonke esicetywayo, ukongezwa kwendlela nokuvalwa kwestirato Urhwebo olungekho sikweni
Uzowuno IwezoThutho 3: IINDELA EZIHLAWULEWAYO (TR3) USETYENZISO OLUNGUNDOQO indela ezihlawulewayo, sisitrato sikawonkewonke, indela kawonke-wonke, <u>isitishana sonxibelelwano esizimele</u> <u>ngokwaso, isitishana esincinci</u> <u>sonxibelelwano esikuphahla lwendlu</u> nenkonzo elulutho. USETYENZISO NGEMVUME <u>izibonelelo zenjini ejikeleziswa ngumoya</u> <u>namalungelo ezinto ezssemoyeni</u> <u>neziphantsi komhlaba</u>			Eggitywe yiplani yophuhliso yesiza (Jonga umba 92B)				

IINDAWO EZIZOWUNWE NJENGAMANXWEME ESIZWE (NPZ) USETYENZISO OLUNGUNDOQO Usetyenziso-mhlaba njengoko ichaziwe kwisicwangciso esamkelweyo sesikhokelo sophuhliso lwamachweba USETYENZISO NGEMVUME Alukho	Njengoko kuggitywe by isicwangciso esamkelweyo sesikhokelo sophuhliso lwamachweba (Jonga kumba 95)	Umhlaba othathwa njengozuniweyo Umhlaba othathwa njengozuniweyo onikezwe kwiNational Ports Authority
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IINDAWO EZIZOWUNWE NJENGAMABALA	UMLINGA-NISELO WOMGANGA THO	UBUNGA-KANANI	OBONA BUDE BUPHAKAMIL-E-YO NGAPHEZU KOMGANGATHO OSISISEKO OKHOYO NGOKU	IMIDA YEZAKHIWO		umgama ukuya esitratwe ni	EZINYE IZIBONELELO
				Umda wesitra to	Imida efanayo		
IINDAWO EZIZOWUNWE NJENGAMABALA 1:ULONDOLOZO LOKUSINGQONGILEYO (OS1) USETYENZISO OLUNGUNDOQO Usetyenziselo lolondolozo lokusingqongileyo USETYENZISO NGEMVUME Ukusetyenziswa kwezibonelelo zendalo, izibonelelo zokusinqongileyo, indawo yokulala yabakhenkethi, izibonelelo zabakhenkethi, inkonzo elulutho, <u>isitishana sonxibelelwano esikuphahla lwasakhiwo, isitishana sonxibelelwano esizimele ngokwaso</u> , izibonelelo zenjini ejikeleziswa ngumoya nemibhiyozo yenkcubeko neyoluntu	Ngokweplani yophuhliso lwasiza (Jonga kumba 98)						
IINDAWO EZIZOWUNWE NJENGAMABALA 2: UMHLABA ONGAMABALA KAWONKE-WONKE (OS2) USETYENZISO OLUNGUNDOQO Umhlaba ongamabala kawonke-wonke nosetyenziselo lolondolozo lokusingqongileyo USETYENZISO NGEMVUME Izibonelelo zokusinqongileyo, izibonelelo zabakhenkethi, inkonzo elulutho, amangcwaba, ixitishi zonxibelelwano ezikumaphahl, ixitishi zonxibelelwano ezizimele ngokwazo, izibonelelo zezixhobo ezitsala umbane kumoya, amatheko enkcubeko nawentlalo, ulimo lwasezidolphini, urhwebo olungekho sikweni, ukusetyenziswa kwezibonelelo zendalo nelungelo lokusebenzia isithuba esisemoyeni nesismhabeni	Ngokweplani yophuhliso lwasiza (Jonga kumba 100)					Umhlaba othathwa njengozuniweyo Ulwakhiwo nokufakwa kwemathiriyeli Ilungelo lokusebenzia isithuba esisemoyeni nesismhabeni Urhwebo olungekho sikweni	
IINDAWO EZIZOWUNWE NJENGAMABALA 3: AMABALA AWODWA (OS3) USETYENZISO OLUNGUNDOQO Ibala, indlela yomntu nosetyenziselo lolondolozo lokusingqongileyo USETYENZISO NGEMVUME Izibonelelo zokusinqongileyo, izibonelelo zabakhenkethi, indawo yokuhlangana, indawo yolonwabo, iinkonzo ezelulutho, amangcwaba, <u>isitishana sonxibelelwano esikuphahla, isitishana sonxibelelwano esizimele ngokwaso</u> , izibonelelo zezixhobo ezitsala umbane kumoya, amatheko enkcubeko nawentlalo, ulimo lwasezidolphini, urhwebo olungekho sikweni nokugronjwa kwezibonelelo zendalo	Ngokweplani yophuhliso lwasiza (Jonga kumba Error! Reference source not found.)					Ulwamkelo losetyenziso ngemvume Urhwebo olungekho sikweni	

IINDAWO EZIZOWUNWE NJENGEZOLIMO, EZAMAPHANDLE NEZEZINTO EZITHILE	UMGANGA- THO UWONKE	IKHAVA- REJI	OBONA BUDE BUPHAKAMIL-E-YO NGAPHEZU KOMGANGATHO OSISISEKO OKHOYO NGOKU		IMIDA YEZAKHIWO		umgama ukuya esitratweni	EZINYE IZIBONELELO
			KwisiXhasi sophahla	Ukuya eluphahleni	Umda wesirato	Imida efanayo		
IINDAWO EZIZOWUNWE NJENGEZOLIMO (AG)	1 500 m ² kuzo zonke iiyunithi ezizindlu zokuhlala	N/a	9,0 m yendlu yokuhlala	11,0 m yendlu yokuhlala	> 20 ha : 30,0 m	> 20 ha : 30,0 m	N/a	Ukupaka Owona mlinganiselo mncinci wolwahlulahlulo
USETYENZISO OLUNGUNDOQO Ulomo, ukusebenza ngezityalo, indlu yokuhlala, izitali zamahashe, usetyenzielo lolondolo lokusingqongileyo, izibonelelo zokusingqongileyo, isitishana <u>sonxibelelwano esikwiphahla, isitishana</u> <u>sonxibelelwano esizimele ngokwaso</u> namalungelo osetyenziro ongezelelekileyo	100 m ² kwiivenkile zasezifama	Jonga kumba Error! Reference source not found.		12,0 m kwizakhiwo zolimo ngaphandle kwendlu yokuhlala	≤ 20 ha : 15,0 m	≤ 20 ha : 15,0 m		Ushishino Ivezolimo Indawo yesibini yokuhlala neeyunithi zokuhlala ezongezelelekileyo
AMALUNGELO OSETYENZISO ONGEZELELEKILEYO Indawo yesibini yokuhlala nokusebenza indlu okanye Indlu yeendwendwe yokulala neyokudla isidlo sakusasa okanye Indlu eliziko lokukhathalela abantwana			Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	
USETYENZISO NGEMVUME liyuniti ezonegezelelekileyo ezizindlu zokuhlala, indlu yeendwendwe, ihotele indawo yokulala yabakhenkethi, izibonelelo zabakhenkethi, ukufama izilwanyana okumandla, ukusetyenziswa kwezibonelelo zendalo, umgodi, inkonzo elulutho, isitishi sonxibelelwano esizimele ngokwaso, izibonelelo zenjini ejikeleziswa ngumoya, ukufama izilwanyana zasemanzini, iziko lokukhathalela izilwanyana, ivenkile yasezifama nefemu yezolimo								
IINDAWO EZIZOWUNWE NJENGAMAPHANDLE (RU)	1 500 m ² wazo zonke izakhiwo	40%	9,0 m	11,0 m	10,0 m	5,0 m	N/a	Ukupaka Owona mlinganiselo mncinci wolwahlulahlulo
USETYENZISO OLUNGUNDOQO Indlu yokuhlala, ulimo namalungelo osetyenziso ongezelelekileyo	100 m ² kwivenkile yasezifama	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Ushishino Ivezolimo Indawo yesibini yokuhlala
AMALUNGELO OSETYENZISO ONGEZELELEKILEYO Indawo yesibini yokuhlala nokusebenza indlu okanye Indlu yeendwendwe yokulala neyokudla isidlo sakusasa okanye Indlu eliziko lokukhathalela abantwana								
USETYENZISO NGEMVUME Indlu yeendwendwe, indawo yokulala yabakhenkethi, izibonelelo zabakhenkethi, ukusetyenziswa kwezibonelelo zendalo, umgodi, isitishi sonxibelelwano esikuphahla Ivesakhiwo, isitishi sonxibelelwano esizimele ngokwaso, izibonelelo zenjini ejikeleziswa ngumoya, ukufama izilwanyana zasemanzini, ukufama izilwanyana okumandla, ukusebenza ngezityalo, izitali zamahashe, iziko lokukhathalela izilwanyana, ivenkile yasezifama kunye noshishino lolimo			Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	Jonga kumba Error! Reference source not found.	
IINDAWO EZIZOWUNWE UOKUSETYENZISELWA IZINTO EZITHILE KUPHELA (LU)	Jonga kumba 118.							Ukungavumeleki kokuzowuna kwakhona
USETYENZISO OLUNGUNDOQO Usetyenziso olusemhethweni olukhoyo ngoku kuphela								Ukwakha kwakhona ipropati etshatyalalisiweyo
USETYENZISO NGEMVUME Alukho								

(siphele seTheyibhile”.

Ukwenziwa kweZilungiso kuMba 21 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa njengoko wenziwe izilungiso licandelo 33 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016

31. Umba 21 weShedyuli 3 wenziwa izilungiso ngokuthi –

(a) endaweni yomhlathi (b) kufakwe lo mhlathi ulandelayo:

“(b) Amalungelo osetyenziso ongezelelekileyo anokusetyenzisa ngumntu ohleli kwipropati kukusebenzisa indlu, indlu yeendwendwe yokulala neyokudla isidlo sakusasa. Indlu yesibini, indlu yesithathu kunye nendlu eliziko lokukhathalela abantwana, kuxhomekeke kule miqathango ilandelayo:

- (i) Ngaphandle kwakwindlu yesibini kuphela, kuya kusetyenzisa ibe nye kwizinto ezipweliswe njengamalungelo osetyenziso ongezelelekileyo kuyo nayiphi iyuniti yomhlaba njengosetyenziso olungundoqo. Apho kufunwa ngaphezu komsebenzi omnye, kuya kufunwa imvume yeSixeko;
- (ii) Usetyenziso olungundoqo lwepropati iya kuba yindlu yokuhlala yosapho olunye;
- (iii) Umnini womsebenzi ochaphazelekayo kufuneka abe uhlala kwipropati
- (iv) Imiqathango echazwe kwimiba 23, 24 no-25, 25A okanye 25B **[okanye 53]** ((leyo ichaphazelekayo) iya kuthotyelwa;
- (v) Nasiphi isakhiwo esitsha okanye utshintsho kwipropati ukulungiselela ilungelo elongezelelekileyo losetyenziso luya kuhambelana nenkangeleko neempawu zommandla, ngakumbi iimpawu zesitrato, yaye kufuneka lukwazi ukubuyiselwa kusetyenziso njengenxalenye yendlu yokuhlala, indawo yesibini yokuhlala, indawo yesithathu yokuhlala okanye isakhiwo esingaphandle esichaphazelekayo; yaye; kunye
- (vi) Akusayi kusetyenzisa ngaphezu kwabasebenzi abathathu ngumninindlu kumsebenzi ochaphazelekayo.”; kuze

(b) endaweni yomhlathi (c) kufakwe lo mhlathi ulandelayo:

“(c) Usetyenziso ngemvume zinkonzo ezelulutho, indawo yokufundisela, indawo yokukhonza, ivenkile esendlwini, iziko, indlu yeendwendwe, jisitishi esincinci sonxibelelwano esikuphahla Iwesakhiwo, jisitishi sonxibelelwano esikuphahla Iwesakhiwo, izibonelelo zenjini ejikeleziswa ngumoya, indawo elibala, ulimo lwasezidolphini, indawo yokunyanga izilwanyana kunye neziko lobuyiseloo Iwezimo zabantu.”.

Ukwenziwa kweZilungiso kuMba 22 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa njengoko wenziwe izilungiso licandelo 34 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016

32. Umba 22 weShedyuli 3 wenziwa izilungiso –

(a) ngokufakela endaweni yomhlathana (i) womhlathi (c) kwalo mhlathana ulandelayo:

“(i) Obona bude buphakamileyo besakhiwo, obumetwa ukusuka **[kwisiseko]** kumgangatho osezantsi okhoyo ukuya kumphezulu wophahla, uya kugqitywa ngokuhambelana nommandla weyuniti yomhlaba njengoko kubonisiwe kule ‘theyibhile yomlinganiselo womgangatho, ubungakanani bomgangatho, ubude nemida yezakhiwo kwimihlaba eZowunwe njengeZindlu zoSapho oLunye 1’;”;

(b) ngokufakela endaweni yomhlathana (ii) womhlathi (c) kwalo mhlathana ulandelayo:

“(ii) Apho ulwakhiwo luvumelekileyo ngokolu zowuno kwi-3m yomda, ubude kufuneka buphele kwi-4m ukusuka **[kwisiseko]** kumgangatho osezantsi ukuya kumphezulu wophahla.”;

(c) ukutshintshwa kweTheyibhile yobunjani bomgangatho. ubungakanani bomgangatho, ubude nemida yesakhiwo kuZowuno 1 IweZindlu zeeNtsapho, kwale theyibhile ilandelayo:

"Itheyibhile yomlinganiselo womgangatho, ubungakanani bomgangatho, ikhavareji, ubude nemida yezakhiwo kwimihlaba eZowunwe njengeZindlu zoSapho olunye 1

