



# Two Rivers Urban Park Association

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## Call To Action

### Respond to City's new draft MSDF plan

Plans are the legal vehicle through which development happens.

The City has produced a new plan, to guide growth across Cape Town, over the next 5 to 10 years.

**This new plan will “trump” all existing plans.**

With such magnitude over the future, it makes sense that you **“Have Your Say”**.

The plan (draft MSDF) is found [here](#).

[Comment on the City's webpage](#), or send your comments to [Future.CapeTown@capetown.gov.za](mailto:Future.CapeTown@capetown.gov.za) , no later than **5pm on 26 September**.

### Key comments you might include in your submission, include:

- The process for developing the MSDF has not allowed for meaningful public participation.
- The process for developing the MSDF cannot be completed until an independent team of planning professionals and lawyers have reviewed the document.
- An independent legal team review whether this MSDF is lawful.
- A genuine “Summary Document” is produced and widely disseminated.
- A public explanation for “rescinding” the former City Spatial Plan is provided.
- The MSDF details the practical steps it will take to implement the MSDF.

## Background

The MSDF is intended to be a document that guides development over the next 5 to 10 years, in the City.

Should local or district spatial plans be inconsistent with the MSDF, the MSDF will take precedence.

It is imperative therefore, that YOU check out what the MSDF is proposing!

The City would like to hear local resident comments in the spatial planning being proposed for future growth of the City of Cape Town. Send these to [Future.CapeTown@capetown.gov.za](mailto:Future.CapeTown@capetown.gov.za) , no later than 5pm on 26 September.

## The TRUPA call for meaningful public participation follows:

- ❖ Public participation around the draft MSDF should include building citizenry capacity around spatial form and function.
- ❖ Requesting public comment on a 250 page document written using jargon and advanced English is disempowering.
- ❖ Requiring that the public consider and simultaneously give input, (4 July – 26 September 2017), on an even longer and equally complex report (the draft Comprehensive Integrated Transport Plan (CITP) for 2017-2022), is an unreasonable expectation from the City.
- ❖ Producing reports for public comment that require an explanation from legal experts is disempowering (as per Chapter 1 of the draft MSDF).

## Comments

The following TRUPA comments will be submitted to the City:

1. *Given the significant power associated with the MSDF, the draft MSDF should not be finalised until substantially greater quantities of time and resources be allocated by the City towards*

### **Why it is imperative you engage with the draft MSDF:**

*“The MSDF will be implemented in accordance with the consistency principle that applies to the plans and policies of different spheres of government. In terms of the consistency principle, lower-order spatial plans and policies must be consistent with higher-order spatial plans and policies.*

*Should the provisions of spatial plans of a lower order in the hierarchy (including district and local spatial development frameworks and other existing local-scale structure plans) be deemed to be inconsistent with the MSDF, the MSDF will take precedence.”*

**The new MSDF will trump all other planning guidelines.**

[Draft MSDF, Section 1.3 (page 9)]

*building citizenry capacity, in order to allow for meaningful citizen engagement in the draft MSDF development process.*

- 2. An independent panel of planning professionals and lawyers review the draft MSDF, ahead of the MSDF being approved.*
- 3. An independent panel of legal professionals review the legal processes associated with implementing the MSDF, to ensure that it is compliant with the South African Constitution.*
  - The draft MSDF is not finalised until the legal implications of “a spatial planning framework that is not cadastrally defined”, is understood by the public, and shown to be lawful.*
- 4. The two page “summary” document of the draft MSDF is not a summary of the document. It is a series of statements. A genuine summary document needs to be compiled.*
- 5. City should present a comprehensive and full public explanation concerning their “rescinding” of the former SDF “spatial logic”.*
- 6. The draft MSDF should be expanded to provide more information regarding the practical steps the City intends to undertake to implement the worthy principals described in the draft MSDF.*