

LOCAL AUTHORITY NOTICE 142 OF 2020
BELA-BELA LOCAL MUNICIPALITY
BELA-BELA LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE
MANAGEMENT BY-LAW 2017

The Bela-Bela Local Municipality hereby gives notice in terms of section 13(a) read together with section 21(1)(a) of the Local Government: Municipal System Act, 2000 (Act No 32 of 2000) that Section 54 and Section 69 of the Spatial Planning Land Use Management By-Law 2017, known as the Bela-Bela Local Municipality Spatial Planning and Land Use Management By-Law 2017, has been amended and adopted, and shall come into operation on the date of publication of this notice. This Land Use Management By-Law is applicable to the entire municipal area of jurisdiction.

A copy of the Bela-Bela Local Municipality Spatial Planning and Land Use Management By-Law, 2017 (as amended), is available at the office No. Office 37 of the Bela-Bela Local Municipality, Department of Planning and Economic Development, Chris Hani Drive, Bela-Bela, Limpopo, 0480

S.M MAKHUBELA, MUNICIPAL MANAGER

GENERAL EXPLANATORY NOTES:

[] Words in bold type in square bracket indicate removal from existing enactment

 Words underlined with solid line indicate insertions in existing enactment

Details of the amended Sections are as follows:

Section 54 of Bela-Bela SPLUMA: Categories of Land Use and Land Development Applications

The categories of land development and land use management for the Municipality, as contemplated in section 35(3) of the Act, are as follows -

- (a) Category 1: Land Development Applications; and
 - (b) Category 2: Land Use Applications.
- (1) Category 1: Land development applications are applications for -
- (a) the establishment of a township or the extension of the boundaries of a township;
 - (b) **[the amendment of an existing scheme or land use scheme by the rezoning of land];**
 - (c) **[subject to subsection (3), the removal, amendment or suspension of a restrictive or obsolete condition, servitude or reservation registered against the title of the land];**
 - (d) the amendment or cancellation in whole or in part of a general plan of a township;
 - (e) the subdivision and consolidation of any land other than a subdivision and consolidation which is provided for as a Category 2 application;

- (f) permanent closure of any public place;
- (g) all applications for the restriction of access to a public road in terms of the Rationalization of Local Government Affairs Act, 1998 (Act No. 10 of 1998);
- (h) [any consent or approval required in terms of a condition of title, a condition of establishment of a township or condition of an existing scheme or land use scheme];
- (i) instances where the Municipality acting on its own accord wishes to remove, amend a restrictive or obsolete condition, servitude or reservation registered against the title deed of a property or properties which may also arise out of a condition of establishment of a township or any other legislation;
- (j) [any consent or approval provided for in a provincial law]; and
- (k) land development on communal land that will have a high impact on the traditional community concerned.

(2) Category 2: Land use applications are applications for:

- (a) the amendment of an existing scheme or land use scheme by the rezoning of land;
- (b) subject to subsection (3), the removal, amendment or suspension of a restrictive or obsolete condition, servitude or reservation registered against the title of the land;
- (c) the subdivision and consolidation of agricultural land, holding farms, farm portions of "erf/erven" within a proclaimed Township.
- (d) the consolidation of any land;
- (e) the simultaneous subdivision, under circumstances contemplated in paragraph (a) and consolidation of land;
- (f) the consent of the municipality for any land use purpose or departure or deviation in terms of a land use scheme or existing scheme which does not constitute a land development application;
- (g) any consent or approval required in terms of a condition of title, a condition of establishment of a township or condition of an existing scheme or land use scheme;
- (h) the removal, amendment or suspension of a restrictive title condition relating to the density of residential development on a specific erf where the residential density is regulated by a land use scheme in operation; and

- (i) a temporary use application.
 - (j) any consent or approval provided for in a provincial law; and
 - (k) Land Use Rights on Communal Land or in Rural Areas.
 - (l) An extension of the validity period of an approval
 - (m) All applications delegated in terms of delegation of power by the Council as amended from time to time
 - (n) land development on communal land that will have a high impact on the traditional community concerned.
- (3) The division of functions per category of application as contemplated in section 35(3) of the Act between a Land Development Officer and a Municipal Planning Tribunal is set out in section 30.

Section 69. Exemption of Subdivisions and Consolidations

- (h) The subdivision of land for the purpose of Construction or alteration of roads or any other matter related thereto.
 - (i) The subdivision of land in order to transfer ownership to a Municipality or organ of the state
 - (j) the subdivision of land in order to transfer ownership from a municipality or other organ of state, excluding a subdivision for the purpose of alienation for development;
- (a) the subdivision of land where the national or provincial government may require survey, whether or not national or provincial government is the land owner; and
 - (i) the subdivision of land in existing housing schemes in order to make private property ownership possible

Copies of the amended SPLUMB can be accessed via the above mentioned address or alternatively can be accessed through the municipal website: www.belabela.gov.za for any clarity seeking question please contact Ms M Manzini @ 014 7368037