

POLICY : SECOND DWELLING UNITS

Item B-DP (3-2003) STANDARDISATION OF DEVELOPMENT PLANNING POLICIES : POLICY
MC 12.6.2003 ON SECOND DWELLING UNITS

RESOLVED:

1. **That** contents of the report regarding the Standardisation of the Development Planning Policy on Second Dwelling Units, attached as Annexure "A" to the report, **BE NOTED** and that the said policy **BE APPROVED**.
2. **That** all provisions in existing Town-planning Schemes which are in conflict with the Development Planning Policy on Second Dwelling Units **BE AMENDED** in accordance with the policy within a period for one year.
3. **That** the provisions of the policy **BE APPROPRIATELY COMMUNICATED** to Ward Committees and relevant stakeholders by the Development Planning Department.



SECOND DWELLING POLICY

JUNE 2003

**PREPARED BY:
DEVELOPMENT
PLANNING
DEPARTMENT**

***Approved at Mayoral Committee
2003.06.12
ITEM B-DP (3-2003)***



Ekurhuleni
METROPOLITAN MUNICIPALITY

CONTENTS

1. **PROBLEM STATEMENT**
2. **PURPOSE OF THIS REPORT**
3. **DEFINITIONS**
4. **EXISTING POLICIES**
5. **MAIN CONSIDERATIONS AND PRINCIPLES**
 - 5.1 General
 - 5.2 Reasons for applications
 - 5.3 Residential densification
 - 5.4 Implications for engineering services
 - 5.5 Considerations with regard to neighbours
 - 5.6 Sizes of erven
 - 5.7 Other development controls
 - 5.8 Agricultural holdings and farm portions
6. **TOWN PLANNING PROCEDURES**
 - 6.1 Type of application
 - 6.2 Changes to delegations
7. **LEGISLATION**
 - 7.1 Development Facilitation Act
 - 7.2 Removal of Restrictions
 - 7.3 Gauteng Development Planning Bill
 - 7.4 Town Planning Schemes
8. **PROPOSED POLICY**
 - 8.1 Definition
 - 8.2 Development Guidelines
 - 8.3 Procedure and controls

1. PROBLEM STATEMENT

An application for the erection of a second dwelling unit, usually relates to an owner of land, who applies for permission to erect a second dwelling unit (sometimes called a “granny flat”) on the same property. Such property is usually zoned Residential 1, but may also be zoned Residential 5, or may be an agricultural holding or a farm portion.

Prior to the amalgamation of nine local authorities on the East Rand into the present Ekurhuleni Metropolitan Municipality, each of the erstwhile local authorities had its own policy and procedure with regard to second dwelling units on erven normally intended for the erection of a single dwelling house. As a result of the amalgamation, there is a need to formulate a standardised approach and procedure to permissions for the erection of second dwelling units on residential erven, agricultural holdings and farm portions in Ekurhuleni.

2. PURPOSE OF THIS REPORT AND POLICY.

The purpose of this report is to investigate and summarise the existing policies and procedures of the various areas within Ekurhuleni, to investigate the main considerations which need to be taken into account and to then arrive at a proposed policy on the matter, as well as to make suggestions with regard to the standardisation of procedures relating to second dwelling units.

It follows that the purpose of this proposed policy is to enable landowners to obtain permission for the erection of second dwelling units with the minimum of effort and cost, while maintaining an appropriate degree of control.

3. DEFINITIONS.

It is important to note that the various town planning schemes in operation in Ekurhuleni contain different definitions of what a dwelling unit is and of what a second dwelling unit is. (E.g. in some schemes the definition of a dwelling unit is such that it automatically includes a second dwelling unit.) As there are different definitions in operation, it is, for the purposes of this exercise, necessary to define what is meant with firstly, a dwelling unit, secondly, with a dwelling or dwelling house and, thirdly, with a second dwelling unit. Such definition may not necessarily be suitable to eventually incorporate into a uniform town planning scheme for Ekurhuleni. The purpose is to define the relevant terms, in order to enable common understanding of the term and to make meaningful discussion on the matter possible.

