

# MTUBATUBA



## UMASIPALA • MUNICIPALITY • MUNISIPALITEIT

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REF: REM OF FARM LOT 58 UMFOLOZI NO. 15959

14 June 2013 —

LH-S Professional Planners (Pty) Ltd  
PO Box 37939  
Overport  
4067

ATTENTION: Mr JP Lang

Dear Sir

### **KZNPDA APPLICATION NO. MTMC 334/2013 : DECISION NOTICE**

**SUBDIVISION AND ZONING OF PORTIONS OF THE REMAINDER OF THE FARM LOT 58 UMFOLOZI NO. 15959 SITUATE WITHIN THE AREA OF JURISDICTION OF THE MTUBATUBA LOCAL MUNICIPALITY: SECTIONS 26.(1) AND 13.(1) OF THE KWAZULU-NATAL PLANNING AND DEVELOPMENT ACT, 2008 : PORTIONS 1 TO 4 OF ERF 2756, PORTIONS 1 TO 8 OF ERF 2757 AND PORTIONS OF ERF 2758, MTUBATUBA, REGISTRATION DIVISION GV**

- 1.0 I refer to your application received on 25 March 2011, lodged on behalf of Laurusco Developments (Pty) Ltd in terms of the provisions of Sections 22.(2)(b) and 9.(2)(b) of the KwaZulu-Natal Planning and Development Act, 2008 (Act No. 06 of 2008) (hereinafter “the Act”) to, respectively, subdivide and zone portions of the Remainder of the Farm Lot 58 Umfolozi No. 15959, situated within the area of jurisdiction of this municipality, hereinafter “the Property”, so as to permit the development of such land for, *inter alia*, retail, petrol filling station, hotel, mixed use, truck stop and related purposes.
- 2.0 I am pleased to advise that the application was approved by the Mtubatuba Local Municipal Council (hereinafter “the Council”), Resolution No. MTMC 334/2013, dated 29 May 2013:
  - 2.1 in terms of the provisions of Section 26.(1) of the Act:

**YONKE IMININGWANE YOKUXHUMANA IBOBHALWA IBHEKISWE KUMPHATHI DOLOBHA  
ALL CORRESPONDENCE TO BE ADDRESSED TO THE MUNICIPAL MANAGER  
ALLE KORRESPONDENSIE MOET GERIG WORD AAN DIE MUNISIPALE BESTUURDER**

2.1.1 to establish Portions 36-38 of the Remainder of the Farm Lot 58 Umfolozi No. 15959 (to be re-designated Erven 2756-2758, Mtubatuba on registration); and

2.1.2 further subdivide such erven as:

(a) Portions 1-4 of Erf 2756, Mtubatuba, Registration Division GV;

(b) Portions 1-8 of Erf 2757, Mtubatuba, Registration Division GV; and

(c) Portions 1-4 of Erf 2758, Mtubatuba, Registration Division GV,

as depicted on the attached layout Plan No. MTU-129.6 dated July 2012; and

2.2 in terms of Section 13.(1) of the Act to zone and reserve such subdivisions, as part of the Mtubatuba Town Planning Scheme, as follows:

2.2.1 Erf 2756: Portion 1 - existing General Residential Zone;  
Portions 2&3 - new Mixed Use Zone;  
Portion 4 - existing New Road Reservation;

1.2.2 Erf 2757: Portions 1&5 - new Mixed Use Zone;  
Portion 2 - new Service Station Zone;  
Portion 3&8 - existing General Business Zone;  
Portions 4, 6&7 - existing New Road Reservation; and

2.2.3 Erf 2758: Portion 1 - new Truck Stop Zone;  
Portion 2 - new Mixed Use Zone;  
Portions 3&4 - existing New Road Reservation,

as depicted on the attached layout Plan No. MTU-129.7 dated July 2012

3.0 This approval is subject to the conditions set out in Schedules 1 and 2 below and you are reminded to comply with the laws referred to therein.

