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Ndlovumzi Nature Reserve - Commercial operation and application thereof as per 10 October 2018

1. Basic criteria for application:

- The purpose of this document is to formalise commercial operations on our reserve, to this end a “commercial operation” means a lodge, guest house, B&B or self catering facility only and as stipulated in the bylaws of the local municipality. No other type of business will fall under this category under any circumstances. Any other commercial operation that has the potential to impact others will be considered separately.
- No commercial operation may be operated on our reserve without prior approval of the committee.
- All applicants must be signed up members of the NGA.
- All approved commercial operations must first and foremost comply with the constitution of the Reserve.
- A commercial approval letter must be provided by the committee for any commercial operation.
- A commercial operation operating with 2 or more beds must have the ‘consent’ of the municipality or be ‘zoned’ to allow commercial operations.
- All applicants must be up to date with levy and refuse payments. Any outstanding amounts must be settled upfront prior to any applications being submitted.
- Levies for all commercial operations must be paid in full at the start of the financial year. Non-payment will lead to cancellation of the Ndlovumzi commercial licence and subsequently commercial activities will be stopped.
- For any additional construction of commercial premises; written outline of the type of structure/s to be erected must be submitted with the application.
- Where structures already exist an overview of the current facilities is to be provided to the committee with the application.

- The committee may in its sole discretion cap the maximum number of approvals at any given time. and each application will be taken on its own merits.
- All approved commercial operations must fully comply with local municipal bylaws and prescribed conditions for the Liverpool area. Any information regarding this must be obtained directly from the local municipality and will not be the responsibility of the committee to provide.
- No operations may proceed, unless confirmation has been received by the committee that the applicant/owner has the rights to do so as granted by the local municipality.
- Where the committee has approved such an application but the local municipality denies such, no commercial operation may proceed.
- All associated costs with the application put forward to the local municipality will be for the applicants account.

Additional funding structure options for commercial operations

- Annual levies for commercial operations will be calculated on a pro rata basis dependant upon the number of beds; this is in addition to the standard levy applied per property.

Number of beds	Commercial levy increase %
2	10
4	20
6	60
8	80
16	160

Provision of refuse removal service

- Commercial operations must be signed up to the refuse removal scheme. Refuse removal for commercial operations can also be calculated on a pro rata basis;

Number of beds	Refuse increase %
2	10
4	20
6	60
8	80
16	160

- All commercial operations must have a secure area to store rubbish between collections. This will be inspected.
- No commercial footprint may exceed the 3ha boundary of the residence as set out in the constitution.
- For a standard commercial license the maximum number of beds may not exceed 8; there will be provision for one larger lodge to accommodate up to 16 beds. This is subject to the rules as stipulated by the local municipality.
- The maximum number of separate units may not exceed four (4), and must comply with the local municipal bylaws.
- All commercial operation owners must comply with the required personal liability insurance as required for their paying guests.
- All commercial owners must ensure that properly prepared indemnities are signed by each and every paying guest.
- The members, management committee and owners of the Ndlovumzi Ground Owners Association will not be held liable for, and are indemnified against any damages whatsoever;
 - suffered by any member/owner whose application for a commercial licence has been refused or withdrawn by the management committee for whatever reason; and
 - suffered by any guest of a commercial licence holder while on the reserve, as a result of injury, death, damage to property or any other cause whatsoever.
- Failure to comply with the insurance and indemnity obligations would result in the immediate suspension of such commercial operation.
- Written confirmation of liability insurance and prescribed indemnity procedures must be provided to the committee. This also includes any annual renewal of such insurance cover.
- No owner may sell their commercial right to operate to another owner without approval of the committee.
- Should the owner sell said property, prior approval from the committee must be obtained in writing confirming that the new owner may continue with commercial

operations. This subject to all the required processes being met ahead of continuation of such commercial operation.

- Where application has been made and approved by the committee, the owner has six (6) months to commence operations. Should the applicant not commence operations in six months the committee in its sole discretion may allocate the approval to another applicant.
- Guests will be allowed to traverse the reserve but only if they are provided with agreed maps showing walking and driving routes on the reserve, these maps will also show areas of the reserve where access is not permitted. Agreed maps will be made available for commercial operators to share. We will monitor movements of guests on the reserve and follow up on any complaints. If guests traversing the reserve become problematic then we will need to explore alternative options.

2. Members already operating commercial operations

- Priority will be given to owners who are currently running commercial operations on the Reserve. All of the above criteria stated in point 1 above will be a requirement for all existing operations.
 - Longer grace period for existing operators to gain Maruleng consent to be agreed on a case by case basis
- Application in writing must be submitted to the committee within 7 days of an agreed process for commercial operations being implemented by the committee.
- Application to the local municipality must be made within 10 days of the prescribed process being implemented by the committee.
- Where the committee has approved such application but the local municipality denies such, commercial operations are to cease immediately.
- Annual commercial levies as approved by the committee will be implemented and calculated from the date of committee agreement being given to a commercial operation.
- Due to time lines for application with the local municipality, owners will be given One hundred (100) days to comply from date of first application to the committee.
- Should there be a delay from the local authority, the onus is on the owner to advise of such delay and request a written extension which may not exceed a further sixty (60) days.

- We will allow no signage on the reserve for commercial properties.
- If you wish your commercial property to be signposted from the main road you must approach Maruleng for permission.
- For commercial operations where building work is required, a refundable site inspection deposit of R 5,000.00 is payable before approval by the committee. The applicant is to arrange a time and date that is suitable to both parties to conduct an initial and final site inspection. The deposit will only be refunded once the committee representative signs off on the final inspection. Should there be any deviation from the initial application/brief received or if the site is not within policy guidelines, applicant has (7) seven days to rectify such. Failure to do so will result in the deposit becoming a penalty fee (non refundable) and applicant will receive written notice to rectify problem areas immediately. For commercial operations where no building work is required, no site fee is payable, however a site inspection is, applicant is to arrange a time and date that is suitable to both parties.