The alignment between spatial planning, transportation planning and environmental management within the new spatial systems in South Africa

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Peer reviewed and revised

Abstract
The debate and discourse for the need to integrate spatial planning, transportation planning and environmental management strategically, functionally and operationally is ongoing since the early 1990s. This includes the articulation of the planning instruments used by the professionals within these functional fields and the way in which it is coordinated and applied as to enhance planning, development and delivery in an integrated fashion.

With the approval of the Spatial Planning and Land Use Management Act (SPLUMA) (Act 16 of 2013) and the SPLUMA Regulations (23 March, 2015), the last bastion of spatial and statutory planning legislation reform from the previous political dispensation within municipalities was transformed (RSA, 2013, 2015). Although this process is still being concluded at provincial and municipal levels of government by formulating its own new transformation structures, guidelines, policies and regulations, the question remains as to whether the disjointedness in municipalities and lack of alignment between spheres of government of the past will be addressed efficiently and effectively on strategic, functional (planning) and operational levels within the new policy and legislative provisions and frameworks underpinning improved alignment processes within the new spatial systems in South Africa?

Keywords: Integrated planning, spatial planning, transportation planning, environmental management, transformation processes

1. BACKGROUND AND PURPOSE
Spatial planning and its alignment and interface with transportation planning and environmental management form the focal point in attaining and promoting sustainable planning and development. The issue of misalignment between various levels of government in South Africa dates back to 1910 during the formation of the Union of South Africa. However, since democratization in 1994 and the promulgation of the Constitution of South Africa (Act 108 of 1996), resulting in the establishment of three distinct spheres of government, the lack of alignment and integration became more prevalent. In order to understand the context of the article, one should consider what is implied by the concept of ‘alignment’. From a government and planning perspective, ‘alignment’ includes the articulation and optimisation of goals and objectives inclusive of communication, involvement, engagement processes, support, capacity-building, outcomes, monitoring, application of instruments and delivery, as contained in different policies and legislation across all levels of government. ‘Integration’ refers to processes and methodological approaches and procedures followed in planning processes through application of specific instruments and/or planning tools. Alignment and integration are often used interchangeably.

The dilemma of alignment and integration, or the lack thereof, was also experienced in planning processes during previous political dispensations. The best example...
from international practice relates to the approach to assess integration in Europe of policy and research. On this topic, Geerlings & Stead (2003: 187-196) identified ‘policy’ integration to include the following:

- Vertical integration: integration between different levels of government.
- Horizontal integration: integration between sectors or professions in one organization.
- Inter-territorial integration: integration between neighbouring authorities or authorities with a shared interest in infrastructure or resources.
- Intra-sectoral integration: integration between different sections or professions.

Stead, Geerlings & Meijers (2003) identified the following hierarchical foci in dealing with an approach towards integration: co-operation at the lowest level consisting of dialogue and information; co-ordination, coherence and consistency with emphasis on transparency; integration and joined-up policy approaches inclusive of dialogue and avoiding of conflicts. These are supported by interorganizational coordination; interorganizational collaboration; intergovernmental management and network management (Geerlings & Stead, 2003: 188).

In essence, many of these concepts are (or supposed to be) present in the Integrated Development Plan (IDP) and environmental management processes and practices, although the realization of optimal alignment and integration in 2015 in South Africa is still to be attained. May, Jopson & Matthews (2003: 159) also addressed the issues of integration of policy instruments as a challenge within urban transport policy.

The White Paper on Spatial Planning and Land Use Management (RSA, 2001a) states that land-use and development decisions must promote a harmonious relationship between the built and the natural environment while ensuring that land development is sustainable over a longer term. Claasens (2003) was one of the first planners to deal with the interface between spatial planning, development planning and conservation in promoting sustainable development. Sowman & Brown (2006: 703-704) developed a framework to assist integration between the IDP process and environmental management in order to promote sustainability. Berrisford & Kihato (2008: 387) concluded that defining the relationship between planning and the environmental laws is a question that is persistently dogged by planning and environmental practitioners in South Africa. This view is derived from research by Sowman (2002) and Todes (2004).

Todes, Sim & Sutherland (2009: 411-431) competently address the relationship between planning and environmental management in South Africa based on a case study in KwaZulu-Natal. The outcome identified specific research elements inclusive of purpose, method and evidence base so as to demonstrate the relationship between planning and environmental management across spheres of government, tools applied and types of plans. Of importance to this article is the conclusion that the relationships between planning and environmental management in South Africa are complex and the result of formal systems in planning and environment inclusive of elements such as agency, power practice and discourse.

Todes et al. (2009: 414) isolate (developed by Vigar, Healey, Hull & Davodi [2000]) the following core components in assessing integration:

- The purposes of planning.
- Tools and mechanisms applied.
- Distribution of responsibilities.
- Resources and capacity.
- Networks, capacity and discourse.

Todes et al. (2009: 429) conclude, in general, that there is a need for greater integration between planning and environmental management in context with the assessment components identified earlier. It is concluded that integration is more than a technical process. At the same time, the legal system, forms of planning and environmental management and practical considerations are all fulfilling an important role in promoting inclusivity in integration. This may be attained through merging of functions; incorporation of foci, institutional integration, and coordination of vertical and horizontal linkages.

