

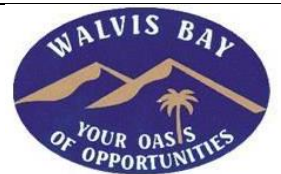
WALVIS BAY RESIDENTIAL DENSITY POLICY



August 2007

June 202~~12~~

August 2022



WALVIS BAY RESIDENTIAL DENSITY POLICY

TABLE OF CONTENTS

1. DEFINITIONS	3
2. GOAL	5
3. OBJECTIVES	5
4. APPLICATION OF THE POLICY	5
5. STATUTORY CONTROLS	6
6. RESIDENTIAL DENSITY ZONES	6
6.1 HIGH DENSITY RESIDENTIAL ZONES	7
6.2 MEDIUM DENSITY RESIDENTIAL ZONES	8
6.3 LOW DENSITY RESIDENTIAL ZONES	9
7. SPECIAL CASES	11
8. REZONINGS APPPLICATIONS IN TERMS OF THE POLICY	12
9. DESIGN STANDARDS	12
11 FINANCIAL IMPLICATIONS	15
11.1 BETTERMENT FEES	15
12.1 ENDOWMENT FEES	16
12. SERVICES	16
13. APPEALS	17



1. DEFINITIONS

In this Policy, unless the context otherwise indicates:

“BETTERMENT FEES” means an amount of money payable by the applicant to the Council for any increase in the value of land resulting from a rezoning

“COUNCIL” means the Municipal Council of Walvis Bay

“DENSITY OR DENSITIES” means the maximum number of dwelling houses ~~and or~~ dwelling units that shall be erected on ~~an a Erf~~ property.

“DWELLING HOUSE” means a dwelling, with or without an outbuilding, which consists of a suite of interconnected mutually adjacent living and sleeping rooms with at least a kitchen, a bathroom and toilet facilities, and designed for occupation by a single family; and may include a subsidiary dwelling unit.

“DWELLING UNIT” or “UNIT” means a self contained suite of rooms designed or used as a residence by a single family or for one or more single persons.

“ENDOWMENT FEES” means an amount of money payable by the applicant to the Council following approval of a subdivision.

“FLOOR SPACE RATIO” or “BULK FACTOR” means the ratio obtained by dividing the total floor area of all the storeys of the building(s) on the Erf by the total area of the Erf, provided that: the floor area shall be measured so as to include spaces taken up by the interior and exterior walls of the building(s), and every form of space covered by buildings shall be taken into account except: a basement used exclusively for storage purposes; floor spaces used exclusively for the parking of motor vehicles for the residents of the building(s); and architectural features such as pinnacles and bell-towers.

“HEIGHT” refers to a “STOREY”, which means, the number of floors, where the ground floor (or storey) is included, provided that the maximum height of a storey shall be 4 metres. Any storey exceeding 4 metres in height shall be regarded as a pro rata plurality of storeys.

“MINISTER” means the Minister of ~~Regional and Local Government, Housing~~ Urban and Rural Development



“POLICY” means the Walvis Bay Residential Density Policy

“PROPERTY” means.

“RENTAL UNIT” means attached or detached buildings, not exceeding two in number, each comprising a living room or interconnected mutually adjacent living or sleeping rooms with individual or communal access to a kitchen, bathroom and toilet facility, each designed for occupation by a single household; provided rental units shall not be permitted on an erf where a subsidiary dwelling unit has been erected. Once Council has given its consent for the erection of a rental unit, then a subsidiary dwelling unit is no longer deemed to be a primary use in the single residential zone as depicted in Column (3) of Table B. The floor area of the main dwelling unit, together with any rental units shall not exceed 70% of the total area of the erf, which shall remain an indivisible cadastral unit. The combined area of a rental unit shall not exceed 100 m² in area or 50% of the area of the main dwelling, whichever is the lower. The definition of “RENTAL UNIT” should always be in accordance with the definition as set out in the Walvis Bay Town Planning (Zoning) Scheme, as amended.

