
GENERAL NOTICE

NOTICE 472 OF 2008

DEPARTMENT OF LAND AFFAIRS

PUBLICATION OF EXPLANATORY SUMMARY OF LAND USE MANAGEMENT BILL, 2008

The Minister for Agriculture and Land Affairs intends to introduce the Land Use Management Bill, 2008, in the National Assembly in 2008. An explanatory summary of the Bill is hereby published in accordance with Rule 241(1)(c) of the Rules of the National Assembly.

The Bill aims at providing for a uniform, effective and efficient regulatory framework for land use and land use management in the Republic.

It contains provisions which, if adopted, will constitute legislation contemplated in section 146(2) of the Constitution and will prevail over provincial and national legislation on land use management.

An organ of state must, when performing a function in terms of legislation regulating land use management, be guided by the directive principles established by the Bill. Compulsory norms and standards for land use management may be prescribed in terms of the Bill.

Provision is made for national and provincial support to municipalities in the performance of their land use management functions and monitoring.

The ambit of provincial legislation on land use and land use management is specified.

Land Use Regulators will be established in all spheres of government. At a municipal level a municipal land use committee will consider land use applications. A Provincial Land Use Tribunal will be established in each province. The Minister in the national government responsible for land affairs will be the Land Use Regulator in respect of all land use and land use management matters within the national sphere of government. The contemplated National Land Use Commission will assist, advise and make recommendations to the Minister.

The Removal of Restrictions Act, 1967 (Act No. 84 of 1967), Physical Planning Act, 1967 (Act No. 88 of 1967), Physical Planning Act, 1991 (Act No. 125 of 1991), and Development Facilitation Act, 1995 (Act no. 67 of 1995), will be repealed. Transitional provisions arising out of the repeal of these Acts are contained in the Bill.

Copies of the Bill can be obtained from:

1. Government Printers: Pretoria and Cape Town; and

2. Department of Land Affairs

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