



1. Introduction

The report provides an overview of the work undertaken by the South African Association of Consulting Professional Planners (SAACPP) and its Committee since the last AGM, events of the past year, and a report back on the achievements and main issues addressed by the different portfolios. The report also looks at the constraints, challengers and major changes that emerged within the planning profession, but also highlights the focus areas for the New Year.

It is important to note at this point that the professional planner has probably experienced the most important change in decades, namely the changes to legislative environment that governs the statutory framework within which the planner's daily work is undertaken. The last major event of a similar nature was the implementation of the Land Use Planning Ordinance (No 15 of 1985) on 01 July 1986. Thirty years later, on 1 July 2015, the new "Planning Regime" has been introduced as a suite of new legislation through the implementation of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA), the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) LUPA, and the Municipal Planning By-Laws (MPB).

2. Achievements of the last year

This section focuses mainly on the managerial tasks of the Association and its achievements.

2.1 Membership

The membership of the Association South Region has remained steady in 2015/2016 with only a marginal increase earlier this year.

The paid up membership figures increased from 28 members in May 2015 to 32 members in May 2016. The structure of current membership is as follows:

Total firms (members)	32
Total planners	46
Firms located in Metropolitan Area	26
Firms located in Southern Cape	2
Firms located in Northern Cape	1
Firms located in Eastern Cape	3

While active participation and attendance of Committee meetings is mainly from members located in The Metropolitan area and Stellenbosch, an increase in membership from other areas is noted. This increase is partly attributed to recent changes to tender qualification criteria, where proof of membership with the Association is now a new tender qualification requirement.



We have now also received membership application forms for the first time, from the Eastern Cape. Membership in the Southern Cape is also strong, but with limited active involvement. The need for regional based sub-committee structures will be investigated in the next year.

The Association has now also introduced for the first time, membership certificates. All paid up members have also been issued with a membership certificate that will be renewed once a year.

2.2 Website

The South Region recently launched its own website. The objective of the website is firstly to promote the profession and to provide direct access to contact information of private consultants. Secondly, the website is a source of information, documents, circulars etc. which will be easily accessible to the practitioner, ensuring that all are kept abreast of events and important matters relating to the profession.

The salient features of the website are:

- Provides a list and contact information of all paid members
- A map indicating where the offices of members are located
- A section that contains all circulars and practice notes from City of Cape Town and Department of Environmental Affairs and Planning
- Log in details for payed-up members to access certain reports and information.
- Copies of relevant legal opinions
- Reminders of upcoming meetings and events and minutes of Committee meetings
- References to all new application forms required by the CoCT
- Etc

A maintenance contract was signed with the web-designer (LVR Designs) and the Committee will continue to improve content and services provided through the website.

2.3 SAACPP North and South co-ordination

Regular interaction has now been established with Mr. P Dacomb, Chairman of SAACPP North. The matters of mutual interest included:

- i. **Survey on the calculating of professional fees.**
Some firms within South Region participated in this survey and we await the outcome of recommendations by North Region.



ii. **Broadening of the membership base.**

The North Region has embarked on an ongoing campaign to invite new member firms to join at no initial cost. This initiative needs to be considered by South Region.

iii. **Application to SACPLAN for recognition as voluntary Association in terms of section 17 of the Planning Professions Act, 2002.**

South Region has also joined this initiative and we await confirmation of membership. The aim of the requirement for recognition in terms of this Act is to ensure that a minimum quality of professional expertise is maintained and commitment to the development of the profession.

iv. **New handbook**

North Region has indicated that they have embarked on the compilation of a revised planning handbook, incorporating new terminology (i.e. SPLUMA), recent planning By-laws and an explanation of certain categories of work amongst other. South Region will comment on the draft version when this becomes available.

v. **Website**

The option of collapsing the regional websites into a single domain was initially supported, but then later South Region decided to start with a separate website that would reflect its unique needs and objectives. The option of merging 2 sub-domains (North and South Regions) into 1 main landing page can be investigated at a later stage. The Google search function and priority for the Association's website has also been improved.

