



rural development
& land reform

Department:
Rural Development and Land Reform
REPUBLIC OF SOUTH AFRICA

Towards developing guidelines for the interpretation, application and implementation of the SPLUMA principles

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

DATAWORLD
think • innovate • create

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BACKGROUND

- Extensive literature study
- Unpacking SPLUMA and five SPLUMA principles within the context of (1)spatial planning and (2)land use management
- Various workshops with project steering committee and members of project team
- Please refer to document

Bridging the gap from theory, policy ... to practical guidelines for the implementation of SPLUMA

- Purpose of this phase: to develop guidelines for the interpretation, application and implementation of the five SPLUMA principles
- These guidelines will be used by planners, planning consultants, local authority officials, government and sector departments and decision makers involved with spatial planning and land use management
- SPLUMA specifically focus on two components (planning tools), namely Spatial Development Frameworks (National, Provincial, regional and local); and the Land Use Management System (with all its integrated and related components from applications, processing, decision making, Land Use Schemes, tribunals, timeframes etc.)
- Need for guidelines and the need to improve the understanding of SPLUMA PRINCIPLES and also to reach consensus on the interpretation of these principles – ultimately to give effect to SPLUMA and to create sustainable, equitable and quality spaces, economies and communities
- The proposed approach that follows is based on the literature study and the core aims of the act, as well as the thought processes of the team:

Rationale and points of departure: proposals from the team

- The need to transform theory and policy into simple practical guidelines that will be easy to understood and applied by all role players
- Not to deviate from the act and to use the core definitions and principles as the basis
- To supplement and expand where necessary, without creating conflict with the act
- To present the guidelines in a reader and user- friendly format that is easy to use by the various role players – applicants, officials and decision makers
- Not to unnecessarily create more complicated procedures, confusion and frustration

REFINEMENT AND UNPACKING OF SPLUMA PRINCIPLES

Spatial Justice

- Spatial integration
- Addressing imbalances, exclusion and back logs
- Informal settlements, disadvantaged areas
- Accessibility, connections and access
- Addressing poverty and job creation
- Land ownership, land values and tenure
- Provision of basic services where needed
- Just and fair planning and decision making

Spatial Sustainability

- Protection of prime agricultural land
- Environmental conservation and management (environmental sustainability)
- Impact of development on future generations
- Longevity, durability, flexibility and long term stability
- Development that integrates and balances social, economic and ecological principles
- Development that promotes social sustainability, community building and stability
- Development that promotes economic sustainability
- Sustainable human settlements
- Sustainable urban form
- Green regions, green cities, green neighborhoods, green spaces, green infrastructure, green energy, green buildings and green approach (climate change and global warming)
- Quality architecture, streetscapes and public open space

Efficiency

- Optimization of existing resources, energy and infrastructure
- Minimizing negative financial, social, economic or environmental impacts
- Streamlining and fast tracking planning and land development processes
- Optimising alternative and innovative forms of energy, infrastructure and green technology
- Efficient affordable and safe public transport
- Optimizing the use of ICT in all parts of the city
- Smart cities, smart neighborhoods and smart communities – promoting the smart city approach
- Effective maintenance and management of services and infrastructure
- Integrated and compact cities
- Legibility of cities and neighborhoods
- Financial stability and bankable city

Good Administration

- The role and responsibility of the various sector departments in each sphere
- Establishing and improving inter-governmental relations and cooperation
- Supporting leadership
- Obtaining support and buy-in from all role players, specifically city leaders
- Involvement and contribution of communities and stakeholders
- Building and promoting public private partnerships
- Supporting organizational processes and structures
- Facilitating and fast tracking of applications and time frames
- Communication and public awareness
- Empowerment, capacity building and skills development
- Quality planning processes and credible plans

Proposed approach table matrix

The following parts from the report presents an example and snap shot of:

- (1) the indicators related to each principle and sub principle, and
- (2) how it can be applied to the two main planning tools (SDF and LUMS), and
- (3) how it could be applied, assessed, and evaluated

Linking the principles with the SPLUMA terminology

Spatial sustainability, whereby spatial planning and land use management systems must; *promote land development that is within the fiscal, institutional and administrative means of the Republic; ensure that special consideration is given to the protection of prime and unique agricultural land; uphold consistency of land use measures in accordance with environmental management instruments; promote and stimulate the effective and equitable functioning of land markets; consider all current and future costs to all parties for the provision of infrastructure and social services in land developments; promote land development in locations that are sustainable and limit urban sprawl; and result in communities that are viable*

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- ***ensure that special consideration is given to the protection of prime and unique agricultural land;***
- *uphold consistency of land use measures in accordance with environmental management instruments;*
- *promote and stimulate the effective and equitable functioning of land markets;*
- *consider all current and future costs to all parties for the provision of infrastructure and social services in land developments;*
- *promote land development in locations that are sustainable and limit urban sprawl; and*
- *result in communities that are viable*

- *ensure that special consideration is given to the protection of prime and unique agricultural land*
- **Protection of prime agricultural land**
 - Environmental conservation and management (environmental sustainability)
 - Development that integrates and balances social, economic and ecological principles
 - Development that promotes social sustainability, community building and stability
 - Sustainable urban form

Protection of prime agricultural land

How does this relate to, and how should this be addressed in:

- (1) SDF processes and plans;
- (2) Land development applications; and
- (3) the Land Use Scheme



