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Cooperative Governance and Traditional Affairs
PROVINCE OF KWAZULU-NATAL



KZN SPLUMA: IMPLEMENTATION

Progress Report

SPLUMA FORUM

25 August 2017

TOGETHER WE HAVE MADE KZN A BETTER PROVINCE TO LIVE IN, TOGETHER WE WILL MOVE SOUTH AFRICA FORWARD

CONTENT

- 1. PURPOSE**
- 2. KEY SPLUMA REQUIREMENTS FOR MUNICIPALITIES (Institutional Arrangements and Procedures)**
- 3. COGTA's ROLE IN SPLUMA IMPLEMENTATION**
- 4. PROGRESS: MUNICIPAL PLANNING TRIBUNALS (MPT'S)**
- 5. PROGRESS: OUTSTANDING MPT'S**
- 6. PROGRESS: MUNICIPAL PLANNING AUTHORISING OFFICER (MPAO'S)**
- 7. PROGRESS: MUNICIPAL BY LAWS**
- 8. PROGRESS : OUTSTANDING BY LAWS**
- 9. OVERALL KZN PROGRESS**
- 10. ACTION REQUIRED: MPT'S**
- 12. ACTION REQUIRED: BY-LAWS**
- 13. RECOMMENDATIONS**
- 14. PLANNED ACTIVITIES**

PURPOSE

- To report on the status of SPLUMA implementation in KwaZulu-Natal as of the 25 August 2017



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KEY SPLUMA IMPLEMENTATION REQUIREMENTS FOR MUNICIPALITIES

➤ Institutional Arrangements

- ✓ Municipal Planning Tribunals in terms of section 35(1) of SPLUMA
- ✓ Municipal Planning Authorized Officer in terms of section 35(2) of SPLUMA
- ✓ Registrar (to receive appeals) in terms of section 51(1) of SPLUMA
- ✓ Appeal Authority in terms of section 51(2) of SPLUMA



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KEY SPLUMA IMPLEMENTATION REQUIREMENTS FOR MUNICIPALITIES *Continued...*

➤ Procedures

- ✓ By-law: Which outlines procedures to process development applications must be **Gazetted**
- ✓ By-laws implementation date must be **Gazetted**
- ✓ MPT: Decision making Body must be **Gazetted**
- ✓ JMPT: Agreement must be **Gazetted**
- ✓ MPAO: Needs to be a Registered Planner ito **By-Law**



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COGTA'S ROLE IN SPLUMA IMPLEMENTATION