Retief & Rossouw (2007: 288-306) also address the theme of alignment and integration and conclude that the development of urban environmental policy is directly linked to the IDP process. According to them, the focus is to integrate sustainability into the IDP process and that a clear convergence between legal and policy requirements for planning and environmental management has occurred. Du Plessis (2014: 80) argues that, despite the recognition of the need for greater alignment of sustainability criteria at all levels of integrated spatial planning, some challenges and shortcomings still remain. This includes the lack of integration of sustainability principles inclusive of the application and/or use of environmental information in IDP and related processes.

With the exception of Geerlings & Stead (2003) and May, Jopson & Matthews (2003), the shortcoming in the abovementioned publications relates to the fact that only integration between planning (IDP process) and environmental management is considered. In order for alignment to be effective, one should also address the inclusion of transport planning in alignment considerations.

This challenge may in part be addressed by assessing the existing policy and legislative framework and, more specifically, the opportunities created by the Spatial Planning and Land Use Management Act (SPLUMA) (2013) and the SPLUMA Regulations (2015). Several policy documents such as the National Transport Master Plan (NATMAP) (RSA, 2011); the National Development Plan (NDP) (2012); the Draft Integrated Urban Development Framework (DIUDF) (COGTA, 2014), and the Draft National Land Transport Strategic Framework (NLTSF) (2014) recognize the need for alignment and strategic integration.
The principle of sustainable development and the need for improved integration is not a new debate. In its Global Report on Human Settlements (Planning and Design for Sustainable Urban Mobility) (UN, 2013: 1-13), the UN Habitat identified the urban mobility challenge and, more specifically, the sustainability challenge to pivot on the integration of land use and transportation planning; social dimensions and reality; environmental dimensions; economic dimensions, as well as institutional and governmental roles and responsibilities. These principles are directly and indirectly applied in various sources of UN Habitat 2: International Guidelines on Urban and Territorial Planning (UN, 2014: 1-20).

From the Africa perspective, the State of the African Cities (UN Habitat, 2014b: 2-14), Re-imaging sustainable urban transitions (UN Habitat, 2014b: 237-256) identified integration of forces such as population, urbanization, urban development, urban planning and resource management, urban culture, and green urban development as the main agents for change and development. This implies the involvement of various stakeholders, professions and spheres of government to manage and guide the alignment and integration theme dealt with in this article. It is also closely aligned with the focus for UN Habitat 3 on ‘The future we want: The city we need’ to be held in 2016 (UN Habitat, 2014c).

Many role players within the planning domain have realised that there is a delicate balance between environmental, human, economic, institutional, spatial planning and transportation planning to deliver on sustainable development and to promote alignment and integration. This balance is, however, being impacted upon in a negative sense, due to the fact that this relationship is not addressed and reflected on in the application of planning instruments, tools and implementation by all spheres of government and professions involved. Todes et al. (2009: 421-429) and Berrisford & Kihato (2008: 377-403) provide the reasons for this misalignment.

This results in impacts such as ecological degradation, widening of development inequality, segregation and compartmentalization of planning, and non-delivery. It also leads to spatial inefficiency and conflicts in planning and development priorities as being experienced in South Africa.

2. POLICY AND LEGISLATIVE FRAMEWORK GUIDING THE ALIGNMENT AND INTEGRATION BETWEEN SPATIAL PLANNING, TRANSPORTATION PLANNING AND ENVIRONMENTAL MANAGEMENT

Tables 1 and 2 give an overview of the policy and legislative framework guiding alignment and integration in terms of policy and legislative framework. The supporting legal principles underpinning the frameworks are included in Scheepers (2000) and Van Wyk (2012a).

Berrisford & Kihato’s (2008: 377-403) article is clear on the state of considerable flux that exists in the policy and legislative provisions since democratization in 1994. The question remains: Will the promulgation of SPLUMA (2013) rationalise and address this position?

The complexities in alignment between spheres of government, professions and stakeholders can be inferred from an analysis of the existing policy and legislative framework. This diversity and complexities promote and enhance misalignment, lack of integration, subjective application of planning principles and planning tools, and non-delivery in terms of roles and functions. In order to understand this, the transformation of spatial planning, transportation planning and environmental management should be noted.

2.1 Spatial planning transformation: An overview

With democratisation in South Africa in 1994, the democratic government inherited a segregated and fragmented spatial system guided by an evenly ineffective policy and legislative framework. The transformation of this framework (notwithstanding several authors referring to the spatial fragmentation consequences of its application by previous political dispensations) commenced with the Draft Green Paper on Development and Planning prepared by the National Development and Planning Commission in 1999. This was followed by the White Paper on Planning and Land Use Management (RSA, 2001). In context to the guiding principles included in these documents, it was preceded by the Development Facilitation Act, Act 67 of 1995, as a vehicle to accommodate spatial change and transformation (RSA, 1995). Todes et al. (2009: 421) conclude that planning in the post-apartheid period focused on facilitation, with an emphasis on reconstruction and development. Planning instruments such as the IDP process (strategic planning) and the introduction of Spatial Development Frameworks (SDFs) as well as other sectoral plans were introduced. These processes, although it was a step forward, did not resolve the need to transform the legislative reality guiding spatial planning and development in terms of the new democratic needs and expectations. This, to a certain extent, is being addressed by the promulgation of SPLUMA (13 of 2013) and its Regulations (2015).