3.1 Definition of a dwelling unit.

For the purposes of this report, a “dwelling unit” is defined as follows:

“An interconnected suite of rooms which does not include more than one kitchen, designed for the occupation and use by a single family and which is a dwelling or part of a building containing two or more dwelling units. It may also include such outbuildings and servant’s quarters as are ordinarily incidental thereto.”

3.2 Definition of a dwelling / dwelling house.

Both “dwelling” and “dwelling house” are defined as:

“A single free-standing dwelling unit.”

3.3 Definition of a second dwelling unit.

A “second dwelling unit” is defined as:

“An additional dwelling unit situated on the same erf as a dwelling or dwelling house, and which may be attached or detached to the original dwelling or dwelling house.” The intention is that this definition would include what is commonly known as a “granny flat”, but that that a “second dwelling unit” not be limited to a “granny flat”.

As a result of this investigation, it may be required to amend the definitions of some of the town planning schemes presently in operation in the area of Ekurhuleni.

4. EXISTING POLICIES.

The policies and procedures presently applicable to the various areas within Ekurhuleni are summarised in the attached Annexure 1. They vary from a situation where an owner wishing to erect a second dwelling unit has to rezone his property in order to change the density classification of such property (e.g. from “one unit per erf” to “one unit per 500m²”) to a situation where the erection of a second dwelling unit is a primary right on a property. In some cases services contributions are charged, in others not. All the various practices appear to be functional, with the exception of the situation where rezoning is required, which is impractical and unnecessarily expensive. From comparing these policies and procedures, it is clear that there is a need for standardisation.

It also needs to be mentioned that there are several local area-specific policies in operation, designed to deal with the unique development needs of specified areas. These also need to be taken into account.

5. MAIN CONSIDERATIONS AND PRINCIPLES

5.1 General

In this section of the report the main matters to be taken into account during the formulation of an appropriate policy and procedures are discussed.

5.2 Reasons for applications

From experience it is known that reasons why an owner would want to erect a second dwelling unit on his property, usually is one or more of the following:

- Accommodation of elderly parents;
- Accommodation of children who have recently finished school and who are in need of affordable accommodation;
- Generating an extra income from the rental of the second dwelling unit.
- This tendency results in residential densification, which is discussed further under the next heading.

5.3 Residential densification.

In town planning circles there appears to be consensus that residential densification has many benefits, which include the following:

- Better utilisation of urban infrastructure;
- Reduces the need to travel, by concentrating residences near communal facilities and transport routes;
- Promotes the effectiveness and economic viability of public transport systems;
- Promotes optimal use of land and reduces loss of productive agricultural land;
- Prevents urban sprawl;
- Reduces the need for duplication of community services such as libraries and clinics;
- Promotes security;
- Reduces the cost of housing by using existing infrastructure.

These principles are supported by various policy documents and legislation, e.g. the Development Facilitation Act, 67 of 1995.

In view of the above, **it is clear that all forms of residential densification, including the erection of second dwelling units should be supported in principle**, subject to compliance with all relevant legislation.

The one exception is however the noise zones in proximity to airports, which should be treated as in the restrictions on densification as described in the Residential Densification Policy, implying that no second dwelling units should be allowed in those areas within which the abovementioned policy does not allow residential densification.

5.4 Implications for engineering services.

Some SDC's require applicants to pay services contributions (e.g. Alberton, Boksburg, Germiston), others do not (e.g. Edenvale, Springs).

In most areas, services infrastructure is not optimally used. The additional load created by second dwelling units can initially be accommodated easily. The view is however held that the cumulative effect of the increasing number of second dwelling units will eventually require additional capacity to be created in terms of bulk services.

One possible option is that a relatively low standardised services contribution fee be calculated by Municipal Infrastructure and possibly by Roads, Transport and Civil Works. This standardised contributions should be payable before building of the second dwelling unit may commence. The contribution amount should be revised annually, in order to make provision for increases in the cost of providing infrastructure.