Spatial Justice: Guidelines

Planning Tools				
Principle/Sub Principles		SDF and spatial plans should;	Land Use Scheme	Land Development Application, decision making, e.g. tribunals
<p>“ ...Past spatial and other development imbalances must be redressed through improved access to and use of land...”</p>	Spatial Integration and restructuring (Justified Spatial Logic)	Show integration of transport, movement, land use and communities		
		Address distorted spatial patterns and fragmentation by promoting intensification ²³ .	LUS to provide a flexible framework and reasonable development conditions to support intensification of land uses	Land development applications with specific reference to the scale, nature and typology and site planning of land development and settlement should in line with the SDF indicate how it will address distorted spatial patterns and fragmentation by indicating how intensification would be achieved through the proposed development.
	Accessibility and connectivity	Promote spatial and economic transformation in low income and poverty areas through improved transportation		Land development applications should motivate and indicate, where appropriate and relevant how low income and poverty areas could be transformed through improved transportation and innovative development interventions
		Promote spatial economic transformation in low income and poverty areas through creating access opportunities by releasing land for development. The areas of release should be identified in the SDF		Developers and development agencies should as and where appropriate and relevant indicate how parts of a particular development or land could be released to low income groups and or how such groups could benefit from such a development
		Prioritize areas in the city to promote access to ownership of land particularly for the previously disadvantaged		Developers and development agencies should as and where appropriate and relevant indicate how parts of a particular development or land



Efficiency: Guidelines

		Planning Tools		
Principle/Sub Principles		SDF and spatial plans at all levels should;	Land Use Scheme	Land Development Application, decision making, e.g. tribunals
Development optimizes the use of existing resources and infrastructure...	Appropriate integration and balance of land uses.	Indicate a balanced variety of land uses, businesses, education, and entertainment that are supportive of each other and well integrated	The land use scheme and development controls should be more flexible to ensure integration of land uses Land use scheme should promote the principle of mixed use and integrated development This balance of land uses should be monitored graphically by the land use scheme on an ongoing basis	Relevant land development and settlement applications must indicate a balanced variety of land uses, businesses, education, and entertainment that are supportive of each other and well integrated
		Reflect Well-functioning, integrated and affordable public transport and movement systems		Settlement plans should present well-functioning, integrated and affordable public transport and movement systems See also norms and standards in the red book
	Accessibility and Transport	Should reflect quality access and transport infrastructure - roads, rail, air, water, pathways, etc.	Development control measures should be stringent to reflect quality access and transport infrastructure, but at the same time flexible enough to support quality access.	Settlement plans should present well-functioning, integrated and affordable public transport and movement systems. See also norms and standards in the red book
		Indicate and identify areas for compaction and intensification such as corridors and nodes and TOD in order to promote compact cities which allows for more affordable and efficient infrastructure development and public transport.	Development conditions should enhance densities and intensification of land uses in appropriate areas such as TOD in an attempt to promote compact cities which allows for more affordable and efficient infrastructure development and public transport.	Land development applications should show how density and intensification is being enhanced
	Alternative and innovative forms	Indicate how the use and innovation of green technology, alternative forms of energy and	The land use scheme and development controls should be more flexible to ensure and	Land development application and building design should indicate how it would optimize the



Efficiency: Guidelines

		Planning Tools		
Principle/Sub Principles		SDF and spatial plans at all levels should;	Land Use Scheme	Land Development Application, decision making, e.g. tribunals
Decision-making procedures are designed to minimize negative financial, social, economic or environmental impacts...				as the innovation and use of alternative and natural renewable energy
				Land development application and building design should consider the use of innovative and alternative forms of green infrastructure and technologies e.g. solar power
	Procedures to minimize negative impacts	Provide sufficient direction and interpretation of the proposals and priorities in the SDF		Proper administration and sound financial systems and support;
		Present a spatial logic and supportive strategies and guidelines aimed at minimizing negative impacts.		Decisions that do not have negative effect on the social and economic conditions of an area
				Compliance with environmental legislation (and other related acts and policies) must be ensured in making decisions that affect the environment
				Strong urban leadership to guide rational decision making processes
				Decision making should take into account section 42 (1) (c) of SPLUMA (i) the public interest; (ii) the constitutional transformation imperatives and the related duties of the State; (iii) the facts and circumstances relevant to the application; (iv) the respective rights and obligations of all those affected; (v) the state and impact of engineering services





Spatial Sustainability: Guidelines

		Planning Tools		
Principle/Sub Principles		SDF and spatial plans at all levels should;	Land Use Scheme	Land Development Application, decision making, e.g. tribunals
<p>“...Uphold consistency of land use measures in accordance with environmental management instruments...”</p>	Compliance with environmental legislative requirements	Be in line with the applicable environmental legislation and policies	LUS as well as the management of the LUS should be in line and supportive of environmental legislation and policies	Land development applications must comply with applicable environmental legislation
		Indicate environmental sensitive areas, nature reserve etc.		
		Promote development that minimise and mitigate impacts on the environment	LUS as well as the management of the LUS should be in line and supportive of environmental legislation and policies	
<p>“...Promote and stimulate the effective and equitable functioning of land markets...”</p>	Promoting land markets	Promote development that creates and promotes economic growth and stability;	LUS to provide a flexible framework and lenient development control measures to support and promote development that creates and promotes economic growth and stability	The market and retail studies which supplement land development applications should indicate the economic sustainability of the development but also how it will promote longer term economic growth and stability
		Promote development that makes provision for all income groups, that is everyone should have access to land markets	LUS to provide a flexible framework and lenient development control measures to support development that provides access to all income groups.	The proposed land development must indicate how the development will provide for all income groups and how they can benefit from the development (or access to land markets)
		Promote economic sustainability and specifically economic development interventions that will be sustainable and viable in the long run		
		Identify potential opportunities in land market for all income groups		

Way forward

- Current: consultation and stakeholder engagement
- Process information and inputs and amend where necessary
- User friendly guideline document by to be used by municipalities (officials and decision makers), planning consultants, Municipal planning tribunals.

Thank You

Questions?