“SUBSIDIARY DWELLING UNIT” means an attached or detached dwelling that consist of interconnected mutually adjacent living and sleeping rooms with at least a kitchen, a bathroom and toilet facilities and designed for occupation by a single family; and shall be restricted to 50% of the floor area of the existing Dwelling Unit or 100m², whichever is the lesser (excluding the floor area of a garage). An Erf with a subsidiary dwelling unit may be subdivided and the subdivision shall be subject to the Council’s consent and compliance with density zoning, and other provisions as stipulated by this Scheme; or any other law or regulation. In the cases where the existing Dwelling Unit is 100m² or less, the additional proposed dwelling unit that is double the size of the existing dwelling unit will become the dwelling unit, while the existing smaller unit will become the subsidiary dwelling unit, subject to a proper motivation and Council’s consideration. Provided that rental units shall not be permitted by Council on an erf where a subsidiary dwelling unit has been erected or is intended to be erected. The definition of “SUBSIDIARY DWELLING UNIT” should always be in accordance with the definition as set out in the Walvis Bay Town Planning (Zoning) Scheme, as amended.

“ZONING SCHEME” means the Walvis Bay Zoning Scheme or Walvis Bay Town Planning Scheme adopted by the Council in terms of Ordinance No 18 of 1954 Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), and as amended from time to time.



2. GOAL

The overall goal of the policy is to promote ~~the co-ordinated development of~~ residential developments with a range of densities in Walvis Bay as part of a dynamic process to the benefit of the Council and the residential component of the town.

3. OBJECTIVES

The primary objectives of the policy are as follows:

3.1 To provide opportunities for a range of housing typologies and densities that meet the needs of Walvis Bay residents and property owners.

3.2 To properly control and manage the development of residential developments within Walvis Bay.

3.2 To establish criteria and principles to be applied in assessing applications for increases in residential density.

3.3 To contribute to the sustainability of Walvis Bay by creating a compact urban area and developing the land efficiently.

3.4 To encourage an attractive streetscape and urban landscape that enhances and complements the visual character, amenity, bulk and scale of the surrounding built form.

3.5 To provide safe and functional access arrangements in and out of the site, which contribute to the overall aesthetics of the development.

~~and to the overall urban landscape in a co-ordinated way as part of a dynamic process.~~

3.46 To ensure an appropriate balance between residential developments and the capacity of existing or planned infrastructure required to service residential developments.

4. APPLICATION OF THE POLICY

4.1 This Policy is applicable to all land within the Municipality of Walvis Bay where residential development is permitted.

4.14.2 The Policy relates to residential development only; and is applicable to all forms of new residential developments of more than one dwelling house or dwelling unit by means of consent and rezoning or subdivision; including extensions but excluding rental units and subsidiary dwelling units.

4.24.3 The Policy does not apply to subdivision applications, because subdivision application will have to be handled under the density provisions as provided for by the Walvis Bay Town Planning (Zoning)



Scheme. Furthermore, for the subdivisions that do not comply with the Walvis Bay Zoning Scheme will first require the subject properties to be rezoned first to the suitable residential density, prior to the approval of the subdivision application.

5. **STATUTORY CONTROLS**

5.1 In assessing applications (for the development of more than one dwelling house or dwelling unit), the Council (or its officers acting under Delegated Authority) shall have regard to conditions imposed by this Policy.

5.2 The policy must be read in conjunction with Residential Density Zone Plans attached to this policy.

5.3 All residential developments shall adhere to the ~~following~~ provisions of the Walvis Bay Town Planning Scheme (i.e. the Walvis Bay Zoning Scheme), including but not limited to, Height, Coverage, Parking, and Floor Space Area Ratio.

Where there is an inconsistency between this Policy and the Walvis Bay Town Planning Scheme (Walvis Bay Zoning Scheme), the Walvis Bay -Zoning Scheme prevails to the extent of such inconsistency.

5.4 This Policy is supplementary to and is to be read in conjunction with the Walvis Bay Urban Structure Plan (Walvis Bay Integrated Urban Spatial Development Plan), and other Town Planning Policies, the Urban and Regional Planning Act (Act No. 5 of 2018) and other local, regional and national regulations or policies.

