



Spatial Planning & Land Use Management Act (SPLUMA)

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Overview of SPLUMA

- It's the new national Act that governs spatial planning and land use management
- It was passed into law in 2013 and will be implemented from the 1st of July 2015
- It repeals a number of previous legislation such as: Removal of Restrictions Act, Development Facilitation Act, Less Formal Township Establishment Act, & the Physical Planning Act



What SPLUMA Provides for:

- It makes municipalities responsible for all land use decisions within their jurisdictions
- Wall to wall Land Use Schemes (formally known as zoning schemes), even over areas of traditional leadership
- Three levels of Spatial Development Frameworks (National, Provincial and Local)
- Municipal Planning Tribunals which will take certain types of land use decisions



Municipal Planning Tribunals

- Composition of Municipal Tribunals:
 - Officials from the municipality
 - Professional Planners
 - Professional Engineers
 - Auditing Professionals
 - Attorneys
 - Environmental Assessment Practitioners
 - Any other person with experience in spatial planning, land use management & land development or law
 - **No Councillors**



SPLUMA Tools

- National Spatial Development Framework
- SDF Guidelines
- Land Use Scheme Guidelines
- National Land Use Classification System



Implications of SPLUMA for Biodiversity

- As it governs all spatial planning in the country, marine spatial plans will also need to be SPLUMA compliant
- Because municipalities can now remove restrictive title deed conditions, Stewardship Agreements & offsets may be less effective in the long term



Land Use Schemes

- Formally known as zoning schemes
- They are a legal set of documents that consist of:
 - Scheme clauses/regulations
 - Definitions of land use rights (primary & secondary)
 - Definitions of terminology
 - Zoning maps for the municipal area



ZONING



TSHWANE **TOWN-PLANNING SCHEME, 2008** *(PROMULGATION DATE: 23 APRIL 2008* *Came into Operation: 19 June 2008)* *(REVISED 2013)*



CITY OF
TSHWANE
IGNITING EXCELLENCE

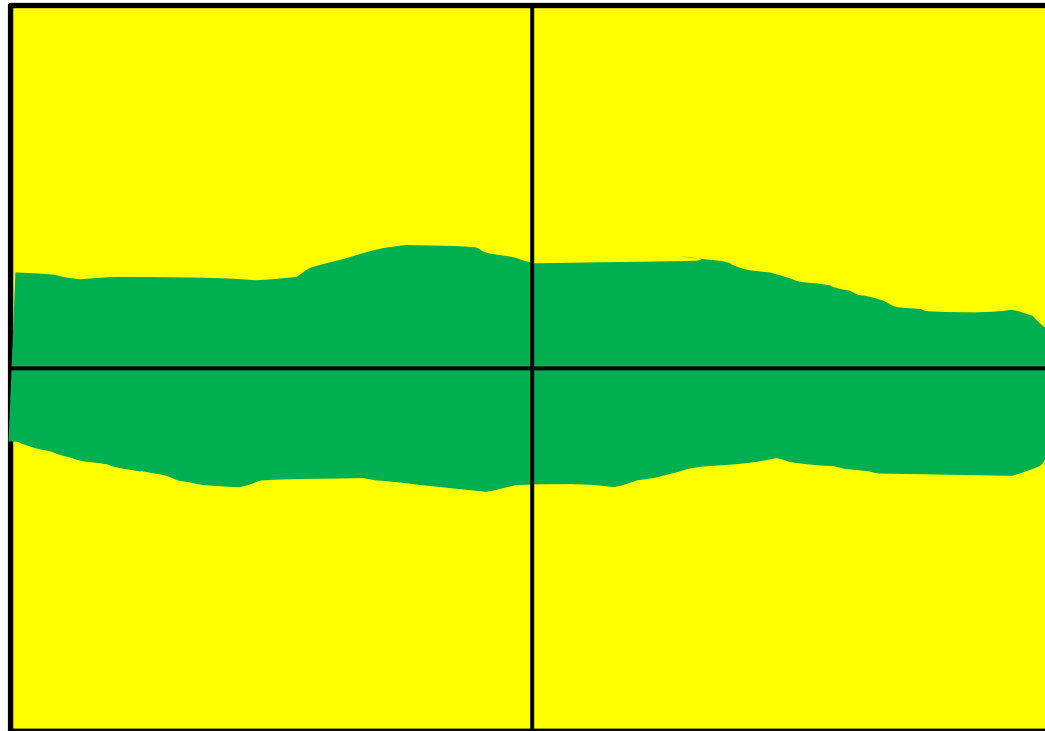
COMPILED BY THE CITY PLANNING AND DEVELOPMENT DEPARTMENT
ORIGINAL APPROVED BY VIRTUE OF
PREMIER'S NOTICE NO 497/2008, DATED 23 APRIL 2008



- Its possible for a property to have split zoning (several uses may be permitted within a use zone with the consent of the municipality, while others may be prohibited)



Split Zoning



Purpose of Land Use Schemes

- The Scheme is a tool to guide and manage development according to the vision, strategies and policies of the IDP & SDF and in the interest of the general public to promote sustainable development and quality of life
- It needs to further promote the following:
 - Economic growth
 - Social inclusion
 - Efficient land development and
 - Minimal impact on public health, ***the environment and natural resources***



Integrating Biodiversity with Land Use Schemes

- The Scheme is binding on all property owners and organs of state and confers real rights on property owners
- The split zoning gives us the opportunity of having the schemes list conservation as a land use in addition to another zone-e.g. Residential and conservation



Special Development Zones (Overlays)

- Special development zones (overlays) include a number of erven which have a special function and include a number of developments tools so as to achieve desired objectives. i.e. Heritage or Conservation
- They must advertised and approved by Council





Land Use Zones vs Land Use Classes

- Land Use Schemes have zones-i.e., residential zones, industrial zones, etc.
- Land use classes-these are actual land uses on the ground-i.e., dwelling house, road, farm, etc.
- You can **have multiple land uses** within a particular **zone** but you **can't have multiple land uses in a land use class**-there can be **no overlap**



Questions?

