



Newsletter

PLANNING & TECHNOLOGY IN THE TIME OF A PANDEMIC

Foreword by Mr. Khetha Zulu, the SACPLAN Chairperson



As we come at the end of 2020, we look back at a year that have touched many parts of our lives. We have seen COVID-19 impacting on us in so many ways, the way we do things, the way we interact, and so much more. Zoom meetings, Microsoft Teams meetings, and Skype meetings have become a new norm of interacting. We have also seen

a second wave on COVID-19 infections local as well as internationally and the impact of such internationally.

In the August 2020 issue of the SACPLAN Newsletter we were getting ready to host the SACPLAN Women Planners Forum online event. The online event was held on 26 August 2020 and featured Dr Lulu Gwagwa (CEO of Lereko Investments) and Ms Yondela Silimela (Senior Urban Specialist in ECA - World Bank) as speaker. The panel consisted of Ms Raudhiyah Sahabodien from the Public Sector, Ms Gugu Sithole from the Private Practice, Ms Kiera Rampual a Young Planning Professional, and Prof Hope Magidimisha-Chipungu from the Academia. The online event was moderated by our very own Ms Nellie Lester. Ms Maartje Weyers from the SACPLAN Appeal Board provided the Vote of Thanks.

During the very successful World Planning Day 2020 Webinar held on 4 to 6 November 2020 with the title "the Paradox of Planning

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Implementation across the Globe, there were voices arguing that our planning to achieve sustainable development should not necessarily change. Calls for reducing densities, and other similar calls should not necessarily be the new norm. What is however true, is that this pandemic exposed our vulnerability as well as the impact of planning (or lack of planning) on vulnerable communities across the globe. This webinar was accessed by over 350 persons in a day with over 1000 person on Facebook and YouTube. The World Planning Webinar 2020 further strengthened the partnership between eThekweni Municipality, the University of KwaZulu-Natal (UKZN), the South African Local Government Association (SALGA), SACPLAN, the South African Cities Network (SACN), the Municipal Institute of Learning (MILE), and the International Society of City and Regional Planners (ISOCARP). This partnership is to be carried forward to future similar webinars.

In this issue of the SACPLAN Newsletter you will read an article from Professor Tshilidzi Marwala, the Vice-Chancellor and Principal of the University of Johannesburg and the Deputy Chair of the Presidential Commission on the Fourth Industrial Revolution with the title "Fourth Industrial Revolution and Urban Planning". The Presidential Commission was established to develop an integrated national response strategy. The CSIR in an article titled "Inclusive Smart Cities appropriate to the South African context" provided an insight in a study on smart cities conducted in 2019.

We also read the first of six articles in a series that explores ways that heritage is relevant to planners. The contributors are Quahnita Samie, a town planner practising as a heritage practitioner who runs her own consultancy, Vidamemoria and Peter Kantor, a practising advocate of the High Court of SA and environmental lawyer who specialises in heritage law.

This year we have celebrated the 71st World Town Planning Day. World Town Planning Day takes place every November 8th, bringing planners and communities together to celebrate how good planning improves the lives of people and benefits society at large, creating places to live, work and play. Argentinian professor Carlos María della Paolera started World Town Planning Day in Buenos Aires in 1949, and today, planners from over 30 countries celebrate the occasion with lectures, school competitions, fundraising, charity events, planning awards and street festivals. You can read the statement - A Plurality of Voices with Diverse and Relevant Experience to Advocate for Effective Planning issued by the Global Planners Network (GPN), of which SACPLAN is a member.

One of our colleagues also reflects on the Tafelberg judgement in an article called "Tafelberg judgement-cutting an umbilical cord from apartheid spatial geography."

I would like to thank our planners and partners who continue to contribute to the SACPLAN Newsletter and other partnerships with SACPLAN. I would also like to invite planners and partners to continuously update SACPLAN on planning highlights in their area of work. Taking about updating, please remember that registered planner can now also login to the SACPLAN website at www.sacplan.org.za to update your contact details and to download your new SACPLAN Registration Certificate. Planners are also reminded to include their SACPLAN Registration number when communicating with SACPLAN or making payments.

I would also like to wish you all a joyful and safe festive season and successful 2021 in every respect of your life.

Happy Reading



message from your council

MEETING WITH MINISTER THOKO DIDIZA

Minister of Agriculture, Land Reform and Rural Development



A delegation from SACPLAN met with Minister Thoko Didiza – Minister of Agriculture, Land Reform and Rural Development on 15 December 2020 to inter alia discuss the finalisation of the amendments to the PPA and Regulations, as well as the Identification of Planning Work.

During the meeting with the Minister, the Chairperson of Council pressed on the significance of the planning profession and the key role the profession has to play to effectively lead and co-produce development, in sustainable spatial development, and in the NDP and programme implementation.

