



"Ideas never work; unless we do!"

2016-12-05

Mr B Pretorius / Ms M Reinecke
Development Planning
City of Johannesburg Metropolitan Municipality
PO Box 31565
BRAAMFONTEIN
2017

Dear Ben / Marietjie,

**PROPOSED REMOVAL OF RESTRICTIVE TITLE CONDITIONS AND
REZONING OF ERVEN 6, 7, 8, 9, 10, 11, 1/12, REM/12, 1/13, REM/13, 14
AND 15 ORCHARDS CITY OF JOHANNESBURG METROPOLITAN
MUNICIPALITY (REG NO 13-16041)**

The Paterson Park Precinct town planning applications, objections and comments refer.

This is to confirm that this application forms part of a set of applications as part of the Paterson Park Precinct that should all be considered simultaneously in order to understand the impact of the larger development. The applications are:

- Rezoning of Erven 42 to 46 Victoria Extension 3 (Reg no 01-16024).
- Consolidation and re-subdivision of Erven 42 to 44 Victoria Extension 3 (Reg no 01/3310/2015).
- Consolidation and re-subdivision of Erven 45 and 46 Victoria Extension 3 (Reg no 01/3306/2015).
- Removal of restrictive conditions of title and rezoning of Erven 110, 111, 409 and the Remainder of Portion 2 of Erf 162 Norwood (Reg no 01-16025).
- Consolidation and re-subdivision of Erven 110 and 111 Norwood (Reg no 01/3261/2015).
- Consolidation of Erven 409 and the Remainder of Portion 2 of Erf 162 Norwood (Reg no 01/3307/2015).
- Removal of restrictive conditions of title and rezoning of Erven 6 to 11, 1/12, Rem/12, 1/13, Rem/13, 14 and 15 Orchards (Reg no 13-16041).
- Consolidation and re-subdivision of Erven 6 to 11, 1/12, Rem/12, 1/13, Rem/13 and 15 Orchards (Reg no 01/3304/2015).

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- Rezoning of the Remainder of Erf 3, Erf 4 and Erf 5 Orchards (Reg no 01-16023).
- Consolidation and re-subdivision of the Remainder of Erf 3, Erf 4 and Erf 5 Orchards (Reg no 01/3305/2015).
- Removal of restrictive conditions of title and rezoning of Erven 205 to 208 Orange Grove (Reg no 13-16031).
- Consolidation of Erven 205 to 208 Orange Grove (Reg no 01/3308/2015).
- Consolidation of the Remainder of Portion 48 and Portion 35 of the farm Klipfontein 58 IR.

During March 2016 an Urban Design Framework was approved for the Paterson Park Precinct as part of the Louis Botha Avenue Corridor of Freedom Strategic Area Framework. The UDF proposes minimum and maximum development controls for the proposed land parcels that produces a total number of dwelling units of between 1400 and 2200 and height restrictions of between 2 and 12 storeys. The above listed town planning applications were compiled to create the proposed land parcels in terms of the Urban Design Framework and the maximum prescribed residential densities, which resulted in a total number of 2162 dwelling units in the precinct.

The applications were submitted and advertised according to the applicable legislation and 662 objections were received against the applications. Individual objections were submitted by Ms Marion Laserson and by Mr Geoffrey Horwitz. The other 660 objections are all exactly the same and are unofficially represented by the Norwood Orchards Residents Association (NORA). All the objections are similar in nature and can be summarized by the following:

- The applications are not in line with the 2005 Precinct Plan for Paterson Park and the new Urban Design Framework was not put through sufficient public participation processes.
- The change in land use is not in line with the RSDF (2010/2011) for the sub-area in terms of residential densities of between 50 to 70 dwelling units per hectare along the mobility roads.
- A dramatic change in scale of development on the eastern boundary of Norwood in terms of the height of buildings, additional traffic and insufficient engineering infrastructure, opposed to the existing low density, mostly single storey residential dwelling houses in Norwood.
- Inappropriate development within the 1:50 and 1:100 year flood lines, which will contribute to higher development costs, higher storm water run-off due to more hard surfaces and a loss of valuable wetlands. An environmental impact assessment report for the development was requested.
- The development will result in the loss of many mature trees.
- The development area forms part of a heritage rich area with many heritage features on the development area and even more in the surrounding neighbourhoods. A comprehensive heritage impact assessment report was requested.

A number of engineering and other specialist studies were compiled for the proposed development in the complete precinct. The reports are:

- Traffic impact assessment report and an updated traffic impact assessment report.
- An outline scheme report for the provision of water, sanitation, roads and storm water management.
- An outline scheme report for the provision of electricity.
- A wetland assessment report.
- A hydrological investigation report.
- Flood line determination and 32m buffer zone on the newly day-lighted stream.
- A geotechnical soil investigation report.
- A heritage impact assessment report.

- A NEMA enquiry to GDARD.
- A residential market demand study.
- A landscaping design report for the precinct.
- An urban design concept development proposal for the precinct.

