

# Illovo Boulevard Precinct Plan

---

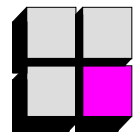
Revision 2010: Final Report

## **VBGD Town Planners**

P.O.Box 1914 Rivonia 2128

Tel: 011 706 2761

Fax: 011 4630137



October 2010

P.O.Box 1914 Rivonia 2128  
email: [druce@mweb.co.za](mailto:druce@mweb.co.za)

---

# The Revision Team

The Revision of the Illovo Boulevard was commissioned by Urban Genesis on behalf of the Illovo Boulevard management District or IBMD:

The team members are:

## VBGD Town Planners

P.O.Box 1914 Rivonia 2128

Tel: 011 706 2761

Fax: 011 4630137



## TTT Africa

Transportation and Traffic Technology Africa (Pty) Ltd  
(Reg. No. 2003/014830/07 in TTT Africa)



Projects  
Clients  
The partnership  
Publications  
**Contact us**

## URBANGENESIS

Urban Genesis Management (Pty) Ltd  
T +27 11 447 8841 F +27 11 447 1375

# Executive Summary

The following is a summary of the exercise undertaken to revise the Illovo Boulevard Precinct plan as contained in this document and its attachments:

1. The need to consider an amendment and revision of the plan arose from newly stated policy documents by the City of Johannesburg which pointed to a change in status quo for the Illovo Area and in particular, the elevation of the Illovo Nodes status to a Regional Node. This together with pronouncements associated with the BRT and Gautrain, suggesting more intensive land uses in areas associated with the BRT corridor lead to the conclusion that a revision was warranted.
2. The relevant Council's policy documents were consulted and it was concluded that a supplementary report needed to be produced to assess the effects of the BRT corridor and its intended operation on the Illovo Boulevard Precinct. A firm of Traffic Engineers was appointed for this purpose, who concluded that the BRT would in all likelihood have some negative impacts on the area, particularly in so far as accessibility for the private vehicle is concerned. The BRT does not add any capacity for development of the Precinct from a transportation perspective.
3. After due consideration by the team, and for a number of reasons not entirely related to Council policy, such as the high value of land, a general approach to intensify land use across the city, and the likelihood of large-scale change within the precinct itself, it was decided that wholesale amendment of the precinct plan was unnecessary, but that certain amendments and adjustments are warranted.
4. The document therefore recommends a revision to the Precinct Plan allowing for controlled intensification of the precinct without eroding the principles of the original precinct plan, which are still deemed to be applicable in overall terms.
5. The report recommends revised development controls, as reflected, however even within the context of these amendments large-scale redevelopment is not envisaged at all. The purpose of the revised conditions is to allow for flexibility to increase development intensity within the precinct but which, for practical reasons, is only likely to occur on vacant sites and to a lesser degree through minor alterations to existing buildings.
6. The Report Recommends adoption of the revised conditions, and notification of the City Council of the content of the report.

# Preamble

## Approach to the Study

During 2009, and as a result of pronouncements in the City Council's Policy documents for the 2009/10 period, which indicated a number of aspects which could influence the future of the Illovo Boulevard Precinct Plan, it was decided by the Illovo Boulevard Management District (IBMD) to examine all potential influences on the precinct and to report thereon, with a view to updating the Precinct Plan if deemed desirable from such investigation.

With this in mind the IBMD appointed a team of consultants lead by **VBGD Town Planners** and assisted by **TTT Africa Transportation Engineers**, and **GLH Architects**. All three of these firms have previously been directly involved in the planning for this precinct.

The approach to the study was the following:

1. A status quo analysis was undertaken by VBGD Town Planners to assess all current planning documents which were in circulation, and /or approved by the City Council and which are used to guide the city in decision making as it relates to town planning and infrastructure development in the city. A report was produced entitled "*Illovo Boulevard Precinct plan Policy Influences on the Plan: 2009*" and is attached as Annexure "A"
2. In conjunction with the abovementioned report a memorandum was produced by TTT Africa Engineers, which essentially examined the influences on the precinct area as far as transportation issues are concerned. This report looked specifically at the effects of the proposed BRT system and the Gautrain, both of which are directly relevant to the future of the precinct. This report is entitled "*Illovo Boulevard Precinct Traffic Review: November 2009*" and is attached as Annexure "B".
3. Flowing from both of these reports the team consulted with GLH Architects in order to establish the need to revise the precinct plan, and thereafter to make the necessary recommendations in this regard.
4. Subsequent to a draft report becoming available in April 2010 certain aspects of detail were addressed to satisfy the concerns of residential owners in the Melvill Rd area. These aspects are incorporated into the final document.

The above mentioned steps have taken place, and the purpose of this report is therefore to summarize the findings and make recommendations regarding the precinct plan.

---

## Documents Consulted

For the purpose of this assessment it was decided that the following documents would be consulted:

1. *Growth Management Strategy 2008 : City of Johannesburg*
2. *Draft Spatial Development Framework 2009/10: City of Johannesburg*
3. *Parktown Sunninghill BRT : Land Use Guidelines 2007: Maluleke Luthuli & Associates*
4. *Draft RSDF : City of Johannesburg 2009/10*
5. *Rosebank and Sandton UDF 2008 : Akanya, Karabo Consulting and Studio MAS architects*
6. *BRT Guidelines March 2009: Muhammed Mayet Architects, Ikemaleng Consultants 2009*

The above documents were examined in order to have a sufficiently complete overview of the various planning documents in circulation, so as to enable evaluation of the precinct in the current planning environment. The intention was not to be detailed, but rather to gain insight into the likely influences on the precinct which arise in these documents.

Independently, TTT Africa Transportation Engineers were appointed to prepare a report on the BRT system in relation to the Illovo Boulevard Precinct, which is also part of the documentation used in this exercise.

## History and Revisions

The Illovo Boulevard precinct falls within the area demarcated by Melvill Rd in the west, the water reservoirs north of Harries Rd in the north, either side of Fricker Rd, which forms the central spine, and Bompas Rd in the south.

The Illovo Boulevard Precinct Development Plan was prepared and approved by the City of Johannesburg in 1998 and has continued to serve as the guiding document for urban design, land use management and district management, ever since. The precinct plan has been adopted as the official Planning Policy for the area and is endorsed in the Regional Spatial Development Plan or RSDF. All of these official documents will be described later on.

In 2007, the Precinct Plan was amended, only in so far as the erven along Melvill Rd and Harries Rd were concerned, in order to allow for either offices or residential development on these erven. These amendments were also approved by the City of Johannesburg, and incorporated into the subsequent RSDF documents. The extent of the Illovo Boulevard Precinct is shown on the plan overleaf:

---

## Precinct Management

The Illovo Boulevard Precinct is managed by a formally constituted Section 21 company, called the Illovo Boulevard Management District (IBMD), which was formerly known as Illovo Property Owners Association (IPOA). The district is officially managed by Urban Genesis, formerly Kagiso Urban Management, a company specialising in the management of city improvement districts.

The success of the Illovo Boulevard precinct is owed to the direct participation of this Section 21 company, and all participants of the established Forum, who have upheld their role as managers of the urban environment in this area since its inception in 1998, more than 10 years ago. The IBMD's role in the development of this precinct has been to monitor and oversee the implementation of planning guidelines and detailed land use management parameters approved for each and every property which has been rezoned for redevelopment over this

period. This meticulous monitoring role has seen to it that the precinct is undoubtedly a premier destination for those who have developed here, and which now commands some of the highest valued land developments in northern Johannesburg.