5.5 Council may refuse a development that does not comply with these controls, or may seek to modify a non-complying development by imposing conditions designed to make it comply.

5.6 The policy will be considered by Council in making decisions and/or recommendations to the Urban and Regional Planning Board or Minister of Urban and Rural Development.

~~5.5 Council is not empowered to make final approvals of rezoning and subdivision applications; it is the Minister who has authority for final approval.~~

6. **RESIDENTIAL DENSITY ZONES**

For the purposes of applying density as a control of new residential developments, the town is divided into three (3) ~~broad~~ residential density zones, ~~comprising of twelve (12) sub-zones, with different but overlapping density ranges. The twelve (12) sub-zones are indicated by the attached Residential~~



~~Density Plans.~~ The three ~~broad~~ Residential Density Zones are **High, Medium and Low Residential Density Zones.**

6.1 High Density Residential Zones

- (a) This zone covers the highest residential density developments.
- (b) This zone includes existing residential areas that have been identified as suitable to accommodate higher density developments. The intent is to encourage site redevelopment, primarily for multi-level and attached housing. That is, the form of housing is likely to be apartments and town houses.
- (c) High-density residential development should be located within and closer to the Central Business District (CBD) as (as defined and/or indicated by the Walvis Bay Urban Structure Plan or Walvis Bay Integrated Urban Spatial Development Framework, as amended).

High densities are proposed on Erven within Business Centres, because the increase of population within Business Centres with their range of employment, recreation, commercial and retail uses will curtail travel demand and therefore these locations have the greatest potential for the creation of sustainable patterns of development. Such increased populations will also assist in the Central Business District (CBD) regeneration, make more intensive use of existing infrastructure, support local services and employment, encourage affordable housing provision and sustain alternative modes of travel, such as walking, cycling, etc.

- (d) Higher-density residential development should also be located within and closer to the suburban and neighbourhood centres (as defined and/or indicated by the Walvis Bay Urban Structure Plan or Walvis Bay Integrated Urban Spatial Development Framework, as amended), education or medical facilities, arterial/collector roads and in areas serviced by passenger transport.
- (e) The High Density Residential Zone ~~comprises of Zones 1A to 1E, 7, 8 and 12, which are made up of Business Centres, Kuisebmond, Narraville, Langstrand Proper and Langstrand Extension 1. This zone consists makes provisions for the following of maximum densities as shown by the Residential Density Zone Plan:~~
 - (i) 1 unit per 150m²,
 - (ii) ~~y-zoning of~~ 1 unit per 100m² and
 - (iii) 1 unit per 50m² and/or up to the highest residential density as provided for in the Walvis Bay Town Planning (Zoning) Scheme as amended.



- (f) The areas covered by the High Density Residential Zone are shown by the Residential Density Zone Plan.

6.2 Medium Density Residential Zones

- (a) This area covers residential developments at a medium density and applies to locations less well served by high-capacity public transport systems
- (b) This zone recognises that medium-density housing is more easily achieved when it is comprehensively planned from the start, rather than being retrofitted into an existing urban environment.
- (c) The Medium Residential Density makes provisions for the following maximum densities:
- (i) 1 per 250m² and
 - (ii) 1 per 200m².
- (d) The areas covered by the Medium Density Residential Zone are shown by the Residential Density Zone Plan.

~~The Medium Density Residential Zone comprises of Residential Density Zones 2A to 2B, 4, 5, 9 and 10, which are made up of the Lagoon area, former Army Camp (Walvis Bay Extensions 9-11), the area in the vicinity of the CBD, and future extensions of Kuisebmond and Narraville.~~

~~6.1.1 Residential Density Zones 2A and 2B (Vicinity of the CBD)~~

- ~~(a) In this medium density area adjacent to the CBD on sites less than 1500 m², maximum densities of up to 1 unit per 300m² will be permitted.~~
- ~~(b) In future subdivisions or township establishments, a minimum density of 1 Erf per 300m² will be permitted (i.e. no Erf shall be smaller than 300m²).~~
- ~~(c) In this zone, on larger sites (or the assembly of Erven to create larger sites) 1500m² and greater, maximum densities of up to 1 unit per 250m² will be permitted.~~

