Land Use Management and Building regulation By-Law

The Municipal Manager of Thulamela Local Municipality hereby, section 156 of the Constitution of Republic of South Africa, 1996 read with section 13(a) in conjunction with section 75 (1) of the Municipal Systems Act, 2000 (Act No. 32 of 2000), as well as Spatial Planning and Land Use Management act 16 of 2013 publishes the Land Use management and Building regulation By-Law for the Thulamela Local Municipality, to be approved by the Council, as set out hereunder.

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1. Definitions

(1) In this By-Law, any word or expression which has been defined in the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977), has that meaning and, unless the context otherwise indicates –

**Building** is a man-made structure with a roof and walls standing more or less permanently in one place.

**Central Business District** means central district of a city, usually typified by a concentration of retail and office buildings

“Council” means –

(a) the Municipality established by Provincial Notice No 6766 of 2000 dated 1 October 2000, as amended, exercising its legislative and executive authority through its municipal Council; or

(b) its successor in title; or

(c) a structure or person exercising a delegated power or carrying out an instruction, where any power in this By-Law has been delegated or sub-delegated, or an instruction given, as contemplated in section 59 of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000); or

(d) a service provider fulfilling a responsibility under this By-Law, assigned to it in terms of section 81(2) of the Local Government: Municipal Systems Act (Act No 32 of 2000) or any other law, as the case may be;

“Encroachment” means any physical object which intrudes on or over municipal property, or property which the Council has control over or other property in respect of which a servitude or other property right has been registered in favour of the Council;

**Illegal use of land**- use of land contrary to the provisions of laws, Land use Management Scheme, deed of grant and PTO and etc

Illegal structure –illegal structure is the one not included plans but fix to the building or structure that are constructed without authorization from the council.

**Mixed use development** -any urban, suburban or village development, or even a single building that blends a combination of residential, commercial, cultural, and institutional where those functions are physical and functionally integrated and that provides pedestrian connections.

"Owner" means -
(a) the person who receives the rent or profits of land or property from a tenant or occupier of the land or property, or who would receive the rent or profits if the land or property were leased, whether for his or her own account or as an agent for a person entitled to the rent or profit;

(b) where the person in whom the legal title to premises is vested is insolvent or dead, or is under any form of legal disability whatsoever, the person in whom the administration and control of the premises is vested as curator, trustee, executor, administrator, judicial manager, liquidator or other legal representative; and

(c) in relation to -

(i) a piece of land delineated on a sectional plan registered in terms of the Sectional Titles Act, 1986 (Act 95 of 1986), the developer or the body corporate in respect of the common property; or

(ii) a section as defined in the Sectional Titles Act, 1986, the person in whose name the section is registered under a sectional title deed, and includes the lawfully appointed agent of such person;

Occupier – in relation to any premises means

(a) The person who actually occupies the premises

(b) The person who is legally entitled to occupy the premises

(c) The person in charge of the premises or responsible for managing the premises and includes the agent of the person when he or she is absent from the republic of South Africa or when his or her whereabouts are unknown.

Piece of Land" means -

(a) a piece of land registered in a deeds registry as an erf, stand, lot, plot or other area or as a portion or a subdivision portion of such erf, stand, lot, plot or other area; or (b) a defined portion, not intended as a public place, of a piece of land which is held under surface right permit or under mining title or which, being proclaimed land not held under mining title, is used for residential purposes or for purposes not incidental to mining operations;

"Premises" means a piece of land, the external surface boundaries of which are delineated on -

(a) a general plan or diagram registered in terms of the Land Survey Act, 1997 (Act 8 of 1997), or in terms of the Deeds Registries Act, 1937 (Act 47 of 1937); or

(b) a sectional plan registered in terms of the Sectional Titles Act, 1986

“Prescribed" means determined by resolution of the Council made from time to time;
“Prescribed Fee” means a fee determined by the Council by resolution in terms of section 10G(7)(a)(ii) of the Local Government Transition Act, 1993 (Act No. 209 of 1993), or any other applicable legislation;

