

5.7 Managing Growth and Delineating an Urban Development Boundary

As one of the growth management tools immediately available to the City, an Urban Development Boundary (UDB) has been in place since 2002. Among the founding motivations for delineating the UDB is the desire to curb costly urban sprawl on the periphery of the City and to direct growth towards the presently serviced and priority service areas of the City (both in terms of engineering and social services).

Relationship to the GDS

i. Development Paradigms

The UDB and supporting spatial and non-spatial urban management tools will actively support the following GDS development paradigms:

- Settlement restructuring
- Sustainability and environmental justice
- Creative governance solutions

ii. Sector Plans

The UDB strategy addresses the following sector plans and associated long-term strategic interventions and indicative 5-year strategic objectives:

SECTOR PLAN	LONG TERM STRATEGIC INTERVENTIONS	INDICATIVE 5-YEAR STRATEGIC OBJECTIVES
Spatial Form and Urban Management	Encourage and enforce a compact urban form through a range of mechanisms	Minimised demand for investment and services on the urban periphery Optimal utilisation of investment within the urban core (land, infrastructure and capital expenditure)
	Within all new housing developments ensure that the minimal Sustainable Housing Settlements (SHS) thresholds are adhered to and implemented, and that all residential neighbourhoods are functionally integrated into the city and its economy	Increase in investment of affordable housing in close proximity to public transportation and designated nodes Increased accessibility to social, economic and environmental infrastructure (thresholds to be determined) Increase in the % (or number) of areas that have achieved a minimum acceptable level of SHS
	Promote spatial equality through the creation of sustainable human settlements	Improved proportion of residents within 5km of key social infrastructure
Housing	Ensure that urban sprawl – caused by informal settlements, lower cost housing developments and lifestyle estates – is arrested through the use and reuse of well-located land for housing development	Introduce the Sustainable Human Settlements approach to all new housing developments.

The City's UDB has been in place since 2002. The intended outcomes of delineating and managing an UDB included:

- Limiting the footprint of the City in order to prevent the excessive consumption of land on the City's periphery;
- Placing focus on in-fill, redevelopment and densification in strategically demarcated areas;
- Supporting cost efficient infrastructure provision;
- Supporting an urban form that is conducive to the use of public transport;
- Protecting environmentally sensitive areas, agricultural land and open space; and
- Providing direction for capital investments for efficient infrastructure provision.

The delineation of the UDB was a complex exercise taking into consideration a host of variables. Stronger focus on one of the critical delineation factors could result in a completely different UDB. However, the following factors were finally considered to be the most critical in the delineation of the City's UDB:

- A future city structure and growth management strategy as detailed in the SDF;
- Citywide bulk engineering and social infrastructure backlogs and requirements (as detailed in the CIF);
- The Provincial Urban Edge (as noted in the Gauteng Spatial Development Framework Review: Sub-Project 4 – Management of the Urban Edge Final Report 2002);
- Appropriate locations for future growth;
- Areas compromised in terms of development proposals and policy plans;
- Strategically located vacant land favourable for infill;
- Existing developments, such as Lanseria, Diepsloot and existing peripheral settlements in the Deep South;
- Subsidised housing projects and areas compromised by housing proposals;
- Prominent growth areas and emerging areas;
- The environmental footprint provided by Johannesburg's Metropolitan Open Space System;
- A logical alignment of boundary along existing physical features, to prevent the creation of isolated land parcels with no development potential;
- Existing developments and proclaimed rights;
- The existing municipal boundary and development beyond the municipal boundary; and
- Inputs from communities via the RSDF and IDP "Outreach" programmes.

5.7.1 Development within the Urban Development Boundary

Development within the UDB will be considered in terms of their compliance with the Growth Management Strategy, Sustainable Human Settlements Indices, prevailing RSDFs (and their inherent Development Management Tables), applicable Development Frameworks, Precinct Plans and schemes for a specific area.