Planners and the planning profession are central in the implementation of SPLUMA. Planners further have to play a central role in built environment creation and management.

A number of achievements as well as challenges were also raised. SACPLAN had developed a set of Rules to address the Identification of Planning work and requested the Minister to determine the stakeholders to be consulted as set out in Section 16(1) of the PPA.

The meeting and discussions with the Minister were very positive and the Minister indicated that a follow-up meeting will be held early in 2021 to further discuss and strengthen the cooperation between the Department and SACPLAN as well as the strengthening collaborative engagements of the Planning Profession. The Minister furthermore stressed the importance and necessity of planning and the planning profession in tackling urbanisation and development needs and requirements for the Country.

CPD SCORECARD SUBMISSION

Deadline: 31 January 2021 for planners registered before April 2018

Professional Planners and Technical Planners are reminded to submit your CPD Scorecard submission by the end of January 2021 if you were registered before April 2018. Please also remember that this would be the end of the first cycle of CPD scorecard submissions.

Please note that you need to complete and submit the CPD Scorecard only. You can email the completed scorecard to planner@sacplan.co.za. You should keep the evidence with you and only once audited on your submission do you need to submit the evidence.

In terms of the SACPLAN CPD Policy “Candidate Planners are not required to report on the CPD activities attended as part of the CPD reporting process.” Candidate Planners will include this as part of their Practical Training report submitted when submitting an application for registration with SACPLAN as a Technical Planner or Professional Planner.



FOURTH INDUSTRIAL REVOLUTION AND URBAN PLANNING

The 4th Industrial Revolution is fundamentally shifting every aspect of society through intelligent technologies and planning has to adapt

Tshilidzi Marwala

More than 25 year later, the legacy of apartheid is still apparent. Perhaps one of the greatest markers of this legacy is our spatial planning, which leaves huge swathes of our population out of reach from the central economic hubs. The inherent separation and exclusion that defined apartheid was not just limited to pass laws and separate development but in the fundamental way people were settled in the country. Designed to segregate and enforce policy-driven inequality, the group areas act to a large extent is still with us.

The Fourth Industrial Revolution (4IR), the era we have entered which is fundamentally shifting every aspect of society through intelligent technologies, has been touted as the key to finding solutions to many of our deep-seated issues. As we look at redefining urban planning, there are various technologies that can be deployed. If we intelligently use these technologies when we service remote areas of the country and densely populated areas for example, we could undermine the negative conversation over service delivery, which is often perceived as desperate and tainted in South Africa.

In August 2020, the Presidential Commission on the Fourth Industrial Revolution (PC4IR), of which I am deputy chair, released a set of eight recommendations. One of which is to build 4IR infrastructure which integrates with existing economic and social infrastructure. The infrastructure envisioned is data-enabled, software-based, and has cloud access.

Digital infrastructure is set to improve access to information and thereby promoting transparency of government processes and activities and in turn, build interconnected empowered communities. The 4IR can help to ease South Africa's vast service delivery challenges. For instance, we need to look at the generation and delivery of energy, the extension and improvement of water infrastructure and health and educational infrastructure to create a coherent and comprehensive infrastructure network.

“Regardless of where a pandemic starts, once underway, the poor tend to bear the brunt. They have weaker health and poor infrastructure systems and limited capacity to handle surges in cases.”

“Digital infrastructure is set to improve access to information and thereby promoting transparency of government processes and activities and in turn, build interconnected empowered communities. The 4IR can help to ease South Africa's vast service delivery challenges.”

This is significant when you consider that according to Municipal IQ, the rapid growth of informal settlements coupled with an unwillingness on the part of metros to accept them as a permanent reality has resulted in a slow response to the service delivery needs of communities in our largest metros.

We have already seen a piloting of programmes to tackle service delivery gaps.

Last year, Minister of Co-operative Governance and Traditional Affairs (COGTA) Dr. Nkosazana Dlamini-Zuma announced the piloting of a new district development model to address corruption, poverty, economic growth, unemployment, spatial planning and skills development in municipalities.

The model, which was launched in the eThekweni municipality, will “synchronise planning by all spheres of government and involve citizens and civil society in the development of South Africa’s 44 municipal districts and 8 Metros.” The idea behind the model is to manage urbanisation, growth, and development, support local economic drivers, accelerate land release and land development, invest in infrastructure for integrated human settlements, economic activity, and the provision of essential services and address service delivery problems in municipalities. At the end of July, the urgent roll-out of this model was announced based on 52 district and metro spaces that have been participated.

