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Provinsie Wes-Kaap: Provinsiale Koerant 6662

2 Oktober 2009

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LAND USE PLANNING ORDINANCE, 1985
(ORDINANCE 15 OF 1985)

AMENDMENT OF SCHEME REGULATIONS

The Minister of Local Government, Environmental Affairs and
Development Planning has

1 amended —

(a) the Scheme Regulations made in terms of section 8 of the
aforementioned Ordinance and published in the Provincial
Gazette, 353 of 20 June 1986 and 1048 of 5 December 1988;

(b) all Scheme Regulations of Schemes that are deemed to be
zoning schemes i.t.o. Section 7(1) of the aforementioned
Ordinance, and

(c) all Scheme Regulations that have been replaced in terms of
section 9 of the Ordinance, in terms of section 9(2) of the
Land Use Planning Ordinance, 1985, by the substitution of—

- A (1) the definition of the term "Agriculture" in the Definitions of
all the zoning scheme regulations as contemplated in
paragraph 1(a), and
- (2) any definition of the term "Agriculture" or of a term serving
that purpose in the Definitions of all the zoning scheme
regulations as contemplated in paragraph 1(b) or (c),

with the following definition:

"Agriculture", means —

- (a) the cultivation of land for raising crops and other plants,
including plantations, or
- (b) the breeding of animals, including —
- (i) any form of farming activity, for example stock, bee or
bird farming, or
 - (ii) any stud farm or farm for the keeping or breeding of
animals, or
 - (iii) a riding school, or
 - (iv) running a game farm on an extensive basis, or

(c) natural veld,

and comprises only those activities and buildings that directly
relate to the main farming activities on the farm, but does not
include abattoirs, feedpen farming, aquaculture or other defined
consent uses, or

B in the case of zoning schemes with no definition of 'agriculture',
the insertion of the above definition therein, and the deletion of
any conflicting definitions as determined by the Municipality
concerned, and

C in the case of zoning schemes with no land use restrictions for
agricultural or rural zoning, the insertion of the relevant measures
as contained in the Scheme Regulations made in terms of section
8 of the Ordinance, in the appropriate places as determined by the
Municipality concerned, including in the appropriate table or
tables, and

D the insertion of the following definitions in the Definitions part
unless already in place albeit with other wording or not —

"Aquaculture" means the cultivation, above the high-water mark,
and breeding of water-flora and -fauna, and the harvesting
thereof, —

- (a) in artificially-built dams or holding tanks, or

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ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985
(ORDONNANSIE 15 VAN 1985)

WYSIGING VAN SKEMAREGULASIES

Die Minister van Plaaslike Regering, Omgewingsake en Ontwikke-
lingsbeplanning het—

1 ingevolge artikel 9(2) van die Ordonnansie op Grondgebruikbe-
planning, 1985 —

(a) die Skemaregulasies afgekondig in terme van artikel 8 van
die voorgenoemde Ordonnansie en gepubliseer in Provinsiale
Kennisgewing, 353 van 20 Junie 1986 en 1048 van 5 Desember
1988;

(b) alle Skemaregulasies van Skemas wat ingevolge artikel 7(1)
van die voorgenoemde Ordonnansie geag is soneringskemas
te wees, en

(c) alle Skemaregulasies wat vervang is ingevolge artikel 9 van
die Ordonnansie, gewysig deur:

- A (1) die omskrywing van die term "Landbou" in die Woord-
bepaling van die soneringskemaregulasies soos beoog in
paragraaf 1(a), en
- (2) enige omskrywing van die term "Landbou" of van 'n term
wat daardie doel dien in die Woordbepaling/Definisies van
alle soneringskemaregulasies soos beoog in paragraaf 1(b) of
(c),

te vervang met die volgende definisie:

"Landbou", beteken —

- (a) die bewerking van grond vir die verbouing van gewasse en
ander plante, insluitend plantasies, of
- (b) die teel van diere, insluitend —
- (i) enige vorm van boerdery-aktiwiteit, byvoorbeeld vee-,
bye- of voelboerdery, of
 - (ii) enige stootery of plaas vir die aanhou of teel van diere,
of
 - (iii) 'n ryskool, of
 - (iv) die bedryf van 'n wildsplaas op 'n ekstensiewe grond-
slag, of

