



Preparing for SPLUMA Implementation

2-day seminar

Objectives

This course is designed to equip practitioners in the planning and legal professions, in private and government practice, to meet the challenges of implementing the Spatial Planning and Land Use Management Act, 2013. This Act is likely to come into effect in mid to late 2015. The Act introduces far-reaching changes to the legal and institutional framework for urban and regional planning in South Africa.

The course will locate the advent of SPLUMA within the context of planning law reform in South Africa, since 1910, and will provide both theoretical and practical guidance on the key features of the planning system that will change as a result of SPLUMA. A key feature of the new system introduced by SPLUMA is a re-alignment of the decision-making mandates of local and provincial government. It is also a framework Act, so it will have to operate in tandem with provincial planning laws and/or municipal planning by-laws. SPLUMA also introduces a new role for national government in both spatial planning and land use decision-making. These represent fundamental changes in the way that the planning system works. The course intends to dispel some of the confusion that exists behind the reasons for SPLUMA containing the provisions that it does, and to support participants as they seek to carry out their current functions in the context of the new legislation.

Course Content

- Historical background to planning law in SA, 1910 to 2014
- Current constitutional questions
- Challenges of alignment with other legislation
- Compliance with SPLUMA
 - Complying with a framework law
 - SPLUMA in relation to provincial laws
 - SPLUMA principles
 - Decision-making under SPLUMA
 - Compliance with chapter 4: spatial development frameworks
 - Compliance with chapter 5: land use management
 - Compliance with chapter 6: land development management
 - Appeals

Course Lecturer

The course will be co-presented by Stephen Berrisford and Professor Jaap de Visser.

Stephen Berrisford is an independent consultant working at the intersection of law and planning in Southern and Eastern Africa. He is also an honorary Adjunct Associate Professor at the University of Cape Town's African Centre for Cities. He has been directly involved in almost all aspects of the evolution of planning law in South Africa since 1993. For four years he was Director: Land Development Facilitation in the then Department of Land Affairs and in that capacity was responsible for the implementation of the Development Facilitation Act, 1995, as well as the establishment and management of the Development and Planning Commission. He was the principal drafter of the 2001 White Paper on Spatial Planning and Land Use Management. Since then he has worked in all provinces of South Africa, as well as internationally. He has been directly involved in the drafting of provincial planning legislation at various times in Eastern Cape, Free State, Gauteng, KwaZulu-Natal and Northern Cape provinces. For local government he has worked on planning legal issues for Cape Town, Mbombela, Johannesburg, Ekurhuleni, Mogale City and eThekweni municipalities. He holds an MPhil in Land Economy from the University of Cambridge in the UK as well as a Masters in City and Regional Planning and a BA LLB from the University of Cape Town.

Professor Jaap de Visser is the Director of the Community Law Centre at the University of the Western Cape. He is also a Visiting Professor at the Centre for Federal Studies at Addis Ababa University and has done extensive research and consulting in Kenya, Zimbabwe and Ethiopia. Professor De Visser is the leading authority on local government law in South Africa and is the co-author of the authoritative *Local Government Law of South Africa* (Lexis Nexis). He has worked extensively on legal issues relating to intergovernmental relations in general, and local government specifically. He has worked on the development of planning legislation in Eastern Cape, Free State, Northern Cape, KwaZulu-Natal and Western Cape provinces. He was the lead consultant responsible for drafting the Western Cape's Land Use Planning Act, 2014. His academic qualifications include a PhD from Utrecht University and the University of the Western Cape, LL.M. (*cum laude*)



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from the University of the Western Cape and LLB (with distinction) from Utrecht University. He has worked on planning law issues for UN-HABITAT, Drakenstein Municipality, GIZ, the Western Cape Department of Local Government and the national Department of Cooperative Governance and Traditional Affairs.

Course information

Who should attend?

This course will benefit all who are working on spatial planning and land use management in South Africa. This will include planners and lawyers in municipal, provincial and national government as well as in private practice as well as developers, architects and property analysts.

Format

The course is intensive. It will take place over two days and consists of lectures and interactive work within the group. It is assumed that the participants will have practical experience of the field that they will contribute to the enrichment of group discussions.

A voluntary written assessment will be given to the group before the course, for completion after the course.

Cost

The cost of the course is R5 500.00. The course fee includes course notes as well as lunch and refreshments. Payment information will be sent on receipt of an application form.

Certificates

A certificate of attendance, issued jointly by the Universities of Cape Town and the Western Cape, will be issued to all participants who attend for the duration of the course. A certificate of successful completion of the course will be issued to all participants who both attend for the duration of the course and achieve a mark of at least 50% in the voluntary written assessment.

CPD Credit Requirements

The course is registered with the Engineering Council of South Africa, and is accredited for the award of 2 CPD points, which are now required for continuing professional registration. The ECSA course code for this course is UCTPSI15. The assignment is also registered for 0.6 CPD points and the code for the assignment is UCTPSI15AS.

Registrations and cancellations

Registration forms are available on the website www.cpd.uct.ac.za/applications/

In order to ensure a place on the course applicants must complete and return a signed registration form to the course administrators: Heidi Tait or Sandra Jemaar:

Confirmation of acceptance will be sent on receipt of a registration form.

Registrations close one week before the start of the course

Cancellations must be received one week before the start of a course, or the full course fee will be charged.

Venue

To be announced, Upper Campus, UCT

Date and Time

31 March and 1 April 2015

08h00 – 17h00

Registration

31 March 2015

08h00 outside the course venue.