It is important to emphasize that the participation of owners in the precinct and the management of the area, is a formalized arrangement which is embodied in each Title Deed of the properties in this area. This elevates the status of the IBMD, as it places a mutual responsibility on all owners, and the IBMD, to participate and manage the area, in terms of the determined terms of reference stated for this Section 21 company.

---

## **The Need to Assess Current Policy Influences**

The precinct plan has for all practical purposes been fully implemented along the central core of the precinct area , which is either side of Fricker Rd, from Harries Rd in the north to Bompas Rd in the south, and there are very few development opportunities remaining in the area in general. Consequently, the precinct is stable, as far as immediate development pressures are concerned. However, it is necessary to note that the parameters set for development in this precinct in the original plan, were formulated more than 10 years ago. This was in an entirely different era in the evolution of the City, and although development of the node has been highly successful, it is necessary to examine current trends and new initiatives which are high on City's planning agendas, and thereafter to assess the potential effects on the Illovo Boulevard Precinct.

It is important to emphasize that the Section 21 Company, via IBMD, has a formal responsibility to manage the urban environment, and in this context needs to inform all members of the company of any elements which may impact, positively or negatively on the area in the coming years. This is one of the most important reasons for this exercise.

# 2 The Current Planning Environment

---

## Summary of Findings:

### 2. 1 Planning Policy Evaluation:

If one considers that it is now more than 25 years since the northern areas began to absorb a high percentage of the decentralized, and suburban office growth in Johannesburg, previously located only in the City Centre, it is not at all surprising that there are new pressures to consider within the City of Johannesburg, which is still the hub of economic activity in the Regional context.

Illovo Boulevard itself, moving into its second decade, will need to respond to new pressures, which were not in play when the initial parameters were devised, for the redevelopment of the area in 1996.

As is clear in Annexure "A" to this report, the City of Johannesburg and the provincial government, has embarked upon very significant infrastructure development and is aligning its future plans with these investments. The most notable are the Gautrain, the construction of which is well advanced, and the supporting BRT public transport network, which is required to feed it. The general content outlined in Annexure "A" are:

1. The City has a clearly stated policy of shifting **away from private transport, towards public transport**, centred in the north around these two facilities. Creating conditions which enhance the viability of Gautrain and the BRT feeder system will undoubtedly require intervention from the City, and co-operation from the property development industry, to establish a land use pattern which will support the new facilities. Therefore suburbs which are positioned along the network routes can expect significant change in land use over time. Obviously, the success lies in the efficacy of the public transport system itself, and a supporting environment in which to operate, as well as a commitment from the City to upgrade all associated services such as water, sewer and electricity in order to accommodate densification as is proposed. If this does not meet expectations, the property development industry is unlikely to respond by investing in uses and buildings which support the new infrastructure.

2. The focus is on integrating the city, transforming it in a post apartheid era, and orienting it towards a public transport environment. While these are sound principles in general terms, it is imperative that investment by the city, in the full spectrum of infrastructure follows these ideals. Investment will also need to be **aligned with the property development industry**, to ensure that the market conditions are harnessed and directed in appropriate directions. The City will need an embracing approach to development, if their overall ideals are to be achieved, and only time will tell whether the city grasps this opportunity to reconfigure the city, in partnership with the property development industry.
3. The basic set of policy documents and planning tools devised by the City to guide them as decision makers in so far as land development is concerned, can be summarised as a “cascade” of interrelated documents which set overall principles at a metropolitan level on the one hand, and specific development parameters, at a fairly detailed level, for suburban “sub-areas” on the other. This cascade of plans includes the **Growth Management Strategy (GMS)**, the **Spatial Development Framework (SDF)** and the **Regional Spatial Development Framework (RSDF)**. Aligned with the above are more detailed planning documents which focus on specific areas such as the BRT route and the major nodes along it. These are the **“Urban Development Frameworks” (UDF’s)**, for various components in the city. There are also a multitude of **“Precinct Plans”** of which Illovo Boulevard is one.
4. In essence the overall ideals are encapsulated in the following objectives:
  - **“Establishment of an efficient movement system”** that focuses on effective public transport
  - **“Creation of strong viable nodes”** to balance the activities of work, play, shopping and living, and to support public transport.
  - **“Strategic Densification”** also to support the viability of public transport
  - **“Corridor Development”** to strengthen dedicated corridors and facilitate linkages within the city
  - **“Sustainable environmental management”**
  - **“Sustainable housing in appropriate locations”**
  - **“Delineating a urban development boundary”** to combat urban sprawl.
5. Other statements in their document which elucidate the city’s intentions are, **“the future form will be anchored on an efficient public transport system”**,..... **“anchored on the Gautrain and a complete refurbishment of current infrastructure, rail will be a mode of choice”**..... and in discussing transportation,..... **“movement**

**systems, supported by strong high-intensity, mixed use nodes and higher residential densities".**

Flowing from all of the pronouncements in the policy documents, Johannesburg is categorized into priority areas, as follows:

- **High Priority Areas :**
  - Public Transport Priority Areas
  - Marginalised Areas (ie previously disadvantaged)
- **Medium Priority Areas:**
  - Consolidation areas ( the majority of the Johannesburg area)
  - Expansion areas (the area on the periphery)
- **Low Priority Areas**
  - Peri Urban (outlying) areas

In the above context, it is clear that the Illovo Boulevard Precinct falls in a “high priority area”, being positioned along a BRT Route, close to Gautrain, and within an identified development corridor. This is significant, because it determines the strength of focus for the next level of plan, as well as the extent to which the city will concentrate its investments in the short to medium term.

6. The City's pronouncements for the areas closest to Illovo, **focus strongly on the BRT** and Gautrain facilities, which will create a public transport network from Soweto to Sunninghill. This network has as its backbone in the northern part of the city, the Oxford Rd/Rivonia Rd corridor, and identifies this as a “flagship route” of the highest priority. The Illovo area also falls within Phase 1 of the implementation program, although as discussed later on, there is **no clear timeline for implementation** of the BRT in the northern corridor.
7. At a detailed level, the development frameworks and guidelines discussed in the documents assessed in Annexure A, suggest intensification of the Illovo Node, which includes the Illovo Boulevard Precinct, particularly as a result of the node in general being elevated to the status of a Regional Node.

The suggested **controls for land uses in the node are, in general, significantly higher** than in the Illovo Boulevard Precinct, and include Floor Area Ratios (FAR) of between 2.4 and 3.6 and the height to between 4 and 6 storeys. These controls are somewhat academic in that they may not always be practical, but it does show direction in

thinking, and will potentially open the door for motivating town planning applications which align with these sentiments.

8. As far as surrounding planning proposals are concerned, there are initiatives both north and south of the Illovo Boulevard Precinct which will have a bearing on the precinct. In the north is the “Mont Blanc” land assembly north of Harries Rd, and in the south is the new development precinct which suggests extension of the Illovo Boulevard into Dunkeld, south of Bompas Rd. The details of these initiatives are discussed in Annexure “A”.
9. The City Planning Department has also commenced with Urban Design Guidelines for the BRT route which is still very much in a Draft form, and we have had the opportunity to look at a copy of a presentation made to various stakeholders during 2009. The documents available in this regard are **too preliminary and are too elementary** to draw any conclusions at this stage, and we will draw the city council’s attention to this as soon as possible.

