



cogta

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



STATUS OF SPLUMA IMPLEMENTATION IN KZN

02 November 2018

D K Chetty

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



SPLUMA IMPLEMENTATION

- Supporting implementation of Spatial Planning and Land Use Management Act (SPLUMA):
 - Capacity building and training
 - Setting up institutional arrangements;
 - Preparing, adopting and gazetting of by-laws;
 - Technical assistance (ongoing)

SPLUMA- INSTITUTIONAL ARRANGEMENTS

- Municipal Planning Tribunals in terms of section 35(1) of SPLUMA: 23 established
- Municipal Planning Authorized Officer in terms of section 35(2) of SPLUMA: All appointed
- Registrar in terms of section 51(1) of SPLUMA: ITO SPLUMA the Municipal Manager is by default the Registrar, therefore all municipalities have Registrars.
- Appeal Authority in terms of section 51(2) of SPLUMA: ITO SPLUMA the EXCO is by default the Appeal Authority, therefore all municipalities have an Appeal Authority but Msunduzi, Newcastle and KwaDukuza have appointed external bodies to assist EXCO.

PROGRESS : MUNICIPAL BY-LAWS

MPT Name	LMs	By-law Gazetted?
Amajuba: Dannhauser	Dannhauser	Yes
Amajuba: Emadlangeni	Emadlangeni	Yes
Amajuba: Newcastle	Newcastle	Yes
Harry Gwala: Dr Nkolasana Dlamini Zuma	Dr Nkolasana Dlamini Zuma Municipality (Amalgamation of Ingwe & KwaSani LMs)	Yes
Harry Gwala: Greater Kokstad	Greater Kokstad	Yes
Harry Gwala: Umzimkhulu	Umzimkhulu	Yes
Harry Gwala: Ubuhlebezwe	Ubuhlebezwe	Yes
ilembe: KwaDukuza	KwaDukuza	Yes
ilembe: JMPT	Maphumulo	Yes
	Ndwedwe	Yes
	Mandeni	Yes
King Cetshwayo: JMPT North	Umlhathuze	Yes
	Umfoloji	Yes
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	Impendle	Yes
	Mkhambathini	Yes
	Mpofana	Yes
	Mshwati	Yes
	Richmond	Yes
	Umgini	Yes

MPT Name	LMs	By-law Gazetted?
Umkhanyakude: 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: Nkosi Langalibalele	Nkosi Langalibalele LM (Amalgamation of uMtshezi & Imbabazane)	Yes
Zululand: Abaqulusi MPT	Abaqulusi	Yes
Zululand: JMPT	eDumbe	Yes
	uPhongola	Yes
	Ulundi	Yes
	Nongoma	Yes
eThekweni MM	eThekweni MM	Yes
	Total Gazetted	44

PROGRESS : MUNICIPAL PLANNING AUTHORIZED OFFICER THEN

MPT Name	LMs	MPAO?
Amajuba: Dannhauser	Dannhauser	Yes
Amajuba: Emadlangeni	Emadlangeni	Yes
Amajuba: Newcastle	Newcastle	Yes
Harry Gwala: Dr Nkolasana Dlamini Zuma	Dr Nkolasana Dlamini Zuma Municipality (Amalgamation of Ingwe & KwaSani LMs)	Yes
Harry Gwala: Greater Kokstad	Greater Kokstad	Yes
Harry Gwala: Umzimkhulu	Umzimkhulu	Yes
Harry Gwala: Ubuhlebezwe	Ubuhlebezwe	Yes
Ilemba: KwaDukuza	KwaDukuza	Yes
Ilemba: JMPT	Maphumulo	Yes
	Ndwedwe	Yes
	Mandeni	Yes
King Cetshwayo: JMPT North	UMhlathuze	Yes
	UMfolozi	Yes
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	Impendle	Yes
	Mkhambathini	Yes
	Mpofana	Yes
	Mshwati	Yes
	Richmond	Yes
	Umgini	Yes

