Executive Summary:

A Land Use Scheme (LUS) sets out specific development parameters for land development. The Mogalakwena land use scheme refers to zoning as development zones. The concept of development zones derives from a concept known as the urban transect (Refer to **figure 1** below).

The Mogalakwena land use scheme identifies 14 development zones. These development zones allow for more land uses per zone with development controls to promote form-based development in Mogalakwena.

The aim of this land use management system is to promote land development opportunities and to simplify land use management.

Figure 1: The urban transect concept.

ISSUES WITH THE CURRENT LAND USE SCHEME:

- The current scheme does not effectively deal with illegal settlements.
- The scheme is not applied in traditional authority areas.
- Compliance is not sufficiently enforced - there are many non-conforming uses.
- It takes time to obtain rights, which restricts investment and stifles economic development and job creation.
- The current land use scheme is not focused on built-form and functionally designed settlements.
- Bulk services contributions are not paid by illegal "developers".
- The scheme is not sufficient to address all types of issues.

PURPOSE OF THE LAND USE SCHEME:

- To manage the relationship of "neighbours' in a community (to control the negative externalities of land use).
- To balance the interests of the individual with the interests of the public.
- To protect the environment (precious bio-physical and cultural spaces).
- To ensure that the municipality can provide the engineering services for proposed land uses.

COMPONENTS OF THE LAND USE SCHEME:

Subject to the provisions of Schedule 1 of the Mogalakwena Municipality Land Use Management By-law, 2016, the following is included in the scheme:

1. **Zoning categories** (Referred to development zones in this scheme) the development zones are supplemented with the relevant development controls for each zone.
2. **General provisions**
3. **Administration of land development rights:** This section refers to the application requirements needed to amend land use rights.
4. **Scheme maps:** Land use zoning maps, being a map of the sections of the municipal area indicating land use zones (zonings) applied to a property. Management domain map, a map of the entire municipality, indicating the boundaries of each management domain.
5. **A land use scheme register:** A database that includes existing land use rights on properties. This database is maintained by the municipality. The rights in the register database are extracted to compile a land use rights certificate (zoning certificate).
6. **Definitions**: General, Legislative, Development Control, Land Use category, Additional land use and building definitions.

THE CONCEPT OF DEVELOPMENT ZONES DERIVES FROM THE CONCEPT KNOWN AS URBAN TRANSECTS.

The urban transect is divided into zones based on the intensity, built environment, physical and social character of a specific area.

Development zones follow the same basic principle, recognising that certain forms and elements belong in certain environments. However, development zones take into consideration, the South African spatial context, meaning that although an area is divided into different zones, the zones does not gradually transition from one zone to another unlike the urban transect concept.

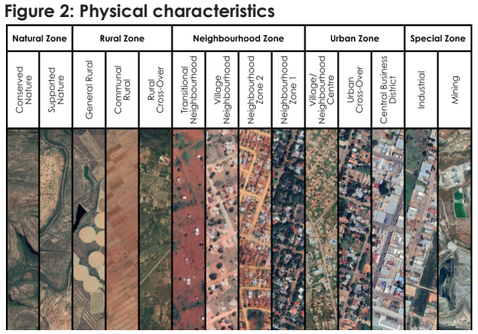
MOGALAKWENA DEVELOPMENT ZONES

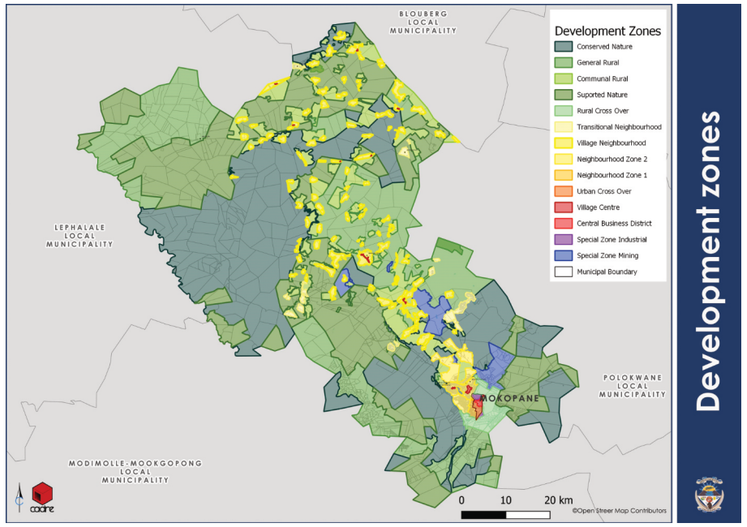
This scheme identifies fourteen (14) development zones. The development zones in this land use scheme are uniquely designed for Mogalakwena. Each development zone consists of its own development controls. **Figure 2** below depicts each of the development zones and the physical character of each development zone.

