

POLICY : URBAN EDGE

Item B-DP (13-2003) **STANDARDISATION OF DEVELOPMENT PLANNING POLICIES : URBAN
MC 30.6.2003 EDGE POLICY**

RESOLUTION

1. **That** the report on the Standardisation of Development Planning Policies on the Urban Edge attached as **Annexure 'A'** hereto, **BE APPROVED**.
2. **That** all provisions in existing Town Planning Schemes which are in conflict with the policy on Urban Edge **BE AMENDED** within a period of one year.
3. **That** the "Urban Edge" contemplated in the above-mentioned policy be understood to be the "Urban Edge" as referred to in the Spatial Development Framework as approved by Council at its 3rd Ordinary Meeting held on 27 March 2003 under Item DP 7-2003.
4. **That** the provisions of the policy **BE APPROPRIATELY COMMUNICATED** to all Ward Committees and relevant stakeholders by the Development Planning Department.

URBAN EDGE POLICY

JUNE 2003

**PREPARED BY:
DEVELOPMENT
PLANNING
DEPARTMENT**

***Approved at Mayoral Committee
2003.06.12
ITEM B-DP (13-2003)***



PREAMBLE

The urban edge is the initiative coordinated by the Department of Development Planning and Local Government at provincial level. The review of the provincial urban edge was approved in May 2002.

The urban edge is not a rigid legislative imperative, but rather a policy statement that should be seen as one of the many tools that government uses to achieve the principles of integration and compaction that are entrenched in the Development Facilitation Act. The urban edge is not legislated. It is just a policy statement to contain development.

Municipalities can through the Integrated Development Planning (IDP) process, review the urban edge. The urban edge is not legislated. It is just a policy statement to contain development. There is provision for periodic revision – where there is development pressure a municipality can apply for a general amendment. The current process has identified areas that need to be included in the urban edge. An application for the following areas will accompany the submission of the SDF:

- ⇒ Residential extension in the north of Benoni around the Bullfrog and Sandpan Dams;
- ⇒ Residential expansion east of Daveyton and Etwatwa to formalise and incorporate existing settlements;
- ⇒ Infill development up to the Blesbokspruit southeast of Daveyton and Etwatwa;
- ⇒ Medium-term residential extension east of Tsakane;
- ⇒ Long-term residential extension south of Boksburg and Benoni;
- ⇒ Residential extension south and south east of the Kathorus complex to formalise and incorporate existing settlements into the urban fabric.

For the aspired integration and compact, and thus optimal use of resources (physical, financial and social), land use planning principles should be applied in a pro-active manner to determine areas for residential extension, rather than allowing informal settlements into the urban fabric.

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1. Problem Statement

The mushrooming of urban development (specifically residential complexes in the former black townships) in the peripheral areas is a result of the historical location of work opportunities offered by the mining activities in Gauteng province. One of the manifestations of these developments is the remoteness of most residential complexes (that provided labour for the mining and related concerns) from the urban fabric.

Even in the twenty first century, with all the enabling laws, the problem is continuing at a more rapid rate. As a result, the need to delineate an urban development boundary and implement it is critically important in order to contain the urban sprawl and to protect the agricultural areas surrounding the urban complex. Essentially the urban edge will limit the type and extent of uses that can be allowed outside the urban area.

2. Purpose

To create a more sustainable urban development landscape with intrinsic savings as a result of greater efficiencies. It is vitally important mention what the urban edge is not. It is not a densification policy or an economic strategy. These two processes are addressed in other complementary exercises.

3. Definition

An urban edge is the boundary of the city beyond which no urban development is permitted. It is not a rigid regulatory tool, rather it is a policy statement that guides and directs development patterns and providing a platform for all interested and affected parties to reconsider all options.