MPT Name	LMs	MPAO?
Umkhanyakude: 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: Nkosi Langalibalele	Nkosi Langalibalele LM (Amalgamation of uMtshezi & Imbabazane)	Yes
Zululand: Abaqulusi	Abaqulusi	Yes
Zululand: JMPT	eDumbe	Yes
	uPhongola	Yes
	Ulundi	Yes
	Nongoma	Yes
eThekweni MM	eThekweni MM	Yes
	Total	44

PROGRESS : MUNICIPAL PLANNING AUTHORIZED OFFICER NOW

MPT Name	LMs	MPAO?
Amajuba: Dannhauser	Dannhauser	Yes
Amajuba: Emadlangeni	Emadlangeni	Yes
Amajuba: Newcastle	Newcastle	Yes
Harry Gwala: Dr Nkolasana Dlamini Zuma	Dr Nkolasana Dlamini Zuma Municipality (Amalgamation of Ingwe & KwaSani LMs)	Yes
Harry Gwala: Greater Kokstad	Greater Kokstad	Yes
Harry Gwala: Umzimkhulu	Umzimkhulu	Yes
Harry Gwala: Ubuhlebezwe	Ubuhlebezwe	Yes
Ilembe: KwaDukuza	KwaDukuza	Yes
Ilembe: JMPT	Maphumulo	Yes
	Ndwedwe	Yes
	Mandeni	Yes
King Cetshwayo: JMPT North	UMhlathuze	Yes
	UMfolozi	Yes
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	Impendle	Yes
	Mkhambathini	Yes
	Mpofana	Yes
	Mshwati	Yes
	Richmond	Yes
	Umgini	Yes

MPT Name	LMs	MPAO?
Umkhanyakude: 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: Nkosi Langalibalele	Nkosi Langalibalele LM (Amalgamation of uMtshezi & Imbabazane)	MPAO Resigned
Zululand: Abaqulusi	Abaqulusi	Yes
Zululand: JMPT	eDumbe	Yes
	uPhongola	MPAO was on Contract and the contract has expired
	Ulundi	Yes
	Nongoma	Yes
eThekweni MM	eThekweni MM	Yes
	Total	44

PROGRESS : MUNICIPAL PLANNING TRIBUNALS *THEN*

MPT Name	LMs	MPT Established?
Amajuba: Dannhauser	Dannhauser	Yes
Amajuba: Emadlangeni	Emadlangeni	Yes
Amajuba: Newcastle	Newcastle	Yes
Harry Gwala: Dr Nkosasana Dlamini Zuma	Dr Nkosasana Dlamini Zuma Municipality (Amalgamation of Ingwe & KwaSani LMs)	Yes
Harry Gwala: Greater Kokstad	Greater Kokstad	Yes
Harry Gwala: Umzimkhulu	Umzimkhulu	Yes
Harry Gwala: Ubuhlebezwe	Ubuhlebezwe	Yes
Ilembe: KwaDukuza	KwaDukuza	Yes
Ilembe: JMPT	Maphumulo	Yes
	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	