The approach would imply charging a relatively high application fee, (which is intended to at least partially reimburse Council for costs which may have to be incurred for bulk services extensions), but charging no other services contributions or contributions for the provision of open spaces. The advantage of this approach is that the large number of individual calculations required for the calculation of services contributions will not be necessary, and that follow-up on the payment of contributions will also not be necessary, thereby reducing the administrative workload. Charging a relatively high application fee may however prove to be a major obstacle in especially low income areas.

It is suggested that an even better approach, which would also include the benefits of the previous proposal, would be not to charge an additional application fee for the erection of second dwelling units, nor to formally charge services contributions or contributions for the provision of parks, but to rather **bring in a provision that appropriately zoned properties lose their rebate on assessment rates (which would normally apply to such properties used exclusively for residential purposes), upon receiving permission for the erection of a second dwelling unit.** This provision will provide Council with reliable additional income, which can be used for the upgrading of services, as and when necessary.

It should be noted that the approval of building plans lapses after a period of one year, as stipulated in terms of the National Building Regulations, if the owner does not apply for extension. This implies that an approval for the erection of a second dwelling unit will also lapse if it is not exercised within one year, except if the owner applies for extension.

The rebate on assessment rates should however only be re-instated if the owner requests this, and after it has been confirmed that no second dwelling unit has been erected.

The concern has also been expressed that there is no guarantee that the additional funds will be reserved for the upgrading of infrastructure. It must be admitted that this is extremely difficult to control, but in view of the fact that many SDC's have not been charging services contributions at all, this is not seen as a serious problem. At least some of the funds received will be available as a general source of income for Council, to be used as Council sees fit.

5.5 Considerations with regard to neighbours.

Some SDC's require neighbours (of even which are the subject of applications) to comment on applications (e.g. Alberton, Boksburg).

Many SDC's (Brakpan, Edenvale, Kempton Park, Springs) do not require comments from neighbours. This appears not to be causing any significant problems. It is therefore suggested that the comments of neighbours not be required as part of the application procedure.

This does not however mean that officials should not apply their discretion in possible problematic cases and require applicants to consult with neighbours where serious infringement on privacy is foreseen.

To further limit the impact of the erection of a second dwelling unit on neighbours, it is suggested that it be required that second dwelling units, which are higher than one storey, be situated at least two metres from the side boundaries.

Requirements with regard to side spaces as contained in Town Planning Schemes, the National Building Regulations and other legislation should however also be complied with.

5.6 Sizes of erven.

It is important to note that the sizes of erven vary greatly between different areas. The generally accepted minimum in previously disadvantaged areas is around 250 m², while there is not really an upper maximum. Erven larger than 2500 m² are however relatively rare. The exception is agricultural holdings and farm portions, which may be very large in area.

It is suggested that the erection of second dwelling units on residential 1 and 5 erven, only be allowed on erven (or subdivisions of erven) with a minimum area of 500 m², subject thereto that the subdivision of erven with an area of 500 m² and smaller, on which a second dwelling unit has been erected, will not be allowed and that all other development controls must be adhered to. This will result in a maximum density of one dwelling unit per 250 m² property area.

The above will, for example, allow an erf of 2000 m², with a suitable density classification, to be subdivided into four portions, each of 500 m², and that it will theoretically be possible (but unlikely) to erect two dwelling units on each of these subdivided portion, but it will not be possible to subdivide a portion of 500 m² further and thereby sell each of the two units separately. Such subdivision will however still be subject to the applicable density classification in terms of the town planning scheme in operation, implying that subdivision will in most cases only be possible after amendment of the town planning scheme by the owner, in order to increase the allowed density.

It should however be noted that many erven in townships where land use management is still done in terms of the so-called Annexure F (of the repealed Black Communities Development Act), the erection of a second dwelling unit is a primary right, regardless of the size of the erf. No policy can therefore prevent the owner of such an erf to erect a second dwelling unit, provided that all other applicable legislation is complied with.

