

MOTIVATIONAL MEMORANDUM
PROPOSED REZONING APPLICATION FOR
PORTION 1 OF ERF 38 HYDE PARK
ON BEHALF OF
DAVIES INTERNATIONAL LTD

Date	9 March 2026
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INTRODUCTION

The purpose of this memorandum is to introduce, elaborate upon and motivate the application for the rezoning of Portion 1 of Erf 38 Hyde Park from “Residential 1” with a density of 10 units per hectare to “Residential 3” with a density of 60 units per hectare.

The full extent of the application is set out in this memorandum, which comprises of the following:

- ❖ Chapter 1: General Information
- ❖ Chapter 2: The Application
- ❖ Chapter 3: Motivation
 - Policy Environment
 - Need and Desirability
- ❖ Chapter 4: Conclusion and Recommendation

1. GENERAL INFORMATION

1.1. AGENT

Annexure C – Power of Attorney and Company Resolution

The authorised town planning agent acting on behalf of the client is:

Name	KiPD (Pty) Ltd
Responsible Person	Saskia Cole
Postal Address	44A 3 rd Street, Linden, 2195
Contact Number	082 574 9318
Email	saskia@kipd.co.za

1.2. CLIENT

The client’s (being the registered owner of the subject land parcels) contact details are as follows:

Company	Davies International Ltd
Contact person	Nisha Nagar
Contact Number	084 228 7749

1.3. OWNERSHIP

Annexure D – Title Deeds & Windeed reports

Portion 1 of Erf 38 Hyde Park is registered at the Deeds Office in terms of Title Deed T15939/2023 in the name of Davies International Ltd. The property measures 1720 m².

1.4. REGISTERED MORTGAGE BONDS

There is no mortgage bond registered against the property.

1.5. LOCALITY

(Annexure F: Plan 1 and 2)

Hyde Park is located in the northern suburbs of Johannesburg between Illovo and Dunkeld West. The property is located at the bottom of Eleventh Road west of Third Road, Hyde Park.

However, as the property is a subdivision of Erf 38 Hyde Park, it has the given address of 69A Rulin Road, Hyde Park. Portion 1 however has access from Eleventh Road and has no access onto Rulin Road.

1.6. EXISTING LAND USE

(Annexure F – Plan 3)

The subject property is currently vacant and functions as the garden of the house on the Remainder of Erf 38 Hyde Park.

All of the surrounding properties are used for residential purposes with varying densities.

1.7. EXISTING ZONING AND DEVELOPMENT CONTROLS

(Annexure G - Zoning Certificate)

In terms of the City of Johannesburg Land Use Scheme, 2018 (Amendment Scheme 13-13321), the subject property is zoned "Residential 1" with a density of 10 dwelling units per hectare. The floor area is 1.2 and the coverage (dependant on height) either 40% or 50%.