The delineation of the urban edge is an integral component of the compilation of the Metropolitan Spatial Development Framework. The latter plan was done within the IDP parameters and is in support of the vision of the metro. This is best captured in Diagram 3.1 below:



Deliverables	Infrastructure Requirements	Strategic Interventions
<ul style="list-style-type: none"> - Higher densities - Public Transport - Viable infrastructure provision - Sustainable economic growth - Growth Management - Focused investments - Sustainable neighbourhoods 	<ul style="list-style-type: none"> - Engineering infrastructure at strategic locations to support high density activity - Parks & open spaces - Social infrastructure - Internal mobility 	<ul style="list-style-type: none"> - Relook at the Vacant Land Audit (2001) in order to identify strategic municipal land which is developable - growth patterns - density patterns - Other interventions to be identified during the Regional Spatial Development Framework process

The urban edge is one of the instruments that are available for government to contain development (See Diagram 4.1). Others include:

- publicly owned land
- subsidized housing (current housing typologies do not meet the needs of compacting the city);
- public transport provision to support high density activity;
- infrastructure provision (engineering & social) provision to support high density activity;
- Bulk service contributions;

- Rates & Taxes (cross subsidization/differential taxation);
- Land use rights (Uniform Land Use Management Plan).

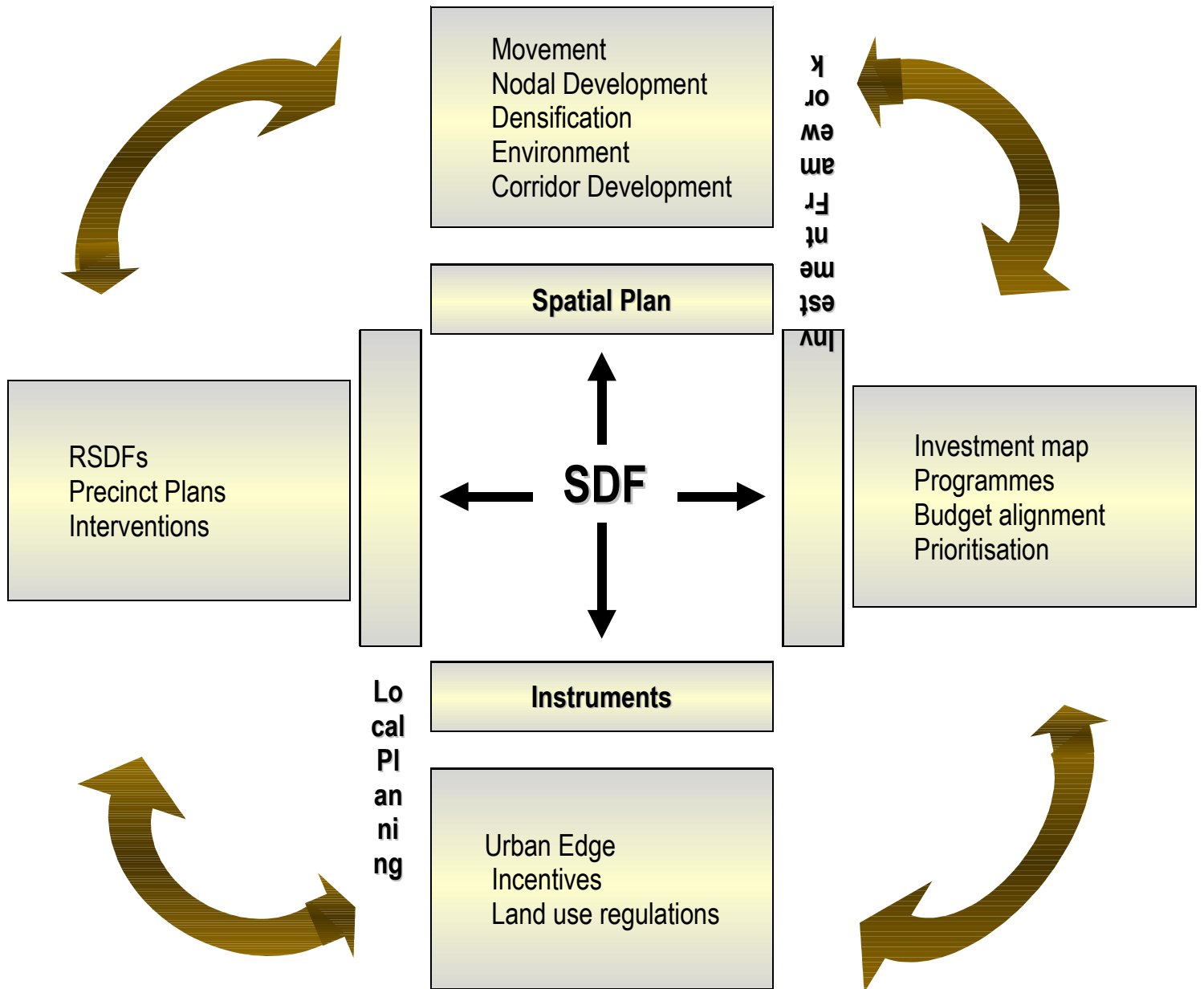


DIAGRAM 4.1: Other tools that are needed to guide development

5. Related Legislation

- < Development Facilitation Act of 1995
- < Municipal Systems Act, 2000
- < Municipal Structures Act, 1998
- < Land Use Management Bill, 2002
- < Gauteng Planning and Development Bill, 2003

< Municipal Planning and Performance Regulations

6. Town Planning Procedures

- 6.1 A land use that is in line with the relevant local precinct plan, the SDF, Land Use Management Plan should be permitted subject to complying with other normal procedures from other pieces of legislation e.g. environmental considerations, transportation requirements etc;
- 6.2 Land uses that are rural in nature would be more desirable, and should be promoted outside the urban edge, subject to compliance to provincial policies e.g. DACEL policy on subdivision of land etc. The following are land uses that should be allowed in rural areas outside the urban edge:
- a) Extensive agriculture;
 - b) Conservation areas/Nature Reserves;
 - c) Tourism & related activities e.g. curio markets;
 - d) Recreational facilities e.g. hiking trails/hotels/game lodges;
 - e) Farm stalls and home industries;
 - f) Rural residential uses/Agricultural Holdings in specific areas;
 - g) Any other related development or service (including but not limited to Golf Estates and Equestrian areas);

Provided that the proposed development or service

- h) services primarily the local market; and/or
 - i) is resource based; and/or