“Public Road” means any road, street or thoroughfare or any other place (whether a thoroughfare or not) which is commonly used by the public or any section thereof or to which the public or any section thereof has a right of access, and includes –

(a) the verge of any such road, street or thoroughfare;
(b) any bridge, ferry or drift traversed by any such road, street or thoroughfare; and
(c) any other work or object forming part of or connected with or belonging to such road, street or thoroughfare;

(2) If any provision in this By-Law vests or imposes any power, function or duty of the Council in or on an employee of the Council and such power, function or duty has in terms of section 81(2) of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000), or any other law been assigned to a service provider, the reference to such employee must be read as a reference to the service provider or, where applicable, an employee of the service provider authorized by it.

Rural means an area that is located outside cities and towns.

State of decay—is a process by which a building is in to a state of disrepair

Urban means an area characterized by higher population density and vast human features in comparison to the areas surrounding it. Urban areas may be cities, towns or conurbations, but the term is not commonly extended to rural settlements such as villages and hamlets.

2. Application of by-laws

(1) These By-laws apply to every unless otherwise stated to every land, development and building which falls under the jurisdiction of the Council,

(2) These By-laws are binding on the State.

3. Purpose of by-laws

The purpose of these By-laws is to provide, in conjunction with other applicable legislation, an effective legal and administrative framework-

(a) to ensure that the way in which the Council controls and manages land use management and buildings is environmentally sustainable, and is in the long-term interests of the whole community of Thulamela, including
future generations; and (b) which clearly defines the rights and obligations of the public in relation to land use management and buildings.

4. Construction of illegal structure/s on urban and rural areas and procedures relating to the termination of illegal structure/s.

(1) As soon as a determination of the status of an illegal structure/s has been made and within a reasonable period, the authorized representative or employee of the council must, visit the area and notify the occupants of the status of the illegal structure/s by means of a written notice hand-delivered to the transgressor.

(2) The written notice contemplated in subsection (1) must -

(a) Notify the occupants/workmen of the illegal structure that their occupation of the area and the site or stand on which it is situated is illegal; and

(b) Request the occupants/workmen of the area to vacate the area and remove any building materials and other personal property from the illegal structures within a period of 48 hours after receipt of the written notice.

(3) If the occupants/workmen notified in terms of subsection (1) cooperate and vacate the area and remove their building materials and other personal property from the site or stand in the unauthorized area, authorized representative or employee of the council must take such steps as he or she may deem appropriate to prevent a recurrence of any incident of land invasion or illegal land occupation on that site, stand or unauthorized activities and must regularly monitor the situation to ensure the non-recurrence of such land invasion or illegal land occupation.

(4) If the occupants/workmen notified in terms of subsection (1) fail to cooperate and vacate the area and remove their building materials and other personal property from the site or stand in the unauthorized area a second notice will be issued and after that, the municipality will within 48 hours evict, demolish, dispose building materials and other personal property of the illegal structures erected not in accordance with the provisions of these by-laws and further handover all the notices to legal section for further action.

(5) Any costs incurred by the municipality for the purposes of executing the provisions of this By-Law must be borne by the Municipality in accordance with its approved budget.
5. Land use rights and acquiring of additional rights

(1) No person is allowed to use or develop the property not in accordance with its legal usage as prescribed in the Thulamela zoning scheme, deed of grant, Tittle deed and permission to occupy.

(2) No person/property owner is allowed to change existing land use rights, additional rights, removal of restrictions and etc. without written approval from the municipality.

(3) As soon as a determination of the change of land use rights, acquiring of additional rights, removal of restrictions without following proper procedure and etc has been made and within a reasonable period, authorized representative or employee of the council must, visit the area and notify the property owner of the unauthorized change of land use by means of a written notice hand-delivered to the transgressor. If no cooperation from property owners, a second written notice will be issued. If transgressions continue the municipality will take legal action for such illegal structure to be demolition.