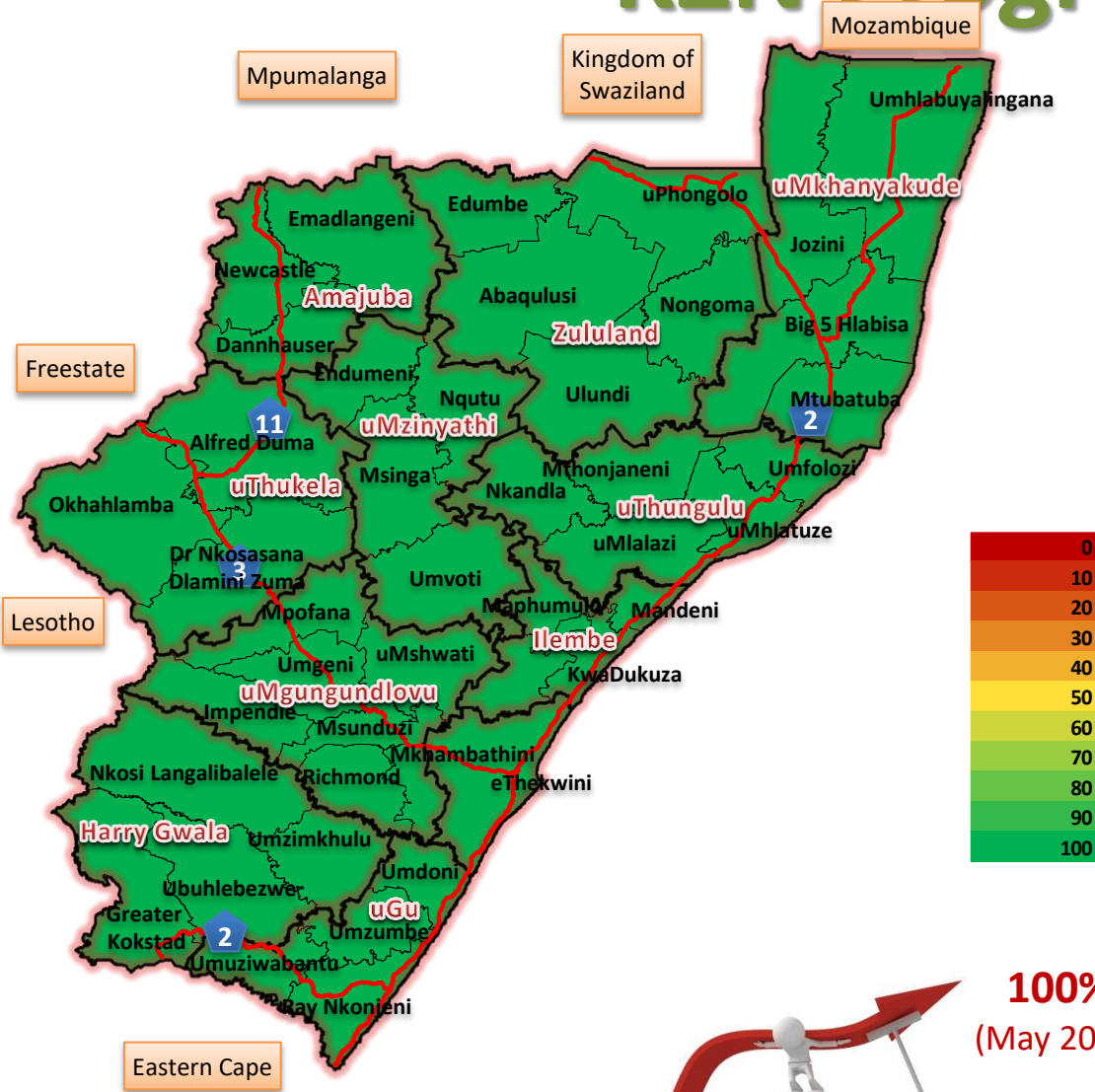
MPT Name	LMs	MPT Established?
Umkhanyakude: JMPT	The Big Five False Bay Local Municipality (Amalgamation of Hlabisa & Big 5 False Bay LMs)	Yes
	Jozini	
	Mtubatuba	
	uMhlabuyalingana	
uMzinyathi: JMPT	Endumeni	Yes
	Nquthu	
	Msinga	
	Mvoti	
uThukela: Ladysmith	Alfred Duma (Amalgamation of eMnambithi & Indaka LMs)	Yes
uThukela: Okhahlamba	Okhahlamba	Yes
uThukela: Inkosi Langalibalele	Nkosi Langalibalele LM (Amalgamation of uMtshezi & Imbabazane)	Yes
Zululand: Abaqulusi	Abaqulusi	Yes
Zululand: JMPT	eDumbe	Yes
	uPhongola	
	Ulundi	
	Nongoma	
eThekwini MM	eThekwini MM	Yes
	Total MPTs	23
	Not Established	0
	Total Established MPTs	23