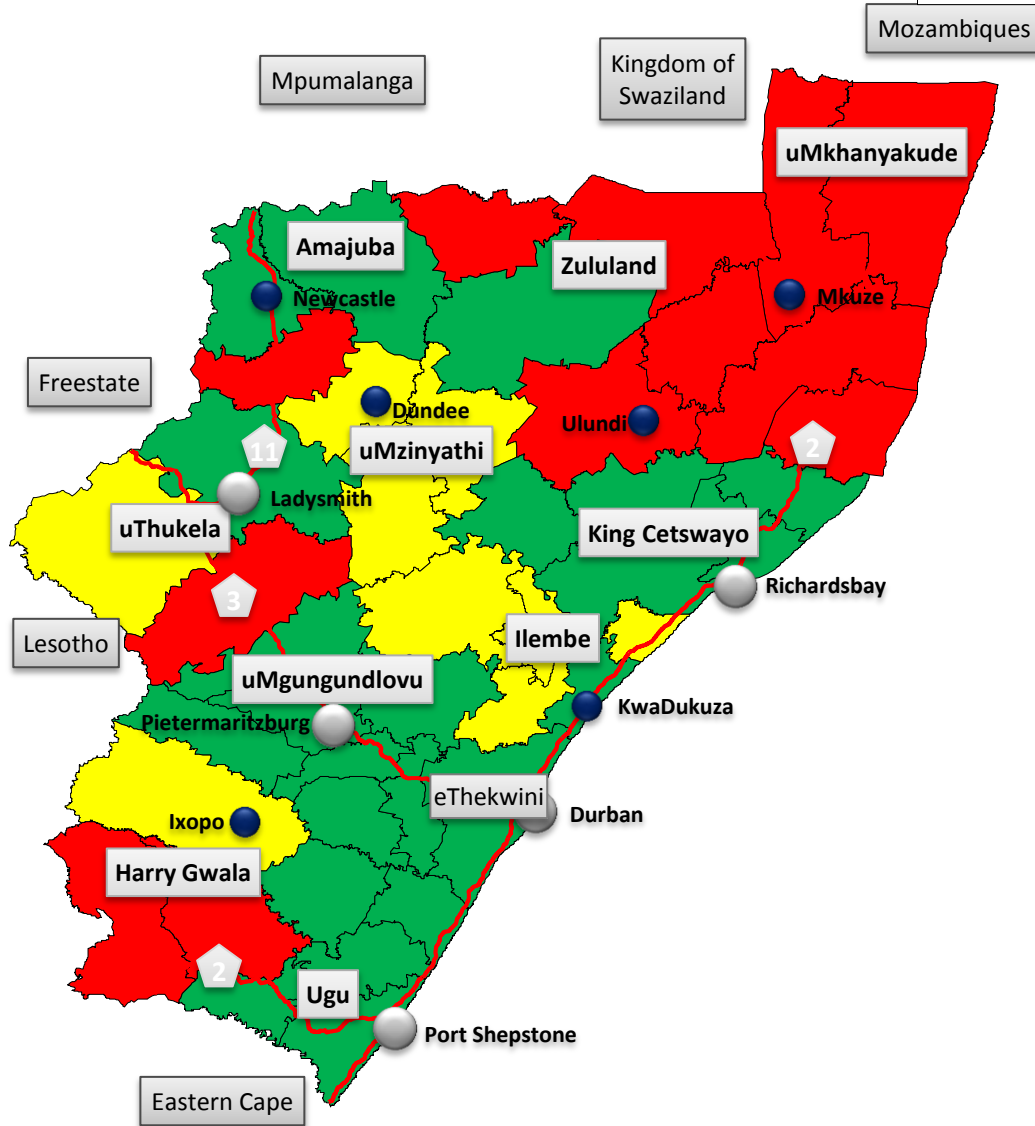
- Support the implementation of SPLUMA:
 - Setting up institutional arrangements: to date 14 out of 23 Municipal Planning Tribunals established;
 - Funds for gazetting by-laws: to date 43 out of 44 by-laws gazetted, 14 financially supported by COGTA and 27 by Department of Rural Development & Land Reform (DRDLR).
 - 1 Municipality is yet to gazette the by-law (eThekweni)
 - Technical assistance (ongoing)

PROGRESS : MUNICIPAL PLANNING TRIBUNALS

MPT Name	LMs	MPT Established?
Amajuba - Dannhauser	Dannhauser	No
Amajuba - Emadlangeni	Emadlangeni	Yes
Amajuba - Newcastle	NewCastle	Yes
Harry Gwala JMPT	Dr Nkosasana Dlamini Zuma Municipality (Amalgamation of Ingwe & KwaSani LMs)	Yes Needs to be Gazetted
	Greater Kokstad	No
	Umzimkhulu	No
	Ubuhlebezwe	Yes
Ilembe KwaDukuza	KwaDukuza	Yes
Ilembe JMPT	Maphumalo	Yes Needs to be Gazetted
	Ndwedwe	
	Mandeni	
King Cetshwayo JMPT North	UMhlathuze	Yes
	UMfolozi	
King Cetshwayo JMPT South	Nkandla	Yes
	Umlalazi	
	Mthonjaneni	
Ugu JMPT South	Ray Nkonyeni Local Municipality (Amalgamation of eZinqoleni & Hibiscus Coast LMs)	Yes
	Umuziwabantu	
Ugu JMPT North	Umdoni	Yes
	Mzumbe	
uMgungundlovu - Msunduzi	Msunduzi	Yes
uMgungundlovu JMPT	Impendle	Yes
	Mkhambathini	
	Mpofana	
	Mshwati	
	Richmond	
	Umgeni	