4. No person/property owner is allowed to change land use without approval. If a person is found to be conducting activity not in accordance to its zoning and without necessary approval a notice will be issued to the transgressor to comply and such process of rezoning must done within three months and failure to do so will resulted in the building being closed and further legal action being taken against the owner.

(4) If the transgression continues the authorized representative or employee of the council must immediately handover all the notices to legal section to institute the necessary legal procedures to obtain an order stopping the property owner to proceed with such operation and to follow proper procedure.

(5) All the proposal for Mixed used development in the Central Business District will be promoted if they are in line with council vision 2030.


(1) No hardware business rights will be allowed in the Central Business District. All hardware in the Central Business District will have to be relocated to the industrial area within a reasonable time as outline by council.

(2) No building in a state of decay will be allowed to operate in the Central Business District.

(3) As soon as determination of status of building in a state of decay has been made and within a reasonable time the authorized representative or employee of the council must write a letter to the owner of the building to improve their building within 6 months.

(4) If the owner of the building notified in terms of subsection (3) fail to cooperate with 6 months and renovate their buildings, authorized representative or employee of the council and other departments outside the municipality will issue the notice to the owner to stop operating until there is compliance.
(5) In order to maintain the required standard, only Professional Senior Architectural Technologist and Professional Architect drawings will be assessed for approval in accordance in the central business district and adjacent areas in terms of commercial development.

(6) Prior initiating a new or improvement application, individuals and business owners are encouraged to meet with members of the plan approval committee to discuss the municipality design guidelines and vision 2030 of the overall building.

(7) Building design should avoid large areas of blank wall space towards the street front façade.

(8) Continuous build out at the front building façade is important for the architectural concept in the CBD.

(9) The overall architectural design and features of buildings and structures should be compatible with the 2030 vision.

(10) The overall materials used on exterior surface of buildings and structures should be harmonious with other buildings in the CBD.

(11) The overall arrangement of buildings, parking areas and site structures should complement the CBD arrangements.

(12) Roof – Roofs which are visible from streets and other public arrears should present an alternative and organized appearance such that surfaces should be free of mechanical equipment, vents and other objects.

(13) Walls – Walls which are visible from the streets and public areas should present an attractive and organized appearance such that surfaces should be free of mechanical equipment, vents, air conditioners and other objects. Materials used should be suitable and compatible with the CBD materials predominant e.g., (face bricks), (stock bricks) and plastered walls. The should be no use of block bricks, mud bricks in the CBD.

(14) Windows – Windows which are visible from the streets and public areas should present an attractive and organized appearance such that glass should be clear, avoiding colours and plastic applique materials.

(15) Facades – Facades which are visible from the streets and public areas should present an attractive and organized appearance such that entrance doors frames should be painted or aluminum frames can be used to make the entrance more attractive, entrance should incorporate large glass areas whenever possible. Display windows, when used, should be large areas of clear glass.

All exposed plumbing should be fully screened and not visible from the street.

(16) No erection of fences and or wall will be allowed in the CBD without proper authorization, if no proper authorization has been obtained from the municipality and owners fail to remove the structures after notice has been issued, such structures will be removed without further notice.

7. Design guidelines in Thohoyandou Unit D

(a) Washing lines should not be visible from the street, recommended to be erected at the roof top with the screen wall.

(b) All the designs should be aesthetically acceptable to the local authority including all phased designed.

(c) The design of the dwelling unit and the entire stand should show a special sensitivity to the existing natural features, flora and topography of the area. Surrounding structures must be taken into account in the design process. If the Municipality finds that the design presented is not aesthetically acceptable, that building plan will not be approved.

(d) In order to maintain the required standard, only Professional Senior Architectural Technologist and Professional Architect drawings will be assessed for approval. It is strongly recommended that the Architect employed by the owner consult the Local Authority prior design of the proposed house.

(e) The design of the dwelling should complement the existing styles, and be in harmony with the existing theme and character of the existing houses.

(f) No residential stand may be subdivided or rezoned for any other use than for a single dwelling.
(g) The owner must ensure that the building contractor to be used to erect the building on the property, complies with the following criteria namely:

(h) The building contractor has to be registered with the National Home Builders Registration Council (NHBRC).