4.0 Two comments were received in response to the public notice from the following:

4.1 Mr Kobus Swanepoel, Lessee of a portion of the application site on a month to month basis and who subsequently reached an agreement with the owner to continue with the terms of the lease until such time as the development proceeds; and

4.2 Elephant Coast Lodge (Pty) Ltd, owner of Remainder of the Farm Lot 56 Umfolozi No. 13319 which was incorrectly lodged, received after the closing date and is invalid *vide* the provisions of item 5(2)(g), Part 1 of Schedule 1 of the Act.

5.0 Should you be aggrieved by this decision, you may appeal to the KwaZulu-Natal Appeal Tribunal as provided for in Sections 28.(1) and/or 15.(1) respectively of the Act, and within 28 days of being notified thereof.

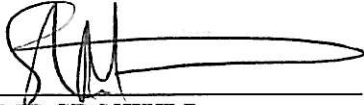
**KZNPDA APPLICATION NO. MTMC 334/2013**

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SUBDIVISION AND ZONING OF PORTIONS OF THE REMAINDER OF THE FARM LOT 58 UMFOLOZI NO. 15959  
PORTIONS 1 TO 4 OF ERF 2756, MTUBATUBA, REGISTRATION DIVISION GV  
PORTIONS 1 TO 8 OF ERF 2757, MTUBATUBA, REGISTRATION DIVISION GV  
PORTIONS OF ERF 2758, MTUBATUBA, REGISTRATION DIVISION GV

6.0 The approval given in Paragraph 2.1 above terms of Section 26.(1) of the Act will become effective, as contemplated in Section 29 of the Act, within 28 days of your being notified of this decision should no appeal in respect thereof be lodged with the KwaZulu-Natal Appeal Tribunal or upon finalisation of any appeal lodged.

Yours faithfully



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**MR SR NTULI**  
**MUNICIPAL MANAGER**

## **SCHEDULE 1 : SUBDIVISION**

**Application in terms of Section 22.(1) of the Act to establish Portions 36-38 of the Remainder of the Farm Lot 58 Umfolozi No. 15959 (to be re-designated Erven 2756-2758, Mtubatuba on registration) and further subdivide Erf 2756 into Portions 1 to 4, Erf 2757 into Portions 1 to 8 and Erf 2758 into Portions 1 to 4, all of Mtubatuba, Registration Division GV as designated by the Surveyor General, KwaZulu-Natal**

### **1.0 CONDITIONS OF APPROVAL**

- 1.1 The layout and development of the subdivisions shall be in accordance with the approved layout plan, being Plan No. MTU-129.6 dated July 2012, and the Schedule of Areas recorded thereon, as referred to in Paragraph 2.1 above, all dimensions shown being approximate and subject to final survey.
- 1.2 The Applicant shall, in accordance with Section 32.(1) of the Act:
  - 1.2.1 lodge the diagrams, plans and other documents in respect of the said approved layout plan as are required with the Surveyor General, KwaZulu-Natal (hereinafter "the Surveyor General") for approval; and
  - 1.2.2 submit a certified copy thereof to the undersigned within 28 days after having been approved.
- 1.3 The Applicant shall, in accordance with the provisions of Section 34.(1) of the Act, lodge the diagrams or general plan approved by the Surveyor General referred to in Condition 1.2 above with the KwaZulu-Natal Registrar of Deeds (hereinafter "the Registrar"), together with such other documents as the Registrar may require, for the registration of the approved subdivisions and/or the opening of a township register for the land; provided that, in terms of the provisions of Section 34.(2) of the Act, no application, other than in respect of the establishment of Portions 36-38 of the Remainder of the Farm Lot 58 Umfolozi No. 15959 (re-designated Erven 2756-2758, Mtubatuba), shall be made to the Registrar unless accompanied by a certificate from the Council stating that these conditions of approval have been complied with.
- 1.4 In accordance with Section 36 of the Act, this approval shall lapse if the Applicant fails to lodge the plans, diagrams and documentation referred to in Condition 1.3 above with the Registrar within five years from the date of the approval becoming effective as contemplated in Section 29 of the Act, or such further period of time as may be determined by the Council in accordance with Section 37.(3)(b) of the Act.
- 1.5 The Applicant's attention is drawn to Section 37.(5) thereof in respect of the Applicant's obligations to initiate the cancellation of that part of an approved layout plan for which the rights afforded in terms of this approval have not been fully exercised.

