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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 2019 OF 2023



MINISTER
AGRICULTURE, LAND REFORM AND
RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

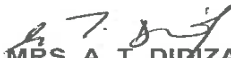
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NOTICE OF THE DRAFT NORMS AND STANDARDS IN TERMS OF SECTION 8 OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT (16 of 2013)

I, Angela Thokozile Didiza, Minister for Agriculture, Land Reform and Rural Development, hereby publish draft Norms and Standards for Spatial Planning and Land Use Management (SPLUM) as developed in terms of Section 8 of the Spatial Planning and Land Use Management Act No. 16 of 2013 (SPLUMA). In terms of Section 8(1) of the SPLUMA, the draft Norms and Standards for SPLUM is hereby published for consultation with organs of state in the provincial and local spheres of government and therefore, all interested persons, organisations, institutions and representatives are invited to make inputs, comments, proposals and representations on the draft Norms and Standards for SPLUM.

The draft Norms and Standards for Spatial Planning and Land Use Management is available at <http://www.dalrrd.gov.za>. An electronic copy can be requested via email to SPLUMA@dalrrd.gov.za. All representations must be in writing and addressed for attention of the Director-General via email to SPLUMA@dalrrd.gov.za within **sixty (60)** calendar days from the date of publication of this notice.

This is a further call for comments and does not replace the notice published in the Government Gazette No. 48630.


MRS. A. T. DIDIZA, MP

MINISTER: AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

DATE: 29/08/2023



Department of Agriculture, Land Reform and Rural Development · Departement van Landbou, Grondhervorming en Landelike Ontwikkeling · Muhasho wa zwa Vhulimi, Mbuedzedzo ya Mavu na Mveledziso ya Mahayani, uMnyango Wezollimo, Izinguquko Kwezomhlaba Nokuthuthukiswa Kwezindawo Zasemakhaya · Ndawulo ya Vurimi, Antswiso wa Misava na Nhluvukiso wa Matikoxikaya · Litiko Letekulima, Tingucuko Kuzemhlaba Nekutfutukiswa Kwetindawo Tasemaphandleni · UmNyango wezokuLima, ukuBuyiselwa kweNaha nokuThuthukiswa kweNdawo zemaKhaya · Kgoro ya Temo, Peakanyoleswa ya Naga le Tihabollo ya Dinaga · magae · Lefapha la Temothuo, Kabobotjha ya Naha le Tihabollo ya Dibaka tsa Mahae · Lefapha la Temothuo, Pusetso dinaga le Tihabollo ya Metsemagae · ISebe lezoLimo, uBuyekezo lwemihlaba noPhuhiso lamaPhandle





agriculture, land reform
& rural development

Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA

Norms and Standards for Spatial Planning and Land Use Management in Terms of Section 8 of SPLUMA

2021

Status: Draft

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1. Introduction

1.1 Purpose of this Document

The Department of Agriculture, Land Reform and Rural Development's (DALRRD) strategic objectives are corporate governance and service excellence through compliance within land administration and spatial planning for integrated and sustainable growth and development, among others. Section 8 of the Spatial Planning and Land Use Management Act, 2013 (Act No.16 of 2013) (SPLUMA) empowers the Minister of the DALRRD, after consultation with organs of state in the provincial and local spheres of government, to prescribe norms and standards that reflect national policy, promote social inclusion, spatial equity, desirable settlement patterns, and differentiate between areas, needs and types of land use where appropriate.

Accordingly, the purpose of this document is to set out norms and standards for spatial planning and land use management. The norms and standards are not intended to prescribe any binary outcome such as “yes” or “no” or what is permissible or what is not; rather they seek to promote a normative approach that will ensure wise use of land. In other words, the norms and standards are flexible and enable spatial planning and land use management to be undertaken in a manner that is responsive to the varying landscape of municipal capacities throughout the country.

1.2 Overview of policy and legislative framework

The Constitution sets out the country's developmental vision, including the commitment in the Preamble to “heal the divisions of the past” and “improve the quality of life of all citizens and free the potential of each person”, and in Chapter 10 of the Constitution that “public administration must be development-oriented”. These Constitutional principles lay the basis for the use of planning throughout government as a tool to ensure the activities of government are geared towards the country's development and transformation. In this regard, the legislative context influencing the development of national norms and standards is briefly set out below.

1.2.1 White Paper on Spatial Planning and Land Use Management

In July 2001, the minister of the then Agriculture and Land Affairs Department presented a white paper on spatial planning and land use management. This paper was arguable the first to introduce the concept of norms into the South African spatial planning milieu. The paper recognizes the relationship between principles and norms and spells out a range of principles that are intended to guide all land development actions and decisions, with each principle having a corresponding set of norms. It also describes why principles and norms are required for efficient spatial planning and land management, application of the principles and norms, and ways to operationalise the same. Table 1 provides a glimpse of the principles and corresponding norms as enunciated in the White Paper.

