

Town planning terminology explained

Easy explanations of town planning jargon for non-town planners, clients, estate agents and other development professionals:

Air Rights – development right for any purpose, residential, retail, office, etc that is approved in a structure spanning over a street or other public place, which does not restrict the continuous use of the street public place. Often connected between two buildings on either side of the street.

Amendment Scheme - Also known as Rezoning, is the changing of a certain zoning to another zoning, through a prescribed process.

Annexure – When used in terms of Town Planning Scheme, it means a document containing the details of the development controls (conditions) of a particular zoning.

Basement – Any part of a building that is located more than 2m below the natural ground level or of which more than 50% is below the natural ground level. Particular criteria may differ in different Town Planning Schemes. Basements are normally excluded from the calculation of bulk.

Building – Structure as defined in the National Building Regulations 1985 and Building Standards Act, 1977.

Building line – an imaginary line at a specific determined distance from a boundary of a property that demarcates the limits of the placement of a building. Building lines may be relaxed on application and proper motivation. Often determined by the minimum distance between neighbouring structures in terms of the National Building Regulations.

Building Restriction Area – The space between a boundary and a building line, on which no building is allowed. Can also include Open Spaces.

Building setback – See Building line.

Bulk – Not a formal town planning term, but widely used in the industry as a collective term to describe the allowed building magnitude by applying the FSR, coverage and height. It does not refer only to some of the above three criteria.

Bulk Services – Also known as External Services.

Bulk Services Contributions – See Engineering Services Contributions

Business Building – collective term for buildings used generally for an office, banks, service industry such as hair dressers, repairs, medical and dental rooms, beauty salon, fitness centre, etc, but excludes shops, restaurants, amusement places, schools, filling stations, warehousing, manufacturing, parking garages or vehicle sales. Please consult the specific Town Planning Scheme for items included peculiar to that scheme.

Commercial use - contrary to general perception does not mean any “non-residential” use (ie business use). It refers to storage facilities, such as warehousing, distribution centres, wholesale trade, transport depots, laboratories and computer centres. Any light industry, office, cafeteria or residential component must be subservient to the main use.

Conditions of Establishment – document issued by the Municipality, following the approval of a township, which sets out the conditions under which the township has been approved. It contains inter alia the conditions which must be fulfilled prior to the proclamation of the township, the conditions that will be incorporated into the proclamation notice, the conditions that will be included into the respective title deeds of resultant erven, as well as the conditions to be incorporated into the new zoning scheme (Sect 125 A/S)

Consent Use – represents a granting of development rights by the Municipality in terms of the Town Planning Scheme, without changing the formal zoning of the stand. Refer to the specific Town Planning Scheme as to which uses can be approved on different zonings. Examples are second dwelling or school or church on Residential zoning. Consent use rights are non-permanent and will lapse if not exercised.

Coverage – footprint area of a building expressed as a percentage of the total stand area, as seen vertically from above. It is not affected by the number of storeys of the building. See sketches under heading Floor Area Ratio.

Development Tribunal – Body created in terms of the DFA to consider applications for Land Development Areas. It is constituted of members appointed by the Premier, representing government and civil society, suitably qualified to deal with these matters.

DFA – Development Facilitation Act 1995 (Act 67 of 1995). Used as alternative to the provincial Ordinances to obtain development rights. The Act was primarily created to fast track developments (especially low cost housing). The Act has authority to suspend a very wide range of other legislation in as far as it may have a dilatory effect on the outcome of the application.

Duet unit – Not a formal town planning term, but a common term coined by estate agents to describe a unit of a Sectional Title scheme constituting two units (Second dwelling on Single Residential zoning)

Duplex dwelling – Building constituting two or more dwelling units of two storeys with an internal staircase. Often sold separately on Sectional Title.

Dwelling House – means a single dwelling unit on a Special Residential or Residential 1 zoning.

Dwelling Unit – means a self contained suite of rooms, connected and containing habitable rooms, bathroom(s) and limited to one kitchen and used for the purpose of residence by a single family.

Engineering Services Contributions – Also known as Bulk Services Contributions. Financial contributions payable by an applicant whose township is proclaimed or rezoning approved and which have the effect of increased usage of any of the services provided by the Municipality. Contributions are meant to supplement the said services capacity at the cost of the applicant and not by the general rate payers. Contributions are determined by the actual increased usage and is agreed by way of a services agreement.