Since its inception in 2010, the National Planning Commission

1 Refer to the IDP Guide Packs, 2002: Part III.
(NPC) contributed to documenting the effects of the spatial legacy by the formulation of the Diagnostic Overview (NPC, 2011) and strategic (intervention) proposals as contained in the National Development Plan (NDP) (NPC, 2012). Oranje & Merrifield (2010: 29-45) reported extensively on national spatial development planning in South Africa (1930-2010), while Drewes & Van Aswegens (2013: 21-28) published an overview of the historic process of national planning in South Africa from a temporal perspective. Lessons learnt from these will assist in applying SPLUMA (2013).

For the purposes of this article, spatial development in South Africa can be subdivided into four distinct spatial development phases:

- Phase 1: Urban and rural formation phase (1652 to 1948).
- Phase 2: Urban and rural separation (fragmentation) phase (1948 to 1994).
- Phase 4: Spatial system development, reconstruction, integration and consolidation phase (post-2011 to the present).

Of significance in the transformation process related to spatial planning and development was the promulgation of the first new set of democratic laws that serve as a pivotal point to restructure the characteristics of spatial planning in South Africa and the need for alignment and integration. The spatial planning scene changed significantly with the promulgation of the Constitution (Act 108 of 1996), Municipal Structures Act, Act 117 of 1998 (RSA, 1998b) and the Municipal Systems Act (32 of 2000). This resulted in the formulation of Integrated Development Plans (IDPs) (previously Land Development Objectives (LDOs)) for all institutional entities within the municipal spheres of government. The transition and transformation process culminated in the establishment of the National Planning Commission (NPC) in 2011, the National Development Plan (NPD) in 2012, and eventually the approval of SPLUMA (2013) and SPLUMA Regulations (2015).

In assessing the role of alignment and integration within the context of this article, Tables 1 and 2 were compiled. They summarise core policies and legislative framework applicable to assess alignment and integration between spatial planning, transportation planning, and environmental management. Most of the policy and legislative framework provides for the promotion of alignment and integration of functions and processes between all spheres of government. The lack of delivery within all spatial systems is indicative of failing alignment and integration processes. With the promulgation of SPLUMA (2013), the causes and effects of weak alignment on implementation and delivery need to be assessed. No formal surveys will be carried out, as this article focuses on assisting and informing the debate on improved alignment and integration.

### 2.2 Transportation planning transformation

Transportation planning in South Africa became a statutory planning activity with the enactment of the Urban Transportation Act 78 of 1977 (RSA, 1977). Transportation planning, development and management are guided by the core policies and legislative framework (see Tables 1 and 2). The National Land Transport Transition Act (NLTTA) 22 of 2000 was used until 2009 when the National Land Transport Act and its Regulations (2009) were promulgated (RSA, 2000a).

In this context, various policy documents (Table 1) guide the transport planning and regulating transformation process: White Paper on National Transport Policy (RSA, 1996a); Moving South Africa (Vision 2020) (RSA, 1999); Rural Transport Strategy for South Africa (RSA, 2003); the National Transport Master Plan 2050 (NATMAP 2050) (RSA, 2011) and the Draft National Land Transport Framework (2014). In 2014/2015, the National Department of Transport (NDoT) commenced with the revision and adaption of NATMAP 2050 by the formulation of a Synopsis Report to address specific components related to alignment, integration and transportation-related system and network issues and components. It includes addressing the interface between the NDP (2012), SPLUMA (2013) and NATMAP 2050 and related areas of concern.

### 2.3 Environmental management

South Africa was slow to develop and institute formal procedures for environmental assessment (refer to Tables 1 and 2). It was only with the enactment of the Environment Conservation Act 73 of 1989 that provision was made to formulate environmental policy to guide decision-making and to prepare environmental impact reports (Sowman, Fuggle & Preston, 1995: 45-51; RSA, 1989). The publication of the document entitled *Integrated Environmental Management (IEM) in South Africa* (Council for the Environment, 1989) marked the introduction of the concept of environmental management in South Africa. The term IEM was chosen to indicate a general approach that integrates environmental considerations across all stages of the planning and development cycle and would be applicable to policies, programmes, plans and projects (Sowman et al., 1995: 55).

