



**DEVELOPMENT PLANNING ENVIRONMENT & MANAGEMENT UNIT**  
**Development Planning Department**  
**Land Use Management Branch**

166 K E Masinga Road, Durban, 4001  
P O Box 680, Durban, 4000  
Tel: 031 311 1111  
www.durban.gov.za

Our Reference : 82406078972  
Enquiries : Mr M .Mofokeng  
Telephone : 031 3117257  
eMail : Mohlapiso.mofokeng@durban.gov.za

**eTHEKWINI MUNICIPAL LAND USE SCHEME: CENTRAL SUB-SCHEME**

Date : 21 Oct 2025  
Name of Enquirer : Asanda Cele

**SITE PARTICULARS:**

Description : Portion 3 of Erf 10094 of Durban  
Street Address : 18 Rutherford Street

**GENERAL LAND USE MANAGEMENT INFORMATION**

ZONING : GENERAL RESIDENTIAL 5  
FLOOR AREA RATIO : 7.0  
COVERAGE : 100%  
MAX. PERMITTED HEIGHT : 59 Degree angle from opposite side of street (max- width 30m) or 110m with a 5.0m setback at 15.0m  
BUILDING LINE : NIL  
SIDE SPACE : NIL  
REAR SPACE : NIL  
MAX. NO. OF UNITS : N/A

**ADDITIONAL CONTROLS (if applicable) :**

**NB:** The controls given above are those specific to the land use zone in which the property falls. However, attention is drawn to the Scheme Clauses where, in certain cases, additional requirements can be called for at the discretion of the Head: Development Planning and Management and no information recorded above can be taken as comprehensive. Specific detailed information can only be given in respect of an application after it has been lodged showing the detailed proposals of the development.

**REMARKS:**

**Note 1:** This information has been compiled at the above date, but as the Scheme is in the course of preparation it may be amended from time to time.

**Note 2:** The information given is in respect of Land Use Management requirements only and must not be construed as indicating requirements in terms of the eThekweni Municipality By-Laws, the National Building Regulations, Environmental Legislation or any restrictive conditions in Title Deeds.

**Note 3:** Please note that if the site is affected by DMOSS or a watercourse, please consult the Biodiversity and Climate Protection Branch on 031 311 7517 in this regard.

**Note 4:** See Additional Controls on the Attached Development Facilitation Table Extract from the Scheme.

COMPILED BY: M.Mofokeng

SIGNATURE

DATE: 21 Oct 2025

CHECK BY: NAME: Chanel Palap, SIGNATURE:

DATE: 21 Oct 2025

**ZONE: GENERAL RESIDENTIAL  
5**

**SCHEME INTENTION:** To provide, preserve, or use land or buildings for higher density residential accommodation together with a wide range of ancillary uses that complement the Beach front and Waterfront areas; and to promote tourist activities.

**MAP COLOUR REFERENCE:** Light Brown with Dark Brown hatch

**MAP REFERENCE:**

PRIMARY	SPECIAL CONSENT	PRECLUDED
<ul style="list-style-type: none"> <li>• *Flat</li> <li>• Boarding House</li> <li>• Chalet Development</li> <li>• Dwelling House</li> <li>• Hotel</li> <li>• Health and Beauty clinic</li> <li>• Multiple Unit Development</li> <li>• *Office</li> <li>• Restaurant/fast food outlet</li> <li>• Retirement Centre</li> <li>• Shop</li> </ul>	<ul style="list-style-type: none"> <li>• Agricultural Land</li> <li>• Action Night Club</li> <li>• Crèche</li> <li>• Educational Establishment</li> <li>• Night Club</li> <li>• Parkade</li> <li>• Health Studio</li> <li>• Place of Public Worship</li> <li>• Institution</li> <li>• Laundry</li> <li>• Reform School</li> <li>• Special Building</li> <li>• Student Residence</li> <li>• Telecommunication Infrastructure</li> <li>• Uses authorised in terms of Sub-section 1.13</li> <li>• Any other use authorised in terms of sub-section 9.4</li> </ul>	<ul style="list-style-type: none"> <li>• All other uses not indicated in the Primary and Special Consent columns</li> </ul>