(i) Request inspection from the local authority and complete the inspection form required by the municipality.

(j) The owners are to complete their houses as per the approved building plans, if there are changes the owner/architect should first consult and get approval from the municipality.

(k) It is the owner’s responsibility to ensure that all plans are submitted and approved by the municipality prior construction.

(l) All exposed plumbing and washing lines should be fully screened and not visible from the street.

(m) No dwelling may be smaller than 250m² (all building areas included).

(n) No material to be stored or off loaded on the road at all times.

(o) Provision of toilet facilities when constructing the building should be provided at all times.

(p) No mud-bricks allowed.

(q) The site is to be kept as clean as possible of building rubble and general cleaning.

(r) No concrete, dagga, cement or such may be temporarily stored or mixed or prepared on any of the road ways, kerbs and pavements.

(s) No bottles on boundary walls will be allowed.

(t) Failure to comply with the above mentioned guideline will result in legal action taken against you.

8. Restriction on the erection of buildings within the one-in-hundred -year flood-line

(1) No building may without the express permission of the competent authority be erected so that the building is, at its nearest point to a natural watercourse, nearer to the centre of the natural watercourse than to a line indicating the maximum level likely to be reached every 100 years on average by flood water in the watercourse.

(2) For the purpose of subsection (1) the Municipality is the sole judge as to the position of the line and of the centre of the natural watercourse.

(3) For the purpose of this section, a natural watercourse means a topographic land depression that collects and conveys surface stormwater in a definite direction, and includes any clearly defined natural channel that conveys water in a definite course along a bed between visible banks, whether or not the channel's conformation has been changed by artificial means and whether or not the channel is dry during any period of the year, and such channel includes any river, spruit or stream.

9. Building Activities that need Approval from the Municipality

Generally building activity that needs approval of the Municipality includes the following:

• constructing a new building or other structures such as sheds, towers, temporary structures

• extending existing buildings
• **undertaking alterations** to an existing building including structural alterations, altering internal walls and partitions
• **Installing new or altering existing services** such as electrical or hydraulic works
• **demolishing or removing buildings**, engineering works or services.
• **installing** signs, antennas, some fences

All approved building plans will be valid for period of 12 months, if the approved plan is not constructed within 12 months a new application will have to be submitted to the municipality.

10. **Construction without approved building plans**

Any proposed use or development on the erf requires the approval of the Municipality. This includes any construction or demolition of a building, carrying out of any internal alterations to a existing building, or the carrying out of works on the erf.

The Municipality is responsible for the following in accordance to these By-Law:

• Responsible for processing and approving building plans presented by individuals, the private sector, associations and Government Agencies
• Inspect building constructions from time to time and declare the building fit for occupations upon its completion.
• Control unapproved building construction/connection and prepare reports, issue notices and initiate legal action.
• Issue temporary permits for temporary building applications, work garage buildings, placement of construction materials, erecting tents, film shows and so on.
• Issue compounds for violations such as building stalls, temples and placement of building materials within public areas. Applications will not be assessed until all relevant plans, elevations and supporting information is submitted and the appropriate application fee is paid

The primary responsibility of the Municipality is to assess land use and development proposals against the requirements of the Land Use Plan.

11. **Exemptions from Requiring Building Approval**

There are numerous minor works that may not require formal building approval but will still require a minor work order. Examples are:

• minor painting
• some minor landscaping works
• some minor repair and maintenance works
• Works that the Municipality deems to be minor.

Advice is to be sought from the Municipality, who will liaise with the individual as to whether the proposed works are exempt. NO works are to commence until advice, is sought.

12. Building Approval Requirements
An application for building approval is required to be lodged with the responsible Municipality official who will forward it with appropriate comment to the Manager Engineering Services. Generally this will require an application form to be completed, appropriate drawings and or details to be submitted depending on the extent of the works and payment of the application fee which is based on the cost of works. Prior to the building approval being issued, consent for the works must be issued by Municipality. Developer /applicant are required to notify the building control office when construction is to begin.