MPT Name	LMs	MPT Established?
Umkhanyakude DM JMPT	The Big Five False Bay Local Municipality (Amalgamation of Hlabisa & Big 5 False Bay LMs)	No
	Jozini	
	Mtubatuba	
	uMhlabuyalingana	
uMzinyathi JMPT	Endumeni	Yes Needs to be Gazetted
	Nquthu	
	Msinga	
	Mvoti	
uThukela Ladysmith	Alfred Duma (Amalgamation of eMnambithi & Indaka LMs)	Yes
uThukela Okhahlamba	Okhahlamba	Yes Needs to be Gazetted
uThukela Inkosi Langalibalele	Nkosi Langalibalele LM (Amalgamation of uMtshezi & Imbabazane)	No
ZDM - Abaqulusi MPT	Abaqulusi	yes
ZDM JMPT (EAST)	eDumbe	No
	uPhongola	
	ULundi	
	Nongoma	
eThekwini MM	eThekwini MM	Yes
	Total MPTs	23
	Not Established	6
	Needs to be Gazetted	4

PROGRESS: MUNICIPAL PLANNING TRIBUNALS



MPT In Place

Needs to be Gazetted

No MPT In Place



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PROGRESS REGARDING OUTSTANDING MPT'S

- Harry Gwala: Local municipalities have decided to establish stand-alone MPT's instead of the District Joint MPT. Only Ubuhlebezwe LM has appointed and gazetted members of its MPT.
- Umkhanyakude: the District advertised for nominations of persons to serve on the District Joint MPT. The call closed on 31 March 2017. No appointments have been made thus far. LUM and MISA have designed JMPT Implementation Model together with LM's. Awaiting meeting with MM's to approve Model.
- Zululand: Abaqulusi municipality established a stand alone MPT. The rest of the municipalities to form a JMPT. LUM and MISA have designed JMPT Implementation Model together with LM's. Awaiting meeting with MM's to approve Model.
- uThukela: Inkosi Langalibalele has not established the MPT.

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PROGRESS: MPAO

MPT Name	LMs	MPAO Appointed
Amajuba - Dannhauser	Dannhauser	No
Amajuba - Emadlangeni	Emadlangeni	Yes
Amajuba - Newcastle	NewCastle	Yes
Harry Gwala JMPT	Dr Nkosasana Dlamini Zuma Municipality (Amalgamation of Ingwe & KwaSani LMs)	Yes
	Greater Kokstad	Yes
	Umzimkhulu	Yes
	Ubuhlebezwe	Yes
ilembe KwaDukuza	KwaDukuza	Yes
ilembe JMPT	Maphumalo	Yes
	Ndwedwe	Yes
	Mandeni	Yes
King Cetshwayo JMPT North	UMhlathuze	Yes
	UMfolozi	No
King Cetshwayo JMPT South	Nkandla	Yes
	Umlalazi	Yes
	Mthonjaneni	Yes
Ugu JMPT South	Ray Nkonyeni Local Municipality (Amalgamation of eZinqoleni & Hibiscus Coast LMs)	Yes
	Umuziwabantu	Yes
Ugu JMPT North	Umdoni	Yes
	Mzumbe	Yes
uMgungundlovu - Msunduzi	Msunduzi	Yes
uMgungundlovu JMPT 1	Impendle	Yes
	Mkhambathini	Yes
	Mpofana	Yes
	Mshwati	Yes
	Richmond	Yes
	Umgeni	Yes