Environmental Authorisation – Letter conveying the decision of the authorities in terms of NEMA. Also known as Record of Decision.

Erf – Similar to stand and refers to a cadastral unit as surveyed and registered in the Surveyor General's records as part of a township. Differs from a farm portion or agricultural holding, as being part of a township.

External Services – Also commonly known as Bulk Services. Engineering services being the responsibility of the Local Municipality to provide. Include water reservoirs and distribution networks, electrical installations and distribution networks, sewerage treatment works and mains, roads and storm water. The responsibility of provision is prescribed in legislation and agreed with applicant in a Service Agreement.

Floor Area – for the purposes of calculating GFA and FAR the floor total area is the roofed areas of a building including mezzanine floors and basements, external passages and balconies.

Floor Area Ratio – Also known as Floor Space Ratio, FAR or FSR. It is a figure or fraction that is obtained by dividing the Gross Floor Area (all storeys included) of a building by the total land area of the erf. Example sketched below indicates a FAR of 0,5 where the building constitute a Coverage respectively of 50% and 25% of the stand area, determined by the number of storeys.

Gautrans – Common name for Gauteng Department of Transport and Public Works, the guardian of all provincial roads in the province. Most important role player with any development project, where access off public roads are required. Implements the Gauteng Transport Infrastructure Act, which impacts severely on any land use application.

GDACE – See GDARD

GDARD – Gauteng Department of Agriculture and Rural Development. Department tasked with implementing environmental legislation in Gauteng. There are similar institutions in all provinces, known under different names.

General Plan – Plan as required by the Ordinance or the DFA that is framed by a land surveyor and approved by the Surveyor General as official record of all beacons, measurements, and other data representing an approved township layout. This plan is a prerequisite for proclamation of a township.

Granny Flat – See Second dwelling

Gross Floor Area (GFA) – is obtained from multiplying the total stand area by the FAR, eg $1\ 000\text{m}^2 \times 0,5 = 500\text{m}^2$. Note that as per the specific Town Planning Scheme, certain areas of a building may be deducted from the calculation (free bulk). These include areas used for parking garage, arcades and atriums (often a % of), ducts, stairwells, lift shafts, fire-escapes, areas for building services, ie electrical plant, areas for maintenance equipment and refuse rooms.

Group Housing – means a group of three or more dwelling units designed as a harmonious whole and can be registered as Sectional of Full Title units. Often called cluster housing or other similar terms.

Guesthouse – Residential facility operated for profit with a specific limited number of rooms (ie 16 in some municipalities) which provides short term accommodation, and could include a bar, dining room, lounge, and conference room for exclusive use of residents. Often it is a requirement that the manager be residing on the property.

Height – the height of any part of a building, expressed as number of storeys or as metres above mean ground level. Used together with FAR and Coverage to determine “bulk”.

Home Enterprise or Home Undertaking – means a practice, activity or occupation in a dwelling unit conducted for income. Subject to certain limitations peculiar to the specific Town Planning Scheme, these activities may be conducted as a primary right in a Residential zoning. Typical criteria includes: Principal of enterprise must reside in the building; no more people engaged in the enterprise than the principal and two assistants; no more than 30% of dwelling unit, to a maximum of 80m² to be utilized; no display of goods visible from street; etc. Example of Home Enterprise is a dentist or medical doctor practicing from home.

IDP – Integrated Development Plan. Policy document by a Municipality in terms of the Municipal Systems Act, which sets out the development vision of the Municipality in terms of physical, financial, institutional, social, political and operational criteria. It serves as a budgeting tool for the Municipality for capital spending on a 5 year revolving programme.

Illegal Township – Any township (see definition elsewhere) that was created without following the prescribed procedures as set out in the various legislation (Ordinances or DFA, etc). When a township is ruled an illegal township, the Municipality may not approve any building plans for structures on even in that township while any building work is also prohibited.

Industry – means land and buildings being used for the production or manufacturing of goods, the assembly, repair, rebuild, packing or processing of products. It includes the generation of electricity and incineration plants and excludes any noxious industry – see separate definition.

Institution – means land and buildings used for a charitable organisation, hospice orphanage, hospital, clinic, nursing home, veterinary clinic or veterinary hospital.