Table 1: Principles and Norms described in the White Paper on Spatial Planning and Land Use Management

Principle	Norm
The principle of sustainability requires the sustainable management and use of the resources making up the natural and built environment.	• Land may only be used or developed in accordance with law; • The primary interest in making decisions affecting land development and land use is that of national, provincial or local interest as recorded in approved policy; • Land development and planning processes must integrate disaster prevention, management or mitigation measures; • Land use planning and development should protect existing natural, environmental and cultural resources; and • Land which is currently in agricultural use shall only be reallocated to other uses where real need exists, and prime agricultural land should remain in production.
The principle of equality requires that everyone affected by spatial planning, land use management, and land development actions or decisions must enjoy equal protection and benefits, and no unfair discrimination should be allowed.	• Public involvement in land use planning and development processes must be inclusive of all persons and groups with an interest in the matter being decided; • Land use regulators and planning authorities must ensure that benefits and opportunities flowing from land development are received by previously disadvantaged communities and areas; and • The appropriateness of land use must be determined on the basis of its impact on society as a whole rather than only the applicant or immediate neighbours.
The principle of efficiency requires that the desired result of land use must be	• Land use planning and development should promote the development of compact human settlements, combating low-intensity urban sprawl;

Principle	Norm
produced with the minimum expenditure of resources.	• The areas in which people live and work should be close to each other; and • Plans for contiguous municipalities and regions should relate positively to each other.
The principle of integration requires that the separate and diverse elements involved in development planning and land use should be combined and coordinated into a more complete or harmonious whole.	• Land use planning and development decisions should take account of and relate to the sectoral policies of other spheres and departments of government. • Land use and development should promote efficient, functional and integrated settlements; • Land use and development should be determined by the availability of appropriate services and infrastructure, including transportation infrastructure; • Land use and development should promote racial integration; and • Land use and development should promote mixed-use development.
The principle of fair and good governance requires that spatial planning, land use management, and land development must be democratic, legitimate and participatory	• Affected parties have a right to access information pertinent to land use and development plans that are being considered by land use regulators; • Capacities of affected communities should be enhanced to enable them to comprehend and participate meaningfully in development and planning processes affecting them; • Decisions must be made in the public domain, with written reasons available to any interested party on request and no planning decisions taken behind closed doors; • The names and contact details of officials with whom the public should communicate in relation to spatial planning, land use management, and land development matters must be publicised; • Land use and development decisions must be taken within statutorily specified time frames; and • Accessible participatory structures should be created to allow interested and affected parties to express their concerns or support for any land use or land development decision at a sufficiently early stage in the decision-making process.

Source: White Paper on Spatial Planning and Land Use Management, July 2001

The paper recognizes that wise use of land needs to be supported by rational planning of all uses of land in an integrated manner, linking social and economic development with environmental protection, minimising conflicts and making the most efficient trade-offs. Through the norms and principles, the paper promotes

normative based spatial planning, land development, and land use management. It also clearly articulates that the principles and norms are not final as they require further actualization in specific and concrete contexts.

1.2.2 National Development Plan (NDP) 2030

“Spatial Planning in South Africa will be guided by a set of normative principles to create spaces that are liveable, equitable, sustainable, resilient and efficient, and support economic opportunities and social cohesion.”- National Development Plan (NDP) 2030.

In August 2012, the National Planning Commission (NPC) presented the NDP 2030. The Plan proposes a series of actions to eliminate poverty and reduce inequality by 2030. Chapter 8 of the NDP addresses the Transformation of Human Settlements; it proposes a national focus on spatial transformation across all geographic scales through an incremental approach within a long-term strategic vision as it will prevent organizational overload and political failure. The NDP pronounces a range of actions that need to be taken to transform human settlements and spatial planning pattern of the country.

Similar to the White Paper on Spatial Planning and Land Use Management (2001), it also proposes a normative approach for spatial planning flowing from a set of development principles. The development principles are briefly described below;

- Spatial justice- The historic policy of confining particular groups to limited space, and the unfair allocation of public resources between areas should be reversed and needs of the poor are addressed on priority basis
- Spatial sustainability- Sustainable patterns of consumption and production should be supported, and ways of living promoted that do not damage the natural environment.
- Spatial resilience- Vulnerability to environmental degradation, resource scarcity, and climatic shocks must be reduced. Ecological systems should be protected and replenished.
- Spatial quality- The aesthetic and functional features of housing and the built environment need to be improved to create liveable, vibrant and valued places that allow for access and inclusion of people with disabilities.

