

WINDHOEK ZONING SCHEME

NOVEMBER 2024



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I GENERAL

CLAUSE 1: INTERPRETATION

In this Scheme, except where the context otherwise requires, or it is otherwise expressly provided, the following words and expressions have the respective meanings hereby assigned to them:

A

Abattoir: means a place where animals are slaughtered and prepared for distribution to butcheries, shops, supermarkets and food markets

Accommodation Establishment means a building or any premise in or on which the business of providing short-term accommodation with or without meals for reward to tourists or guests and includes Backpackers hostels, Bed and Breakfast establishments, Campsites, Camping and Caravan parks, Guest farms, Guest houses, Hotels, Hotel pensions, Lodges (other than tented lodges), Resorts, Rest camps, Self-catering accommodation establishments, Permanent tented camps and tented lodges, and all other types of hospitality establishments as defined in the Scheme but excludes place of entertainment, and occasional use events except with consent from Council.

Act means the Urban and Regional Planning Act, (Act No. 5 of 2018) and all applicable Regulations and as may be subsequently amended or replaced.

Agricultural Building or Land means a building or land designed and/or use in connection with, and which would ordinarily be incidental to, or reasonably necessary in connection with the use of the site / land as agricultural land and may include: arable, meadow or pasture land, market (commercial) gardens, poultry farms, pig farms, land used for beekeeping, nursery gardens, plantations and orchards, hydroponics, aquaculture, horticulture or similar uses, the cultivation of land for crops and plants or the breeding of animals, or the operation of a game farm on an extensive basis on the natural veld or land, dwelling unit subject to density provisions; as well as such activities of the farm, but does not include the consent uses applicable to the agricultural zone and does not include:

- (a) intensive animal farming (feedlot) and agriculture industry,
- (b) tannery or other activities of noxious industry.

Agricultural Industry means a commercial enterprise or concern for the processing of agricultural products, but does not include a, tannery, and other uses described under noxious industrial building.

Air and Underground Rights mean the development of a defined space above or below a public street, road or public transport usage and the allocation of such use rights for such purposes with written approval by the Council

Ancillary Farm Dwelling Unit means a fully self-contained dwelling designed for occupation by a single household working on the farm and is only applicable to specific zonings as per Table A of the Scheme, which may be detached from or attached to the primary unit. Subject to the approval of the Council more than one ancillary farm dwelling unit can be erected, but only for occupation of the agriculture workers or other workers of the specific property and subject to the approval of Council.

Animal Care Centre means a place for the care of pets and animals, either on commercial or welfare basis and can include boarding kennels and ancillary activities.

Aquifer Protection Area means areas which have underground water reserves or rock formations which opens into underground water reserves which are vulnerable to the storage and discharge of any unnatural fluid and waste products such as, but not limited to, sewerage, petrol, oil, chemicals and hydrocarbons and includes land located south of the Development Restriction Boundary. Aquifer protection areas further include riverbeds and riverbed buffers 100m either side of the rivers as well as the perimeter as defined around an existing or future well site (within the areas proclaimed as Aquifer Protection Area).

Area of the Scheme means the area described in Clause 2 hereof.

Atrium means a covered courtyard comprising a void within a building that extends for one or more floors in height but does not contain full floors that penetrate into the void, but may contain architectural features such as balconies, bridges, decorative overhangs and the like. An atrium contains a floor and a roof or ceiling.

Authorised Planning Authority means a functionary which in terms of Section 16 of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) is declared as an Authorised Planning Authority in respect of a Council area.

B

Backpackers Hostel means an accommodation establishment comprising of a dormitory or hostel or any other facility in which accommodation is provided primarily to backpackers on a short term and has at least 2 bedrooms or as approved by the Council and meets the requirements of the Namibia Tourism Board Act 21 of 2000 and its regulations.

Balcony means a floor projecting outside a building at a level higher than that of the ground floor, enclosed only by low walls or railing or by main containing walls of rooms abutting such projecting floor, and may include a roof over such floor and pillars supporting such roof. A balcony of up to 1.5-metre-wide will not form part of the floor area/ bulk calculation.