There are other avenues where we can use 4IR technology, particularly at a local government level. Artificial Intelligence (AI), for instance, can help improve urban planning by optimizing routes for transport operators, reducing commuters’ journey times – a particularly significant move given our urban layout. Traffic data could be utilized by municipal governments for the planning of roads and the monitoring of traffic patterns. This is quite a simple concept. This has already

been successfully piloted in cities in the United States. This makes use of an AI system which detects vehicles in images from traffic cameras. This information can be sent to a control center, where algorithms analyze traffic density. If the system detects congestion, it can direct traffic lights to re-route traffic, based on real-time data.

Machine learning could also provide myriad solutions in terms of water supply, for instance. From predictive analysis to manage our supply networks to data analysis to track water consumption and water end users, for instance to management of sewage treatment plants or desalination plants. AI could be used to predict which services such as water and sanitation have a shortfall. If this had been implemented ahead of the pandemic, we could identify which schools do not have access to water instead of the current inefficient manual audits. Much of this technology could have been deployed as solutions for the logistical nightmare of screening, testing, reaching the vulnerable and distribution of food parcels.

Of course, as one talks of spatial planning, often the forgotten segment is our vast informal settlements. This has to be at the centre of relooking at urban planning, particularly given how prevalent these settlements are but how often they are overlooked.

There is already technology in place that can map existing informal settlements. Machine learning datasets can be put in place to detect informal settlements. It is possible to detect informal settlements using freely available low-resolution (LR) data, which makes collecting this information easier. Researchers from several universities involved in the Frontier Development Lab Europe programme have developed two deep learning-based tools that can automatically classify informal settlements using freely available satellite and aerial imagery. While a global project, this has already been done in some South African informal settlements.

The first tool was trained to classify what the spectrum of an informal settlement looks like based on LR data and can detect everything that is and is not an informal settlement. The second tool used high-resolution (HR) satellite imagery, which was analysed to locate settlements that do not contain unique spectral data on low-resolution systems – this was a more cost intensive process. These kind of projects, however, are still in quite a nascent stage and they require securing and availing data to enable innovation, which is another recommendation of the PC4IR.

As the corona virus pandemic forces us to relook at policy and the ways our society functions, many of the answers could lie in the technologies of the 4IR. We may be able to subvert the narrative around our spatial planning yet.

Professor Tshilidzi Marwala is the Vice-Chancellor and Principal of the University of Johannesburg. He is the Deputy Chair of the Presidential Commission on the Fourth Industrial Revolution.

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INCLUSIVE SMART CITIES APPROPRIATE TO THE SA CONTEXT

CSIR Publication about Smart Cities in the South African Context

Covid-19 has highlighted, and in some cases exacerbated, existing challenges faced by South Africa's cities and towns. Planners are tasked to design and implement creative responses to address these challenges, and becoming a smart city is often proposed as a possible response.



There are many misconceptions about smart cities, and it is not always possible for role players, especially municipalities, to access objective, factual information about smart cities and smart technologies. Many companies offering support have vested interests and do not necessarily provide unbiased assistance and information since they are often suppliers of technologies and services. Municipalities need impartial decision-support to design and implement smart city initiatives that are appropriate to the local context.



Image Source: Brand South Africa

As cities and towns are increasingly pressured to become smarter, the Council for Scientific and Industrial Research (CSIR) embarked on a study on smart cities in 2019. This ongoing project seeks to develop a deeper understanding of the factors that must be considered when planning, designing and managing smart cities within the South African context. The CSIR study responds to a need for a South African interpretation of smart cities. The unique South African context calls for local and tailor-made interventions to develop settlements that are not only smart, but also inclusive. Any smart city initiative should contribute to the well-being of ordinary city dwellers and support the broad national vision for human settlements outlined in, among others, the National Development Plan (NDP), the Integrated Urban Development Framework (IUDF), and The Neighbourhood Planning and Design Guide (Red Book).

Through this project critical insights emerged, highlighting a range of challenges and opportunities associated with smart cities. Among others, the study found that an inclusive smart city would involve the interaction of a number of characteristics, including the following:

- **An inclusive smart city is smart for all:** Smart city initiatives should not be implemented at the expense of, or to the detriment of some parts of the city or certain sectors of society. This means that a smart city should ultimately benefit all those residing in the city, not only those with sufficient financial and other resources and enough of an understanding of technology to allow them to make use of smart initiatives.
- **An inclusive smart city uses information and communication technology (ICT) as an enabler rather than a driver:** Smart city initiatives should make use of ICTs as enablers rather than an end in itself. Smart responses to urban challenges are not limited to the application of digital technologies only. Opportunities should be identified to incorporate innovative and intelligent approaches involving a range of technologies and appropriate interventions.