Umandla weyuniti yomhlaba (m ²)	Umlingani- selo womganga -tho	Ubungaka- nani bowona mgangatho mkhulu	<u>Ikhava-</u> <u>reji</u>	Obona bude buphakamileyo ngaphezu komgangatho osisiseko		Umda wesakhi- wo ukusuka esitratwe ni	Umda wesakhiwo ofanayo
				Kwisixhasi sophahla	Ukuya elupha- hleni		
>2 000	N/a	1 500 m ²	<u>N/a</u>	9,0 m	11,0 m	6,0 m	6,0 m
>1 000 ukuya kuma ku-2 000	N/a	1 500 m ²	<u>N/a</u>	9,0 m	11,0 m	4,5 m	3,0 m
>650 ukuya kuma ku- 1 000	N/a	1 500 m ²	<u>N/a</u>	9,0 m	11,0 m	3,5 m	3,0 m
>350 ukuya kuma ku- 650	1,0	N/a	<u>N/a</u>	8,0 m	10,0 m	3,5 m	0,0 m kwi-12,0m yokuqala yomda ometwe ngqo ukusuka kumda wesitrato no-0,0 m ne-60% yomgama oshiyekileyo okwimida efanayo kwiyuniti yomhlaba ne-3,0 m kwintalela, ngokomhlathi d iii).
>200 ukuya kuma ku- 350	1,0	N/a	<u>75%</u>	8,0 m	10,0 m	[3,5 m] <u>1,5m</u>	0,0m [kwi-12,0m yokuqala yomda ometwe ngqo ukusuka kumda wesitrato no-0,0 m ne-60% yomgama oshiyekileyo okwimida efanayo kwiyuniti yomhlaba ne-3,0 m kwintalela; kuxhomekeke kwimihlathi (ii) no(iii)]
≤200	1,0	N/a	<u>75%</u>	8,0 m	10,0 m	1,0 m	

Isiphele seTheyibhile"

(d) ngokufakela endaweni yomhlathana (i) womhlathi (f) kwalo mhlathana ulandelayo:

- "(i) Igaraji, ikhapoti nezakhiwo ezingaphandle zivumelekile kumda wesakhiwo ofanayo ukuba ngaba igaraji, nekhapoti nesakhiwo esingaphandle azenzi oku:
- (aa) azidluleli ngaphaya kwe-3,5 m ukusuka **[kwisiseko]** **kumgangatho osezantsi okhoyo** ukuya kuma eluphahleni;
 - (bb) siqulathe ngaphezulu komphambili weegaraji ezimbini; yaye
 - (cc) sinobubanzi obungaphezu kwe-6,5 m.
- (e) ngokufakela emva komhlathana (i) komhlathi (f) kwalo mhlathana ulandelayo:
- "(iA) Kwiiyunithi zemihlaba eziyi350 m² nangaphantsi, igaraji, ikhapoti nezakhiwo zivumelekile kumda wesakhiwo ofanayo ukuba ngaba igaraji, nekhapoti:
- (aa) azikho ngaphezu kwe-3,5 m ukusuka **kumgangatho osezantsi ukuya eluphahleni**;
 - (bb) siqulathe ngaphezulu komphambili weegaraji ezimbini; yaye
 - (cc) zinobubanzi obungekho **ngaphezu kwe-6,5 m.**";
- (f) ngokufakela endaweni yomhlathana (ii) womhlathi (f) kwalo mhlathana ulandelayo:
- "(ii) Kwiiyunithi zemihlaba **[eziyi-650]** **ezingaphezu kwe-350 m²** **[nangaphantsi]** **ukuya kuma kwi-650 m²**, okanye ikhapoti ivumeleke ukuya kuma ku-1,5 m ukusuka kumda wesirato ukubonelela igaraji okanye ikhapoti:
- (aa) engendanga ngaphezu kwe-3,5 m ukusuka **[kwisiseko]** **kumgangatho osezantsi okhoyo** ukuya kuma eluphahleni;
 - (bb) asiquelethanga ngaphezulu komphambili weegaraji ezimbini; kunye
 - (cc) ububanzi abukho ngaphezu kwe-6,5 m.";
- (g) ngokufakela endaweni yomhlathana (iv) womhlathi (f) kwalo mhlathana ulandelayo:
- "(iv) Noxa kukho imihlathi no-**Error! Reference source not found.** no-**Error! Reference source not found.****Error! Reference source not found.**, igaraji okanye ikhapoti ingakhiwa kumda wesakhiwo ukusuka esitratweni ukuba, ngokokubona kweSixeko, akuzi kukwazeka ukuthobela umda wesakhiwo ukusuka esitratweni ngenxa yokuthambeka komhlaba phakathi kwendlela nepropati echaphazelekayo. ISixeko siya kugqiba ngomda wesakhiwo, ubude, umphambili nobubanzi begaraji nekhaphoti kuloo meko."; kunye
- (h) nokufakela emva komhlathi (g) kwalo mhlathni ulandelayo:
- "(h) Ikhavareji
- (i) Eyona khavareji inkulu, ukuba ikhona, igqitywa ngokommandla ekuyo iyuniti yomhlaba njengoko kubonisiwe kule theyibhile ingentla yobunjani bomgangatho, ubungakanani bomgangatho, ubude nemida yesakhiwo kuZowuno 1 lweZindlu zeeNtsapho.".

Ukwenziwa kweZilungiso kuMba 23 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

- 33.** Umba 23 weShedyuli 3 wenziwa izilungiso ngokuthi endaweni yomhlathi (a) kufakwe lo mhlathi ulandelayo:
- "(a) Akukho lusebenziso lwendlu luya kubandakanya ushishino olunobungozi, umsebenzi onobungozi, ivenkile, ishishini lokonwabisa abantu abadala, iinkonzo zesondo, ivenkile yezinto zesondo, ukuthengiswa kotywala, igaraji yokulungisa iimoto, indawo yomngcwabi okanye imisebenzi eza kukhathaza ucwangco loluntu, kubandakanywa kodwa kungaphelewanga kulungiso Iweemoto nokuspreya iimoto, umntu osebenza ngombane, iyadi yomakhi okanye umsebenzi wokuwelda;".

Ukufakelwa kwemiba 25A no-25B kwiShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

- 34.** Ischedyuli 3 yensiwa izilungiso ngokufakela, emva komba 25, kwale miba ilandelayo :

"25A Indlu yeSibini

Kuya kusebenza le miqathango ilandelayo kwindlu yesibini:

- (a) Ubungakanani bубонке bomgangatho wendlu yesibini abunakuba ngaphezulu kobo bendlu engundoqo yokuqala kungafunyenwanga mvume yeSixeko. Ubungakanani bomgangatho wezinye izakhiwo ezhambelana abubandakanywa kulo mqathango;
- (b) iSixeko singafuna ukuba indlu yesibini yakhiwe ngendlela ebufana nale ekwakhiwe ngayo indlu engundoqo yokuqala;
- (c) Indlu yesibini esisakhiwo esingadibenanga nesakhiwo esingundoqo sokuqala asinakuba nobude obungaphezu kwe6m ukusuka kumgangatho osezantsi okhoyo ngoku ukuya kwisixhasi sophahla ne8m ukuya kumphezulu wophahlha;
- (d) Indlu yesibini ekwisakhiwo esinye nesakhiwo esingundoqo sokuqala mayidizayinwe ngendlela yokuba ibe ngathi loo ndlu sisakhiwo esinye esidibeneyo; zombini iiyunithi zinganomgangatho osezantsi, okanye iyunithi enye ingakumgangatho osezantsi, ze enye ibe ngasentla kwenye;
- (e) Urukho bendlu yesibini abusosizathu sipheleleyo sokuba iSixeko samkele isicelo ngokwalo Mthetho kaMasipala sokuba kwahlulahlulwe umhlaba onezo yunithi zokuhlala;
- (f) Ukwakhiwa kwendlu yesibini kuxhomekeke ekubeni oko kuqinisekiswe ngabo bonke aBalawuli bamasebe kamasipala achaphazelekayo okanye abo batyunjiwe ngabo ukuba benze uqinisekiso, lokuba zikho iinkonzo zothungelwano kuloo mmandla uchaphazelekayo.

25B Indlu yesithathu

Kuya kusebenza le miqathango ilandelayo kwindlu yesithathu:

- (a) Ubungakanani bубонке bomgangatho wendlu yesithathu abunakuba ngaphezulu kono bendlu yokuqala engundoqo kungafunyenwanga mvume yeSixeko. Ubungakanani bomgangatho wezinye izakhiwo ezhambelana abubandakanywa kulo mqathango;
- (b) iSixeko singafuna ukuba indlu yesithathu yakhiwe ngendlela ebufana nale ekwakhiwe ngayo indlu engundoqo yokuqala;
- (c) Indlu yesithathu esisakhiwo esingadibenanga nesakhiwo esingundoqo sokuqala nesesibini asinakuba nobude obungaphezu kwe6m ukusuka kumgangatho osezantsi okhoyo ngoku ukuya kwisixhasi sophahla ne8m ukuya kumphezulu wophahlha;
- (d) Indlu yesithathu ekwisakhiwo esinye nesakhiwo esingundoqo sokuqala okanye ekwisakhiwo sesibini mayidizayinwe ngendlela yokuba ibe ngathi loo ndlu sisakhiwo esinye esidibeneyo; zonke iiyunithi zinganomgangatho osezantsi, okanye iyunithi enye ingakumgangatho osezantsi, ze ezinye zibe ngasentla kwenye;
- (e) Urukho bendlu yesithathu abusosizathu sipheleleyo sokuba iSixeko samkele isicelo ngokwalo Mthetho kaMasipala sokuba kwahlulahlulwe umhlaba onezo yunithi zokuhlala;
- (f) Ukwakhiwa kwendlu yesithathu kuxhomekeke ekubeni oko kuqinisekiswe ngabo bonke aBalawuli bamasebe kamasipala achaphazelekayo okanye abo batyunjiwe ngabo ukuba benze uqinisekiso, lokuba zikho iinkonzo zothungelwano kuloo mmandla uchaphazelekayo.”.

Ukwenziwa kweZilungiso kuMba 26 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa njengoko wenziwe izilungiso licandelo 35 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016

35. Umba 26 weShedyuli 3 wenziwa izilungiso ngokuthi –

- (a) endaweni yomhlathi (b) kufakwe lo mhlathi ulandelayo:

“(b) Amalungelo osetyenziso ongezelelelileyo anokusetyenzisa ngumntu ohlala kuloo ndlu yindawo yokuhlala, ivenkile esendlwini, ukusebeniza indlu, indlu yeendwendwe yokulala neyokudla isidlo sakusasa, indlu eliziko lokukhathalela abantwana, urhwebo olungekho sikweni, indlu yesithathu kunye nayiphi injongo yokufundisa, yenkolo, yomsebenzi okanye yeshishini, angabandakanyi ukuthengiswa kotywala, ukuba ngaba:

- (i) Usetyenziso olungundoqo lwalo yunithi iya kuba yindlu yokuhlala;
- (ii) Akukho ushishino olunobungozi, umsebenzi onobungozi, ishishini lokonwabiswa abantu abadala, iinkonzo zesondo okanye ivenkile yezinto zesondo luvumelekileyo apho;
- (iii) Akukho zinto ziya kwenziwa ezenza okanye ezibonwa njengeziphamazisa inzolo yoluntu, kubandakanywa nosetyenziso lwezixhobo ezenza ingxolo egqithisileyo, okanye nayiphi into edala uthuli, umsi okanye inkunkuma enokuba nobungozi kwimpilo okanye efuna iinkqubo ezizodwa zokususwa kwenkunkuma;
- (iv) iSixeko singathi, nanini na, sifune kuyekwe into eyenziwayo ngokwelungelo lokusebeniza indlu okanye sibeke imiqathango ukucutha uphazamiseko lwabamelwane okanye loluntu

- (v) ngokubanzi; yaye
 Imigaqo yophuhliso echazwe kwimiba 23, 24, 25, 25B ngaphandle kwakumhlathi (b), 28, 29, no-**Error! Reference source not found.**, leyo ichaphazelekayo, iya kuthotyelwa.”.
- (b) endaweni yomhlathi (c) wombana (1) kufakwe lo mhlathi ulandelayo:

“(c) Usetyenziso ngemvume leleqela lezindlu, ihostele, indawo yokukhonza, iziko, iklinski, indawo yokuhlanganelu, indawo yokufundisela, iofisi, iresty, indlu yeendwendwe, indawo yolonwabo, urhwebo ngeenkonzo, usetyenziso ngegunya, isitishana esincinci sonxibelelwano esikupahala Iwesakhiwo, isitishi sonxibelelwano esikupahala Iwesakhiwo, izibonelelo zenjini ejikeleziswa ngumoya, indawo yokunyanga izilwanyana kunye neziko lobuyiselo Iwezimo zabantu.”; kuze

(c) endaweni yomhlathi (d) wombana (1) kufakwe lo mhlathi ulandelayo:

“(d) **[Usetyenziso olwahlukileyo nezakhiwo apha kungekho lokishi isesikweni] [Usetyenziso kumbana (1) (a-c) luvumelekile apha kungekho lokishi isesikweni].**”.

Ukwenziwa kweZilungiso kuMba 27 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

36. Umba 27 weShedyuli 3 wenziwa izilungiso ngokuthi –

(a) endaweni yomhlathi (b) kufakwe lo mhlathi ulandelayo:

- “(b) Ubude
- (i) Obona bude buphakamileyo besakhiwo, obumetwe ukusukela **[kwizinga lesiseko]** kumgangatho osezantsi okhoyo ukuya kwizixhaso zophahla, iya kuba yi-6 m kwiiyuniti ezizindlu zokuhlala ze ibe yi-8 m kuzo zonke ezinye izakhiwo;
 - (ii) Obona bude buphakamileyo besakhiwo, obumetwe ukusukela **[kwizinga lesiseko]** kumgangatho osezantsi okhoyo ukuya kumphezelu wophahla, iya kuba yi-8 m kwiiyuniti ezizindlu zokuhlala ne-10 m kuzo zonke ezinye izakhiwo.
 - (iii) Imiqathango yamadini omhlaba nezakhiwo zokuxhasa ezikumda zilawulwa ikumba 126.”; kunye

(b) nokufakela endaweni yetheyibhile: Itheyibhile yeemfuno yendawo yokupaka kwimihlaba eZowunwe njengeZindlu zoSapho oLunye 2, kwale theyibhile ilandelayo:

“Itheyibhile yeemfuno yendawo yokupaka kwiZowuni zeZindlu zoSapho oLunye 2

Usetyenziso Iwepropati	Imfuno yendawo yokupaka
Ikhusi	Ayikho
Indlu yokuhlala	Ibheyi enye, ukuba ifunwa njalo siSixeko (Ayikho kwiziza <100 m ²)
Indlu yesibini, <u>indlu yesithathu</u> ukuhlala kwindlu	Ayikho
Olunye usetyenziso okanye usetyenziso ngemvume	Ngokweemfuno zeSixeko

Isiphelo seTheyibhile”.

Ukwenziwa kweZilungiso kuMba 28 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

37. Umba 28 weShedyuli 3 wenziwa izilungiso ngokuthi endaweni yomhlathi (c) kufakwe lo mhlathi ulandelayo:

- “(c) Nasiphi isakhiwo esitsha, okanye utshintsho kwindlu yokuhlala, indawo yesibini yokuhlala, indlu yesithathu okanye isakhiwo esingaphandle, siya kuthobela inkangeleko neempawu zommmandla;”.

