

4.6.14 Equestrian Residential 1

ZONE:	EQUESTRIAN RESIDENTIAL 1	
Statement of Intent:	A land use zone that provides for land uses and buildings for maintaining the equestrian nature and character of the area and providing for activities that are in keeping with the character of the area.	
Colour Notation:	Fill: Seville Orange Cross Hatch R:230, G:152, B:000 Outline: Green R:076, G:230, B:000	
Application:	This Zone applies to Ashburton & Farm portions and may at the sole discretion of the Municipality be allowed in other areas.	
Permissible (A)	Consent (B)	Prohibited (C)
• Conservation Purposes • Dwelling • Garaging • Outbuilding • Private Recreation Area • Riding Stables • Self-contained Residential Unit/ Granny's Flat	• Agricultural Building • Agricultural Land • Arts and Craft Workshop • Bed and Breakfast* • Caravan Park • Cellular Telecommunication Infrastructure • Chalet Development • Child Minder* • Crèche • Garden Nursery • Guest House • Health and Beauty Parlour • Home Business* • Hotel • Institution • Medium Density Housing • Mobile Home Park • Place of Public Assembly • Place of Worship • Restaurant • Special Building	Land uses and buildings not listed in column (A) and (B).
ADDITIONAL CONTROLS		
1. *Provided the written consent of all abutting owners and any other owners the Municipality may determine is obtained; the Municipality may waive the consent procedure. 2. The following additional controls shall apply with regards to Medium Density Housing development: - 2.1. All Medium Density Housing development shall be subject to the design requirements contained in clause 7.1 and additional requirements contained in Appendix 13 of the scheme. 2.2. The Consent procedure may be waived in respect of Medium Density Housing developments containing not more than five (5) Dwelling Units, provided that a fully motivated application is submitted to the Municipality and the written consent of the Owners of all abutting and any other properties determined by the Municipality is obtained. 2.3. The minimum size of an Erf on which a Medium Density Housing development is to be erected shall be 2000 m². 2.4. The building line requirements shall not apply to the individual curtilages within a Medium Density Housing development except along the Frontage of the Medium Density Housing site.		

2.5. The minimum frontage a Medium Density Housing development is to be erected shall be 6m.								
2.6. All Buildings in a Medium Density Housing development, including swimming pools but excluding a boundary wall or fence, shall observe a Side and Rear space of 5m.								
2.7. The Side and Rear Space requirements shall not apply to: - (a) an existing Dwelling on a Medium Density Housing Site which is incorporated as part of the development, and (b) the individual Curtilages within a Medium Density Housing development except along the Frontage of the Medium Density Housing Site.								
3. The Municipality shall not approve any Special Building wherein any trade, business, sale, storage or display of goods is involved, whether or not a trade licence is required.								
4. Save with the Municipality's Consent, the Consent procedure to relax the Coverage, Floor Area Ratio and Height requirements may be waived provided that a fully motivated application is submitted to the Municipality and the written consent of the Owners of all abutting and any other properties determined by the Municipality is obtained.								
5. The Building Line requirements shall not over-rule the requirements of the National Building Regulations or, in respect of Erfs fronting onto any Provincial Road, which shall be in accordance with the Provincial Road Legislation.								
6. Save with the Municipality's Consent and, in respect of Erfs fronting onto any Provincial Road, with the permission of the Provincial Roads authority. The Consent procedure to relax the building line requirements may be waived provided that a fully motivated application is submitted to the Municipality and the written consent of the Owners of all abutting and any other properties determined by the Municipality is obtained.								
7. The Municipality may grant its consent for relaxation of the side and rear space requirements. Save with the Municipality's Consent. The Consent procedure may be waived provided that a fully motivated application is submitted to the Municipality and the written consent of the Owners of all abutting and any other properties determined by the Municipality is obtained.								
8. All landscaping shall be to the satisfaction of the Municipality.								
9. Waste Management shall be subject to clause 7.4 of the scheme.								
10. Un-serviced areas to comply with clause 7.5 of the scheme.								
11. The eaves of any Building or structure shall not overhang the Front, Side and Rear Space by more than 1200 mm.								
12. All properties situated with the Farm Portions shall still be subject to the provisions of Subdivision of Agricultural Land Act (SALA), and any change of land use thereon will require consent under the provisions of SALA.								
13. Subject to compliance with the provisions of the following policies and/or bylaws: - (a) Msunduzi Tuckshop Policy. (b) Msunduzi Bed and Breakfast Policy (c) Msunduzi Crèches and Crèches-Cum-Nursery Schools By-Law (d) Caravan Camping Ground Bylaws (e) Msunduzi Cellular Telecommunication Infrastructure Policy (f) Msunduzi Public Health By-Law (g) All signage and advertising shall comply with the Msunduzi Advertising Signs By-Law								
PARKING REGULATIONS								
1. Refer to Appendix 8 for parking regulations.								
2. The technical requirements for on-site parking shall be in accordance with clause 7.2 of the Scheme.								
DEVELOPMENT PARAMETERS								
Area	SPACE ABOUT BUILDINGS			Units per hectare	Min Erf size (m²)	Height (STOREYS)	Coverage (%)	F.A. R
	Building line	Side space	Rear Space					

Ashburton	7,5m	3m	N/A	3000	2	25	0,35
Farm portions				At the discretion of the Municipality.			