5.7.2 Development beyond the Urban Development Boundary

Land located beyond the City's UDB is predominantly rural and agricultural in nature. Naturally, the concurrent land uses tend to be of a lower-intensity and density. There are however areas where the distinction between urban and rural is not clear. Development outside the UDB will be considered in terms of compliance with the following land use criteria:

- Agriculture: purposes normally associated or reasonably necessary in connection with agricultural purposes and agri-villages. This includes only dwelling units related to the agricultural use of the property.
- Conservation Areas and Nature Reserves: Areas designated for nature conservation, which may include tourism facilities (accommodations/restaurants) and recreational facilities directly related to the main use.
- Tourism and recreational related facilities: Outdoor and tourism related activities including hiking trails, hotels, 4x4 trails, restaurants, curio markets, conference facilities, wedding venues, game lodges and other similar uses with a rural character not causing a nuisance or having a detrimental effect on the environment.
- Farm stalls.
- Rural residential uses and agricultural holdings.
- Any other related development or service, provided that the proposed development:
 - Services primarily a local market; or
 - Is located at a service delivery centre or central place to the community; or
 - Is premised on a City approved Development Framework / Precinct Plan (e.g. Lawley Station).

Proposed activities that conform to the above land use criteria will be further evaluated noting whether:

- The development is in an area that has been identified to be ecologically sensitive or contains Red Data Species – proposals would not generally be supported in these instances.
- The development would have a detrimental effect on the environment – applicable environmental legislation will prevail.
- Bulk infrastructure capacities would be exceeded – proposals would not generally be supported in these instances.

Proposed developments that do not conform to the above land use criteria, would need to motivate the development in terms of the following assessment considerations:

- The rationale and established need for the specific location of the proposed development (it would also need to indicate the absence of a property or opportunity within the UDB suitable for the proposed activity or land uses) and a comprehensive evaluation of alternative sites or uses for the subject property.
- The proposed services. Who will be responsible for the provision of bulk services and where / how such services would be provided?
- The impact of the development on existing infrastructure including water, sewer, roads and public transport (Capital and Operations and Maintenance)
- Indicate what impact the development would have on the City's desired Urban Form and the objectives of the City's UDB.
- The impact of the development on the existing environment (in the absence of a formal Environmental Impact Assessment or scoping report).

Site Specifics vs. "The Bigger Picture"

In many instances, applications submitted for a change of land use or division of land beyond the UDB are motivated on the grounds that agricultural potential and operations have diminished and / or security issues associated with relatively large portions of land. Whilst these issues cannot be ignored and each proposal and application must be considered on individual merit, the bigger picture of the desired City form and the potential precedent (if approved) must also be considered in assessing applications and proposals. The availability of bulk services on a site cannot be used as the primary motivation for development beyond the UDB. Infrastructure is one aspect related to the delineation of the UDB, Issues of precedent, implication of similar developments on infrastructure capacities and life-cycle costs, urban form and access to current / planned (i.e. 3-5 year budget horizon) public transportation infrastructure are also considerations.

Existing and new rights

Development decision-making bodies, including the various Development Tribunals and appeal bodies can impact positively or negatively on the SDF and its inherent components such as the UDB. Amending the UDB each time an application is approved beyond its delineation would be impractical. Similarly, a scattered series of properties bounded by individual boundaries is not desirable. Where large portions of land are involved and or a cluster of properties form a logical extension of the UDB, a re-alignment of the UDB post-approval of rights may be considered via a SDF and RSDF review cycle.

Where rights have been historically approved or are newly approved by Council beyond the UDB, these rights remain intact. It will not however necessitate a formal amendment to the UDB (unless deemed prudent by Executive Director: Development Planning and Urban Management or successor via a SDF and RSDF review cycle).

Where rights have been historically approved or are newly approved by Council beyond the UDB and a conflict exists with the Provincial Edge (given alignments) the City recognises these rights as legitimate and directs any queries in respect of additional Provincial policy or requirements to the Head of Department: Gauteng Department of Economic Development.

Infrastructure Provision

The focus for the City in the short to medium timeframe is to upgrade and refurbish existing infrastructure within the UDB and within the priority areas associated with the Growth Management Strategy (i.e. Public Transport Priority and Marginalised Areas). Details of future capital investments can be found at the end of each individual development strategy. As a founding principle, further extensions of the City's infrastructure beyond the UDB cannot be supported.

Township Establishment and Land Development Areas beyond the UDB

A proliferation of developments beyond the boundary, facilitated via Township Establishment applications is not desirable. However, the formal establishment of a township to facilitate an appropriate and acceptable development (in relation to the criteria outlined in this section) without placing an obligation on the City to extend services and infrastructure may be acceptable in certain instances (e.g. where legal issues prohibit the granting of consent uses).