2.4 Participation in CoCT By-law amendments

A small working group undertook in November 2015 to comment on the first round of amendments drafted by the City of Cape Town. One of the major changes proposed by the Association was the amendments proposed to the definition of a basement and the exclusion of parking areas from the calculation of floor factor.

2.4 Committee meetings and speakers

The Committee decided at the AGM 2015 on the following meeting arrangements:

- Formal Committee meetings will be held once per semester.
- Ad-hoc meetings can be arranged at sub-committee level.
- All members will be invited to meetings and a guest speaker will be invited to each quarterly meeting.

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The following guest speakers were invited:

- Deon van Zyl: Chairman of the Western Cape Property Developers Forum
- Chris O'Connor: CEO of the Greater Tygerberg Partnership
- Peter Ahmed: Manager: Metropolitan Spatial Planning
- Dave Daniels: Chairperson of the Municipal Planning Tribunal in the City of Cape Town

2.5 South African Planning Profession Act (Act 36 of 2002) (PPA)

The Department of Rural Development and Land Reform (DRDLR) has undertaken a process for the amendment of the PPA. A position paper was presented to the Western Cape on 20 November 2015. The focus of the proposed amendment was:

- Amendment of registration categories
- Amendments to section 13(9) of PPA (to rectify the gap in SPLUMA) in order to make provision for the protection of planning work.

A copy was received of the draft Planning and Professions Amendment Bill, 2016 and on closer scrutiny it would seem as if the concerns relating to the protection of planning work has not been incorporated. The current changes relates mainly to the categories of registered persons. The Association needs to be in close contact with the DRDLR to ensure that practitioners receive the necessary protection.

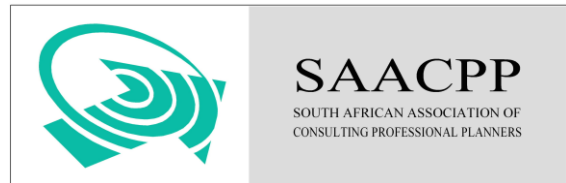
2.6 Bank accounts

Bank accounts signing powers of the SAACPP have been removed from the previous Chairperson (L Seaward). G Swart to complete FICA submission to obtain same.

2.7 Secretariat

It was reported at the last AGM that the Committee decided to give the administrative and secretariat function more prominence in order to improve capacity and its professional image. A description of tasks and responsibilities was compiled and Natasha le Roux was selected.

The implementation of this decision has significantly improved the service of the Association. The secretarial function has improved record keeping, all actions relating to arrangements for meetings, distribution of information, website management, organising of events, ensuring protocol and the constitutional requirements are upheld, etc. I want to personally thank Natasha le Roux for all her efforts and in doing so also making the chairman's work easier.



3. The Practitioner: challenges and opportunities

In fulfilling its mandate, namely to act as the spokesperson for registered consulting town planning firms, the Association also had to address certain challenges. Opportunities for further enhancement of the role of the profession have also been identified, which will require new focus in the year ahead.

3.1 City of Cape Town: Development Application Management System (DAMS)

The CoCT has implemented a sophisticated electronic application management system. While the City is to be commended for this initiative as a first for South Africa and as one of the leading municipalities in the world in applying this system, it also has its growing pains. The Committee through its involvement in two discussion forums, namely the Quarterly Meetings and Zoning Practice Notes Meeting, have been able to provide valuable inputs, potential solutions and also kept our members up to date with new developments. Minutes of these meetings and feedbacks are downloaded onto the Association's website for all members. At the last Quarterly meeting of the Committee, it was decided that a working group meeting will be arranged to address specific concerns identified by the Association, such as:

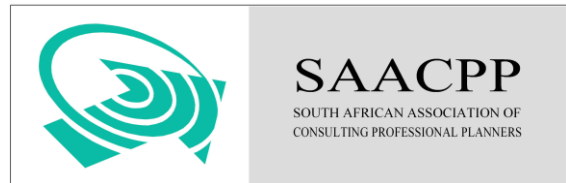
- Delays in processing 14 day letters, advertising and processing by advertising commenting departments.
- Exuberant application fees for large scale development applications.
- Concerns relating to calculation of Development Contributions.