Basement as per the Building Regulations of the Municipality of Windhoek, means that portion of a building, the finished floor level of which is at least 2 m below, or the

ceiling of which is at most 1 m above, a level halfway between the highest and lowest natural levels of the ground immediately contiguous to the building, which is not a habitable space if not properly ventilated, and shall be taken to be any part of the building which is below the level of the ground storey, with no possibility of direct level external entrance and for which 100% of the floor area is more than 1,5m below natural ground level, which can only be used for craft / hobby rooms/ storage rooms, but not for residential/ living purposes or as a second dwelling/ ancillary dwelling purposes.

Bed and Breakfast Establishment means an accommodation establishment where accommodation is provided within or on the premises of a private dwelling where the owner or any person in charge of the establishment lives, where the number of bedrooms are at least two, but do not exceed five and where breakfast is provided to guests and meets the requirements as per the Namibia Tourism Board Act of 21 of 2000 and its regulations. Provided that the dominant use of the dwelling house concerned remains for single family occupation.

Betterment Fee means a type of compensation where an amount of money, payable by the applicant to the Council for any increase in the market value of land resulting from a rezoning in accordance with Section 59 of the Urban and Regional Planning Act (Act No. 5 of 2018) as amended and/or the Council's Infrastructure Development Contribution Policy for Private Developments.

Block of Flats or Flats means a building containing two or more dwelling units where the dividing lines between the units are horizontal and/or vertical together with such outbuildings (e.g. guard room, plant/tools/equipment rooms or garage) and similar uses as are ordinary used therewith.

Bottle Store means a liquor licensed premises (shop) in which mainly alcoholic beverages are sold in the retail trade and sealed containers for consumption away from such premises and in accordance with the Liquor Act 6 of 1998.

Building Line means the line delimiting the area measured from the cadastral boundary of a land unit, within which no building or other structure except a boundary fence may be erected. Relaxation of such building lines may be considered upon application to Council and following the required process as stipulated by Council.

Building, as per the Urban and Regional Planning Act 5 of 2018 means a structure or construction of any kind, whether permanent or temporary, movable or immovable and whether completed or not. Additionally, and in accordance with the SANS 10400-A:2010 (Edition 3), a building (irrespective of the materials used in the erection thereof) includes:

- (a) any structure erected or used in connection with
 - 1) the accommodation or convenience of human beings and animals;
 - 2) the manufacture, processing, storage, display or sale of goods;
 - 3) the rendering of a service;
 - 4) the destruction or treatment of refuse or other waste materials; and
 - 5) the cultivation or growing of plants or crops;
- (b) a wall, swimming bath, swimming pool, reservoir or bridge or any structure connected therewith;

- (c) a fuel pump or tank used in connection therewith;
- (d) any part of a building, including a building as defined in (a), (b) or (c); and
- (e) any facilities or system, or portion thereof, within or outside but incidental to a building, for the provision of a water supply, drainage, sewerage, stormwater disposal, electricity supply or other similar service in respect of the building

Bulk Factor/ Floor Factor shall mean the ratio of the total floor area to the total surface area of the erf / plot concerned.

Butchery means a shop in which meat and processed meat products are sold in the retail trade and must comply with the relevant health regulations as prescribed by the Authority and Council.

By-Laws shall mean any of the Municipal Regulations and Council resolutions established in terms of this Scheme in force in the Scheme area.

C

Cafeteria means a small food outlet ancillary to the primary land use that is exclusively used by the employees or patrons of the primary land use and not by the public, which does not exceed 25% of the total floor area of the primary office, business, industry or institution, including storage space and where the operational hours are limited to the operational hours for the primary land use (office, business, industry or institution) or otherwise as specified by Council.

