

MARULENG LOCAL MUNICIPALITY

NOTICE ON THE AMENDED MARULENG SPLUM BY-LAW

Notice is hereby given in terms of section 156 of the constitution, 1996, (Act No. 108 of 1996) read in conjunction with section 11(3) of the Local Government: Municipal system Act (Act No.32 of 2000), that the Amended SPLUM By-law is available for public comments. The Amended By-Law was noted by Council had on its Special Council meeting held on the 30 March 2021. Changes in the Draft Amended SPLUM By-Law are as follows:

AMENDED CATEGORIES OF APPLICATIONS (SECTION 49 (1-3))

CHAPTER 5 – DEVELOPMENT MANAGEMENT

Part A: Categories of Applications

1. 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 -

- Category 1: Land Development Applications;
- Category 2: Land Use Applications, Traditional Use Applications and Temporary Use Applications

No appeals for Temporary Use applications shall be entertained

(1) Land **Development** applications are applications for:

CATEGORY 1

- (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; (above 20Ha)
- (c) permanent closure of any public place;
- (d) the subdivision and consolidation of any land other than a subdivision and consolidation which is provided for as a Category 2 application (as affected by National and provincial laws)
- (e) 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);
- (f) the amendment of the use of land in instances where such amendment will have a high impact development on the community;

- (g) all applications that have national interest.
- (h) the amendment or cancellation in whole or in part of a General Plan of a township;
- (i) any consent or approval provided for in a Provincial law.
- (j) prospecting rights granted in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002);

(2) Land Use applications are applications for:

CATEGORY 2

- (a) the amendment of an existing scheme or land use scheme by the rezoning of land; (less than 19.99Ha)
- (b) subject to subsection (2)(f), the removal, amendment or suspension of a restrictive or obsolete condition, servitude or reservation registered against the title of the land;
- (c) 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;
- (d) 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
- (e) the subdivision of any land where such subdivision is expressly provided for in a Land Use Scheme;
- (f) the consolidation of any land;
- (g) the simultaneous subdivision and consolidation of land;
- (h) the consent use or special consent use provided for in terms of an existing scheme or Land Use Scheme i.e. Guest House, Place of Public Worship, Place of Instruction, Overnight Accommodation, Service Industry, Place of Amusement, Telecommunication Mast, etc.
- (i) 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;
- (j) 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.
- (k) any consent relating to the use of communal land i.e. Spaza Shop, Crèche, Cultural School for Boys, any other application that is related to cultural activities, etc;
- (l) any other application for temporary use submitted in accordance with the by-law of Maruleng Local Municipality

(3) The division of functions as contemplated in section 35(3) of the Act between a Land Development Officer and a District Municipal Planning Tribunal is set out in section 31.

Maruleng Municipality hereby calls upon all citizens and organizations to critically comment on the amended By-Law. Submissions of comments are open until 17 June 2021.

Please take this opportunity to read the revised by-law and make your comments.

Copies of the Amended By-Law can be obtained from:

- Municipal website www.maruleng.gov.za,
- Hoedspruit - Municipal Offices and Municipal Library at 65 Springbok Street, or should be requested by e-mail from mappsmakgato@gmail.com or g.mailula@icloud.com

For enquiries please contact Advocate Makgato on 015 793 2409.

Written comments must be directed to the Municipal Manager at P.O Box 627, Hoedspruit 1380, 65 Springbok Street, Hoedspruit 1380 or e-mailed to mappsmakgato@gmail.com or g.mailula@icloud.com. Closing date for submission is 17 June 2021.

The same By-Law will be discussed during the IDP Public Participations Processes.

MAGABANE T.G
MUNICIPAL MANAGER