3.2 Change Management and Implementation of LUPA

The Planning Change Management Steering Committee from DEA&DP must be commended for the effort and initiatives taken to ensure that the Western Cape has successfully transformed into the new "Planning Regime". According to the DEA&DP, the Western Cape Province is well advanced and ahead of all provinces in South Africa. For this process, the DEA&DP established a number of Working Groups to assist municipalities.

The CoCT was the first municipality in the Western Cape to implement LUPA and the City's By-Law on 01 July 2015. All sections of LUPA have now been implemented for CoCT from 25 April 2016. LUPA also became operational at other municipalities who have published their Municipal Planning By-Laws in the Provincial Gazette and which were subsequently adopted by their respective Councils. Municipalities have also decided on:

- The composition of MPT's and implementation of Standard Operating Procedures.
- Delegations and the role of the authorized official.
- Tariff structure.
- Approved categorization of applications.



The implementation of Standard Draft & Model Zoning Scheme was started slowly as only CoCT and Bergrivier Municipality implemented their Zoning Schemes until recently.

The new legislative environment will present a number of challenges to the consulting planner, such as:

- Staying abreast of changes in By-Laws, considering that there are 24 municipalities in the Western Cape, each requiring the need to make (minor) changes of the amended Standard By-Law to reflect local needs.
- Keeping up to date with the composition of MPT's, changes to their work procedures, meeting dates, etc.
- A major concern of SPLUMA is the lapsing of use rights clause (Section 43 [2]). The DRD&LR commissioned a legal opinion on this section and the DEA&DP obtained same by Adv. Butlander.
- Further ongoing research and debates will be closely monitored, such as:
 - Interpretation of the National Interest as prescribed in Section 52 of SPLUMA.
 - Interpretation of Section 45(6) of SPLUMA, which may be misinterpreted as if the Municipality may authorize consent for amendment of a condition of title emanating from Act 21 of 1940 (comments received by SAACPP North).
 - Municipalities have been requested to draft their own removal of restrictions applications and procedures, based on the SOP's provided by DEA&DP.

3.3 Trends in a changing planning environment

The planning environment is consistently changing, and the practicing planner is required to be aware and adapt to new approaches, apply new skills required and to stay in contact with shifts in focus. The following trends are highlighted, namely:

- Informal settlement upgrading.
The in-migration rate to City's and Towns is increasing and as a result of the impact or urbanization, putting pressure on the authorities to plan proactively and adopt new approaches to address the backlogs in housing. These may include to accelerate housing delivery through an incremental development approach and to embrace informality with innovative solutions.
- Planner's role as project leader.
Increasingly tenders require the Planner to fulfill the role of project leader. An understanding of application processes puts the planner in the ideal position to co-ordinate and manage complex development management processes.



- Legal reviews, judgements and expert witnesses.
With increasing high value developments in certain areas in the Western Cape, the likelihood of appeals and legal reviews are increasing, as developers seek to protect their investment and to find clarity on legal matters. Planners are most often at the forefront of these actions, either providing evidence as an expert witness in court cases or assisting legal council in preparation thereof.

4. The SAACPP Committee: Challenges and Opportunities

The Committee needs to constantly re-evaluate its role and function in terms of its own Constitutional Mandate, but also the role that it must play in assisting its members in light of the challenges and changes identified above. The goal of the Committee will be:

4.1 Facilitate debate, discussion and information circulation.

The most effective methods of disseminating information must be perused and the Committee should therefore increase its efforts to:

- (i) Facilitate debate on topical matters;
- (ii) Obtain expert opinions and case studies;
- (iii) Ensure that the members are consistently informed by posting information on it's website in combination with the use of social media.