## **2.2 Other planning considerations which may influence the area:**

The primary task in this exercise has been to examine and assess the current policies and documents available from the City Council, in order to judge influences arising there from, on the Illovo Boulevard Precinct Plan. Some aspects related to the city’s plans also warrant comment.

1. The first is the possible effects which may be relevant for parts of Illovo Boulevard, as a consequence of the BRT, **such as position and operation of BRT stations**. It has been mooted that the BRT may require vehicular traffic to be moved to alternative routes such as Melvill Rd, so as to take the pressure off Oxford Rd. Depending on how this is done, there could be influences on Bompas and the Melvill Rd properties. This aspect is dealt with in the *TTT Africa Report* in Annexure “B”.
2. The second is the **presence of town planning applications** on the fringes of the Illovo Boulevard, both in the Illovo Point area, as well as the new development precinct linking Illovo to Rosebank in the south. These applications have been motivated by the changing status of the northern corridor, and will in all likelihood be endorsed by the City, if they do indeed assist in facilitating the ideals of a functional transportation system in the northern corridor. IBMD should take cognisance of the presence of

these applications and get directly involved with the detailed planning, which will be required by these applicants in assessment of their respective merits.

3. The third are the **local economic considerations** within the IBMD area, which determine whether the area is likely to change, under the new pressures exerted by the new planning era explained in the report. The Boulevard, particularly Fricker Rd, is a very stable and developed environment and in our view unlikely to change in the short term due to practicalities related to building ownership, leases, tenancing profile etc. This is a subject on its own, but is mentioned at this point, as it has a direct bearing on what amendments are suggested for the precinct in this report.

### 2.3 Traffic Management and Transportation considerations:

The findings in this regard are contained in the TTT Africa Report which is attached as Annexure "B".

The content of the above report could be summarized as follows:

In brief the following are the **main points** which are evident from their report:

1. **Gautrain impacts are not very significant** because the facility is not really an "on surface" transportation mode. There may indeed be significant benefits for the Illovo area, due to general access to Gautrain at the Sandton and Rosebank stations but these would be indirect benefits such as increased accessibility to the system and in particular OR Tambo Airport.
2. One negative aspect which needs to be addressed is the **feeder bus system** for the Gautrain, as this is earmarked along Fricker Rd. The buses to be used are full size buses, and this would be inappropriate for the Fricker Road environment. We suggest that IBMD make representations to Gautrain to move the bus route to Melville Rd.
3. The impacts of **BRT are likely to very significant** on Illovo Boulevard, and the surrounding areas in general. Two alternatives are being considered as part of the EIA process, both of which have significant, negative impacts, varying only by degree.
  - One alternative is to accommodate BRT by widening the corridor reserve, in which case both BRT and traffic is accommodated along Oxford Rd, in some form or another. This would involve expropriation of land along Oxford/Rivonia Rd for road widenings.

- The second alternative suggests that no widening takes place along the route, in which case the space available to accommodate the BRT plus vehicular traffic is constrained within the current available road reserve.
4. There are two BRT stations which will be located in the Illovo area, the one being just north of Chaplin Rd, and the other south of Bompas Rd. In terms of public transportation usage, having these stations available to the Illovo Boulevard area is obviously beneficial, however, this comes at a price as far as the private vehicle is concerned, as will be detailed in the next paragraph.
  5. Both of the BRT alternatives **will place significant stress** on the surrounding roads and result in a general increase in congestion for the following reasons:
    - 5.1 The BRT will have “right of way” in the corridor, and will require that right turn movements by private cars, will not be permitted in general, except at a few predetermined intersections. All other movements into and or from the corridor will be on a “left-in-left-out” principle.
    - 5.2 The consequence of these right turn movement restrictions, both in a northerly and southerly direction, will result in enforced detours down side streets and/or inevitable “rat-running” onto the nearest available roads. Melvill Rd is a prime example, but Fricker Rd and Chaplin Rd will also be stressed.
    - 5.3 At present there are six intersections which allow right turns from Oxford/Rivonia Rds into the Illovo area for southbound traffic. This will be reduced to two, in the case of Alternative 1, where movements to the west will only be possible at Chaplin Rd and Bompas Rd. Alternative 2 permits no right turn movements at all, except at Bompas Rd. This means that vehicles destined for Illovo Boulevard, will be forced into detours via Rudd Rd or Bompas Rd. Similar enforced detours will be necessary for northbound vehicles as well. These restrictive movements will make Illovo Boulevard considerably less accessible than is currently the case.
    - 5.4 As a consequence of the reduced functioning of Oxford Rd, it is suggested by BRT planners to add a lane in Melvill Rd for northbound traffic. This will not replace the mobility of Oxford Rd, but will definitely be an alternative “rat run” for northbound traffic along 3rd Rd to William Nicol Drive. If Melvill Rd is also used for the Gautrain feeder bus, then it will become a far busier road than is currently the case. This could also change the character of the current environment along Melvill Rd, to some extent.

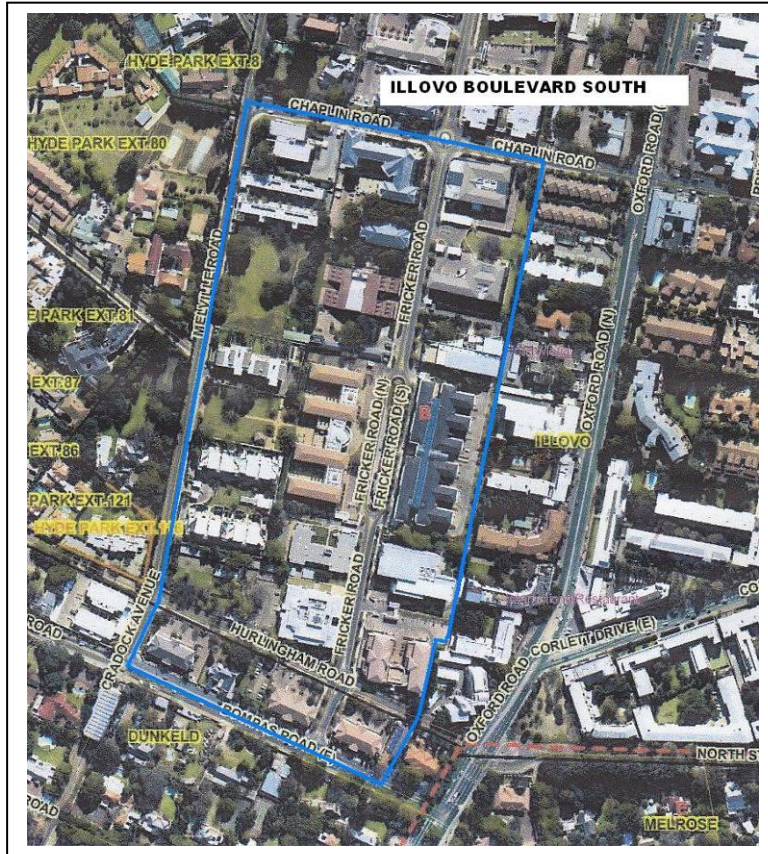
- 5.5 The general findings of the TTT Africa Report indicate a **general deterioration of the levels of service** for the private vehicle once the BRT is implemented, in either of the two alternatives. Raised levels of congestion will be inevitable in and around Illovo. Intersections in general will operate at a low level of service, which will be exacerbated by increased land use density. Some improvements could be made by moving the stations away from existing intersections, particularly Chaplin Rd, in which case right turning movements could be accommodated. These options should be pursued as a matter of urgency.
- 5.6 Of particular importance is the **lack of information** regarding the actual time progression for establishing the BRT from Parktown northwards, which may be held in abeyance for some time. There is even a possibility that the BRT will be postponed indefinitely. This begs the question as to whether land use intensification is a feasible/desirable proposition, without concomitant investment on the road infrastructure.

