

# DEVELOPMENT LAW

2017/2018



**STBB**

SMITH TABATA  
BUCHANAN BOYES



## OUR SERVICE

STBB | SMITH TABATA BUCHANAN BOYES is a firm of business-minded lawyers which was established in 1900. At present the firm consists of approximately 90 professionals practising from 11 offices throughout South Africa.

By understanding our clients' needs and objectives, we strive to deliver cost-effective legal solutions to their business and personal matters. A vital aspect of the professional service we provide, is a commitment to developing close working relationships with our clients. This commitment enables us to consistently succeed on their behalf.

## WHY WAS THE DEVELOPMENT LAW UNIT FORMED?

STBB's Development Law Unit (DLU) came into existence during April 2015. The ground-breaking initiative was timed to coincide with changing legislation and processes relating to land development, implemented from 1 July 2015 onwards, such as the coming into effect of the Spatial Planning and Land Use Management Act (on national level) and the gradual implementation of the Land Use Planning and Land use Management regulation (Western Cape Province).

The DLU was warmly received by developers, town planners and environmental practitioners and was welcomed by the Western Cape Department of Environmental Affairs and Development Planning.



## WHAT IS ITS FUNCTION?

In the DLU, we have combined various specialist legal fields to form a single unit thus giving us the ability to furnish our clients with specialist advice in a comprehensive and integrated manner. The property development sector in South Africa is multifaceted, strictly regulated and complex. The only effective manner in which the legal field can play its role in this sector is to integrate the required legal expertise intelligently and which is exactly what STBB has done.

Importantly, the DLU will function as a watchdog for our developers from inception of a project until successful completion and in the process strengthen the developer's position. Objections against developments, review letters from authorities and minutes of meetings will be strictly scrutinized and advice furnished, throughout the development application process.

In light of the various specialist legal fields of which the DLU consists, we believe that we are better placed and equipped than any other law firm to furnish specialist legal advice to property developers, development consultants (townplanners, environmental consultants, engineers, architects etc), local authorities and financial institutions.

## TYPICAL INSTRUCTIONS

- Legal Opinions
- Review Applications
- High Court Declarators
- Interdicts
- Internal Administrative Appeals:  
NEMA, LUPA, SPLUMA
- General Advice on Development Law Matters



## LEGAL FIELDS OF EXPERTISE COVERED BY THE UNIT

- Property Law
- Planning Law
- Environmental Law
- Local Government Law
- Construction Law - Specialist Construction Law Unit (Stoffel Ackermann)
- Water Law
- Associated legal fields: Constitutional Law, Administrative Law, Expropriation, etc.

## THE DLU TEAM CONSIST OF:

The Development Law Unit has nine senior professionals addressing all requirements of land development in the various applicable areas of law.

### DIRECTORS:

- Martin Bey
- Allan White
- Martin Sheard
- Cris Riego De Dios
- Stoffel Ackermann
- Philip Steyn
- Annetjie van Rooyen
- Maryna Botha (Head of Research Group)

### ASSOCIATES:

- Annemarie van Vuuren
- Ghislaine Barends
- Andre Swart – is an admitted attorney, notary and experienced conveyancer with vast experience in local government law as well as property, planning, administrative, environmental and water law. Andre holds an LLM degree from the University of South Africa with planning and environmental law as major subject, as well as a certificate in local government law and administration from the University of Pretoria.



### WHERE IS THE DLU TEAM BASED?

Although permanently based in Stellenbosch, the DLU does not function separately or distinct from the other departments or disciplines in STBB, but forms part of any legal team where it can add value, and is already rendering high quality specialist legal advice in the field of development law in an integrated manner with other legal fields practiced by the STBB professional team.

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Visit [www.stbb.co.za](http://www.stbb.co.za) to make the DLU the starting point of your development and let us undertake the journey to success together.

### THE NEWSLETTER:

#### DEVELOPMENT LAW UPDATE

With the launch of this prestigious Unit we also introduced a new publication, the Development Law Update. It is a monthly newsletter which provides a snapshot of important news, cases and legislative happenings reported each month and which impacts development law, municipal and planning law, environmental law, property and conveyancing. The Development Law Update keeps developers, planners, surveyors, architects and municipal land planning officials informed of daily judgments and all legislative developments on all levels of government as they happen.

Should you wish to subscribe to receive this informative publication for free every month, please email us at [info@stbb.co.za](mailto:info@stbb.co.za)



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## SERVICES

In an endeavour to provide the optimum professional service to our clients, we have various departments specialising in select aspects of law. Any member at any branch of the firm will be able to recommend an appropriate professional to meet your needs, given their speciality and the location most convenient for you, including your home or place of business.

- PROPERTY LAW
- COMMERCIAL PROPERTY LAW
- COMMERCIAL AND CORPORATE LAW
- LITIGATION
- ESTATES AND TRUSTS
- FAMILY LAW
- LABOUR LAW
- PERSONAL INJURY AND INSURANCE LAW
- LOCAL GOVERNMENT, PLANNING,  
DEVELOPMENT AND ENVIRONMENTAL LAW

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