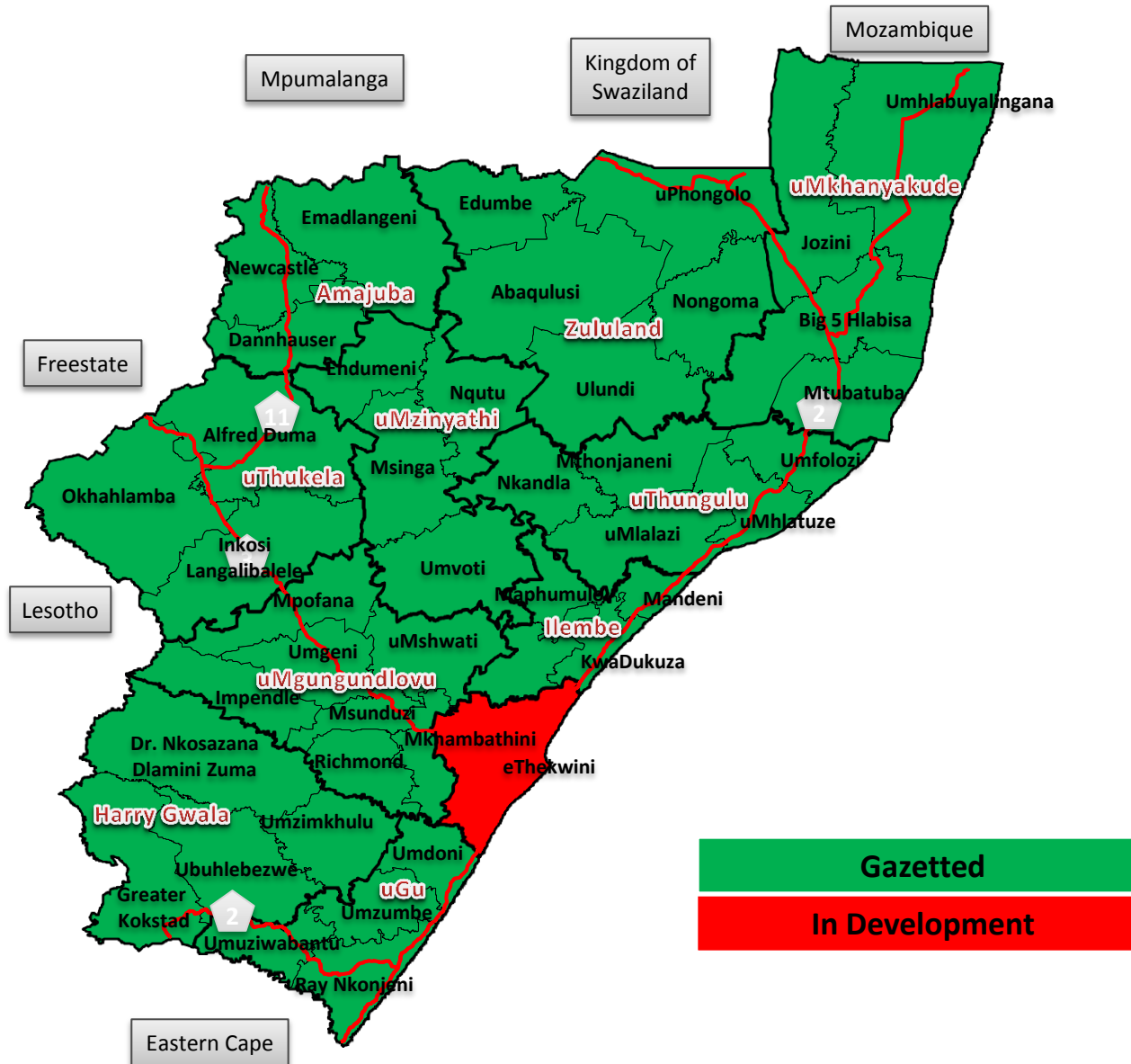
MPT Name	LMs	MPAO Appointed
Umkhanyakude DM JMPT	The Big Five False Bay Local Municipality (Amalgamation of Hlabisa & Big 5 False Bay LMs)	No
	Jozini	Yes
	Mtubatuba	No
	uMhlabuyalingana	No
uMzinyathi JMPT	Endumeni	Yes
	Nquthu	Yes
	Msinga	Yes
	Mvoti	Yes
uThukela Ladysmith	Alfred Duma (Amalgamation of eMnambithi & Indaka LMs)	Yes
uThukela Okhahlamba	Okhahlamba	Yes
uThukela JMPT 1	Nkosi Langelibalele LM (Amalgamation of uMtshezi & Imbabazane)	Yes
ZDM - Abaqulusi MPT	Abaqulusi	Yes
ZDM JMPT (EAST)	eDumbe	Yes
	uPhongolo	Yes
	Ulundi	Yes
	Nongoma	Yes
eThekwini MM	eThekwini MM	Yes
	Total Gazetted	43