## 2.4 Land Development Audit:

While we have not conducted a detailed land development audit, the photographs below and overleaf indicate the high degree of development of properties in the node, and the concomitant low number of undeveloped erven within the Precinct environs.

If one examines the precinct, it is evident that in the northern half of the precinct only 4 erven are undeveloped or contain the existing houses, these being Erven 15, 16, 19 and 24 Illovo. In the southern half of the precinct, only 5 undeveloped erven exist, these being Erf 27, 28, 30 and 33 Illovo as well as Erf 12 Dunkeld. As can be seen on the photographs, the remaining precinct area is fully developed.





It can also be seen from the above aerials that the foot print of existing developments occupy a high percentage of the land available on each site.

## 2.5 Land Value Implications for redevelopment:

Depending on the extent to which floor area ratios would ever be increased, it is **unlikely that many of the existing office developments would be redeveloped** in the foreseeable future. Obviously, the higher the floor area ratio, the more likely it is that existing office developments will be redeveloped, however this is not a simple equation, and the following should be considered.

1. The likelihood that existing office developments will be intensified is to a large extent determined by (inter alia):
  - The age and quality of the existing building(s) on the property
  - Loss of income during redevelopment
  - The cost of redevelopment

- Existing lease agreements

Each of these factors or a combination of them would influence the decision of a property owner as to whether a property is viable for redevelopment.

In this precinct, most of the existing office developments are less than 10 years old. Taking into account that the life span of an office building is at least 25 but typically more than 30 years, most of the existing office developments are considered to be very new.

Furthermore most of the developments in the node are modern in design and of a very high quality, the only criticism being that they may not be “green” by design, which is a new era for office development throughout the world, and not an immediate reason to demolish.

Due to the age and quality of the existing developments and also the environment within which they are located, high rentals are being achieved, and therefore, apart from the fact that most of the developments are still new, it is **not financially viable to demolish** a building that provides a good return on investment.

In order to be in a position to redevelop an existing office development, the owner will either have to wait for existing leases to expire or relocate existing tenants elsewhere or alternatively, negotiate the cancellation of existing leases. This is not a simple exercise, normally takes time and could be a very costly exercise. Furthermore, the owner would lose rental income for the period that the existing office building is demolished and redeveloped to the higher FAR.

2. The market value of an office building is such that the replacement value by demolition would need to be regarded essentially as the “land value” for a new office development. This calculation would place such high value on land that rentals achievable to recover such costs **would render redevelopment unviable**. Therefore unless rentals were to increase dramatically, it would not be viable to demolish an existing building and redevelop a new one unless FAR's were taken to an extreme, which is also an unlikely option, for other practical reasons.
3. The possibility does exist that some owners of existing office buildings may apply for additional floor area for expansions to their existing buildings. Even though this is a possibility, it is unlikely that a large number of owners would exercise such an option

because, in any event, the floor area that could be added is **restricted by the existing layout and design of the buildings** and the additional parking which would be necessary to facilitate such additions.

If one considers the layout of most buildings, and as can be seen on the above aerial photographs, a typical erf is covered by driveways, access ramps and parking areas and a further percentage comprises the building line areas and the required 20% landscaping. Therefore, without covering the entire erf with buildings, driveways and parking areas, **very little space is available** for expansion.

Under the circumstances as described, it is considered unlikely that more than a few buildings will opt for additional floor area to be added however, where it is possible within the parameters of the land use development guidelines, there should be no reason not to allow for such expansion.

# 3 Assessment and Revision

## 3.1 Observations and Comments:

The following general comments are made regarding the various policy plans and documents we have assessed in this exercise:

Although the Illovo Boulevard Precinct is practically fully developed and consequently stable as far as immediate development pressures are concerned, the Precinct Plan relies on parameters which were set more than a decade ago, in a different cycle of the City of Johannesburg's evolution. If one considers that it is now more than 25 years since the northern areas began to absorb a high percentage of the decentralized, and suburban office growth in Johannesburg, previously located only in the City Centre, it is not at all surprising that there are **new pressures to consider**.

1. The northern suburbs of Johannesburg are transforming from low density, exclusively residential precincts, to a mixed use environment aligned with more current parameters for land development. This is likely to continue in areas adjoining Illovo Boulevard thus raising the general density of development and concomitant land use activity.
2. The extremely **high value of land** in the north would suggest that the era of low density "office park" environments are a thing of the past, at least in prime development locations. High land values and development costs have shifted the viability of all developments, which suggests that **intensity of land use must increase**. This is not an open-ended equation implying general increase of land use intensity in this precinct, because other dynamics such as parking requirements, leasing commitments and a myriad of other development issues, militate against additional floor area being added to most existing sites, or alternatively a wholesale demolition of buildings in order to achieve slightly higher floor area ratios. In areas such as Sandton CBD and Rosebank, relatively new buildings are currently being demolished to make way for more intense use of the land, which may suggest that the early redevelopment of strategic nodes could continue, however, owing to the dynamics and stability of the Illovo Boulevard Precinct, this is viewed **as an unlikely option**, at least in the short to medium term.

3. A significant pronouncement in the Council's policy documents is in our view the **elevated status of the node** to a regional node, as this has implications for intensity of development and land use mix. As indicated in paragraph 7 on page 5 of this report, significantly higher floor area ratios are mooted for a node of this order. Even though the practicality of these densities may not be achievable in the Boulevard precinct environment, such pronouncements do allow ad hoc rezoning applications to be motivated accordingly. We believe that in spite of these statements in Council Policy documents, it needs to be understood that they are not necessarily appropriate, in an established and stable environment such as the Illovo Boulevard. This aspect requires full discussion with city planning officials in an attempt to understand the implications of this changed status, because for a number of reasons, the introduction of BRT and Gautrain do not necessarily imply an increased capacity required for road and other essential services to enable an elevated intensity of land uses.

As far as the influences of the **anticipated public transportation system** are concerned, ie BRT and Gautrain, the following comments are offered:

1. From the TTT Africa Report it has become clear that the **BRT system is likely to have a negative impact** on the area, even in the medium to long term. This is because of the nature of the bus system, which greatly reduces the mobility of Oxford Rd, to ensure a "free flowing" public transport facility. Although the introduction of a high quality bus facility would be a welcome mode of transport, it is important to see this in perspective, as the preferred mode will **remain to be the private vehicle**. In this regard, Gautrain Planners have used a conversion rate from private vehicles to the BRT to be a **maximum** of 20% over a period of 15 years. This means that the dominant mode of transport will be the car and, with diminishing mobility on the main corridor, and concomitant increased congestion in the area in general, there could be a negative influence on investment in these areas.
2. The BRT may well be delayed a few years, and it is not impossible that the proposed facility is cancelled altogether. However, we do not believe that this will be decided on in the short term and in any event, the future of the BRT does not warrant holding back on revising the Illovo Boulevard because there are other pressures on land in prime locations, which **militates against continuing low density development** as a matter of course. Therefore in locations such as Illovo, one can expect pressure to maximize potential and to utilize land to the full. Consequently, irrespective of other motives for higher density of land use, such as BRT, it is going to happen in our view, for other economic reasons.