It should also be noted that there are a small number of areas, such as Bedfordview, Terenure (in Kempton Park SDC) and Meyersdal in Alberton SDC, which have specific policies dealing with the erection of second dwelling units. These policies were derived from public participation with the communities living in those areas, resulting in policies aimed at addressing the unique problems and development needs of those areas, similar to precinct plans or local development frameworks. **It is recommended that such tailor-made area-specific policies in operation in not be tampered with, as it is bound to cause development problems in such areas and it is also very likely to be opposed vigorously by the communities concerned. It is therefore recommended that such policies be allowed to override the general policy on second dwelling units as proposed in this document.**

5.7 Other development controls

5.7.1 Size of unit

The majority of SDC's presently stipulate a maximum size for second dwelling units (e.g. 100 m² or a maximum area of a percentage of the main dwelling on the erf (e.g.70% or 50% of the area of the main dwelling).

In order to ensure that granting the primary right to the erection of second dwelling units does not place very large burdens on infrastructure, to protect the living environment of existing residents, to recognise the primary reasons for allowing the erection of second dwelling units (see 5.2 above), and to limit abuse of this concession by especially developers, **it is suggested that the size of second dwelling units be limited to 100 m², excluding garages and other outbuildings.** This allows for the erection of a second dwelling unit of reasonable size, without “writing a blank cheque” in this regard.

5.7.2 Number of units.

Only one additional dwelling unit shall be allowed per erf (or subdivided erf), that is, the original dwelling unit and the second dwelling unit on a residential 1 (or 5) erf with a minimum area of 500 m², subject thereto that the subdivision of an erf of 500 m², on which a second dwelling unit has been erected, will not be allowed. Agricultural holdings and farm portion need to be treated differently in this regard, as discussed in more detail below.

In this respect the concern has also been raised that developers may try to obtain permission for the erection of large numbers of second dwelling units in new residential townships or on blocks of vacant erven, thereby doubling the development potential of such areas and also doubling the burden on infrastructure. It should be kept in mind that the separate sale of the main dwelling and the second dwelling unit is not possible, without subdivision, which allows for requiring services contributions. **Sale of second dwelling units by means of sectional title should also not be allowed.** These measures should control the danger as described above.

5.7.3 Further development controls.

It is suggested that other development controls on residential 1 and 5 erven, as contained in the various town planning schemes be maintained. Although there are minor variations between town planning schemes, typically these would be as follows:

| | |
|-----------------------------|--|
| Coverage: | 50% of the area of the erf, for single or double-storey buildings; |
| | 30% of the area of the erf, for 3 storey buildings. |
| FAR: | 1,0 |
| Height: | 3 storeys (more than 2 storeys is rare, except on steeply sloped erven); |
| Side spaces: | Usually 2 metres on two erf boundaries, further regulated by building regulations (but also taking into account the suggested 2 m side spaces for second dwelling units higher than one storey.) |
| Building restriction lines: | As per scheme. |
| Parking: | As per scheme. |

5.8 Agricultural holdings and farm portions.

Agricultural holdings and farm portions are different because their sizes are usually much larger than those of residential 1 (or 5) erven and various zonings are also applicable, e.g. Agricultural or Undetermined. For above reasons the limits in terms of erf size mentioned elsewhere in this document are not applicable. It is however necessary to address the erection of additional dwelling units on such properties specifically, as the erection of one dwelling unit is usually a primary right on such properties, but second and further dwelling units may present problems.

It is therefore suggested that the erection of one second dwelling unit on agricultural holdings and farm portions be made a primary right, with all the controls as suggested for other properties, with the following additions / amendments:

5.8.1 Only one additional second dwelling unit shall be allowed.

5.8.2 All other applicable legislation must also be complied with, e.g. restrictive title conditions.

5.8.3 This policy regarding the erection of second dwelling units shall not be construed to prevent the owner of from erecting accommodation for bona fide employees on the property. Accommodation for bona fide employees may be erected as follows:

| | |
|----------------------------------|--------------|
| Farm portions of less than 5 ha: | one unit. |
| Farm portions of 5 ha and more: | six units. |
| Agricultural holdings: | three units. |

These units may contain kitchens. The owner shall be required to submit an affidavit that the units are for persons employed on the property.

