

2. Legislation & Policy Context

There are a number key legislative and policy documents that informed the content or provided the enabling policy context for the compilation of the Sedibeng District SDF

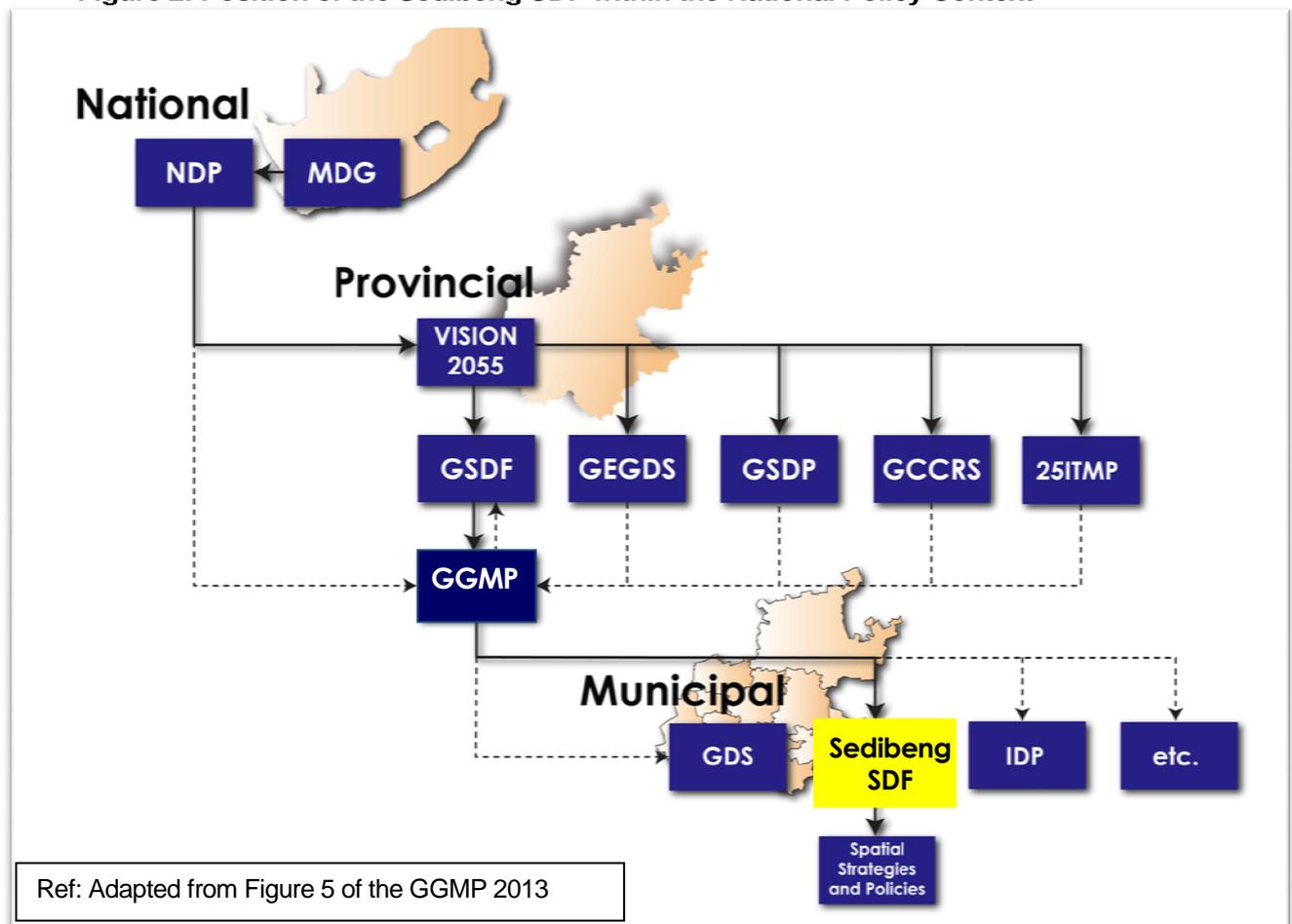
This section looks only at the key documents in the above regard and the principles and intent of each, with respect to the compilation of the Sedibeng SDF.

These documents include:

1. The National Development Plan 2030;
2. Gauteng 2055;
3. The Gauteng Climate Change Response Strategy and Action Plan, 2012;
4. The Gauteng Spatial Development Framework, 2011;
5. The Gauteng Employment Growth and Development Strategy, 2009 – 2014;
6. The Gauteng Spatial Development Perspective, 2007;
7. The Gauteng Growth Management Perspective 2013 (Draft)
8. The Gauteng 25-Year Integrated Transport Master Plan.