The publication of the National Environmental Management Act 107 of 1998 (NEMA) introduced a new approach to, and role of environmental considerations in development (RSA, 1998a). NEMA provides the framework for co-operative environmental governance in South Africa and promotes the application of environmental assessment and management tools to ensure integrated environmental management of activities (DEAT, 2004). The intention of NEMA was formalized with the publication of the EIA Regulations (2006). On 3 August 2010, the revised NEMA EIA Regulations (Government Notices R.543 to R.547, June 2010) were promulgated and includes changes to the listing of activities that impact on the use of land as provided for in SPLUMA (2013) (RSA, 2010).
Table 1: Core policies guiding the interface between spatial planning, transportation planning, and environmental management

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<thead>
<tr>
<th>Spatial planning</th>
<th>Transportation planning</th>
<th>Environmental management</th>
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<tbody>
<tr>
<td>National Planning Commission Diagnostic Overview (2011)</td>
<td></td>
<td></td>
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<tr>
<td>National Development Plan (2012)*</td>
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*Cross-cutting policies
Source: Author’s own compilation, 2015

The transformation reality, as summarized earlier, is indicative of the complexities and challenges in the alignment and integration of the policy and legislative frameworks. This is a well-known area of debate among professionals. Practitioners in these disciplines within the public and private sectors have interpreted the interface for professional and practical reasons differently and alternatively. The evolution over the past decade of policy and legislative frameworks did not necessarily promote a common understanding of the interface between processes.2

From an assessment of the content of the policy and legislative framework (Tables 1 and 2), it can be concluded that there is restricted provision for the formal alignment and integration of the interface between spatial planning, transportation planning, and environmental management. References to this are very general and of a purely philosophical nature. This statement should be interpreted with the objectives, as identified in the National Framework for Sustainable Development in South Africa (NFSD) (2008: 10) that makes provision for enhancing systems for integrated planning and implementation; sustaining ecosystems and using natural resources efficiently; economic development via investing in sustainable infrastructure; creating sustainable human settlements, and responding appropriately to emerging human development, economic and environmental challenges.

The provisions contained in SPLUMA (2013) and the SPLUMA Regulations (2015) provide, inter alia, for the application of specific development principles and norms (Chapter 2); intergovernmental support (Chapter 3); spatial development frameworks (Chapter 4); land-use management (Chapter 5), and land-development management (Chapter 6). These provisions should be interpreted from the alignment and

2 Refer to Berrisford & Kihato (2008) and Todes et al. (2009) for detail relating to the implications of the lack of alignment, integration and coordination between all spheres of government.
3. THE ALIGNMENT BETWEEN SPATIAL PLANNING, TRANSPORTATION PLANNING, AND ENVIRONMENTAL MANAGEMENT

SPLUMA (2013) provides for the following objectives:

- To provide for a uniform, effective and comprehensive system of spatial planning and land-use management.
- To ensure that the system of spatial planning and land-use management promotes the social and economic inclusion.
- To provide development principles, norms and standards.
- To provide for sustainable and efficient use of land.
- To provide for cooperative government and intergovernmental relations within all spheres of government.

Against this background, Table 3 shows the interface between foci and instruments as provided for in spatial planning, transportation planning, and environmental management policies and legislation (Tables 1 and 2).

In assessing the content of Tables 1, 2 and 3, the complexities and need for alignment and integration are evident. Attaining this depends...
on the sphere of government responsible for the compilation, approval, implementation and monitoring and may be a national department, a provincial department, or a local government. It may also be a concurrent responsibility between different spheres of government.

4. DIVISION OF FUNCTIONS AND COOPERATION BETWEEN SPHERES OF GOVERNMENT

The role of government in South Africa is based on functions and obligations allocated to the different spheres in terms of the legislative framework (Table 2), intergovernmental cooperation arrangements and Constitutional Court rulings. From an assessment of the policy and legislation framework, it can be concluded that there are general provisions for the alignment and integration within government and its functions. Provisions for this are contained in the Constitution (1996, Chapter 3, Section 41). The complexities and restrictions in place guiding the division of functions between spheres of government are clear. To understand the division of functions, the obligations to, and roles of co-operative governance should be considered. Cooperative government and intergovernmental relations provide for the following in terms of alignment and integration:

• To provide and enhance effective, transparent, accountable and coherent government within the national spatial system as a whole.
  • To respect and recognize the constitutional status, institutions, powers and functions in all spheres of government.
  • To exercise powers and functions conferred on it in terms of the Constitution.
  • To exercise the powers and functions in a manner that does not encroach on the geographical, functional or institutional integrity of any government in another sphere.
  • To co-operate with each other in mutual trust and good faith (Constitution, 1996, Chapter 3, Section 41).

The division of functions fulfills an important role as far as alignment and integration are concerned. The role of any sphere of government in terms of functions and the level of responsibility may be classified as strategic, functional, or operational, or any combination thereof.


The University of the Western Cape (Community Law Centre) (2007: 35) provided a valuable contribution in determining the appropriate functions and powers within local government. Van Wyk (2012a: 313-314) concludes that it is an ongoing debate regarding the content of the legislative and executive functional areas relating to ‘planning’ that are enjoyed by each sphere of government. For alignment and integration to be promoted, the mechanism of cooperative governance must be applied and practised among all spheres of government. Berrisford et al. (2008: 298) states specifically that there is a need to create effective intergovernmental communication.

In an effort to simplify the understanding of the division of functions, Table 4 was compiled, indicating the core functions and activities allocated to the national, provincial and municipal spheres of government. Table 4 is based on the provisions of the Constitution (1996) and the Municipal Structures Act (1998) to illustrate the competencies, roles and functions between spheres of government as it was originally intended by the legislator.