Subdivision of land outside the Urban Development Boundary

The subdivision of land outside the UDB will only be allowed if it complies with the following criteria and associated table:

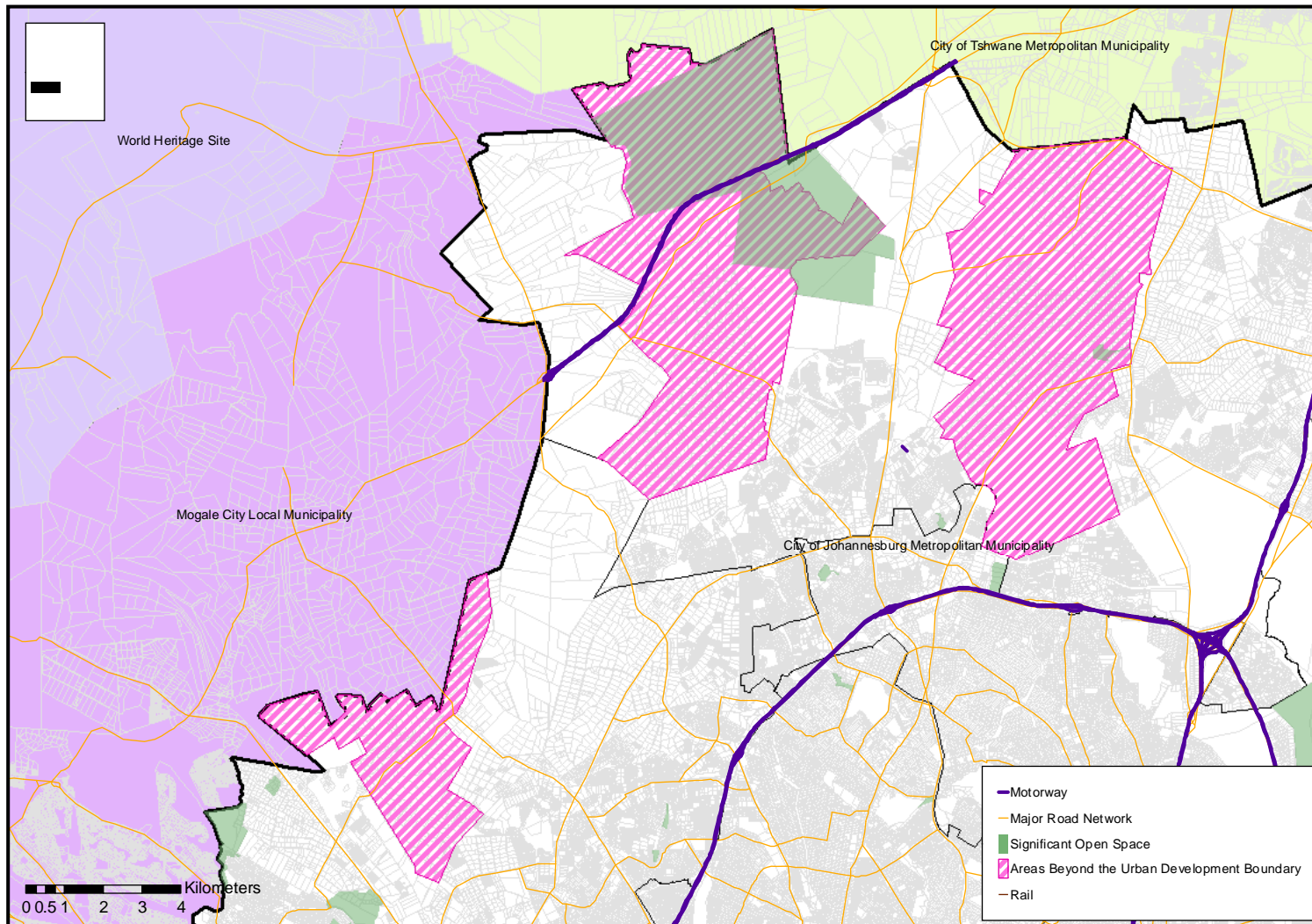
- Compliance with land use criteria noted above;
- Division is within the parameters of the Subdivision of land **Table 5.29**;
- An existing second dwelling is not the primary motivation for the subdivision;
- Subdivision of productive agricultural areas with agricultural potential should only be allowed in special circumstances and only with the written consent from the National Department of Agriculture;
- Where a subdivision is motivated because of a road, river or servitude physically severing land, the reason for the severance should be proven. The provision of services and registration of servitudes should be to the satisfaction of the local authority;
- There shall be no obligation on Council or MOEs to render services in any form whatsoever.

