

# **SPLUMA IMPLEMENTATION Trials & Tribulations**



**SPLUMA FORUM  
24 JUNE 2016**

**Disaster Management Center, Mkondeni  
uMhlathuze Local Municipality**

# CONTEXT – SPLUMA Requirements

- April 2015: Department of RD & LR and SALGA confirmed 1 July 2015 as SPLUMA implementation date.
- Requirements:
  - Establish a Municipal Planning Tribunal;
  - Prepare and adopt Planning Bylaw in line with the Act and its Regs;
  - Establish Municipal Appeals Tribunal;
  - Adopt delegations and Categorisation of Planning applications;
  - Appoint an Authorised Official;
  - Appoint a Development Administrator
  - Determine Planning Procedures and Tariffs;
  - Establish an Evaluation Committee.

# BACKGROUND

- At the TCMC of 15 July 2014, it was recommended that two (2) JMPTs be established within uThungulu District.
- **North:** Comprised of uMhlathuze, uMfolozi and Ntambanana, established at uMhlathuze.
- **South:** Comprised of Nkandla, uMlalazi and Mthonjaneni, established at uMlalazi.

# MOTIVATION FOR JOINT MPT

- The centrality and existing capacity in uMhlathuze LM and uMlalazi LM wrt personel, registry and the number of applications processed in a year.
- The imminent disbandment of Ntambanana LM in line with the Demarcation Board's decision to incorporate parts of the Municipality into uMfolozi, uMhlathuze and Mthonjaneni LMs following the 2016 Local Government Elections.
- The sharing of costs with regards to the establishment and running of the JMPT as well as sharing of professionals amongst the LMs.
- Functional interactions between the LMs:
  - uMhlathuze and uMfolozi share the RBIDZ boundary.
  - Smart Growth Centre initiative between Nkandla and uMlalazi.



# ESTABLISHING A JOINT MPT

- A Memorandum of Agreement between participating Municipalities as required by Section 34(1) - Act and Section 4(3) – Regs:
  - Definitions & Interpretation; Duration of Agreement; Municipal Demarcation (Ntambanana); Funding of the JMPT, Composition of the JMPT, Joint Evaluation Panel, Chairperson & Deputy Chairperson; Filling of Vacancies and replacement of members; Code of conduct and Terms & Conditions of Service; Meetings of JMPT; Composition of Meetings; JMPT Decision; Inspections; Records keeping;
- 16 Internal and 3 External Members: Induction Completed.
- First sitting: 28 June 2016
  - Bay Centre (Cambridge Food) – High Court Application urgent interdict.



# OTHER SPLUMA PROCESSES

- Appointed AO.
- Registrar & Deputy for JMPT.
- Determine Planning Procedures and Tariffs
- Adopted Delegations & Categorised Applications.
- Review Land Use Scheme
- Review SDF
- ToR Drafted + COGTA Involved.

# PLANNING BYLAW

- **WRONG SIDE OF SCM PROCESS**
  - Tender for Service Provider UNSUCCESSFULL = DEVIATION.
  - Traditional Authorities
- **KZN PDA 2008 STILL in effect together with SPLUMA Structures – DEADLINE AUG 2017**
- **APPEALS TRIBUNAL – EXCO.**
  - Draft Appeals Procedure until BYLAW

**THANK YOU!**

**NA KHENSA!**