- Spatial efficiency- Productive activity and jobs should be supported, and burdens on business minimised. Efficient commuting patterns and circulation of goods and services should be encouraged, with regulatory procedures that do not impose unnecessary costs on development.

The NDP also clearly articulates the importance of principles and norms in relation to spatial planning and land development to reverse the apartheid geography. The development of the spatial norms and standards has been identified as one of the key actions of the plan. The plan proposes that norms and standards should be developed for a range of spatial transformation activities such as densifying cities, improving transport, locating jobs where people live, upgrading informal settlements and fixing housing market gaps (p-465, National Development Plan 2030). The development principles need to be translated into operational norms and standards that would guide the spatial planning process, contents of spatial plans, land development, and land use management activities. The norms and standards should support the overarching spatial vision of the NDP, specifically to;

- Tackle inherited spatial divisions
- Unlock development potential
- Guide and inform infrastructure investment and prioritisation
- Manage contemporary economic and demographic shifts
- Facilitate coordination between parts of government and other agents

1.2.3 Spatial Planning and Land Use Management Act, 2013 (SPLUMA)

SPLUMA was assented to by the president on 05 August 2013, and came into force on 01 July 2015. It is a legislative framework that focuses planning on an all-inclusive process relying heavily on Spatial Development Frameworks and Land Use Management Schemes. In addition to providing an integrative approach for comprehensive solutions to eradicate the spatial injustices of the past, the overall purpose of the SPLUMA is to provide a legislative framework for spatial planning and land use management planning regulation across all spheres of government.

Section 8 of the Act requires that national norms and standards be developed reflecting national policy, promoting social inclusion, spatial equity, and desirable

settlement patterns, maximising efficiency, analysing existing spatial trends and proposing alternatives, identifying strategic under-utilised land, standardising symbology and differentiating between areas, needs and types of land use where appropriate.

1.2.4 Intergovernmental Relations Framework Act (2005) (IGFR)

The Constitution (1996) states that 'government is constituted as national, provincial and local spheres of government which are distinctive, interdependent and interrelated' (section 40(1)). Each of the spheres is autonomous and enjoys the right to make final decisions on matters that fall within its respective area of competence. However, there many other various functions that are shared among these three spheres of government. On 15 August 2005, the IGRF Act was promulgated to give effect to the principles of cooperative governance.

This Act provides a framework for the establishment of intergovernmental forums and mechanisms to facilitate the settlement of intergovernmental disputes, and effectively realise the developmental goals of government as a whole. Owing to the need for both public and private considerations in the stakeholder engagement processes, the IGR legislative principles should inform the stakeholder relational management approach in the formulation of national norms and standards

1.2.5 Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000) (PAJA)

This Act gives effect to the right to administrative action that is lawful, reasonable and procedurally fair as well as to the right to written reasons for administrative action as contemplated in section 33 of the Constitution of the Republic of South Africa, 1996. It seeks to make the administration effective and accountable to people for its actions. Together with the Constitution it embraces the Batho Pele Principles and promotes South African citizens' right to just administration. This section of the Constitution also ensures that people have the right to ask for written reasons when administrative action has a negative impact on them¹. SPLUMA explicitly states that the norms and standards must be consistent with the provisions of this Act.

¹ PAJA Guide. 2017. Department of International Relations and Cooperation

2. Why do norms and standards matter?

Until the promulgation of the SPLUMA, the elements proposed in various spatial policies including the 2001 White Paper on Local Government, were not included in any legislation governing spatial planning and land use management². It was stated by the DALRRD (2014) in a presentation to the 8th National SALGA MM Forum Programme that the enactment of the SPLUMA has brought fundamental changes to spatial planning and land use management. The Act is a direct response to various challenges facing the planning domain and seeks to ensure the following overarching objectives, inter alia:

- The application of development principles as well as addressing the fragmented, and unsustainable spatial development patterns still characterising the country;
- Creating a single, integrated legal framework dealing with planning in a uniform way for the country; and
- Specifying the role of each sphere of government in the planning system.

In terms of Section 9(2) of the SPLUMA, the government must in accordance with SPLUMA and the IGRF Act develop mechanisms to support and strengthen the capacity of provinces and municipalities to adopt and implement effective spatial planning and land use management. Section 4 (a-d) of SPLUMA describes the spatial planning systems in South Africa, while Section 5 (1-3) indicates the categories of spatial planning.

The plans are supposed to be prepared based on the Development Principles as reflected in Section 7 (a-e) of the same Act. Spatial Development Frameworks have been made a requirement in the three spheres of government to ensure complementarity and supplementarity of plans. The SDF is seen as a core component of the municipality's economic, sectorial, spatial, social, institutional and environmental vision. The different types of SDFs identified are as follows: National SDF, Provincial SDF, Regional SDF, District SDF, and Local SDF.

