

**KENNISGEWING 116 VAN 2018****NORTHERN CAPE PROVINCE****HAVE YOUR SAY****CALL FOR PUBLIC HEARING****ON****NORTHERN CAPE PLANNING AND DEVELOPMENT ACT 7 REPEAL BILL**

In line with Provincial Legislatures core objective of facilitating public participation and involvement in legislative processes, we invite public comment on our intention to repeal the Northern Cape Planning and Development Act 7 of 1998.

**NOTICE OF 2018**

**DEPARTMENT: CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS**

**PUBLICATION OF EXPLANATORY SUMMARY OF THE NORTHERN CAPE PLANNING AND DEVELOPMENT ACT 7 REPEAL BILL, 2018**

The MEC of Co-operative Governance, Human Settlements and Traditional Affairs hereby gives notice in terms of Rule 166(2) of the Rules of the Northern Cape Provincial Legislature that he intends to introduce the Northern Cape Planning and Development Act Repeal Bill, 2018 in the Legislature in 2018 and, in accordance with Rule 167 of such Rules, publishes and explanatory summary of the Bill.

The Bill seeks to repeal the entire Northern Cape Planning and Development Act, 1998 (Act No. 7 of 1998) ("the Act") which provides for a single set of procedures and regulations to complement the accelerated development procedures as provided for in the Development Facilitation Act, 1995 and thereby ensuring effective and co-operative planning and land development within the provincial and local spheres of government of the Province of the Northern Cape.

On 1 July 2015 the Spatial Planning and Land Use Act 16 of 2013 (SPLUMA) came into operation. SPLUMA provides inter alia a framework for spatial planning and land use management in the Republic. SPLUMA also provides that no legislation not repealed by this Act may prescribe and alternative and parallel measure, institution or system on spatial planning, land use management and land development in a matter inconsistent with the provisions of SPLUMA. In terms of SPLUMA the Development Facilitation Act 67 of 1995 was repealed in its entirety. The Provisions of the Act are thus obsolete, redundant, and in contravention of SPLUMA. It is envisaged that the Northern Cape Spatial Land Use Management Act will be tabled in the provincial legislature during 2019. There will not be a vacuum between the promulgation of the Bill as the national SPLUMA is already in operation.

Interested individuals and interested groups wishing to comment on the above-mentioned Bill are kindly requested to forward written submissions to the Office of the Chief State Law Advisor by not later than **Wednesday, 31 October 2018**. Stakeholders interested in making oral submissions are also requested to make a written request or contact our office by the same date.

All correspondence should be addressed to **Adv J.F. Victor, Principal State Law Advisor, Office of the Premier, J.W. Sauer Building, Cnr Quinn & Roper Streets, Kimberley, 8301** or e-mail to [kvictor@ncpg.gov.za](mailto:kvictor@ncpg.gov.za) (053 838 2649) or [nmapatsi@ncpg.gov.za](mailto:nmapatsi@ncpg.gov.za) (053 – 838 2634).