 - j) is located at the defined and approved service delivery centre (such as the ones outlined under 6.6.4).
- 6.3 Development or services not complying with the criteria set in (a) - (f) may thus be allowed if it complies with criteria (h) and (j).
- 6.4 Applications within the urban edge, that also comply with relevant legislation e.g. environmental considerations, transportation requirements etc, can follow normal procedures.
- 6.5 Applications outside the urban edge that comply with the criteria for land uses in 6.2 (a) – (f) can follow the procedure in 6.4 above.
- 6.6 Applications outside the urban edge that are not in line with the above criteria will follow the following procedure:
- A) Request for an additional motivation from the applicant which clarifies the following matters:
 - i) The reason for the specific location of the proposed development.
 - ii) Indicate who will be responsible for bulk service and where it will come from (i. e. in terms of water, sanitation, electricity, roads, storm water provision). Although bulk services may already be available in an area the appropriateness of location and capacity would need to be assessed.
 - iii) Indicate what the impact of the development on the urban edge would be (i. e. how the development will integrate with the urban fabric and what impact it will have on urban sprawl).

- iv) Indicate what the impact of the development will be on the environment (i. e. are conservation areas affected; will the development negatively affect any endangered animal red data plant species?).
- v) Indicate what the effect on the existing transportation infrastructure and public transport provision will be in general.
- vi) Prove that there is not a property inside the urban edge suitable for the proposed development.

The EMM will then lodge the application and additional motivation, with an accompanying memorandum and draft recommendation from the EMM itself to each of the relevant provincial departments for their comments. The following line function departments will at least be consulted:

- (Agriculture, Conservation, Environment and Land Affairs (DACEL)
- (Roads and Transport (GAUTRANS)
- (Development Planning and Local Government
- (Housing
- (Economic Affairs and Finance

The Department of Development Planning and Local Government should then assess these applications in terms of the Decision Support System linked the Gauteng Vacant Land Audit and comment in this context on the suitability of the development.

The EMM will then make a final decision based on the facts and comments received during the two phases listed above. The EMM will then inform the relevant departments in writing of its final decision.

Where the provincial departments decide to approve an application (e. g. Housing) which does not comply with the criteria, then that department has to write a memorandum and draft recommendations and submit this for comment to all relevant provincial departments and the EMM before making a final decision. These parties must again, be informed in writing of the final decision.

