



Reference: 1/4/1/1/Land Use Planning Act

LUPA External Circular: L1/2013

**ALL MAYORS, MUNICIPAL MANAGERS AND CHIEF TOWN PLANNERS  
ALL WESTERN CAPE PROVINCIAL HEADS OF DEPARTMENT  
NATIONAL DIRECTORS-GENERAL WITH DIRECT LINKAGES TO LAND USE PLANNING  
SALGA, SAPI, SACPLAN AND ALL ORGANISATIONS AND PRIVATE-SECTOR BODIES INVOLVED  
IN SPATIAL AND LAND USE PLANNING**

**PREPARATION FOR THE IMPLEMENTATION OF THE WESTERN CAPE LAND USE PLANNING ACT  
(LUPA)**

1. This External Circular is the first communiqué in a series to keep all municipal councillors, officials, private sector bodies and other planning role-players in the Western Cape that are involved in spatial and land use planning abreast of the proceedings of the Steering Committee that has been established to drive the LUPA Change Management Strategy. The circular will also be used to communicate the changes that are anticipated with the introduction of the various legislative components around planning in the year to come.

**2. LUPA Change Management Strategy Steering Committee**

2.1. Whilst the Western Cape Department of Environmental Affairs and Development Planning is responsible for the drafting of the Western Cape Land Use Planning Act (currently in draft Bill format), there are various other initiatives and projects over which the Department has no direct control. The Change Management Strategy (CMS) has been initiated to prepare not only the Department internally, but also other role-players in the planning field for these anticipated changes. To this end, the LUPA CMS Steering Committee has been established to guide the strategy and to oversee the efforts of a number of work groups, each responsible for a number of tasks to facilitate the implementation of the new planning regime during the course of 2014.

2.2. The following sets out the composition of the LUPA CMS Steering Committee, as drawn from the Department of Environmental Affairs and Development Planning:

Steering Committee Chairperson	-	Anthony Barnes, Chief Director: Environmental & Land Management
Facilitator of Work Group 1	-	Kobus Munro, Director: Land Management
Facilitator of Work Group 2	-	Niel Lambrechts, Town & Regional Planner
Facilitator of Work Group 3	-	Chris Rabie, Director: Environmental and Spatial Planning
Facilitator of Work Group 4	-	Riëtte Fourie, Chief Land Use Management Regulator
Facilitator of Work Group 5	-	Andre Vancoillie, Chief Town and Regional Planner
Other members	-	Gerhard Gerber, Director: Development Facilitation Andre Lombaard, Chief Land Use Management Regulator Jeremy Benjamin, Chief Land Use Management Regulator Allan Rhodes, Town and Regional Planner

### **3. Know your CMS Steering Committee and understand their roles**

3.1. The actions, projects and tasks associated with the anticipated legislative changes were grouped and allocated to five work groups, some of which already exist as some of the projects have already commenced. The structure of the LUPA Change Management Steering Committee together with the Work Groups is indicated in Figure 1, below.

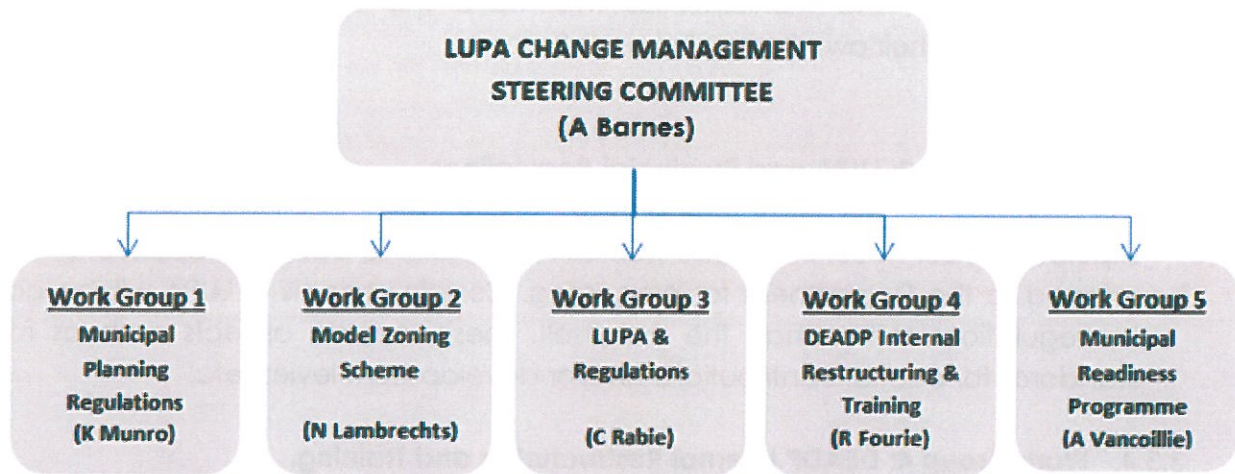


Figure 1: The Structure of the LUPA Change Management Steering Committee and Work Groups