6. TOWN PLANNING PROCEDURES

In this section the necessary town planning procedures are discussed. The following are of relevance:

6.1 Type of application.

As mentioned before, different procedures are presently used by the various SDC's to process applications for the erection of second dwelling units. In essence, there are two options available:

- Grant all residential 1 and residential 5 erven, agricultural holdings and farm portions the primary right to erect a second dwelling unit, subject to compliance with all other requirements as discussed above. In this case the building plan becomes the application document, and formal permission for the erection of a second dwelling unit is not necessary. No neighbour's comments are required.
- Provide for a formal application procedure, basically requiring the completion of an application form, submitting the comments of neighbours and after approval, the submission of building plans.

It is suggested that the first alternative be accepted, as being the simplest, which creates the least administrative burden, while still maintaining an acceptable level of control.

It should however again be stressed that all other applicable legislation and procedures should also be complied with, e.g. the removal of restrictive title conditions.

6.2 Changes to delegations.

If the abovementioned approach is accepted, the existing delegation to the Executive Director: Development Planning, to approve applications for the erection of second dwelling units, can be repealed, once a uniform town planning scheme is in operation. The need to approve applications in terms of area-specific policies must however be taken into account.

7. LEGISLATION

Legislation, which may have a bearing on the erection of second dwelling units, is discussed briefly under this heading.

7.1 The Development Facilitation Act, 67 of 1995.

As stated before, this Act strongly supports residential densification by means of the development principles embodied in the Act. As such this Act does not present obstacles to formulating a policy on the matter and it is thus not discussed further.

7.2 The Gauteng Removal of Restrictions Act.

Many older Conditions of Establishments of townships and title deeds contain restrictions on the erection of second dwelling units. In such cases a formal application to remove such restrictive condition is required in accordance with the said Act. It is suggested that all such applications be supported in principle, subject to the process required in terms of the Act being followed. It should also be noted that in terms of amendments to the Act, local authorities have been given the powers to approve such applications, thereby simplifying applications of this nature substantially.

7.3 The Gauteng Development Planning Bill.

The abovementioned Bill has been in a draft format for a considerable time. Promulgation is expected fairly soon. This may necessitate major changes to town planning schemes and procedures. This should not however have a large influence on the principles of a policy on second dwelling units. Such principles should merely be incorporated into procedural changes, which may become necessary due to the promulgation of the Act.

7.4 Town planning schemes.

One of the major obstacles to a uniform policy and procedure with regard to second dwelling units, is that much of the policy and procedure in force at the various SDC's is embodied in the town planning schemes in the area, all of which are different. To have one uniform policy is to a large extent meaningless if there is no standardisation on the level of town planning schemes.

The ideal solution to this problem is to replace the many town planning schemes in operation in the area with one uniform scheme. This is however a task of mammoth proportions, with many complicated legal implications, which should not be underestimated. It is furthermore not recommended to attempt this process before the new Gauteng Development Planning Act is fully operational, as this Act is bound to change most of the underlying legal points of departure for the compilation of a uniform town planning scheme.

It is recommended that all town planning schemes in operation in the area of Ekurhuleni, be amended to conform to this new policy on the erection of second dwelling units

The principles of this policy should then also be incorporated into the new uniform town planning scheme, to be compiled after the promulgation of the Gauteng Development Planning Act.

Some town planning schemes may already be in such a format that no amendments will be required to implement the policy fully.