These reports were circulated to the Council Departments and Municipal Owned Enterprises for comments, which can be summarized by the following:

- Johannesburg Water supports the proposed development of the precinct with sufficient capacity of services.
- City Power supports the proposed development of the precinct with sufficient capacity of services.
- The Johannesburg Roads Agency supports the proposed development in terms of internal roads and storm water management subject to storm water attenuation on each land parcel to be developed with dwelling units, in terms of the standard guidelines.
- The Johannesburg Roads Agency did not support the original traffic impact assessment report and requested an updated report. After consultation with the project team the number of dwelling units in the precinct was reduced to 1500 dwelling units for the purposes of the updated traffic impact assessment report. This report was supported by the Johannesburg Roads Agency, subject to certain conditions and upgrades to the wider road network. It was also required that certain road widenings and turning circles be incorporated into the precinct development along Paterson Road, Ivy Road, Louis Road and Short Road.
- PikitUp supported the proposed development.
- Environmental management supported the proposed precinct development, subject to no development to take place within the 1:100 year flood line and the 32m buffer area adjacent to the flood line.
- The Heritage Report proposed the preservation and conservation of the old Tipper Building that is occupied by PikitUp; the war memorial, the old ablution block and as many as possible mature vegetation that might have heritage value. The report also suggested that the height of buildings should be reduced to minimize the impact of the new development on the surrounding development.
- The Gauteng Department of Agriculture and Rural Development responded to the NEMA Enquiry that the proposed development in the precinct is not regarded as a listed activity, provided that no development take place inside the 32m buffer area adjacent to the 1:100 year flood line.
- The conceptual detail urban design development proposal therefore investigated the practical implementation of the proposed development, which refined the number of dwelling units and the height of buildings on each of the land parcels. This reduced the total number of dwelling units in the precinct to 1480 dwelling units.

As a result of the large number of objections that were received, several meetings were held with representatives of the objectors in order to explain the overall precinct development, provide information in terms of the specialist reports and clarify certain amendments that were proposed as a result of the above mentioned comments and objections. The representatives of the objectors also had the opportunity to expand on their objections and discussions to the extend to make proposals regarding the proposed development.

Complete agreement regarding the proposed development was not reached on all levels, but in principle the representatives of the objectors did agree to the following proposed amendments to the overall precinct development:

- The overall precinct development is scaled down to a maximum of 1457 dwelling units.
- The reduction in the height of buildings, especially along the Norwood eastern boundary.
- The amendment of the overall precinct layout to accommodate the required road widenings along Paterson Road, Ivy Road, Louis Road and Short Road.
- The amendment of the overall precinct layout to incorporate the 32m buffer area adjacent to the 1:100 year flood line as part of the extension to the central park area.
- The amendment of the overall layout to preserve and conserve the heritage features within the precinct, such as the old Tipper Building, the war memorial and the old ablution block.
- The implementation of very strict development guidelines and management guidelines for the proposed development in terms of the setback of buildings away from the Norwood eastern boundary, the look and material of fences, security measures, traffic control measures, landscaping guidelines, conservation guidelines, etc.

It was therefore decided by the project team to amend the above listed town planning applications, where applicable to scale down the overall precinct development to what was presented to the representatives of the objectors during November 2016. These amendments will have the following implications:

- The park area of Paterson Park will be increased and will be redeveloped and landscaped as part of the Johannesburg Development Agency Project to day-light the stream, create walkways and link the park with the sports facilities on the southern side of Paterson Road.
- There will be some road widenings that will not only assist with traffic flow and management, but will also create the opportunity to develop “complete streets” that also incorporate pedestrian routes, street-scaping, landscaping and taxi parking bays.
- The overall precinct development is scaled down from 2162 dwelling units to a maximum of 1457 dwelling units (reduction of 705 dwelling units).
- The height of buildings are scaled down dramatically to a maximum of 7 storeys in Victoria Extension 3, 4 storeys in Norwood and ten storeys in Orchards.
- The direct impact of the development on the Norwood eastern boundary will be reduced and more in scale with the current development in Norwood.
- The wetland area will be protected and incorporated into the park.
- The important heritage features in the precinct will be protected.
- The landscaping plan for the precinct incorporates the retention of mature trees, as far as practically possible.
- The overall precinct development has been scaled down from the maximum as proposed in the 2015 Urban Design Framework to the minimum as proposed in the 2015 Urban Design Framework. The development is therefore still in line with the guidelines of the Urban Design Framework of the Paterson Park Precinct.

Therefore this specific application has been amended in terms of the following:

- An additional portion to be zoned “Existing Public Road” for the existing alignment of Louis Road.
- A larger portion to be zoned “Public Open Space” to be incorporated into the park.
- A slight re-alignment of the area to be zoned “Special” for the community project to protect and conserve the old Tipper Building.
- The total number of dwelling units in Norwood has been reduced from 753 to 654.
- The floor area ratio of the portion to be zoned “Residential 4” was reduced from 6,0 to 4,5.

The detail of the amendments is contained in the attached updated motivating memorandum, map-2 documents and scheme clauses. Also attached hereto is a map that indicates the new 1:100 year flood line and 32m buffer area; and the response from GDARD.

We trust that you find the above and attached information in order and look forward to the finalization of this application. If any further information is required to consider this application, you are requested to contact this office directly.

Kind regards

Andre Enslin
Director: Town Planning