SPLUMA Principles

SPLUMA, LUPA and By-Law Information Session
Cape Town Stadium
22 June 2015
Overview

• What does SPLUMA entail?
• 5 SPLUMA Principles
• Background
• SPLUMA Principles (unpacked)
  – Spatial Justice
  – Spatial Sustainability
  – Efficiency
  – Spatial Resilience
  – Good Administration
What does SPLUMA entail?

A Framework for a Planning System for the country (sec 2[2])

Dev Principles (sec 7)

Policies and Legislation (sec 6)

Spatial Development Planning & Frameworks (Chapter 4)

Land Use Management through Schemes (Chapter 5)

Land development Management (Chapter 6)

other provisions (Chapter 7)
From where....
Background

† Pre-1994 Planning was designed to serve a different political idea – segregation, differentiation, and privilege;

† Multiple laws, multiple institutions and parallel processes instituted by the pre-1994 pieces of legislation;

† Planning laws were fragmented across the old boundaries of the then four (4) provincial administrations, homelands, and Self-Governing Territories (SGT);

† In 1994, South Africa inherited complex and disjointed planning systems which manifest in unequal, incoherent and inefficient settlement patterns;

† The Development Facilitation Act, 1995 (Act No. 67 of 1995) (“the DFA”) was promulgated as an interim measure to deal with this legacy.

† SPLUMA emerged through the Green Paper (1999) and White Paper (2001) processes to replace the DFA as the legislative instrument to regulate spatial planning and land use management in the country.
SPLUMA Principles - City of Cape Town 5 Key Pillars

Spatial Justice

Spatial Sustainability

Efficiency

Spatial Resilience

Good Administration

1. The core focus of the opportunity city is to create the economically enabling environment in which investment can grow and jobs can be created. Creating such an opportunity city involves the following:

2. Citizens need to be safe in their city. However, safety is a broader issue that goes beyond policing. A truly safe city manages disasters and risks, enforces traffic regulations, and provides fire and rescue services. Safety is essential to the public enjoyment of open spaces, city beaches and nature reserves.

3. In order to be a world-class city, Cape Town must be welcoming to all people, and it must make residents feel that their government is doing everything it can to provide for them so that they can truly access opportunities.

4. An inclusive city is one where everyone has a stake in the future and enjoys a sense of belonging. While achieving this relies on the proper functioning of the programmes, citizens need to know that their government works for them, is accountable to them, and answers to them at all times.
Spatial Justice

Including
Land Use Schemes: Incorporate provision that enable redress in -
- access to land by disadvantaged Communities

Including
All Municipal Areas Flexible Provision - management of:
- disadvantage areas
- Informal settlements
- Former homelands

Including
Provision Accommodate access to:
- Secure tenure
- Incremental upgrading of informal areas

"Emphasis" Inclusion:
- Informal Settlements
- Former Homeland Areas
- Poverty & Deprivation

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Consider
Application May not:
- Be impeded or restricted solely on value of land

Redress development imbalances 1.

Improved Access & use of land

SPLUMA/LUPA
Spatial Justice

**Spatial Development Framework**
- Inclusion, integration of disadvantaged areas

**Land Use Scheme**
- Flexible procedures

Does it allow for rectification of formerly disadvantaged or excluded areas?
Economy

Sustainability

Economy

Social

Environment

The principle of SPATIAL SUSTAINABILITY whereby:

- Promote land development in locations that are sustainable and limit urban sprawl
- Promote and stimulate the effective and equitable functioning of land markets
- Uphold consistency of land use measures in accordance with the environmental instruments
- Promote land development that is spatially compact, resource frugal and within the fiscal institutional and administrative means of the competent authority
- Special consideration to the Protection of prime agricultural land
MINIMISING negative impacts of administrative procedures

OPTIMISING existing resources and infrastructure

Efficiency
OPTIMISING existing resources and infrastructure
OPTIMISING
existing resources and infrastructure

City of Cape Town examples:
Built Environment Performance Plan
- Optimise spatial targeting and alignment between sector plans
- Facilitates the development and use of performance indicators to monitor and optimise the efficient use of land and infrastructure.

Transit Oriented Development (TOD)

Densification Policy and Density Priority Zones
Relevant Considerations:

(a) land development should optimise the use of existing resources, infrastructure, agriculture, land, minerals and facilities;

(b) integrated cities and towns should be developed, whereby—

(i) the social, economic, institutional and physical aspects of land development is integrated;

(ii) land development in rural and urban areas in support of each other is promoted;

(iii) the availability of residential and employment opportunities in close proximity to, or integrated with, each other is promoted;

(iv) a diverse combination of land uses is promoted;

(v) the phenomenon of urban sprawl in urban areas is discouraged and the development of more compact towns and cities with denser habitation is promoted;

(vi) historically distorted spatial patterns of settlement are corrected; and

(vii) the quality and functionality of the public spatial environment is promoted;

(c) policy, administrative practice and legislation should promote speedy land development.

MINIMISE negative impacts of decision-making procedures
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STREAMLINED development application procedures
Spatial Resilience

The principle of spatial resilience, whereby flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.

**DEFINITION:** Resilience is the capacity and ability of a community to withstand stress, survive, adapt, bounce back from a crisis or disaster and rapidly move on (Carpenter et al. 2012 p. 3249).
Spatial Resilience

Assumptions

• A resilient system is forgiving of external shocks.

• It is about the capacity to use shocks and disturbances like a financial crisis or climate change to spur renewal and innovative thinking.

• This disturbance takes many shapes, and the ones used within these definitions are stress, crisis, disaster or shock.

• Although they carry slightly different meanings, what they really point at is some sort of internal or external change.

Natural Disasters - changing climate (Cape Town Fires, Floods), earthquakes, tsunamis etc

Economic Disasters (Xenophobia, Farm Workers strike, unemployment, power failures etc).
Spatial Resilience

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SPLUMA / LUPA

How adaptable are our settlements to natural disasters?

SDF District Plans

LUMS

How can we plan for this?

Through the SDF, implement policies such as Coastal Setback Lines, Contingency plans for low laying areas in event of flooding, fires (fynbos).

Contingency Plans

Where do we plan Public Open Spaces?

Hard Open Spaces

Plan with Flood lines

Overlap Zones

LUMS
Spatial Resilience

Spatial Development Framework

- City of Cape Town Spatial Development Framework
- District Spatial Development Frameworks
- Local Spatial Development Frameworks
- Disaster Risk Management Plan
- Densification strategies
- Coastal set back lines
- Environmental Management Plans
- Climate change mitigation
- Integrated Human Settlement Plans

Land Use Management Systems

- Overlay zones in zoning schemes
- Building codes
- SAP integration with GIS
- Flexible zoning scheme regulations
- Red tape reduction
- TOD (Transport Orientated Development)
Good Administration

Integrated Approach

Sector inputs

Legislative Land development requirements met timeously

Transparency in all dealings

Public empowerment

Public consultation

Decision making minimise negative impacts

Procedures and timeframes adhered to by all

Decision making give effect to statutory requirements
SPLUMA Principles

- Spatial Justice
- Spatial Sustainability
- Efficiency
- Spatial Resilience
- Good Administration
Thank You