13. Certificates of Occupancy
Before a building may be occupied or used a Certificate of Compliance for Occupancy/ Use is required to be obtained from the Municipality. This allows individual to legally occupy or use the building or works you have just completed.

14. Penalties for Construction of Unapproved Building Plans and deviations
This land use management and Building Regulations By-Law gives authority to the responsible Municipality official to issue on-the spot fines for building activity undertaken without formal building approval and for new buildings occupied or used without a Certificate of Compliance as determined in the municipal tariffs.

15. Penalties for Altering of Existing Structure Approval
It should be noted that heavy penalties exist for non-compliance with these By-Law. This land use management and building regulation By-Law gives authority to the responsible Municipality official to issue on-the spot fines for building activity undertaken without formal building approval and for new buildings occupied or used without a Certificate of Compliance as determined in the municipal tariffs.

16. Advertising and Encroachments/ illegal use of municipal land
(1)No person is allowed to utilize any public road, parks, loading zones or any immovable property owned by or vested in the council for any other purpose except for which it has been intended for contrary to what they have been designed for without proper authorization or permission.
(2)Any person using public road, parks, loading zones or any immovable property owned by or vested in the council will be charged a penalty fee as determined by council and furthermore all material/goods found placed outside in municipal land without
authorization will be immediately confiscated and put in a safe place and penalty fee will be imposed when such goods are collected. If such material/goods are not collected within 30 days of storage council will auction them.

(3) Such penalty fee will be charged on a monthly basis and will only be discontinued as and when council is satisfied that there is compliance.
(4) No person is allowed to put or place an advert in any public road or any immovable property owned by or vested in the council without authorization.
(5) No person is allowed to paste any advert in any public road or any immovable property owned or vested in the council without authorization.
(6) If any advert is placed on public road or any immovable property owned or vested in the council without proper authorization such advert will be immediately removed from site and stored in municipal storage area and penalty fee will be charged when collecting the advertising boards. If such material are not collected within 30 days of storage council will auction the material.
(7) No goods/material are allowed outside the building and any goods/material found placed outside the building will immediately be confiscated and put in a safe place and penalty fee will be imposed when such goods/material are collected. If such material/goods are not collected within 30 days of storage council will auction them.

17. Development of vacant stands
(1) It is the responsibility of the owner to clean their stands on a regular basis and failure to do so will results in municipality cleaning the stand and charge penalty fee as determined by council in terms of tariffs on a monthly basis.
(2) All stands purchased from the council must be developed within two years of purchasing the site.
(3) If the site is not developed within two years from the date of purchase as stipulated in subsection (2) council will impose penalties and further repossess the site.
(4) All vacant stands purchased before the enforcement/ implementation of this by law must be developed within two years of the date of the implementation of this by law and if not developed within stipulated time council will impose penalties and further repossess the site.
(5) It is the responsibly of the owner to inform council when development has commenced on site so that penalty fee can be discontinued but the account must be up to date.
18. Densification allowances and option per township

(1) Any land development applications to be submitted to the municipality for consideration will have to be subjected to the densification allowances and options listed in subsection 3.

(2) If the proposed application do not meet the requirements as stipulated in subsection 3 such application will not be considered.

(3) The next schedule shows the densification allowances and options which must be adhered to by the owner or any other agent acting on behalf of the owner.

