

Dear Emmarentia Residents,

Today is **World Planning Day** and planners across the globe are celebrating their profession.

As part of a local initiative, and because I know that Emmarentia Residents are quite interested and informed about town planning aspects in our suburb, I thought I would send out a little information piece.

As you know the area that now makes up Emmarentia was owned by Lourens Geldenhuys and the township was planned after he died and surveyed in 1936 and gazetted in 1937.

Today, Emmarentia is a desirable residential area with leafy tree-lined streets, access to the Emmarentia Dam, the Melville Koppies and Marks Park – all having historical connections to the Louw Geldenhuys Family. In the early days, much of the planning was guided by clauses in the title deeds of the properties. These still remain in force today, even though there is also a town planning scheme that designates the zoning and land use rights. For Emmarentia, these are the key planning considerations and things ERA would like all residents to play a part in helping to maintain the beautiful suburb we live in:

1. **Spatial Planning:** We have a **Precinct Plan** as part of the Spatial Development Framework approved by the Johannesburg City Council. This plan sets out what are desirable land uses for the future development of Emmarentia. Important aspects include that residential development is indicated along Barry Hertzog Avenue and not businesses! Medium density residential uses will be supported on Barry Hertzog Ave towards the lower end (towards Sunny Shell – where you will see our first townhouse development). Anyone wanting to change the use of their land (rezone it) must comply with the Precinct Plan or it will not be supported in the City Council. Subdivisions are permitted but the minimum stand size is 1 000m². The Precinct Plan is a policy document (a guideline) and does not give rights. Rights are conferred through zoning in the Town Planning Scheme. If you are ever not sure of the land uses in the Precinct Plan, do not hesitate to contact ERA – it's worth checking before you invest!
2. Emmarentia falls into the **Johannesburg Town Planning Scheme**: This scheme determines the actual zonings of properties. Most properties in Emmarentia are zoned Residential 1. This allows a family home. Business uses are not permitted on residential 1 erven. You can undertake your profession from home but it should only make up a small part of the house and not employ more than 2 persons. If you go beyond these limitations, you must apply for planning permission – either a consent use or a rezoning, depending on the extent of the non-residential use. The town planning scheme also sets the limits on how high you may build (height), what land area the building may cover (coverage) or the square metre-age (the floor area ratio) as well as the building lines. If you are planning to make alterations or change the zoning, it is advisable to obtain a zoning certificate from the City of Johannesburg planning information desk.
3. **Title Deeds:** These are very important in Emmarentia and I urge every single resident to have a copy of their title deeds on hand and know the contents. Because of the history of the Louw Geldenhuys Family, all title deeds contained provisions that make it necessary for certain things to get the approval or permission from the Louw Geldenhuys Trust (LGT). This Trust is still active and the Emmarentia Residents' Association acts on their behalf, granting the necessary approvals. Many of you are aware that there are provisions such as no tin roofs in the title deeds and the LGT must therefore look at the plans and decide if approval is warranted. In fact, every building alteration that requires a plan to be submitted to the City of Johannesburg's building plans section must first be sent to the LGT for endorsement. The City will not approve a plan that does not have the LGT

endorsement. Other conditions that require permission from the LGT includes – the location of outbuildings, building within the building line (most properties have a 6 – 7m building line), cross sections of plans for properties located on corners. So, please always read the title deeds before commissioning work – the LGT will not always approve plans, so its worth ensuring compliance from the start and saving time, money, and unnecessary work. Please help us to be a compliant suburb – there is too much building work going on that is not approved by the LGT or even by Council. You cannot start building until plans are approved. ERA works closely with the Building Inspector and if you are concerned about any building, please contact ERA or the building inspector (Mr Jan van Eden – 011 -761 0341; Gemey Abrahams – 082 459 5266 or Costa Vranas – 082 451 4160). Also if you are selling, you need approved plans. Likewise if you know anyone buying in the area please inform them about the title deeds and always encourage them to check them before putting in an offer. All estate agents are invited to contact ERA about the rights of any properties in Emmarentia at any time.

4. Building Permission Any works to your house which affect the exterior fabric, the structure, or connections to municipal supplies of utilities (water, sewage, power) require building permission. Further, minor interior amendments may also require building permission if your house or property is protected by the Heritage Act - see below. Please feel free to approach ERA for advice in this regard, before engaging designers and builders, or even before purchasing a new property. Any person you approach to design and draw up your building plans, whether draftsman, technologist, or architect, must be registered with the South African Council for the Architectural Profession. You can check the registration credentials of any such person at the Council's website: www.sacapsa.com. As a general rule of thumb, the more complex or sensitive your proposed project, the more qualified and experienced an architectural professional you should engage to ensure the best outcome for all concerned. The City Council may only accept planning applications from persons registered with SACAP. It is an offence to build without first obtaining the necessary permissions.

5. Illegal uses: Many properties are being used illegally. Part of town planning is the regulation of land uses. The town planning scheme is the statutory document that must be complied with. If you suspect that someone is contravening the zoning or land use conditions, there are town planning inspectors at the City of Johannesburg who you need to report this to. If you do report it, please cc ERA. The person responsible for town planning enforcement at the City is Wimpie Naude - WimpieN@joburg.org.za or Tel: 011-407-6173 and Fax: 011-381-9464. We are especially concerned about illegal uses along Barry Hertzog Avenue where residential uses are intended.

6. Heritage: Any house or structure over the age of 60 years (which is any building built in 1952 or before) that is being altered/renovated requires an application in terms of the National Heritage Resources Act. This need not be too onerous and there is a set application form (ERA has copies) and process. ERA will also be looking at this aspect when they scrutinise the building plans on behalf of the LGT. So, please ensure that you have the date of the original house plans (and a copy of the originals) and work out the age of the building. Your architect or draftsman must always ask this too and comply with the legislation. The intention is to protect and conserve our heritage – not to be anti-development. So, the Provincial Heritage Resources Agency (and hence ERA) looks for aspects such as whether the architecture is representative of the time and the suburb, did someone famous live in the house or design the house, has it played a historic role in any way? Then one looks at the alterations to see if they are in keeping with the property, the street and the suburb. ERA has developed a set of criteria for evaluation and we welcome any approaches from prospective residents who are not sure of how to engage with heritage aspects, and we can work together. Trees over 60 years old are also protected. So, as we move into the 60 year time frame, we are urging all residents to be aware of the heritage aspects and work with ERA to keep the suburb sought-after.

Please keep updated on any Emmarentia news by checking out our website – www.emmarentia.co.za

Please also send this email to any of your neighbours or friends in Emmarentia so that it is widely circulated. Please cc us if you would like to, so we can build up our email data base.

Yours in Town Planning and building desirable neighbourhoods,

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