~~6.1.2 Residential Density Zones 4 and 10 (Lagoon Area, Walvis Bay Extension 9 and Future Walvis Bay Extension North of the Maritime Wing)~~

- ~~(a) In this medium density zone on sites less than 1500 m², maximum densities of up to 1 unit per 500m² (average ruling Erf size of 500m²) will be permitted.~~
- ~~(b) In future subdivisions or township establishments, a minimum density of 1 Erf per 500m² will be permitted (i.e. no Erf shall be smaller than 500m²).~~



- ~~(c) In addition, in these planning zones, on larger sites (or the assembly of Erven to create larger sites) 1500m² and greater, densities of up to 1 unit per 250 m² will be permitted.~~
- ~~(d)–~~

~~6.1.3 Residential Density Zone 5 (Walvis Bay Extensions 10 and 11)~~

- ~~(a) In this medium density zone on sites less than 3500 m², maximum densities of up to 1 unit per 300m² will be permitted.~~
- ~~(b) In future subdivisions or township establishments, a minimum density of 1 Erf per 300m² will be permitted (i.e. no Erf shall be smaller than 300m²).~~
- ~~(c) In addition, in these planning zones, on large sites (or the assembly of Erven to create larger sites) 3500m² and greater, and subject to the submission of a Site Development Plan, densities of up to 1 unit per 150 m² will be permitted.~~

~~6.1.4 Residential Density Zone 9 (Future Narraville and Kuisebmond Extensions)~~

- ~~(a) In this medium density zone on sites less than 1500 m², maximum densities of up to 1 unit per 300m² (average ruling Erf size of 300m²) will be permitted.~~
- ~~(b) In future subdivisions or township establishments, a minimum density of 1 Erf per 300m² will be permitted (i.e. no Erf shall be smaller than 300m²).~~
- ~~(c) In addition, in these planning zones, on large sites (or the assembly of Erven to create larger sites) 1500m² and greater, and subject to the submission of a Site Development Plan, densities of up to 1 unit per 250 m² will be permitted.~~

6.3 Low Density Residential Zones

(a) This zone covers the lowest density of residential developments and applies to areas with limited public transport capacity or areas with special constraints such as environmental sensitive areas.

(b) The zone is mainly made up of Single Residential zoned erven and provides for most of the traditional housing areas. This Zone recognises that there are certain locations where a lower density is required to manage the effects of residential development in a sustainable manner.

The building form is likely to be low (one or two-storey) single dwellings. Although duplex dwellings are a higher density form of development, they are acceptable in Low Density Residential Zones as long they are in accordance with the density zoning provisions. The Medium Density Residential Area comprises of Residential Density Zones 3, 6 and 11.

(c) The Low Residential Density makes provisions for the following maximum densities:

~~Residential Density Zone 3 (Walvis Bay Central and Future Extensions)~~



~~In this low density zone on sites less than 1500 m², maximum densities of up to 1 unit per 5300m², will be permitted.~~

6.4 Townships or Areas not Covered by the Residential Density Zones

~~Aphrodite Beach (Dolphin Beach Extension 1) is not covered by this Policy (including the residential density zones), because no rezoning of any Single Residential Erven is permitted as per the Walvis Bay Town Planning Scheme as amended.~~

~~(a) In future new subdivisions/township developments, a maximum density of 1 unit per 500m² will be permitted (i.e. no Erf shall be smaller than 500m²).~~

~~(b) In addition, in these planning zones, on large sites (or the assembly of Erven to create larger sites) 1500m² and greater, and subject to the submission of a Site Development Plan, densities of up to 1 unit per 300 m² will be permitted.~~

~~i. Residential Density Zone 6 (Meersig Suburb and Future Extensions)~~

~~(a) In this existing and future low density zone, on sites less than 2500 m², maximum densities of up to 1 unit per 500m² (average ruling Erf size of 500m²) will be permitted.~~

~~(b) In future new subdivisions or township developments, a minimum density of 1 Erf per 500m² will thus be permitted (i.e. no Erf shall be smaller than 500m²).~~