- **An inclusive smart city is shaped by, and responds to, the local context:** Challenges that cities face are complex and diverse and these challenges differ from place to place. The development of different smart cities therefore each represent a particular journey, informed by a range of factors rather than a predetermined vision of what an “ideal” smart city should look like.
- **An inclusive smart city is co-produced by the community:** The active participation of the community in the identification, development and implementation of smart city initiatives is essential to the success of any smart city endeavour. Community participation requires people to be actively involved in decision-making from the very beginning of a project that would affect them. Communities should participate in the planning, design, implementation and management aspects, rather than only being involved after most of the critical decisions have been made.
- **An inclusive smart city embraces appropriate partnerships and innovation:** Collaborating with appropriate partners plays a significant role in the success of smart city initiatives. These partnerships should be between private and public sector and between communities and municipalities. Intergovernmental partnerships should be forged between different spheres of government and between different sector departments. The key is to establish partnerships that will contribute to the success of an initiative and support the overall aim of creating an inclusive smart city. It is therefore important to identify reliable partners that share the same values and objectives.
- **An inclusive smart city is a sustainable, resilient and safe city:** Smart technologies and initiatives should contribute to the development of sustainable human settlements in South Africa. Therefore, it is important that any smart city initiative’s impact on the economy and the people of the city, as well as on the natural environment should be considered. Smart city interventions should also contribute to a settlement’s ability to cope with future shocks and stresses, whether those are associated with climate change or with other disaster-related impacts. Lastly smart city interventions could be used to curb criminal behaviour and make settlements safer places to live.

Municipalities are continuously looking for ways to improve service delivery, effectiveness and efficiency and to realise their visions for the future. The outcomes of the CSIR study provide valuable information that could assist municipalities embarking on a smart city journey. Engagements with different role players also highlighted the need for capacity development of municipal officials and councillors with respect to the smart city basics and a South African interpretation of inclusive smart cities. This specific capacity development effort will have to be coordinated with other capacity development processes. However, the responsibility for building smarter cities does not rest solely with municipalities. Partnerships are at the centre of any smart city initiative and any effort requires commitment from all key role players, including all spheres of government, the private sector and local communities.



Image Source: Shutterstock

The CSIR publication titled “Inclusive smart cities appropriate to the South African Context” is available online at: <https://www.ukesa.info/library/view/inclusive-smart-cities-appropriate-to-the-south-african-context2>

For further information, contact Engela Petzer at epetzer@csir.co.za or Matsubu Ragoasha at mragoasha@csir.co.za.



a word from the profession

71ST WORLD TOWN PLANNING DAY STATEMENT

A Plurality of Voices with Diverse and Relevant Experience to Advocate for Effective Planning



Every person and community in the world today is impacted by a deepening climate and biodiversity crisis. If we do not dramatically accelerate climate action, the irreversible degradation of much of the natural world and impact on communities and economies globally are unparalleled catastrophes in the making. This backdrop has been gravely compounded by the current health, economic and social crises since the outbreak of the COVID-19 global pandemic. Planning can and will help us to respond to our changing economies and lifestyles. It will support communities to adapt, thrive and build resilience for a truly sustainable future.

Urban and territorial planning serves to balance the competing demands and needs of all people and of the built and natural environment. That is why planning is central to humanity's efforts to safeguard our land, homes, economies and natural habitats so that future generations might enjoy the same benefits as the present ones. So that we may confidently advance towards global, inclusive, fair and sustainable prosperity, as outlined by the New Urban Agenda and the more holistic Sustainable Development Goals - within the ability of our planet to regenerate the excess of resources we have consumed over the past decades. Following our Abu Dhabi Declaration in February 2020, we assert that there can be no sustainable development without sustainable urbanisation and no sustainable

World Town Planning Day takes place every November 8th, bringing planners and communities together to celebrate how good planning improves the lives of people and benefits society at large, creating places to live, work and play. Argentinian professor Carlos María della Paolera started World Town Planning Day in Buenos Aires in 1949, and today, planners from over 30 countries celebrate the occasion with lectures, school competitions, fundraising, charity events, planning awards and street festivals.

urbanisation without effective planning. Political support, financial backing and human capacity is required for effective planning. Today, on the 71st anniversary of World Town Planning Day, and with less than a year to go the COP26 summit in Glasgow, we look forward to global planners coming together to discuss our collective response for bold national climate ambitions and effective and localised climate action. The COVID-19 global pandemic has reeked devastating impacts around the world. However, it has also shone a light on potential pathways towards sustainable development. We must not waste this opportunity of a clean, green and inclusive recovery from this global pandemic. This year World Town Planning Day marks the end of the first year of the "Decade of Action". We must continue to provide leadership to our communities and empower them to engage in climate action and planning for the world we need and can sustain. We also need to be looking out for and supporting each other as the global pandemic has taken a toll on the mental health of our colleagues and communities.

HERITAGE AND PLANNING

Exploring the Relevance of Heritage for Planning

This is the first of six articles in a series that explores ways that heritage is relevant to planners. Our chief contributors are Quahnita Samie, a town planner practising as a heritage practitioner who runs her own consultancy, *vidamemoria* and Peter Kantor, a practising advocate of the High Court of SA and environmental lawyer who specialises in heritage law.