Ukwenziwa kweZilungiso kuMba 29 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

38. Umba 29 weShedyuli 3 wenziwa izilungiso ngokuthi endaweni yomba kufakwe lo mba ulandelayo :

“Le miqathango ilandelayo iseberna kwindawo yokuhlala elikhusi:

- (b) (a) Ukuba iGosa loLawulo leSixeko saseKapa linombono wokuba indawo elikhusi linobungozi kwimpilo yabantu, kukhuseleko, imililo okanye izakhiwo, iSixeko singakhupha isaziso esiya kumnini okanye umntu ohlala apho achaze ngobungozi obo ze libacele ukuba bangenise amaxwebhu kwiSixeko okanye ligeshe ingcali ukuba yenze uphando ze lilele kwiSixeko ngobunjani nobungakanani bobungozi kwixesha elithile kunye namanyathelo emakathathwe ukulungisa obo bungozi. [Iya kuba luxanduva lomntu ohlala kwindlu okanye umnini wendlu ukuqinisekisa ukuba indlu iyahaleka, ayisayi kutsha nangeminye imigangatho yendawo yokuhlala; yaye]
- (b) Emva kokuqwalasela amaxwebhu okanye ingxelo engeniswego yaye liqiniseke ukuba okunene bukhona ubungozi, iSixeko singakhupha umyalelo oyalela umnini okanye umhlali olapho ukuba athathe amanyathelo axelwe kuloo myalelo. [Nawuphi umhlali okanye umnini wendawo yokuhlala oyalelwsi siSixeko ukuba athathe amanyathelo ukulungisa into ebubungozi kukhuseleko loluntu, kwimpilo okanye kwimililo, ze angakwenzi oko, unetyala ngokwalo Mthetho kaMasipala].
- (c) Ukuba umnini okanye umhlali akathobeli imibana (a) no-(b) bayo kufunyanwa benetyala ngokwalo Mthetho kaMasipala.
- (d) Indlu elikhusi ayinakuba ngaphezu kwe-4m ubude ukusuka phantsi ukuya kumphezulu wophahla.”.

Ukwenziwa kweZilungiso kuMba 34 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

39. Umba 34 weShedyuli 3 wenziwa izilungiso ngokuthi endaweni yomhlathi (c) kufakwe lo mhlathi ulandelayo:

- (c) Usetenziso ngemvume iinkonzo ezelulutho, indlu eliziko lokukhathalela abantwana, isitishana esincinci sonxibelelwano esikuphahla lwendlu nesitishi sonxibelelwano esikuphahla lwendlu.”.

Ukwenziwa kweZilungiso kuMba 35 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

40. Umba 35 weShedyuli 3 wenziwa izilungiso ngokufakela endaweni yomhlathana (i) womhlathi (c) kwalo mhlathana ulandelayo:

- “(i) Obona bude buphakamileyo besakhiwo, obumetwe ukusukela **[kwisiseko]** kumgangatho osezantsi okhoyo ukuya kwizixhasi zophahla, iya kuba yi-8 m, ze umphezulu wophahla ube yi-10 m.”.

Ukwenziwa kweZilungiso kuMba 39 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

41. Umba 39 weShedyuli 3 wenziwa izilungiso ngokuthi –

(a) endaweni yomhlathi (a) wecandelwana (2) kufakwe lo mhlathi ulandelayo:

“(a) Indawo yesibini yokuhlala ivumeleke kuxhomekeke kwimiqathango yendawo malunga nendlu yesibini **[ezowunwe njengeshishini lengingqi 1]** ekumba 25A;”; kunye

(b) endaweni yomhlathi (c) wombana (2) kufakwe lo mhlathi ulandelayo:

“(c) Imigaqo yophuhliso kwiziza ezingaphezu kwe-350 m² nezingekho ngaphezulu kwe-500 m² njengoko kuchaziwe ‘kwitheyibhile **[yobungakanani, ubude]** ubunjani bomgangatho, ubungakanani bomgangatho, ubungakanani, ubude nemida yezakhiwo kwimihlaba eZowunwe njengeZindlu zoSapho oLunye 1’ kumba **Error! Reference source not found.** iya kusebenza;”.

Ukwenziwa kweZilungiso kuMba 40 weShedyuli 3: INkqubo yoLawulo IoPhuhliso IweSixeko saseKapa njengoko wenziwa izilungiso licandelo 36 IoMthetho kaMasipala weZilungiso woCwangciso IoMasipala, 2016

42. Umba 40 weShedyuli 3 wenziwa izilungiso ngokucinywa komhlathi (c).

Ukwenziwa kweZilungiso kuMba 41 weShedyuli 3: INkqubo yoLawulo IoPhuhliso IweSixeko saseKapa

43. Umba 41 weShedyuli 3 wenziwa izilungiso ngokuthi –

(a) ngokufakela endaweni yomhlathana (i) womhlathi (c) kwalo mhlathana ulandelayo:

“(i) Obona bude buphakamileyo besakhiwo, obumetwe ukuya eluphahleni **[ukusuka kumgangatho ophantsi]** kumgangatho osezantsi okhoyo buya kuggitywa ngokuhambelana nale ‘theyibhile yobungakanani, ubude nomlinganiselo womgangatho kwiiNdawana eziZowunwe njengeZindlu zokuHlala uLuntu GR2-GR6’.”;

(b) ukufakela endaweni “yeTheyibhile yobungakanani, ubude nomlinganiselo womgangatho kwiiNdawana eziZowunwe njengeZindlu zokuHlala uLuntu GR2-GR6”, kwale theyibhile ilandelayo:

“Theyibhile yobungakanani, ubude nomlinganiselo womgangatho kwiiNdawana eziZowunwe njengeZindlu zokuHlala uLuntu GR2-GR6”

<i>Uzowuno Iwendawana</i>	<i>Ubungakana ni</i>	<i>Umlinganiselo womgangatho</i>	<i>Obona bude buphakamileyo ngaphezu komgangatho [kwisiseko] komgangatho osezantsi okhoyo ukuya eluphahleni</i>
GR2	60%	1,0	15,0 m
GR3	60%	[1,0] 1,25	20,0 m
GR4	60%	1,5	24,0 m
GR5	60%	2,5	35,0 m
GR6	60%	5,0	50,0 m

Isiphelo seTheyibhile”.

(c) ukucinywa komhlathi (d);

(d) ngokufakela endaweni yomhlathana (i) womhlathi (e) kwalo mhlathana ulandelayo:

“(i) Akukho sakhiwo siya kwakhiwa ngendlela yokuba nayiphi na ipoyinti kweso sakhiwo ibe kufuphi nomda wesitrato okanye umda ofanayo kunomgama ochaziweyo kule ‘theyibhile yemida yezakhiwo kwiiNdawana eziZowunwe njengeZindlu zokuHlala uLuntu GR2-GR6’, ukuba ngaba:
(aa) uphawu olungu-‘H’ luthetha ubude beemitha bepoyinti echaphazelekayo engaphezu **[komgangatho osisiseko]** komgangatho osezantsi, yaye
(bb) apho kubekwe ukuba kwensiwe imida yezakhiwo engeminye, kuya kusebenza owona mkhulu kuloo mida mibini yezakhiwo.”;

(e) ngokufakela endaweni yomhlathana (ii) womhlathi (e) kwalo mhlathana ulandelayo:

“(ii) Isakhiwo esingaphandle sivumeleke kumda wesakhiwo ofanayo ukuba ngaba isakhiwo esingaphandle asisidanga ngaphezu kwe- 3,5 m ukusuka **[kwisiseko]** kumgangatho osezantsi okhoyo kwisakhiwo esingaphandle kumphezulu wophahla.”; kunye

(f) ngokufakela endaweni “yeTheyibhile yemida yezakhiwo kwiiNdawana eziZowunwe njengeZindlu zokuHlala uLuntu”, kwale theyibhile ilandelayo:

"Itheyibhile yemida yezakhiwo kwiiNdawana eziZowunwe njengeZindlu zokuHlala uLuntu GR2-GR6

		Umda wesakhiwo ukusuka esitratweni		Umda wesakhiwo ofanayo	
Uzowuno lwendawana		lipoyinti ukuya kuma ku-25,0 m ngaphezu [komgangatho osiseko] <u>kumgangatho osezantsi okhoyo</u>	lipoyinti ezingaphezu kwe-25,0 m [komgangatho osiseko] <u>kumgangatho osezantsi okhoyo</u>	lipoyinti ukuya kuma ku-25,0 m ngaphezu [komgangatho osiseko] <u>kumgangatho osezantsi okhoyo</u>	lipoyinti ezingaphezu kwe-25,0 m ngaphezu [komgangatho osiseko] <u>kumgangatho osezantsi okhoyo</u>
GR2		4,5 m	N/a	4,5 m okanye 0,6 H (0,0 m ukuya kuma ku-15,0 m ubude apho umda wesitrato unqumla umgama oyi-18,0 m ometwe nqo ukusuka kumda weso sitrato)	N/a (<u>ngaphandle kokuba luyavumeleka utyeshelo-mthetho kwinkqubo yolawulo lophuhliso yaye lwamkelwe</u>)
GR3					
GR4					
GR5		4,5 m	9,0 m	4,5 m okanye 0,6 H (0,0 m ukuya kuma ku-15,0 m ubude apho umda wesitrato unqumla umgama oyi-18,0 m ometwe nqo ukusuka kumda weso sitrato)	15,0 m
GR6					[<u>(0,0 m ukuya kuma ku-15,0 m ubude umda wesitrato onqumlayo umgama oyi-18,0 m ometwe nqo ukusuka kumda weso sitrato</u>)]

Isiphelo seTheyibhile".

Ukwenziwa kweZilungiso kuMba 42 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa njengoko wenziwe izilungiso licandelo 37 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016

44. Umba 42 weShedyuli 3 wenziwa izilungiso ngokuthi endaweni yomba kufakwe lo mba ulandelayo :

"Imiqathango yomba 21(b) no-22 usebenza kwindlu ekolu zowuno. Imiqathango yomba 21(b), 22 no-[53] 25A isebeanza kwindlu yesibini ekolu zowuno...".

Ukufakelwa koMba 45A kwiShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

45. Ischedyuli 3 yenziwa izilungiso ngokufakela emva komba 45 kwalo mba ulandelayo :

**"45A Umgao wophuhliso kulo lonke usetyenziso kuGR2-GR6, ngaphandle kwendlu yokuhlala nendlu
yesibini**

Isango lokungena isithuthi kwipropati malibe kumdra wendlela omelene naloo ndlu omalunga ne-9m ububanzi.".

Ukwenziwa kweZilungiso kuMba 46 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa njengoko wenziwe izilungiso licandelo 38 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016

46. Umba 46 weShedyuli 3 wenziwa izilungiso ngokuthi endaweni yomhlathi (a) kufakwe lo mhlathi ulandelayo:

“(a) Usetyenziso olungundoqo yindawo yokufundisela, indawo yokukhonza, ikliniki, isitishi sonxibelelwano esikuphahla Iwesakhiwo, ukwenziwa kwefilimu, isitishana sonxibelelwano esizimele ngokwaso, isitishana esincinci sonxibelelwano esikuphahla Iwendlu kanye nendawo elibala.”.

Ukwenziwa kweZilungiso kuMba 47 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

47. Umba 47 weShedyuli 3 wenziwa izilungiso ngokufakela endaweni yomhlathana (i) womhlathi (c) kwalo mhlathana ulandelayo:

“(i) Obona bude buphakamileyo besakhiwo, obumetwe [**kwizinga lesiseko**] kumgangatho osezantsi okhoyo ukuya kumphezulu wophahla, yi-12 m, ukuba ngaba akubekwanga miqathango yobude bethawa yentsimbi, uphondo Iwendlu okanye uphawu olubunjalo oludizayinelwe ukuqaqambisa ukubaluleka kwesakhiwo.”.

Ukwenziwa kweZilungiso kuMba 48 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa njengoko wenziwe izilungiso licandelo 39 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016

48. Umba 48 weShedyuli 3 wenziwa izilungiso ngokuthi endaweni yomhlathi (a) kufakwe lo mhlathi ulandelayo:

“(a) Usetyenziso olungundoqo liziko, isibhedlele, indawo yokufundisela, indawo yokukhonza, indawo yokuhlanganela, isitishi sonxibelelwano esikuphahla Iwesakhiwo, isitishana sonxibelelwano esizimele ngokwaso, isitishana esincinci sonxibelelwano esikuphahla Iwendlu, ukwenziwa kwefilimu kanye nendawo elibala.”.

Ukwenziwa kweZilungiso kuMba 49 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

49. Umba 49 weShedyuli 3 wenziwa izilungiso ngokufakela endaweni yomhlathana (i) womhlathi (c) kwalo mhlathana ulandelayo:

“(i) Obona bude buphakamileyo besakhiwo, obumetwe ukusukela [**kwizinga lesiseko**] kumgangatho osezantsi okhoyo ukuya kumphezulu wophahla, yi-12 m, ukuba ngaba akubekwanga miqathango yobude bethawa yentsimbi, uphondo Iwendlu okanye uphawu olubunjalo oludizayinelwe ukuqaqambisa ukubaluleka kwesakhiwo”.

Ukwenziwa kweZilungiso kuMba 50 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa njengoko wenziwe izilungiso licandelo 40 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016

50. Umba 50 weShedyuli 3 wenziwa izilungiso ngokuthi endaweni yomhlathi (b) kufakwe lo mhlathi ulandelayo:

“(b) Amalungelo osetyenziso ongezelelekileyo anokusetyenziswa ngumntu ohlala kwindlu yokuhlala yindawo yesibini yokuhlala, Ukusebenzisa indlu okanye ivenkile esendlwini okanye indlu yeendwendwe yokulala neyokudla isidlo sakusasa okanye indlu eliziko lokukhathalela abantwana kuxhomekeke kwimigaqo yophuhliso kwimiba 25A, Error! Reference source not found. [Error! Reference source not found.] no-Error! Reference source not found. leyo ichaphazelekayo.”.