(c) natuurlike veld,

en omvat slegs daardie aktiwiteite en geboue wat direk verband
hou met die hoof-boerdery-aktiwiteite op die plaas, maar sluit nie
abattoirs, voerboerdery, akwakultuur of ander gedefinieerde ver-
gunningsgebruike in nie, of

B in die geval van soneringskemas met geen definisie van 'landbou'
nie, die invoeging van die definisie hierbo daarin, en die weglating
van enige botsende definisies soos bepaal deur die betrokke Muni-
sipaliteit, en

C in die geval van soneringskemas met geen grondgebruikbeper-
kings vir landbou- of landelike sonering nie, die invoeging van die
tersaaklike maatreëls soos vervat in die Skemaregulasies ingevolge
artikel 8 van die Ordonnansie, in die toepaslike plekke soos bepaal
deur die betrokke Munisipaliteit, insluitend in die toepaslike tabel
of tabelle, en

D die invoeging van die volgende definisies in die Woordbepaling/
Definisies-gedeelte tensy reeds in plek hetsy met ander woorde of
nie —

"Akwakultuur" beteken die kweek en teel, bokant die hoogwater-
lyn, van water-flora en -fauna, en die oes daarvan, —

- (a) in kunsmatig geboude damme of opgaartenks, of

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- (b) suspended from rafts,
for commercial purposes, including all directly-related and necessary ancillary facilities, and
"Guest House" means a dwelling house which is used for the purpose of letting individual rooms for residential accommodation, with or without meals, and which exceeds the restrictions of a bed and breakfast establishment, provided that —
- (a) the dwelling house is retained in a form which can easily be re-used by a family as a single dwelling house, and
(b) all amenities and provision of meals shall be for the sole benefit of bona fide lodgers, and
- E the inclusion of "aquaculture" as a consent use in all zoning scheme regulations as contemplated in paragraph 1(a), in Agriculture zone I and II and Industrial zone I and II, and
- F the inclusion of "aquaculture" as a consent use in all zoning scheme regulations as contemplated in paragraph 1(b) and (c), in all corresponding agricultural or rural zones to those mentioned in paragraph E above, and
- G the inclusion of "guest house" as a consent use in all zoning scheme regulations as contemplated in paragraph 1(a), in the Agriculture zone I, and
- H the inclusion of "guest house" as a consent use in all zoning scheme regulations as contemplated in paragraph 1(b) and (c), in all corresponding agricultural or rural zones to those mentioned in paragraph G above.
- (b) in hangende vorm van vlotte af,
vir kommersiële doeleindes, insluitend alle direk-verwante en nodige aanvullende fasiliteite, en
"Gastehuis" beteken 'n woonhuis wat gebruik word vir die doel indes van verhuring van individuele kamers vir residensiële akkommodasie, met of sonder maaltye, wat die beperkings van toepassing op 'n bed-en-ontbyt bedryf oorskry, op voorwaarde dat:
- (a) die woonhuis in so 'n vorm behou bly dat dit maklik weer gebruik kan word deur 'n gesin as enkelwoonhuis, en
(b) al die fasiliteite en voorsiening van maaltye slegs vir gebruik deur bona fide loseerders mag wees, en
- E die invoeging van "akwakultuur" as 'n vergunningsgebruik in alle soneringskemaregulasies soos beoog in paragraaf 1(a), onder Landbousone I en II en Nywerheidsone I en II, en
- F die invoeging van "akwakultuur" in die skemaregulasies soos beoog by paragraaf 1(b) en (c) hierbo, as 'n vergunningsgebruik in alle ooreenstemmende landbou- of landelike sones as die gemeld in paragraaf E hierbo, en
- G die insluiting van "gastehuis" as 'n vergunningsgebruik in alle soneringskemaregulasies soos beoog in paragraaf 1(a), in die Landbousone I, en
- H die insluiting van "gastehuis" as 'n vergunningsgebruik in alle soneringskemaregulasies soos beoog in paragraaf 1(b) en (c), in alle landbou- of landelike sones wat ooreenstem met die sones gemeld in paragraaf G hierbo.