In practise, heritage is framing significant aspects of the past to be thought about in the future. In this regard, the role of planners cannot be underestimated. Structures, concepts and patterns of civilization etched into a town or landscape, imposed on the present are bound to become part of its evolution. Heritage law aims to conform the processes of change to current values. In this series we will discuss the various heritage triggers, answer key questions regarding planning implications and discuss case studies. This first article provides an overview of the main parts of the legislation that planners need to engage.

The term heritage means different things to different communities and within different contexts. Here, we are concerned with the legal definition of heritage. Our chief heritage statute is the National Heritage Resources Act (Act 25 of 1999), which defines concepts that heritage comprises, such as heritage

resources, cultural significance and living heritage. The national estate comprises those heritage resources of South Africa, which are of cultural significance or other special value for the present community and for future generations, and includes - but is not limited to - places, sites, landscapes, townscapes, graves and objects.

Heritage management provides an interactive system to manage heritage resources and to empower civil society to nurture and conserve them for future generations. The Act makes use of the concept of heritage significance, and allocates a national agency, SAHRA, to manage heritage resources of national significance (Grade I), provincial heritage resources authorities to manage those of provincial or regional significance (Grade II), and the rest (Grade III) for local authorities to grade, assess and manage. Provincial authorities undertake most of the function of heritage management, and local authorities play their part chiefly via their planning schemes and spatial development frameworks. A separate article in this series will be devoted to the latter.

Section 5 of the Act sets out all-importance **general principles of heritage management**, which describe the Act's underpinning values. These apply not only to authorities but to all persons who perform functions or exercise powers in terms of the Act. Planners will therefore need to be familiar with these principles and will come face to face with them. Some deserve special mention (though all are important):

- Heritage resources have lasting value in their own right and provide evidence of the origins of South African society and as they are valuable, finite, non-renewable and irreplaceable they must be carefully managed to ensure their survival.
- Every generation has a moral responsibility to act as trustee of the national heritage for succeeding generations and the State has an obligation to manage heritage resources in the interests of all South Africans.
- Heritage resources have the capacity to promote reconciliation, understanding and respect, and contribute to the development of a unifying South African identity.
- The skills and capacities of persons and communities involved in heritage resources management must be developed.

“In practise, heritage is framing significant aspects of the past to be thought about in the future.”

- Heritage resources form an important part of the history and beliefs of communities and must be managed in a way that acknowledges the right of affected communities to be consulted and to participate in their management.
- Heritage resources contribute significantly to research, education and tourism and they must be developed and presented for these purposes in a way that ensures dignity and respect for cultural values.
- Policy, administrative practice and legislation must promote the integration of heritage resources conservation in urban and rural planning and social and economic development.

Formal protections involve detailed processes for the formal declaration of national and provincial heritage sites, provisional protection, the designation of protected areas and heritage areas by local authorities in their spatial plans, the declaration of heritage objects and issuing of export permits for heritage objects and the conservation of burial grounds.

“Section 34 states that no person may alter or demolish any structure or part of a structure which is older than 60 years without a permit issued by the relevant provincial heritage resources authority.”

General protections, which are often the subject of specialist heritage input, are a catch-all subject to permits and conditions. **Section 34** states that no person may alter or demolish any structure or part of a structure which is older than 60 years without a permit issued by the relevant provincial heritage resources authority. Larger scale developments require prior approval after screening for heritage resources and where necessary the submission of a heritage impact assessment in terms of Section 38 of the Act.

A familiar aspect of the Act to planners is the **notification of intent to develop (NID)**. Submission of a NID is the first step in the statutory process in terms of Section 38. Where required, formal response to notification serves as the brief for further work to be conducted, ie a **heritage impact assessment**. Case studies in this regard will be presented including consultation processes and the implications for planning processes. The heritage impact assessment is a stand-alone statutory process. Where an environmental process is required, the HIA is to be submitted to the relevant authority in terms of Section 38(8) for comment.

As with any specialist area, it is advised that heritage practitioners should be consulted at the earliest planning stages for their skill and knowledge of heritage management and the values that conserve our heritage for future generations. We look forward to unpacking the implications of heritage processes in terms of planning processes and engaging SACPLAN members in this regard.

Please feel free to email any queries you may have or specific topics you would like covered in the series: info@vidamemoria.co.za

TAFELBERG JUDGMENT

Cutting an umbilical cord from apartheid spatial geography

Our cities continue to reflect and be shaped by apartheid spatial geography. They continue to be decided along racial and class divide namely between rich and poor areas, white and black areas, townships and suburbs and even newly developed government led housing developments and private sector led housing developments.

It is no secret that majority of Africans continue to live far from their workplaces, economic opportunities, and even away from social amenities. As such, they travel far distances to reach places of work, school, and leisure and other social economic opportunities.