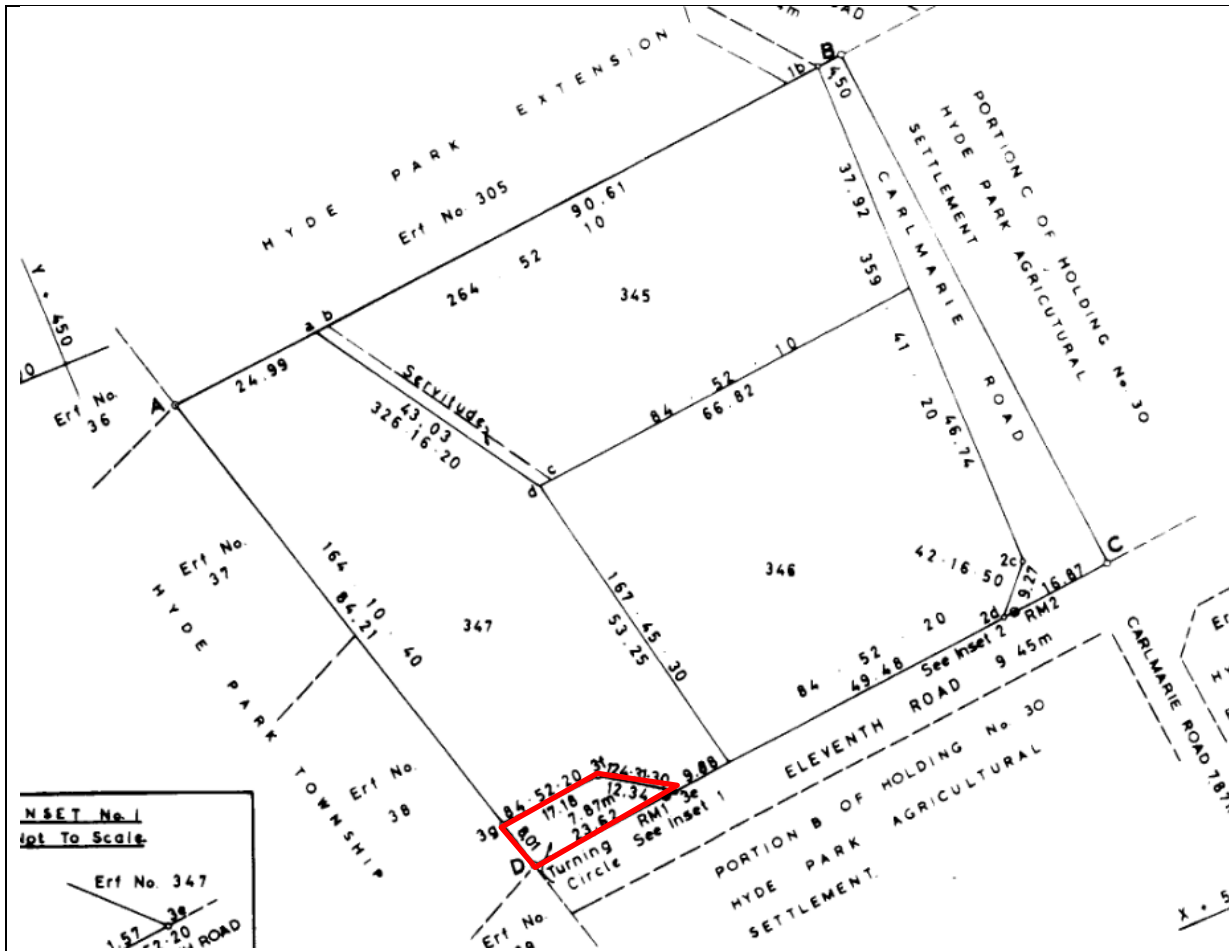
1.8. SURROUNDING ZONING

(Annexure F: Plan 4)

In terms of the City of Johannesburg Land Use Scheme, 2018, the surrounding properties are zoned "Residential 1" with erven in Rulin, Curzon and Morsim Roads being zoned Residential 2 with densities of 10-20 units per hectare.

1.9. ACCESS

The property currently has access from Eleventh Road. In the establishment of Hyde Park Extension 64 in 1973, Eleventh Road was widened to include a turning circle which is public road. This turning circle grants the property an 8m wide entrance.



2. THE APPLICATION

(Annexure H – Draft Zoning Map and Schedule)

In terms of the provisions of Section 21 of the By-law, application is made for the rezoning of the subject property as follows:

Zoning and Development Controls	From	To
Zoning	Residential 1	Residential 3
Primary Rights	As per Scheme <ul style="list-style-type: none"> • Dwelling house 	As per Scheme <ul style="list-style-type: none"> • Dwelling units • Residential building
Uses with Consent	As per Scheme <ul style="list-style-type: none"> • Religious purposes • Place of Instruction • Child Care Centre • Social Hall • Institutions • Residential Buildings (Excl. hotel) • Special Buildings • Sport and Recreation Clubs 	As per Scheme <ul style="list-style-type: none"> • Religious purposes • Place of Instruction • Child Care Centre • Social Hall • Institutions • Special Buildings • Sport and Recreation Clubs • Public or Private Parking Areas • Medical Consulting Rooms