Camping and Caravan Parks means an accommodation establishment comprising of an area of land containing pitches for the parking of caravans, either those of guests or on-site caravans provided by the establishment for hire by guests, or containing caravan pitches as well as camping sites for the erection of tents, awnings or other temporary structures of guests camping without a caravan and meets the requirements of the Namibia Tourism Board Act 21 of 2000 and its regulations

Camping Site means an accommodation establishment on a property or part that is utilised for the erection of tents or the parking of caravans or temporary structures of guests for overnight purposes and includes ablution, cooking, barbeque and other facilities required for catering of such guests and that adheres to the Namibia Tourism Board Act of 21 of 2000 and its regulations.

Caretaker Unit means a dwelling unit designed for occupation by a caretaker which shall not exceed 100m² in size, which is auxiliary to the primary use allowed on the land parcel and owned therewith as a single indivisible unit by one and the same owner. Caretaker unit is not permitted on Residential and General Residential zones.

Carport means a structure for the parking of vehicles that is covered by a roof (permanent structure) and/or canvas/shade netting (non-permanent), provided that not more than two sides may be permanently enclosed.

Cemetery refers to land, which is intended to be permanently set aside for, and used for the purposes of the burial of human or animal remains and may include a crematorium, a wall/garden of remembrance and ancillary buildings such as an office, chapel and guard room.

Clinic means a place with emphasis on outpatients where diagnoses and treatment of humans takes place, and may include consulting rooms, day-operating theatre; an outpatient centre and a wellness centre with ancillary uses but does not include live-in facilities for patients or family members.

Community Facilities means the buildings or land or amenities intended to serve the needs of the local community, usually provided by the local, regional or national governments or other organisations to enhance the quality of life, promote social interaction and support various community activities. They include community centres (multi-purposes facilities), community halls, libraries, cultural and art centres (theatres, art galleries, museums, etc).

Competent Authority means the Minister of Urban and Rural Development as per the Urban and Regional Planning Act 2018 (Act 5 of 2018).

Conference Facility means a place where conferences and meetings take place and may not include a place of entertainment or a public restaurant without the consent of Council.

Consent Use means land uses or development rights in addition to primary uses for which buildings or land may be used in terms of Table A, Column 3, only with the written approval of the Council in terms of the Scheme, but without changing the formal zoning of the erf. Such a consent use is granted to the property and may be transferable but may be suspended if such consent use becomes a public nuisance or if the conditions of the consent use are not being adhered to, after giving the owner and/or operator fourteen (14) business days to comply.

Conservation Area means a geographic space or habitat, recognised, dedicated and managed through local or other means to achieve a long-term conservation objective which includes sustainable utilisation of natural resources (renewable & non-renewable), maintenance of ecosystem services, climate change mitigation, sustain ecological networks, ensure connectivity between habitats and sustaining a healthy gene pool of animals, preservation of cultural and natural heritage on area means.

Conservation means the preservation or conservation of resources including biodiversity, preservation of cultural and natural heritage sites or areas, heritage buildings, upkeep of ecological systems and services and the promotion of sustainable use of non-renewable natural resources.

Council means the Municipal Council of Windhoek and includes the Management Committee of Council, or any official who is in the service of Council and acting by virtue of any authority conferred on him by Council in connection with this Zoning Scheme and which was delegated to him in terms of section 31 of the Local Authorities

Act, 1992 (Act 23 of 1992), as amended.

Coverage means the total percentage area of a site measured from external walls that may be covered by buildings as per Table C, provided that the following shall not be included in the calculation of the coverage:

- a) Balconies, patios and pergolas of not more than 1.5 metres
- b) Basements situated under street level
- c) Eaves of not more than 1.5 metres
- d) External stairs and motor vehicle ramps
- e) Technical service areas such as electrical substations

Crematorium means a place for incinerating corpses in a furnace and includes ancillary facilities such as a chapel and office.

D

Days means the number of business or working days for performing an action and exclude Saturdays, Sundays or public holidays and are calculated as exclusive of the first day and inclusive of the last day.

Day Care Centre (also referred to as **Day Nursery, Nursery School or Crèche**) means the building or land or institution that provides supervision and care of infants and young children during the daytime.