It is suggested that a clause similar to the following be incorporated into the new scheme:

“Notwithstanding anything contrary contained in this Scheme, a second dwelling unit may be erected on erven, agricultural holdings and farm portions, which are situated in use zones..... (residential 1),.....(residential 5), (agricultural) and (undetermined), subject to the following conditions:

- *A second dwelling unit may only be erected on an erf with a minimum area of 500 m².*
- *The combine coverage of all buildings on the erf shall not exceed the maximum coverage allowed in term of this Scheme.*
- *The combined floor area ratio of all buildings on the erf shall not exceed the maximum coverage allowed in terms of this Scheme.*
- *No second dwelling unit shall be higher than two storeys, or be built on a level higher than the second storey of the first dwelling unit.*
- *Two additional parking spaces shall be provided on the erf for use by the occupants of the second dwelling unit, provided that if the second dwelling unit has only one bedroom, only one additional parking space may be provided.*
- *Only one additional second dwelling unit shall be allowed per agricultural holding or per farm portion.*
- *In addition to a second dwelling unit, accommodation for bona fide employees may be erected on agricultural holdings and farm portions in the following ratio's:*

| | |
|---|-----------------------------------|
| <i>Farm portions of less than 5 ha:</i> | <i>Not more than one unit.</i> |
| <i>Farm portions of 5 ha and more:</i> | <i>Not more than six units.</i> |
| <i>Agricultural holdings:</i> | <i>Not more than three units.</i> |

Further provisions may be necessary, depending on the format of the new scheme.

8. PROPOSED POLICY ON SECOND DWELLING UNITS

It is recommended:

That the following policy guidelines be adopted throughout the area of Ekurhuleni Metropolitan Municipality with regard to the erection of second dwelling units on residential 1 and residential 5 erven, agricultural holdings and farm portions:

8.1 Definition.

For the purposes of this policy, a "second dwelling unit" is defined as:

"An additional dwelling unit situated on the same erf as a dwelling or dwelling house, and which may be attached or detached to the original dwelling or dwelling house."

8.2 Development guidelines.

8.2.1 The erection of second dwelling units in all areas of Ekurhuleni, is supported by Council in principle, as a means of achieving residential densification and the optimal use of infrastructure.

8.2.2 The erection of second dwelling units in noise zones, in proximity to airports, shall only be allowed if in accordance with the restrictions on residential densification within noise zones, as stipulated in the Ekurhuleni Residential Densification Policy.

8.2.3 With exception of the erven as described in 8.2.2 above, all erven zoned residential 1, residential 5, agricultural holdings and farm portions (with appropriate zonings), with a minimum area of 500m², shall be granted the primary right to erect one second dwelling unit per property, subject to compliance with all relevant development controls in terms of this policy and with all relevant municipal and other legislation.

8.2.4 Previously approved area-specific policies, for limited local areas within the Municipality, which were formulated in consultation with the community concerned, in order to address unique development problems and needs, shall remain in force.

8.2.5 No services contribution fee or contributions for the provision of public open space shall be levied on the erection of all second dwelling units.

8.2.6 Appropriately zoned erven, in respect of which permission has been given for the erection of second dwelling units, shall upon receiving such permission, forfeit the rebate on assessment rates, usually applicable to appropriately zoned erven, used exclusively for residential purposes.

8.3 Procedure and controls.

8.3.1 Applicants wishing to apply for permission for the erection of a second dwelling unit shall submit a building plan in accordance with the requirements of the National Buildings Regulations and Building Standards Act, 1977 and shall pay the normal prescribed application fee required for the submission of such building plan.

8.3.2 Upon approval of the building plan for the erection of a second dwelling unit, the property concerned shall forfeit the rebate on assessment rates, usually applicable to appropriately zoned erven, used exclusively for residential purposes. The rebate on assessment rates shall only be re-instated upon request by the owner, and after it has been confirmed that no second dwelling unit has been erected.

8.3.3 The erection of second dwelling units shall be subject to the following conditions:

a. Number of units:

Only one additional dwelling unit shall be allowed per erf (or subdivided erf), with a minimum area of 500 m², subject thereto that the subdivision of erven with an area of 500 m² and smaller on which a second dwelling unit has been erected, will not be allowed and that all other development controls must be adhered to.

