



# NORWOOD ORCHARDS RESIDENTS ASSOCIATION

incorporating the Gardens and Cheltondale

**ATTENTION:**

06 October 2017

Group Head: Development Planning

Contact Person: BA Pretorius

City of Johannesburg

Dear Sir/Madam,

**Objection to the Outcome of the Municipal Planning Tribunal on Paterson Park:**

- (1) Rezoning Application: The Remaining Extent of Erven 3, 4 and 5, Orchards**
- (2) Simultaneous Removal of Restrictions and Rezoning Application: Erven 6, 7, 8, 9, 10 and 11, Portion 1 of Erf 12, Remaining Extent of Erf 12, Portion 1 of Erf 13, Remaining Extent of Erf 13, Erven 14 and 15, Orchards**
- (3) Rezoning Application: Erven 42, 43, 44, 45 and 46, Victoria Extension 3**
- (4) Simultaneous Removal of Restrictions and Rezoning Application: Erven 205, 206, 207 and 208, Orange Grove**
- (5) Rezoning Application: Erven 110, 111, Remaining Extent of Portion 2 of Erf 162, and Erf 409, Norwood**

The Norwood Orchards Residents Association (NORA) regrets to have to make the decision to appeal the outcome of the Municipal Planning Decision on Paterson Park.

NORA has stated on a number of occasions that it welcomes development and supports the transit oriented densification of the Corridors of Freedom. NORA has also been unequivocal in the position that it will not accept expedient decisions that have a negative impact on the quality of life of current and future residents of our neighbourhood. To that end, we presented reasonable and detailed conditions for the consideration of the Municipal Planning Tribunal.

**These are attached as Annexure A.**

**The Tribunal chose to disregard the following suggested conditions:**

- (1) The height of any new structures bordering existing residential development shall not exceed two storeys, provided that a third storey may be permitted at a distance of 15 meters from the common boundary. **The applicant's representatives did not object to this proposed control.** In the control adopted at the Tribunal, a new three storey structure may be erected at a distance of 1.5 meters from the common boundary, which will irrevocably negatively impact the privacy and light of Norwood properties bordering Paterson Park, and will reduce the quality of life of their residents and the value of their property.
- (2) All mature vegetation shall be retained on the common boundary with existing residential development. In the absence of such vegetation, new indigenous evergreen trees of no less than 2 meters in height shall be planted along such boundaries at an interval of 5 meters. **The applicant's representatives did not object to this proposed control.** In the control adopted at the Tribunal, the new development merely has to be landscaped to the satisfaction of the Council. Mature vegetation provides a privacy screen for Norwood properties bordering Paterson Park. In the absence of such a screen, the quality of life of residents and property values of properties bordering the new development will be negatively impacted.
- (3) The site development plan for any development abutting Norwood and Orchards will be submitted to NORA for comment within 21 days of receipt. **The applicant's representatives did not object to this proposed control.** In the control adopted at the Tribunal, a site development plan merely has to be submitted to the Council, and there is no obligation to provide NORA with sight of this. While the Council may argue that they have the requisite skill and capability to make informed decisions on residents' behalf, our experience is that Council staff are overextended and are rarely familiar with sites beyond the desktop. This often results in expedient decisions that suit developers at the expense of existing residents, and that could have benefitted immensely from the right questions being asked. The Council may argue that granting this control is administratively burdensome - but NORA is merely asking for the right to comment within a short window, 21 days, and that the Council consider our comments.

**The record of the Tribunal will show that the applicant did not object to any of these proposed controls. We believe that these controls, if adopted, will not detrimentally impact the ability of developers to develop the rights granted by the zoning applications, but will protect the quality of life and property value of existing residents and future residents.**

We reserve all rights in this matter.



Yours sincerely,

Brett McDougall

Chairman