

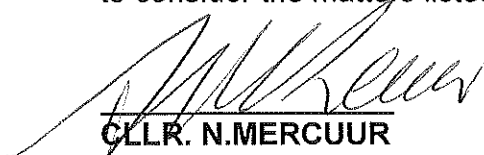
TO ALL COUNCILLORS AND DIRECTORS OF THE BREEDE VALLEY MUNICIPALITY

NOTICE IS HEREBY GIVEN that a **COUNCIL MEETING** of the Breede Valley Municipality will be held on

MONDAY, 29 MAY 2017 at 10:00

**in THE COUNCIL CHAMBER, CAPE WINELANDS DISTRICT MUNICIPALITY,
51 TRAPPES STREET, WORCESTER**

to consider the matters listed in the following Addendum Agenda.


**CLLR. N.MERCUUR
SPEAKER**

24 MAY 2017

ADDENDUM AGENDA

ADOPTION OF THE 2013 APPROVED MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK AS PART OF THE INTEGRATED DEVELOPMENT PLAN IN TERMS OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT (ACT 32 OF 2000)(MSA) FOR THE BREEDE VALLEY MUNICIPALITY IN LINE WITH THE WESTERN CAPE LAND USE PLANNING ACT (ACT 3 OF 2014) (LUPA), THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT (ACT 16 OF 2013)(SPLUMA) AND THE BREEDE VALLEY MUNICIPAL LAND USE PLANNING BY-LAW (P.N. 7485/2015)

File No./s: 10/3/20

Directorate: Technical Services

Responsible Official: PSJ Hartzenberg

Portfolio: Technical Services

Purpose:

The purpose of this report is to obtain approval from Council to adopt the current Breede Valley Spatial Development Framework as approved by Council in May 2013, as part of the Integrated Development Plan in line with the Municipal Systems Act (2000) read together with the the Spatial Planning and Land Use Management Act, No 16 of 2013, (*hereafter referred to as SPLUMA*) Western Cape Land Use Planning Act, Act 3 of 2014 (*hereafter referred to as LUPA*) and the Breede Valley Municipal Land Use Planning By-law (P.N. 7485/2015).

Background:

The Spatial Development Framework (SDF) is a long-term forward planning document which spatially indicates the long-term growth and development path of a municipality. It co-ordinates the spatial implications of all strategic sector plans (engineering, transport, economic, housing, community services etc.) of a municipality. A SDF is also one of the core components of a municipal IDP and gives physical effect to the vision, goals and objectives of the municipal IDP. The BVM:SDF will be approved in terms of the Municipal Systems Act, 2000 (Act 32 of 2000) and will serve as a guide to decision making in development and land use planning.

As mentioned, the current BVM:SDF was approved by Council on 30/05/2013 and is valid for five years. Section 26(c) of the Municipal Systems Act, 2000 (Act 32 of 2000) states that the SDF is a core component of the IDP. The SDF therefore needs to be approved as part of the IDP.

Also, Section 12(5) and (6) of SPLUMA states that:

12(5) A municipal spatial development framework must assist in integrating, coordinating, aligning and expressing development policies and plans emanating from the various sectors of the spheres of government as they apply within the municipal area.

12(6) Spatial development frameworks must outline specific arrangements for prioritising, mobilising, sequencing and implementing public and private infrastructural and land development investment in the priority spatial structuring areas identified in spatial development frameworks.

Furthermore, Part 3 of LUPA sets out procedures to be followed in the amendment or adoption of the municipal spatial development framework.

These procedures and processes are further refined in Chapter 3, Section 3 of the Breede Valley Municipal Land Use Planning By-law, which states the following:

When the Council drafts or amends its municipal spatial development framework in accordance with the Municipal Systems Act and any other applicable law, the Council must—

- (a) appoint an intergovernmental steering committee to compile or amend its municipal spatial development framework; or
- (b) refer its draft municipal spatial development framework or draft amendment to its municipal spatial development framework to the Provincial Minister for comment;
- (c) publish a notice in two of the official languages of the Province most spoken in the area of the intention to draft, review or amend the municipal spatial development framework and the process to be followed in accordance with section 28(3) of the Municipal Systems Act in two newspapers circulating in the area concerned;
- (d) in writing inform the Provincial Minister of—
 - (i) the intention to draft or amend the municipal spatial development framework;
 - (ii) its decision in terms of paragraph (a) or (b); and
 - (iii) the process that will be followed in the drafting or amendment of the municipal spatial development framework including the process for public participation; and
- (e) register relevant stakeholders who must be invited to comment on the draft municipal spatial development framework or draft amendment of the municipal spatial development framework as part of the process to be followed.

Due to the fact that no amendments to the current SDF are proposed, it is recommended that Council does not establish an Intergovernmental Steering Committee. The SDF will however be distributed to all relevant external and internal departments for comment. The comments will be noted and included as part of the review of the SDF which is planned for 2017/2018.

Financial Implications:

Not applicable.

Applicable Legislation / Council Policy:

Municipal Systems Act, Act 32 of 2000

Spatial Planning and Land Use Management, Act 16 of 2013

Land Use Planning Act (Act 3 of 2014)

Breede Valley Municipal Land Use Planning By-law (P.N. 7485/2015).

Comment of Directorates / Departments concerned:

Municipal Manager: Supports the recommendation.

Director: Community Services: As recommended.

Director: Strategic Support Services: As recommended.

Director: Financial Services: As recommended.

Director: Technical Services: Supports the recommendation.

Senior Manager: Municipal Planning and Building Control

Breede Valley Municipal Land Use Planning By-Law was implemented on the 1st of December 2015. All land use planning applications submitted to the municipality need to be aligned with the new land use and spatial planning requirements as set out in SPLUMA, LUPA and the BVM Planning By-law.

In accordance with Section 13(2) of LUPA and Section 5 of the Breede Valley Municipal Land Use Planning Bylaw, formal comment was requested from the Provincial Minister of Local Government, Environmental Affairs and Development Planning on the 15th of March 2017. No comments were received.

In terms of the Municipal Systems Act, No 32 of 2000 ("MSA"), the community, general public, interested and affected parties were invited to submit written comments, inputs and/or recommendation on the Municipal Spatial Development Framework as approved by Council in 2013. The document was made available for public comment for a period of 60 days, starting 16 March 2017 to 16 May 2017. All comments will be considered during the review of the SDF. No comments were received.

RECOMMENDATION

That in respect of the

ADOPTION OF THE 2013 APPROVED MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK AS PART OF THE INTEGRATED DEVELOPMENT PLAN IN TERMS OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT (ACT 32 OF 2000)(MSA) FOR THE BREEDE VALLEY MUNICIPALITY IN LINE WITH THE WESTERN CAPE LAND USE PLANNING ACT (ACT 3 OF 2014) (LUPA), THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT (ACT 16 OF 2013)(SPLUMA) AND THE BREEDE VALLEY MUNICIPAL LAND USE PLANNING BY-LAW (P.N. 7485/2015

1. That the BVM:SDF 2013 as approved by Council on 30/05/2013 be adopted as part of the 2017/2022 IDP.

TO ACTION:

P Hartzenberg