Table 5.29: Subdivision of land outside UDB

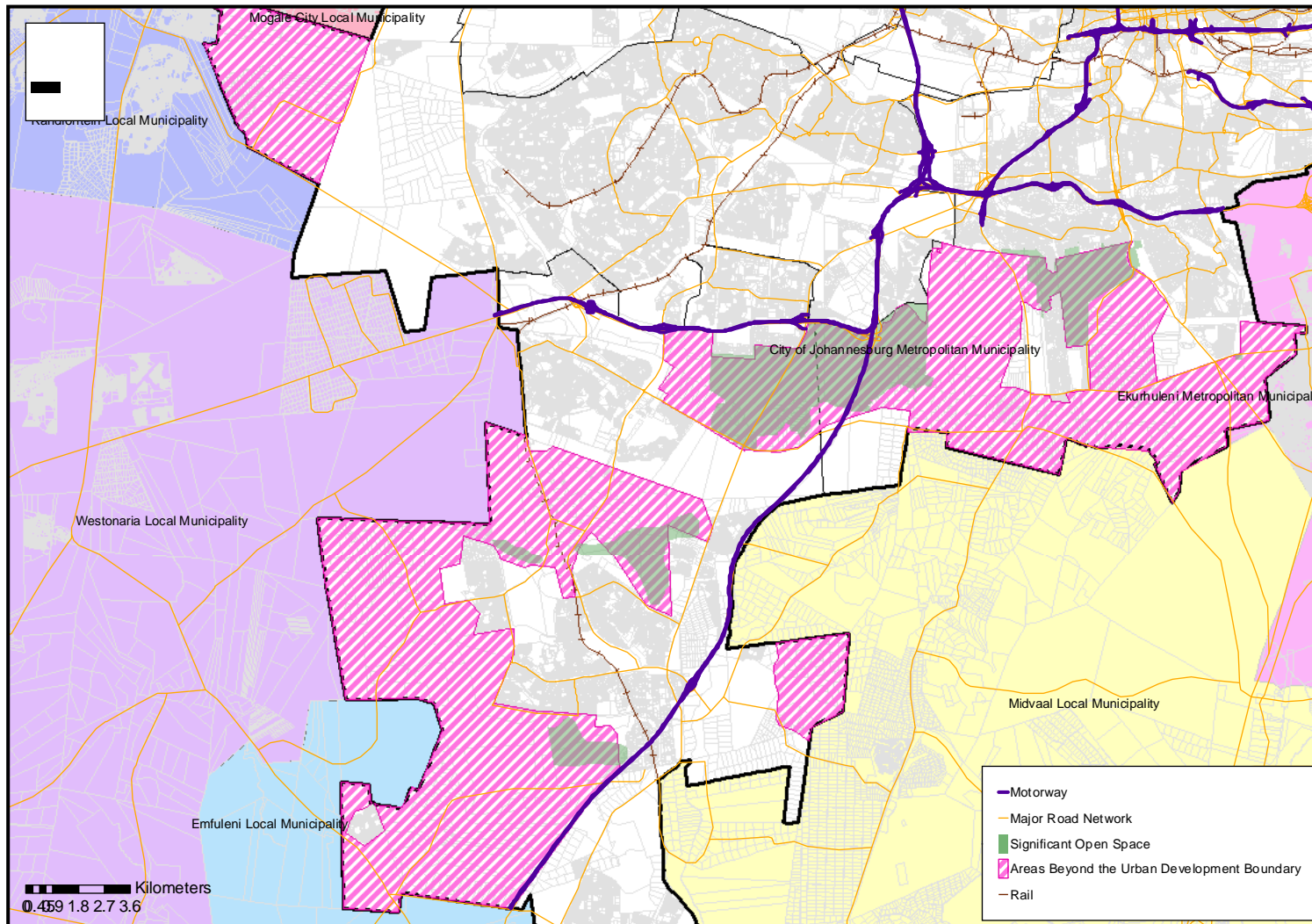
Category	Size	Min Portion
Minor	4ha and below	1 Morgen (+/- 0.8ha)
Intermediate	4ha - 10ha	1 ha
Major (a)	10ha - 20ha	2 ha
Major (b)	20+ha	4ha

It is important to note that once a property has been divided in terms of the criteria above, it should not be further subdivided again unless there is a material change in circumstance within the broader area that would necessitate a review of the UDB. This condition is to be included in all division of land application approvals.

Map 39 and **Map 40** indicate the delineation of the Urban Boundary.



Map 39 Urban Development Boundary – Northern Section



Map 40 Urban Development Boundary – Southern Section