

Mr PS Sizani

Chairperson: The Portfolio Committee on Rural Development and Land Reform
Parliament
Cape Town

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Bellville, 10 August 2012

RE: RESPONSE TO CALL FOR SUBMISSIONS ON THE DRAFT SPATIAL PLANNING AND LAND USE MANAGEMENT BILL

Dear Mr Sizani

Thank you for the opportunity to submit comments on the latest draft of the Spatial Planning and Land Use Management Bill. As you know 2012 is a watershed year for the development of planning law in South Africa. The Community Law Centre, in collaboration with the South African Cities Network, Urban Land Mark and the Department of Rural Development and Land Reform had decided early in July to host a roundtable of persons interested in the development of planning law in South Africa on 20 and 21 August 2012. The purpose of this roundtable was to bring together the key figures involved in the development of both national and provincial legislation relating to spatial planning and land use management in order to debate some of the particularly difficult legal issues arising from these processes. At the heart of these issues is the question of how the legislatures, national and provincial, draw the line between the respective powers of local and provincial government in spatial planning and land use management. Unfortunately our proposed date for this roundtable now clashes with the dates that you have announced for the public hearings on the SPLUMB.

The purpose of this letter is to inform you that we have now shifted the date for the roundtable to 23 August, with a dinner the night before, in Cape Town (at the Protea Hotel, Sea Point). We would also very much like to invite you and some members of your committee to join us at the roundtable. We believe that the issues that will arise in our deliberations may be of interest to you as you consider the bill. Ideally we would have liked to hold the roundtable before the public hearings but regrettably we have not been able to do so. We trust that you will find the time to join us in our deliberations and also that we will be able to send you the outcomes of the roundtable, which we hope will assist you in your consideration of the bill.

The Roundtable takes place against the backdrop of comprehensive reforms at every level of government. The national Spatial Planning and Land Use Management Bill has been tabled in Parliament. The Gauteng government will soon table its Planning and Development Bill in the Provincial Legislature. The Western Cape government is drafting a Western Cape Land Use Planning Bill. The KwaZulu-Natal government is reviewing its Planning and Development Act. North-West, Free State, Northern Cape, Mpumalanga, Eastern Cape and Limpopo are also drafting new provincial





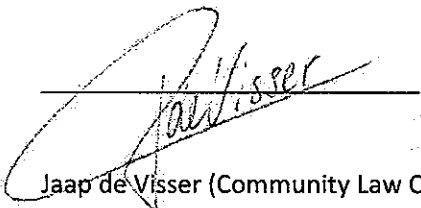
planning legislation with the assistance of the national Department of Rural Development and Land Reform. At the same time, some metropolitan cities are preparing municipal legislation on planning. The 2011 National Development Plan also prioritises the modernisation of planning legislation.

The Roundtable will bring together key individuals in these processes for a structured dialogue on the legal questions that arise from the new role of municipalities in land use planning. The Roundtable comprises four themes:

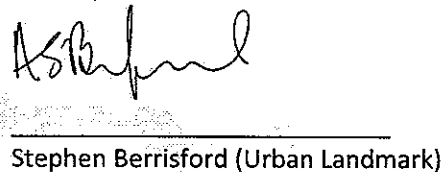
1. securing national and provincial interests while devolving to local government
2. providing affected parties with an effective remedy against municipal decisions
3. the impact of reform on professional and administrative capacity in local government
4. harmonising development management across sectors and spheres

If you and/or other members of your committee are able to join us please **RSVP with Mrs. Valma Hendricks** (021 9593707 / vhendricks@uwc.ac.za).

Yours sincerely



Jaap de Visser (Community Law Centre)



Stephen Berrisford (Urban Landmark)