### **2.0 CONDITIONS REGARDING THE INSTALLATION OF ENGINEERING SERVICES AND INFRASTRUCTURE**

- 2.1 The Applicant shall, other than in respect of the establishment of Portions 36-38 of the

Remainder of the Farm Lot 58 Umfolozi No. 15959 (re-designated Erven 2756-2758, Mtubatuba):

- 2.1.1 provide and construct all water and sewerage and waste water disposal infrastructure and service within the approved layout in accordance with the Services Agreement concluded with the Umkhanyakude District Municipality (hereinafter "the District Municipality"); and
- 2.1.2 provide and construct all internal roads and storm water infrastructure within the approved and make arrangements for the disposal of solid waste originating from the proposed development in accordance with the Services Agreement with the Council,

which agreements shall, where relevant, indicate the intended phased installation of engineering services and infrastructure by the Applicant.

- 2.2 Signed copies of the services agreements referred to in 2.1 above shall be lodged with the undersigned prior to sale, transfer and development in respect of any erf within the approved layout, other than Portions 36-38 of the Remainder of the Farm Lot 58 Umfolozi No. 15959 (re-designated Erven 2756-2758, Mtubatuba), commencing.
- 2.3 The Applicant shall construct all of the roads shown in red on the approved layout Plan No. MTU-129.6 dated July 2012, being Portion 4 of Erf 2756, Portions 4, 6 and 7 of Erf 2757 and Portions 3 and 4 of Erf 2758 in accordance with the designs and specifications of a registered professional engineer. Such roads shall be maintained by the applicant for a period of 12 months after their construction has been completed, where after the respective erven shall be transferred to the ownership of the Council.
- 2.4 Insofar as Portions 3 and 4 of Erf 2758 and the adjoining road servitude, which provides access to Portion 1 of the Remainder of the Farm Lot 58 Umfolozi No. 15959, are required to provide vehicular access to Portions 1 and 2 of Erf 2758, the Applicant shall lodge with the Council, prior to development commencing on the said Portions 1 and 2, a written agreement from owner of Portion 1 of the Remainder of the Farm Lot 58 Umfolozi No. 15959 regarding the use of the said servitude.
- 2.5 The Applicant shall secure a satisfactory supply and reticulation of an electricity service to each erf in the layout.

### **3.0 RESTRICTIONS ON THE SALE, TRANSFER AND DEVELOPMENT OF LAND**

- 3.1 Attention is drawn, other than in respect of the establishment of Portions 36-38 of the Remainder of the Farm Lot 58 Umfolozi No. 15959 (re-designated Erven 2756-2758, Mtubatuba), to the provisions of Section 31. of the Act, namely that:
  - 3.1.1 a person may not dispose of any erf or portion of this approved subdivisional layout, whether by sale, exchange or any other manner, or grant an option to purchase or sell an erf or portion, or right of first refusal therein, unless the Council has issued a certificate that all of the conditions of this approval have been complied with for the land to be sold as contemplated in Section 26.(4);

