

Ward Councillor - Ward 69  
K Naumann  
70a 6th Avenue  
Melville  
2092 ,



a world class African city

2016/05/09

Dear Sir(s)/Madam(s),

**APPLICATION LODGED FOR THE AMENDMENT OF THE JOHANNESBURG TOWN PLANNING SCHEME  
IN TERMS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986:**

TOWNSHIP(s):	AUCKLAND PARK
ERF/ERVEN :	2/1114
REGNO :	01-16539

Please find enclosed a copy of the application for your attention(memorandum/Layout plan). Should you wish to comment on this application, kindly ensure that your comments reach this office within 60 calendar days of the date of this letter.

Should no reply be received within the 60 day period, it will be assumed that you have no comment.

Note: Please return your comments to the Registration Department within Planning, Room 8100, Metropolitan Centre, Braamfontein, Tel (011) 407-6142, Fax (011) 339-4000 - Att :Mr B Pretorius

Yours Faithfully

A handwritten signature in blue ink, appearing to be "Mosa Maisa".

**p.p EXECUTIVE DIRECTOR  
DEVELOPMENT PLANNING**

Contact Person:	Mosa Maisa
Tel No:	0114076119
Fax No:	0113394000
/pd	

**City of Johannesburg**

Development Planning

Director: Development Management

PO Box 30733, Braamfontein, 2017

Tel. No.: 407-6558 Fax No.: 339-1707

[www.joburg.org.za](http://www.joburg.org.za)



## **MOTIVATING MEMORANDUM IN SUPPORT OF THE REZONING OF PORTION 2 OF ERF 1114 AUCKLAND PARK**

**CENTURY PROPERTY DEVELOPMENTS**

P.O. Box 4366  
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**Date:** April 2016

**Ref No.:** Streatley-Memo1

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## 1. INTRODUCTION

We act on behalf of Clidet No 69 (Proprietary) Limited, the registered owner of Portion 2 of Erf 1114 Auckland Park, with the objective to rezone the property from "Special" for residential buildings (maximum of 34 units on the property) and a guest house (maximum of 80 rooms) to "Residential 4" for residential buildings (with a no unit restriction and Floor Area Ratio of 2,5) and / or Institutional.

The application is submitted in terms of Section 56(1)(b)(i) of the Town Planning and Townships Ordinance (Ordinance 15 of 1986), read with the relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), for the amendment of the Johannesburg Town Planning Scheme, 1979.

This memorandum deals with the various particulars and the motivation of the application.

## 2. GENERAL INFORMATION

### 2.1 Local Authority

City of Johannesburg Metropolitan Municipality: Region B.

### 2.2 Property Description

Portion 2 of Erf 1114 Auckland Park (hereafter referred to as "the property").

### 2.3 Size

The property measures 8084m<sup>2</sup> in extent.

### 2.4 Locality

The property is situated directly to the north of Campus Square Shopping Centre, to the north of Kingsway, south of Streatley Avenue and east of Universiteits Road within Auckland Park.

### 2.5 Zoning

In terms of the Johannesburg Town Planning Scheme, 1979, (Amendment Scheme 200N) is the property zoned as follows:

- "Special" - Residential Precinct: Dwelling units and/or residential buildings and/or a guest house
- F.S.R. - Residential Precinct: The Guest House shall have a maximum floor area of 8000m<sup>2</sup>
- Density: Not more than 34 units shall be erected on the portion abutting Streatley Avenue and the Guest House shall have a maximum of 80 rooms.
- Height - Height Zone 0: Two (2) Storeys provided that this may be increased on approval by the Local Authority of the Precinct Plans.

It should be noted that the mentioned Amendment Scheme 200N represents the approved zoning of the entire Erf 1114 Auckland Park but only the Residential Precinct relates to Portion 2 of Erf 1114 Auckland Park.

The property was originally approved as "Educational" in conjunction with the entire Rand Afrikaanse University (RAU) (now known as Kingsway Auckland Park Campus of the University of Johannesburg) in terms of Johannesburg Town Planning Scheme, 1979, Amendment Scheme 3743 which would have allowed student accommodation to be developed on the property within 1996.

## **2.6 Current Land Use**

The application site is vacant at present.

## **3. LEGAL ASPECTS**

### **3.1 Registered owner**

The property is registered in the name of the **CLIDET NO 69 (PROPRIETARY) LIMITED** vide the Deed of Transfer, No T 84409 / 2004.

### **3.2 Bondholder's Consent**

The property is not encumbered by a bond.

### **3.3 Servitudes**

The property has no servitudes that affects the rezoning of the property.

### **3.4 Conditions of title**

Condition A(a), A(b), A(c), A(e) and A(f) within the Title Deed T 84409 / 2004 were wrongly transferred to the new Title Deed because these conditions have been removed by means of a Removal of Restrictive Conditions Application submitted in terms of Act 3 of 1996 which application was promulgated in the Provincial Gazette on 3 November 1999 (Gazette Notice 7211 of 1999).