PROGRESS: MUNICIPAL BY-LAWS

MPT Name	LMs	By-law Gazetted?
Amajuba - Dannhauser	Dannhauser	Yes
Amajuba - Emadlangeni	Emadlangeni	Yes
Amajuba - Newcastle	NewCastle	Yes
Harry Gwala JMPT	Dr Nkosasana Dlamini Zuma Municipality (Amalgamation of Ingwe & KwaSani LMs)	Yes
	Greater Kokstad	Yes
	Umzimkhulu	Yes
	Ubuhlebezwe	Yes
ilembe KwaDukuza	KwaDukuza	Yes
ilembe JMPT	Maphumalo	Yes
	Ndwedwe	Yes
	Mandeni	Yes
King Cetshwayo JMPT North	UMhlathuze	Yes
	UMfolozi	Yes
King Cetshwayo JMPT South	Nkandla	Yes
	Umlalazi	Yes
Ugu JMPT South	Mthonjaneni	Yes
	Ray Nkonyeni Local Municipality (Amalgamation of eZinqoleni & Hibiscus Coast LMs)	Yes
	Umuziwabantu	Yes
Ugu JMPT North	Umdoni	Yes
	Mzumbe	Yes
uMgungundlovu - Msunduzi	Msunduzi	Yes
uMgungundlovu JMPT 1	Impendle	Yes
	Mkhambathini	Yes
	Mpofana	Yes
	Mshwati	Yes
	Richmond	Yes
	Umgeni	Yes

MPT Name	LMs	By-law Gazetted?
Umkhanyakude DM JMPT	The Big Five False Bay Local Municipality (Amalgamation of Hlabisa & Big 5 False Bay LMs)	Yes
	Jozini	Yes
	Mtubatuba	Yes
	uMhlabuyalingana	Yes
uMzinyathi JMPT	Endumeni	Yes
	Nquthu	Yes
	Msinga	Yes
	Mvoti	Yes
uThukela Ladysmith	Alfred Duma (Amalgamation of eMnambithi & Indaka LMs)	Yes
uThukela Okhahlamba	Okhahlamba	Yes
uThukela JMPT 1	Nkosi Langelibalele LM (Amalgamation of uMtshezi & Imbabazane)	Yes
ZDM - Abaqulusi MPT	Abaqulusi	Yes
ZDM JMPT (EAST)	eDumbe	Yes
	uPhongola	Yes
	Ulundi	Yes
	Nongoma	Yes
eThekwini MM	eThekwini MM	No
	Total Gazetted	43

PROGRESS WITH SPLUMA BY-LAWS





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PROGRESS REGARDING OUTSTANDING BY-LAWS

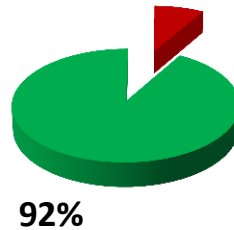
- eThekweni: Draft served to Council on 31 July 2017- 4 August 2017. Gazetting will take place thereafter.

The map displays the 28 municipalities of KwaZulu-Natal, color-coded by their readiness level. A legend on the right shows a scale from 0 (red) to 100 (green). Most municipalities are green, indicating high readiness. A pie chart on the right shows that 92% of municipalities are ready (green) and 8% are not ready (red). The text 'KZN Municipal Readiness (SPLUMA) 8%' is also present.

KZN Municipal Readiness (SPLUMA)

Readiness Level	Percentage
Ready (Green)	92%
Not Ready (Red)	8%

92%
(August 2011)



92%
(August 2017)

76%
(Jan 2017)