The above policies are interrelated and form part of a hierarchy of policy, plans and frameworks. The following Figure 2 sets out where the Sedibeng SDF is located within this hierarchy and it's linkages to other policies and plans.

Figure 2: Position of the Sedibeng SDF within the National Policy Context



2.1 National Development Plan 2030

The National Development Plan 2030 (NDP) is the overarching development planning policy for the country, to which all other development planning, in particular spatial planning, must be aligned.

The NDP outlines a relatively complex vision for the country that revolves around what we, as South Africans, perceive as a “worthy future”.

As stated in the foreword, the overall aim of the policy is to eliminate poverty and reduce inequality.

The NDP contains 15 chapters, each dealing with an area of the development challenges facing South Africa, namely:

1. Key drivers of change (urbanisation, increased integration, complexity and risk)
2. Demographic trends (slowing growth rate off a low base, high proportion of youth and working age population, increasing life expectancy)
3. Economy and employment (better education, healthier population, better located and maintained infrastructure, social safety net, capable state and reduced corruption)
4. Economic infrastructure (investment in economic infrastructure)
5. Transition to a low carbon economy (adapt to and mitigate against climate change)
6. Inclusive rural economy (combat marginalisation of rural poor)
7. Positioning South Africa in the world (maximise regional and international influence and opportunity)
8. Human Settlements (well-located settlements with infrastructure close to work opportunities)
9. Improving education, innovation and training (education as a core element for eliminating poverty)
10. Promoting health (demographics, systems and environment)
11. Social protection (social protection as a right)
12. Building safe communities (access to justice and integrated development)
13. Building a capable state (professional public service)
14. Promoting accountability and fighting corruption (counteract poor governance and building resilience to corruption)
15. Transforming society and uniting the country (building relationships, sense of inclusiveness and dignity)

The NDP recognises the need for new spatial norms and standards that include densification, transformation of human settlements, improving public transport, locating jobs where people live, upgrading informal settlements and addressing critical gaps in the housing market.

The plan strongly advocates a review of the current planning system, including a focus on ensuring municipalities develop spatial restructuring strategies with clear implementation mechanisms, as well as identifying priority precincts for spatial restructuring. The plan stresses the need for a balanced approach between rural and urban development.

The NDP identifies the following key ingredients for successful development:

1. The active efforts of all South Africans
2. Growth, investment and employment
3. Rising standards of education and healthy population
4. An effective and capable government
5. Collaboration between the private and public sectors
6. Leadership from all sectors of society

Sound spatial planning forms the foundation for achieving the above “key ingredients”.



2.2 Gauteng Vision 2055: The Gauteng City-Region

The Gauteng Vision 2055 “plan”, envisages an integrated, globally competitive Gauteng City Region (GCR).

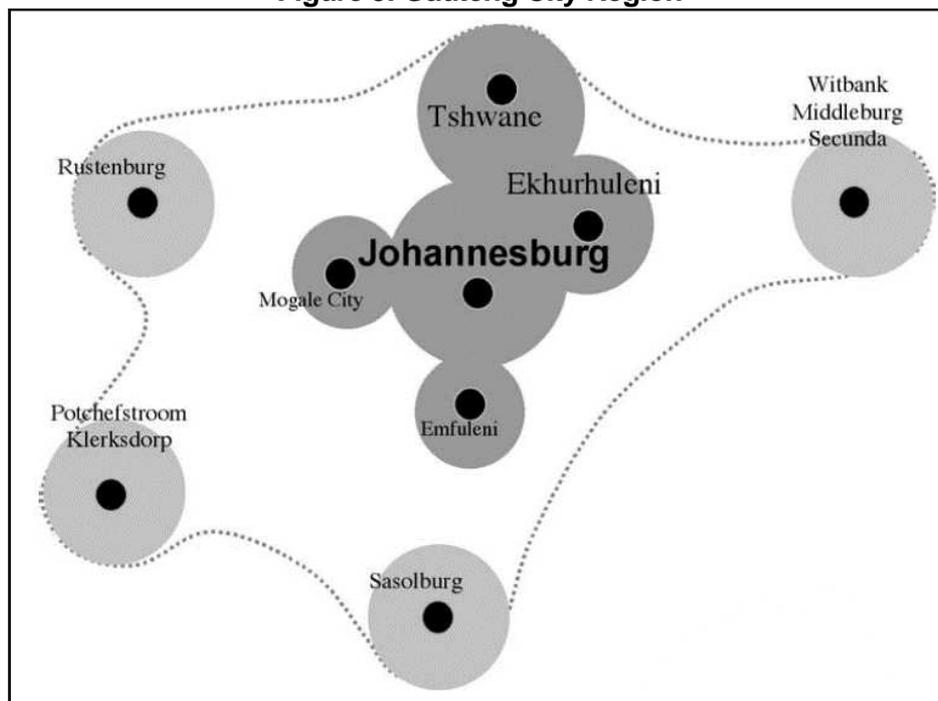
This plan calls for:

- Establishment of a shared vision and strategy
- Enhanced co-operation and coordination amongst all regional stakeholders
- Improved governance practices
- Better urban management
- A focus on acting together in the global arena.

From a spatial planning perspective, the need for “regional thinking” was stressed for joint identification of “which parts should constitute growth nodes and development corridors”, and the reduction of possible areas of duplication between the different spheres of government.

To support decision-making in this regard, a “Gauteng 2055 conceptual framework” was developed. The framework highlights the vision for 2055, namely, “**A liveable, equitable, prosperous and united Global City Region**”. The proposed Gauteng City Region is illustrated conceptually in Figure 3 below.

Figure 3: Gauteng City Region



Ref: reproduced from the GGMP 2013

The four ideals highlighted in the conceptual framework for the GCR are:

1. Equitable growth
2. Social inclusivity and cohesion
3. Sustainable development and infrastructure, and
4. Good governance

These ideals are expanded in Figure 4 alongside and below, extracted from the GGMP.

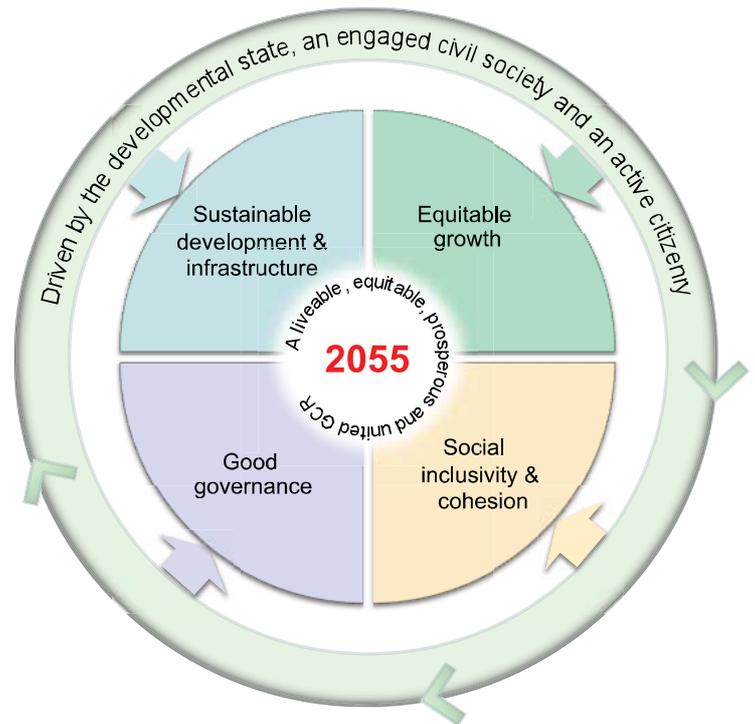


Figure 4: GCR Ideals

Equitable growth	Sustainable development and infrastructure
<p>The concept of equitable growth is a critical priority in the face of spatial inequalities. Large numbers of people still live in areas shaped and disadvantaged by the apartheid spatial framework – with this reality exacerbated by the inflow of migrants from within and beyond South Africa’s borders who enter the GCR in the hopes of finding a meaningful livelihood. One of the pertinent actions related to this ideal is “Addressing the spatial economy”. With the unequal distribution of economic activity across the city-region comes unequal access to work opportunities.</p>	<p>This ideal addresses all forms of infrastructure and the supporting environment (natural and built). Therefore, the focus must fall on the long-term impact of today’s priorities, actions and outcomes for development and sustainability. As such, it requires a consciousness of the impact of development decisions, for the current population – and for future generations to come. One way of achieving sustainable development and infrastructure is by addressing the GCR’s spatial and infrastructure form.</p>
Social inclusivity and cohesion	Good governance
<p>The ideal of social inclusivity and cohesion relates to the experience of ‘quality of life’. This includes issues of integration, transformation, the establishment of social capital (i.e. the value attributed to social relationships and connections in closely-knit communities or groups, which very often serves as a source of strength), and the creation of opportunities for all to access their human rights, to have their needs met, and to assume their responsibilities. The concept of ‘quality of life’ demands the removal of the experience of exclusion and the multiple deprivations many face.</p>	<p>Good governance hinges on the actions and values of a variety of role-players. In the context of the GCR – as in any other environment – the state needs to be predictable, transparent, capable and responsive. The establishment of constructive co-operation and a continued focus on seamless intergovernmental relations is critical. Joined-up government calls for all members of the GCR – from the public, private, NGO and community sectors – to commit to a social partnership. Effective and efficient institutions are critical. Through collective ownership of and the participation of all in growing a shared future, the GCR’s potential may be realised. For corruption to be eradicated, informal and formal leaders from all sectors of society need to hold themselves and be held answerable for effecting change. Citizens, residents and other members of society will need to play their role in holding leaders to account, given their place as the ultimate recipients of the GCR vision.</p>