6.7 Areas Constantly Under Pressure for Pressure for Development

- 6.7.1 In cases where, due to a variety of circumstances, an area falling outside the urban edge constantly experiences great pressure for development, the EMM will submit an application to the MEC for Development Planning and Local Government for the amendment of the urban edge in that specific area.
- 6.7.2 The MEC may then, in consultation with other provincial departments, decide to approve the requested amendment, or not.

6.8 Agriculture/Agricultural Holdings

- 6.8.1 Land uses on agricultural holdings and farms outside the urban edge should support the urban edge, by promoting active farming and agriculture.
- 6.8.2 The transitional land use zone between urban and rural land uses (i. e. the peripheral land uses prevalent in most urban areas) needs to be managed carefully to prevent urban uses occurring outside the defined urban edge.
- 6.8.3 The protection of land values outside the urban edge is a further important consideration, as declining land values in peripheral areas are associated with

under-utilisation of land, neglect, intrusion of illegal uses and even shack farming, which eventually result in urbanisation in order to combat these problems.

6.8.4 Other supportive uses to be promoted in these areas are service centres or multi-purpose community centres, to give rural communities access to community services and economic opportunities.

6.8.5 Areas earmarked for peripheral uses are deemed rural and should thus promote agricultural uses as first priority. These include:

- (Non-urban residential uses and residential estates.
- (Hospitality uses e.g. wedding venues, hotels, guest houses, tea gardens, restaurants, arts and crafts market, art galleries, conference facilities.
- (Mixed commercial/business uses e.g. transport businesses, small-scale service industry (non-polluting), veterinary services including kennels, catteries, nurseries, garden centres and equipment.

7. Comments

Government Departments, with emphasis on the following departments and divisions:

7.1 Internal

- < Metro Police
- < Land Use Management Division
- < Local Economic Development
- < Roads, Transport & Civil Works
- < Municipal Infrastructure
- < Sports, Recreation, Arts & Culture
- < Health & Social Development
- < Environment & Tourism, Housing

7.2 External

- < All provincial departments with focus on Department of Development Planning & Local Government, GAUTRANS, Department of Finance & Economic Affairs, DACEL, Housing, Social Welfare.

7.3 Utilities

- < ERWAT
- < Eskom
- < Rand Water
- < Telkom
- < Transnet
- < SARCC
- < Metrorail

7.4 Others

- < Developers & consultants
- < Mining Houses

8. Principles

- 8.1 To create a single, uniform identity for EMM (unicity)
- 8.2 To promote the development of a compact urban structure, which optimises the utilisation of resources – land engineering services, transportation infrastructure and social infrastructure.
- 8.3 To contribute to a sustainable and continuous open space network that is accessible to the public.
- 8.4 To optimise food production capacity of the surrounding agricultural areas and to functionally link these areas to the disadvantaged communities in terms of basic food supply, informal trade promotion and SMME development.
- 8.5 To optimise the job creation capacity of the formal economy in the region by promoting sectoral specialisation and by linking these activity nodes to one another.
- 8.6 To integrate the disadvantaged communities into the urban fabric by way of infill development and promotion of corridor development along the main linkages between these communities and the major concentrations of job opportunities.
- 8.7 To actively promote sustainable transport.
- 8.8 To establish a full range of services within convenient distance for the entire community by way of Multi-Purpose Service Delivery Centres.

9. Conditions

- 9.1 As per the schedule of relevant development rights.
- 9.2 Only permissible densities in respect of non-urban residential and residential estates located within the earmarked peripheral areas will be allowed to prevent shack farming, overcrowding and township development.
- 9.3 The discretion on permitting the other uses under peripheral uses remains with the municipality in terms of the merits of an application. Thus the type and extent of uses will be limited to the uses outlined in 6.6.5 above and it will require some extensive motivations for any exceptions.
- 9.4 It is important to consider geographical boundaries (i.e. catchment areas) by various planning disciplines, for example, when doing storm water planning.

10. Criteria

- 10.1 Existing provincial edge
- 10.2 Amended EMM edge
- 10.3 Capacity for future growth
- 10.4 Compromised areas
- 10.5 Strategic Vacant Land
- 10.6 Existing development rights
- 10.7 Considering future city structure
- 10.8 Protecting sensitive areas that will form future Ekurhuleni MOSS
- 10.9 Availability of Services