DEVELOPMENT ZONES AIM TO ALSO PROMOTE LAND DEVELOPMENT OPPORTUNITIES.

The zones set out a foundation for economic opportunity. The fact that the development zone restrictions on land use rights are not as strict on land parcels, as the conventional zoning categories, makes investment opportunities easier. Investment opportunity is just one of the many beneficial enablers that this land use scheme has.

Figure 2: Physical characteristics

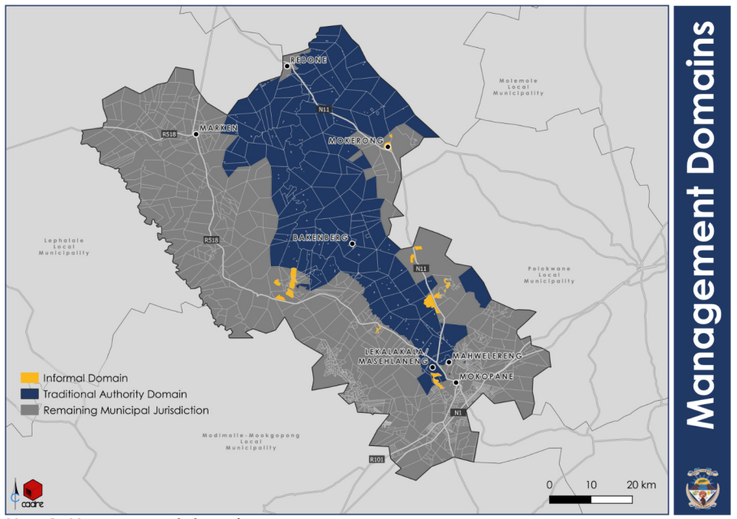




INTRODUCING MANAGEMENT DOMAINS

Management domains provide a mechanism for land use management whereby the municipality may give effect to specific guidelines contained in a spatial development framework or policy plan (see **map 1** below). These guidelines could promote development, require a limitation to or set additional land use types, stipulate more or less restrictive development rules, or identify specific development rules. It provides a mechanism for elevating specific policy guidelines, as approved by the municipality, to land use regulations.

The management domains identify the boundaries of areas that shall follow different administrative processes. The domains give effect to specific guidelines contained in approved policy plans and encourage particular administrative processes to obtain land use rights.



Map 1: Management domains

INTRODUCTION TO INFORMAL CADASTRE

Only formal land parcels are currently subject to land use management regulations in Mogalakwena. Deed-registered land parcels (erven, holdings, farm portions, and public spaces) are considered formal land parcels. There are 18 811 formal land parcels in the Mogalakwena Local Municipality, most of which are in Mokopane. Additionally, there are 20 295 land parcels that have been surveyed (General Plan) but are not registered at the Deeds Office.

Furthermore, 90 445 parcels of informal land parcels have been digitised for the land use scheme. There are 129 551 land parcels total of the formal and informal land parcels, each of which has data on land use. The formal and informal land parcels enable for land use management throughout the whole of the Mogalakwena Local Municipality.

Mogalakwena Land Use Scheme (LUS)

May 2023

Key Information:

The Mogalakena Land Use Scheme aims to simplify land use management and promote land development through development zones, a concept derived from the urban transect.

Not only does the land use scheme introduce this concept of land use management, it also introduces management domains, a mechanism for land use management and application procedures within different areas of the municipality; including traditional authority areas and an informal cadastre to apply land use management throughout the Mogalakwena Local Municipality.

The Land Use Scheme will ensure that municipal planning is applicable within development that is coordinated and harmonious to effectively promote health, safety, good order, amenity, convenience, and general welfare of the area in which the scheme is proposed as well as efficiency and economy in the process of such development.

Project Details:

Location: Limpopo

Time-frame: 12 months

Project lead: Reinier Minny

Key Support: Ayrrion Appels

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Programme Coordinator: Council for Scientific and Industrial Research

Client: Mogalakwena Local Municipality