Conditions K 1, 1.1.1, 1.1.2, 1.1.3, 1.1.4, 1.2 and 1.3 within the Title Deed T 84409 / 2004 indicate that should the current owner receive an offer from a third party to purchase the property, must this offer be presented to the previous owner, Reus Investments 5 (Pty) Limited (Registration number 2000/026345/07) and the previous owner may represent a counter offer with a twenty percent discount within thirty days from delivery of the purchase offer, subject to further conditions as indicated.

The current owner, Clidet No 69 (Pty) Ltd wish to construct student accommodation to be rented to potential students and the latter will not influence the development or rezoning as proposed.

#### 4. LEGAL AND ADMINISTRATIVE CONTROLS

The site is subject to the following legal and administrative controls:

##### 4.1 National Level

Residential densification along key public transport routes and major economic centres plays a pivotal role in the creation of sustainable human settlements. The promotion of residential densification in strategic locations will contribute towards a more compact and concentrated urban form. The strategy is a means to mitigate increased urban sprawl on the periphery of the City's established areas and with a view to accommodating demand in close proximity to existing economic opportunities or key educational facilities and infrastructure (particularly public transport infrastructure). Densification therefore facilitates sustainable settlement planning through more efficient use of spatial resources of well-located land.

The following outcomes are critical and should be addressed when densification of land is considered:

- Increased viability of existing and proposed public transportation infrastructure and services;
- Optimising the use of land and provide accommodation in close proximity to urban opportunities;
- Cost effective and efficient infrastructure provision;
- Improving citizens' quality of life via access to opportunities and reduction in travel time; and
- Reduction in pressure for development on open spaces and environmentally sensitive areas.

We believe that the approval of a high density development or a hospital as proposed will lead to a positive performing development, fragmented and mono-functional development but provides for a development which yields accessible and provide student accommodation or a community facility on much needed well located vacant land close to the Rand Afrikaans University (RAU) (now known as Kingsway Auckland Park Campus of the University of Johannesburg) where public transport already exist along major transport routes. A positive performing development of this type reflects the following basic qualities that must be promoted in terms of the mentioned guiding principles for sustaining development within the direct community:

- It is generative: It generates much needed high density residential units or a hospital within the immediate area close to a variety of economic and educational opportunities and result in a complex urban system, which reflexes the complex needs and desires of the community.
- It is convenient: It enables the students to conduct their daily activities quickly, easily and as inexpensive as possibly. The more convenient the city is the more choice the people have about how to spend their time and money. The less convenient it is, the more it imposes a lifestyle on people.
- It is equitable: It enables inhabitants to have access to the opportunities and facilities offered within the local community. However it is not desirable for all parts of the city to be the same, in the sense

that the same level of social services and economic activities supports them. The spatial framework for the area must therefore acknowledge variety, as there are strong hierarchical tendencies in the structure of the city as it grows. It enables the community to be most accessible. The approval of the proposed application will provide a development for the community that is of paramount importance for sustainable development which will compliment lower densities away from major transport routes with higher densities along these higher order roads.

- It accommodates growth and change well and is improved by these processes: It is not specific in its structure that it can only accommodate one pre-defined activity. Rather, it reflects a development which allows it to accommodate changing circumstances, but within a strong, identifiable logic.

#### 4.2 Regional Spatial Development Framework (RSDF)

The property falls within Region B, Sub-area 4 within the Regional Spatial Development Framework (RSDF). The property is situated approximately 185m from Kingsway Avenue and approximately 50m from Universiteits Road both being identified as Mobility Spines. Kingsway Avenue has been classified as a BRT Trunk Route and Universiteits Road as a BRT Complementary Route. The property is situated in close proximity to three different BRT Stations situated within Kingsway Avenue and part of the Campus Square Node.

The property is approximately within 300m from the Rand Afrikaans University (RAU) (now known as Kingsway Auckland Park Campus of the University of Johannesburg) and highly accessible within an existing node close to educational facilities and will provide much needed student accommodation or hospital rights on well located vacant land.

Preliminary discussion with Land Use Management prevail that the property is well located to support high residential densities.

#### 4.3 Empire-Perth Corridor of Freedom

For too long our City continues to be shaped by our apartheid past. It is still divided between rich and poor areas, white and black areas, townships and suburbs. Black people in the main continue to live far from their workplaces and have to travel far distances to reach places of work, school, and leisure and so on.

Corridors of Freedom have been identified by City of Johannesburg to re-stitching our City to create a different future for our residents where we can link jobs to people and people to jobs. These Corridors of Freedom will be embarking on Transit-oriented Development. Because the developments are along transport corridors, the provision of transport like Rea Vaya will enable fast, safe and affordable mobility along the corridors. These Corridors of Freedom will be giving our residents or patients increased freedom of movement as well as economic freedom – liberating them from apartheid spatial legacy characterized by informal settlements, poor schooling and limited recreational spaces.

based on what?  
university  
cannot accommodate more students than max actual capacity

also what is applicant applying for? student accom or a hospital?

another ref to medical? what is the intention?