The Gauteng Vision 2055 document notes the importance of spatial planning and states that, “dreams of liveable, vibrant human settlements for all, supported by ideal amenities, goods, services, infrastructure networks and opportunity are hampered by our current reality. The GCR is a polycentric region, with dispersed communities and economic centres separated by sizeable distances. There is a need to ensure appropriate development that supports the vision of a sustainable future – with a reflection of this need in both the spatial form of the GCR and its supporting networks of infrastructure.”

The Gauteng Vision 2055 Discussion Document lists 14 strategic pathways for the establishment of the Gauteng City Region, namely:

1. Moving from a resource based economy to a green economy;
2. Transitioning to a vibrant, capacitated knowledge economy;
3. Towards a more equitable and competitive urban space economy;
4. Positioning the GCR in a Regional, Continental and Global Space;
5. Reducing Intergenerational poverty;
6. Fostering a Long and Healthy Life for All;
7. Growing an educated, skilled and productive Gauteng;
8. Building a Safe, Secure and Peaceful Gauteng City Region;
9. Concrete Measures to Move From a Divided to an Inclusive and Cohesive Society;
10. Infrastructure Transitions and Urban Sustainability;
11. Towards New City Forms: Breaking the Mould of Housing and Transport Choices;
12. Meaningful State-Society Engagement: Optimising the Roles, Rules for and Outcomes of Engagement Between the State, Civil Society and an Active Citizenry;
13. Reconfiguring the City Region’s Governance Model and Intergovernmental Relations for an Integrated Region; and
14. Building a Professional, Capable, Citizen Focused Public Service.

At a provincial level, the Gauteng Vision 2055 is to be implemented through GSDF, GEGDS, GSDF, GCCRs, and ITMP25. At municipal level, the GDS, SDFs, IDPs, and other sector plans and initiatives are to be used.

2.3 Gauteng Spatial Development Framework, 2011

Gauteng Province finalised a provincial Spatial Development Framework, which was informed by the Gauteng 2055 Development Vision. The Gauteng Spatial Development Framework (GSDF), proposed a spatial development pattern in pursuit of planning for shared, equitable, sustainable and inclusive growth and development of the province.

The Gauteng Spatial Development Framework has a number of aspects that need to be taken into account when developing the Sedibeng District SDF. In particular, this framework is “premised on building Gauteng as a City Region that allows agriculture to provide a link between rural and urban economic development, shaped by infrastructure led investment”. The framework seeks to:

1. Provide a clear future provincial spatial structure that is robust to accommodate growth and sustainability
2. Specify a clear set of spatial objectives for municipalities to achieve in order to ensure realisation of the future provincial spatial structure
3. Propose a set of plans that municipalities have to prepare in their pursuit of these objectives
4. Provide a common language and set of shared planning constructs for municipalities to use in their planning processes and plans
5. Enable and direct growth



The desired outcomes of the Gauteng Spatial Development Framework through infrastructural investment and the management of activity patterns are:

1. Integration of the apartheid fragmented municipalities in the province and the municipalities in the wider Gauteng City Region
2. Safe, affordable and sustainable public transport, in contrast with private mobility, on which the present provincial structure is focused
3. Quality of life and living through proximity to, or easy and affordable access to quality open space and social and cultural facilities
4. Shared, sustainable and inclusive economic growth, ensuring that everyone in the province can get access to economic opportunities and contribute to, and share in the economic development of the province
5. Protection and enhancement of the natural environment, ensuring the sustainability of natural systems and the fauna and flora habitats within these and their connectivity and bio-diversity. This should be enshrined in a comprehensive system of green corridors and spaces effectively forming a basic 'lattice' upon which urban development grows as the movement and infrastructural layers on which a quality urban life depends
6. Choice, enabling individuals and communities to decide within an overarching framework what works for them, where opportunity presents itself and where to locate in the urban system without incurring inordinate premiums; and
7. Creativity and innovation, ensuring that the province can adapt to change in constructive ways.