Zoning and Development Controls	From	To
	<ul style="list-style-type: none"> • Public or Private Parking Areas • Medical Consulting Rooms • Tavern/Shebeen • Guest House 	<ul style="list-style-type: none"> • Tavern/Shebeen • Guest House
Height (Storeys)	2 storeys	As per Scheme 3 storeys
Coverage	40% - 50%	60%
Floor area ratio	1.2	1.0
Density	10 units per hectare	60 units per hectare for 10 units on the property
Building Lines	As per Scheme <ul style="list-style-type: none"> • Three (3) meters along street boundary. 	As per Scheme <ul style="list-style-type: none"> • Three (3) meters along street boundary.
Parking	As per Scheme	As per Scheme

3. MOTIVATION

The motivation for the applications in Paragraph 2 is set out in the following order:

- Existing Use and Development Intent
- Desirability
 - SPLUMA principles
 - SDF and Nodal Review
 - Need and Desirability

3.1. EXISTING USE AND DEVELOPMENT INTENT

The property is a subdivision of Erf 38 Hyde Park and is vacant. It currently functions as the garden of the house on the Remainder of Erf 38 Hyde Park. The property has access off Eleventh Road with an 8m wide entrance.

The intension is to allow for the development of 10 upmarket dwelling units. Included in this application is a conceptual plan which indicates 5 units on the ground floor with garden areas and 5 units on the second level. The third level makes provision for the top units to have lofts or to be larger.

The rights would restrict the property to a total of 10 dwelling units, which equates to a density of 60 dwelling units per hectare.

3.2. NEED AND DESIRABILITY

3.2.1. SPLUMA development principles

The application aligns with the set of SPLUMA principles as set out in the table below:

SPLUMA REFERRAL		PROPOSED DEVELOPMENT COMPLIANCE
7 (a)	Spatial Justice	The proposal facilitates the introduction of additional housing opportunities within an established suburb that historically developed at very low densities. The provision of additional dwelling units within Hyde Park contributes to a more inclusive and efficient use of well-located urban land and supports broader objectives of increasing residential opportunities within the existing urban structure.
7 (b)	Spatial Sustainability	The development represents the infill of vacant land within a fully serviced and established residential area. Infrastructure networks such as roads, water, sewer and electricity are already available to serve the site, thereby avoiding the need for costly extensions of infrastructure to peripheral areas. The proposal therefore promotes a sustainable pattern of urban development by optimising the use of existing services and infrastructure.
7 (c)	Efficiency	The property is located within the established urban fabric of Johannesburg and within reasonable proximity to employment nodes, services and public transport routes. Allowing a moderate increase in residential density promotes more efficient use of land and infrastructure within the urban area and supports the long-term objective of compact urban development.
7 (d)	Spatial Resilience	The introduction of additional housing typologies within established residential areas contributes to a more adaptable and resilient urban environment. The development responds to changing housing preferences and market demands for smaller, secure residential units within established suburbs.
7 (e)	Good Administration	The application follows the prescribed statutory process in terms of the municipal planning by-laws and provides the necessary technical information and motivation to allow the local authority to properly assess the proposal.

3.2.2. Alignment with City of Johannesburg Policy Frameworks

3.2.2.1. Spatial Development Framework, 2040

The City of Johannesburg Spatial Development Framework, 2040 (SDF) promotes the principles of compact urban form, densification within the existing urban footprint and the efficient use of infrastructure.

The SDF encourages infill development and the optimisation of underutilised land within established suburbs, particularly where services and infrastructure are already available. The proposed development aligns with these objectives as it introduces additional residential units on vacant land that forms part of the existing urban fabric.

Furthermore, the proposal supports the SDF's broader objective of accommodating population growth within the existing urban area rather than through outward expansion. By increasing residential density on a well-located site, the development contributes to the efficient utilisation of land and infrastructure in accordance with the spatial vision of the City.