			% Readline Average	
District	No.	MPT	ss	e
Amajuba	1	Amajuba - Dannhauser	67	91
	2	Amajuba - Emadlangeni	100	91
	3	Amajuba - Newcastle	89	91
Harry Gwala	4	Harry Gwala JMPT	78	91
Ilembe	5	Ilembe	100	91
	6	Ilembe JMPT	100	91
King Cetshwayo	7	King Cetshwayo JMPT North	92	91
	8	King Cetshwayo JMPT South	100	91
Ugu	9	Ugu JMPT South	100	91
	10	Ugu JMPT North	92	91
uMgungundlovu	11	uMgungundlovu - Msunduzi	100	91
	12	uMgungundlovu JMPT 1	98	91
uMkhanyakude	13	uMkhanyakude DM JMPT	83	91
uMzinyathi	14	uMzinyathi JMPT	95	91
uThukela	15	Alfred Duma	89	91
	16	uThukela Okhahlamba	94	91
	17	uThukela Inkosi Langalibalele	78	91
Zululand	18	ZDM - Abaqulusi MPT	100	91
	19	ZDM JMPT (EAST)	79	91
eThekweni	20	eThekweni MM	94	91

Linear	43%	44%	52%	53%	60%	69%	69%	70%	75%	76%
Progress	(July 2015)	(Aug 2015)	(Oct 2015)	(Nov 2015)	(Feb 2016)	(May 2016)	(June 2016)	(Sept 2016)	(Nov 2016)	(Jan 2017)

ACTION REQUIRED : MPTS

Total	Established	Not Established	Support Provided (Training and Capacity Building offered)	Required Action	Reasonable time Frame
23	17	6 <ul style="list-style-type: none"> • Umkhanyakude District Joint MPT • Zululand Joint MPT • Inkosi Langalibalele MPT • Greater Kokstad MPT • Umzimkhulu MPT • Dannhauser MPT 	<ul style="list-style-type: none"> • Regional clustered sessions • District Sessions • One on one sessions (context and need) • Assisted on the following <ul style="list-style-type: none"> ➤ Understanding SPLUMA requirements ➤ Drafting Resolutions ➤ Templates for council resolutions ➤ Options for Appeal Authority ➤ Options for MPT Structure 	<ul style="list-style-type: none"> • Applicable Council Resolutions • Designate MMs to sign agreements with partnering Municipalities • Appoint Evaluation Committees • Advertise for nominations of external professionals • Advertise the names of professionals to be part of MPTs • Gazette MPTs 	30 July 2017 (Noting that this is already overdue)

ACTION REQUIRED : BY-LAWS

MUNICIPALITIES THAT HAVE NOT GAZETTED THE BY-LAW

District	LM	Support provided	Action Required	Reasonable/ Given Timeframe
EThekwini	eThekwini	Training and capacity building.	Gazetting of By-law	August 2017



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RECOMMENDATIONS

1. Big 5 Hlabisa, Mtubatuba, uMhlabuyalingana, uMfolozi and Dannhauser to appoint MPAO as a matter of urgency;
2. COGTA to continue to provide on-going support to eThekweni to facilitate gazetting of By-law;
3. Umkhanyakude District Joint MPT; Zululand Joint MPT; Inkosi Langalibalele MPT; Greater Kokstad MPT; Umzimkhulu MPT and Dannhauser MPT's need to be established urgently;



RECOMMENDATIONS *continued...*

4. Municipalities are to ensure the Gazetting of MPTs/JMPTs (Ilembe JMPT, Okhahlamba, Dr Nkosazana Dlamini Zuma, and Umzinyathi JMPT)
5. Municipalities are to ensure establishment/functionality of MPTs, MPAO's, Appeals Registrar and Appeals Authority and note the legal implications (MPAO's are required to be Registered Planners ito SPLUMA By-Laws) thereof;
6. Municipalities to ensure processing of applications within the legislated time-norms



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PLANNED ACTIONS

- 1. SPLUMA Working Session with Legal Services : 5 September 2017 ,
Greater Kokstad**
- 2. SPLUMA Working Session with Legal Services: 6 September 2017,
Umzimkhulu**
- 3. SPLUMA Working Session with Legal Services: 7 September 2017,
Inkosi Langelibalele**
- 4. SPLUMA Working Session with Legal Services: 12 September 2017,
Dannhauser**
- 5. SPLUMA Working Session with Legal Services: 13 September 2017,
Okhahlamba**

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PLANNED ACTIONS *continued*

6. SPLUMA Working Session with Legal Services : awaiting confirmation, Ilembe JMPT

7. SPLUMA Working Session with Legal Services : awaiting confirmation, Umkhanyakude JMPT



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THANK YOU