3. One significant aspect of the TTT Africa report is that **BRT will have potentially debilitating influences on traffic congestion** in Oxford and surrounding streets. Turning movements into Illovo Boulevard will become difficult and available alternatives such as Melville Rd will become more heavily trafficked over time. It is quite apparent that even if BRT is fully functional, the private car will still be the dominant mode of choice for transportation. This could have two influences. Either the area will endure these circumstances, by virtue of its good general location or new areas will begin to emerge away from BRT where the private vehicle is not constrained. This could lead to lower levels of investment in the Illovo area and is indeed what happened when decentralization of offices from the Joburg CBD commenced in the mid 1970's.
  
4. One of the biggest concerns would be an **indefinite postponement of the BRT** (or even a complete abandonment) without a corresponding limitation on increased development densities. While it is clear that the proposed increased densities and land use would theoretically boost the viability of the BRT system, **it would be catastrophic if the intensity of land use were to be increased and the BRT abandoned**. In that case, the city would need to dramatically revise their roads plans, and invest heavily in private vehicle infrastructure to avoid very severe road congestion.
  
5. The suggested feeder bus to the BRT and Gautrain as mooted along Fricker Rd, should not be accommodated within the precinct, and should rather be diverted to Melville Rd. The road is not suitable for larger municipal buses and should therefore be resisted.

In the light of the findings in the TTT Africa Report there are two options:

- To assume that the **BRT will be constructed at least in the medium term** and embrace the need to raise the intensity of development in the area. In this case, we would need to continue with the urban design process as envisaged in this study, or
- To make representations to the city seeking firstly, clarity on the likelihood of BRT being postponed/abandoned, and also to call for a moratorium on high density land uses except where it can be shown that it can be served, (at least temporarily) by the private vehicle. Our view is that the city has for the time being committed itself to the BRT vision, and are unlikely to pronounce otherwise for the foreseeable future.

---

## 3.2 The Revision of the Precinct Plan:

### 1. Introduction:

There are many uncertainties regarding the actual influences on growth and change in the Illovo Boulevard, however there is sufficient information to be gleaned from the work undertaken in this exercise, to suggest the following courses of action:

1. There will be suggested amendments to the precinct plan emanating from this exercise, however a full scale re-examination of the Urban Design principles as contained in the Illovo Boulevard Precinct Plan is not deemed necessary. Indeed it is the team's view that **the existing development parameters should largely be maintained.**
2. Irrespective of the success of an emerging planning environment which seeks to endorse a land use pattern aimed at supporting a public transport system, there are other compelling reasons to align the precinct with general dynamics prevailing throughout the city, which point to **increased intensity** of land use. One of these reasons is the high value of land in prime locations which militate against the retention of low density "office park" developments.
3. The stability of the Precinct, the age and quality of the existing environment, the current managed domain through a competent CID and the complex nature of the ownership/tenant dynamics, would suggest that **large scale redevelopment is highly unlikely.** Indeed in order to maintain the basic operational parameters established within the Boulevard and protect the general ambience, large scale redevelopment would be viewed as undesirable.
4. The **core area** of the precinct, in particular Fricker Rd is **unlikely to change**, although it may be possible to accommodate some additions and amendments on specific sites. This will largely depend on site specific conditions.
5. The **fringe areas** namely Bompas Rd, Harries Rd and Melvill Rd have external or additional pressures introduced by changed or emerging development pressures from adjoining areas or, as in the case of Melvill Rd, a threat of increased traffic movement along the route. These areas warrant attention as far as revised development parameters are concerned.

6. Although the intention in this exercise has been to look at the Illovo Precinct itself, one cannot do so without at least taking cognisance of the other land development initiatives happening in the nearby vicinity, particularly Dunkeld to the south of Bompas Rd and the Illovo Point or NIRN zone, north of Harries Rd.
7. A key element for intensification of land uses is how far the city will go to invest in **supporting infrastructure, such as water, sewer and electricity**, as the ideals for intense nodal development cannot happen in practice, without such investment. This aspect is raised, as it has not been investigated in this report although it is an important component for the potential success of the city plans and the future development of this node. The assumption for the moment is therefore that the necessary investment will follow, however the actual servicing needs for expansion must be addressed through suitable engineering reports, to ensure that intensification of development is accurately understood. We are of the opinion that such assessment can be done on a site by site basis, although an overall services report for the precinct would be a useful supporting component to this revision.

## **2. Surrounding initiatives:**

### **2.1 The Southern Fringe (Dunkeld):**

Since the commencement of this revision exercise in 2009 it has become increasingly evident that the area south of Bompas Road, extending towards Rosebank, will become an element which needs to “tie into” the Illovo Boulevard Precinct over time. Whether this area becomes an independent precinct, or an extension of the Illovo Boulevard it will share a number of common principles, which should be co-ordinated when the new precinct is planned. Initial indications are that the extension of Fricker Road southwards into Dunkeld is a likely eventuality and in that regard, the Boulevard managers (IBMD), should keep close contact with those involved in evolving a new precinct plan for that area.

### **2.2 The Northern Fringe (NIRN)**

To the north of Harries Rd and stretching into the apex where Mellville Rd and Oxford Rd meet, is a new evolving precinct known as the Northern Illovo Regional Node (NIRN). This precinct has undergone extensive planning processes in the very recent past, which are aimed at a new development precinct, also involving the extension of Fricker Rd northwards. Again, whether this new precinct is an independent entity or one which associates closely with Illovo Boulevard is not as important as seeing to it

that the area as a whole retains functionality and synergy. The IBMD should continue to monitor and participate in the evolution of this precinct to ensure that the developments are compatible, and indeed play a supportive role within the wider context, being positioned in a strategic position within the Illovo Regional Node.

Although the NIRN proposals are still in the course of preparation we are of the opinion that the plans to date are well conceived and should complement the area in general, once they are finalised.

### **2.3 Implications of Surrounding Initiatives**

The scope of this revision exercise does not permit full assessment of the implications of increased activity and change of land uses in the neighbouring precincts, mainly because the proposals for these new precincts have not been finalised. Nevertheless, it is obvious that there will be impacts on the area as a whole, such as increased congestion, competing land uses, higher intensity of use and increased demand on services.

In order to ensure the highest degree of compatibility for the entire node, we are of the view that there should be a formalised liaison body established to manage common aims, and encourage mutual ideals.

## **3. Elements to be revised:**

Following from the assessment done to date, the following are suggested in order to revise the precinct plan:

### **3.1 The Urban Design Framework:**

There is little doubt that the Illovo Boulevard Precinct is a highly successful and desirable development precinct, which **has evolved as a premier location**, primarily for offices, directly as a consequence of proper urban design from the outset. This combined with suitable land use management and town planning development controls, together with meticulous management of the precinct area through a formalized management entity, ie a CID, has ensured that the precinct has remained a premier destination for AAA Grade development. In this context, there is little need to “reinvent the wheel”, but rather to **endorse the guiding principles** embodied in the current precinct development plan. We therefore confirm the relevance of the urban design principles in the current precinct plan which **should be carried into** the revised plan.