PROGRESS : MUNICIPAL PLANNING TRIBUNALS FUNCTIONALITY

MPT Name	LMs	MPT Functional?
Amajuba: Dannhauser	Dannhauser	Appointed and Functional
Amajuba: Emadlangeni	Emadlangeni	Appointed and Functional
Amajuba: Newcastle	Newcastle	Appointed and Functional
Harry Gwala: Dr Nkosasana Dlamini Zuma	Dr Nkosasana Dlamini Zuma Municipality (Amalgamation of Ingwe & KwaSani LMs)	Appointed and Functional
Harry Gwala: Greater Kokstad	Greater Kokstad	Appointed and Functional
Harry Gwala: Umzimkhulu	Umzimkhulu	Appointed and Functional
Harry Gwala: Ubuhlebezwe	Ubuhlebezwe	Appointed and Functional
Ilembe: KwaDukuza	KwaDukuza	Appointed and Functional
Ilembe: JMPT	Maphumulo	Appointed and Functional
	Ndwedwe	
	Mandeni	
King Cetshwayo: JMPT North	Umhlathuze	Appointed and Functional
	Umfolozi	
King Cetshwayo: JMPT South	Nkandla	Appointed and Functional
	Umlalazi	
	Mthonjaneni	
Ugu: JMPT South	Ray Nkonyeni Local Municipality (Amalgamation of eZinqoleni & Hibiscus Coast LMs)	Appointed and Functional
	Umuziwabantu	
Ugu: JMPT North	Umdoni	Appointed and Functional
	Mzumbe	
uMgungundlovu: Msunduzi	Msunduzi	Appointed and Functional
uMgungundlovu : JMPT	Impendle	Appointed and Functional
	Mkhambathini	
	Mpofana	
	Mshwati	
	Richmond	
	Umgeni	

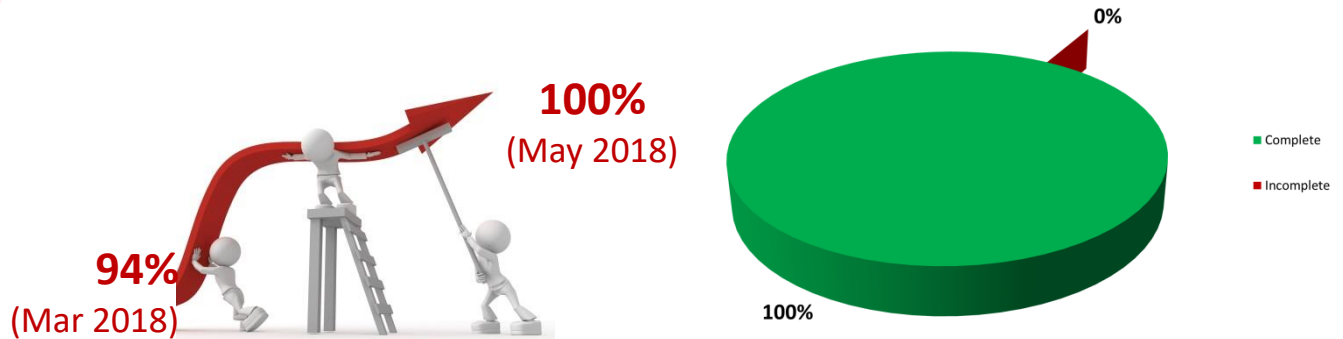
MPT Name	LMs	MPT Functional?
Umkhanyakude: JMPT	The Big Five False Bay Local Municipality (Amalgamation of Hlabisa & Big 5 False Bay LMs)	Has been appointed. This Office is assisting the JMPT to re-Gazette their newer JMPT members as well as their names as opposed to post levels that the District previously Gazetted. This Office is presently setting up an additional Session with the JMPT prior to their sitting to deal with complex matters.
	Jozini	
	Mtubatuba	
	uMhlabuyalingana	
uMzinyathi: JMPT	Endumeni	Appointed and does not have internal member
	Nquthu	
	Msinga	
	Mvoti	
uThukela: Ladysmith	Alfred Duma (Amalgamation of eMnambithi & Indaka LMs)	Appointed and Functional
uThukela: Okhahlamba	Okhahlamba	Appointed and was Functional however external member has resigned
uThukela: Inkosi Langalibalele	Nkosi Langalibalele LM (Amalgamation of uMtshezi & Imbabazane)	Appointed and was Functional however Chairperson has resigned and the Deputy Chair is on family responsibility leave , Council Resolution is awaited
Zululand: Abaqulusi	Abaqulusi	Appointed and Functional
Zululand: JMPT	eDumbe	Has been appointed. They have conducted their first JMPT sitting. They require further JMPT induction due to complexity of applications before the JMPT. This Office is presently setting up an additional Session with the JMPT (Induction) and is also assisting the JMPT to re-Gazette their newer JMPT members.
	uPhongola	
	Ulundi	
	Nongoma	
eThekwini MM	eThekwini MM	Appointed and Functional
	Total MPTs	23
	Not Established	0
	Total Established MPTs	23