~~(c) In addition, in these planning zone, on large sites (or the assembly of Erven to create larger sites) 2500m² and greater, and subject to the submission of a Site Development Plan, densities of up to 1 unit per 300 m² will be permitted. The general provisions of the "General Residential 1" Town Planning Scheme zoning will apply for such developments.~~

~~ii. Residential Density Zone 11 (Dolphin Beach, Dolphin Beach Extension 1 and Future Extensions)~~

~~(a) In this low density zone on sites less than 3000 m², maximum densities of up to 1 unit per 500m² (average ruling Erf size of 500m²) will be permitted.~~

~~(b) In future new subdivisions or township developments, a minimum density of 1 Erf per 500m² will be permitted (i.e. no Erf shall be smaller than 500m²).~~

~~(c) In addition, in these planning zones, on large sites (or the assembly of Erven to create larger sites) 3000m² and greater, densities of up to 1 unit per 300 m² will be permitted.~~



7. SPECIAL CASES

7.1 To provide for added flexibility and to accommodate site circumstances not accommodated by this policy, ~~exceptions can be made~~ high residential densities can be supported for special cases.

7.2 These special cases ~~may are be~~ sites along but not limited to the following major traffic or rail routes:
~~The specific special cases are sites along, but not limited to, the following routes:~~

- (a) Seventh Street North
- (b) Kovambo Nujoma Drive
- (c) The Esplanade
- (d) Atlantic Street
- (e) Fifth Road ~~(from the intersection of Nangolo Mbumba Drive to Atlantic Street)~~
- (f) Union Street
- (g) Nangolo Mbumba Drive
- (h) Hanna Mupetami Road
- (i) Sam Nujoma Avenue
- (j) Fifth Street
- (k) Sixth Street
- (l) Gertrude Rikumbi Kandanga Road
- (m) Khomashochland Street
- (n) Agaat Street
- (o) Nathaniel Maxuilili Street
- (p) Ongulumbashe Street
- (q) Herman Klein-Hitpas Street
- (r) Kabeljour Street
- (s) Independence Road
- (t) Kruis Street
- (u) Namib Street
- (v) Caesar Martin Street
- (w) Jan Opperman Street
- (x) Firefish Street
- (y) All collector or arterial roads in existing or new townships that are at least 20m wide.

7.3 Special cases may also cover the sites along the lagoon or sea, the use of parks for residential development, developments supporting local centres of business and so on. Detailed motivation will be required to motivate support for such special cases, which will be considered on an ad-hoc basis.



The specific special cases are sites along, but not limited to, the following routes:

8. REZONINGS APPLICATIONS IN TERMS OF THE POLICY

ALLOCATIONS

Subject to the provision of the Urban and Regional Planning Act, 2018 (Act No. 5 of 1018) and Regulations Relating to the Urban and Regional Planning Act, 2018:

- (a) Properties that are to be rezoned to a General Residential zoning with densities of 1 per 100m² and exceeding 1 per 100m² With the exception of “Special Cases”, only Erven in Zones 1A-1E can be rezoned to “General Residential 2”
- (b) Properties that fall under the “Special Cases” category can also be potentially rezoned to The “General Residential 2” Scheme zoning can also be applied to rezoning applications that are considered as “Special Cases”.
- (c) Properties that are to be rezoned to a General Residential zoning with densities of 1 per 150m² and below 1 per 100m² can be rezoned to The “General Residential 1” Scheme zoning will be applied to rezoning applications of Erven in all other zones, being Zones 2a-12.

8.9. DESIGN STANDARDS

9.1 The design and layout of residential sites and buildings are critically important. Hence, this Policy places a firm emphasis on the importance of qualitative designs for high residential developments in order to ensure that the highest quality of residential environment is achieved. However, this Policy does not set specific design guidelines for high density residential developments. Instead, a hierarchy of designs is encouraged in order to meet market needs for a diversity of housing types. The diversification of designs ensures that the town develops into an interesting townscape, instead of a monotonous urban form.

