

LOCAL AUTHORITY NOTICE 64 OF 2020



# LEPHALALE

## LOCAL MUNICIPALITY

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### ERRATUM: NOTICE 28 OF 2018 UNDER THE LIMPOPO PROVINCIAL GAZETTE NO. 2884 DATED 2 MARCH 2018 IN RESPECT OF LEPHALALE LAND USE SCHEME, 2017

The Lephalale Municipality has been monitoring the effectiveness of the Lephalale Land Use Scheme in replacing all schemes which existed prior 2 March 2018 within its entire area of jurisdiction including giving effect to the provisions of the Lephalale Municipal Spatial Development Framework, 2017;- and deemed it fit to require intensification/enhancement of several clauses and additions set for the realisation of development principles as prescribed in terms of SPLUMA 16 of 2013.

As a result, a notice is hereby given in respect of the following insertions including modifications for the attention of all affected and interested parties, who may wish to make representation or comments which must be submitted in writing to the Municipal Manager, Lephalale Municipality, Private Bag X136, Lephalale, 0555 or forwarded to [munic@lephalale.gov.za](mailto:munic@lephalale.gov.za) within a period of 28 days from the date of its first publication:

**1. Insertions and modifications in respect to definitions (the following expressions shall bear the meanings assigned to them herein, as follows):**

**“boarding house”** means land and buildings consisting of habitable rooms with or without a kitchenette and/or ablutions, which are let or rented to persons and where one or more means may be provided in a communal dining- room and a communal kitchen and may include a caretaker's flat on the property and other communal and ancillary and subservient facilities for the residential only. (Page 6)

**“casino”** means land and building used for various forms of gambling and may include a Place of Refreshment, Place of amusement, conference center and ancillary and subservient uses. This building shall comply with the noise zone criteria and acoustical screening requirements of the Municipality Services. (Page 7)

**“family”** means— one or more individuals occupying a dwelling who are related through marriage or common law, blood relationship, legal adoption, or legal guardianship and unrelated domestic workers and boarders. (Page 11)

**“Guests dwelling”** means a set of rooms that excludes a kitchen used by guests. (Page 13)

**“Guest Lodge”** means a set of Guest Dwellings with a central Kitchen designed to accommodate visitors with a Maximum of 5 Guests Dwelling including ancillary uses and any other buildings for Properties less than 10 ha and maximum of 10 Guest Dwelling including ancillary uses and any other buildings for properties more than 10 ha. (Page 14)

**“Rural abattoir”** Means a portion of an agricultural property not more than 80 sqm to slaughter and poultry and may include the processing of animal and poultry products in respect of which a registration certificate has been issued in terms of Section 8(1) of the Meat Safety Act, 2000 (Act No. 40 of 2000) and in respect of which a grading has been determined in terms of Section 8(2) of the said Act; to be only used by the owner and his/her family members. (Page 23)

**“taxidermy”** means an official supervised agricultural undertaking on which raw hunting trophies are being fully processed. (Page 26)

**“workers dwellings”** means temporarily agricultural dwellings for workers to assist farmers at times of intensive labor requirements with a central shared Kitchen facility in accordance with related government policies. (Page 28)

**2. Insertions and modifications in respect to encroachment of building lines in terms of clause 7.1.2 and 7.1.3:**

7.1.2 There is a line of no access along the roads: Nelson Mandela Drive and no relaxation of the 16 meter building line is allowed along that road. There is also a line-of-no-access along Palala, Walter Sisulu and Chris Hani Avenue. (Page 36)

7.1.3 No wall (constructed or not) shall be put in the middle of any property or alienate any building, if such a wall exists should not be more than 1.2 meters, should the Municipality find any it will be regarded as a Subdivision. (Page 36)

**3. Insertions in respect to off-street parking requirements under Chapter 8:**

Casino	4 bay per 100 m <sup>2</sup> GLA (Page 44)
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**4. Insertions in respect to consent uses as listed in the “Consent Use” column for each zoning in Chapter 10 including in terms of clause 10.1 and 10.2:**

Code:	Land Management areas (Zoning)	Consent Uses (application and concept SDP required):	Other Regulations:
R1	RESIDENTIAL 1	Second Dwelling Unit, Salon, Day-care centre and Crèche, Home Occupation Practice, Tuck Shop, Places of Public Worship, Social Halls, Taverns, Spa (Page 13).	-

<b>E</b>	<b>EDUCATIONAL</b>	Educational purposes, Place of instruction, Social halls, places of public worship, <b>Telecommunications Mast.</b> <i>(Page 63)</i>	-
<b>A</b>	<b>AGRICULTURE</b>	Workers' dwellings, Veterinary Clinic Resort dwelling, Guest Lodge, Second dwelling unit, <b>Rural abattoir,</b> <b>Telecommunications Mast,</b> <b>Airstrip, Helicopter Pad,</b> <b>Taxidermy</b> <i>(Page 67)</i>	<ol style="list-style-type: none"> <li>1. Title conditions on farm land shall be applicable.</li> <li>2. All land within this zone is subject to regulation in terms of the Subdivision of Agricultural Land Act, 1970, (Act No. 70 of 1970) unless such land is excluded from the act.</li> <li>3. <b>The minimum size/ area in terms of subdivision will be limited to 5(five) hectares including the remaining extent/portion.</b> <i>(Page 67)</i></li> <li>4. There must be compliance with National and Provincial environmental legislation.</li> <li>5. A water use licence/authorisation may be required in terms of the National Water Act, 1998, (Act No. 36 of 1998).</li> </ol>
<b>C</b>	<b>PROTECTED AREAS</b>	Airstrip, Camping site, Employee housing Events, Forestry, Freestanding base telecommunication station, Guesthouse, Helicopter landing pad, Outdoor market, Place of assembly, Place of sport and recreation, Private road, Rooftop base telecommunication station, Tourist accommodation, Tourist facilities, <b>Telecommunication Mast</b> <i>(Page 71)</i>	-
<b>I</b>	<b>INSTITUTIONAL</b>	<b>Dwelling unit</b> <i>(Page 72)</i> , Special Usage and Transmission Tower, Telecommunication Mast	-

10.1 Rezoning from agriculture to protected areas is allowed subject to compliance with other related Legislation. *(Page 74)*

10.2 Within a Mining Node a rezoning application (From Agriculture to Mining) is allowed to be submitted subject to conditions of the Municipality. *(Page 74)*

5. Insertion of the following under “11.3.1. General rules for the allocation of all land uses”:

- (d) Only the Traditional Authority can allocate land in consultation with the Municipality. (Page 76)
6. **Insertion of the following under “11.3.4. Rules for the allocation of business stands”:**
- (d) Shopping Complexes less than 2 ha are liable for Rezoning process, those more than 2ha will be subjected to requirements and limitations highlighted in Chapter 10 (Page 77)
7. **Insertion of clause 11.4 under Chapter 11 which allows for provisions that permit the incremental introduction of land use management and regulation in areas under traditional leadership:**
- 11.4 Land uses that are not dealt with in section 11.1.2 will be dealt with according to the Traditional Authority and Municipality s discretion on what kind of an application should be submitted. (Page 77)

NB: A copy of the Lephalale Land Use Scheme depicting the insertions including modifications as detailed above is available for inspection and can also be accessed from the Municipality's website- [www.lephalale.gov.za/policiesanddocuments/otherdocuments](http://www.lephalale.gov.za/policiesanddocuments/otherdocuments)

**MM COCQUYT**  
**ACTING MUNICIPAL MANAGER**

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