- 3.1.2 any agreement without the aforesaid certificate shall be voidable at the sole discretion of the purchaser;
  - 3.1.3 no land within an approved subdivisional layout may be developed without certification from the Council that all of the conditions of the approval in 2.0 above have been complied with in respect of such land;
  - 3.1.4 the provisions of 3.1.1(c) above shall not prohibit the occupation of a building or structure legally in existence on the land before this subdivisional approval; and
  - 3.1.5 no person shall apply to the aforesaid registrar to transfer an erf or portion unless the Council has certified that the conditions of this approval in 2.0 above have – been complied with in respect of such erf or portion.
- 3.2 Notwithstanding the provisions of Conditions 3.1 above, the Council may provide, in respect of a specified erf or erven, the necessary certificate/s as contemplated in Section 31.(5) of the Act where the:
- 3.2.1 Applicant lodges a valid financial guarantee or guarantees with the Council and/or relevant service authority to cover the cost of providing engineering services and infrastructure required in Conditions 2.1 to 2.3 to the erf and/or erven specified;
  - 3.2.2 diagrams and/or plans have been approved by the Surveyor General in accordance with Condition 1.2 above; and
  - 3.2.2 such erf and or erven have been beaconed on the ground by a registered land surveyor,
- to permit such erf and/or erven to be sold and developed; provided that no erf so sold and/or transferred shall be occupied until the engineering services and infrastructure as required in Conditions 2.1 to 2.3 have been provided to it to the satisfaction of the Council.
- 3.3 The construction of buildings and the use of buildings and the use of land within the approved layout shall be in accordance with the provisions of the Mtubatuba Town Planning Scheme as amended by Schedule 2 below.
- 3.4 The Applicant shall, in the layout and development of the subdivisions, comply fully with the:
- 3.4.1 Environmental Authorisation and Record of Decision Ref. EIA/DC27/0003/2008, dated 9 January 2012 issued by the then KZN Department of Agriculture, Environmental Affairs and Rural Development;
  - 3.4.2 requirements of the South African Roads Agency in respect of the N2 and the interchange thereof with MR235 as set out in the letter Ref. 11/3/3 – 2/30 – A dated 6 September 2011; and

3.4.3 the requirements of the KwaZulu-Natal Department of Transport in respect of Main Roads 2-6 and 235 as set on the letter Ref. T10/2/2/3699/1 dated 10 December 2012.

#### 4.0 **CONDITIONS OF TITLE**

##### 4.1 SANRAL : Building Line to N2

Portions 1, 2 and 3 of Erf 2756:

*"No building or structure whatsoever other than a fence, hedge or wall which does not rise higher than 2,1m above the surface of the land on which it stands shall be erected on the land within a distance of 20m measured from the road reserve boundary of National Rout 2. No access to the individual erven shall be permitted to National Route 2".*

##### 4.2 KwaZulu-Natal Department of Transport : Building Line to MR235

(a) Portions 1, 2, 3, 5 and 8 of Erf 2756:

*"No building or structure whatsoever other than a fence, hedge or wall which does not rise higher than 2,1m above the surface of the land on which it stands shall be erected on the land within a distance of 15m measured from the road reserve boundary of Main Road 2-6. Access to the individual erven from Main Road P2 shall be determined by, and be to the satisfaction of, the KwaZulu-Natal Department of Transport".*

(b) Portion 1 of Erf 2757 and Portion 2 of Erf 2758

*"No building or structure whatsoever other than a fence, hedge or wall which does not rise higher than 2,1m above the surface of the land on which it stands shall be erected on the land within a distance of 15m measure from the road reserve boundary of Main Road 235. No access to or from Main Road 235 shall be permitted".*

##### 4.3 Three (3) metre Omnibus Servitude

In terms of the provisions of Section 26.(3)(c) of the KwaZulu-Natal Planning and Development Act, 2008 (Act No. 06 of 2008), Portions 1, 2 and 3 of Erf 2756; Portions 1, 2, 3, 5 and 8 of Erf 2757 and Portions 1 and 2 of Erf 2578 shall be subject to the following condition along all boundaries including the street front:

*"The municipality or relevant service provider shall, without compensation, have the right to erect, lay and maintain sewers, drains, water supply piping within such servitude and electricity mains above or underground and shall have reasonable access thereto for the purpose of maintenance, removal or extension and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains and shall not permit such drain to be damaged or allow any material from whatever source to impede the flow of water within it.*

*"No buildings or other structures shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 1 (one)*

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PORTIONS 1 TO 4 OF ERF 2756, MTUBATUBA, REGISTRATION DIVISION GV  
PORTIONS 1 TO 8 OF ERF 2757, MTUBATUBA, REGISTRATION DIVISION GV  
PORTIONS OF ERF 2758, MTUBATUBA, REGISTRATION DIVISION GV

*metre thereof nor shall the ground level therein be altered without the written consent of the municipality or relevant service authority.*

*“The municipality or relevant service provider shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of construction, maintenance or removal of such sewerage or water mains or other works as it, in its discretion, may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose, subject to damage done during the process of the construction, maintenance or removal of such sewerage or water or other works being made good by the municipality or relevant service provider.*