3.2.2.2. Nodal Review Policy (2019/2020)

In terms of the City of Johannesburg Nodal Review, the property is located within the General Urban Zone, which is identified as an area where intensification and redevelopment may occur in order to support a more compact city structure. Further the property is located halfway between the Hyde Park and Illovo Regional Nodes, which are less than 1km apart and is less than 1km north of the Rosebank Metropolitan Nodes (as the crow flies).

The introduction of residential densification within the surrounding urban fabric supports the functioning of these nearby nodes by increasing the residential population within their catchment areas. This contributes to the viability and sustainability of nearby economic and commercial activities without undermining the predominantly residential character of the immediate neighbourhood.

The proposal therefore represents an appropriate scale of residential intensification that complements the broader spatial structure identified in the Nodal Review.

3.2.3. Need

There is an ongoing demand for secure, well-located residential accommodation within the northern suburbs of Johannesburg. Market trends increasingly indicate a preference for smaller residential developments offering enhanced security, lower maintenance and proximity to employment and amenities.

The proposed development responds to this demand by providing ten upmarket dwelling units within an established residential area. Such developments cater for professionals, smaller households and residents seeking to downscale while remaining within the area.

The development will therefore contribute to meeting the growing demand for alternative residential typologies within established suburbs such as Hyde Park.

3.2.4. Desirability

The proposed rezoning is desirable for several reasons:

- The property is currently vacant and underutilised.
- The development represents an efficient use of land within the existing urban footprint.
- Infrastructure and services are already available to accommodate the development
- The scale of development (10 units) is moderate and appropriate for the size and location of the property.
- Access is provided via Eleventh Road with an existing 8m wide entrance from the turning circle, which supports safe vehicular access.
- The proposed development will maintain the residential character of the area while introducing a slightly higher density consistent with broader municipal planning policies.

The development therefore represents a logical and appropriate form of residential intensification within an established suburb.

3.2.5. Compatibility with surrounding development pattern

Although the immediate surrounding properties are predominantly zoned “Residential 1”, it is important to note that a number of properties in the broader area, particularly along Rulin Road, Curzon Road and Morsim Road, are already zoned “Residential 2” in terms of the City of Johannesburg Land Use Scheme, 2018. These properties permit higher residential densities than those allowed under Residential 1 zoning and therefore already introduce a level of residential intensification within the Hyde Park area.

The proposed rezoning to “Residential 3” is limited in scale, with the development rights specifically restricting the property to a maximum of 10 dwelling units. This represents a moderate level of densification that remains compatible with the established residential character of the area while providing a logical transition between lower-density Residential 1 properties and the higher-density Residential 2 areas located nearby.

Furthermore, the proposed development consists of a small, upmarket residential scheme rather than large-scale apartment blocks. The conceptual layout indicates a limited number of units with appropriate setbacks and gardens, ensuring that the development can integrate sensitively with the surrounding residential environment.

The proposal therefore represents an appropriate and manageable form of residential intensification that is consistent with the evolving residential development pattern within Hyde Park and the broader northern suburbs of Johannesburg.

4. CONCLUSION & RECOMMENDATION

The proposed rezoning facilitates the development of a limited number of additional residential units on vacant land within an established and fully serviced suburb. The proposal represents an appropriate form of infill development that makes more efficient use of well-located urban land while remaining compatible with the residential character of the surrounding area.

The scale of the proposed development is moderate and controlled through the development parameters contained in the zoning. The property has suitable access from Eleventh Road, and the development will utilise existing municipal infrastructure and services already available within the area.

Furthermore, the application aligns with the principles of the Spatial Planning and Land Use Management Act and supports the spatial objectives of the City of Johannesburg Spatial Development Framework by promoting infill development and the efficient use of land within the existing urban footprint. The proposal therefore represents a logical and appropriate planning outcome for the site.

It is recommended that the City of Johannesburg Metropolitan Municipality approve the application for the rezoning of Portion 1 of Erf 38 Hyde Park from “Residential 1” to “Residential 3”, subject to the development controls contained in the proposed zoning schedule.