² South African Cities Network, 2015.

Land Use Management is defined as a “process of establishing or implementing any measure to regulate the use or a change in the form or function of land, and includes land development”³. SPLUMA defines it as “a system of regulating and managing land use and conferring land use rights through the use of schemes and land use development procedures”. The norms and standards for the preparation of such schemes will have to be prepared to deal with the content, type and procedures to be followed in the management process

SPLUMA also makes provision for a normative planning approach, premised on five development principles from which norms and standards for spatial planning and land use management must emanate. The development of these norms and standards has ultimately become a matter of priority for the DRDLR. Section 8 of SPLUMA sets out that norms and standards must:

- Reflect the national policy, national policy priorities and programmes relating to land use management and land development;
- Promote social inclusion, spatial equity, desirable settlement patterns, rural revitalization, urban regeneration and sustainable development;
- Ensure that land development and land use management processes, including applications, procedures, and timeframes are efficient and effective;
 - Include- report on and an analysis of existing land use patterns
 - A framework for desired land use patterns
 - Existing and future land use plans, programmes and projects relative to key sectors of the economy and
 - Mechanisms for identifying strategically located and vacant or under-utilised land and for providing access to and the use of such land;
- Standardise the symbology of all maps and diagrams at an appropriate scale;
- Differentiate between geographic areas, types of land use and development needs; and

³ Guidelines for the Development of Spatial Development Framework, DRDLR, 2011:4.

- Provide for the effective monitoring and evaluation of compliance with and enforcement of this Act.

The objectives of the norms and standards are to promote social inclusion, spatial equity, efficient settlement patterns, rural revitalization, urban regeneration and sustainable development.

Approach and methodology

The formulation of the norms and standards drew largely from the 2017/18 Discussion Document on Norms and Standards⁴. This document identified a number of detailed categories for which norms and standards need to be developed. It identified two (2) broad categories, namely, Spatial Planning and Land Use Management. Each category contained a number of thematic areas for which norms and standards should be developed. The document also proposed that these norms and standards should address and respond to the unique spatial landscapes of urban, rural and peri-urban areas and should be developed through a consultative approach to increase their credibility and use.

2.1 Desktop study

The desktop study component of the norms and standards aimed to present a structure and framework on how the research findings can be further synthesised in a logical way so as to provide a framework to ultimately formulate the norms and standards. The study resulted in a plethora of terms and phrases associated with spatial development planning and land use management.

While many of these findings are familiar to the planning fraternity, it presented a good and holistic overview of the thinking, locally and internationally. It further included some of the more, perhaps not so familiar, new recent or emerging global and local directions and trends, and some alternative and novel approaches to spatial planning, e.g., focus on alternative energy and infrastructure, the fourth industrial revolution etc.

Together with the findings of the Discussion Document, a User-Friendly Guideline document by the DALRRD⁵ on how to apply the SPLUMA principles in planning was also used as an informant in the desktop study. This document, in support of the philosophy and aims of SPLUMA, presents guidelines on how to interpret and apply the SPLUMA principles in the various planning tools and processes such as: 1) the compilation of SDFs, 2) the various components of the Land Use Management

⁴ Commissioned by the DALRRD during 2017/18 to provide a framework with recommendations for the development of Norms and Standards for Spatial Planning and Land Use Management.

⁵ This was a separate but interrelated project done in tandem with the Discussion Document for Norms and Standards project during 2017/18.

System (LUMS); 3) the Land Use Scheme (LUS), and the decision-making processes. The following diagram, extracted from the aforesaid guideline document presents a snapshot of the SPLUMA principles and the sub principles in support of SPLUMA (see Figure 1.)