In this regard, the guiding principles relating to:

- The Public Domain
- Boulevards and Streets
- The public squares and
- General conditions relating to land use management

are all endorsed. This includes all existing aspects relating to Site Development Plans, Engineering Services, membership of the IBMD, landscaping, retention of existing trees, parking, pavement design, external signage, street furniture and lighting, and any other design elements already entrenched in the current precinct plan. The provisions which translate to development controls for the precinct are dealt with in the next paragraph, all of which encapsulate the overall guiding principles.

### **3.2 Revised Precinct Components:**

As alluded to in the body of this report, it is acknowledged that there is potential to allow for increased land use densities in the precinct both on sites which are currently vacant or which have existing buildings thereon.

The key elements to allowing these increases are ensuring that the existing quality of environment is not undermined by individual aspirations, and the maintenance of the existing urban design principles.

If one examines the precinct there are different zones which reflect varying circumstances. These are indicated below as ***the core area, the fringe areas, and the interfaces with adjoining precincts***. The precinct is therefore addressed in this context, as shown on the diagram overleaf:

#### **1. The Core Area:**

This area is characterized by the properties positioned either side of Fricker Rd, which is the central spine running through the Illovo Boulevard Precinct. It is the area which provides the most definition to the Precinct and is for all practical purposes fully developed.

#### **2. The Northern Zone:**

The properties on the northern fringe contain three sites namely Erven 15,16 and 52 situated north of Harries Rd which are likely to develop in the future. These three erven form an integral part of the Illovo Boulevard Precinct, in that to the north of them

are the water reservoirs, which create a physical barrier for the precinct which lies further to the north of them.

It is acknowledged that the two erven which are yet to develop, ie Erf 15 and 16 are part of a land assembly together with Erf 52, but that the three properties together have a bearing on the functioning and operational street environment in Harries Rd and should be treated accordingly as far as development parameters are concerned.

It is noted that the City Council took a decision in December 2009 to remove these three erven from the Illovo Boulevard Precinct and place them in the emerging precinct, or Northern Illovo Regional Node (NIRN). Irrespective of the merits of this action, and the lack of participation from the City's side in doing so, it is our view that these three properties are physically part of Illovo Boulevard precinct, and that the manner in which they are developed will have a direct influence on the properties south of Harries Rd. For this reason, the three erven are included as part of the revision of Illovo Boulevard, and it is hoped that the compliers of the NIRN precinct will respect the controls assigned to this zone.

### **3. The Southern Fringe:**

This area essentially represents the seam between Illovo Boulevard Precinct and the emerging precinct to the south of Bompas Rd into the Dunkeld area.

Bompas Rd will play a significant role in establishing an interface zone for these two precincts, and the extension of Fricker Rd southwards into the Dunkeld precinct will create an opportunity for a strong focal point at this new intersection.

Owing to the importance of Bompas Rd in transportation terms, redevelopment can be expected on either side of this route.

### **4. The Western Zone:**

This is the area along Melvill Rd which has in the past been regarded as the interface zone with Hyde Park properties to the west. More recently, the controls pertaining to land development within the precinct along Melvill Rd were revised to allow for either offices or residential developments, at a FAR of 0,6. Originally the rights along this route were more complex and allowed for a combination of offices and /or residential uses at varying FAR's with a view to creating a "softer" interface zone with Hyde Park. This dynamic has changed since the original plan was produced as Hyde Park is no longer a very low density zone, which it was in 1998.

There is scope for additional development along this fringe which we believe can be accommodated subject to suitable development conditions.

It is to be noted that after the draft report became available in April 2010, representations were made by a group representing largely the interests of the residential owners in apartments positioned in Melvill Rd, such as Franklins Row and 10 Melvill. This group were not satisfied that their interests were adequately addressed in the revised conditions suggested for the Melvill Rd erven, and employed a town planner to assist in negotiating appropriate additional development controls for this zone. These have been concluded, and are reflected in the tables presented in paragraph 3.3.

#### **5. The Eastern Fringe:**

This zone comprises the row of properties along Oxford Rd which abut on those along the eastern side of Fricker Rd, and which are not formally part of the Illovo Boulevard Precinct.

These properties contain old blocks of flats, and older office buildings north of Chaplin Rd, and which are positioned directly on the BRT route. From what we could establish, the BRT requirements are likely to impose severe difficulties for redevelopment of these properties because of constrained accesses associated with the BRT, but they may be candidate properties for redevelopment in the future. As they fall outside the Illovo Boulevard, we do not propose any redevelopment suggestions for these sites in this report.

### **3.3 Revised Land Use Management Conditions:**

#### **3.3.1 Practical Considerations:**

Before the detailed conditions applicable to the zones within the precinct are addressed, there are some practical aspects which need to be discussed. These are:

- **Increased Intensity vs quality of Environment:**

While it is being proposed that the Illovo Boulevard increases its intensity of land use through the raising of Floor Area Ratios (FAR) where this is practically possible, it does not mean that other aspects such as landscaping, orientation of buildings, separation of buildings, provision of parking, etc are sacrificed. Indeed, as previously indicated the guiding principles of the Illovo Precinct Plan remain as such, and are to be respected in spite of increased intensity.

As will be seen in the following paragraphs the primary controls such as coverage, height and stipulated landscaping provisions remain the same as previous versions of the Precinct Plan, with the introduction of some additional flexibility.

Essentially, the area already accommodates a largely three storey environment, even along Melville Rd, where 3 storey apartment buildings are prevalent. It is common practice throughout the city to mix both offices and residential uses in nodes such as this, and indeed it has been shown that residential buildings can be more intrusive for other residential buildings than interfacing A-Grade office buildings with higher density residential uses.

It needs to be accepted that this is a nodal, urban environment, not a low density suburban precinct. Quality and compatibility of uses is a function of attention to detail, when considering the design and positioning of buildings, whether they be residential or offices in terms of land use. As the use of the Site Development Plan (SDP) is a prominent component of the building approval process in this precinct, there is adequate opportunity to address any potentially conflicting elements through the provisions of the SDP.

As can be seen in the photographs below and overleaf, three storey environments could be situated side by side, provided attention is given to the abovementioned elements.



**Three Storey Office Buildings**



### **Three Storey Residential Buildings**

The above examples are buildings within the Illovo area and show that attractive compatible environments can be ensured if sufficient attention is given to the juxtaposition of buildings when considering Site Development Plans

- **Dimensions of Properties:**

While it is tempting to introduce as generous as possible building lines and landscaping provisions on properties , thus ensuring a high level of physical separation of buildings and dense vegetation, it is not always practical to do so, because of the physical dimensions of properties, which do tend to develop on an individual basis.

In the Illovo Precinct, all even are approximately of the same dimensions, this being a land area of 3715m<sup>2</sup>, with street frontages of 47m and erf depths of 79m.

This means that typical modules of buildings, and in particular parking basements which have prescribed sizes for parking bays and circulation, require development parcels which have specific dimensions as far as built space vs surface space. A typical basement layout would result in 4 rows of parking bays with 2 aisles for circulation. This would use 35m of a boundary to boundary street width dimension, leaving in practical terms, 12m for surface treatment of elements such as landscaping on surface parking, access to buildings etc. Obviously there are differing layouts for buildings, however the point is that flexibility is a necessity in circumstances such as this, because of the fixed dimensions of the properties on which development occurs. This is also the reason for utilising the SDP in the assessment of buildings, in relation to their surroundings, as it creates a context for evaluation.