Van Wyk (2012a: 589) points out that Chapter 3 of the Constitution should constantly remind every organ of state, inclusive of every functionary in every sphere of government, of the importance of co-operation, because the principles of co-operation reinforce the values underlying open, transparent and responsible government. Van Wyk (2012a: 590) further concludes that, in light of the varied functional areas

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<tbody>
<tr>
<td>Development principles, norms and standards</td>
<td>General principles for transportation planning</td>
<td>General objectives</td>
</tr>
<tr>
<td>Intergovernmental support</td>
<td>Types of transportation plans</td>
<td>Environmental Implementation Plans (EIPs)</td>
</tr>
<tr>
<td>Spatial Development Frameworks (SDFs)</td>
<td>Provisions on transportation planning</td>
<td>Environmental Management Plans (EMP)</td>
</tr>
<tr>
<td>National Spatial Development Framework (NSDF)</td>
<td>National Land Transport Strategic Framework (NLTSF)</td>
<td>Integrated Environmental Management (IEM)</td>
</tr>
<tr>
<td>Provincial Spatial Development Framework (PSDF)</td>
<td>Provincial Land Transport Frameworks (PLTF)</td>
<td>Environmental Impact Assessments (EIAs)</td>
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<tr>
<td>Regional Spatial Development Framework (RSDF)</td>
<td>Integrated Transport Plans (ITPs)</td>
<td>Environmental Authorizations (EAs)</td>
</tr>
<tr>
<td>Municipal Spatial Development Framework (MSDF)</td>
<td>Freight Transport Plans (FTP)</td>
<td>Strategic Environmental Assessments (SEAs)</td>
</tr>
<tr>
<td>Land-Use Management (LUM)</td>
<td>Transportation plans and changes in land use and public transport infrastructure and services</td>
<td>Environmental Management Programmes (EMP)</td>
</tr>
<tr>
<td>Land-Development Management (LDM)</td>
<td>Rationalization of public transport services (RATPLANS)</td>
<td>Monitoring and Performance Assessments (M&amp;PA)</td>
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<tr>
<td>Municipal Land-Use Plans (MLUP)</td>
<td>Public Transport Plans (PTPs)</td>
<td>Mine Closure Plans (MCPs)</td>
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<td>Statutory Planning (SP)</td>
<td>Commuter rail plans (CRPs)</td>
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<td>Transport Impact Studies (TISs)</td>
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<td></td>
<td>Traffic Impact Assessments (TIsas)</td>
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Table 4: Core functions and activities allocated to national, provincial and municipal spheres of government related to spatial planning, transportation planning, and environmental management

<table>
<thead>
<tr>
<th>Function/activity</th>
<th>National</th>
<th>Provincial</th>
<th>Local</th>
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<tbody>
<tr>
<td>Airports other than international and national airports</td>
<td>x</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>Environment</td>
<td>x</td>
<td>x</td>
<td></td>
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<tr>
<td>Nature conservation</td>
<td>x</td>
<td>x</td>
<td></td>
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<tr>
<td>Pollution control</td>
<td>x</td>
<td>x</td>
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<tr>
<td>Provincial public enterprises</td>
<td>x</td>
<td>x</td>
<td></td>
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<tr>
<td>Public transport</td>
<td>x</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>Public works</td>
<td>x</td>
<td>x</td>
<td></td>
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<tr>
<td>Regional planning and development</td>
<td>x</td>
<td>x</td>
<td></td>
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<tr>
<td>Road traffic regulation</td>
<td>x</td>
<td>x</td>
<td></td>
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<tr>
<td>Urban and rural development</td>
<td>x</td>
<td>x</td>
<td></td>
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<tr>
<td>Vehicle licensing</td>
<td>x</td>
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<table>
<thead>
<tr>
<th>Function/activity</th>
<th>National</th>
<th>Provincial</th>
<th>Local</th>
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<tbody>
<tr>
<td>Air pollution</td>
<td>x</td>
<td>x</td>
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<tr>
<td>Municipal airports</td>
<td>x</td>
<td>x</td>
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<tr>
<td>Municipal planning</td>
<td>x</td>
<td>x</td>
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<tr>
<td>Municipal public transport</td>
<td>x</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>Municipal public works</td>
<td>x</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>Pontoons, ferries, jetties, piers and harbours</td>
<td>x</td>
<td>x</td>
<td></td>
</tr>
</tbody>
</table>

Schedule 4: Functional areas of concurrent national and provincial legislative competence (Part A)

Schedule 4: Functional areas of concurrent national and provincial legislative competence (Part B)

Schedule 5: Functional areas of exclusive provincial legislative competence (Part A)

Schedule 5: Functional areas of exclusive provincial legislative competence (Part B)

*1. Functions and activities should be interpreted in terms of concurrent responsibilities, as contained in the applicable legislative framework.

2. Concept of distinctive, interdependent and interrelated across some functions and activities listed in the Constitution (1996) applies.

3. The rulings of the Constitutional Court as far as powers and functions are concerned should be consulted.

4. Functions may cut across spheres of government.

Table 5 shows examples of plans formulated by the different spheres of government in terms of powers, functions, duties and activities dealt with earlier and in terms of the focus of this article.

One can infer the need for alignment and integration from Tables 4 and 5. The context should, however, be interpreted in line with Figures 1 and 2. The system complexities, dynamics and need for integration to optimise development within spatial systems are evident.