Ukwenziwa kweZilungiso kuMba 51 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

51. Umba 51 weShedyuli 3 wenziwa izilungiso ngokuthi –

(a) ngokufakela endaweni yomhlathana (i) womhlathi (b) kwalo mhlathana ulandelayo:

“(i) Obona bude buphakamileyo besakhiwo, obumetwe ukusukela [**kwizinga elisiseko**] kumgangatho osezantsi okhoyo ukuya kumphezulu wezixhasi zophahla nokuya kumphezulu wophahla, uya kugqitywa ngokuhambelana nommandla weyunithi yomhlaba njengoko

kubonisiwe kule ‘theyibhile yomlinganiselo womgangatho, ubude nemida yezakhiwo kwindawo ezowunwe njengeshishini lengingqi 1’.”;

(b) ngokufakela endaweni yomhlathana (ii) womhlathi (b) kwalo mhlathana ulandelayo:

“(ii) Apho isakhiwo esivumeleke kolu zowuno sikwi-3 m yomda ofanayo, ubude abusayi kuba ngaphezu kwe-4 m obumetwe ukusukela **[kwizinga elisiseko]** kumgangatho osezantsi okhoyo ukuya kumphezulu wophahla.”;

(c) ukufakela endaweni “yeTheyibhile yomlinganiselo womgangatho, ubude nemida yezakhiwo kwindawo ezowunwe njengeshishini lengingqi 1”, kwale theyibhile ilandelayo:

“Itheyibhile yomlinganiselo womgangatho, ubude nemida yezakhiwo kwizowuni yeshishini lengingqi 1

Ummadla weyuniti yomhlaba (m^2)	Umlinganiselo womgangatho	Obona bude buphakamileyo ngaphezu komgangatho osisiseko		Umda wesakhiwo ukusuka esitratweni	Umda wesakhiwo ofanayo
		Kwisixhasi sophahla	Ukuya elupha hleni		
>1 000	1,0	9,0 m	11,0 m	3,5 m	3,0 m
>650 ukuya kuma ku-1 000	1,0	9,0 m	11,0 m	3,5 m	3,0 m
>350 ukuya kuma ku-650	1,0	8,0 m	10,0 m	3,5 m	kwi-12,0m yokuqala yomda ometwe ngqo ukusuka kumda wesitrato no-0,0 m ne- 60% yomgama oshiyekileyo okwimida efanayo kwiyuniti yomhlaba ne-3,0 m kwintsalela, ngokomhlathi Error! Reference source not found..
>200 ukuya kuma ku-350	1,0	8,0 m	10,0 m	3,5 m	kwi-12,0m yokuqala yomda ometwe ngqo ukusuka kumda wesitrato no-0,0 m ne- 60% yomgama oshiyekileyo okwimida efanayo kwiyuniti yomhlaba ne-3,0 m kwintsalela; kuxhomekeke imihlathi Error! Reference source not found. no-Error! Reference source not found..
≤200	1,0	8,0 m	10,0 m	1,0 m	imihlathi Error! Reference source not found. no-Error! Reference source not found..

Isiphelo seTheyibhile”;

(d) ngokufakela endaweni yomhlathana (i) womhlathi (d) kwalo mhlathana ulandelayo:

“(i) Igaraji okanye ikhapoti ivumeleke kumda wesakhiwo ofanayo ukuba ngaba igaraji okanye ikhapoti:
 (aa) ayindanga ngaphezu kwe-3,5 m ukusuka **[kwisisiko]** kumgangatho osezantsi okhoyo ukuya kumphezulu wophahla; yaye
 (bb) ayiqulethanga ngaphezulu komphambili weegaraji ezimbini ezibubanzi buyi- 6,5 m.”;
 kunye

(e) ngokufakela endaweni yomhlathana (ii) womhlathi (d) kwalo mhlathana ulandelayo:

- "(ii) Ukulungiselela iiyunithi zemihlaba eziyi-650 m² nangaphantsi, igaraji okanye ikhapoti ivumeleke ukuya kuma ku-1,5 m ukusuka kumda wesitrato ukuba ngaba igaraji okanye ikhapoti:
- (aa) ayindanga ngaphezu kwe-3,5 m ukusuka **[kwisiseko]** kumgangatho osezantsi okhoyo ukuya kumphezulu wophahla; yaye
 - (bb) ayiqulethanga ngaphezulu komphambili weegaraji ezimbini ezibubanzi buyi- 6,5 m.".

Ukucinywa koMba 53 weShedyuli 3: INkqubo yoLawulo IoPhuhliso IweSixeko saseKapa njengoko wenziwe izilungiso licandelo 41 IoMthetho kaMasipala weZilungiso woCwangciso IoMasipala, 2016

52. Umba 53 weShedyuli 3 uyacinywa.

Ukwenziwa kweZilungiso kuMba 56 weShedyuli 3: INkqubo yoLawulo IoPhuhliso IweSixeko saseKapa

53. Umba 56 weShedyuli 3 wenziwa izilungiso ngokufakela endaweni yomhlathana (i) womhlathi (c) kwalo mhathana ulandelayo:

- "(i) Obona bude buphakamileyo besakhiwo, obumetwe ukusukela **[kwisiseko]** kumgangatho osezantsi okhoyo ukuya kumphezulu wophahla, iya kuba yi-12 m m.".

Ukwenziwa kweZilungiso kuMba 60 weShedyuli 3: INkqubo yoLawulo IoPhuhliso IweSixeko saseKapa

54. Umba 60 weShedyuli 3 wenziwa izilungiso ngokuthi –

- (a) ngokufakela endaweni yomhlathana (i) womhlathi (d) kwalo mhathana ulandelayo:

- "(i) Obona bude buphakamileyo besakhiwo, obumetwe ukusukela **[kwisiseko]** kumgangatho osezantsi okhoyo uya kugqitywa ngokuhambelana nale 'theyibhile yobude nomlinganiselo womgangatho kwiiNdawo eziZowunelwe uShishino-Gabalala'.";

ukufakela endaweni "yeTheyibhile yobude nomlinganiselo womgangatho kwiiNdawo eziZowunelwe uShishino-Gabalala", kwale theyibhile ilandelayo:

"Itheyibhile yobude nomlinganiselo womgangatho kwiiNdawo eziZowunelwe uShishino-Gabalala

Uzowuno lwendawana	Obona bude buphakamileyo ngaphezu komgangatho osiseko] osezantsi okhoyo	Umlinganiselo womgangatho
GB1	15,0 m	1,5
GB2	15,0 m	2,0
GB3	25,0 m	[2,0] 2,5
GB4	25,0 m	3,0
GB5	25,0 m	4,0
GB6	38,0 m	6,0
GB7	60,0 m	12,0

Isiphelo seTheyibhile";

- (b) ngokufakela endaweni yomhlathana (i) womhlathi (e) kwalo mhathana ulandelayo:

- "(i) Akukho sakhiwo siya kwakhiwa ngendlela yokuba indawo esuka apho ibe kufuphi nesitrato okanye umda ofanayo kunomgama ochaziweyo kule 'theyibhile yemida yezakhiwo kwiiNdawo eziZowunelwe uShishino-Gabalala', apho uphawu olungu-'H' luthetha ubude beemitha bepoyinti echaphazelekayo ngaphezu **[komgangatho osiseko]** komgangatho osezantsi."; kune

- (c) nangokufakela endaweni "yeTheyibhile yemida yezakhiwo kwiiNdawo eziZowunelwe uShishino-Gabalala", kwale theyibhile ilandelayo:

"Itheyibhile yemida yezakhiwo kwiiNdawo eziZowunelwe uShishino-Gabalala

Uzowuno Iwemima- ndlanyana	Umgca wesakhiwo wesitrato nomgca wesakhiwo ofana nomnye			
	lipoyinti kwisakhiwo ngaphezu [komgangatho osisiseko] kumgangatho osezantsi okhoyo			
	ukuya kuma ku-10,0 m	ngaphezu kwe- 10,0 m nokuya kuma ku-25,0 m	ngaphezu kwe-25,0 m nokuya kuma ku-38,0 m	over 38,0 m
GB1	0,0 m	4,5 m (0,0 m kumda ofanayo)	N/a	N/a (<u>ngaphandle kokuba</u> <u>luyavumeleka utyeshelo-</u> <u>mthetho kwinkqubo yolawulo</u> <u>lophuhliso yaye lwamkelwe</u>)
GB2				
GB3				
GB4				
GB5	0,0 m	0,0 m	N/a	N/a (<u>ngaphandle kokuba</u> <u>luyavumeleka utyeshelo-</u> <u>mthetho kwinkqubo yolawulo</u> <u>lophuhliso yaye lwamkelwe</u>)
GB6	0,0 m	0,0 m	(thabatha 25,0 m) wahlulwa ngo- 2 (0,0 m kumda ofanayo)	N/a (<u>ngaphandle kokuba</u> <u>luyavumeleka utyeshelo-</u> <u>mthetho kwinkqubo yolawulo</u> <u>lophuhliso yaye lwamkelwe</u>)
GB7	0,0 m	0,0 m	0,0 m	(H thabatha 38,0 m) wahlulwa ngo-2 (0,0 m kumda ofanayo)

Isiphele seTheyibhile".

Ukwenziwa kweZilungiso kuMba 64 weShedyuli 3: INkqubo yoLawulo IoPhuhliso IweSixeko saseKapa

55. Umba 64 weShedyuli 3 wenziwa izilungiso ngokuthi –

- (a) ngokufakela endaweni yomhlathana (ii) womhlathi (a) kwalo mhlathana ulandelayo:
 - "(ii) Obona bude buphakamileyo besakhiwo, obumetwe ukusukela [**kwizinga lesiseko**] **kumgangatho osezantsi okhoyo** ukuya kumphezulu wophahla, uya kugqitywa ngokuhambelana nale 'theyibhile yomlinganiselo womgangatho, ubungakanani nobude kwiindawo eziZowunelwe uSetyenziso oluXubileyo.';
- (b) ukufakela endaweni "yeTheyibhile yomlinganiselo womgangatho, ubungakanani nobude kwiindawo kwiindawo eziZowunelwe uSetyenziso oluXubileyo", kwale theyibhile ilandelayo:

"Itheyibhile yomlinganiselo womgangatho, ubungakanani nobude kwiindawo eziZowunelwe uSetyenziso oluXubileyo

Uzowuno lwendawana	Umlinganiselo womgangatho	Ubungakanani	Obona bude buphakamileyo [komgangatho osisiseko] <u>kumgangatho osezantsi okhoyo</u> ukuya eluphahleni
MU1	1,5	75%	15,0 m
MU2	4,0	100%	25,0 m
MU3	6,0	100%	38,0 m

Isiphele seTheyibhile";

(c) ngokufakela endaweni yomhlathana (i) womhlathi (c) kwalo mhlathana ulandelayo:

"(i) Akukho sakhiwo siya kwakhiwa ngendlela yokuba nayiphi na ipoyinti kweso sakhiwo ibe kufuphi nesirato okanye umda ofanayo kunomgama ochaziweyo kule 'theyibhile yemida yezakhiwo kwiindawo eziZowunelwe uSetyenziso oluXubileyo, apha uphawu olungu-'H' luthetha ubude beemitha bepoyinti engaphezu **[komgangatho osisiseko]** kumgangatho osezantsi."; kune

(d) ngokufakela endaweni "yeTheyibhile yemida yezakhiwo kwiindawo eziZowunelwe uSetyenziso oluXubileyo", kwale theyibhile ilandelayo:

"Itheyibhile yemida yezakhiwo kwiindawo eziZowunelwe uSetyenziso oluXubileyo

Uzowuno lwendawana	Umgca wesakhiwo wesirato nomgca wesakhiwo ofana nomnye		
	lipoyinti kwisakhiwo ngaphezu [komgangatho osisiseko] <u>kumgangatho osezantsi okhoyo</u>		
	ukuya kuma ku-10,0m	ngaphezu kwe-10,0 m nokuya kuma ku-25,0 m	ngaphezu kwe-25,0 m nokuya kuma ku-38,0 m
MU1	0,0 m	4,5 m	N/a
MU2	0,0 m	4,5 m	N/a
MU3	0,0 m	0,0 m	(H thabatha 25,0 m) wahlulwa ngo-2

Isiphele seTheyibhile".

Ukwenziwa kweZilungiso kuMba 68 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

56. Umba 68 weShedyuli 3 wenziwa izilungiso ngokuthi –

(a) ngokufakela endaweni yomhlathana (i) womhlathi (b) kwalo mhlathana ulandelayo:

"(i) Obona bude buphakamileyo besakhiwo kuZowuno lwendawana eziziFemu ezinguGI1 iya kuba yi-18 m obumetwe ukusukela **[kwizinga lesiseko]** kumgangatho osezantsi okhoyo ukuya kumphezelu wophahla";

(b) ngokufakela endaweni yomhlathana (iii) womhlathi (b) kwalo mhlathana ulandelayo:

"(iii) Nasiphi isakhiwo esikuZowuno lwendawana eziziFemu ezinguGI2 esisetenziselwa uveliso asisayi kuba ngaphezulu kobude be-18 m obumetwe ukusukela [**kwizinga lesiseko**] kumgangatho osezantsi okhoyo ukuya kumphezulu wophahla;"; kunye

- (c) ngokufakela endaweni yomhlathana (v) womhlathi (b) kwalo mhlathana ulandelayo:

"(v) likhonteyina zokuhambisa izinto, xa zigcinwe okanye zipakishwe ngaphandle kwesakhiwo, azinakuba nobude obungaphezu kwe-15 m ngaphezu komgangatho osezantsi [**wesiqhelo**] okhoyo.".

Ukwenziwa kweZilungiso kuMba 75 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

57. Umba 75 weShedyuli 3 wenziwa izilungiso ngokuthi –

- (a) ngokufakela endaweni yomhlathana (ii) womhlathi (c) kwalo mhlathana ulandelayo:

"(ii) Izakhiwo ezingasetenziselwa ushishino olunobungozi, umsebenzi onobungozi okanye uveliso azisayi kuba ngaphezulu kobude be-18 m obumetwe ukusukela [**kwizinga lesiseko**] kumgangatho osezantsi okhoyo ukuya kumphezulu wophahla;"; kunye

- (b) ngokufakela endaweni yomhlathana (iv) womhlathi (c) kwalo mhlathana ulandelayo:

"(iv) likhonteyina zokuhambisa izinto, xa zigcinwe okanye zipakishwe ngaphandle kwesakhiwo, azinakuba nobude obungaphezu kwe-15 m ngaphezu komgangatho osezantsi [**wesiqhelo**] okhoyo.".

Ukwenziwa kweZilungiso kuMba 80 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

58. Umba 80 weShedyuli 3 wenziwa izilungiso ngokuthi endaweni yomhlathi (a) kufakwe lo mhlathsi ulandelayo:

- "(a) Usetyenziso olungundoqo iinkonzo ezelulutho, usetyenziso ngegunya, isitishi sonxibelelwano esikuphahla lwasakhiwo, [**ne**]isitishi sonxibelelwano esizimele ngokwaso, isitishana sonxibelelwano esizimele ngokwaso kunye nesitishana esincinci sonxibelelwano esikuphahla lwendlu.".