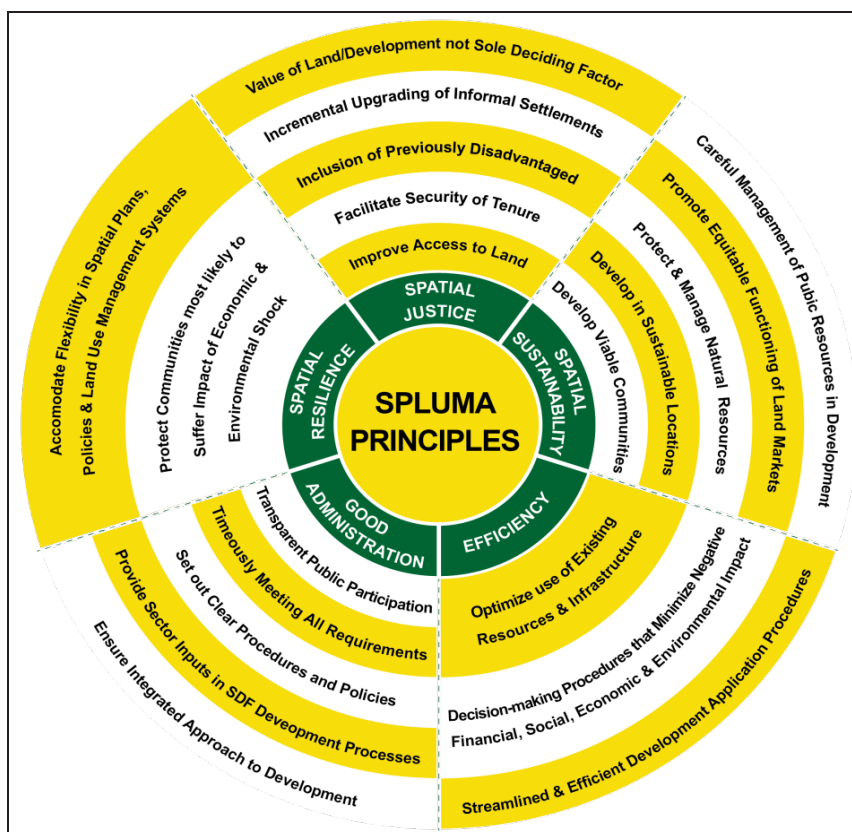


Figure 1: SPLUMA Wheel

For the purpose of the desktop studies, and ultimately developing norms and standards, the wheel (principles and sub principles) in Figure 1 was used as the basis for the desktop study. It should be noted that the categories and sub categories were further expanded to include the categories which were developed by the initial Discussion Document on Norms and Standards. In addition to this, the categories and sub categories were further expanded or grouped in themes as the desktop study unfolded and as additional information became available.

2.2 Definitions of norms and standards?

From the desktop study, it became obvious that various different terms or statements are being used to describe “norms” or normative statements or just terms that relate

to norms. For instance, many institutions or policies refer to terms such as principles, guidelines, strategic guidelines, strategic pillars, guiding principles, goals, objectives etc. While some of these bear the status of a rule or norm, or present the intent of what needs to be done, the distinction isn't always clear. However, these terms or statements that were collated from the desktop provided the content and essence of the issues or challenges (relating to the SPLUMA principles) which assisted in formulating the actual norms. On the other hand, the meaning of "a standard" seems to be somewhat clear as it relates to something used as a measure. The Social Housing Regulatory Authority (SHRA) (2019), defines norms and standards as documents that specify and define a set of common criteria, methods and procedures that must be used to achieve a benchmark in terms of compliance.

2.3 From Desktop Study to formulating the Norms and Standards

The desktop study brought to the fore a possible rationale for formulating norms in a structured way and within a specific larger rationale or context, for example to contextualise national norms, within the context of global visions, current national and local visions, development goals and principles as presented in the various policy documents. To this end, the process of formulating norms was based on a deductive process which involved the following:

- a) Recording and unpacking policy directions (visions, principles goals and phrases) of most prominent international policies such as the Millennium Development Goals (MDGs), e.g., alleviating poverty, as well as related concepts relating to such goal, e.g., stimulating economic growth and local economic development in impoverished areas.
- b) Unpacking the phrases of most prominent national policies such as the NDP 2030, its vision pillars, goals etc. as well as related concepts relating to such goals.
- c) Unpacking the phrases of most prominent local and sector policies such as Spatial Development Frameworks (SDFs), land use management plans, visions, goals etc. as well as related concepts relating to such goals.
- d) Spatial analysis of provincial and metro SDFs (spatial plan components) in order to assess gaps and misalignment between spatial structure and e.g., national goals in an attempt to address such gaps through appropriate norms

- e) In addition to the above, an analysis of existing land use patterns in the country, which was further split into provincial analyses.
- f) Environmental considerations were also taken into account and formed part of the framework for desired land use patterns as well as future land use plans in relation to key sectors of the economy.

3. Living document approach

We need to adapt and continuously learn and improve if we are to be able to meet the challenges posed by the complexities of built environment development. This document is the starting point for the industry and presents a strong foundation to build on. It should be viewed as a “living document”, aimed to be updated as and when necessary to ensure the industry is provided an opportunity to develop consensus on contentious issues.

4. Norms and Standards for spatial planning and land use management

4.1 Built environment

Part A: Redress, integration and spatial (re)structuring

This sub-category echoes the prevailing emphasis for spatial planning objectives, interventions, strategies and projects to address and redress imbalances of the past and fragmented development. Norms and standards in this category make provision for the development and implementation of strategies that are aimed at facilitating redress, integration, and spatial restructuring. They define the relevant broad scope, key elements and the objectives thereof.