The Gauteng Spatial Development Framework identifies specific spatial structuring elements that were used in the development of the Sedibeng Spatial Development Framework, including the two corridors formed by the R59 and the N1 and the urban concentration (conurbation) in the Vereeniging, Vanderbijlpark and Evaton areas.

2.4 Gauteng Employment Growth and Development Strategy, 2009 – 2014

The Gauteng Provincial Government Medium Term Strategic Framework (MTSF), 2009-2014 outlines strategic priorities for the 2009 to 2014 Gauteng Provincial Government term of office.

These strategies are aimed at providing a better life for all, protecting the poor and the vulnerable, and increasing the number of better quality, sustainable jobs, through the following priorities:

1. Creating decent work and building a growing, inclusive economy;
2. Promoting quality education and skills development;
3. Better healthcare for all;
4. Stimulating rural development and food security;
5. Intensifying the fight against crime and corruption;
6. Building cohesive and sustainable communities; and
7. Strengthening the developmental state and good governance.

The Gauteng Growth, Employment and Development Strategy 2009-2014 (GEGDS) focuses primarily on the first priority of the MTSF namely, **“Creating decent work and building a growing, inclusive economy”**.

Each of the Provincial Priorities has “strategic pillars” (refer to Figure 5) that drive the achievement of the priorities detailed further in the GEGDS (Refer to Figure 6).



