



◆ Code of Ethics and Professional Conduct for Urban and Regional Planning Profession

◆ The National Planning Commission

◆ Work Reservation — are we serious about this?

By Adv. Petrus Steyn  
(Futurescope Town Planners)

◆ Professional Designation changed

◆ Call for Articles

◆ Did you know?

Please remember to update your contact details

SACPLAN is in a process to update its Database and you would have received a **Schedule of Personal Details** form. You are requested to check your details on this form and to return the form even if there are no changes to the information. We want to thank those of you that have returned your forms. The Office is also in the process of sending out the Invoices for the 2011/2012 year (1 April 2011—31 March 2012). If you have not received your invoice and/or have not received a **Schedule of Personal Details** form you are requested to email SACPLAN at [planner@sacplan.co.za](mailto:planner@sacplan.co.za) and we will revert back to you in this regard. Once we are completed with the sending out of the invoices we will start sending out statements that would reflect payments made and any arrears. Please

## MESSAGE FROM THE CEO

also inform your colleagues of this. If they have not received a copy of such a form with their Personal details, they should contact SACPLAN.

## CODE OF ETHICS AND PROFESSIONAL CONDUCT FOR THE URBAN AND REGIONAL PLANNING PROFESSION

A Code of Ethics and Professional Conduct for the Urban and Regional Planning Profession was advertised on 17 June 2011 – Notice 347 of 2011 for general information and public comment (in writing) within 30 days from the date of publication.

Comments must be submitted to:

- ◆ CEO/Registrar, South Africa Council for Planners, PO Box 1084, Halfway House, 1685
- ◆ Alternatively, comments may be faxed to the CEO/Registrar on fax number 011 3180405

Enquiries may be directed to the CEO/Registrar on the telephone number 011 3180460.

A copy is available from the SACPLAN website.

## SACPLAN VISION

To pioneer the founding spirit of innovation in the facilitation of sustainable and inclusive development in the planning profession

## SACPLAN Motto

*Reinvent Planning, Changing Lives*

## THE NATIONAL PLANNING COMMISSION

## WORK RESERVATION – ARE WE SERIOUS ABOUT THIS?

By Adv. Petrus Steyn  
(Futurescope Town Planners)

The National Planning Commission (NPC) was established in May 2010 to make recommendations on issues that affect South Africa's long-term development.

The commission is now releasing its initial findings to the public for debate and consultation.

The Timeline set for the process are as follows:

- **MAY 2010** — Commissioners appointed
- **JUNE 2011** — The diagnostic document and vision elements tabled for public debate
- **OCTOBER 2011** — Draft plan with key targets for 2030 released
- **NOVEMBER 2011** — Final plan tabled with Cabinet
- **2012** — Commission produces detailed reports about South Africa's long-term development

### How to participate in the National Plan

The NPC has started with a three months public consultation process in an effort to achieve consensus for the road ahead for South Africa. The document outlines the key challenges confronting South Africa. The full document is available at [www.NPCOnline.co.za](http://www.NPCOnline.co.za)

Comments can be sent to:

Email: [comments@npconline.co.za](mailto:comments@npconline.co.za)

Tel: (012) 308 1791

Post: Union Buildings,  
Private Bag X 1000,  
Pretoria,  
0001

Fax: 086 683 5479

Twitter: [@npcSA/http://twitter.com/npcSA](https://twitter.com/npcSA)

Facebook: <http://www.facebook.com/npcSA>

Section 16 of the Planning Profession Act, 2002 (PPA) provides for the identification of planning profession work. In this regard it is, inter alia, stated that SACPLAN must enter into in consultative process regarding the identification of certain areas of planning work to be reserved for registered persons, including work which may fall within the scope of any other profession.

Circa 2007/08 there were some actions in this regard, which, amongst others, lead to an article in De Rebus, under the heading '*LSSA (Law Society of South Africa) warns planning professions against monopoly in reserving work*'.

It is the writer's submission that this matter should be addressed as a matter of urgency by the current Council and be finalised.

Reason for this is that the Act, as referred to above, not only protects registered planners, but also serves as a protection for the general public, relying on the services of planners, to assist them with property related matters.

It is therefore in the interest of both the planners as well as the public that this matter be finalised.