Ref No.	Norms	Standards
A-1	Planning needs to overcome sectoral silos and ensure the development and implementation of basic services and infrastructure planning is geographically interconnected and coordinated.	• Collaborations between service providers, land developers and landowners to closely link spatial and sectorial / interdepartmental planning. • Better integration and coordination between services such as housing, water, sewerage and sanitation, energy and electricity, telecommunications and transport. • Spatial development plans aligned to government's programme of action as reflected in the policy and legislative framework.
A-2	Densification should be encouraged to create sustainable cities and combat low intensity urban	• Designed neighbourhoods of adequate density through infill or planned extension strategies to trigger economies of scale.

Ref No.	Norms	Standards
	sprawl.	Eased density restrictions in low density areas close to city centres and along public transport corridors, and permitting gradual densification throughout most parts of urban areas.
A-3	Land use management should balance public and private interests and ensure efficient patterns of spatial development.	Detailed and modern land use plans that contain zoning regulations to regulate land use and strategic plans to address land use decisions.

Part B: Identification and development of areas for new sustainable settlements in appropriate locations

This relates to the identification, prioritisation and development of adequate, safe, affordable and sustainable accommodation for all income groups, on suitable and well-located land administered in a transparent manner in accordance with good governance.

Ref No.	Norms	Standards
B-1	Spatial planning and land use management should facilitate more efficient land utilisation for human settlements development.	- Agreements with national, provincial and municipal landowners to release land that is close to urban centres and unutilised through proper planning at a provincial and municipal level. - The most appropriate land with potential for the development of sustainable integrated human settlements over a short-, medium- and long-term horizon identified. - Provision of tenure and services in well-located informal

Ref No.	Norms	Standards
		settlements as the first step in an incremental process of their transformation to sustainable human settlements.
B-2	Spatial development planning should support the incremental upgrading of informal settlements as well as previously disadvantaged areas.	• Indication of all informal settlements in urban and rural regions as well as their status and prioritisation where specific attention is needed to improve access to basic services and tenure security.
B-3	Land use regulations need to react to growing demand for housing.	• Regular assessment of land use regulations on their impact on housing costs, which has an implication on housing affordability. • Public policy that ensures housing is built in all price categories. • Compact and transit-oriented development where undeveloped land is being developed.

Part C: Appropriate symbology of all maps and diagrams at an appropriate scale

Section 8(2)(e) of SPLUMA stipulates that the norms and standards must standardise the symbology of all maps and diagrams at an appropriate scale. Norms and standards should therefore highlight several key elements that should be included in maps in order to aid the viewer to understand the communications of that map and to document the source of the geographic information used.

Ref No.	Norms	Standards
C-1	The manner of graphical representation of geographic maps, meta- data for tracking changes to land uses, the capture of existing land use trends, as well as diagrams, including colour and size of elements should be applied universally to promote uniformity.	Standardisation of only common structuring elements in spatial development frameworks or colour codes for the different spatial categories. Other elements should be open for creativity and contextualisation.

4.2 Biophysical

PART A: Conservation of natural environment and agricultural land

This sub-category relates to the consideration of environmental aspects in spatial planning for current public benefit and sustainable social and economic utilization. They also address the preservation, development and sustainable use of agricultural land to ensure long-term food security in South Africa.

Ref No.	Norms	Standards
A-1	Spatial development and land use planning should protect existing natural, environmental and cultural resources.	As per the "Minimum Standards for The Consideration of Environmental aspects In the Preparation and Review of Municipal Spatial Development Frameworks in terms of Section 23a And Section 24(3) of the National Environmental Management Act, 1998" and applicable municipal specific policies.
A-2	Spatial planning should consistently support and promote the concept of urban development boundaries to protect and limit urban growth extending towards agricultural land and natural agricultural resources.	Spatial development plans and policies incorporating the preservation of land, with a high agricultural productivity, for agricultural use.

4.3 Socio-economic

Part A: Ownership and access to land

These norms and standards relate to the inequalities in land distribution resulting from the unjust laws of the colonial and apartheid regimes. They are based on the idea that there are people who need land and those who are not secure on the land they live on. The norms and standards therefore entail satisfying the need for the landless to acquire land and have resources to sustain their livelihoods.

Ref No.	Norms	Standards
A-1	Implement reforms to give equal rights to land resources, including access to ownership and control over land and other forms of property and financial services.	- Land redistribution programmes aimed at providing the rural poor with access to land and promoting efficiency and investment in agriculture. - Upgrading of informal rights to legally enforceable rights. - Better definition of property rights through improvements to formal land administration systems.
A-2	Facilitate effective land administration to enhance the opportunities for landownership and tenure – especially in previously disadvantaged areas.	Effective land-use planning and enforcement as well as the adjudication of land use conflicts.

Part B: Poverty alleviation, economic development and job creation

This sub-category is particularly important against the backdrop of the prevailing COVID-19 crisis, where integrated approaches are needed more than ever, as part of the immediate response and efforts to promote an inclusive, job-rich and knowledge-based economy.

