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Our ref. / Ons verw: PBS/ag

Your ref. / U verw :

2nd August 2012

ATT: Ms. Phumla Nyamza
Portfolio Committee on Rural Development and Land Reform
3rd Floor
90 Plein Street
CAPE TOWN
8001

Dear Ms. Phumla,

Spatial Planning and Land Use Management Bill – Public comment

Please accept the following comments on the above Bill:

SECTION 44: TIME FRAMES FOR APPLICATIONS

I just need to comment that stringent principles need to be put in place in order that the time frames are adhered to. In the Eastern Cape applications can take between 7 months to 3 years!

There is little reason why this should not be reduced to 4 to 5 months at the most.

SECTION 55: EXEMPTIONS

Attached is a list of subdivisions that have been exempted from the provisions of the Section 25 of the (Cape) Land Use Planning of Ordinance No. 15 of 1985. This Ordinance serves the Eastern and Western Cape.

I would like to suggest that these exemptions be added to those that are exempt from the new Bill.

Public Places/Parks in less formal townships:

Public Places and Parks in less formal townships/areas should be exempt from Environmental Impact Assessments (E.I.A.).

In many instances, in the Eastern Cape, people have invaded these designated areas and in some cases RDP houses have been built for the beneficiaries on this land. The cost of an E.I.A. is prohibitive and no-one is prepared to pay for it and so the people residing on such land will never get title.

SECTION 41(2)(C): CHANGE WITH APPROVAL OF MUNICIPAL PLANNING TRIBUNAL

There is no reason why one should need consent for the consolidation of 2 properties. In the Eastern and Western Cape this has never been necessary and, to the best of my knowledge, has not caused any problems. After all one is reducing the density by consolidating and, therefore, reducing the impact on services etc.

SECTION 59: REPEAL OF LAWS SCHEDULE 3:

Surely this new Act should also replace the “Black Communities Development Act No.4 of 1984”? In the Eastern Cape some of the regulations under this racist legislation are still being used.

Yours faithfully,



M. E. H. Sülter & Son