Ukwenziwa kweZilungiso kuMba 82 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

59. Umba 82 weShedyuli 3 wenziwa izilungiso ngokuthi endaweni yomhlathi (a) kufakwe lo mhlathsi ulandelayo:

- "(a) Usetyenziso olungundoqo lusetyenziso lwezithuthi, igaraji yokupaka iimoto ezininzi, inkonzo elulutho, ivenkile, irestu, urhwebo ngeenkonzo, iofisi, iwehawusi, isitishi sonxibelelwano esikuphahla lwasakhiwo, isitishana sonxibelelwano esizimele ngokwaso, isitishana esincinci sonxibelelwano esikuphahla lwendlu nesiza seekhonteyina.".

Ukwenziwa kweZilungiso kuMba 83 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

60. Umba 83 weShedyuli 3 wenziwa izilungiso ngokuthi –

- (a) ngokufakela endaweni yomhlathana (i) womhlathi (c) kwalo mhlathana ulandelayo:

"(i) Obona bude buphakamileyo besakhiwo iya kuba yi-18 m obumetwe ukusukela [**kwizinga lesiseko**] kumgangatho osezantsi okhoyo ukuya kumphezulu wophahla;"; kunye

- (b) ngokufakela endaweni yomhlathana (iii) womhlathi (c) kwalo mhlathana ulandelayo:

"(iii) likhonteyina zokuhambisa izinto, xa zigcinwe okanye zipakishwe ngaphandle kwesakhiwo, azinakuba nobude obungaphezu kwe-15 m ngaphezu komgangatho osezantsi [**wesiqhelo**] okhoyo.".

Ukwenziwa kweZilungiso kuMba 87 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

61. Umba 87 weShedyuli 3 wenziwa izilungiso ngokuthi endaweni yomhlathi (a) kufakwe lo mhlathi ulandelayo:
- “(a) Usetyenziso olungundoqo sisitrato sikawonkewonke, indlela kawonke-wonke, isitishana sonxibelelwano esizimele ngokwaso, isitishana esincinci sonxibelelwano esikuphahla Iwendlu nenkozo elulutho.”.

Ukufakelwa kweSiqendu 3A kwiShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

62. Ischedyuli 3 yenziwa izilungiso ngokufakela, emva komba 92, kwesi siqendwana silandelwayo:

“Isiqendu3A: Uzowuno 3 IwezoThutho: Indlela eHlawulewayo (TR3)
(imiba 92A-B)

Uzowuno IweTR3 lolweendlela ezhlawulelwayo, nokuba sele zakhiwe okanye ziseza kwakhiwa.

92A Usetyenziso Iwepropati

Le miqathango yostyenziso elandelayo ichaphazela iipropati ezikolu zowuno:

- (a) Usetyenziso olungundoqo ziindlela ezhlawulelwayo, sisitrato sikawonkewonke, indlela kawonke-wonke, isitishana sonxibelelwano esizimele ngokwaso, isitishana esincinci sonxibelelwano esikuphahla Iwendlu nenkozo elulutho.
- (b) Usetyenziso ngemvume zibonelelo zenjini ejikeleziswa ngumoya namalungelo ezinto ezisemoyeni neziphantsi komhlaba.

92B Imigaqo yophuhliso

Kusebenza le migaqo yophuhliso ilandelayo:

- (a) Isixeko siza kufuna isicwangciso sophuhliso sesiza kusetyenziso olungundoqo nolwemvume.
- (b) Isicwangciso sophuhliso sesiza esamkelwe siSixeko siza kwenza imigaqo yosetyenziso olungundoqo nolwemvume, xa kukho imfuneko.
- (c) Kuya kusebenza imiqathango yesicwangciso sophuhliso sesiza kumba 123.”.

Ukwenziwa kweZilungiso kuMba 97 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

63. Umba 97 weShedyuli 3 wenziwa izilungiso ngokuthi endaweni yomhlathi (a) kufakwe lo mhlathi ulandelayo:
- “(a) Usetyenziso olungundoqo lulondolozo Iwendalo, isitishana sonxibelelwano esizimele ngokwaso kunye nesitishana esincinci sonxibelelwano esikuphahla Iwendlu.”.

Ukwenziwa kweZilungiso kuMba 99 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

64. Umba 99 weShedyuli 3 wenziwa izilungiso ngokuthi endaweni yomhlathi (a) kufakwe lo mhlathi ulandelayo:
- “(a) Usetyenziso olungundoqo ngamabala oluntu, **[kunye]** nolondolozo lokusingqongileyo, isitishana sonxibelelwano esizimele ngokwaso kunye nesitishana esincinci sonxibelelwano esikuphahla Iwendlu.”.

Ukwenziwa kweZilungiso kuMba 104 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

65. Umba 104 weShedyuli 3 wenziwa izilungiso ngokuthi endaweni yomhlathi (a) kufakwe lo mhlathi ulandelayo:
- “(a) Usetyenziso olungundoqo libala, indlela yomntu **[no]**usetyenziselo lolondolozo lokusingqongileyo, isitishana sonxibelelwano esizimele ngokwaso kunye nesitishana esincinci sonxibelelwano esikuphahla Iwendlu.”.

Ukwenziwa kweZilungiso kuMba 108 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa njengoko wenziwe izilungiso licandelo 46 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016

66. Umba 108 weShedyuli 3 wenziwa izilungiso ngokuthi endaweni yomhlathi (a) kufakwe lo mhlathi ulandelayo:

“(a) Usetyenziso olungundoqo lulimo, ukusebenza ngezityalo, indlu yokuhlala, izitali zamahashe, usetyenziselo lolondolozo lokusingqongileyo, izibonelelo zokusingqongileyo, isitishi sonxibelelwano esikuphahla Iwesakhiwo, isitishana sonxibelelwano esizimele ngokwaso, isitishana esincinci sonxibelelwano esikuphahla Iwendlu namalungelo osetyenziso ongezelelekileyo njengoko luxeliwe kumhlathi (b).”.

Ukwenziwa kweZilungiso kuMba 109 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

67. Umba 109 weShedyuli 3 wenziwa izilungiso ngokuthi –

(a) ngokufakela endaweni yomhlathana (i) womhlathi (d) kwalo mhlathana ulandelayo:

“(i) Obona bude buphakamileyo bendlu yokuhlala, obumetwa ukusuka **[kwisiseko]** kumgangatho osezantsi okhoyo ukuya kumphezulu wezixhasi zophahla, iya kuba yi- 9 m yaye ukuya kumphezulu wophahla iya kuba yi-11 m.”; kunye

(b) nangokufakela endaweni yomhlathana (ii) womhlathi (d) kwalo mhlathana ulandelayo:

“(ii) Izakhiwo zolimo ngaphandle kwendlu yokuhlala ayisayi kuba ngaphezulu kobude obuyi-12 m obumetwe ukusuka **[kwisiseko]** kumgangatho osezantsi okhoyo ukuya kumphezulu wophahla.”.

Ukwenziwa kweZilungiso kuMba 111 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

68. Umba 111 weShedyuli 3 wenziwa izilungiso ngokuthi endaweni yomhlathi (d) kufakwe lo mhlathi ulandelayo:

(b) “(d) imigaqo yophuhliso kumba **[53]** 25A iya kusebenza kwindawo yesibini yokuhlala neeyunithi zokuhlala ezongezelelekileyo kolu zowuno.”.

Ukwenziwa kweZilungiso kuMba 113 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

69. Umba 113 weShedyuli 3 wenziwa izilungiso ngokufakela endaweni yomhlathana (i) womhlathi (e) kwalo mhlathana ulandelayo:

“(i) Obona bude buphakamileyo besakhiwo, obumetwe ukusukela **[kwizinga lesiseko]** kumgangatho osezantsi okhoyo ukuya kwisixhasi sophahla iya kuba yi-9 m, yaye ukuya kumphezulu wophahla iya kuba yi-11 m.”.

Ukwenziwa kweZilungiso kuMba 116 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

70. Lo mba ulandelayo ufkwa endaweni yomba 116 weShedyuli 3:

“Kusebenza imigaqo yophuhliso kumba **[Error! Reference source not found.]25A**, yaye iyunithi yendlu yabantu abenza umsebenzi wezolimo woqobo kwiyunithi yomhlaba ayisayi kuthathwa njengendawo yesibini yokuhlala.”.

Ukwenziwa kweZilungiso kuMba 121 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa njengoko wenziwe izilungiso licandelo 50 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016

71. Umba 121 weShedyuli 3 wenziwa izilungiso ngokuthi endaweni yomhlathi (a) wombana (1) kufakwe lo mhlathi ulandelayo:

- "(a) Noxa kukho imiqathango yomgca wesakhiwo ochazwe kwiSAHLULO II, ezi zakhiwo zilandelayo okanye iinxalenye zazo zingakhiwa kwimida yezakhiwo ebekiwego, ukuba ngaba azidluli kwimida yeyunithi yomhlaba:
- (i) amadonga ayimida, ucingo neegeyithi;
 - (ii) izituphu eziphandle nezingakhavarishwanga;
 - (iii) izitephu zokungena, imigangatho yezitepsi neeveranda ezisemnyango ezikhokelela kumgangatho osezantsi wesakhiwo okanye kwibheyisimenti;
 - (iv) isango elikhavarishiweyo okanye indlu yegeyithi enephahla ezilingekho ngaphezu kwe-5 m² nobude obungekho ngaphezu kwe-3 m ukusuka emgangathweni ukunyuka;
 - (v) izikhuselo ezingekho ngaphezu kwe-1 m ukusuka kudonga lwasakhiwo;
 - (vi) imiqukumbelo yodonga, iitshimini, iibhokisi zeentyatyambo, imibhobho yamanzi, imibhobho yedreyini nezinye izinto ezincinci zokuhombisa ezingekho ngaphezu kwe-500 mm ukusuka kudonga lwasakhiwo;
 - (vii) amadonga okubonisa angekho ngaphezu kwe-2,1 m ubude ngentla komgangatho osezantsi okhoyo owayame kolo donga;
 - (viii) iipuli zokudada ezingekho kufuphi ne-1 m kumda wesiza;
 - (ix) nayiphi inxalenye yebheyisimenti **[ukuba ngaba]** engaphantsi **[akho nxalenye yayo ikrobe ngaphaya]** komgangatho osezantsi okhoyo;
 - (x) igumbi lenkunkuma elifunwe siSixeko ngokomba 145;
 - (xi) udonga olungumda kumda wesitrato sesakhiwo, kuxhomekeke kumba 126, okanye nasiphi isitrato sokunqanda okuthile ephantsi komgangatho okhoyo **[.]**;
 - (xii) iipali zepergola ezingekho ngaphezu kwe-40 m² ummandla;
 - (xiii) amatanki amanzi nezibonelelo zokuwaxhasa ezinobude obungekho ngaphezu kwe3,2 m kumgangatho osezantsi okhoyo;
 - (xiv) igunjana labantwana lokudlala okanye into ebunjalo engekho ngaphezu kwe-5 m² ummandla ne-2,5 m ukusuka kumgangatho osezantsi okhoyo, kumda wesiahelo; okanye
 - (xv) ngaphandle kokuba oku kuvunyelwe kwelinye icandelo lale nkubo yolawulo lophuhliso, iishedi ezizitora ezingekho ngaphezu kwe-5 m² ummandla ne-2,5 m ubude ukusuka kumgangatho osezantsi okhoyo.".

Ukwenziwa kweZilungiso kuMba 122 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

72. Umba 122 weShedyuli 3 wenziwa izilungiso ngokuthi endaweni yomba kufakwe lo mba ulandelayo :

"Inxalenye yeyunithi yomhlaba ekummandla okumbindi womda iya kubekelwa bucala ngeenjongo zokugqiba ubungakanani kunye nobona bungakanani bomgangatho bukhulu, ngaphandle kokuba umnini unikezela loo nxalenye ichaphazelekayo kwiSixeko ngaphandle kweendleko. Kuloo meko, inxalenye iya kubandakanywa ngeenjongo zokugqiba ubungakanani okanye obona bungakanani bomgangatho bukhulu kwiyuniti yomhlaba nomda wesakhiwo othathwa ngokuba yi0m."

Ukwenziwa kweZilungiso kuMba 129 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

73. Umba 129 weShedyuli 3 wenziwa izilungiso ngokuthi kutshintshwe isihloko neicandelo kwesi sihloko neli candelo lilandelayo:

"129 [Amakhaya angomahambehla neekharaveni] Izithuthi zokonwaba nezithuthi ezhamba emanzini

- (1) **[Isithuthi sokonwabiswa, esifana nendlu engumahambehla okanye ikanharaveni,] Izithuthi zokonwaba nezithuthi ezhamba emanzini** akuanakuhlalwa kuyo unomphelo kungafunyenwanga mvume yeSixeko, ngaphandle kokuba uzowuno lwalo mmandla luyayivumela loo nto.
- (2) **[Imvume enikezwe kulandelwa imiqathango yombana (1) ixhomekeke kodwa ayiphelelanga kule migathango ilandelayo [Le migaqo yophuhliso ilandelayo iya kusebenza kwindlu engumahambehla eyamkelweyo eza kubekwa kwiyuniti yomhlaba eyindlu]:**
 - (a) **[umahambehla okanye ikanharaveni]** Isithuthi sokonwaba nesithuthi esihamba emanzini siya kubekwa kwisiseko yaye sibotshelelwe kakuhle;
 - (b) makusetyenziswe imathiriyeli eyomeleleyo nombala ohambelana **[nomahambehla okanye ikanharaveni]** nesithuthi sokonwaba nesithuthi esihamba emanzini, ukusuka ezantsi **[kumahambehla]** kwisithuthi sokonwaba nesithuthi esihamba emanzini ukuya emhlaben;
 - (c) uphahlala namacala endlu **[engumahambehla okanye ikanharaveni]** esisithuthi sokonwaba nesithuthi esihamba emanzini makangabengezel; yaye

(d) izinto ezonegezwayo kweso sakhiwo mazibe yimathiriyeli ehambelana **[nendlu engumahambehala okanye ikanaveni]** Isithuthi sokonwaba nesithuthi esihamba emanzini.”.