This kind of development strives towards a City which will consist of well-planned transport arteries: the "Corridors of Freedom" – linked to mixed-use development nodes with high density accommodation, supported by office buildings, retail developments and opportunities for education, leisure and recreation. In this future Joburgers will live closer to their workplace or community facilities and be able to work, stay and play in the same space without having to travel long distances. Reduced cars will save our environment due to less carbon emissions. The "Corridors of Freedom" will transform entrenched settlement patterns which have shunted the majority of residents to the outskirts of the City, away from economic opportunities and access to jobs and growth.

This will give rise to a people-centered City where the needs of communities, their safety, comfort and economic well-being are placed at the core of planning and delivery processes. The concept "Corridors of Freedom" will result in the reduced poverty for the majority of the City's residents who are currently spending a large percentage of their income on transport.

The new City skyline will consist of high-rise residential developments growing around the transit nodes, gradually decreasing in height and density as it moves further away from the core. Social infrastructure, educational facilities, clinics, police stations and government offices will be strategically located to support the growing population.

The Empire-Perth corridor includes two of the country's most prominent tertiary institutions, the Kingsway Auckland Park Campus of the University of Johannesburg (previously known as Rand Afrikaanse University RAU) and WITS University. The proximity of these campuses within the corridor contributes to the character and feel of the area with a huge demand to accommodate the growing student numbers of these universities. It is therefore of paramount importance to encourage more intensive development near frequent transit (transit service that arrives every 15 minutes or better) to enable liveable, walkable, and resilient neighborhoods. To function well, higher density development should be combined with the other principles of good transit-oriented development, creating a compact community with a connected street network, well-designed buildings and public spaces, a mix of land uses, and managed demand for private vehicle travel. In this corridor, more intense land use will relieve development pressures on suburban and rural areas by attracting development to in the corridor that can be well served by a variety of modes.

can only be achieved by mixed land use with adequate open space, parking etc.

The Empire-Perth corridor forms part of Phase 1B of the Rea Vaya Bus Rapid Transit System. Empire-Perth will function as the trunk route along which services will operate between Soweto and the CBD connecting with the existing Phase 1A service. Along this trunk route, buses will operate within the median of the roadway within segregated rights of way at a peak hour frequency of 1 bus per minute.

The property is well located within a mix use area with similar properties along the Empire-Perth corridor earmarked to developed as medium to high residential densities between 160 – 250 dwelling

give erf numbers and future proof.

units per hectare with a maximum height restriction of 8 storeys directly adjacent the corridor and a maximum of 6 storeys adjacent to the first block of development along this corridor which will protect lower intensity uses or densities further away from this corridor of freedom. It is also critical to discourage the residence of these high density developments to own private vehicles to ensure maximum usage of existing public transport along these identified corridors. We propose a parking ratio for the proposed student accommodation of 1 parking bay per 5 units which is directly in line with other similar student accommodations approved in close proximity to the country's most prominent tertiary institutions such as RAU (now known as Kingsway Auckland Park Campus of the University of Johannesburg). We believe that the development as proposed will positively contribute to the main development objections as proposed within policy documentation of these "corridors of freedom" and contribute to optimize usage of public transport facilities within walkable distance of the Auckland Park Campus of the University of Johannesburg.

## 5. DEVELOPMENT CONTROLS

PROPOSED CONDITIONS TO BE INCORPORATED IN THE TOWN PLANNING SCHEME IN TERMS OF SECTION 125 OF ORDINANCE 15 OF 1986, IN ADDITION TO THE PROVISIONS OF THE JOHANNESBURG TOWN PLANNING SCHEME, 1979

### COLUMN 1. USE ZONE

Residential 4

### COLUMN 2. DESCRIPTION OF LAND

Portion 2 of Erf 1114 Auckland Park

### COLUMN 3. PRIMARY RIGHTS (LAND USE TABLE C)

- \* As per Scheme for residential buildings to allow student accommodation and/or the inclusion of Institutional rights

### COLUMN 4. USES WITH CONSENT (LAND USE TABLE C)

- \* As per Scheme

### COLUMN 5. USES NOT PERMITTED (LAND USE TABLE C)

- \* As per Scheme

### COLUMN 6. WIDTH OF SERVIDUTE AREA - STREET

- None

### COLUMN 7. HEIGHT ZONE

- \* Heights Zone 0 (6 storeys)

### COLUMN 8. COVERAGE

- The coverage shall not exceed 60%, provided that basements completely below natural ground level may not exceed 80%

### COLUMN 9. FLOOR AREA

- The floor area ratio shall not exceed 2,5

### COLUMN 10. PARKING PROVISION

- \* As per scheme provided that parking for student accommodation may be provided at 1 parking bay per 5 units

### COLUMN 11. DENSITY ZONE

- No unit restriction

**COLUMN 12. BUILDING LINES**

- 5m along all boundaries provided that the building lines may be relaxed upon evaluation of the Site Development Plan.

