

# NOTES

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## INTRODUCTION

1. The city engineer is the highest appointed planning officer and is responsible for both ongoing planning activities and administration of building licenses and permits. The position was established by the British Mandate Planning Law of 1922 and reinstated in the Israeli Planning and Building Law of 1965 (see below), which substantially continued the system established by the British. The position has often been filled by an engineer, though for the duration of these studies, the city engineer was Amnon Niv, an architect based in Tel Aviv.

Under the Planning and Building Law of 1965, planning is administered at three levels: local building and planning commissions, district building and planning commissions, and the National Planning Council.

Each local building and planning commission carries out the day-to-day work. The commission has responsibility for regulating the construction and demolition of buildings; laying out streets; enforcing planning and building laws, ordinances, bylaws, and rules within its boundaries; considering all applications for building permits and collecting fees payable thereof; providing the district commission with information about the conditions and needs of the local planning area and the probable direction and nature of its development; and preparing and proposing schemes to the district commission.

At the intermediate level are the district building and planning commissions (there are six administrative districts, for each of which a commission is appointed), which are responsible for the execution and implementation of the law and policy in planning matters. Their responsibilities include constituting the town planning area; confirming bylaw regulations, town planning schemes, and detailed town planning schemes; controlling town and country planning within their district; and coordinating the activities of the various local commissions within their jurisdiction.

The Building and Planning Law created a new authority, the National Planning Council. The law defined its responsibilities as advising the government in the implementation of planning legislation; reviewing planning matters of significance to the country as a whole; preparing an outline planning scheme for the whole state; and performing appellate functions in regard to decisions of the district commissions.

The law also enables the establishment of special commissions to undertake the functions of both district and local commissions and enables the cooperation of two or more local district commissions in order to realize planning matters of mutual concern.

The Supreme Court, sitting as a High Court of Justice, is empowered to order state and local authorities and their officials to do or refrain from doing any act in the lawful exercise of their function. Although the court will not review the planning aspects of a decision taken by a planning institution or interfere with the valid exercise of the latter's authority, it has repeatedly held that planning bodies must fairly and reasonably exercise the powers vested in them. Application to the High Court of Justice by persons aggrieved by the decisions and actions of the planning authorities are quite frequent, and in this manner a body of town planning case law has been slowly developing.

## CHAPTER 1

1. For a full discussion of the events leading to the annexation and the considerations relating to the definition of the metropolitan area, see Meron Benveniste, *Jerusalem: The Torn City*, Isratypeset Ltd., pp. 95–138.

## CHAPTER 3

1. There are interesting precedents for both approaches. The colonnade as a unifying element was proposed in the Robertson and Lewin-Davis plan for Shahestan Pahlavi in Tehran. This great square, proposed as the central civic place for Tehran, was to equal the Maidan of Isphahan in size. Individual buildings, including the city hall, the central library, and government ministries, were to be connected by a colonnade designed by Robertson. There are several examples in Israel, some dating back to the British mandate. Kingsway in Haifa (now Independence Boulevard) was constructed with a single building elevation along its entire length. On Iban Gvirol Boulevard in Tel Aviv, an arcade was required on the ground floor of all buildings. In Dizengoff Square in Tel Aviv, curved facades with horizontal galleries were designated; more recently, in the Kikar Hamedina in northern Tel Aviv, designed by Oscar Neimeyer, all developers were required to construct a repetitive building design around a 280-meter-wide circular piazza.