5. SECTION 5: DEVELOPMENT PARAMETERS AND REGULATIONS

5.1 FRONTAGES OR MEAN WIDTH

The following frontages shall apply to the specified Land Use Zones; -

Land Use Zone	Minimum Frontage or Mean Width
Agriculture 1	N/A
Agriculture 2	N/A
Forestry	N/A
Cemetery	N/A
Educational	N/A
Government/Municipal	N/A
Health and Welfare	N/A
Institution	N/A
Worship	25m
General	15m
Core Mixed Use 1	N/A
Convention Centre	N/A
Commercial	15m
Low Impact Mixed Use	15m
Medium Impact Mixed Use	15m
Mixed Use 1	N/A
Multi-Purpose Retail and Office	N/A
Garage and Petrol Filling Station	N/A
Active Public Open Space	N/A
Environmental Reservation	N/A
Passive Public Open Space	N/A
Private Open Space	N/A
Protected Area 1	N/A
General Industry	20m (Central Area);25m (other areas)
Light Industry	20m (Central Area);25m (other areas)
Extractive Industry	25m
Logistics 1	20m
Special Residential 1	6m
Special Residential 1A	4m; 20m
Special Residential 2	10m
Special Residential 2A	4m; 20m
Special Residential 3	10m
Special Residential 3A	4m; 20m
Special Residential 4	10m
Special Residential 5	15m
General Residential 1	15m
General Residential 2	15m
General Residential 3	15m
General Residential 4 (Hotel)	15m
Intermediate Residential	15m
Equestrian Residential 1	4m; 30m

5.6.1.6 Any person aggrieved by a decision of the Municipality under this clause, may appeal such decision.

5.6.1.7 The Municipality may also in addition to its powers under Clause 5.6.1.3 (iii) consent to frontages or mean widths and areas less than those specified in the table under Clause 5.1 and 5.6.1, respectively provided that: -

i. The relaxation of area and width in respect of any one subdivision shall not exceed 10% of the area and width specified in the table. Provided that, in the case of a number of subdivisions being created, this relaxation shall only apply to one of those subdivisions.

ii. No frontage shall be less than that permitted under clause 5.1.

5.6.1.8 Except as provided for in clauses 5.6.4 and 5.6.5 the Municipality shall not consent to any subdivision which will result in the creation of any piece of land not having access to a public street.

5.6.1.9 No subdivision of land within properties zoned for agriculture or properties affected by the Agricultural Management Overlay shall be made without the prior consent of the Department of Agriculture, Land Reform and Rural Development in terms of the provisions of the Subdivision of Agricultural Land Act (Act 70 of 1970), or any other superseding legislation.

5.6.2 Erf Size Control

5.6.2.1 Unless where otherwise stated, no new subdivision in the zones referred to in the Table below shall have an area less than the specified minimum Erf size as reflected in the table: -

Land Use Zone	Minimum Erf Size (m ²)
Agriculture 1	N/A
Agriculture 2	N/A
Forestry	N/A
Cemetery	N/A
Educational	At the discretion of the Municipality
Government/Municipal	At the discretion of the Municipality (Ashburton); N/A (All other areas)
Health and Welfare	At the discretion of the Municipality
Institution	N/A
Worship	At the discretion of the Municipality
General	500
Core Mixed Use 1	500
Convention Centre	N/A
Commercial	500
Low Impact Mixed Use	500 (other areas); 500 (Ashburton)
Medium Impact Mixed Use	500
Mixed Use 1	900

Multi-Purpose Retail and Office	1200
Garage and Petrol Filling Station	1800
Active Public Open Space	N/A
Environmental Reservation	N/A
Passive Public Open Space	N/A
Private Open Space	N/A
Protected Area 1	N/A
General Industry	1000 (Central Area); 1000(Greater Edendale)
Light Industry	1000 (Central Area); 1500(other areas)
Extractive Industry	1000 (Central Area); 3000(other areas)
Logistics 1	1000
Special Residential 1	180
Special Residential 1A	800
Special Residential 2	450
Special Residential 2A	1000
Special Residential 3	650
Special Residential 3A	1500
Special Residential 4	900
Special Residential 5	1200
General Residential 1	900 (PMB; 450 (Sobantu and Edendale)
General Residential 2	900
General Residential 3	900
General Residential 4 (Hotel)	1800
Intermediate Residential	500 (other areas); 1500 (Ashburton)
Equestrian Residential 1	3000
Rapid Urbanisation Management Zone	N/A
Rural Residential	500
Retirement Village	2500
Student Village	1000
Airport	N/A
Bus and Taxi Rank	1800
Car Park	N/A
Tourism 1	1000
Office	1000
Transitional Zone 1	N/A
Transition Office	N/A
Refuse Landfill	N/A
Undetermined	N/A
Utilities and Services 1	N/A
All Special Area Zones	As per approved Site Development Plan
All Special Business Area Zones	As per approved Site Development Plan

5.6.2.2 The Municipality may consent to lesser areas and frontages, as provided for herein, if it is satisfied that the shape and situation of the proposed subdivisions would not be detrimental to the amenities of the area and would not result in such subdivisions being unsuitable for the use concerned.

APPENDIX 10: SCHEDULE OF LAND USE ZONE CHANGES

Historic Land Use Zone	New Land Use Zone
Limited Business Zone	Low Impact Mixed Use
General Business Zone	Medium Impact Mixed Use
City Centre Zone	Core Mixed Use 1
Place of Worship	Worship
Light Industrial Zone	Light Industry
General Industrial Zone	General industry
Garage	Garage and Petrol Filling Station
Religious/Public Worship Zone	Worship
Conservation (previously a land reservation)	Protected Area 1
Government (previously a land reservation)	Municipal and Government
Municipal (previously a land reservation)	Municipal and Government
Administration	Municipal and Government
Agriculture	Agriculture 2
Conservation	Protected Area 1
Garden Lot 1 and 2	Equestrian Residential 1
Limited Commercial Zone	Low Impact Mixed Use
Local Authority Purposes (previously a land reservation)	Utilities and Services 1
Special Residential 1	Special Residential 1A
Special Residential 2	Special Residential 2A
Special Residential 3	Special Residential 3A