**COLUMN 13. GENERAL**

1. Access to the site shall be to the satisfaction of the Council.
2. A Site Development Plan shall be submitted to and be approved by Council in terms of Clause 5 of the Scheme prior to the submission of building plans and the exercising of new land use rights shall emphasis on environmental friendly design practice.
3. The site shall be landscaped to the satisfaction of the Council.

**COLUMN 14. AMENDMENT SCHEME**

13- \_\_\_\_\_

**6. MOTIVATION & SUPPORT OF THE APPLICATION****6.1 Proposed use**

The intention of the application is to rezone the property from "Special" for dwelling units or residential buildings (maximum of 34 units on the property) and/or a guest house (maximum of 80 rooms) to "Residential 4" for residential buildings (with a no unit restriction and Floor Area Ratio of 2,5) and / or Institutional. Please note that preliminary discussion Land Use Management prevail that they will be able to support high densities along identified "Corridors of Freedom" and if student accommodation being provided within strategic locations within walkable distance from the Kingsway Auckland Park Campus of the University of Johannesburg. The property forms part of the Campus Square Node and will positively strengthen existing economic opportunities and key educational facilities and infrastructure (particularly public transport infrastructure). The developer might wish to rather develop a hospital on the property.

*problematic***6.2 Motivation**

One of the objectives and interventions of the Regional Spatial Development Framework for Region B of the City of Johannesburg is to provide supporting services to the University of Johannesburg by means of permitting communes within existing dwelling houses on planning merit which normally creates a nuisance for normal surrounding residential houses and it will be more logic to provide larger student accommodations outside or on the periphery of these established residential areas. The property is strategically situated within a mixed use node and will positively contribute to the function of the following:

- 1) A Major BRT Trunk Route (Empire-Perth development Corridor) being a linkage between Soweto in the west and the CBD in the east;
- 2) A BRT Complimentary Route (Universiteits Road) being a linkage between the Kingsway Auckland Park Campus of the University of Johannesburg (previously known as the Rand Afrikaanse University – RAU) in the south and major nodes such as Melville and Cresta but also major Highways such as the N1 and N14 and also Lanseria Airport further north;

- 3) Three existing BRT Stations along Kingsway Avenue with the closest Station at the intersection of Kingsway Avenue and Universiteits Road;
- 4) Provide much needed student accommodation for the Kingsway Auckland Park Campus of the University of Johannesburg (previously known as the Rand Afrikaanse University – RAU) which is more or less the same distance from most faculties than existing hostels situated within the Campus; and
- 5) Strengthen the economy and sustainability of the existing Campus Square Shopping Centre with surrounding fast food facilities and business or restaurant uses within Melville.

From a Town Planning point of view by creating compact cities, every effort should be made to ensure that settlements develop in a compact, walkable and pedestrian-oriented manner. Facilities which are deemed to be compatible with one another should be clustered in multi-use centres, on the same plot or at least adjacent to one another. The placement of these facilities should be carefully thought out at the detailed precinct design scale to promote the most desirable quality public space possible.