<table>
<thead>
<tr>
<th>Township</th>
<th>Average size(m²)</th>
<th>Second dwelling</th>
<th>Subdivision</th>
<th>Residential 2</th>
<th>Residential 3</th>
<th>Comments</th>
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</thead>
<tbody>
<tr>
<td>Makwarela A</td>
<td>500</td>
<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
<td>Not applicable</td>
<td>Allowed through formal rezoning with a minimum stand size of 700m².</td>
<td></td>
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</tr>
<tr>
<td>Makwarela ext. 3</td>
<td>700</td>
<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
<td>Subdivision allowed on all Residential 1 stands up to a minimum size of 1000m².</td>
<td>Allowed through formal rezoning with a minimum stand size of 700m².</td>
<td></td>
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<tr>
<td>Makwarela ext. 4</td>
<td>2000</td>
<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
<td>Subdivision allowed on all Residential 1 stands up to a minimum size of 1200m².</td>
<td>Allowed through formal rezoning on stands with a minimum stand size of 1200m².</td>
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<tr>
<td>Malamulele A</td>
<td>700</td>
<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
<td>Subdivision allowed on all Residential 1 stands up to a minimum size of 1000m².</td>
<td>Allowed through formal rezoning on stands with a minimum stand size of 700m².</td>
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</tr>
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<td>Malamulele B</td>
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<td>Subdivision</td>
<td>Allowed</td>
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<td></td>
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<tr>
<td>Location</td>
<td>Lot Size</td>
<td>Zoning Standings</td>
<td>Stand Size</td>
<td>Rezoning Size</td>
<td>Notes</td>
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<td>Malamulele B ext 1</td>
<td>600</td>
<td>Residential 1</td>
<td>&gt; 500m²</td>
<td>&gt; 1000m²</td>
<td>Not applicable</td>
<td></td>
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<tr>
<td>Malamulele C</td>
<td>700</td>
<td>Residential 1</td>
<td>&gt; 500m²</td>
<td>&gt; 1000m²</td>
<td>Allowed through formal rezoning</td>
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<tr>
<td>Malamulele D</td>
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<td>Residential 1</td>
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<td>&gt; 1000m²</td>
<td>Allowed through formal rezoning</td>
<td></td>
</tr>
<tr>
<td>Malamulele D ext 1</td>
<td>1000</td>
<td>Residential 1</td>
<td>&gt; 500m²</td>
<td>&gt; 900m²</td>
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<tr>
<td>Thohoyandou -A</td>
<td>1500</td>
<td>Residential 1</td>
<td>&gt; 500m²</td>
<td>&gt; 1100m²</td>
<td>Allowed through formal rezoning</td>
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<td>THULAMELA MUNICIPALITY</td>
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<tr>
<td>LAND USE MANAGEMENT AND BUILDING REGULATION BY-LAW</td>
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</tbody>
</table>