**ADDITIONAL CONTROLS – LAND USE**

1. \*Laundry shall be permitted if ancillary to a Flat or Hotel, provided that it is within the building and for the servicing of the owners and or occupiers living within the building.
2. \*Office may be permitted via special circumstances and to the Head: Development Planning, Environment and Management.
3. Parking in this zone shall be in accordance with figure 1 of Section 8 of this Scheme. For areas outside that depicted in figure 1, parking shall be in accordance with the rest of Section 8

**HEIGHT**

In calculating the height of any building the following shall be taken into account:

- (a) No part of any building on a site in a General Residential 5 shall project above a line drawn at an angle of 59° to the horizontal from a point at street level on the opposite boundary of any street which the site upon which the building is situated has frontage; provided that the Municipality may by Special Consent authorise a lift motor room or lift tower, an electricity transformer and meter room, a mechanical ventilation or air-conditioning plant room, a water tank and any architectural or structural feature of the building to project above the 59° angle line.
- (b) In the case of any building on a corner site fronting onto streets of different widths, the line referred to in paragraph (a) hereof, shall be drawn as aforesaid provided that in respect of the first 30, 0 metres of the frontage along the narrower street, measured from the street corner, the said line shall be drawn as if the width of such narrower street was that of the wider street.
- (c) The provisions of paragraph (a) and (b) hereof shall not apply: -
- (iv) to that part of a building having frontage to a vehicular street which, from a height of 15,0 metres or less above street level, is set back for its full remaining height a distance not less than 5,0 metres from any building line, or where there is no building line from the boundary of any road reserve (existing or as contemplated in terms of this Scheme) to which the building will have frontage provided that every such setback shall, unless the Head: Development Planning, Environment and Management otherwise directs, extend over the whole length of such frontage;
  - (v) to that portion of a building which fronts a non-vehicular street to the extent that compliance with such provisions along any frontage to a vehicular street is not affected;
  - (vi) where the Municipality has agreed to the encroachment of a building above any street, existing or as contemplated in terms of this Scheme, to such portion of such building and, if the encroachment is to the full width of such street, to such portion of any building directly facing the encroaching building on the opposite side of such street, as the Municipality in its absolute discretion may determine;

provided that no such building may, without the Special Consent of the Municipality be built to a height which exceeds

110.0m.

(d) For the purpose of this sub-section:-

- (i) no street shall be regarded as being less than 9,0 metres, or more than 30,0 metres wide; and
- (ii) the street level shall be deemed to be the mean pavement level adjacent to the building concerned.

1. Height: in respect of Portion 1 of Erf 2204 and Portion 1 of Erf 2230, both of Durban, situated at 317 Currie Road, the maximum height for any building shall be 32.0m.

**DEVELOPMENT PARAMETERS**

SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION(m <sup>2</sup> )	HEIGHT	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDE AND REAR SPACE					
Nil	Nil	N/A	900	59° from the opposite side of each street, (max width is 30.0m) or 110.0m with a 5.0m setback at 15.0m	100%	7.0



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**eTHEKWINI MUNICIPAL LAND USE SCHEME: CENTRAL SUB-SCHEME**

Date : 21 Oct 2025  
Name of Enquirer : Asanda Cele

**SITE PARTICULARS:**

Description : Portion 7 of Erf 10094 of Durban  
Street Address :

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**GENERAL LAND USE MANAGEMENT INFORMATION**

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COMPILED BY: M.Mofokeng

SIGNATURE

DATE: 21 Oct 2025

CHECK BY: NAME: Chantel Polak

SIGNATURE:

DATE: 21 Oct 2025

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