KZN Progress



District	No.	MPT	% Readiness
Amajuba	1	Amajuba - Dannhauser	100
	2	Amajuba - Emadlangeni	100
	3	Amajuba - Newcastle	100
Harry Gwala	4	Harry Gwala JMPT	100
Ilembe	5	Ilembe KwaDukuza	100
	6	Ilembe JMPT	100
King Cetswayo	7	King Cetswayo JMPT North	100
	8	King Cetswayo JMPT South	100
Ugu	9	Ugu JMPT South	100
	10	Ugu JMPT North	100
uMgungundlovu		uMgungundlovu -	
	11	Msunduzi	100
	12	uMgungundlovu JMPT 1	100
uMkhanyakude	13	Umkhanyakude DM JMPT	100
uMzinyathi	14	uMzinyathi JMPT	100
uThukela	15	Alfred Duma	100
	16	uThukela Okhahlamba	100
		uThukela Inkosi	
	17	Langalibalele	100
Zululand	18	ZDM - Abaqulusi MPT	100
	19	ZDM JMPT (EAST)	100
eThekweni	20	eThekweni MM	100

KZN Municipal Readiness (SPLUMA)



Linear	43%	44%	52%	53%	60%	69%	69%	70%	75%	76%	80%	92%	94%	100%
Progress	(July 2015)	(Aug 2015)	(Oct 2015)	(Nov 2015)	(Feb 2016)	(May 2016)	(June 2016)	(Sept 2016)	(Nov 2016)	(Jan 2017)	(Jun 2017)	(Oct 2017)	(Mar 2018)	(May 2018)

SPLUMA- PROCEDURES

Procedures

- By-laws: which outlines procedures to process development applications:
All municipalities have adopted and gazetted their by-laws.



SPLUMA CHALLENGES

- There is a high turn-over of planning staff in all Municipalities.
- There is a lack of Qualified and Registered Town & Regional Planners which is problematic
- Municipalities are just barely complying with legislation
- MPAO functions are problematic. Some municipalities lack registered planners therefore, LM's relies heavily on the District to perform the function
- JMPT/MPT functions are also problematic. Again, municipalities lack registered planners therefore, LM's relies heavily on the District to perform the functions as well as to provide services of the External MPT Member
- Some municipalities have MPTS but not fully operational because of human resources/budget/insufficient funds



SPLUMA CONCLUSIONS

The following areas require more focussed support:

- Improved planning capacity at municipal level for delivery on municipal planning mandate ie. SPLUMA By-laws
- Municipalities to Appoint more MPT Registrars and Deputy Registrars, MPT/JMPT Deputy Chairs and members, and MPAOs
- Registration of Planners to meet the By-law Requirements
- Non attendance of Municipal Officials, Executive Members and Municipal Managers at contact Sessions