



LIMPOPO PROVINCE
LIMPOPO PROVINSIE
XIFUNDZANKULU XA LIMPOPO
PROFENSE YA LIMPOPO
VUNDU LA LIMPOPO
IPHROVINSI YELIMPOPO

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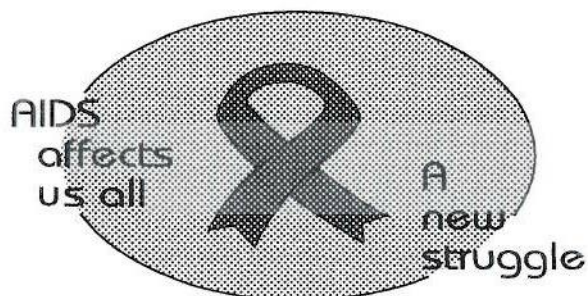
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PART 1 OF 3

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DEPARTMENT OF HEALTH

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PROVINCIAL NOTICE 84 OF 2017

MUSINA LOCAL MUNICIPALITY**SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW 2016**

To give effect to the Municipality administrative rights as contemplated in the Constitution of Republic of South Africa, 1996 (Act 106 of 1996) and introduction, adoption of consolidated processes and procedures, to implement an effective systems of Land Development and Land Use applications, Spatial Planning and Land Use Scheme within the jurisdiction of the Musina Local Municipality and provide for the establishment of Musina Municipal Planning Tribunal or Joint Vhembe Municipal Planning and Appeals Tribunal in line with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and for matters in connection thereto.

PREAMBLE

WHEREAS Section 156(1)(a) and (b) of the Constitution, 1996 (Act 108 of 1996) confers on municipalities the executive authority and the right to administer the local government matters listed in Part B of Schedule 4 and Part B of Schedule 5 to the Constitution and any other matter assigned to municipalities by National or Provincial legislation; and

WHEREAS Part B of Schedule 4 to the Constitution lists "municipal planning" as a local government matter; and

WHEREAS Section 156(2) of the Constitution empowers municipalities to make and administer by-laws for the effective administration of the matters which it has the right to administer; and

WHEREAS Parliament has enacted the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), which inter alia sets out development principles which apply to all organs of state and other authorities responsible for the implementation of legislation regulating the use and development of land.

WHEREAS the commencement of the Spatial Planning and Land Use Management Act, 16 of 2013 on 1 July 2015 has necessitated the promulgation of a By-Law to ensure that the Municipality can give effect to its obligations.