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Department:
Cooperative Governance and Traditional Affairs
PROVINCE OF KWAZULU-NATAL



SANRAL

29 MARCH 2017

PROVINCIAL SPATIAL PLANNING AND LAND USE: POLICY AND LAW SUBCOMMITTEE

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



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SANRAL PLANNING APPROVAL

- Purpose of application for planning approval
 - Not to decide need and location of national road
 - To manage the impact of national road on surrounding land



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SANRAL PLANNING APPROVAL

- Need and location of road should be determined by
 - Strategic planning
 - National plan
 - Provincial plan
 - IDP and SDF
 - Environmental authorisation



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SANRAL PLANNING APPROVAL

- Purpose of application
 - Ownership of excess land
 - Zoning of excess land
 - Access of excess land
 - Access to other land
 - Access to a community or habitat separated by road
 - Access to services, particularly linear services



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SANRAL PLANNING APPROVAL

- Purpose of application
 - Redundant or inappropriate conditions of title or servitudes
 - Resulting in neighbouring development being non-compliant
 - Opportunity to remove onerous conditions of planning approval and stimulate neighbouring developments



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SANRAL PLANNING APPROVAL

- Acknowledge that SANRAL land is different to other land
 - Does not involve the erection of buildings
 - Does not require services like water, electricity and refuse removal
- Application nevertheless required because of impact on surrounding land



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SANRAL PLANNING APPROVAL

- Full exemption not possible
- Standard procedure rather than special procedure (shortened procedure)
 - Also benefits SANRAL
 - Municipality must act within time frames and without undue delay
 - Right of appeal etc
 - Familiar process
 - Institutional setup accordingly



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SANRAL PLANNING APPROVAL

- Allowances in standard procedure for SANRAL
 - Does not need land owner's prior consent in order to bring an application
 - Public consultation usually not required
 - Existing road
 - New road but public already consulted through another process on same development
 - Affected parties have already reached an agreement with SANRAL



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SANRAL PLANNING APPROVAL

- Allowances in standard procedure for SANRAL
 - Municipal official instead of Municipal Planning Tribunal can decide application
 - Provision for agency agreements if part of road transcends municipal boundary



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SANRAL PLANNING APPROVAL

- Municipality must consider relevant factors (PAJA)
 - Guideline on planning approval for national roads
 - General factors listed in by-law, only if relevant
 - Other relevant factors
- Municipality may not consider irrelevant factors (PAJA)



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SANRAL PLANNING APPROVAL

- Proposed amendments to by-laws
 - SANRAL can make application when it has published a notice of its intention to expropriate
 - Enable municipal official to consider rezoning of land for roads purposes too
 - Formal recognition of joint consultation with environmental approval authority



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