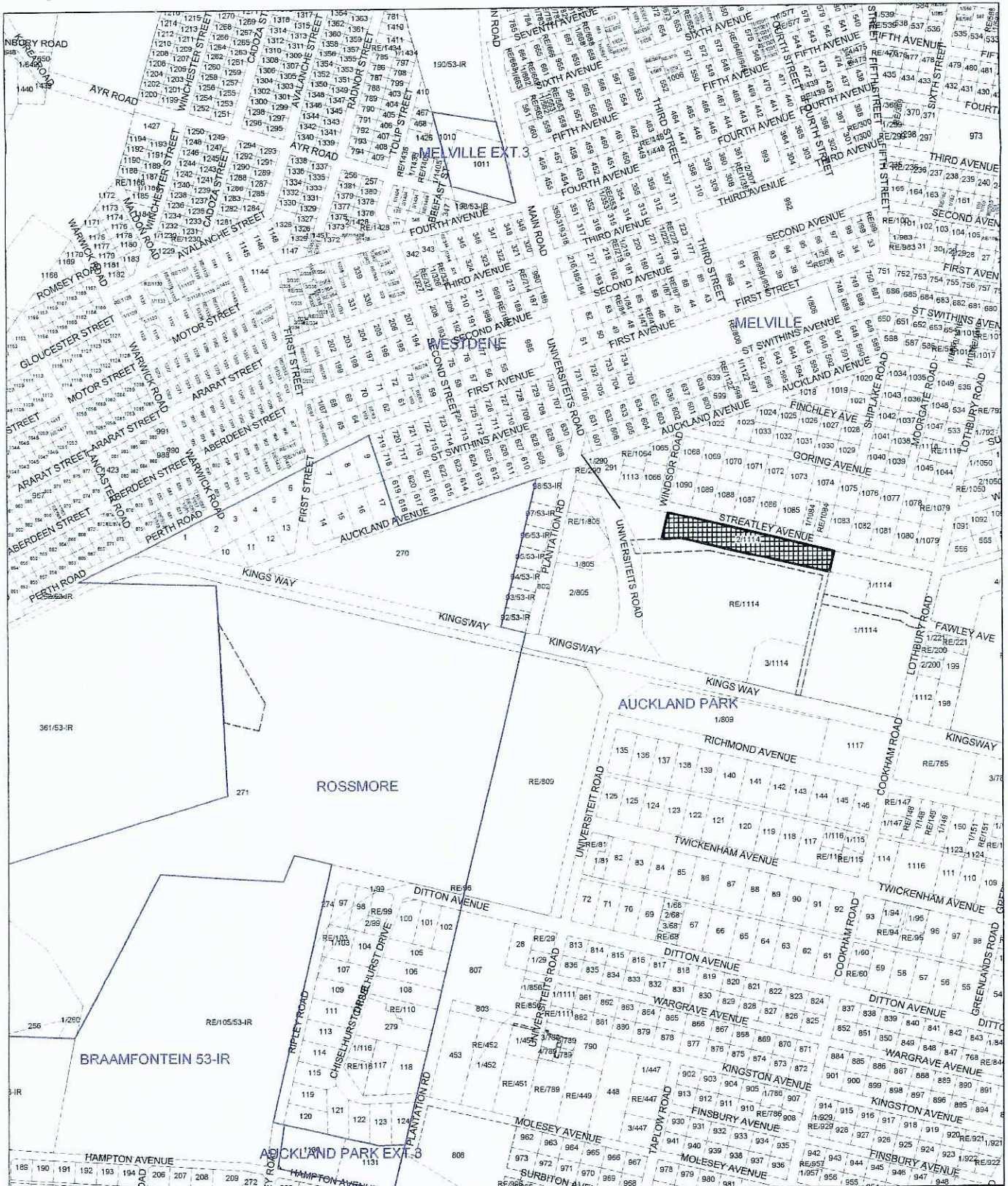
In line with the need to promote compact settlements and to reduce the need for motorised travel, where appropriate, multi-functionality of space must be promoted at both the facility and the land use scale. Generally, facilities should be placed on some form of activity node or corridor, depending on its place in the hierarchy of facilities. For example, a lower order facility – such as an Early Childhood Development Centre - will have a lower threshold and smaller range and therefore be placed at a fairly localised node or activity corridor with primarily localised access. Conversely, a higher order facility – such as a University - would have a higher threshold and large range and therefore be placed at a higher-order activity spine or corridor, with a high degree of access with higher residential densities/student accommodation or other supporting community facilities that surrounds such an educational facility. We believe that the proposed development will provide a high density residential student accommodation or hospital highly in demand because of the general low surrounding densities and/or lack of medical centres within Rossmore and Auckland Park adjacent to one of the country's most prominent tertiary institutions, in close proximity to major access roads and public transport facilities.

shaleen  
Joseph  
Melville  
medical  
Melville  
architect  
new  
green  
city.

## 7. CONCLUSION

In view of the above, it is the applicant's conclusion that this application is both necessary and desirable from a town planning point of view, and will result in a development which enhances the appearance of the whole area.

It is our submission that this application should be approved without amendment.