9.1 Although there are no defined specific design standards for residential developments, the residential design of developments in terms of this Policy shall achieve quality onsite amenity through the following:

- (a) Provision of private, useable outdoor living areas (i.e. social spaces).
- (b) Provision of access to sunlight and daylight throughout the year.
- (c) Provision of parking and manoeuvring areas on-site to meet the needs, safety and convenience of residents.
- (d) Provision of visual and physical connectivity to public open spaces (for the residential sites adjacent to public open spaces).
- (e) Protection of the privacy of adjoining dwellings.



- (f) Conformity to natural topography.
- (g) The size and scale of buildings and structures shall be compatible with the local context, scale and character. The siting and design of development should thus recognise the strong visual relationship with the streetscape. Furthermore, buildings should be designed so they do not physically dominate or adversely affect the residential character of the neighbourhood.
- (h) Vegetation and trees should be preserved wherever possible. Development should be provided with landscaping and planting that enhances on-site and local residential amenity
- (i) Garages, carports and vehicle access points shall be sited to ensure the safety of all road users and the safe and efficient function of the transport corridor.
- (a) Developments should be encouraged to be connected to other communities through multi-modal and non-motorised transport.
- (b) Development should not detract from or degrade the existing character, amenity, traffic, parking and transport networks of the surrounding area.
- (c) Development should enable redevelopment opportunities.
- (d) Development should be encouraged to make efficient use of water and energy resources.
- (e) Developments adjacent or across public open spaces should be encouraged to incorporate Crime Prevention Through Environmental Design (CPTED) principles.

9.3 In order to achieve an interesting townscape, building plans for high density developments are required to be submitted to the Aesthetics Committee.

9. GENERAL TOWN PLANNING SCHEME PROVISIONS

All residential developments shall adhere to the following provisions of the Town Planning Scheme, but not limited to, Height, Coverage, Parking, and Floor Space Area Ratio.

10.1 Building Height

One of the common perceptions in relation to higher residential densities is that they promote taller buildings. However, it is possible to increase the density significantly with modest increases in height. In terms of this Policy, height restrictions are regulated in terms of the number of storeys and in accordance with the Walvis Bay Town Planning Scheme. The maximum number of storeys is as follows:

- (i) ~~“Single Residential”: a maximum of 2 storeys;~~
- (ii) ~~“General Residential 1”: a maximum of 3 storeys; and~~
- (iii) ~~“General Residential 2”: a maximum of 5 storeys~~
- (iv) ~~“Local Business” or “Business 1”: No restriction, but subject to Council’s approval.~~
- (v) ~~“Combined Land Use” Erf: No restriction, but subject to Council’s approval.~~



~~(vi) “Institutional” Erf: No restriction, but subject to Council’s approval.~~

~~(b) The Council may consent to the increase in the number of storeys, if adequate proof is provided, as follows:~~

~~(i) An increase in the number of storeys from 2 up to a maximum height of 10 metres on a “Single Residential” Erven.~~

~~(ii) An increase in the number of storeys from 3 up to a maximum of 4 storeys on a “General Residential 1” Erven.~~

~~(iii) The increase in the number of storeys on “General Residential 2” Erven will be determined by Council on ad hoc basis.~~

~~(iv) No increase in the number of storeys can be permitted on Erven zoned as “Single Residential.”~~

10.2 Coverage

No residential building shall be erected so as to cover a greater percentage of the site than is indicated by the following Table:

Zoning	Maximum Coverage for Dwelling Houses and Residential Buildings
(i) All zonings except Business 1, Local Business, Light Industrial and Industrial.	50%
(ii) Business 1 and Local Business	60%
(iii) Light Industrial and Industrial	50%

~~(a) The following shall not be included in the calculation of the coverage:~~

~~(i) any basements situated under street level;~~

~~(ii) external stairs and motor vehicle ramps;~~

~~(iii) balconies and projections of not more than 1,5 metres;~~

~~(iv) eaves of not more than 1,5 metres;~~

~~(v) parking areas used for the parking of motor and other similar vehicles by the owner and/or tenants of the building on the site; and~~

~~(vi) arcades.~~



10.3 Floor Space Ratio

~~No building shall be erected so that the floor space ratio, as specified in the following Table is exceeded. Provided that in those areas with no prescribed residential densities or Floor Space Ratio, appropriate densities and/or Floor Space Ratios may be imposed by the Council.~~

Floor Space Ratio Zone	Maximum Floor Space Ratio
(i) Business 1 and Local Business	2,0
(ii) Industrial and Light Industrial	1,0
(iii) All other zonings not covered under (i) and (ii)	0,5

11 FINANCIAL IMPLICATIONS

By its very nature this policy does not introduce any direct financial implications for the Council. It simply serves as guidance document for implementation by property owners through the Council and for assessing the rezoning applications for high residential densities.