Ref No.	Norms	Standards
B-1	Spatial development should promote city-region food systems that meet future food needs of the population.	Protection and development of agricultural land, food spazarettas, agricultural fresh produce markets in the smaller villages linked to Agri-parks and Agrihubs.
B-2	Viable and resilient regional economies such as agriculture, forestry, tourism and mining that recognise and respect the limitations and interdependencies of the national ecological infrastructure and natural resources on which they depend.	Identification of key growth areas, opportunities for job creation in all sectors, formal and informal, local economic development, and Small, Medium and Micro Enterprises (SMMEs).

4.4 Process

Part A: Plans that are supported by, and supportive of government structures and processes

This encapsulates the establishment of effective and appropriate mechanisms to facilitate participation and consultation by and with the various departments at all spheres of government in the spatial development and land use management. The norms and standards provide for the establishment, support and governance of information sharing among service partners.

Ref No.	Norms	Standards
A-1	Provide for effective multi-sectoral collaboration and inter-municipal/provincial collaboration to ensure effective alignment of spatial plans and strategies.	- Multi-sectoral forums responsible for co-ordinating policy and implementation. - Development and implementation of initiatives to support and sustain forums.
A-2	Land use planning and development decisions should take account of and relate to the sectoral policies of other spheres and departments of government.	Secure the inputs of the various departments at all spheres of government in the decision-making process.

Part B: Community participation and stakeholder engagements

Norms and standards should in this sub-category relate to influencing a variety of outcomes through consultation, communication, negotiation, compromise, and relationship building.

Ref No.	Norms	Standards
B-1	Collaborative partnerships should also include participation by communities.	• Consultation with the communities out with regard to the development and implementation of spatial planning and land use management legislation, policies and programmes
B-2	Spatial planning and land use management should provide for a transparent, accessible, meaningful and structured consultation process with traditional leaders in areas governed by traditional authorities.	• Implement Service level agreements between municipalities and traditional authorities to facilitate partnerships which will serve to: ○ facilitate a collaborative working relationship between traditional leaders and municipalities in rural areas ○ recognise the customary system of land allocation applicable in rural areas and diffuse or manage any tensions or contestations which may arise as a result of traditional leaders not being happy that they cannot serve in formal structures introduced by SPLUMA such as the Municipal Planning Tribunal.

Part C: Just and fair decision making

To improve fairness in land development, there needs to be clear procedural rules and goals. Section 8 (2) (c) of SPLUMA states that norms and standards must “ensure that land development and land use management processes, including applications, procedures and timeframes are efficient and effective”. Just and fair decision-making in land development should therefore provide clarity of the process, be facilitated by unbiased representatives, ensure effective public engagement, and provide mechanisms to resolve conflicts and understanding the challenges of implementation.

Ref No.	Norms	Standards
C-1	Public involvement in land use planning and development processes must be inclusive of all persons and groups with an interest in the matter being decided.	Provision of channels of communication, time schedules and written communication.
C-2	Spatial planning and land use management bylaws must be structured in such a way to ensure that application processes are dealt with in the most efficient way and within delineated timeframes.	Municipalities with by-laws that explain SPLUMA implementation and the administration of different land development application packages.

Part D: Quality and content of application documentation

Poor land use applications seem to be a general concern across local and metropolitan municipalities. Norms and standards should therefore guide and ensure that development applications conform to the minimum requirements to address SPLUMA and related by-laws.

Ref No.	Norms	Standards
D-1	Land development applications must comply with the requirements of the specific local authority (and By-Laws) in terms of documentation required.	Land development applications that are presented in a professional way with quality editorial content and graphics to assist decision makers with the reading and interpretation of applications.

Part E: Land use schemes and Bylaws

A land use scheme is used to regulate and manage land development according to the vision, strategies and policies contained in the integrated development plan and spatial development framework while supporting the interest of the general public to promote sustainable development. Municipalities must have by-laws to explain how they will implement SPLUMA. Norms and standards need to reflect these imperatives.

Ref No.	Norms	Standards
E-1	The principles of Section 25 of SPLUMA must guide the development of land use schemes, i.e., it must promote economic growth, social	- Adoption of a single land use scheme in all municipalities as prescribed by SPLUMA. - Incremental introduction of land use schemes into communal

Ref No.	Norms	Standards
	inclusion, efficient land development and minimal impact on health, the environment and natural resources.	areas.
E-2	Bylaws must include specific requirements on how land development applications should promote SPLUMA principles, and create sound administration mechanisms for streamlining process.	• Municipalities with by-laws that explain SPLUMA implementation and the administration of different land development application packages. • Municipal bylaw and land use scheme that are fully aligned to the spatial development framework.

