

City of Joburg: New Inclusionary Housing Incentives, Regulations and Mechanisms

On 21 Feb 2019, the City of Johannesburg Council approved the Inclusionary Housing Incentives, Regulations and Mechanisms 2019. Please see a brief summary below:

Requirements and Conditions for Inclusionary Housing

- Inclusionary housing is mandatory for any development application under the jurisdiction of the City of Johannesburg Metropolitan Municipality that includes 20 dwelling units or more. Different options (and associated incentives) are given for inclusionary housing that developers may choose from. In each option, a minimum of 30% of the total units must be for inclusionary housing.
- Inclusionary housing requirements are triggered by land development applications. As such, the Framework does not affect existing, approved land use rights.
- When inclusionary housing is applicable, it will be implemented as a condition for development (in land use/development approvals) by the City of Johannesburg. The City may take action against developers/owners who do not comply with the conditions for inclusionary housing outlined in land use/development approvals, as with any condition of approval.

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- This inclusionary housing framework is designed to provide accommodation for rental or ownership. It is intended for dwelling units, not residential buildings (as per the Johannesburg Land Use Scheme 2018).
- All conditions for inclusionary housing will be in place for perpetuity, or until repealed by a Council resolution.
- Any development control bonus contemplated will be over and above the allowable development controls as per the prevailing and relevant spatial policy. As such, development controls as per prevailing spatial policies must be determined first, with bonus controls added to that determination.

Voluntary Implementation

- A developer developing below the threshold of 20 units, but who meets the criteria for one of the inclusionary housing options in this framework, may still benefit from the incentives associated with the option chosen.
- The mandatory part of this Framework will come into effect 90 days from its adoption by Council. Developers who would like to voluntarily participate, may submit inclusionary housing applications before the 90 days have lapsed.

Location of Inclusionary Housing

- Inclusionary housing requirements and incentives are applicable across the whole area of the City of Johannesburg Metropolitan Municipality. Developments with inclusionary housing are subject to normal land development policy and processes in the City (including the Spatial Development Framework and the Municipal Planning By-Law 2016) other than the bonuses and incentives outlined in this document.
- Inclusionary housing units must be built on the same site or in the same township (in the case of a township establishment) as the market units being provided.

You can find the full wording of the approved policy (23 pages) by the City of Joburg to assist developers in preparing or assessing applications [HERE](#), as well as a City of Joburg [housing calculator](#)