3.2. Whilst some of the work groups have been in operation since the beginning of the year, all five work groups have been mobilized since the end of April 2013, have established a Work Group Committee and developed an implementation plan with time frames and budgets. These Work Groups will report monthly to the LUPA CMS Steering Committee, which in turn will report bi-monthly to the Head of Department and the Provincial Minister of Environmental Affairs and Development Planning.

3.3. The terms of reference for each of the five work groups are listed hereunder for your information.

#### 3.3.1. **Work Group 1: Municipal Planning Regulations.**

The purpose of this work group is to compile and publish standard Municipal Planning By-laws by March 2014. Municipalities must implement planning by-laws to accept and process all possible planning applications – some municipalities have the capacity and will be drafting their own set of by-laws. However, the Department is anticipating that not many municipalities will be ready with these by-laws by the time that the Spatial Planning and Land Use Management Bill (SPLUMB) and LUPA is implemented and is therefore drafting Standard By-laws for municipalities to adopt. Municipalities may substitute these standard by-laws with their own by-laws in future.

#### 3.3.2. **Work Group 2: Model Zoning Scheme.**

The purpose of this work group is to finalise and publish a Model Zoning Scheme By-law as soon as possible. It will also facilitate implementation of Zoning Schemes by municipalities and monitor implementation by municipalities of the Model Zoning

Scheme. Again, the municipalities that have the capacity will be drafting and implementing their own Zoning Scheme By-laws.

### **3.3.3. Work Group 3: LUPA and Provincial Regulations.**

The purpose of this work group is to finalise and publish Provincial Regulations stipulated in LUPA. LUPA will also publish regulations to deal with applications that are referred to the Department for processing. Certain aspects in LUPA will be governed by regulations rather than the Act itself. These include aspects such as minimum standards for capital contributions and/or development levies, etc.

### **3.3.4. Work Group 4: DEADP Internal Restructuring and Training.**

The purpose of this work group is to unpack the future workload of the Department and inform possible restructuring of the Department internally. It will also unpack the monitoring, support and regulatory function of the Department and assess the impact of this new function on the structure and functioning of the Department. It will also identify possible training needs within the Department to respond to new demands for service delivery.

### **3.3.5. Work Group 5: Municipal Readiness Programme.**

The purpose of this work group is to ensure that municipalities are ready for the implementation of LUPA by 1 April 2014. A municipal readiness programme will be rolled out to ensure that service delivery is not affected at municipal level when the additional functions, as envisaged by SPLUMB and LUPA, are transferred to municipalities.

## **4. Accessing Information**

4.1. Allan Rhodes who is part of the LUPA CMS Steering Committee will ensure that the following duties are fulfilled:

- 4.1.1. Serve as the dedicated communication liaison official for the Steering Committee.
- 4.1.2. Respond to and address any enquiries you may have about the proceedings during this period of change.
- 4.1.3. Keep record of all proceedings which can be requested by yourself.

4.2. It is expected that in both the Provincial and Municipal spheres, certain functions will reduce in significance whilst others will be more prominent in the future. This means that both spheres of government will have to adapt to some degree of change. Through this, new capacity will need to be built within all spheres, and we will attempt to walk this path of change together in as cooperative and sharing manner as

possible. The aim of the CMS is to guide us through this process and to do this as sensibly as possible.

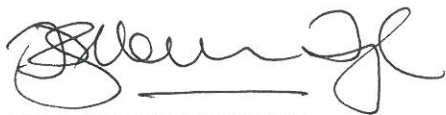
4.3. We will ensure that the correct information is communicated to all at regular intervals and that the Department of Environmental Affairs and Development Planning functions optimally during this time.

4.4. Essentially, Allan is your source of information and can be contacted as follows:

**Email** : [Allan.Rhodes@westerncape.gov.za](mailto:Allan.Rhodes@westerncape.gov.za)

**Landline** : 021 483 0764

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Allan Rhodes', with a horizontal line underneath the signature.

**HEAD OF DEPARTMENT**

**Date:** 29.05.2013