I also wish to comment on some of the issues raised by LSSA in their reaction in De Rebus:

1. '*... the LSSA pointed out that the planning profession comprises persons trained in spatial planning.*' In this instance 'spatial planning' as used in this sentence is submitted to be a very wide term. Planners, and I am involved both at the NWU

and UJ, are not only trained in spatial aspects of planning, but also in some planning law aspects relating to the preparation, submission and finalisation of land use applications in terms of relevant acts and ordinances.

Further to this the education and training of town planning students are one of the most multidisciplinary courses offered at the various planning schools in South Africa. The advantage of this training is that planners are therefore capable of not only dealing with the legal issues forming part of applications, but also by applying their minds in arguing applications and the merits thereof;

2. '*... the planning profession was seeking to protect work firstly for its members' economic interests, and secondly in the public interest, since planners perform a host of public functions.*' Firstly to state that this regulations referred to will protect work for planners' economic interests should be viewed in more detail. It is submitted that this is the same situation with attorneys, conveyancers and the alike, where the professions acts for these specific professions exclude other professionals from conducting their specific work. The second statement, namely that it will be done in the public interest is agreed to. Reason for this was already outlined above – the purpose of the PPA is also to protect the general public from those who think that they can do, amongst others, land use applications and then fail therein;

3. ‘... many of the areas of work contained ... are the legitimate domain of many non-planners’. Reason for this comment is really not clear, taking into consideration that this comes from the mouthpiece of lawyers in SA, namely the LSSA. Reason for work reservation will be to ensure that town planners are executing work specified for them, linked to their training, as well as requirements to be registered as a specific category of planner in terms of the Act. In the same line it is surely also true that there are work being executed by lawyers that can be considered to be non-lawyer type of work;

4. ‘... Lawyers routinely prepare and lodge land development applications for projects .... Rezoning and special consent and DFA applications fall into this category ...’ – why should this type of action be allowed. Surely there are nowhere in the curriculum of LLB-degrees in South Africa town planning / statutory planning as part of this course. Perhaps the issue to be addressed here is that LSSA view land development matters as work routinely done by lawyers – it is considered as a paper routine to apply for land use rights, and not a professional approach to this.

The issue to be addressed by SACPLAN, in consultation with the various role-players and parties being affected by this work reservation, is firstly the reason why this should be done – if it is merely due to a certain section in an Act – then it will serve no purpose – on the other hand – if it is to protect the public and the profession and to contribute towards a certain professional standard – then it will serve a purpose and will move into the right direction.

The above are only a few remarks on this matter. It is submitted that SACPLAN should, as provided for in the PPA make this matter one of their objectives and work towards the finalisation of this matter!

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## Professional Designation changed

It has been found that a number of Registered Professional Planners are still using the designation of TRP(SA).

In terms of Section 13(6) of the Planning Profession Act, 2002, the Council may determine abbreviations or acronyms for the categories of registration.

The Council on its meeting of 12 November 2010 resolved as follows:

- That the title/designation for Professional Planners be **Pr. Pln** with the registration number
- That the title/designation for Technical Planners be **Tch. Pln** with the registration number.

This new designation came into operation on 1st January 2011. Although this information was emailed it seems that a number of Professionals and Technicians have not received this email.

All Registered persons are requested to take note of the new designation that must be used.

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## CALL FOR ARTICLES

SACPLAN Bulletin urge all registered persons to contribute to this news-

letter and share interesting news, dates, facts, happenings, projects, etc. regarding planning and development issues.

SACPLAN Bulletin is an electronic newsletter that will be distributed on a bi-monthly basis to registered persons who's information on our Database is up to date.

## Did you know?

The Council consists of the following members appointed by the Minister of Rural Development and Land Reform:

- Two planners in the full-time employ of the Department;
- One planner in the employ of a Provincial Government;
- Two planners in the employ of the municipal sphere of government, one of whom shall be from a municipality which is mainly rural in character and the other from a municipality which is mainly urban in character;
- Three planners from the planning education and training sector;
- No more than three but at least one person to represent the interests of communities who are or may be affected by planning decisions;
- Three planners in private practice.

For advertising opportunities please contact [planner@sacplan.co.za](mailto:planner@sacplan.co.za)

The individual opinions raised within the electronic newsletter is not that of SACPLAN or its Council Members.



The South African  
Council *for* Planners  
S A C P L A N

## For Contributions to the SACPLAN Bulletin

Please contact Martin Lewis at [planner@sacplan.co.za](mailto:planner@sacplan.co.za)

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