



KWAZULU-NATAL PROVINCE
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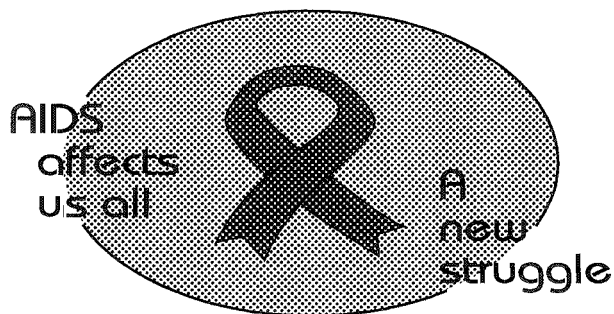
Vol. 1

PIETERMARITZBURG,

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No. 62

We all have the power to prevent AIDS



**AIDS
HELPLINE**

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DEPARTMENT OF HEALTH

Prevention is the cure



File reference 2005/454:**DEVELOPMENT FACILITATION ACT, 1995: REGIONAL SHOPPING CENTRE; ON PORTION OF THE REMAINDER OF SUB 2191 (OF 2109) OF UMLAZI NATIVE LOCATION NO. 4676 AND SUB 2216 (OF 2191) OF UMLAZI NATIVE LOCATION NO. 4676, REGISTRATION DIVISION ET, KNOWN AS THE GALLERIA @ ARBOUR TOWN, ETHEKWINI MUNICIPALITY**

In terms of section 33(4) of the Development Facilitation Act, 1995, the Development Tribunal approved the development of a regional shopping centre of a maximum of 75 000m² gross lettable area in extent and a special mixed-use zone consisting of a business park (value centre and motor showroom complex) comprising a maximum of 45 000m² gross lettable area of development on Portions 1 and 2 of Erf 235 Umbogintwini being the Consolidation of the Remainder of Portion 2191 (of 2109) of Umlazi Native Location No. 4676 and Portion 2216 (of 2191) of Umlazi Native Location No. 4676, to form Portion 2497 Umlazi Location No. 4676 to be redesignated Erf 235 Umbogintwini subject to the following conditions of establishment relating to land use management, the suspension of laws and the applicability of laws—

- (a) the amendment of the Umbogintwini Planning Scheme—
 - (i) by the extension of the Umbogintwini Town Planning Scheme to include the land development area;
 - (ii) by the layout of the land development area in accordance with the layout plan 2280/LAY 2002 Rev.012, dated 11 October 2006 for Portions 1 and 2 of Erf 235 Umbogintwini;
 - (iii) by the insertion in Tables C and D of "Special Zone 1" contemplated in Schedule 1;
 - (iv) by the insertion after "Special Zone 1" in Tables C and D of "Special Zone 2" contemplated in Schedule 2;
 - (v) by the zoning of Portion 1 of 235 Umbogintwini as Special Zone 1 and Portion 2 of 235 Umbogintwini as Special Zone 2;
- (b) the suspension of the following laws—
 - (i) Sections 11, 11*bis*, 12, 16 - 28, 35 - 39, and 47*bis* of the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949) shall not apply to the land development area for the purpose of the development thereof in accordance with these conditions of township establishment and
 - (ii) The provision of the Subdivision of Agricultural Land Act, 1970 (Act No. 70 of 1970) shall not apply to the land development area.



B Widdowson, Designated Officer

Date 11/12/07

SCHEDULE 1
LAND USE CONTROLS
Galleria Shopping Complex

LAND USE CONTROLS (Table C)

1	2	3	4
Use Zone	Purpose for which buildings may be erected and used	Purposes for which buildings may be erected and used with special consent of the Council only.	Purposes for which buildings may NOT be erected and used
Special Zone 1 (General Commercial)	Commercial Workshop Office Building Place of Public Amusement Public Office	Buildings and other uses not included in Columns (2) and (4)	Extractive Industry General Industrial Medium Density Housing Restricted Building
Portion 1	Recreational Building Restaurant Shop		Special Industrial Building

DENSITY CONTROLS (Table D)