Ukufakelwa koMba 136B kwiShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

74. Ischedyuli 3 yensiwa izilungiso ngokufakela, emva komba 136A, kwalo mba ulandelayo :

“136B Amadonga angumda

Kuya kusebenza le miqathango ilandelayo kudonga olungumda:

- (a) udonga olungumda wesitrato kufuneka lungabikho ngaphezu kwe-2 yeemitha ubude, olumetwa ukusuka kumgangatho osezantsi okhoyo kwicandelo lodonga elinesitrato soluntu ukuya kumphezulu wodonga olungumda;
- (b) Udonga olungumda oluyi-1m ubude, olumetwa ukusuka kumgangatho osezantsi okhoyo olukwisitrato sikawonke-wonke secala lodonga, lungayinxalenyen yodonga olungumda wesitrato kodwa ukuba udonga olungumda luyi-1m ubude, kufuneka kubekho ungqameko oluyi-1m ubude;
- (c) udonga olungumda Iwesighelo kufuneka lungabikho ngaphezu kwe 2,5 yeemitha ubude xa lumetwe ukusuka kumgangatho osezantsi okhoyo level kwicala ngalinye lodonga ukuya kumphezulu wodonga olungumda;
- (d) Udonga olungumda oluyi-1m ubude, olumetwa ukusuka kumgangatho osezantsi okhoyo kwicala ngalinye lodonga, lungayinxalenyen yodonga olungumda Iwesighelo kodwa ukuba udonga olungumda luyi-1m ubude, kufuneka kubekho ungqameko oluyi-1m ubude;
- (e) izixhobo zokhusaleko, ezifana namacingo ahlabayo, ucingo olujikelezileyo, ucingo olusikayo okaye ucingo lombane, kufuneka zingabikho zingabi nobude obungaphezu kwe-1,0 mitha emetwe ukusuka kumphezulu wodonga olungumda;
- (f) nayiphi inxalenye yodonga olungumda ongaphezu kwe-1 mitha ubude, emetwe ukusuka kumgangatho osezantsi okhoyo kwicandelo lodonga elinesitrato soluntu ukuya kumphezulu wodonga olungumda, olukwi-4,5 yeemitha yendlela enqamlezileyo yemida yezitrato ezibini ezivala iengile engaphantsi kwe-135 digrizi kufuneka kukwazeke ukubona ngaphaya kwalo;
- (g) Onke amadonga angumda ajongene nesitrato soluntu ibala loluntu okanye indlela yoluntu engekho ngaphezu kwe-1,5m ubude, ametwa ukusuka kumgangatho osezantsi okhoyo kwisitrato soluntu okanye kwibala loluntu elikwicala lodonga olungumda ukuya kumphezulu wodonga olungumda, kufuneka athobele le miqathango yokubonakala:
 - (aa) kumashishini-gabalala, iifemu eznemingcipheko nezowuno zezinto ezilulutho kuluntu, ubuncinane i60% yommandla onedonga elime nkqo makukwazi ukubonakala ngaphaya kwalo, yaye oko akubandakanyi iigeyithi okwazi ukubona ngaphaya kwazo okanye amacango eegaraji; kananjalo
 - (bb) kuzo zonke ezinye iindawo ezizowuniwego: ubuncinane i25% yommandla onedonga elime nkqo, yaye oko akubandakanyi nawaphi amacango eegaraji okanye iigeyithi okwazi ukubona ngaphaya kwazo.”.

Ukwenziwa kweZilungiso kuMba 138 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa njengoko wenziwe izilungiso licandelo 53 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016

75. Umba 138 wenziwa izilungiso ngokufakela endaweni yetheyibhile eneshloko esithi, “Ezona mfuno zingundoqo zendawo yokupaka esesitratweni” ze kufakwe le theyibhile ilandelayo:

"Ezona mfuno zingundoqo zendawo yokupaka esesitratweni

Usetyenziso-mhlaba	Imimandla yesiqhelo	Imimandla yePT1	Imimandla yePT2
Indlu engundoqo yokuhlala (Ezowune njengeSR1)	iibheyi ezi-2 kwiyunithi nganye eyindlu (Ibheyi e-1 kwindlu eneziza ezingu- < 350 m ²)	Ibheyi e-1 kwiyunithi nganye eyindlu	Ayikho
Indlu engundoqo yokuhlala (Ezowune njengeSR2)	Ibheyi e-1 kwiyunithi nganye eyindlu (Ayikho kwindlu eneziza ezingu- < 100 m ²)	Ayikho	Ayikho
Indawo yesibini yokuhlala	Ibheyi e-1 kwiyunithi nganye yesi-2 eyindlu	Ibheyi e-1 kwiyunithi nganye yesi-2 eyindlu	Ayikho
<u>Indlu yesithathu kwiyunithi yomhlaba ongaphezu kwe650m²</u>	<u>Ibheyi e-1 kwiyunithi nganye yesi-3 eyindlu</u>	<u>Ibheyi e-1 kwiyunithi nganye yesi-3 eyindlu</u>	<u>Ayikho</u>
Indawo ehlala abantu abaninzi	1,75 yebheyi kwiyunithi nganye eyindlu, kunye neebheyi eziyi-0,25 kwiyunithi nganye eyindlu zeendwendwe	Ibheyi e-1 kwiyunithi nganye eyindlu, kunye neebheyi eziyi-0,25 kwiyunithi nganye eyindlu zeendwendwe	Ayikho
liflethi	[1,75] 1,25 yebheyi kwiyunithi nganye eyindlu, kunye neebheyi eziyi-0,25 kwiyunithi nganye eyindlu zeendwendwe	Ibheyi e-1 kwiyunithi nganye eyindlu, kunye neebheyi eziyi-0,25 kwiyunithi nganye eyindlu zeendwendwe	Ayikho
Indlu yeendwendwe yokulala neyesidlo sakusasa	ibheyi e-1 eyongezelelweyo kwigumbi <u>lokulala_ngalinye</u> labatyeleli	ibheyi e-1 eyongezelelweyo kwigumbi <u>lokulala_ngalinye</u> labatyeleli	Ayikho
Ihostele, indlu yeendwendwe	[1,25] 1 yebheyi kwikamire nganye <u>kwiikamire</u> <u>zokuqala</u> <u>ezilishumi</u> <u>ze</u> <u>emva</u> <u>koko</u> <u>ibe</u> <u>yi-0.5</u> yeebheyi yekamire nganye kwikamire ezingaphezu kwe-10	[0,75] 1 yebheyi kwikamire nganye <u>kwiikamire</u> <u>zokuqala</u> <u>ezilishumi</u> <u>ze</u> <u>emva</u> <u>koko</u> <u>ibe</u> <u>yi-0.25</u> yeebheyi yekamire nganye kwikamire ezingaphezu kwe-10	Ayikho
Indawo enamagunjana okulalisa abatyeleli	Ibheyi e-1 kwibhedi ezi-[6] 10 kunye nemiqathango ehambelana nale <u>lesekelwe</u> <u>kwipakingi</u> <u>esetyenziswe</u> <u>nabanye</u> <u>abantu</u>) kwimihlaba evuleleke kuluntu	1 bay kwibhedi ezi- [8] 10 kunye nemiqathango ehambelana nale <u>lesekelwe</u> <u>kwipakingi</u> <u>esetyenziswe</u> <u>nabanye</u> <u>abantu</u>) kwimihlaba evuleleke kuluntu	Ayikho

Usetyenziso-mhlaba	Imimandla yesiqhelo	Imimandla yePT1	Imimandla yePT2
ihotele	<p>[0,75] <u>iibheyi</u> kwikamire nganye, neebheyi [ezingama-20 <u>ukuba</u> zinelayisenisi] <u>kunye</u> <u>nemiqathango</u> <u>ehambelana</u> <u>nale</u> <u>lesekelwe</u> <u>kwipakingi</u> <u>esetyenziswe</u> <u>nabanye</u> <u>abantu)</u> <u>kwimihlaba</u> <u>evuleleke</u> <u>kuluntu</u></p>	<p>[0,75] <u>0,5</u> <u>iibheyi</u> kwikamire nganye, neebheyi [ezingama-20 <u>ukuba</u> zinelayisenisi] <u>kunye</u> <u>nemiqathango</u> <u>ehambelana</u> <u>nale</u> <u>lesekelwe</u> <u>kwipakingi</u> <u>esetyenziswe</u> <u>nabanye</u> <u>abantu)</u> <u>kwimihlaba</u> <u>evuleleke</u> <u>kuluntu</u></p>	Ayikho
Ikhaya ladala, ikhaya leenkedama	<p>[0,5] <u>0,25</u> <u>yeebheyi</u> [kwikamire] <u>nganye</u> <u>kumhlali</u> <u>ngamnye</u></p>	<p>[0,3] <u>0,25</u> <u>yeebheyi</u> [kwikamire] <u>nganye</u> <u>kumhlali</u> <u>ngamnye</u></p>	Ayikho
Ikhrishi	<p>[1 <u>kubantwana</u> <u>abali-10,</u> <u>nesibonelelo</u> <u>sokuma</u> nesokwehla] <u>Ayikho.</u> <u>Izibonelelo</u> <u>ezinabantwana</u> <u>abangaphezu</u> <u>kwabayi-34</u> <u>mazikwazi</u> <u>ukuba</u> <u>nesibonelelo</u> <u>sokuma</u> <u>nesokwehla</u> <u>esesesitratweni.</u></p> <p><u>Isicwangciso</u> <u>soLawulo</u> <u>lweZithuthi</u> <u>esicetywayo</u> <u>masingeniswe</u> <u>esineenkukacha</u> <u>zezinto</u> <u>eziza</u> <u>kwenziwa</u> <u>ngesibonelelo</u> <u>sokuma</u> <u>nesokwehla</u></p>	<p>[Ibheyi e-1 kubantwana abali-10] <u>Ayikho.</u> <u>Izibonelelo</u> <u>ezinabantwana</u> <u>abangaphezu</u> <u>kwabayi-34</u> <u>mazikwazi</u> <u>ukuba</u> <u>nesibonelelo</u> <u>sokuma</u> <u>nesokwehla</u> <u>esesesitratweni.</u></p> <p><u>Isicwangciso</u> <u>soLawulo</u> <u>lweZithuthi</u> <u>esicetywayo</u> <u>masingeniswe</u> <u>esineenkukacha</u> <u>zezinto</u> <u>eziza</u> <u>kwenziwa</u> <u>ngesibonelelo</u> <u>sokuma</u> <u>nesokwehla</u></p>	Ayikho
Isikolo	<p>Ibheyi e-1 kwiklasi neofisi nganye, nesibonelelo sokuma nesokwehla.</p> <p><u>Ukukwazi</u> <u>ukubonelela</u> <u>ngendawo</u> <u>yokuma</u> <u>neyokwehla</u> <u>kwibheyi</u> <u>eyi-1</u> <u>kubafundii</u> <u>abayi-20.</u></p> <p><u>Ukuba</u> <u>esi</u> <u>sibonelelo</u> <u>asinakuba</u> <u>sesitratweni,</u> <u>makwenziwe</u> <u>indlela</u> <u>yokuba</u> <u>kwenziwe</u> <u>ibheyi</u> <u>elungele</u> <u>ukuba</u> <u>kumiswe</u> <u>kwehliswe</u> <u>abantwana</u> <u>engaphakathi</u> <u>kwisikolo</u></p>	<p>Ibheyi e-1 kwiklasi neofisi nganye, nesibonelelo sokuma nesokwehla.</p> <p><u>Ukukwazi</u> <u>ukubonelela</u> <u>ngendawo</u> <u>yokuma</u> <u>neyokwehla</u> <u>kwibheyi</u> <u>eyi-1</u> <u>kubafundii</u> <u>abayi-20.</u></p> <p><u>Ukuba</u> <u>esi</u> <u>sibonelelo</u> <u>asinakuba</u> <u>sesitratweni,</u> <u>makwenziwe</u> <u>indlela</u> <u>yokuba</u> <u>kwenziwe</u> <u>ibheyi</u> <u>elungele</u> <u>ukuba</u> <u>kumiswe</u> <u>kwehliswe</u> <u>abantwana</u> <u>engaphakathi</u> <u>kwisikolo</u></p>	Ayikho
Indawo yokufundisela (kwizinga elingaphezulu kwelesikolo))	<p>[0,4] <u>0,1</u> <u>yebheyi</u> <u>kumfundii</u> <u>ngamnye</u> <u>kunye</u> <u>nebheyi</u> <u>e-1</u> <u>kwiklasi</u> <u>nebheyi</u> <u>e-1</u> <u>yeofisi</u> <u>nganye</u></p>	<p>[0,4] <u>0,1</u> <u>yebheyi</u> <u>kumfundii</u> <u>ngamnye</u> <u>kunye</u> <u>nebheyi</u> <u>e-1</u> <u>kwiklasi</u> <u>nebheyi</u> <u>e-1</u> <u>yeofisi</u> <u>nganye</u></p>	Ayikho

Usetyenzo-mhlaba	Imimandla yesiqhelo	Imimandla yePT1	Imimandla yePT2
Ilayibrari, imyuziyam	iibheyi ezi-2 kwi-100 m ² [GLA] nganye kumgangatho ngamnye	1,5 yebheyi kwi-100 m ² [GLA] nganye kumgangatho ngamnye	-
Indawo yokuhlanganelo, indawo yokukhonza, indawo yolonwabo, indawo yomngcwabi	Ibheyi e-1 ngezitulo okanye abantu aba-6, ezibalwa ngokwe- 1,4 m ² yobungakanani bomgangatho = umntu om-1	Ibheyi e-1 ngezitulo okanye abantu aba-6, ezibalwa ngokwe- 1,4 m ² yobungakanani bomgangatho = umntu om-1	Ayikho
Ibala lemidlalo	Ibheyi e-1 ngezitulo ezi-4 okanye abantu (okanye ngokweplani yolawulo lwezithuthi)	iibheyi ezi-3 ngezitulo eziyi-20 okanye abantu (okanye ngokweplani yolawulo lwezithuthi)	Ayikho
Indawo yolonwabo okanye yemidlalo	Ibheyi e-1 ngezitulo ezisi-8 okanye abantu	Ibheyi e-1 ngezitulo ezili-10 okanye abantu	Ayikho
Ijimu, iklahu yokuzilolonga	iibheyi ezili-[10] ezisi-7 kwi-100 m ² GLA nganye	libheyi ezisi-[8] ezisi-7 kwi-100 m ² GLA nganye	Ayikho
Isibhedele (esikarhulumente nesabucala)	Ibheyi e-1 kwibhedi nganye, neebheyi ezi-3 kwigumbi ngalinye lokuxilongela	Ibheyi e-1 kwibhedi nganye, neebheyi ezi-2 kwigumbi ngalinye lokuxilongela	Ayikho
Ikliniki, amagumbi okuxilongela izigulane	[iibheyi ezi-4 kwigumbi ngalinye lokuxilongela] <u>Umyinge weebheyi eziyi-2.5 kwigumbi ngalinye lokuxilongela kumaziko anamagumbi okuxilongela akwisi-5.</u> <u>Kumaziko amakhulu, Makongezwe enye i-0.5 yeebheyi kwigumbi ngalinye lokuxilongela kwangaphezu kwesi-5 ukuy kuma kwiibheyi ezi-5 kwigumbi ngalinye lokuxilongela kumaziko anamagumbi anjalo ali-10 nangaphezulu</u>	[iibheyi ezi 3 kwigumbi ngalinye lokuxilongela] <u>Umyinge weebheyi eziyi-2.5 kwigumbi ngalinye lokuxilongela kumaziko anamagumbi okuxilongela akwisi-5.</u> <u>Kumaziko amakhulu, Makongezwe enye i-0.5 yeebheyi kwigumbi ngalinye lokuxilongela kwangaphezu kwesi-5 ukuy kuma kwiibheyi ezi-5 kwigumbi ngalinye lokuxilongela kumaziko anamagumbi anjalo ali-10 nangaphezulu</u>	Ayikho
livenkile (ngaphandle isuphamakethi)	iibheyi ezi-[4] 3 kwi-100 m ² GLA nganye	iibheyi ezi-2 kwi-100 m ² GLA nganye	Ayikho
Isuphamakethi, oobhazabhaba beevenkile	iibheyi ezi-[6] 4 kwi-100 m ² GLA nganye	[iibheyi ezi-4] 2,5 kwi-100 m ² GLA nganye	Ayikho
Irestyu	iibheyi ezi-[2] 6 kwi-100 [25] m ² GLA nganye	iibheyi [e-1] ezi-4 kwi-100 [25] m ² GLA nganye	Ayikho