Figure 1 illustrates the vertical and horizontal alignment and integration among the three spheres of government. It shows the organization of the different spheres of government, integration and formulation of planning instruments, structures, institutions and agencies involved. It depicts the basic need to promote cooperative governance through both process and management practices within all spheres of government. Various professions as well as the integration of planning instruments (plans) fulfil a vital role in this instance.

Malan (2005: 226-243) states that the system of intergovernmental relations and co-operative government in South Africa is rapidly evolving. This is due to the statutory commitment of the various spheres of government to the implementation of the principles of co-operative and intergovernmental relations (refer to Figures 1 and 2).

In terms of section 41: 40-41 of the Constitution (1996), government is constituted as national, provincial and local spheres of government: distinctive, interdependent and interrelated. Provision is made for intergovernmental structures such as the Intergovernmental Forum (IGF), the President’s Coordinating Council (PCC) and Intergovernmental Relations Committees of Ministers and Provincial Councils (MINMEC); Organized Local Government (SALGA) and Forum for South African Directors-General (FOSAD) (COGTA, 2002) to promote alignment and integration between all spheres of government.

5. THE DOMAIN OF SPATIAL PLANNING FROM AN ALIGNMENT AND INTEGRATION PERSPECTIVE: ROLE AND IMPACT OF VARIOUS DISCIPLINES

Generally, planning (including urban and regional planning, transportation planning, and environmental management) entails the consideration of what can and should happen where in spatial systems. It includes the foci and interaction of different policies and practices (tools and instruments) across regional space, and sets the role of spaces, places and interaction between professions in...
of their orientation from an urban and regional planning perspective. The relationship between education, training and professional development is fundamental for the way in which alignment and integration is being dealt with in practice and in the workplace. In terms of SPLUMA (2013), planning includes various disciplines, as illustrated in Figure 3. In some instances, it may imply duplication within certain spheres of government that requires centralization. Co-operation between planning-related and other disciplines is thus a focal consideration in promoting alignment and integration. Todes et al. (2009: 429-431) state that the need for integration may be addressed through:

- Centralizing disciplines such as planning and environmental management.
- Mainstreaming certain concerns and concepts.
- Institutional integration.
- Coordination through improved vertical and horizontal linkages.

Table 6 shows a classification of the core foci for planning activities based on international and national norms and principles. The foci are grouped as follows: spatial planning; environmental management; land availability; transportation planning; environmental management; impact assessments; authorization; socio-economic and spatial development; facilitation and communication; human settlement development; rural development; feasibility studies; implementation; project management, as well as management and analysis based on the application of decision support systems.

The problematic nature of alignment and integration between specific disciplines originates in the education and training of professionals functioning in these domains. The curricula within these programmes do not allow for an understanding of the realities being shared among professions. This creates a professional backlog between professions to reason and debate.
across professional boundaries. This complicates co-operation, alignment and integration in processes of plan formulation, implementation and monitoring.

This implies the need for the revision of the competencies and standards applied in curricula for education and training of professions functioning in such disciplines. This is not only a challenge for higher education institutions, but also implies the role and responsibilities of Professional Councils governing such disciplines. The three foci dealt with in this article are being controlled by the following professional councils: South African Council for Planners (SACPLAN) (Planning Professions Act 36 of 2002; Engineering Council of South Africa (ECSA) (Engineering Professions Act 46 of 2000), and the South African Council for Natural Scientific Professions (SACNASP) (Natural Scientific Professions Act 27 of 2003). Todes et al. (2009: 429) conclude that “[t]he language used in each profession is not necessarily readily understood by the other”. This also applies to the theme of this article.

Capacity within disciplines is also a problem for the vst majority of professions in South Africa. Disciplines not only consist of professionals, but are also supported by an array of supporting staff with other qualifications that need to be trained, capacitated and applied in disciplines such as spatial planning, transportation planning, and environmental management. Enhancing alignment and integration thus depends on the dynamic reality inclusive of internalities and externalities. The combination or integration of functions or disciplines alone will not resolve such challenges. The solution lies somewhere between a combination of training and education, extension of competencies and standards for professional registration and provision of adequate capacity in terms of specialization and supporting staff. These resources should be applied in the context of the obligation for government to co-operate, as discussed earlier.

6. ROLE OF SPLUMA (2013) TO ADDRESS ALIGNMENT AND INTEGRATION

The context of addressing the challenge of alignment and integration by SPLUMA (2013) is illustrated in Figure 4, showing the reality to meet the overarching goals and objectives from a sustainability perspective set out in the objectives contained in Chapter 1 of SPLUMA (2013: 14) and, specifically, the development principles and norms and standards (Chapter 2).

Table 7 shows the outcome of an alignment and integration analysis based on the provisions of SPLUMA (2013).

The South African Cities Network (2015: 1-69) summarized SPLUMA as a tool for spatial transformation in a very effective and focused manner by explaining the background, and spatial transformation and by identifying potential spatial transformation levers.