- **Decision making and plan consideration:**

It is important to accept that the only body with legislated authority to approve building plans is the City Council, who by virtue of the Ordinances and Acts which facilitate their functions such as the Town Planning and Townships Ordinance, The Municipal Systems Act and the like, give them the sole responsibility and authority to consider and approve (or refuse) building plans submitted by land owners for consideration.

The fact that the Illovo Boulevard has a code of practice whereby all plans and Site Development Plans are considered and commented on prior to them being submitted formally to the City Council is a unique and important additional step in the plan approval process. It has in the past been the element which has guaranteed that buildings erected in the Illovo Boulevard Precinct are compatible with one another, and do fulfil the guidelines of the precinct plan which governs this area. It means that essentially building proposals are considered by the members of the precinct management body, before they are introduced into the formal plan consideration environment of the City Council.

While in the past this process has been instrumental in ensuring that the quality of buildings and general environment is of the highest level, the owners of the residential properties in Melvill Rd have requested that a further element be introduced to deal with situations which could arise where there is disagreement with a development proposal which is introduced adjoining existing residential environments.

The proposal is for SDP's to be circulated to adjoining body corporates as a starting point to plan preparation. Body corporates have 14 days to comment to the applicant/land owner, failing which such comments are deemed to have been made, in support of such proposals.

In the event of their not being consensus, comments submitted to the applicant/owner by the body corporate will be considered by an arbitrator. The arbitrator will be a mutually agreed upon professional, selected from the town planning or architectural fraternity, who must conclude the process within 21 days. Once this process is complete, the plans will start the normal process of consideration by the IBMD, who should in any event be included in the deliberations if arbitration becomes necessary.

Although this additional element will potentially add time to the process of plan consideration, it is hoped that the earlier circulation period of 14 days to adjoining body corporates will suffice, and that only in extreme circumstances would arbitration be required.

As the process described above does not substitute the formal process of plan approval by the City Council it is suggested that, in the event of arbitration, a record of the proceedings be supplied to the Council together with the submission of the SDP, to ensure that they have a full record of this process.

### **3.3.2 Revised Conditions to be Incorporated**

The following suggested amended conditions are proposed for the revision of the precinct plan:

#### **1. General Provisions:**

The general provisions of the Illovo Boulevard Precinct Plan are incorporated into the Revision for the 2010 plan. These are as contained in the original plan and/ or as revised in the 2007 amendment:

1. Provisions relating to the Site Development Plan are unchanged
2. No Development within the precinct shall take place prior to a services agreement and an open space contribution agreement covering all erven contained in the amendment scheme being concluded between the land owner or developer and the Council to the satisfaction of the Council
3. A joint management forum shall be established between all land owners, tenants or developers, interested parties identified by the City Council, and the City Council to ensure that all development occurs in accordance with the urban design precinct plan, and that the precinct is managed holistically.
4. Clauses 7 and 8 shall not apply in respect of uses in Column 4. Consent Use applications must be submitted to IBMD for comments, who will have 21 days in which to comment to the City Council

5. Where existing erven or parts thereof which fronts onto Melvill Rd are consolidated or notarially tied with the adjoining Fricker Rd property with which it shares a full boundary, or a right-of-way servitude is registered in favour of a Melvill Rd site for access from Fricker Rd to the satisfaction of the Council, the floor area may be redistributed over existing erven or parts thereof, in terms of an approved site development plan.
6. At least 50% of the parking required for new buildings for office or non-residential purposes shall be provided in subterranean parking basements which shall not protrude more than 1,5 m above natural ground level, and then only in special circumstances and with the prior approval of the Council, in terms of an approved site development plan. The provision relating to the protrusion of basements can be relaxed in terms of an approved SDP
7. Landscaping
  - i. Where the erf is used for office or non-residential purpose only, 20% of the erf shall be reserved for landscaping purposes only, provided that a portion of this area may be developed on or over structures, as determined in the approval of the SDP. Pedestrian servitudes or other public areas on the erf may be included as landscaped area in this calculation.
  - ii. Pedestrian servitude areas and areas of public landscaping shall be landscaped in accordance with the urban design precinct plan for the area.
  - iii. No large trees may be removed without the prior consent of the Council, and only in terms of the site development plan. In the instance of removal of mature trees, suitable evergreen trees, preferably indigenous, of a minimum height of 5m shall be planted elsewhere on the site, unless determined to be impractical or unnecessary, in the SDP. Where shrubs and trees exist on common boundaries with existing developments, they shall be retained or replaced by planting suitable, preferably indigenous trees and shrubs of similar maturity.

8. In addition to the above provision of conditions to be incorporated into new zoning applications the following is also a requirement, which is to be inserted into the Title Deeds of all transacted properties
  - i. "Every owner of the erf or any subdivision thereof or any interest therein shall become and shall remain a member of the Illovo Property Owners Association an association established to safeguard and foster the interests of owners and occupiers of properties situated in the area bounded .by Bompas Road, the mid-block on the western side of Oxford Road, Harries Street and Melville Road ("the Illovo Boulevard") and shall be subject to the Memorandum and Articles of Association of such Owners Association until it ceases to be an owner as aforesaid. Neither the erf, nor any subdivision thereof or any interest therein shall be transferred to any person who has not bound himself to the satisfaction of the Owners Association to become a member of such Owners Association"
  - ii. " The owner of the erf or any subdivision thereof, or any interest therein, shall not be entitled to transfer the erf or any subdivision thereof or any interest without a clearance certificate from the Illovo Property Owners Association that the owner has complied with the provisions of the Articles of Association of the said Owners Association"
  - iii. "If resolved unanimously by the members of the Illovo Property Owners Association and the local authority, the conditions of Title relating to membership of the Owners Association shall cease to be of force and effect."

## **2. Amended Development Provisions:**

The following amended conditions are suggested for the precinct as addressed in the precinct zones described on pages 19 to 21 of this report:

Zoning category	Existing Policy	Revised Policy
<b>Core Area: Fricker Rd</b>		
Use Zone	Special	Special
Land Uses	Offices, residential buildings, and dwelling units and other compatible land uses via a consent use application	No Changes
Servitudes	2,5m pedestrian servitude if required	No Changes
Storeys/Height	3 storeys which may be increased in terms of a SDP	No Changes
Coverage	50% for storeys above ground level which may be increased in terms of a SDP	50% for storeys above ground level which may be increased to 60% in terms of a SDP
FAR	0,6 where the existing erf is developed individually and an additional 0,1 if the existing erf is consolidated or notarially tied with one adjacent erf or part thereof which fronts onto Fricker Rd and there is a single point of access/egress and subject to General condition 5.	1,2
Parking	4 bays per 100m <sup>2</sup> for offices otherwise as per scheme	No changes
Building Lines	3m along all street boundaries or as per Boulevard manual	No Changes
General	Original general conditions as amended	No Changes
<b>Southern Zone: Bompas Rd</b>		
Use Zone	Special	Special
Land Uses	Offices and such other uses as the Council may permit	Offices, residential buildings and such other uses as the Council may permit