On one hand, ~~H~~high density residential developments are a source of income to the Council, particularly by the payment of rates and taxes and service charges. ~~Furthermore~~On the other hand, higher density residential developments generate an added load on the Council's service infrastructure and, in particular, as far traffic generation, water consumption and sewer services are concerned. Based on this, Betterment and Endowments Fees will need to be applied against new residential developments comprising of more than one dwelling house or dwelling unit.

11.1 Betterment Fees

On approval of all rezoning applications for new higher density residential rights, ~~a~~ betterment fees (also as referred to as "compensation" by the Urban and Regional Planning Act) will be levied in terms of Section ~~34-59~~ 54-59 of the ~~Town Planning Ordinance 1954~~ Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) to the value of 20% (or any other percentage as determined by Council or Minister or the Policy on the Levying of Betterment Fees for Local Authorities in Namibia as amended) of the increase in value of the property concerned.



The betterment levy is to be used by Council to upgrade its bulk services (e.g. water supply, sewage collection and treatment but excluding electricity). The Betterment Fee does not cover services connections to ~~an individual Erf~~properties. The applicant will ~~therefore~~ still be required to provide municipal services, including access roads, water, sewerage and electricity connections

12.1 Endowment Fees

On approval of all subdivision applications, an endowment fee will be levied in terms of Section **19(5)** of the ~~Townships and Division of Land Ordinance (Ordinance No. 11 of 1963)~~Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) to the value of 7.5% (or the amended percentage as approved by Council or Minister) of the value of each new property created through subdivision. Endowment fees are required to be paid to the Council before registration or sale of new Erven created by means of subdivision can take place.

Any endowment paid in terms of this Policy shall be used by the Council to upgrade its bulk services (excluding electricity) or for erecting, constructing or acquiring amenities or public places in the public interest. The Endowment Fee does not cover the provision of services connections to an individual Erf. The applicant will therefore still be required to provide access roads, water, sewerage and electricity connections.

12. SERVICES

12.1 A variety of housing densities and types should be developed, but they need to be consistent with the capacity of the existing infrastructure, because high density developments depend on the presence of infrastructure. Residential densities or developments need to have an adequate level of servicing available and should thus commensurate with what the existing and planned infrastructural and environmental capacities can cope with. Furthermore, they also need to respond to regionally significant infrastructure, such as telecommunication infrastructure or the national electricity grid, either existing or planned.

~~Residential densities should be commensurate with what the existing and planned infrastructural and environmental capacities can cope with.~~12.3 Applicants should be aware of the restrictions that lack of sewerage facilities may place on any given site and should consult the Department of Water, Waste and Environmental Management with respect to this issue at the outset.

12.4 Increase in densities shall not be approved in areas where reticulated sewerage is not available or where adequate drainage is not available or planned to accommodate higher than existing densities to the satisfaction of the Council.



5.7 In the event Council is not satisfied that there is adequate provision of services to cater for the proposed development, a study of the existing services or infrastructure may be required to confirm the impact of the development on the services capacity. Based on the results of the findings, conditions may be imposed on any approval issued requiring a contribution towards the upgrade of the municipal services or requiring the applicant (developer) to upgrade the services to the satisfaction of Council.

Access arrangements shall ensure that traffic generated by the proposal can be accommodated by the existing street network.

4.34.4 The Policy should not be seen as a rigid document, but should be flexible in order to take account of variable local circumstances.

12.13. APPEALS

Any person, who is aggrieved by a decision of the Council made under this Policy, has the right to appeal to the Minister against the whole or any part of that decision.