Density	Maximum permitted Floor Area Ratio: Coverage : Height	Remarks
Special Zone 1 (General Commercial)	0,50 : 30 : 2	The following additional controls shall apply to "The Galleria" shopping complex :-
Portion 1		<ol style="list-style-type: none"> 1. The shopping centre development is to contain a maximum gross leasable area of 75 000m², which refers to all lettable space including storage but excludes public toilets, public malls and arcades, plant rooms, refuse disposal areas and management offices. 2. All roads requirements are to be met to the satisfaction of the South African Roads Agency (SANRA). 3. That a minimum of 6 parking bays per 100m² of gross lettable area for shops and 1 parking bay for each 10 cinema seats shall be provided. 4. Loading facilities shall be provided to the satisfaction of the Municipal Engineer. 5. That the maximum height shall be restricted to 2 storeys provided:- <ol style="list-style-type: none"> (a) That each shopping floor height shall not exceed 6m; and (b) That such height restriction shall not include architectural features, mast lighting, advertising pylons, lift and meter rooms and any such similar appurtenance. 6. That all access points to the site from public roads and traffic circulation within the site but excluding access to such circulation shall be substantially in accordance with the Traffic Engineer's Report. 7. That the car parking areas and shopping site generally, shall be landscaped in accordance with a duly approved plan to be

lodged simultaneously with the building plans and for such landscaping to be completed within six months from date of occupation and shall be maintained throughout the occupation of the centre to the satisfaction of the Council.

8. That a suitable system for the disposal of sewerage and storm water to serve the proposed shopping centre development shall be provided.
 9. That a caretaker's flat may be provided.
 10. That, where any of these special conditions conflict with the general conditions of the Scheme, such special conditions shall apply.
 11. The coastal forest and buffers shown on Subdivision Plan 2280/Lay2001 Rev 03 dated 21/10/2006, are to be managed in terms of the Environmental Management Plan
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SCHEDULE 2
Value Centre

LAND USE CONTROLS (Table C)

1	2	3	4
Use Zone	Purpose for which buildings may be erected and used	Purposes for which buildings may be erected and used with special consent of the Council only.	Purposes for which buildings may NOT be erected and used
Special Zone 2 (Business and Office Park)	Commercial Workshop Office Building Motor showroom Public Office	Buildings and other uses not included in Columns (2) and (4)	Extractive Industry General Industrial Restricted Building Special Industrial Building
Portion 2	Recreational Building Service Industrial Building Warehouse Shop		

DENSITY CONTROLS (Table D)

Density	Maximum permitted Floor Area Ratio: Coverage : Height	Remarks
Special Zone 2 (Business and Office Park)	0,8 : 40 : 2	(a) The purpose of this zone will be to accommodate a wide range of office and warehouse and service activities, in such a way that the uses contribute towards the creation of a harmonious, well-balanced environment of the highest aesthetic, landscaping and urban design quality:-
Portion 2		(b) The development of each component of the site shall be in accordance with detailed development and landscaping plans that shall meet the approval of Council. (c) A Site Owner's association shall be formed and every site owner and occupier belong to, ascribe to the objects of, abide and be bound by the requirements of this Association. (d) Open spaces not required for parking and circulation shall be landscaped in accordance with the details shown in the landscape plan referred to in (b) above. (e) Building line of 7,5m on all internal boundaries except in the case of the national route where it shall comply with the requirements of the South African National Roads Authority. (f) Side and rear space nil. (g) Parking shall be provided at the following ratios: Shops : 6 bays /100m ² of shop floor area;

Offices/Commercial : 4 bays/100m² of office floor area;
All other uses : 1 bays/100m² of floor area

- (h) Loading areas shall be provided to Council's satisfaction.
- (i) The categories of shops which are to be permitted into this zone are as follows:
- Activities related to motor vehicles in a motor city complex, with land uses such as motor showrooms, spare parts and accessory sales.
 - Specialised retail outlets requiring large floor areas at lower relative rentals, accepting in return a lower, but nevertheless attractive standard of finishes. Tenants and users will include home and office furniture suppliers, office equipment, electronic equipment, stationery suppliers, tiles and sanitary ware merchants, home improvements centres, etc.
 - Speciality retail shops.
- (j) Storage of materials of any sort shall be confined to buildings erected for that purpose or in areas approved by the Council which are satisfactorily screened from view from the N2.
- (k) A caretakers flat not exceeding 200m² shall be permitted on each site.
- (m) The total development rights envisaged for the shops and warehouse component shall be 45 000m² gross lettable area.
- (n) The total development rights envisaged for the office component shall be 18 000m².
- (o) Notwithstanding the general height restriction of 3 storeys, with the office park component, a total area of 6000m² may be utilized in the form of three office blocks with a maximum height of 6 storeys.
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