Density as per Table E, refers to the number of dwelling units that may be erected on an erf or the minimum erf size permitted.

Development Contribution or Charge means a type of compensation where the charges levied against a new development as a result of the Development so as to contribute to current and/or future provision of Bulk Services in the context of a Bulk Services Masterplan or as otherwise defined, in accordance with Council's Infrastructure Development Contribution Policy for Private Developments as amended as well as Section 59 of the Urban and Regional Planning Act (Act No. 5 of 2018) as amended.

Development Plan refers to a plan that reflects at least the following:

- a) the positioning, height and coverage of all buildings
- b) access;
- c) parking areas and access to parking areas;
- d) all relevant data, such as coverage, bulk, parking, total floor area etc.;
- e) existing services;
- f) building restriction areas and servitudes;
- g) 1:50 Flood line where applicable;
- h) Scale of development in relation to the surrounding properties;
- i) any other aspect which is considered necessary by the Council depending on the nature of the application or development.

Dwelling unit means a self-contained dwelling, where the primary unit consists of mutually adjacent interleading group of rooms with not more than one kitchen, used for the living accommodation of one single household and with at least a bathroom with toilet facilities and such rooms as ordinarily used for residential purposes and may subject to the provisions of this Scheme or any law or regulations, be with or without a supplementary dwelling unit (if located on a Residential zoned erf), an outbuilding and a residential entertainment area.

Provided that in this context:

an "**Outbuilding**" means a building / structure attached or separate from the main building (or primary unit) and includes the following:

- (a) garage or carport for purposes of storage of vehicles,
- (b) store room for storage of household goods,
- (c) laundry,
- (d) domestic staff quarter, which consists of one bedroom and may include a bathroom and kitchenette and may only be used for accommodation of domestic staff employed at the dwelling house concerned, shall be limited to 25m² or 50% of the dwelling house (whichever is the lesser); or
- (e) similar uses normally consented to by Council in connection with a residential home.

The outbuilding will be auxiliary to the said primary unit and owned therewith as a single indivisible property unit by one and the same owner and which shall, for the purpose of this Scheme, be considered an integral part of the dwelling unit (primary unit) with which it is owned and which shall not exceed half of the total floor area of the main building (or primary unit).

a "**Supplementary Dwelling Unit**" means a dwelling unit, designed for occupation by a Single Household, which shall not exceed half of the floor area of the main building (or primary unit) which is auxiliary to the said primary unit and is owned therewith as a single indivisible property unit by one and the same owner and which shall, for the purpose of this Scheme, be considered an integral part of the dwelling unit (primary unit) with which it is owned. A supplementary dwelling may only be permitted on Residential zoned properties and only one (1) supplementary dwelling unit will be permitted on a Residential zoned property.

The main dwelling (primary unit) shall be a complete building, and not a partially erected building intended for completion at a later date, shall be erected simultaneously with, or before the erection of any outbuilding or supplementary dwelling unit. That is, the Supplementary Dwelling Unit can only be constructed when the main dwelling (or additions thereof) are 100% completed; alternatively, the Supplementary Dwelling Unit and the main dwelling (or additions thereof) can be constructed simultaneously. No completion or compliance certificate will be issued if the size of the Supplementary Dwelling Unit is more than 50% of the main (primary) dwelling.

A “**Residential Entertainment Area**” means a covered or roofed area which may be part of the dwelling unit (primary unit) or can be physically detached from the dwelling unit and designed or destined to be used for residential entertainment purposes only and may include a toilet and washbasin (and a shower in case there is a swimming pool, sauna or steam room on the property concerned). A Residential Entertainment area shall not exceed half of the floor area of the main building (or primary unit) if it is enclosed with a roof and shall not be used or include the following:

- (a) for public entertainment purposes,
- (b) a public bar
- (c) for accommodation purposes,
- (d) for human habitation or rental purposes.

E

Encroachment Agreement means an agreement between an owner and Council relating to the projection or overhang of portions, or encroachment of a building or structure from the owner’s property onto or over Council’s property.