Therefore, provision of well-located, mixed used and affordable housing development is a necessary intervention for government to undermine persistent apartheid geography. This intervention will assist us in creating a different future for our residents. This in the main will rise to a people-centred government where the needs of communities, their safety, comfort and economic well-being are placed at the core of urban planning.

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You will recall that in 2010, the City of Johannesburg launched the Constitutional Court regarding the powers of Gauteng Development Tribunal in deciding applications for land developments in the municipal areas where their jurisdiction overlapped. In their court challenge the City complained that approvals by the Gauteng Development Tribunal failed to consider the City’s development planning instruments.

It further argued that the Gauteng Development Tribunal was making land use management decisions and bypassing municipal land-use planning processes based on the Development Facilitation Act (DFA). When delivering its judgement, the Supreme Court of Appeal (SCA) held that this violates municipalities’ right to administer ‘municipal planning’, listed in Schedule 4B of the Constitution as a municipal power. The SCA concluded that, when the Constitution provides that municipalities have authority over ‘municipal planning’, it includes land-use planning and management.

In confirming this judge, the arguments revolved around the meaning of ‘municipal planning’. At the time, the key question was whether the term ‘municipal planning’ in the Constitution includes the power to authorize land rezoning and the establishment of townships, which provincial tribunals were also doing in terms of the DFA.

The Constitutional Court held that the word ‘planning’ in ‘municipal planning’ is different from the word ‘planning’ in ‘provincial planning’ and ‘regional planning and development’. In that context, the term is commonly used to define the control and regulation of the use of land.

Certain sections of the DFA were declared unconstitutional and this judgement was subsequently confirmed by the Constitutional Court. It further confirmed that none of the provincial powers of ‘regional

planning and development’, ‘provincial planning’ and ‘urban and rural development’ gave provincial governments the right to authorize land rezoning and establish townships similar to that of municipalities. The Court thus agreed with the SCA that the DFA is unconstitutional insofar as it empowers provincial tribunals to grant applications for rezoning and establish townships.

As a response, to this judgement in 2013, parliament enacted the Spatial Planning and Land Use Management Act (SPLUMA). In the main SPLUMA is intended to provide national, provincial and

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municipal spheres of government with a framework relating to the establishment of policies and systems relating to planning and land use management.

However, we all know that the legacies of apartheid spatial planning and geography continue to persist. These have created numerous spatial challenges for government, and these include among others but not limited to spatial injustice, spatial unsustainability, lack of spatial quality, spatial inefficiencies, lack of spatial resilience and limited capacity of the state to drive spatial planning and governance.

Hence in 2016, Cabinet approved the Integrated Urban Development Framework (IUDF) which is aimed at

providing a policy framework on how the South African urban system can be reorganized, so that our cities and towns become more inclusive, resource efficient and good places to live, work, shop and play in, as per the vision outlined in the National Development Plan. The IUDF seeks to foster a shared understanding across government and society about how best to manage urbanization and achieve the goals of economic development, job creation and improved living conditions for our people.

Fast-forward to the Tafelberg judgement, in the main what these communities were raising was that besides the fact that there has been a plethora of legislations and policies aimed at dismantling apartheid spatial geography, it continues to exist and shape their daily lives. For example, South Africa is regarded as having an unequal society in the world, segregated human settlements continues, and access to services remains an elusive dream to many, unsustainable and aging infrastructure networks and unsustainable land use patterns.

These and other issues were the gist of the constitutional attack by communities that after 25 years post democracy, spatial apartheid geography continue to persist in Cape Town, City of Johannesburg, Ekurhuleni Metropolitan Municipality, eThekweni Metro, Mangaung City, Nelson Mandela Bay Metropolitan Municipality and other small towns in South Africa. It is against this background that the Tafelberg judgement is regarded as a landmark and turning point for the country in many respects.

This judgement not only serves as an instruction to government to work with communities in advancing land justice, but it also provides clarity and reaffirms that the provincial government has an obligation to work with municipalities in ensuring that well located land is used for affordable housing.

A view which that advanced but because legislative uncertainties that existed it remains an elusive dream for many communities. From a socio-economic and inclusive justice point of view, it also confirmed that communities are the makers of their future.

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This is in line with SPLUMA principles and reaffirms the core principles that are contained in the NDP of ensuring the achievements of a decent standards of living for all South Africans by 2030.