Servitudes	6m road widening along Bompas Rd	No Changes
Storeys/Height	2 storeys	3 storeys which may be increased in terms of a SDP
Coverage	40% for storeys above ground level	40% for storeys above ground level which may be increased to 60% in terms of a SDP
FAR	0,3	1,0
Parking	4 bays per 100m2 for offices otherwise as per scheme	No changes
Building Lines	12m along Bompas Rd provided this may be relaxed	3m along Bompas Rd which can be relaxed in terms of a SDP
General	Original general conditions as amended	No Changes
<b>Western Zone : Melvill Rd</b>		
Use Zone	Special	Special
Land Uses	Offices, residential buildings, and dwelling units other compatible land uses via a consent use application	No Changes
Servitudes	2,5m pedestrian servitude if required	No Changes
Storeys/Height	2 storeys which may be increased to 3 storeys for residential purposes only, in terms of an approved SDP	3 storeys provided a maximum height of 12m including basement protrusions is maintained
Coverage	40% for offices and nonresidential uses. 50% for residential uses, which can be increased in terms of an approved SDP.	40% for offices and nonresidential uses 50% for residential uses.  The coverage can be relaxed for basement structures only
FAR	0,6	1,0
Parking	4 bays per 100m2 for offices otherwise as per scheme	4 bays per 100m2 for offices otherwise as per scheme

Building Lines	<p>15m along Melvill Rd with respect to offices, which can be relaxed to 10m in terms of an approved SDP</p> <p>5m along Melvill Rd for residential purposes which can be relaxed in terms of a SDP</p>	<p>15 along MelvillRd for offices which can be relaxed to 10m in terms of the SDP</p> <p>5m along Melvill Rd for residential purposes which can be relaxed in terms of the SDP</p> <p>For other boundaries the following:</p> <ul style="list-style-type: none"> <li>• 8m on the southern boundary of new buildings where abutting on existing buildings.</li> <li>• 7, 5m on eastern boundaries and 5m along the northern boundaries on even adjoining existing developments. In the event of there being any existing elements on adjoining properties which could be detrimentally affected by a new building, planting of , preferably indigenous, evergreen, fast-growing shrubs of not less than 5m in height to form a visual screen, be implemented on the common boundary and as determined in the approval of the SDP</li> <li>• All of the above can be relaxed but only in terms of the provisions of the SDP</li> </ul>
General	General conditions as approved	General Conditions as amended
<b>The Northern Zone: Harries Rd</b>		
Use Zone	Special	Special
Land Uses	Offices, residential buildings, and dwelling units other compatible land uses in terms of a consent use application	No Changes

Servitudes	2,5m pedestrian servitude if required	No Changes
Storeys/Height	Melvill Rd : 2 storeys which may be increased to 3 storeys for residential purposes only, in terms of an approved SDP  Fricker Rd: 3 storeys which may be increased in terms of a SDP	Erf 15: 3 storeys with a maximum height of 12m including basement protrusions.  Erf 16: 3 storeys which may be increased by one storey in terms of an approved  Erf 52: 3 storeys which may be increased by one storey in terms of an approved
Coverage	40% for offices and nonresidential uses. 50% for residential uses, which can be increased in terms of an approved SDP.  Fricker Rd: As per core area	Erf 15: 40% for offices and non-residential uses 50% for residential uses.  Erf 16: 40% for offices and nonresidential uses 50% for residential uses.  Erf 52: 50% for storeys above ground level which may be increased to 60% in terms of a SDP  The coverage can be relaxed for basement structures only
FAR	0,6	1,0 along Harries and Melvill Rds and 1,2 along Fricker Rd
Parking	4 bays per 100m <sup>2</sup> for offices otherwise as per scheme	4 bays per 100m <sup>2</sup> for offices otherwise as per scheme
Building Lines	15m along Melvill Rd with respect to offices, which can be relaxed to 10m in terms of an approved SDP  5m along Melvill Rd for residential purposes which can be relaxed in terms of a SDP	No Changes  As Per Core area for Erf 52 on Fricker Rd.
General	General conditions as approved	General Conditions as amended

### **3. Arbitration Clause:**

As indicated on page 24 under the heading dealing with decision making and plan consideration the following additional clause is added to the General Conditions:

- Where a new development is introduced adjacent to existing residential buildings, the SDP shall be circulated to the adjoining owners, represented by the body corporate in the case of apartments, for comments. A majority decision shall prevail in commenting on the SDP. This process is to take place prior to the submission of the SDP to the IBMD or the City Council.
- Comments are to be submitted to the applicant within a period of 21 days failing which such comments will be deemed to be positive, subject to the arbitration clause below.
- The SDP must show all proposed controls for the anticipated building, relating to FAR, Height, building lines, landscaping, parking areas and reasonably detailed elevational treatment of buildings to enable sensible evaluation.
- In the event of consensus not being reached with the applicant, the SDP will be referred to an arbitrator (to be appointed by mutual agreement from a panel of SAPI members or an architect of similar standing). The arbitration process must be concluded within a period of 21 days failing which the matter will be referred to the IBMD for final consideration of the SDP. All comments in this process will be submitted to the City Council with the formal submission of the SDP.

### **4. Effect of Revised Land Use Management Conditions:**

As can be seen in the suggested tables above the nature of the suggested changes are such as to accommodate increased intensity of use in the area in general, but subject to the additional/revised conditions, as stated. The intention is to allow greater flexibility,

without collapsing the principles embodied in the current precinct plan, which has after all created an exceptional environment.

In the core area the highest intensity is allowed along Fricker Rd but this is the area where change is least likely apart from minor additions and adjustments. This we believe can be permitted and largely controlled by the SDP and general conditions.

Along the northern zone and its fringe it is suggested that controls reflect the principles in the core area for the even on Fricker Rd while the Melvill Rd environment is duly respected. This results in a consistent approach as far as land use management is concerned of the precinct as a whole.

The Southern Zone and its fringe area into Dunkeld is likely to attract new development, particularly in the seam area directly along Bompas Rd. The suggested parameters are aimed at appropriate management conditions for this important interface zone.

The western zone along Melvill Rd aims at retaining the streetscape and general environment already in existence, but at the same time allowing for increased intensity of use. Additional clauses have been added to enhance the protection of existing residential environments through selective and focused landscaping.

## **5. Procedures for adoption of amendments:**

In order to give effect to the suggested amendments in the precinct plan it is generally required that an adequate level of public consultation is conducted prior to the amendment of the plan.

In this instance, the area is a well established precinct with a management forum in existence under auspices of the IBMD, and its functions as a CID. The IBMD has a strong participatory style with formalized structures and regular minuted meetings. All decisions are vetted and approved by a functional Board and all members of the IBMD are invited to attend its meetings.

The City Council themselves have indicated that the area is to be given elevated status and have, through their pronouncements in policy documents in circulation, indicated their endorsement of increased intensity of land use. Therefore we would not expect the Council to require any further participation from their side in agreeing to this revision.

In this context and in order to satisfy the principle of transparency we would suggest that the amendment be circulated to adjoining Ratepayers' Associations for comments who should be given a reasonable time to respond.

Thereafter, the revised precinct plan can be adopted as an amendment to the RSDF for 2010/2011, and incorporated accordingly.

---

## **Recommendations:**

Our recommendations are the following:

1. The content of the documents and plans should be noted.
2. The IBMD resolve to approve the amended Precinct plan as contained in this report.
3. The city council is requested to adopt the Revised Precinct Plan and incorporate its provisions into the next revision of the RSDF.
4. The IBMD actively engage in the evolution of the adjoining development precincts north and south of the Illovo Boulevard Precinct.

---

# Annexures:

- Illovo Boulevard Precinct Plan: Policy Influences on the Plan 2009
- Illovo Boulevard Precinct Traffic Review: November 2009