SCALE 1: 8 000

REF : Streatley\_loc

# LOCALITY PLAN

## PORTION 2 OF ERF 1114 AUCKLAND PARK

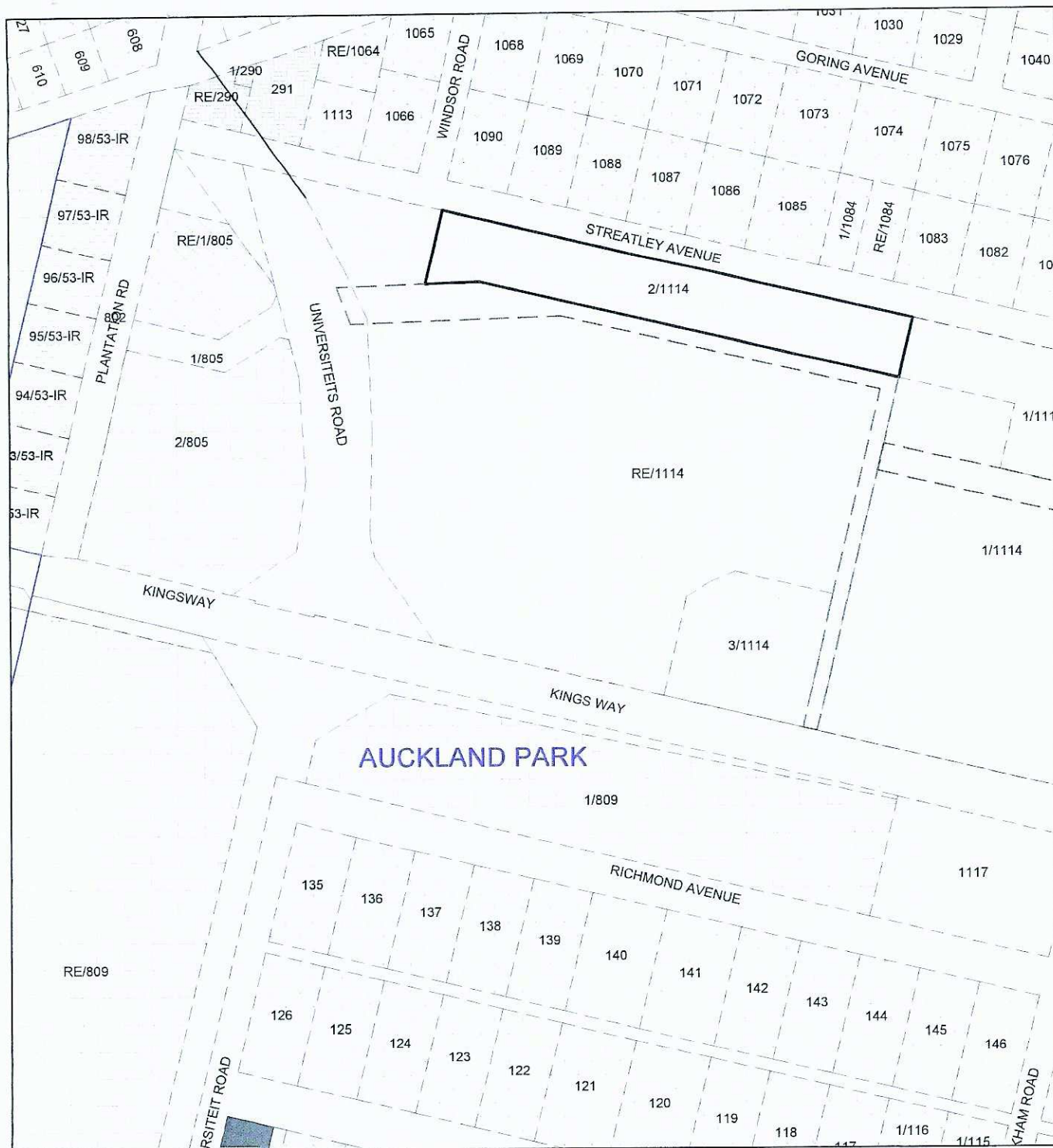
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ATTENTION: Johann Jordaan







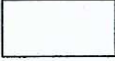



SCALE 1:3 000

# LAND USE PLAN

REF : Streatley\_lu



## PORTION 2 OF ERF 1114 AUCKLAND PARK

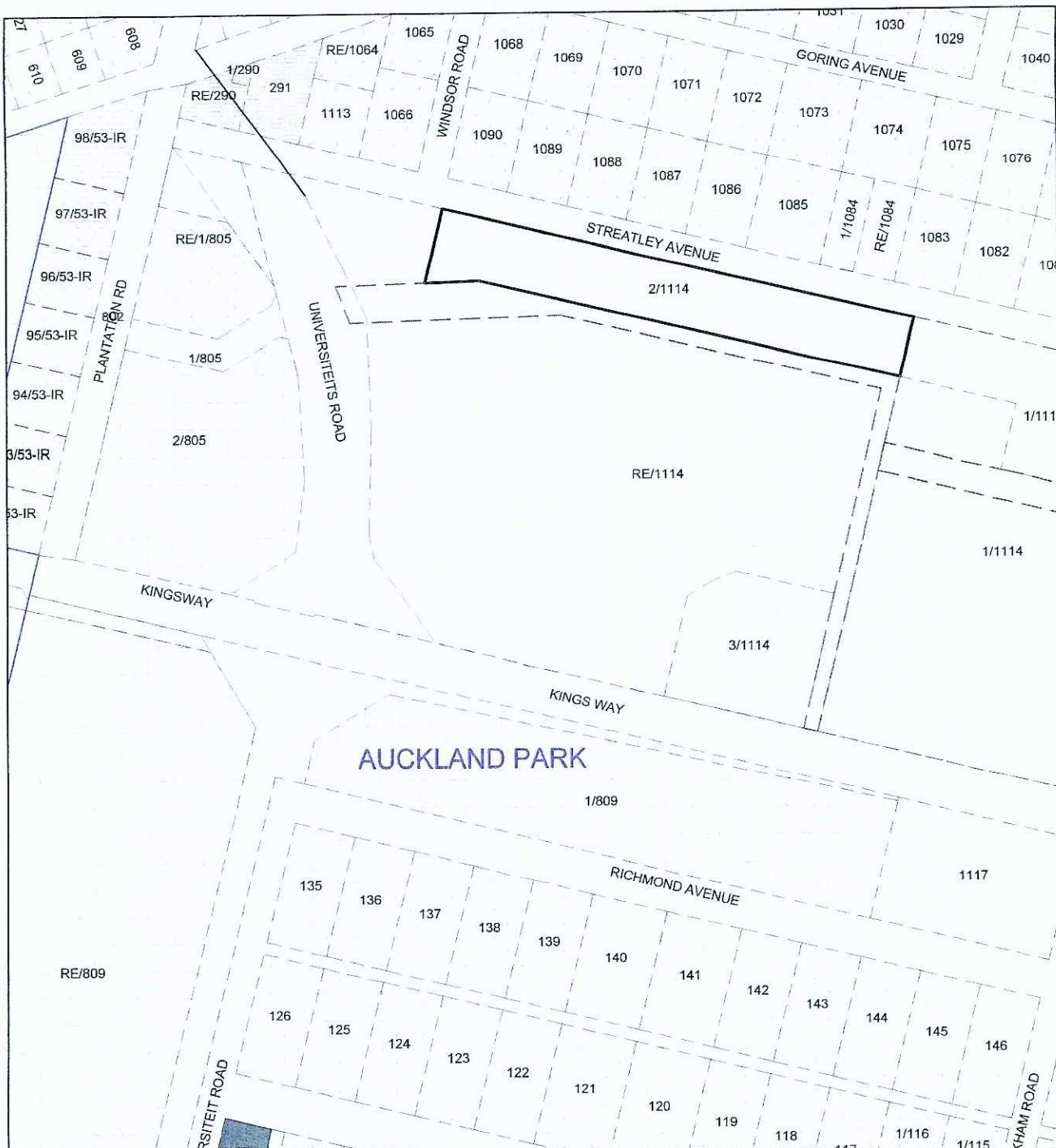
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	DWELLING UNITS		FAST FOOD
	SHOPS/OFFICES		STUDENT HOUSING
	RAU UNIVERSITY		CHURCH



