



SFB Planning Committee Report

Appointment

- The Planning Committee functions as a sub-committee of the SFB Executive Committee
- The members, who have knowledge and experience of planning matters, are co-opted by the SFB Exco to serve on the Planning Committee
- All members serve in a voluntary capacity

Current Members

Ori Saban (Chair):	Architect
Alan Walt:	Architect
Larry Aberman:	Planner
David Polovin:	Attorney
Sean Dayton	Lawyer
Gordon Metz	Heritage Practitioner
Kim Bagarette	SFB Administrator

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Role of the Planning Committee

- Consider planning applications for private & public space within the SFB area
- Provide comment on heritage-related planning applications, title deed amendments and land use applications
- Review applications within the regulatory frameworks
- Provide general assistance on planning matters to owners and residents of the area

Matters referred to the Planning Committee

- Development and/or building plans are submitted to the City for approval
- If there are applications for departures from the zoning scheme, then these need to be advertised and all affected parties notified and invited to comment
- If the plans involve the alteration or demolition of structures that are over 60 years old, then the applicant also requires planning approval from the relevant heritage management authority. Affected parties are also invited to comment
- If there are any objections, both the applicant and the objector have the opportunity to have the matter heard and adjudicated at the Municipal Planning Tribunal. While submissions from all affected parties are taken into consideration, the City Planning Committee makes an independent determination

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Workings of the Planning Committee

- The Planning Committee meets every two weeks to consider planning applications that have been referred to the SFB Residents Association, as an affected party
- Applications for departures from the zoning scheme, including detailed building plans (existing and proposed), title deed/s as well a motivation for the departures (where applicable), are considered and discussed by the Planning Committee.
- Comments by affected neighbours and/or ratepayers are taken into consideration when reviewing applications
- Should the information provided by the applicant be insufficient to make an informed assessment, the applicant is requested to make a presentation to the Committee
- Similarly, applications for the demolition of and/or alteration to buildings that are 60 years old or more are referred to the Planning Committee for comment by the provincial heritage management authority, Heritage Western Cape (HWC)

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Workings of the Planning Committee

- If the Planning Committee has no objection to the application, a letter of no objection (LONO) will be forwarded to the relevant City authority, or in the case of a heritage-related application, to HWC
- If the Planning Committee objects to the application, a letter of objection will be issued, together with the reasons therefore. In some instances, the Committee will commission a professional town planner to draft the objection
- **The Planning Committee has no statutory or legal authority and the relevant Cape Town City and heritage bodies are not obligated to take account of, or support the decisions and/or recommendations of the Committee**
- The Planning Committee can appeal the decisions made by the City planning authority, as well as those made by Heritage Western Cape
- All members of the Planning Committee recuse themselves from all deliberations relating to a development or issue in which they are involved, or have an interest. Such recusals are recorded in the minutes of each meeting. These minutes are freely available to all Ratepayer Association members and the public for reference and are available for scrutiny on the SFB website

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Legal & Regulatory Frameworks

- The deliberations of the Planning Committee are informed by the relevant legislation and the applicable zoning and planning regulatory frameworks.
- Any application for departures, rezoning, etc., is considered and measured against the potential negative impacts thereof.
- Heritage-related applications are considered against the criteria and regulations as set out in the relevant legislation, namely, the National Heritage Resources Act (NHRA) of 1999
- The Act provides guidelines for determining the heritage significance of buildings over 60 years old and the factors and circumstances that must be taken into account if/when demolition or/and alteration is being applied for
- More recently, if an application is made for the demolition of a building in an area deemed to be of heritage significance, such an application must be accompanied by the plans for the replacement structure so as to ensure that the new structure does not impact negatively upon the heritage fabric of the area