Usetyenziso-mhlaba	Imimandla yesiqhelo	Imimandla yePT1	Imimandla yePT2
Iofisi	iibheyi ezi-4 kwi-100 m ² GLA nganye	2,5 yeebheyi kwi-100 m ² GLA nganye	Ayikho
Iziko leenkomfa	iibheyi ezi-6 ngezitulo ezili-10	iibheyi ezi-4 ngezitulo ezili-10	Ayikho
Indawo yokubonisa iimoto	iibheyi ezi-[3] 2 kwi-100 m ² GLA nganye	[iibheyi ezi-[3] 2 kwi-100 m ² GLA nganye]	Ayikho
Igaraji yokulungisa iimoto, igaraji yokutha amafutha eemoto	iibheyi ezi-4 ngebheyi nganye yokusebenzela, kunye neebheyi ezi-4 kwi-100 m ² GLA nganye, ubuncinane iibheyi ezi-8	iibheyi ezi-4 ngebheyi nganye yokusebenzela, kunye neebheyi ezi-4 kwi-100 m ² GLA nganye, ubuncinane iibheyi ezi-8	[Ayikho] <u>iibheyi ezi-4 ngebheyi nganye yokusebenzela</u>
Indawo yokulungisa iimoto	iibheyi ezi-2 ngebheyi nganye yokusebenzela	iibheyi ezi-2 ngebheyi nganye yokusebenzela	[Ayikho] <u>iibheyi ezi-4 ngebheyi nganye yokusebenzela</u>
Ifemu	<u>[iibheyi ezi-[2] 1,5 kwi-100 m² GLA nganye kwizibonelelo ukuya kuma kwi-3000m2 GLA.]</u> <u>Ibheyi e-1 kwi-100 m² GLA nganye kwizibonelelo ezingaphaya kwe-3000m2 GLA</u>	<u>[1,5] 0,5 yeebheyi kwi-100 m² GLA nganye kwizibonelelo ukuya kuma kwi-3000m2 GLA..</u> <u>Ibheyi e-1 kwi-100 m² GLA nganye kwizibonelelo ezingaphaya kwe-3000m2 GLA</u>	Ayikho
Iwehawusi, isakhiwo esisisitora	Ibheyi e-1 kwi-100 m ² GLA nganye	Ibheyi e-1 kwi-100 m ² GLA nganye	Ayikho
<u>Isitora sokuzigcinela</u>	<u>Ibheyi eyi-0,2 kwi-100 m² GLA nganye</u>	<u>Ibheyi eyi-0,2 kwi-100 m² GLA nganye</u>	<u>Ayikho</u>

Isiphelo seTheyibhile".

Ukwenziwa kweZilungiso kuMba 140 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa njengoko wenziwa izilungiso licandelo 54 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016

76. Umbo 140 weShedyuli 3 wenziwa izilungiso ngokuthi –

(a) endaweni yomhlathi (c) wombana (2) kufakwe lo mhlathi ulandelayo:

"(c) Ubuncinci nobukhulu bayo nayiphi indawo yokunqumla isithuthi buya kuba yi-2,4 m ne-8,0 m ngokulandeelana **[buya kuhambelana nale theyibhile ilandelayo, enesihloko esithi, 'Ububanzi bendawo yokunqumla isithuthi']**";

(b) ukucinywa komhlathi (d) wombana (2); kunye

(c) nokucinywa kwetheyibhile "Ububanzi bendawo yokunqumla isithuthi"".

Ukwenziwa kweZilungiso kuMba 141 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

77. Umbo 141 weShedyuli 3 wenziwa izilungiso ngokuthi endaweni yomhlathi (c) wombana (1) kufakwe lo mhlathi ulandelayo:

"(c) Ibheyi epakisha iimoto ezimbini iya kuthathwa njengebheyi enye ngeenjongo zale nkqubo yolawulo lophuhliso; ngaphandle kwakiindawo zokuhlala ezizindlu zosapho olunye, izindlu zosapho ezkwizowunana 1: izindlu ezyindibenisela okanye iiyunithi zokuhlala, ngaphandle kweeflethi, kulo naluphi na uzowuno, apha iibheyi ezimbini ezidibeneyo ziya kubalwa njengebheyi";.

Ukwenziwa kweZilungiso kuMba 143 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

78. Umba 143 weShedyuli 3 wenziwa izilungiso ngokufakela endaweni yamagama aphambi komhlathi (a) wecelandwana (2) kwala magama alandelayo:

"(2) Kwiindawo zokupaka zeebhayisekile **[ezine nezintandathu] ezilishumi** kusenonikwaikhredithi yebheyi yokupaka enye yemiqathango yeendawo zokupaka, ukuba ngaba:"

Ukwenziwa kweZilungiso kuMba 158 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

79. Umba 158 weShedyuli 3 wenziwa izilungiso ngokuthi –

- (a) endaweni yomhlathi (c) wombana (1) kufakwe lo mhlathi ulandelayo:

"(c) '**isicelo sophuhliso**' sitetha naluphi ulwakhiwo okanye usetyenziso lomhlaba okanye nasiphi isicelo esensiwe **[kugunyaziwe]** kwiSixeko samalungelo ongeziweyo okanye amatsha sosetyenziso olongeziweyo ngokomgaqo wocwangciso okanye imiqathango yenqubo yokuzowuna ngaphandle kwaleyo seyivunyelwe ngokwenqubo yolawulo lophuhliso, esenokunyusa amanani kwiZowuni yaManyathelo oLumkiso (PAZ) okanye kwiZowuni yoKhuseleko oluNgxamisekileyo (UPZ) kunye(okanye okunokuchaphazela umiseo ngokukuko IweSicwangciso sikaXakeka seKoeberg Nuclear.");

- (b) endaweni yomhlathi (b) wombana (2) kufakwe lo mhlathi ulandelayo:

"(b) ukuba abanini-mhlaba banokuthi bafumane **[kugunyaziwe]** kwiSixeko samalungelo ongeziweyo sosetyenziso olongeziweyo angazi kukhokelela kutshintsho okanye kuhulo lwamanani xa **[ugunyaziwe]** iSixeko sanelisekile ukuba izibonelelo zolawulo Iweentlekele ezidingekayo ukuqinisekisa umiselo lwemodeli eyamkelweyo yokususwa kwengxinano nezinye iinkqubo zolawulo Iweentlekele, zanele.";

- (c) endaweni yomhlathi (a) wombana (3) kufakwe lo mhlathi ulandelayo:

"(a) a isicelo sophuhliso siya kwamkelwa kuphela **[ngugunyaziwe]** siSixeko xa enelisekile ukuba izibonelelo zolawulo Iweentlekele ezidingekayo ukuqinisekisa umiselo lwemodeli eyamkelweyo yokususwa kwengxinano nezinye iinkqubo zolawulo Iweentlekele, zanele"; ze

- (d) endaweni yomhlathi (b) wombana (3) kufakwe lo mhlathi ulandelayo:

"(b) ukuba abanini-mhlaba, kuxhomekeke ekufumaneni imvume **[yogunyaziwe]** yeSixeko, basebenzisa **amalungelo ongeziweyo okanye amatsha usetyenziso olongeziweyo olungazi** kukhokelela kutshintsho okanye kuhulo lwamanani; kunye".

Ukucinywa koMba 158A weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa ofakelwe licandelo 56 loMthetho kaMasipala woCwangciso loMasipala: weSixeko saseKapa, 2016

80. Umba 158A weShedyuli 3, ofakelwe licandelo 56 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016 uyacinywa.

Ukutshintshwa koMmba 158B, C noD weShedyuli 3: INkqubo yoLawulo IoPhuhliso IweSixeko saseKapa ofakelwe licandelo 56 IoMthetho kaMasipala woCwangciso IoMasipala: weSixeko saseKapa, 2016

81. Umbo 158B, C, noD weShedyuli 3, ofakelwe licandelo 56 IoMthetho kaMasipala weZilungiso woCwangciso IoMasipala, 2016 wenziwa izilungiso ngokutshintshwa kwale miba kwale miba ilandelayo :

**"Isiqendu 3: lizowuni ezineMiqathango eYodwa zoFikelelo kuThutho IoLuntu
oluShedyuliweyo (SPTAO)**

(Imiba 158B – 158DA)

158B Iziza ezibekwe bucala kwiiZowuni ezineMiqathango eYodwa zoFikelelo kuThutho IoLuntu

liyunithi zemihlabo ezikwindawo zokuhlala ezisetyenziselwa izinto ezininzi nezinye ezimbalwa njengoko zixeliwe kwimephu yofikelelo kwizithuthi ezithutha uluntu nezinozowuno olulodwa ziya kulandela imiqathango yemiba 158C, 158D no-158DA.

158C Usetyenziso Iwepropati: lizowuni ezineMiqathango eYodwa zoFikelelo kuThutho IoLuntu

(1) liyunithi zemihlabo ezikwindawo zokuhlala ezisetyenziselwa izinto ezininzi zinala malungelo ongeziweyo axelwe kuzowuno olusiseko yaye oko kuxhomekeke kwimigaqo yophuhliso kuzowuno olusiseko nakuMba 158C:

(a) iiyunithi zomhlabo ezinoZowuno 1 no-2 IweZindlu zeeNtsapho -

iofisi, indlu yabatyeleli, iresty, ishishini lokwenza nokulungisa izinto nendawo yokufundisa; kunye

(b) neeyunithi zomhlabo ezinoZowuno 1 IweZindlu zeeNtsapho -

iindawo zokushishina.

(2) liyunithi zemihlabo ezikwindawo zokuhlala ezisetyenziselwa ezinye izinto ezimbalwa zinala malungelo ongeziweyo axelwe kuzowuno olusiseko yaye oko kuxhomekeke kwimigaqo yophuhliso kuzowuno olusiseko nakuMba 158C:

(a) iiyunithi zomhlabo ezinoZowuno 1 no-2 IweZindlu zeeNtsapho -
iofisi, indlu yabatyeleli, indawo yokufundisa neshishini lokwenza nokulungisa izinto; kunye

(b) neeyunithi zomhlabo ezinoZowuno 1 IweZindlu zeeNtsapho -
ivenkile esendlwini.

158D Imigaqo yophuhliso: lizowuni ezineMiqathango eYodwa zoFikelelo kuThutho IoLuntu

(1) Le migago yophuhliso ilandelayo isebenza kwiiyunithi zemihlabo ezikwindawo zokuhlala ezisetyenziselwa izinto ezininzi:

(a) liyunithi zomhlabo ezinoZowuno IweZindlu zeeNtsapho 1:

(i) umgangatho we-1.5 kwiiyunithi zemihlabo ukuya kuma kwi-350m² kubungakanani;
(ii) umgangatho we-2 kwiiyunithi zemihlabo ezingaphezu kwe-350m² ukuya kuma kwi-650m² kubungakanani; kunye
(iii) ne1,0 m yomda wesakhwiwo kwisitrato, kwiiyunithi zomhlabo ukuya kuma kwi-650m² kubungakanani.

(b) liyunithi zomhlabo ezinoZowuno 2 IweZindlu zeeNtsapho:

(i) umgangatho we-1.5 kuzo zonke iiyunithi zemihlabo.

(2) Kusebenza le migaoqo ilandelayo kumalungelo osetyenziso ongeziweyo kwiyyuniti zemihlaba ezikwindawo zokuhlala ezesetyenziselwa izinto ezininki, ukongeza kwimiqathango edweliswe kwimiba 21(b)(i),(iii),(iv) no-(v) no-26(b) (ii), (iii), (iv) no-(v):

(a) Iofisi, indlu yeendwendwe nerestyu

Makube kho ubuncinane iyuniti enye esetyenziselwa ukuhlala isigxina kwipropati.

(b) Ishishini lokwenza nokulungisa izinto

- (i) Makube kho ubuncinane iyuniti enye esetyenziselwa ukuhlala isigxina kwipropati;
- (ii) Ubungakanani nendawo yeshishini lokwenza nokulungisa izinto mayichazwe ngokucacileyo kwiplani eza kwamkelwa siSixeko nobungakanani bomgangatho olapho awusayi kuba ngaphezu kwe-40% yobungakanani beyuniti yomhlaba;
- (iii) Akusayi kubakho ngaphezu kwabantu abathandathu abenza imisebenzi ehlangene neshishini lokwenza nokulungisa izinto kuloo propati, ngaphandle kwabatyelei neeklayenti;
- (iv) Iiyure zokusebenza azisayi kudlula ku-08:00 ukuya ku-18:00 ngoMvulo ukuya kutsho ngoLwesihlanu;
- (v) Iyadi yomakhi namashishini ahambelana nayo, iziko lokurisayiklisha, iziko lokupeyinta iimoto, indawo yokufaka amavili, iishokhi nee-ekzozo, nosetyenziso olufana nalo azivumelekanga;
- (vi) Ishishini lokwenza nokulungisa izinto livumeleke kuphela kumgangatho osezantsi wesakhiwo;
- (vii) Ishishini lokwenza nokulungisa izinto lixhomekeke kwicandelo elijongene naloo msebenzi kuba lilivumele ukuba libe nesango elisuka nqo kwisitrato sikawonkewonke; kunye
- (viii) Isixeko, singathi nanini na, ngokubhala isaziso, sicele ukuba kuthathwe loo mhlaba, okanye sibeke imiqathango ukucutha into enokucunkisa abamelwane okanye uluntu ngokubanzi.