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Attention: Johann Jordaan





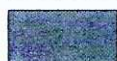
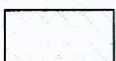
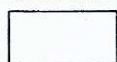



# ZONING PLAN

SCALE 1:3 000

REF : Streatley\_zo



## PORTION 2 OF ERF 1114 AUCKLAND PARK

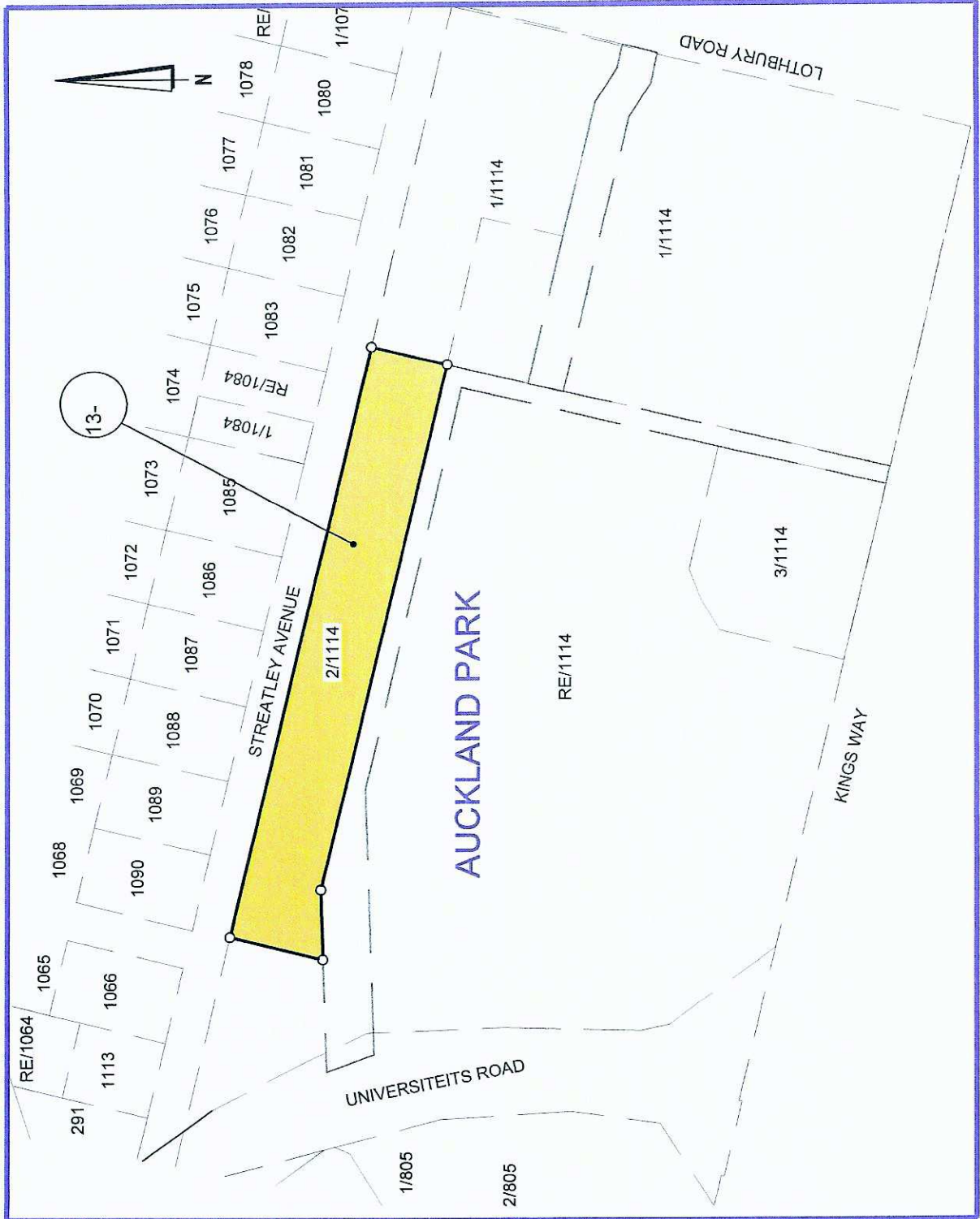
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	RESIDENTIAL 3		BUSINESS 3
	SPECIAL		INSTITUTIONAL
	EDUCATIONAL		PLACE OF PUBLIC WORSHIP