*“Encroachment over this servitude shall be at the discretion of the municipality or relevant service provider.”*



**SCHEDULE 2 : ZONING**

**Application in terms of Section 9.(2) of the Act to apply the provisions of the Mtubatuba Town Planning Scheme and to zone and reserve Portions 1 to 4 of Erf 2756, Portions 1 to 8 of Erf 2757 and Portions 1 to 4 of Erf 2758, all of Mtubatuba, Registration Division GV**

**1.0 APPLICATION OF THE PROVISIONS OF THE MTUBATUBA TOWN PLANNING SCHEME AS AMENDED (HEREINAFTER "THE SCHEME")**

1.1 The provisions of the Scheme shall apply to Portions 1 to 4 of Erf 2756, Portions 1 to 8 of Erf 2757 and Portions 1 to 4 of Erf 2758, all of Mtubatuba, Registration Division GV, as established in Schedule 1 above.

**2.0 ZONING OF PORTION 1 OF ERF 2756 AND PORTIONS 3 AND 8 OF ERF 2757 : EXISTING ZONES**

2.1 Portion 1 of Erf 2756 is hereby zoned "General Residential" as currently exists in the Scheme, subject to the addition to Column 3 of Table B of the scheme clauses of the new building and land use "Conference Facility or Centre" as defined in 4.1 below.

2.2 Portions 3 and 8 of Portion 2757 are hereby zoned "General Business" as currently exists in the Scheme, subject to the addition of the following Additional Control to Table C of the scheme clauses:

"Provided that the Gross Lettable Floor Area in respect of Portions 3 and 8 of Erf 2757 shall not exceed 30 000m<sup>2</sup> and 20 000m<sup>2</sup> respectively as depicted on the site development plan submitted in terms of Clause 1.7".

**3.0 RESERVATION OF PORTION 4 OF ERF 2756; PORTIONS 4, 6 AND 7 OF ERF 2757; AND PORTIONS 3 AND 4 OF ERF 2758 : EXISTING RESERVATION**

3.1 These portions are hereby reserved as "New Roads" as currently exists in the Scheme.

**4.0 NEW RESERVATIONS TO RECORD THE NATIONAL AND PROVINCIAL ROADS IN THE LAYOUT**

4.1 By the addition to Table A : Reservation of Land of the following:

<b>MTUBATUBA TOWN PLANNING SCHEME : TABLE A : RESERVATION OF LAND</b>		
<b>COLOUR NOTATION ON SCHEME MAP</b>	<b>USES FOR WHICH LAND IS RESERVED</b>	<b>ADDITIONAL CONTROLS</b>
Grey	National Road	Land expropriated/proclaimed and developed/to be developed for national road infrastructure
Pink	Provincial Road	Land expropriated/proclaimed and developed/to be developed for provincial road infrastructure; provided that the portion lettered A-B-D-E shall be de-proclaimed and re-routed along the route lettered A-F-G-H-E

#### 4.0 ADDITION OF NEW LAND AND BUILDING AND LAND USE DEFINITIONS

4.1 Clause 1.2 Definitions of the scheme clauses is hereby amended by the inclusion of the following definitions for the new Mixed Use, Petrol Filling Station and Truck Stop zones:

<b>MTUBATUBA TOWN PLANNING SCHEME : CLAUSE 1.2 DEFINITIONS</b>		
<b>SUB- CLAUSE</b>	<b>BUILDING/USE</b>	<b>DEFINITION</b>
1.2.6(a)	Arts and Crafts Workshop	Means a building wherein the primary use is the carrying on of: 1. artistic and creative work in studio-like surroundings related to such activities as painting, sculpturing, graphic arts and textile and fashion design; and 2. activities such as hand weaving and textile printing, pottery, furniture making, leather and stain glass work and printing, including the sale of goods and services related thereto to the general public as customers
1.2.14(a)	Conference Facility or Centre	Means any building, or portion of a building, used for the conducting of conferences, seminars and meetings, indoor recreational events and exhibitions and may, at the discretion of Council, include offices for the administration of such facility or centre and catering facilities and may be included in an hotel
1.2.42(a)	Informal Trading Area	Means an area in which goods and services are sold by traders, other than hawkers, on a small scale, where each trader does not occupy a space within such area that is greater than 40m <sup>2</sup> and where, notwithstanding anything stated to the contrary in the scheme, no specific provision shall apply, unless considered necessary and so specified by Council for which it may promulgate appropriate bylaws
1.2.70(a)	Taxi and/or Bus Rank	Means an area set and developed for the purpose of parking of taxis and/or buses and conveying of fee paying passengers and may include ancillary ablution and office facilities and may include an informal trading area and traders site
1.2.71(a)	Traders Site	Means a building, portion of a building, and or area of land, allocated for the use of, or occupied by, traders for the sale of goods and services to the passing public, but does no include a hawker

#### 5.0 ZONING OF PORTIONS 2 AND 3 OF ERF 2756, PORTIONS 1 AND 5 OF ERF 2757; AND PORTION 2 OF ERF 2758 : NEW MIXED USE ZONE

5.1 These portions are hereby zoned "Mixed Use" in the Scheme in respect of which the following provisions are added to:

5.1.1 Table B:

SUBDIVISION AND ZONING OF PORTIONS OF THE REMAINDER OF THE FARM LOT 58 UMFOLOZI NO. 15959  
 PORTIONS 1 TO 4 OF ERF 2756, MTUBATUBA, REGISTRATION DIVISION GV  
 PORTIONS 1 TO 8 OF ERF 2757, MTUBATUBA, REGISTRATION DIVISION GV  
 PORTIONS OF ERF 2758, MTUBATUBA, REGISTRATION DIVISION GV

MTUBATUBA TOWN PLANNING SCHEME : TABLE B : USE ZONES				
1	2	3	4	5
USE ZONE	COLOUR NOTATION ON SCHEME MAP	PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED	PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED ONLY WITH SPECIAL CONSENT	PURPOSES FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED AND LAND MAY NOT BE USED
Mixed Use	Turquoise	<ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Commercial Workshop</li> <li>Conference Centre/Facility</li> <li>Educational Building</li> <li>Institution</li> <li>Light Industrial Building</li> <li>Medium Density Housing</li> <li>Office Building</li> <li>Private Recreation Area</li> <li>Public Office</li> <li>Residential Building</li> <li>Restaurant</li> <li>Shop</li> <li>Warehouse</li> <li>Informal Trading Area</li> <li>Taxi and/or Bus Rank</li> <li>Traders Site</li> </ul>	<ul style="list-style-type: none"> <li>Funeral Parlour</li> <li>Garage</li> <li>Home Business</li> <li>Place of Public Amusement</li> <li>Place of Public Assembly</li> <li>Service Industrial Building</li> <li>Service Station</li> </ul>	Buildings and Land Uses not in Columns 3 & 4

5.1.2 Table C:

MTUBATUBA TOWN PLANNING SCHEME : TABLE C : LOT CONTROLS									
USE ZONE	LOT SIZE (m <sup>2</sup> )	DWELLING UNITS (UNITS / HA)	FAR	COVERAGE (%)	HEIGHT (STOREYS)	BUILDING LINES (m)	SIDE/REAR SPACE (m)	PARKING REQUIREMENTS	ADDITIONAL CONTROLS
Mixed Use	1800	-	0,5	50	2	4,5	2,0	<p>1 car space off the street for each 35m<sup>2</sup> or major portion thereof of gross shop area and for every building intended for office use there shall be provided 1 car space for each 35m<sup>2</sup> of major portion thereof of gross office area</p> <p>Where a Funeral Parlour is proposed, the parking requirement to the for the General Business Use Zone shall apply</p> <p>Loading and offloading facilities to the satisfaction of the local authority</p>	<p>Subject to the provision of a sewage disposal system to the satisfaction of the local authority</p> <p>Where it is intended to develop on hotel, the local authority may authorise an increase in FAR to 0,80 and a coverage of 40%</p> <p>Hotel/block of flats facility should be part of composite building above ground floor</p> <p>Subject to national and provincial building line restrictions in respect of the N2 and MR235</p>