<p>| Thohoyandou BA | 600 | Not applicable | Subdivision allowed on all Residential 1 zoned stands larger than 500m². | Allowed through formal rezoning on stands with a minimum stand size of 700m². | Mixed used development and high density development in line with vision 2030 will be promoted. |
| Thohoyandou C ext. 1 | 600 | Allowed on all Residential 1 zoned stands larger than 500m². | Subdivision allowed on all Residential 1 stands up to a minimum size of 1000m². | Allowed through formal rezoning on stands with a minimum stand size of 700m². |
| Thohoyandou C ext. 2 | 1100 | Allowed on all Residential 1 zoned stands larger than 500m². | Subdivision allowed on all Residential 1 stands up to a minimum size of 1000m². | Allowed through formal rezoning on stands with a minimum stand size of 1000m². |
| Thohoyandou C ext. 3 | 1100 | Allowed on all Residential 1 zoned stands larger than 500m². | Subdivision allowed on all Residential 1 stands up to a minimum size of 1000m². | Allowed through formal rezoning on stands with a minimum stand size of 1000m². |
| Thohoyandou C ext. 4 | 2000 | Allowed on all | Subdivision allowed on all | Allowed through formal |</p>
<table>
<thead>
<tr>
<th>Location</th>
<th>Lot Size</th>
<th>Details</th>
<th>Status</th>
<th>Status</th>
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</thead>
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<td>No second dwelling allowed.</td>
<td>Not applicable</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Thohoyandou D</td>
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<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
<td>Not applicable</td>
<td>Not applicable</td>
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<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
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<td>Not applicable</td>
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<td>Thohoyandou- E</td>
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<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
<td>Subdivision allowed on all Residential 1 stands up to a minimum size of 1000m².</td>
<td>Allowed through formal rezoning on stands with a minimum stand size of 800m².</td>
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<tr>
<td>Thohoyandou F</td>
<td>500</td>
<td>No second dwelling allowed</td>
<td>Not applicable</td>
<td>Allowed through formal rezoning on stands with a minimum stand size of 1000m².</td>
</tr>
<tr>
<td>Thohoyandou F ext. 1</td>
<td>600</td>
<td>No second dwelling allowed</td>
<td>Not applicable</td>
<td>Allowed through formal rezoning on stands with a minimum stand size of 1000m².</td>
</tr>
<tr>
<td>Location</td>
<td>Area</td>
<td>允许</td>
<td>条件</td>
<td>其他</td>
</tr>
<tr>
<td>---------------------</td>
<td>------</td>
<td>-----</td>
<td>-----</td>
<td>------</td>
</tr>
<tr>
<td>Thohoyandou G</td>
<td>600</td>
<td>允许</td>
<td>在所有住宅1区的站地上大于500㎡。</td>
<td>不适用</td>
</tr>
<tr>
<td>Thohoyandou G ext. 2</td>
<td>700</td>
<td>允许</td>
<td>在所有住宅1区的站地上大于500㎡。</td>
<td>重新分区允许在所有住宅1区的站地上达到最小边长为1000㎡。</td>
</tr>
<tr>
<td>Thohoyandou IA</td>
<td></td>
<td>不适用</td>
<td>不适用</td>
<td>不适用</td>
</tr>
<tr>
<td>Thohoyandou J</td>
<td>700</td>
<td>允许</td>
<td>在所有住宅1区的站地上大于500㎡。</td>
<td>重新分区允许在所有住宅1区的站地上达到最小边长为1000㎡。</td>
</tr>
<tr>
<td>Thohoyandou J ext. 1</td>
<td>800</td>
<td>允许</td>
<td>在所有住宅1区的站地上大于500㎡。</td>
<td>重新分区允许在所有住宅1区的站地上达到最小边长为1000㎡。</td>
</tr>
<tr>
<td>Thohoyandou K</td>
<td>600</td>
<td>不允许第二居所</td>
<td>不适用</td>
<td>不适用</td>
</tr>
<tr>
<td>Thohoyandou K portion</td>
<td>600</td>
<td>不允许第二居所</td>
<td>不适用</td>
<td>不适用</td>
</tr>
<tr>
<td>Thohoyandou L</td>
<td>800</td>
<td>允许</td>
<td>在所有住宅1区的站地上大于500㎡。</td>
<td>重新分区允许在所有住宅1区的站地上达到最小边长为800㎡。</td>
</tr>
<tr>
<td>Thohoyandou L ext. 1</td>
<td>700</td>
<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
<td>Subdivision allowed on all Residential 1 stands up to a minimum size of 1000m²</td>
<td>Allowed through formal rezoning on stands with a minimum stand size of 800m².</td>
</tr>
<tr>
<td>----------------------</td>
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<td>----------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Thohoyandou M</td>
<td>800</td>
<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
<td>Subdivision allowed on all Residential 1 stands up to a minimum size of 1000m²</td>
<td>Allowed through formal rezoning on stands with a minimum stand size of 800m².</td>
</tr>
<tr>
<td>Thohoyandou M ext. 1</td>
<td>700</td>
<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
<td>Subdivision allowed on all Residential 1 stands up to a minimum size of 1000m²</td>
<td>Allowed through formal rezoning on stands with a minimum stand size of 700m².</td>