Figure 5: GEGDS Strategic Pillars per Priority Area

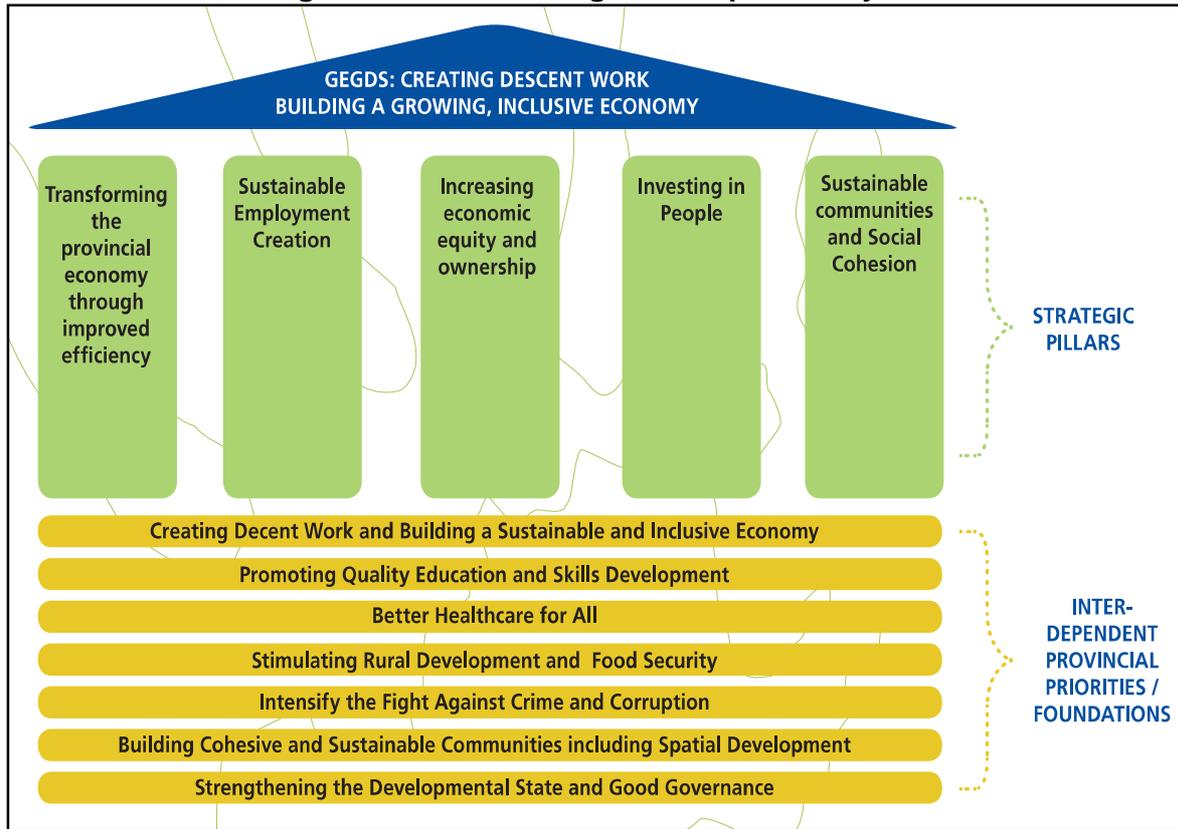
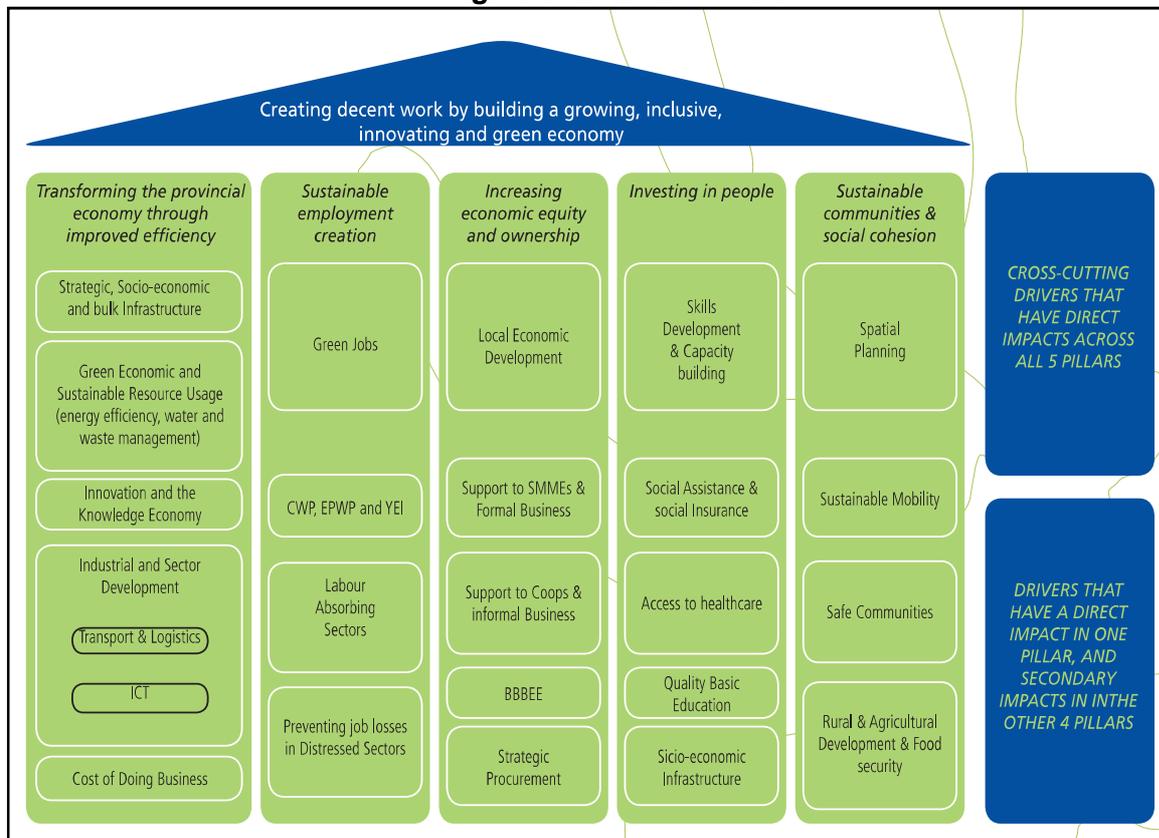


Figure 6: GEGDS: Drivers



The GEGDS highlights the following critical aspects that must be taken into account in spatial planning:

- Accommodation of the rapid population growth from within both South Africa and sub-Saharan Africa in an environment that can effectively accommodate communities and a population estimate of 25 million people by 2055.
- Placing an emphasis on pollution reduction and efficient patterns of energy consumption.
- An urban structure based on public transport as a priority over private mobility.
- Being responsive to existing settlement patterns and focusing on the integration of marginalised areas into the urban structure.
- Optimised re-investment into existing infrastructure and its management, including maintenance and upgrades.
- Sustainable patterns of new infrastructural investment.

2.5 Gauteng Spatial Development Perspective, 2007

The Gauteng Spatial Development Perspective (GSDP) provides a common frame of reference for planning and investment by describing the nature and functioning of the provincial space economy.

The GSDP highlights areas of economic significance and concentrations of poverty to serve as a platform to guide and align infrastructure investment and development spending.