Internal Services – Services to be installed by the developer linking the individual user with the municipal bulk services. Include water, electricity, sewerage facilities, storm water and access to streets (in the case of an on site development) or the internal streets itself (in the case of a new township).

Land Development Area – land which is the subject of an application in terms of the DFA (see defined elsewhere) for the purposes of a township or other development rights.

Land Use Management Scheme – Also known as LUMS. It is the new style town planning schemes established through the Land Use Management Act, set to replace the former control mechanisms which were authorised by the different Ordinances.

Light industry - means land and buildings used for industrial purposes, but of a limited nature. Examples are typically bakery, contractors yard, printing, panel-beating, motor workshops, etc.

Listed Activity – Activity or land use that, in terms of NEMA has a potentially negative impact on the environment, requiring special investigation and authorisation. Note that below certain thresholds, activities may be subject to lower order investigation or even exempted from the regulations.

Map 3 – Plan forming part of zoning documentation depicting the property to which a specific zoning applies.

Medical Rooms – Facilities used by medical and dental professions and may include dispensing medicines. This component is often linked to the zoning for offices, professional rooms or business. However, due to the much higher required parking ratio, it attracts substantially higher contributions payable to the Municipality for particularly Roads & Storm Water.

NEMA – National Environmental Management Act 107 of 1998 and Regulations. Legislation regulating environmental conservation and environmental impact assessments. It imposes procedures for a wide list of activities that have potentially negative impacts.

Noxious Industry – means any industry that is classified as a noxious industry due to the production of or discharge of noxious substances, gasses, smells, noise, dust, smoke, etc and consequently is excluded from conventional Industrial zones.

Offices – means land and buildings used for professional, clerical, administrative, management, marketing and consulting purposes. It excludes any form of retail or a call centre.

Open Space – refers to land which is specifically allocated to be predominantly free from buildings or structures, for the enjoyment of the public and for aesthetical purposes, as well as for the conservation of natural areas, for water courses and associated flood areas, parks and squares. It may contain facilities such as ablution facilities, pergolas, benches and braai facilities. Open Space may be public or private.

Outdoor Advertising – The use of billboards or parts of the exterior of buildings for the promotion of products and services. Strict regulations exist that regulates these activities and beyond a certain size, will require permissions and even environmental authorisation.

Panhandle – Narrow alleyway as part of a stand, which provides access from the street to that stand which is not directly adjacent to the street. Specific minimum measurements apply depending on how many erven are served by the access, ranging from 3m to a maximum of 8m. In the event of access being given to multiple stands, a servitude for access must be registered over the servient stand.

Parking Ratio – prescribed number of parking bays to be provided on site for a specific zoning, often expressed as a number of bays per 100m² gross leasable area of the building, or in the case of restaurants or conference centres, a number of bays per certain number of chairs, or rooms in the case of a hotel or guesthouse.

Permission – Application by certain Municipalities similar to Consent Use (see above) but on different, less complicated level ie relaxation of building line, etc.

Rezoning – Also known as Amendment Scheme, is the changing of a certain zoning to another zoning, through a prescribed process.

RoD – Record of Decision. Letter conveying the decision of the authorities in terms of NEMA. Also known as Environmental Authorisation.

SDF – Spatial Development Framework. Policy document of the Municipality drafted in terms of the requirements of the Municipal Systems Act and representing the physical or spatial component of the IDP. This document functions similar to the earlier Structure Plans, which presented a preferred land use pattern, against which development proposals are adjudicated by the authorities.

Second Dwelling – Previously only granny flats were allowed on Single Residential zoning in addition to the main dwelling. These very strict limitations have been eased over time and now many municipalities allow a full second dwelling, upon a successful Consent Use application. Limitations are still in place, but now typically a maximum of 50% Coverage for all buildings. Structures are also not required to be attached. Often sold separately on Sectional Title and commonly known as Duets.

Section 82 certificate – Certification by the Municipality that all conditions have been met with regards to the establishment of the township, including the proclamation and the arrangements for the installation of services. This certificate has the effect of transfer of stands being authorised and building plans being accepted for approval. This section number is peculiar to Ordinance 15 of 1986 and will differ with other province’s Ordinances.