</tr>
<tr>
<td>Thohoyandou N</td>
<td>1500</td>
<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
<td>Subdivision allowed on all Residential 1 stands up to a minimum size of 1200m²</td>
<td>Allowed through formal rezoning on stands with a minimum stand size of 1200m².</td>
</tr>
<tr>
<td>Thohoyandou N ext. 1</td>
<td>800</td>
<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
<td>Subdivision allowed on all Residential 1 stands up to a minimum size of 1000m²</td>
<td>Allowed through formal rezoning on stands with a minimum stand size of 800m².</td>
</tr>
<tr>
<td>Thohoyandou P</td>
<td>800</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>Allowed through formal rezoning on</td>
</tr>
<tr>
<td>Thohoyandou Q</td>
<td>1500</td>
<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
<td>Subdivision allowed on all Residential 1 stands up to a minimum size of 1000m²</td>
<td>Allowed on stands with a minimum stand size of 1100m².</td>
</tr>
<tr>
<td>Thohoyandou Q ext. 1</td>
<td>1500</td>
<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
<td>Subdivision allowed on all Residential 1 stands up to a minimum size of 1000m²</td>
<td>Allowed through formal rezoning on stands with a minimum stand size of 1100m².</td>
</tr>
<tr>
<td>Thohoyandou Q ext. 2</td>
<td>1500</td>
<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
<td>Subdivision allowed on all Residential 1 stands up to a minimum size of 1000m²</td>
<td>Allowed through formal rezoning on stands with a minimum stand size of 1100m².</td>
</tr>
<tr>
<td>Thohoyandou Q ext. 3</td>
<td>1500</td>
<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
<td>Subdivision allowed on all Residential 1 stands up to a minimum size of 1000m²</td>
<td>Allowed through formal rezoning on stands with a minimum stand size of 1100m².</td>
</tr>
<tr>
<td>Thohoyandou Q ext. 4</td>
<td>700</td>
<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
<td>Subdivision allowed on all Residential 1 stands up to a minimum size of 1000m²</td>
<td>Allowed through formal rezoning on stands with a minimum stand size of 700m².</td>
</tr>
<tr>
<td>Thohoyandou R</td>
<td>600</td>
<td>Allowed on</td>
<td>Not allowed</td>
<td>Not allowed</td>
</tr>
<tr>
<td>Thohoyandou S</td>
<td>600</td>
<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
<td>Not allowed</td>
<td>Not allowed</td>
</tr>
<tr>
<td>--------------</td>
<td>-----</td>
<td>------------------------------------------------</td>
<td>-------------</td>
<td>-------------</td>
</tr>
<tr>
<td>Shayandima ext 1</td>
<td>700</td>
<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
<td>Subdivision allowed on all Residential 1 stands up to a minimum size of 1000m²</td>
<td>Allowed through formal rezoning on stands with a minimum stand size of 700m².</td>
</tr>
<tr>
<td>Shayandima ext 2</td>
<td>1500</td>
<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
<td>Subdivision allowed on all Residential 1 stands up to a minimum size of 1000m²</td>
<td>Allowed through formal rezoning on stands with a minimum stand size of 1200m².</td>
</tr>
<tr>
<td>Shayandima ext 3</td>
<td>700</td>
<td>Allowed on all Residential 1 zoned stands larger than 500m².</td>
<td>Subdivision allowed on all Residential 1 stands up to a minimum size of 1000m²</td>
<td>Allowed through formal rezoning on stands with a minimum stand size of 700m².</td>
</tr>
</tbody>
</table>
19. Conflicting by law
1. In the event of a conflict between this by law and any other by-law, this by law prevails and such other by-law become inoperative and unenforceable for as long as the conflict remains.
2. Where possible, when considering an apparent conflict between this by law and any other by law, a reasonable interpretation that avoids a conflict must be preferred over any alternative interpretation that results in a conflict.

20. Offences and penalties
(1). Any person who –
(a) Contravenes or fails to comply with any provision of this By-Law
(b) Fails to comply with any notice issued in terms of this By-Law; or
(c) Fails to comply with any lawful instruction given in terms of this By-Law; or
(d) who obstructs or hinders any authorised representative or employee of the Council in the execution of his or her duties under this By-Law, is guilty of an offence and liable on conviction to a fine or in default of payment to imprisonment for a period not exceeding six months, and in the case of a continuing offence, to a further fine not exceeding R2000, or in default of payment to imprisonment not exceeding one day, for every day during the continuance of such offence after a written notice has been issued by the Council and served on the person concerned requiring the discontinuance of such offence.