Part F: Land use regulators (Municipal Planning Tribunals, Authorised Officials, and Appeal Authorities)

Chapter 6, (Part A, B C and D) of the SPLUMA provide the overall framework that broadly speaks to land use management through the establishment of Municipal Planning Tribunals (MPTs), including the different types and composition thereof and various facets relating to the administration of and appeals on land development applications by these land use regulators. In order to give effect to these, the Act specifically requires municipalities to have had established MPTs that are either single, joint or administered at district level, as well as Council approved Authorised Officials (AOs) and the formalisation of their Appeal Authorities (AAs). Norms and standards should therefore support the establishment and operation of these land use regulators.

Ref No.	Norms	Standards
F-1	Affected parties should have a right to access information pertinent to land use and	• Land use regulators' processes, mechanisms and monitoring systems to ensure that all land development applications are

Ref No.	Norms	Standards
	development plans that are being considered by the land use regulators.	dealt with in a proper and fair way.
F-2	Decisions should be made in the public domain, with written reasons available to any interested party on request.	As per F-1
F-3	All members, staff and public members must adhere to the prescribed operational procedures and rules of conduct of the land use regulators.	As per F-1

Part G: Development facilitation

Many cities experience blockages or problems in their statutory processes which frustrate the land development process and this is problematic, not only for the town planning profession, but for the economy. The whole idea behind SPLUMA is to streamline and improve processes.

Ref No.	Norms	Standards
G-1	Efficient land use management systems, efficient organisational structures and processes and decision-making processes that are able to speed up land use applications for an efficient spatial structure, cities, towns or communities	- Simplified application requirements and procedures to fast-track applications. The need for an overhaul of the system has already been identified by consultants involved with land development. - Introduction of e-technologies and systems such as interactive

Ref No.	Norms	Standards
		LUSs application processing systems to improve application processing and monitoring.

Part H: Organisational culture and mindset

This relates to promoting a change in attitudes and planning paradigms, i.e., thinking differently about the way we do things. If what has been done over the past 27 years has not made much of a change, then there is a need for a new way of thinking: from planners and municipalities trying to be and do everything, to how we conceive space, diversity, informality and livelihoods. For any long term/ long-range plan to succeed, there has to be a sensible plan as well as financial, political and public commitment to it. This is totally opposite of the 5-year plan/ political term perspective that pervades local planning.

Ref No.	Norms	Standards
H-1	Promote a new SPLUMA thinking, attitude and paradigm amongst development professions and communities to promote SPLUMA as a whole.	- Spatial planning and land use management practices and processes aligned with the SPLUMA paradigm. - Research, learning and networking, especially in regards to the latest emerging trends on spatial and land use planning and development.
H-2	Promote and instil and cultivate a new a developmental mind-set that supports radical and spatial transformation and the revolution of urban and rural spaces in terms of SPLUMA transformation.	As per H-1

4.5 Monitoring and evaluation

Part A: Review of spatial and land use plans and monitoring of performance and development outcomes

This relates to norms and standards (within the context of the spatial and land use management) which intend to guide the regular review of spatial development plans, the trends of development applications and the impact of new developments to monitor performance and areas which need to be adjusted and prioritised.

Ref No.	Norms	Standards
A-1	Ongoing data collection should be an essential component of the planning cycle.	- Tracking the implementation of spatial and land use planning decisions (implementation monitoring). - Collecting data/information necessary to evaluate the effectiveness of spatial and land use planning decisions (effectiveness monitoring). - Indicators of change, thresholds, and timeframes to evaluate decisions and determine whether desired outcomes are being achieved. - Develop an effective database for this system to succeed with a synopsis of decisions taken and the major factors that have influenced the outcome of those decisions.

4.6 Capacity building

Part A: Capacity building and skills development

While SPLUMA allows municipalities to implement the Act in terms of each municipality's needs and capacity, effort is required to ensure that adequate resources (human and financial) are made available if local government is to fulfil its planning role⁶.

Ref No.	Norms	Standards
A-1	Local governments, supported by national and provincial governments, should ensure continuous training and development of town planning practitioners.	- Development of training and development plans and identification of resources based on needs assessment in municipalities. - Training that addresses the needs identified with the practitioners during the needs assessment.
A-2	Provincial government should be able to enter into agreements with municipalities where capacity does not exist to set up a joint spatial planning and land use management system.	Development, negotiation and signing of memorandums of understanding to establish and set in motion formal working relationships.
A-3	SA Council for Planners (SACPLAN) and DALRRD should ensure that the curriculum of all planning institutions includes modules on the new approaches to decision making needed by a normative planning system.	Number of accredited planning schools.

⁶ SACN. 2015. SPLUMA as a tool for spatial transformation

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