Second dwelling units erected in terms of this policy shall not be sold by means of sectional title.

b. Size of units:

No second dwelling unit shall have a gross floor area of more than 100 m², excluding garages and other outbuildings.

c. Coverage:

The combined coverage of the first and second dwelling unit shall not exceed the maximum coverage allowed in terms of the Town Planning Scheme.

d. Floor Area Ratio:

The combined Floor Area Ratio of both dwellings shall not exceed the maximum FAR allowed in terms of the Town Planning Scheme.

e. Height:

No second dwelling units shall be higher than 2 storeys or be built on a level higher than the second storey of the first dwelling unit.

f. Side spaces:

No second dwelling unit with a height of more than one storey shall be erected closer than 2 metres from any side boundary of the property, or in contravention of any town planning scheme or other legislation.

g. Building restriction line:

As per Town Planning Scheme.

h. Parking:

Two additional parking spaces shall be provided on the erf for use by the occupants of the second dwelling unit, provided that if the second dwelling unit has only one bedroom, only one parking space shall be required, or as per existing town planning scheme.

i. Services connections:

Only one sewerage, water and electricity connection shall be provided per erf (or subdivided erf, agricultural holding or farm portion).

Electricity supply to the second dwelling unit must be taken from the main dwelling unit and sub-metered by the applicant if required. The applicant is to apply for an upgraded electrical connection if the existing supply is inadequate for both dwellings.

j. Aesthetic treatment:

The second dwelling unit shall be aesthetically acceptable and shall blend in with the design and construction of the main building.

8.3.4 In addition to the above, the erection of additional dwelling units on agricultural holdings or farm portions shall be subject to the following:

- a. Only one additional (second) dwelling unit shall be allowed per agricultural holding or per farm portion.
- b. In addition to a second dwelling unit, accommodation for bona fide employees may be erected on agricultural holdings and farm portions in the following ratio's:

| | |
|----------------------------------|----------------------------|
| Farm portions of less than 5 ha: | Not more than one unit. |
| Farm portions of 5 ha and more: | Not more than six units. |
| Agricultural holdings: | Not more than three units. |

ANNEXURE 1

SECOND DWELLING UNITS – SUMMARY OF POLICIES AND PROCEDURES MARCH 2003.

| AREA | APPLICATION TYPE | SERVICES CONTRIBUTIONS | PROCEDURE | NEIGHBOURS COMMENTS | SIZE | OTHER |
|--------------|---|------------------------|---|---------------------|---|-------|
| Alberton | Consent in terms of a special clause in Scheme (Clause 20(3)) | Y | Comments of neighbours. No adverts | Y | If erf <1900m ² 100m ² 70% of main dwelling erf >1900m ² floor area 2nd unit not restricted | |
| Benoni | Consent in respect of Scheme | Y | Form Comment of neighbours No adverts | Y | Maximum coverage 40% 2 storeys | |
| Boksburg | Primary right – consent of abutting owners required | N (None yet) | Building plans and consent of abutting owner required | Y | Erf must be 800m ² . Not >100m ² House 2 X area of 2nd unit. | |
| Brakpan | Building Plan | N | Building plan only | N | Maximum 40% of house Not >100m ² | |
| Edenvale | Primary right – included in definition if erf larger than 990m ² | N | Building Plan | N | 100 m ² , except with permission. Erf 991 m ² -1400 m ² : attached. Erf >1400 m ² : detached. | |
| Germiston | Special consent without Adverts – site notice only | Y Standardised | No adverts – site notice only | N | 100m ² , if bigger to CI, | |
| Bedfordview | Special consent without Adverts – site notice only | Y Standardised | No adverts – site notice only | Y | 120m ² | |
| Kempton Park | Building Plan | N | Building Plan | N | Erf > 500m ² | |
| Nigel | Amendment Scheme | Y | Amendment scheme – amendment of density | N/A | N/A | |
| Springs | Primary right – included in definition of dwelling house | N | Building plan | N | No limit. Coverage of 50% may not be exceeded | |