



3 December 2017

Executive Director: Development Planning

City of Johannesburg

benp@joburg.org.za

and to

Authorised Agent of the Owner: Hunter Theron

nita@huntertheron.co.za

Dear Sir/Madam

NOTICE OF OBJECTION TO APPLICATION FOR REZONING OF ERF 370 Melville, 72 Fourth Avenue “Residential 1” TO “Business 4” – PROVINCIAL NOTICE 1038 OF 2017

The Melville Residents’ Association object to the abovementioned application to allow for the amendment of the Johannesburg Town Planning Scheme, 1979, to allow for business activities (offices subject to conditions) on Erf 370 Melville for the following reasons:

1. Certain sections of Fourth Avenue have over the years been granted rights for commercial use, but the street is mainly a residential and it should remain so – there are identified areas for business activities, i.e. close to Main Road and Seventh Street.



2. The Village character of Melville will be destroyed should more businesses encroach on the residential erven of the neighbourhood.
3. It does not make sense to amend the town planning scheme by rezoning current residential erven to allow for more business activities (whether offices, restaurants or even canteens which could be options under a Business 4 zoning) while there are vacant premises zoned for business use in the areas. The area is saturated with restaurants – some opening and closing within a few months, because of this fact. Others opening and operating illegally without the required licences. It is noted, specifically on Form D – Zoning Info Rezoning that the Permissible Land Uses under the Proposed rights include “Offices, restaurant and canteen”, while under Land Uses Specifically excluded “Offices” are indicated. This it is assumed that the premises will be used for either a restaurant and or a canteen.
4. The property is adjacent to and surrounded by mainly residential dwellings and across the road on the opposite corner there are two restaurants.
5. Reference to 27 Boxes, which is located one erf away to the east, as a “mall” is misleading – this is a specific venture which is under pressure to maintain its special character as a space in the community which includes an open area (it was developed on a municipal park) and was created as a space for the local community to showcase their art, crafts, etc. It is not a “mall” in the generally accepted meaning of the word.
6. It is indicated that the property is currently used as offices while it is zoned Residential 1. It is uncertain whether there is a special consent for this purpose. Thus, as is the case with Erf 298 which belongs to the same owner and which is the subject of a simultaneous rezoning application, the statement that the proposed land use will be a further extension of the economic activities in the area, is not true as a business in the form of offices is already being run from the premises.



7. There is no need for this rezoning amendment as there are ample spaces available in the suburb for offices, especially in the streets identified in the RSDF, namely Main Road and Seventh Street as indicated above. There are also more than enough sites where restaurants are operating (and opening and closing) in the neighbourhood and no additional such venues, especially outside the nodes for such businesses could be encouraged. Amending the residential zoning of this erf will be in conflict with the RSDF which indicates home enterprises, especially with other properties and premises available in the neighbourhood for the requested uses.

This letter serves as a formal notice of objection. We reserve our right to express further concerns during the hearings. Please advise us of the date and time of any hearings and/or meetings pertinent to this objection.

Yours sincerely,

JC Burger
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