The purpose of the GSDP is to:

1. Establish a clear common understanding of the key developmental challenges facing a particular area.
2. Identify the area's inherent strengths and opportunities.
3. Propose a set of guiding principles and/or principle-led responses.

The Gauteng Spatial Development Perspective sets out four strategic principles for growth and development in the Province:

Principle 1: Existing spatial concentrations of economic activity, areas showing potential for the expansion of economic activity and areas that play a supportive role in the regional economy, should be prioritised for public sector fixed investment that support economic activity.

Principle 2: Promote socio-economic inclusion through strengthening overlaps in economic activity and poverty to address high levels of spatial fragmentation and exclusion. This inclusion will have to be achieved by either:

- (1) Improving spatial accessibility profiles of poverty concentrations or
- (2) Investment in people rather than places in spatially fragmented areas.

Principle 3: Stimulate emerging and new spatial overlaps of economic activity and poverty by focused investment in poverty concentrations that show potential for economic development in their spatial and socio-economic contexts.

Principle 4: Develop a sustainable urban region through promoting equitable access to basic services, the protection of natural and cultural resources, and an urban form that supports greater efficiencies in land use and service provision.

The Gauteng Spatial Development Perspective identifies specific target areas as key focus areas for intervention based on the above principles.

2.6 Gauteng Climate Change Response Strategy and Action Plan, 2012

The Gauteng Climate Change Response Strategy and Action Plan, 2012 (GCCRS) promotes development activities that support a low carbon footprint economy.

The GCCRS notes the increasing impact urban sprawl and general development is having on the climate and that urban growth needs to be managed. The following are the key urban growth management related actions identified by the Strategy:

1. Put regulations in place to allow and promote densification of housing developments, including row housing and multi-story residential buildings
2. Provincial and municipal subsidized housing projects must specify a higher housing density than present practice
3. Fiscal incentives or taxes and policies must be put in place to discourage urban sprawl developments
4. Urban edges must be defined and enforced
5. Develop reclaimed mining land within urban margins for industrial development instead of greenfield development
6. Land-use planning and development regulations must take into account sustainable urban land-use practices, including protection of agricultural lands and natural areas; and
7. Land use planning regulations must be strictly enforced, with harmonization across national, provincial and municipal jurisdictions

The rationale for these proposed actions is the fact that current residential settlement planning and implementation is contributing to urban sprawl. Increasing urbanization is leading to encroachment onto natural habitats and loss of prime agricultural land. This poses long-term climate costs (increased costs of transport and energy), loss of biodiversity, and decreased food security. The sustainability, social and economic advantages of city living are optimised through optimum densities that are higher than the majority of current town planning developments.

2.7 Gauteng Growth Management Perspective 2013

The Gauteng Growth Management Perspective provides a perspective and understanding of the implications of uncontrolled spatial growth and the required interventions for the co-ordination of growth management in the province and the proposed CityRegion.

The Growth Management Perspective outlines the need for:

1. The restriction of continuous outward expansion
2. The protection of sensitive and conservation worthy environments and
3. The redirecting of growth to a more efficient spatial form.

The four main objectives of Growth Management in Gauteng are to achieve:

1. Spatial efficiency;
2. Resource management;
3. Economic growth; and
4. Enhanced Rural Development

The GGMP states that the implementation tools and mechanisms for growth management must follow a three pronged strategy of:

1. Preventing developers from developing in sensitive environments
2. Discouraging development in peripheral locations and
3. Encouraging developers to develop primarily in central or strategic locations.

2.8 The Gauteng 25-Year Integrated Transport Master Plan, 2013

The 25-Year Integrated Transport Master Plan (ITMP25) proposes eight key interventions:

1. Subsidised housing provision within urban core areas
2. Land use densification in support of public transport
3. Reinforcing the passenger rail network as the backbone of the system
4. Extending the integrated rapid and road-based public transport networks
5. Strengthening freight hubs
6. Ensuring effective travel demand management
7. Mainstreaming non-motorised transport and
8. Ensuring continued provincial wide mobility

The ITMP25 states that “Land use and transportation should be better integrated through processes of land use densification and TODs along the priority public transport network within the urban core of Gauteng. This would require that local authorities initiate dedicated Growth Management Strategies and detailed Precinct Plans for specific priority areas to ensure that at least 45% of housing stock created is located along the provincial priority public transport network.”

From a spatial growth perspective, the ITMP25 stresses the need for densification close to or along the public transport network and transport corridors.

