



PORTFOLIO COMMITTEE

RURAL DEVELOPMENT & LAND REFORM

PRESENTATION ON 21 AUGUST 2012

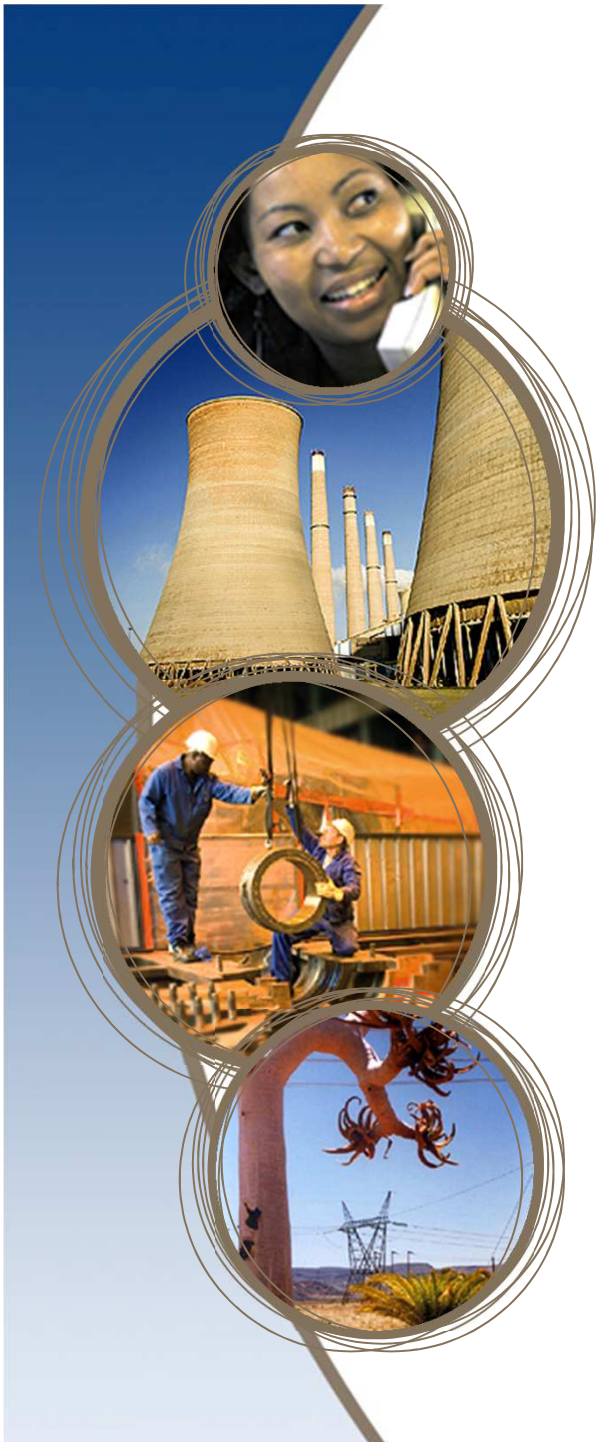
**SPATIAL PLANNING AND LAND USE
MANAGEMENT BILL, 2012**

M NTSOKOLI

GROUP EXECUTIVE: TRANSMISSION

W DU PLESSIS

GENERAL MANAGER (LEGAL & COMPLIANCE)



1. INTRODUCTION

- Spatial Planning and land use management co-ordination required.
- Impacts all spheres of government.
- National Public Entities require service delivery infrastructure country wide spanning provincial and municipal boundaries.

2. MAIN CONCERNS

2.1 Infrastructure Spanning Boundaries

- Consultation in respect of Spatial Development Frameworks.
 - ❖ Provincial, Regional and Municipal Level
- Land use scheme at municipal level
- Eskom infrastructure span across provincial and municipal boundaries
- Focus is municipal area

2. MAIN CONCERNS

2.2 National Interest (S52)

- No clear definition what is national interest
- What guide decision to refer to Minister
- Define national interest to include essential services required from national public entities such as Eskom, Transnet and others

2. MAIN CONCERNS

2.3 Spatial Development Frameworks

- Timing not prescribed at national level
- Within 5 years of commencement at Provincial and Municipal level
- Impact on transition

2. MAIN CONCERNS

2.4 Exemptions

- Enjoy existing exemption
- Exemption provisions very narrow.
- Public entities exemption
 - ❖ Grant as essential service, or
 - ❖ Application by executive authority in terms of PFMA
- Exemption at national level to apply through to provincial and municipal

3. OTHER CONCERNS

- Definition engineering services
- No long term view at national and provincial framework level
- Transition measures vague, impact existing planning
- Co-operation with other regulatory authorities
- Silent on upgrading existing infrastructure

THANK YOU