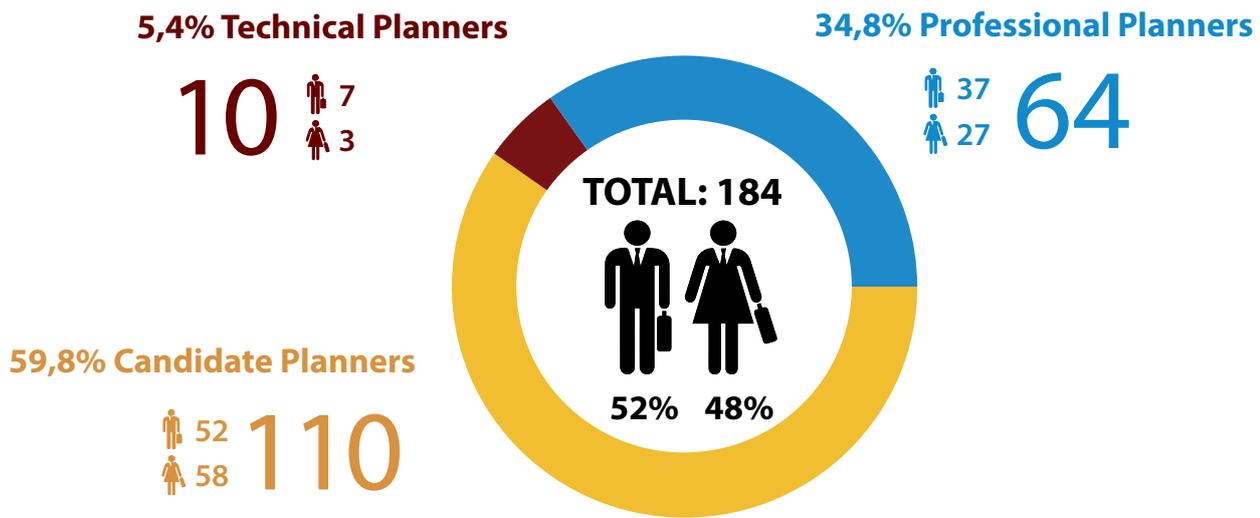
This judgement propels government towards effectively cutting an umbilical cord from apartheid spatial geography and creation of sustainable and integrated human settlements for all. In the main, this judgement further provides government with a mechanism to give effect to the Constitutional imperatives of re-imagining, re-defining, re-stitching and remaking of our cities.

Mr Msizi Myeza holds MSc in Development Planning (WITS), BSc Town and Regional Planning (WITS) and National Diploma in Town and Regional Planning (M.L. Sultan Technikon), and is employed as a Group Head: Strategy and Administration in the City of Tshwane and writing in his personal capacity.