Berrisford & De Visser (2015) state that SPLUMA is classified as framework legislation rather than as comprehensive revision of the status quo for land-use management. Berrisford & De Visser (2015) further point out that SPLUMA returns to the planning in the pre-1990s thinking, inclusive of the philosophy ‘planning everything’. It relies heavily on SDFs in all spheres of government. It also includes ‘wall to wall’ land-use management schemes. It is pointed out that the negative effects resulting from the contents of the
7. CONCLUSIONS

The article discussed the building blocks for alignment and integration between spatial planning, transportation planning, and environmental management and included the development processes underpinning each discipline, the policy and legal framework guiding it, the division of powers, the functions, duties and obligations, and the reality created by the promulgation of SPLUMA (2013). Perhaps the greatest area of concern is the processes and conditions related to obtaining land-use rights, development planning considerations, project approval in terms of transportation plans inclusive of traffic impact studies and environmental authorisations.

The complexity of current legislative processes and procedures, notwithstanding process transformation provided for by SPLUMA (2013), may continue to cause uncertainty among some spheres of government and professionals. Issues such as how to align, engage, integrate, coordinate, support and implement the formulation of spatial development frameworks, land-use management and development planning processes need to be addressed through formal capacity-building and intensive formal training among all stakeholders and all spheres of government.

SPLUMA (2013) will, however, add to the administrative and professional demand within already (Chapters 2 to 4). Chapters 5 and 6 deal specifically with land-use management and land-development provisions and arrangements. Section 8 (Norms and Standards) may be determined by the National Minister to allow for consistency across the country. This will promote alignment and integration.

SPLUMA (2013) further operates parallel to other laws. It repeals existing national laws (see Table 7). SPLUMA adds to what the Municipal Systems Act (2000) provides for in terms of the IDPs and SDFs, and it should be noted that SPLUMA does not contradict the MSA (2000) or any other act.
The previous spatial and land-use management dispensation culminated in the fragmentation of land-use decision-making and requirements, due to the national policy and legislative framework that does not appropriately address the division of functions and powers. Accountability and support in sustainability were thus not reflected and articulated in land-use decisions and environmental authorisations (Kidd, 2008: 85-102). SPLUMA (2013) will have to address the issue of accountability. Attention should also be paid to transform all core legislation through amendments in order to promote alignment and integration and not to rely on the provisions guiding co-operative government and intergovernmental?

Figure 4: Enhancement of sustainability through alignment and integration by SPLUMA (2013)
Source: Author’s own compilation, 2015

Table 6: Core planning foci based on international and national norms and principles

<table>
<thead>
<tr>
<th>Core professional planning focus</th>
<th>Domain as interpreted internationally and nationally</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spatial planning</td>
<td>Planning systems; practices in regional space; role of places; strategic frameworks; forward planning; scale of regional planning; development in physical environment; spatial plan formulation; impact of migration; regional spatial planning needs; regional corridor and nodal development.</td>
</tr>
<tr>
<td>Urban planning</td>
<td>Role of places; anticipating development; scale of urban planning; surface and beneath surface development; urban development; urban regeneration and development; urban design; site planning; urban spatial planning needs; neighbourhood development; urban corridor and activity node development; urban renewal.</td>
</tr>
<tr>
<td>Policy and strategy formulation</td>
<td>Interaction of policies; policy interventions; multi-perspective approaches; disaster preparedness plans; input in drafting of policy and legislation.</td>
</tr>
<tr>
<td>Land-use management</td>
<td>Land-use planning; land-use management and control; regulating development; control of land use; management of change in land use; legal issues related to land use and building codes; legal issues related to environmental regulations.</td>
</tr>
<tr>
<td>Built environment</td>
<td>Style of buildings; design of public spaces; conservation of historic buildings; development of public spaces and places; location, design and layout of buildings.</td>
</tr>
<tr>
<td>Land availability</td>
<td>Land reservation; identification of land for development.</td>
</tr>
<tr>
<td>Transportation planning</td>
<td>Innovative forms of transport; accessibility between places of residence, work and amenities; traffic congestion management; air pollution identification; transport and land-use models; transportation frameworks.</td>
</tr>
<tr>
<td>Environmental management</td>
<td>Relationship between built and environment; negative impacts on natural environment; natural impacts on communities; protection of natural environments; standard of environmental quality; landscape development; legal issues related to environmental management.</td>
</tr>
<tr>
<td>Socio-economic and spatial development</td>
<td>Social and economic status quo and forecasting; community regeneration; regional and economic development; rural enterprise; sectoral policies; planning research; technical analysis; smart growth strategies; economic development plans; development of resources; socio-economic profiles.</td>
</tr>
<tr>
<td>Facilitation and communication</td>
<td>Compromise formulation; lead public consultation processes; education, training and capacity-building; identification of community needs; community goals and vision compilation; development consultation; public address, meeting and facilitation.</td>
</tr>
<tr>
<td>Human settlement development</td>
<td>Housing development; housing strategies.</td>
</tr>
<tr>
<td>Rural development</td>
<td>Community development; area-based planning.</td>
</tr>
<tr>
<td>Feasibility studies</td>
<td>Appreciation of spatial complexities; deeper underlying causes; integrated analysis.</td>
</tr>
<tr>
<td>Implementation</td>
<td>Infrastructure needs; infrastructure programming; general management; needs prioritization; implementation and enforcement strategies; determination of infrastructure and amenities capacity.</td>
</tr>
<tr>
<td>Project management</td>
<td>Management of programmes for planning and implementation; quality management.</td>
</tr>
<tr>
<td>Infrastructure planning</td>
<td>Supporting the planning and development of engineering infrastructure based on sustainable planning policies, practices and needs.</td>
</tr>
<tr>
<td>Management and analysis support systems</td>
<td>GIS applications and techniques; modeling; systems analysis.</td>
</tr>
</tbody>
</table>