**6.0 ZONING OF PORTION 2 OF ERF 2757 : NEW ZONE**

6.1 This portion is hereby zoned “Petrol Filling Station” in the Scheme in respect of which the following provisions are added to:

6.1.1 Table B:

MTUBATUBA TOWN PLANNING SCHEME : TABLE B : USE ZONES				
1	2	3	4	5
USE ZONE	COLOUR NOTATION ON SCHEME MAP	PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED	PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED ONLY WITH SPECIAL CONSENT	PURPOSES FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED AND LAND MAY NOT BE USED
Petrol Filling Station	Mauve	<ul style="list-style-type: none"> <li>• Service Station</li> <li>• Restaurant</li> <li>• Shop</li> </ul>	Buildings and Land Uses not in Column 2	

6.1.2 Table C:

MTUBATUBA TOWN PLANNING SCHEME : TABLE C : LOT CONTROLS									
USE ZONE	LOT SIZE (m <sup>2</sup> )	NO. DWELLING UNITS (UNITS PER HA)	FAR	COVERAGE (%)	HEIGHT (STOREYS)	BUILDING LINES (m)	SIDE/REAR SPACE (m)	PARKING REQUIREMENTS	ADDITIONAL CONTROLS
Petrol Filling Station	2400	-	0,6	60	2	5,0	2,0	1 car space per 50m <sup>2</sup> or portion thereof of gross floor area shop/restaurant  Loading and offloading facilities to the satisfaction of the local authority	On-site loading and unloading facilities to the satisfaction of the local authority with ingress and egress provided in a forward direction  The shop component of the 250m <sup>2</sup> floor area and be limited to such uses as a cafe/supermarket, tea room, video hiring outlet and Auto telling bank facilities  Office accommodation shall be restricted to the operation of the petrol filling station  Subject to compliance with Clause 3.4 and Annexure D

**7.0 ZONING OF PORTION 1 OF ERF 2758 : NEW ZONE**

7.1 This portion is hereby zoned “Truck Stop” in the Scheme in respect of which the following provisions are added to:

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 PORTIONS 1 TO 8 OF ERF 2757, MTUBATUBA, REGISTRATION DIVISION GV  
 PORTIONS OF ERF 2758, MTUBATUBA, REGISTRATION DIVISION GV

7.1.1 Table B:

MTUBATUBA TOWN PLANNING SCHEME : TABLE B : USE ZONES				
1	2	3	4	5
USE ZONE	COLOUR NOTATION ON SCHEME MAP	PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED	PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED AND LAND MAY BE USED ONLY WITH SPECIAL CONSENT	PURPOSES FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED AND LAND MAY NOT BE USED
Truck Stop	Light Orange	<ul style="list-style-type: none"> <li>• Garage</li> <li>• Office Building</li> <li>• Residential Building</li> <li>• Restaurant</li> <li>• Shop</li> <li>• Informal Trading Area</li> <li>• Traders Site</li> </ul>	Buildings and Land Uses not in Column 2	

6.1.2 Table C:

MTUBATUBA TOWN PLANNING SCHEME : TABLE C : LOT CONTROLS									
USE ZONE	LOT SIZE (m <sup>2</sup> )	NO. DWELLING UNITS (UNITS PER HA)	FAR	COVERAGE (%)	HEIGHT (STOREYS)	BUILDING LINES (m)	SIDE/REAR SPACE (m)	PARKING REQUIREMENTS	ADDITIONAL CONTROLS
Truck Stop	3 ha	-	0,25	25	2	5,0	2,0	As per approved site development plan	Garage to be limited to the repair of trucks using the Truck Stop only  No storage of vehicle parts/scrap vehicles on site shall be permitted  Shop and restaurant facilities for Truck Stop Use only and not be available to the general public  Fuelling facilities limited to Truck Stop use only and shall not be available to the general public  Overnight accommodation and ablution facilities for Truck Stop Use only  Development to be in accordance with site plan approved in terms of Clause 1.7