4.2 Fund raising events

Investigate the suggestion made at the last Committee meeting for fundraising events, such as a one-day seminar on a topical subject and inviting guest speakers.

4.3 Collaboration with SAACPP North

South Region will continue collaboration with North Region on matters previously mentioned in this report such as:

- Planning Handbook;
- Fees Structure;
- Legislative Changes and Comments;
- Website Integration
- Amendments to the PPA;
- Etc.



4.4 The portfolios

The Association's decision to reduce the number of portfolios to six created new focus on strategic action areas. Some of the highlights of the events and topics that these forums attended to during the past year are:

(i) Student Liaison Portfolio (Christopher Munro)

A number of suggestions were investigated in pursuit of the Associations' objective to maintain its strong relationship with tertiary planning schools, such as guest lecturing, studio sessions and mentoring. It was eventually decided, in collaboration with UCT, that the Association's members will be invited to engage in "crit sessions" with students. Invitations will be sent to all members and the Committee requests that members support this initiative.

(ii) Western Cape Property Development Forum (Simon Beamish)

The WCPDF held a seminar in May 2016 which was attended by a broad range of practitioners and governing authorities. The WCPDF will now pursue the idea of a joint strategy initiative. The Association will also become actively involved in proposed new workgroups or task teams. One such a proposal is for a workgroup to be established for providing inputs towards the review of the CTSDP (2016/2017).

(iii) CoCT Quarterly Meetings (Cor van der Merwe)

This Committee deals with practical matters and day-to-day issues of the MPBL. Feedback from this meeting is critical for members to relay up-to-date information on interpretations, legal questions, procedures, etc. Direct involvement in a range of issues includes:

- latest amendments to the MPBL
- staff circulars
- the planning portal and electronic submissions
- delays in processing of applications
- feedback on DAMS – related matters
- Etc.



(iv) CoCT Zoning Scheme Meetings (David Bettesworth)

Similar to the Quarterly meetings, the Zoning Scheme Meetings provides direct feedback and input on matters relating to the MPBL. The committee is actively involved in:

- By-Law amendment processes
- Feedback on policy (i.e. parking policy)
- Circulation of practice notes
- Etc.

(v) District Forum (Thys Walters)

The DEAD&DP's District Forums is attended, which mainly focus on the support and monitoring functions that the Department fulfills in respect of municipalities in the Western Cape. The focus of recent meeting was:

- Progress with the Change Management Strategy and Municipal readiness.
- Support to SPLUMA/LUPA implementation.
- Municipal Planning Tribunal (MPT's)
- Training of Sector Departments

(vi) Provincial Planning and Development Forum (PP&DF) (Paul Olden)

The PPDF was established by Minister Bredell to present an opportunity where Provincial mandates, legislation and related matters can be discussed. It provides an opportunity where stakeholders can express their vision, ideas and proposals. At the recent meeting the Association's representative raised concerns regarding:

- The practice of closing LUPO application and re-submission under the By-Law.
- Challenges regarding Section 137 clearance certificates.



5. Conclusion

Whilst the new “Planning Regime” has now been implemented, the role and responsibility of the professional planner will grow in significance and also the role of the consulting planner. The Association therefore has an important responsibility to fulfill, in ensuring it’s members provide inputs and continuously influence and test the legislation.

The portfolios are an essential component of the service that the Association provides to its members. The information assembled, concerns and challenges raised and participation in debate ensures that the Association remains relevant and actively involved in advocating the practitioner’s role, but also ensuring that the needs of its members are expressed at the appropriate forums.

Thank you to all the members for their efforts, commitment and support. I would like to express my sincere gratitude to the Committee for their support and direction. We look forward to take on the challenges of the New Year and to support and strengthen the role of the consulting professional planners within a consistently changing environment.