Source: Author’s own compilation, 2015
Table 7: Assessment of roles, alignment, integration and involvement of spheres of government in the implementation of SPLUMA (2013)

<table>
<thead>
<tr>
<th>Alignment components, functions and obligations</th>
<th>Sphere of government</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>National</td>
</tr>
</tbody>
</table>

**Chapter 1: Introductory provisions**
- Application of the Act
  - Align
- Objectives of the Act
  - Coordinate
- Spatial planning system
  - Implement
- Categories of spatial planning
  - Integrate

**Chapter 2: Development principles and norms and standards**
- Application of development principles
  - Monitor
  - Enacted

**Chapter 3: Intergovernmental support**
- National support and monitoring
  - Apply
- Provincial support and monitoring
  - Engage
- Municipal differentiation
  - Apply

**Chapter 4: Spatial development frameworks**
- Preparation of spatial development frameworks
  - Enacted
  - Apply
- Preparation and content of national spatial development frameworks
  - Coordinate
- Preparation and content of provincial spatial development framework
  - Implement
- Preparation and content of regional spatial development framework
  - Input
- Preparation and content of municipal spatial development framework
  - Implement
- Status of spatial development frameworks
  - Enact

**Chapter 5: Land-use management**
- Role of executive authority
  - Enacted
- Land-use scheme
  - Coordinate
  - Implement
- Purpose and content of land-use scheme
  - Enact
  - Enforce
- Legal effect of land-use scheme
  - Coordinate
  - Implement
- Review and monitoring of land-use scheme
  - Coordinate
- Amendment and monitoring of land-use scheme and rezoning
  - Coordinate
- Consultation with other land development authorities
  - Coordinate
- Alignment of authorizations
  - Monitor
  - Compile
  - Coordinate

**Chapter 6: Land-development management**
- Municipal land-use planning
  - Enacted
- Municipal cooperation
  - Coordinate
- Establishment of Municipal Planning Authorities
  - Coordinate
- Processes of Municipal Planning Tribunal
  - Coordinate
- Related land-development matters
  - Coordinate

**Chapter 7: General provisions**
- Commencement of registration of ownership
  - Enacted
- Regulations
  - Enacted
  - Coordinate
- Exemptions
  - Enacted
  - Coordinate
- Delegation
  - Enacted
- Non-impeachment of function
  - Enacted
- Offences and penalties
  - Enacted
- Repeal of laws
  - Enacted
- Transitional provisions
  - Enacted
- Short title and commencement
  - Enacted

**Schedule 1: Matters to be addressed in Provincial Legislation**
- Provincial legislation regulation land development, land-use management, township establishment, spatial planning, subdivision of land, consolidation of land removal of restrictions and related matters

**Schedule 2: Schedules land-use purposes**
- List of land-use purposes
  - Enacted
  - Coordinate
  - Implement
- Definitions
  - Enacted
  - Implement

**Schedule 3: Appeal of laws**
- Removal of Restrictions Act (1967)
  - Enacted
  - Coordinate
  - Transition
- Physical Planning Act (1967)
  - Enacted
  - Coordinate
  - Transition
- Less Formal Township Establishment Act (1991)
  - Enacted
  - Coordinate
  - Transition
- Physical Planning Act (1991)
  - Enacted
  - Coordinate
  - Transition
  - Enacted
  - Coordinate
  - Transition

Source: Author’s own compilation, 2015.

relations, as provided for in the Constitution (Act 108 of 1996) only. The promulgation of SPLUMA (2013) and its Regulations (2015) directs municipal planning by formalising the role of SDFs within all spheres of government and provides for a new system of land-use management and land development within municipalities. It thus applies to all spheres of government and emphasises the role of municipalities as being the most important sphere of government, as it is closest to the
people and communities in terms of delivery. An important focus is the promotion of sustainability in terms of spatial planning, land-use management and land development through alignment and integration.

SPLUMA (2013) thus serves as the interface in promoting alignment and integration within the existing policy and legislative framework guiding planning and development. At this stage, many practitioners view the NDP (2012) as being an ideology that needs the support of instruments such as SDFs within all spheres of government in order to determine what is to happen, where and when. SPLUMA (2013) may assist in this, as it serves as important vehicle for alignment, integration and cooperative governance as a prerequisite for a successful democracy. Contesting of spatial planning, land-use and development-planning issues through the Constitutional Court will result in failure and continuation of the past misalignment, lack of integration, and absence of coordination, resulting in continuing spatial planning inefficiency and non-delivery.

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CONSTITUTIONAL COURT RULING. 2010. City of Johannesburg Metropolitan Municipality (Applicant), Gauteng Development Tribunal (First Respondent), Gauteng Development Appeal Tribunal (Second Respondent) and Ivory-Palms Properties 20 CC (Third Respondent).