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STREET ADDRESS:  
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Midrand

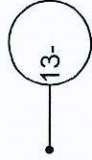
CONTACT DETAILS:  
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Fax: 0866 9399 73  
E-Mail: johann@century.co.za  
Attention: Johann Jordaan



**PORTION 2 OF ERF 1114  
AUCKLAND PARK**

ANNEXURE

Reference to  
Annexure



USE ZONE

"Residential 4"



APPROVED

EXECUTIVE DIRECTOR:  
DEVELOPMENT PLANNING

CITY OF JOHANNESBURG

DATE

USE ZONE



## PORTION 2 OF ERF 1114 AUCKLAND PARK

ANNEXURE

Reference to  
Annexure



APPROVED

EXECUTIVE DIRECTOR:  
DEVELOPMENT PLANNING

CITY OF JOHANNESBURG

DATE

HEIGHT AND DENSITY ZONES

Johannesburg Town Planning Scheme, 1979, approved by virtue of Administrator's Notice 1157 dated 3 October 1979, is hereby further amended and altered in the following manner:

1. The map, sheets 51A and 51B as shown on map 3, Amendment Scheme 13-\_\_\_\_\_
2. By the addition of the following in numerical and alphabetical sequence to Table N of the Schedule of the Scheme, read with Clause 70:

<b>COLUMN 1.</b>	<b>USE ZONE</b> Residential 4
<b>COLUMN 2.</b>	<b>DESCRIPTION OF LAND</b> Portion 2 of Erf 1114 Auckland Park
<b>COLUMN 3.</b> *	<b>PRIMARY RIGHTS (LAND USE TABLE C)</b> As per Scheme for residential buildings to allow student accommodation and/or the inclusion of Institutional rights
<b>COLUMN 4.</b> *	<b>USES WITH CONSENT (LAND USE TABLE C)</b> As per Scheme
<b>COLUMN 5.</b> *	<b>USES NOT PERMITTED (LAND USE TABLE C)</b> As per Scheme
<b>COLUMN 6.</b> -	<b>WIDTH OF SERWITUDE AREA - STREET</b> None
<b>COLUMN 7.</b> *	<b>HIGHT ZONE</b> Heights Zone 0 (6 storeys)
<b>COLUMN 8.</b> -	<b>COVERAGE</b> The coverage shall not exceed 60%, provided that basements completely below natural ground level may not exceed 80%
<b>COLUMN 9.</b> -	<b>FLOOR AREA</b> The floor area ratio shall not exceed 2,5
<b>COLUMN 10.</b> *	<b>PARKING PROVISION</b> As per scheme provided that parking for student accommodation may be provided at 1 parking bay per 5 units

**EXECUTIVE DIRECTOR:**  
**DEVELOPMENT PLANNING**  
**CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY**

**APPROVED**

**DATE**\_\_\_\_\_

**COLUMN 11. DENSITY ZONE**  
- No unit restriction

**COLUMN 12. BUILDING LINES**  
- 5m along all boundaries provided that the building lines may be relaxed upon evaluation of the Site Development Plan.

**COLUMN 13. GENERAL**

1. Access to the site shall be to the satisfaction of the Council.
2. A Site Development Plan shall be submitted to and be approved by Council in terms of Clause 5 of the Scheme prior to the submission of building plans and the exercising of new land use rights shall emphasis on environmental friendly design practice.
3. The site shall be landscaped to the satisfaction of the Council.

**COLUMN 14. AMENDMENT SCHEME**  
13-\_\_\_\_\_

**EXECUTIVE DIRECTOR:**  
**DEVELOPMENT PLANNING**  
**CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY**

**APPROVED**

\_\_\_\_\_  
**DATE**\_\_\_\_\_