2.9 Legislative and Policy Key Issues

The three local municipalities that constitute Sedibeng District (Emfuleni, Lesedi and Midvaal) are different in character and have a range of intrinsic strengths, weaknesses and resources. As a result, they all have different development potentials. The development of a Spatial Framework for guiding the realisation of these different potentials will require the application of different legislation and policy specific to their circumstances, as well as the application of the overall policy and legislation guiding the development of Spatial Development Frameworks.

For example, Emfuleni was historically focused on policies geared towards urban development and industrialisation, which has led to some serious environmental concerns in the area. As a result, the Sedibeng District SDF needs to take account of current relevant environmental legislation and policy. Lesedi was an agricultural hub with high agricultural potential that needs to be protected through the relevant legislation. Midvaal was historically an environmentally sensitive area, which relied on agriculture and tourism, especially around the Vaal Dam and along the Vaal River, whilst large sections of the area were underdeveloped. This may need to be redressed by diversifying and creating more commercial and industrial areas that will require the application of specific legislation and policy.

From the outline of the relevant legislation and policies it would appear that in Sedibeng:

- Good legislative and policy frameworks exist at a broad level, upon which District policies and strategies could be developed for spatial planning purposes.
- Enforcement of policies and legislation is lax and the illegal use of land is rife, particularly with regard to the environment, such as pollution control (air, soil and water) where industries discharge polluted water into local streams and rivers.
- Current policies do not support inherent strengths and intrinsic potentials of the area, such as agriculture, tourism, the presence of national tertiary institutions, opportunities for water based activities and business opportunities.
- There is weak integration of vertical and horizontal links between the Province and the District, as well as between the constituent municipalities. Each municipality is inwardly



focussed and operates activities in an insular manner, instead of integrating activities across their boundaries on a functional area basis.

- There is a need to reinforce development and “infill” in locations that will have the largest socio economic and development impact and are sustainable.

The GGMS summarised the principles and implications of legislation and policy for the development of the province. These principles/implications have been modified in terms of their relevance to the Sedibeng District SDF in the summary below:

1. Spatial restructuring and growth management is an important national, provincial and district tool to support economic growth and employment creation;
1. The SDF must improve spatial efficiency and sustainability in the district, which, in turn, will assist economic efficiency;
2. Growth Management through the SDF must allow for an improved spatial network economy which will allow for improved agglomeration economies, economic clustering and economies of scale;
3. There should be a balanced approach towards urban and rural development. Although Sedibeng has urban concentrations, there are significant rural elements and these should be acknowledged as important spatial elements in a comprehensive approach to the planning of the District;
4. The SDF should not only focus on growth and development *per se*, but also on the protection of agricultural land for the advancement of land transformation and food-security;
5. Rural development should focus on identifying different zones of rural potential and the identification of growth strategies for these;
6. Urban sprawl should be contained and, possibly reversed, as denser forms of development are more efficient in terms of land usage, infrastructure cost and environmental protection;
7. Spatial planning should assist with improved movement systems through improved urban linkages and land-use and transportation integration around transport corridors and TODs, for the sake of more efficient movement of people and goods as well as the reduction of energy consumption and the carbon footprint.
8. Areas with existing demonstrated economic potential should form focus areas for intensification and investment. However, economic growth and its spatial manifestation should find ways of being more equitably distributed across the urban environment, including marginalised areas;
9. A much greater degree of spatial integration and overlap between disadvantaged areas and areas of economic activity is to be ensured. Spatial growth should therefore focus on creating linkages between these areas, but, at the same time, ensure that such linkages are realistic and sustainable;
10. The proposals and outcomes of Sedibeng Spatial Development Framework should be measurable against the five (5) national principles for spatial development, namely Spatial Justice, Spatial Sustainability, Spatial Resilience, Spatial Equality and Spatial Efficiency;
11. The Sedibeng SDF must support the Gauteng 2055 ideals of
 - (i) equitable growth;
 - (ii) social inclusivity and cohesion;
 - (iii) sustainable development and infrastructure; and
 - (iv) good governance.

Ref: modified summary from the GGMS



From an analysis of the legislative and policy context, the emerging overarching key issues for spatial planning of the Sedibeng District can be summarized as follows:

1. Sedibeng needs to develop policies that support inherent strengths and intrinsic potentials of the area across municipal and provincial boundaries;
2. Current disjointed policies need to be reformulated to address the strategic development of the District as a functional entity;
3. Law enforcement needs to be improved;
4. Policy and strategy is required for integrated planning, densification and the prevention of sprawl; and
5. Development needs to be focused on areas that will have the largest impact and will facilitate sustainable development by addressing the social, environmental and economic elements of the district.