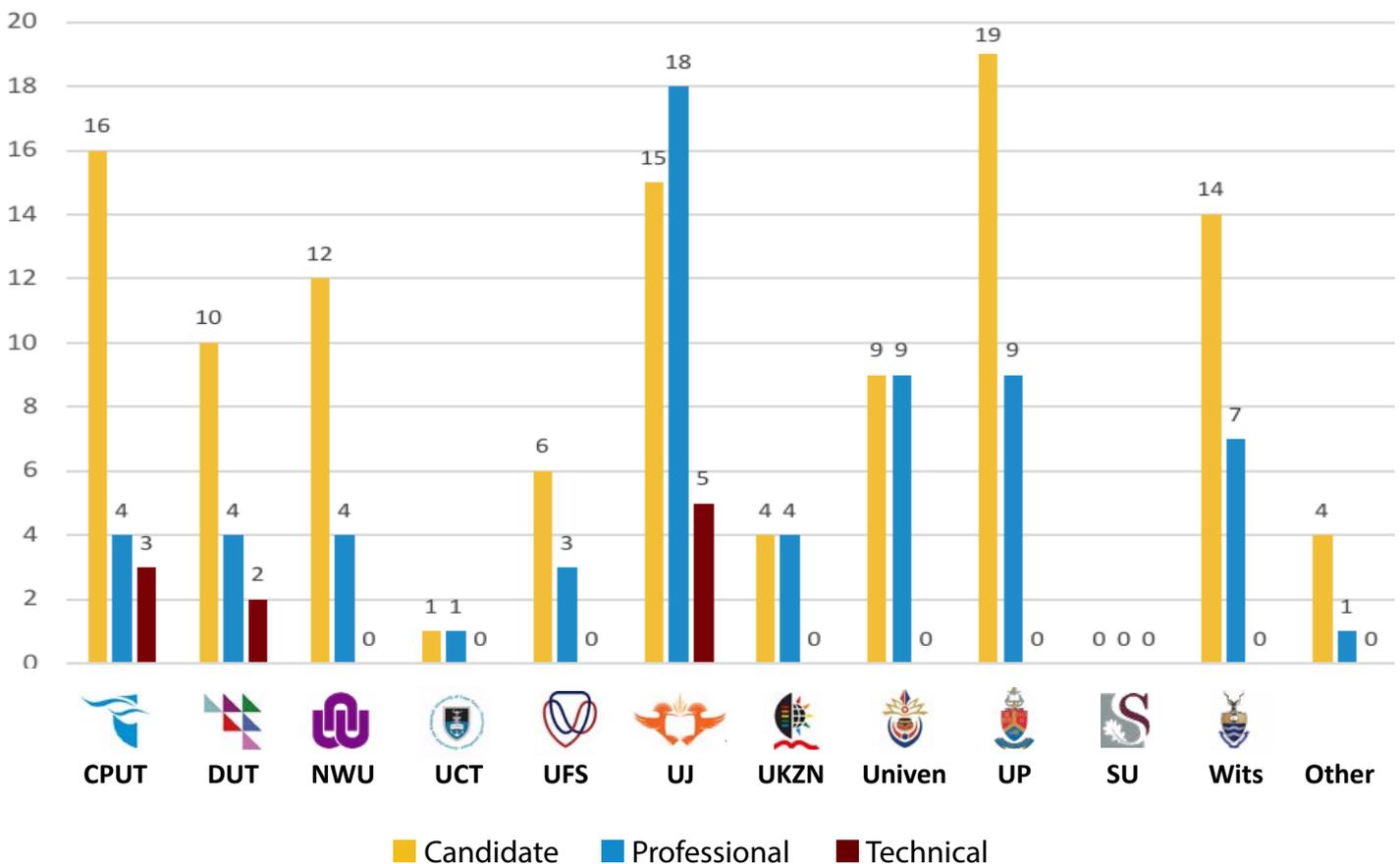
NEW REGISTRATION STATISTICS

Statistics for Applications Approved during the September and November 2020 Assessments

New registration category and gender distribution



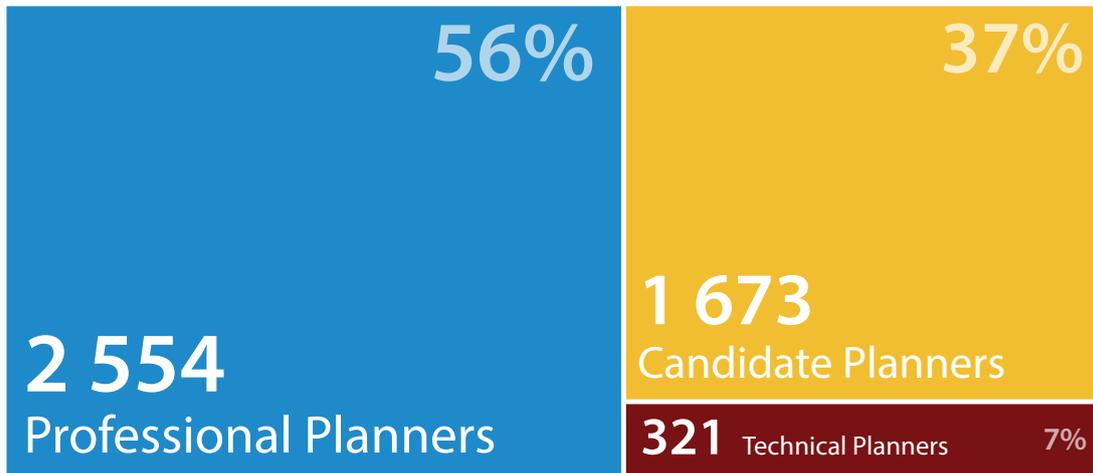
New registration distribution between Planning Schools



TOTAL REGISTRATION STATISTICS

Total Number of Registered Planners as of last registration round in November 2020

4 548 Registered Planners



Do you want to contribute to the SACPLAN Newsletter?



Published submissions counts for CPD points under Focus Area 3.10

Submission Deadline: 28 February 2021

For more information or to submit your submissions please contact:
Mr Martin Lewis at planner@sacplan.co.za

COVID-19 LOCKDOWN

Since the lowering of the Lockdown level to level 1 the SACPLAN Office has further opened.

For any Financial queries please email:

accounts@sacplan.co.za

For Candidate Planner or Candidate Student Planner applications queries please email:

Lhlongwa@sacplan.co.za

For Technical Planner and Professional Planner application queries
please email:

Smaponyane@sacplan.co.za

For General queries or request for information please email:

planner@sacplan.co.za

You can now login to the SACPLAN website to update our information online and to download
your new Registration Certificate.



SACPLAN CONTACT INFORMATION

**Head Office:**

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Midridge Office Park-1st Floor, Block G, South Africa

GPS Coordinates:

S 25° 58' 34.0"

E 028° 07' 15.2"



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The Chief Executive Officer/Registrar - Martin Lewis: planner@sacplan.co.za

Registration Queries: planner@sacplan.co.za

Invoice Queries: accounts@sacplan.co.za

Statement Queries: accounts@sacplan.co.za

General Queries: planner@sacplan.co.za



LinkedIn: <https://www.linkedin.com/groups/3851414/>



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