(c) Indawo yokufundisa

Kusebenza le migaoqo ilandelayo:

- (ix) Makube kho ubuncinane iyuniti enye esetyenziselwa ukuhlala isigxina kwipropati;
- (x) Ubungakanani nendawo enendawo yokufundisa mayichazwe ngokucacileyo kwiplani eza kwamkelwa siSixeko nobungakanani bomgangatho olapho awusayi kuba ngaphezu kwe-40% yobungakanani beyuniti yomhlaba;
- (xi) Akusayi kubhaliswa okanye kubekho ngaphezu kwabantu abayi-35 kwindawo yokufundisa ekwipropati, ababandakanya abafundi, abantwana, abaqeqeshwa, abaqeqeshi, nootitshala;
- (xii) Iiyure zokusebenza azisayi kudlula ku-07:00 ukuya ku-18:00 ngoMvulo ukuya kutsho ngoLwesihlanu; kunye
- (xiii) Isixeko, singathi nanini na, ngokubhala isaziso, sicele ukuba kuthathwe loo mhlaba, okanye sibeke imiqathango ukucutha into enokucunkisa abamelwane okanye uluntu ngokubanzi.

(d) Indawo yokwenza ishishini

(e) Kusebenza le migaoqo ilandelayo kwindawo yokwenza ishishini, ngaphandle kwerestyu, iofisi, okanye indawo yokulungisa izinto:

- (i) Makube kho ubuncinane iyuniti enye esetyenziselwa ukuhlala isigxina kwipropati;
- (ii) Ubungakanani nendawo yokwenza ishishini mayichazwe ngokucacileyo kwiplani eza kwamkelwa siSixeko nobungakanani bomgangatho olapho awusayi kuba ngaphezu kwe-40% yobungakanani beyuniti yomhlaba;
- (iii) Akunakuqeshwa ngaphezu kwabantu abalishumi kwizinto ezhlangene noshishino kuloo propati, ngaphandle kwabatyelei neeklayenti;

- (iv) liyure zokusebenza azisayi kudlula ku-08:00 ukuya ku-18:00 ngoMvulo ukuya kutsho ngoLwesihlanu;
 - (v) Indawo yokushishina ivumeleke kuphela kumgangatho osezantsi wesakhiwo;
 - (vi) Iyadi yomakhi namashishini ahambelana nayo, iziko lokurisayiklisha, iziko lokupeyinta iimoto, indawo yokufaka amavili, iishokhi nee-ekzozo, nosetyenziso olufana nalo azivumelekanga;
 - (vii) Ishishini lixhomekeke kwicandelo elijongene naloo msebenzi kuba livilumele ukuba libe nesango elisuka nao kwisitrato sikawonkewonke; kunye
 - (viii) Isixeko, singathi nanini na, ngokubhala isaziso, sicele ukuba kuthathwe loo mhlaba, okanye sibeke imiqathango ukucutha into enokucunukisa abamelwane okanye uluntu ngokubanzi.
- (3) Kusebenza le migago ilandelayo kumalungelo osetyenziso ongeziweyo kwiiyuniti zemihlabo ezikwindawo zokuhlala ezisetyenziselwa ezinye izinto ezimbalwa, ngaphezu kwemiqathango edweliswe kwimiba 21(b)(i), (iii), (iv) no-(v) no-26(b) (ii), (iii), (iv) no-(v):
- (a) lofisi nendlu yabatyeleli
Makube kho ubuncinane iyuniti enye esetyenziselwa ukuhlala isigxina kwipropati.
 - (b) Indawo yokufundisa
 - (i) Makube kho ubuncinane iyuniti enye esetyenziselwa ukuhlala isigxina kwipropati;
 - (ii) Ubungakanani nendawo enendawo yokufundisa ngokucacileyo kwiplani eza kwamkelwa siSixeko nobungakanani bomgangatho olapho awusayi kuba ngaphezu kwe-25% yobungakanani beyunithi yomhlabo;
 - (iii) Akusayi kubhaliswa okanye kubekho ngaphezu kwabantu abayi-15 kwindawo yokufundisa ekwipropati, ababandakanya abafundi, abantwana, abaqeqeshwa, abaqeqeshi, nootitshala;
 - (iv) liyure zokusebenza azisayi kudlula ku-07:00 ukuya ku-18:00 ngoMvulo ukuya kutsho ngoLwesihlanu; kunye
 - (v) Isixeko, singathi nanini na, ngokubhala isaziso, sicele ukuba kuthathwe loo mhlaba, okanye sibeke imiqathango ukucutha into enokucunukisa abamelwane okanye uluntu ngokubanzi.
 - (c) Ishishini lokwenza nokulungisa izinto
 - (i) Makube kho ubuncinane iyuniti enye esetyenziselwa ukuhlala isigxina kwipropati;
 - (ii) Ubungakanani nendawo yeshishini lokwenza nokulungisa izinto kwiplani eza kwamkelwa siSixeko nobungakanani bomgangatho olapho awusayi kuba ngaphezu kwe-25% yobungakanani beyunithi yomhlabo;
 - (iii) Akusayi kubakho ngaphezu kwabantu abathathu abenza imisebenzi ehlengene neshishini lokwenza nokulungisa izinto kuloo propati, ngaphandle kwabatyeleli neeklayenti;
 - (iv) liyure zokusebenza azisayi kudlula ku-09:00 ukuya ku-17:00 ngoMvulo ukuya kutsho ngoLwesihlanu;
 - (v) Iyadi yomakhi namashishini ahambelana nayo, iziko lokurisayiklisha, iziko lokupeyinta iimoto, indawo yokufaka amavili, iishokhi nee-ekzozo, nosetyenziso olufana nalo azivumelekanga;
 - (vi) Ishishini lokwenza nokulungisa izinto livumeleke kuphela kumgangatho osezantsi wesakhiwo;
 - (vii) Ishishini lokwenza nokulungisa izinto lixhomekeke kwicandelo elijongene naloo msebenzi kuba livilumele ukuba libe nesango elisuka nao kwisitrato sikawonkewonke; kunye
 - (viii) Isixeko, singathi nanini na, ngokubhala isaziso, sicele ukuba kuthathwe loo mhlaba, okanye sibeke imiqathango ukucutha into enokucunukisa abamelwane okanye uluntu ngokubanzi.
 - (d) Ivenkile esendlwini

Kusebenza imiqathango exelwe kumba 28.

- (4) Nawuphi umgago wophuhliso okwizowuni ezinemiqathango eyodwa yothutho lolunt engaphezu komda wozowuno olusisiseko uya kuthathwa njengotyeshelo-mthetho olwamkelweyo kwimiqathango yozowuno olusisiseko.

Ukufakelwa koMba 158DA kwiShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

82. Ischedyuli 3 lenziwa izilungiso ngokufakela emva komba 158D kwalo mba ulandelayo :

"158DA Imiqathango gabalala: lizowuni ezineMiqathango eYodwa zoFikelelo kuThutho loLuntu

Kusebenza le migaoqo ilandelayo:

- (1) Amasebe eenkonzo zikamasipala zeSixeko kufuneka aqinisekise ukuba 's municipal services departments kuyakwazeka ukubonelela ngeenkonzo zothungelwano zamalungelo osetyenizo ongezelelekileyo adweliswe kumba 158B.
(2) Isixeko singaphumeza imephu yofikelelo kwizithuthi ezithutha uluntu ebonisa iijuniti zemihlabu ezikwindawo zokuhlala ezisetyenziselwa izinto ezininzi nezinye izinto ezimbalwa.".

Ukwenziwa kweZilungiso kuMba 158E weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa ofakelwe licandelo 56 loMthetho kaMasipala woCwangciso loMasipala, 2016

83. Umba 158E weShedyuli 3, njengoko ufakelwe licandelo 56 loMthetho kaMasipala weZilungiso woCwangciso loMasipala, 2016 wenziwa izilungiso ngokufakela endaweni yombana (2) kwalo mbana ulandelayo:

"(2) Amalungelo ongezelelekileyo yindlu yesibini, kuxhomekeke kumba [53] 25A.".

Ukwenziwa kweZilungiso kuMba 163 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

84. Umba 163 weShedyuli 3 wenziwa izilungiso ngokufakela endaweni yombana (1) kwalo mbana ulandelayo:

- "(1) Isixeko singafaka isicelo semiqathango engqalileyo kwindawo okanye kummandla olilifa lemveli okanye okhuselwe njengeZowuni eneMiqathango eYodwa yoKhuselo IweLifa leMveli, esenokuba yongeza kwimiqathango-gabalala ekumba **Error! Reference source not found.**, ukuba ngaba inento yokwenza nosetyenziso-mhlaba nemigaqo yophuhliso [yaye irekhodiwe kwisicwangciso solawulo Iwezinto ezililifa lemveli esamkelweyo siSixeko ngokwalo Mthetho kaMasipala].".

Ukwenziwa kweZilungiso kuMba 164 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

85. Umba 164 weShedyuli 3 wenziwa izilungiso ngokufakela endaweni yombana (3) kwalo mbana ulandelayo:

- "(3) Ekwamkeleni isicelo ekubhekiswe kuso kumba **Error! Reference source not found.**, iSixeko singabeka nayiphi imiqathango ekholelwa ukuba ifanelekile kukhuselo nophakamiso Iwendawo okanye ummandla olilifa lemveli, kubandakanywa imiqathango emalunga:
(a) nemiqathango yokuqaqambisa imbonakalo-mhlaba;
(b) usetyenziso Iweemathiriyeli;
(c) isicwangciso solawulo Iwezinto ezililifa lemveli;
(d) ukuphinda kusetyenziswe iimathiriyeli;
(e) ingxelo zeenkqubo eziza kusetyenziswa; **[kunye]**
(f) amaxesha amkelweyo ekufuneka kwensiwe ze kuggitywe ngawo umsebenzi [.]
(g) ubume besakhiwo nendlela esiza kupaththa ngaso; kunye
(h) nemigaqo yophuhliso eseberenza kuloo yuniti yomhlaba.".

Ukwenziwa kweZilungiso kuMba 167 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

86. Umba 167 weShedyuli 3 wenziwa izilungiso ngokufakela endaweni yombana (1) kwalo mbana ulandelayo:

"(1) Isixeko singafaka isicelo semiqathango engqalileyo kwindawo okanye kummandla olilifa lemveli okanye okhuselwe njengeZowuni eneMiqathango eYodwa yoKhuselo IweLifa leMveli, esenokuba yongeza kwimiqathango-gabalala ekumba **Error! Reference source not found.**, ukuba ngaba inento yokwenza nosetyenziso-mhlaba nemigaqo yophuhliso [**yaye irekhodiwe kwisicwangciso solawulo iwezinto ezililifa lemveli esamkelweyo siSixeko ngokwalo Mthetho kaMasipala**].".

Ukwenziwa kweZilungiso kuMba 176 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

87. Umba 176 weShedyuli 3 wenziwa izilungiso ngokuthi –

(a) ngokufakela endaweni yombana (3) kwalo mbana ulandelayo:

"(3) Obona bude buphakamileyo besakhiwo, obumetwe ukusukela [**kwizinga lesiseko**] kumgangatho osezantsi okhoyo ukuya kwisixhasi sophahla iya kuba yi-6 m, yaye ukuya kumphezulu wophahla iya kuba yi-8 m.";

(b) ngokufakela endaweni yombana (6) kwalo mbana ulandelayo:

"(6) Indawo yemida ofanayo echazwe kule nkqubo yolawulo lophuhliso iya kusebenza kuzo zonke izindlu zokuhlala, indawo yesibini, indlu yesithathu yokuhlala, iqela lezindlu, iibhlоко zeeflethi, okanye izakhiwo ezingaphandle eziyinxalenye yendlu."; kunye

(c) nangokufakela endaweni yombana (7) kwalo mbana ulandelayo:

"(7) Imiqathango yobungakanani yale nkqubo yolawulo lophuhliso iya kusebenza kuzo zonke izindlu zokuhlala, indawo yesibini yokuhlala, indlu yesithathu iqela lezindlu neebhlоко zeeflethi okanye izakhiwo ezingaphandle kwsiza esincinane kune-350 m². Ubungakanani ovumelekileyo kwiziza ezingaphezu kwe-350 m² iya kuba yi-65%.

Ukwenziwa kweZilungiso kuMba 185 weShedyuli 3: INkqubo yoLawulo loPhuhliso IweSixeko saseKapa

88. Umba 185 weShedyuli 3 wenziwa izilungiso ngokuthi –

(a) endaweni yomhlathi (b) wombana (2) kufakwe lo mhlathi ulandelayo:

"(b) Noxa kukho imiqathango yenqubo yolawulo lophuhliso emalunga nomlinganiselo womgangatho, umhlaba ozowunwe wayiGB7 [**okanye MU3**]:
(i) uya kuxhomekeka kumlinganiselo womgangatho obekwe kwiPlani LAO/4 yeyunithi yomhlaba ochaphazelekayo, ngaphandle kokuba akukho miqathango, aphi kuya kusebenza imiqathango yenqubo yolawulo lophuhliso [**; yaye**]
(ii) **umlinganiselo womgangatho unganyuswa nge-30%, ukuba ngaba ubuncinane i-30% yesakhiwo ubungakanani bomgangatho iqhubeKA isebeNZA njengeeflethi**."; kunye

(b) nofakelo emva komhlathi (b) wombana (2) kufakwe le mihlathi ilandelayo:

"(bA) Noxa kukho imiqathango yenqubo yolawulo lophuhliso emalunga nobunjani bomgangatho, umhlaba ozowunwe MU3:
(i) uya kuxhomekeka kubunjani bomgangatho ochazwe kwiPlani LAO/4 weyunithi yomhlaba echaphazelekayo, ngaphandle kokuba akukho miqathango ubekiwego aphi kuya kuthi kusebenze imiqathango yenqubo yolawulo lophuhliso; yaeye
(ii) umgangatho ungongezwA nge-30%, ukuba ubuncinane i-30% yomgangatho wesakhiwo isebeNZA njengeeflethi.".

Isihloko esifutshane

89. Lo mthetho kaMasipala ubizwa ngokuba nguMthetho kaMasipala weZilungiso woCwangciso loMasipala: weSixeko saseKapa.