Section 101 certificate – Certification by the Municipality that the applicant has fulfilled all pre-proclamation conditions as set out in the Conditions of Establishment and that the attorneys may submit the township register documentation to the Deeds Office. This section number is peculiar to Ordinance 15 of 1986 and will differ with other province’s Ordinances.

Section 125 Amendment Scheme – As part of township proclamation process, the new township’s approved zonings are incorporated into the existing Town Planning Scheme in operation. This is contained in the prescribed Maps and Annexures and is gazetted together with the notice of the township. This section number is peculiar to Ordinance 15 of 1986 and will differ with other province’s Ordinances.

Services Agreement – Agreement concluded between applicant and Municipality on the responsibilities to provide the internal and external services required for a development, the level of services to be provided, as well as the amounts of services contributions payable.

Services Contributions – See Engineering Services Contributions

Services Appeal Board – Review board set up in terms of the Ordinance to decide on appeals relating to engineering services.

Special Zoning – Zoning category used for any land-use right that is not otherwise defined and in need of a tailor-made description. For example a filling station is ordinarily regarded under “Business” but if you want to isolate the filling station without the other business uses, one creates a zoning of “Special for Filling Station”. Similarly Special zonings can be created for “hotel” or “boutique hotel”, etc.

Title Restriction – restricting condition contained in the title deed of a property, which may have the effect of a limitation on development. In older townships, prior to Town Planning Schemes, the title deed used to regulate land uses and many remnants of these still exist today. These include a limitation on subdivision, prescriptions on the use of building materials, building lines, the purpose for which a stand may (or may not) be used, etc. Title restrictions can be removed with a prescribed process.

Town Planning Scheme – System of land use management, in terms of legislation, which allocates legal rights to land within its area to develop and the erection and use of buildings within the ambit of specific conditions and control measures. A Town Planning Scheme consists of maps covering the whole scheme area down to an individual stand level, with zonings indicated in colour codes, plus Annexures indicating conditions and controls for each stand. Town Planning Schemes are managed and administered by Municipalities. It is set to be phased out and replaced in due course by Land Use Management Schemes. (See elsewhere)

Township – term used to describe a legal entity that came to being by virtue of a process in terms of a specific Ordinance or the DFA, resulting in transferrable stands or erven to third parties. By definition a township must consist of two or more erven. Ordinance 15 of 1986 defines a township as being: “any land laid out or divided into or developed as sites for residential, business or industrial

purposes or similar purposes where such sites are arranged in such a manner as to be intersected or connected by or to abut on any street.” Note that “street” in this definition can include a servitude and may even be only notional in character. The relevance of this definition is that any two buildings located on sites (not even erven) which theoretically can be intersected by a road or pathway (even a notional road) have the potential of being declared an illegal township (see definition elsewhere).

Township Establishment – legal process whereby an authority receives, considers and approves an application for a township and which culminates in the proclamation of the township. The process may be prescribed in any of various Ordinances, the Gauteng Planning and Development Act or the DFA.

Township Proclamation – The formal gazetting of the approval of the township. This event marks the conversion of the status of the property from farmland to a township and from this moment the new zonings are also valid. No transfer of individual stands in the township will be allowed without proclamation.

Township Register – Forms part of the township proclamation process, whereby the Registrar of Deeds registers the township on his records. The township register is in essence the document through which the single title deed of the original farm portion, is converted and divided into a multitude of titles (for each erf) from where the first transfer is effected.

Townships Board – Review board appointed by the Premier in terms of the Ordinance dealing with appeals and other matters prescribed by the Ordinance. It is constituted of members representing government and civil society, suitably qualified to deal with these matters.

Use Zone – Broad categories of land uses in the Town Planning Scheme indicating different zonings, eg Residential 1, or Special Residential, Business 2, Industrial 1, Public Open Space, Undetermined, etc.

Zoning – land use allocation or right regulating the erection and use of buildings on each property within the Town Planning Scheme area. Zoning is indicated on documentation in the offices of the Municipality and consist of Scheme Maps with distinctive colours or monochrome shading, plus Annexures specifying the conditions or limitations (planning controls) imposed on each property.

Zoning Certificate – Document issued by the local municipality on which the zoning of a specific property is set out.

Zoning Scheme – Alternative term to describe a Town Planning Scheme.