



DWCA Policy for dealing with Build Environment Issues

(A) On receipt of a Building Application

- (1) If there is a need for HWC permission, we are contacted by the developer for a letter. In this case
 - (a) DWCA will send an email advising all members when the next public meeting is where plans will be discussed,
 - (b) DWCA will ask the architect/owner to present plans at such a meeting, and allow MC and members of the public to raise issues, or to put issues in writing to DWCA MC.
 - (c) the MC subcommittee will summarise, suggest a response, and get the majority decision of the MC, (by email after meeting)
 - (d) DWCA will send a letter with this decision to the architect/owner and HWC & notify members of this decision by email or at the next public meeting. This letter will state that the DWCA and other interested and affected parties expect to be included in the public participation process of the City of Cape Town as per City Policy.

- (2) If there is no need for HWC input, i.e. buildings younger than 60 years, falling outside the Loader Street Conservation Area, it is possible that the first time we hear of an application is when the City Building and Planning Management advertises in the newspapers, on their website, or send registered letters to interested and affected parties. In this case
 - (a) DWCA will ask the architect/developer for copies of the plans, (the developer has no obligation to do this, since the plans can be viewed at the City offices)
 - (b) DWCA will invite the architect/owner to present plans at the next public meeting, (developer/architect has no obligation to do this)
 - (c) if we get no response, a member of the MC will inspect plans at the City Building and Planning Offices and write an opinion, if deemed necessary by the DWCA MC,
 - (d) DWCA will send an email advising all members when the next public meeting is where the proposed development will be discussed,
 - (e) DWCA will ask the architect/owner present plans at such a meeting, and allow MC and members of the public to raise issues,
 - OR in case where (a) and (b) yielded no results, present the MC opinion,
 - (f) the MC subcommittee will summarise, suggest a response, and get the majority decision of the MC, (by email after meeting)
 - (g) DWCA will send a letter to City Building and Planning Management with decision and notify members of this decision by email or at the next public meeting.

3. In cases where HWC permission was sought (1), the MC decision (1)(d) will suffice for (2) and steps (2)(f) and (2)(g) will be followed if MC decision was to object.

(B) If DWCA is excluded in the notification process and this comes to our attention, we will write to Councillors and Building and Planning Management to object, and lodge a complaint with the relevant departments.

(C) The onus to inform neighbors / affected parties is on the City and the owner/architect and HWC. DWCA will advise members (via email or at a public meeting) when DWCA is asked for an opinion, or becomes aware of a zoning, heritage, or land use issue of interest, but will not take responsibility to inform affected property owners personally, or take issue with those who should have informed an property owner. See (B).

(D) Where DWCA objected to a HWC decision (see (A)(1) or a City of Cape Town decision (see (A)(2)))DWCA MC will consider appealing a decision which goes against DWCA decision.

(E) DWCA decisions will be based on the MC sub-committee advice, and will be voted on by all MC members (by email, and documented). MC committee members will be asked by email to vote, and will be given 5 days to vote. The majority vote will be taken as DWCA opinion. Where there is a tie, the sub-committees' opinion will carry the vote. The result of the vote will be made known to MC committee, and acted upon after all MC members were notified by email.

(F) Where there is no planned public meeting within 60 days of ((A)(1) or ((A)(2), or where DWCA MC deems an application urgent, the DWCA MC will inform all members on the members email list of the issue at hand, and ask for written submissions to be submitted within 14 days, after which steps (A)(1)(c and d) or (A)(2)(f and g) will be followed.

(G) Any other issues regarding Building and Planning Management which arises, will be discussed via email with MC members, and a decision will be made by the MC sub-committee, unless any MC member asked for the issue to be discussed by a full committee, in which case this will be done at the next public or closed meeting. All decisions will be reported and minuted at a public meeting.

(H) Where illegal structures, illegal use of property (e.g. business run from residential) comes to the attention of the DWCA MC, the complainant will be asked to complete the City's Land Use Management Complaint form. DWCA MC will do same and follow up as needed.

(I) In terms of the DWCA constitution, DWCA MC may not involve itself in disputes outside its mandate.