Environmental Clearance Certificate means a certificate issued in terms of Environmental Management Act, 2007 (Act 7 of 2007), for a listed activity.

Environmental Impact Assessment required in connection with an activity as required by the Environmental Management Act 7 of 2007 or by the Council or its delegated representative is a study to investigate and evaluate the likely environmental impacts of a proposed project or development. Such a study is to at least consider the geotechnical aspects, geohydrological surveying including a record of boreholes or wells within 500m radius, socio-economic, environmental or biophysical, cultural, and human-health impact and recommend proposals to mitigate such impacts. No listed activity as per the Environmental Management Act No. 7 of 2007 and Regulations No 4878 of 2020 may commence without notifying Council and without an Environmental Clearance Certificate.

Erect in relation to a building, without in any way limiting the ordinary meaning of the word, shall include:

- (a) the alteration, subdivision, conversion to another use, or addition to a building;
- (b) the re-erection- of a building of which a part of its floor area has been demolished or destroyed.

Erf means:

- (a) a portion of land registered in a deeds registry as an erf, lot, plot, stand, portion or farm; or remainder of an erf, lot, plot, stand, portion or farm; or
- (b) a portion of land laid out as a township, whether or not the establishment of such township has been approved or such township has been declared as an approved township;

Existing Use means in relation to any building or land the continuous lawful use of such building or land for the purpose for which it was being lawfully used before the Minister gave approval for the amendment of this scheme by proclamation in the Government Gazette.

F

Farm Stall means a building or structure which does not exceed 200 m² in floor space, excluding storage facilities, where a farmer sells products produced and processed on his farm (in other words not products which are purchased), whether to his own employees or to the general public. The total floor area of a farm stall can be relaxed with Council's consent.

Firewood Trader means any person who is in the business of selling or trading in the material of trees or vegetation, legally harvested or obtained, and which is exclusively or predominantly for use as fuel and he/she is registered with Council.

Flexible Land Tenure means land set aside or registered in terms of the Flexible Land Tenure Act, 2012 (Act Nr 4 of 2012).

Forestry Products means any material of trees capable of being used as fuel but not limited to charcoal, firewood, droppers, etc.

Free Residential Bulk means an additional floor area exclusively for permanent long-term residential use up to a maximum of 50% of the allowable bulk/total floor area for any Office, Business or Mixed Land Use: Commercial-Residential zoned property or for properties within the Policy Areas; which shall not be used on an hospitality zoning or for accommodation establishment; and which in addition to this provisions shall be generally in accordance with Council's Policy on Free Residential Bulk.

Funeral Parlour means a building designed for the reception of human corpses prior to burial or cremation and may include a chapel but excludes a workshop for the manufacture of coffins and fittings and a crematorium.

G

Government Purposes means a building or land that houses a branch of government offices, magistrate offices, etc.

Ground Floor or Ground Storey as per the Building Regulations of the Municipality of Windhoek shall be taken as the storey in which there is situated an entrance to the building from the level of the adjoining ground or, if there is more than one such storey the lower or lowest of these.

Group Housing means a dwelling unit which forms part of a group housing scheme and registered as such.

Group Housing Scheme means a group of separate and/or linked dwelling units which may be subdivided but are planned, designed and built as a harmonious architectural entity and integrated with open space in an orderly way. A group housing scheme should have at least 5% of the erf area developed for a functional community space, excluding parking. A community space is a space that can be shared by the residents of the dwelling units occupying a land parcel. This can be either inside the development or facing the street frontage that makes it then accessible to the general public. Group housing includes terms like row houses; town houses and semi-detached houses or flats/ block of flats.

Guard Room means a detached or attached room or building that is typically located at the entrance or perimeter of a property with the primary function of providing a controlled point of access where security personnel can monitor and regulate incoming and outgoing traffic, enhance security measures and maintain a safe environment on the property and includes amenities such as a reception area, security screening equipment, communication systems, and a space for security personnel to observe and manage access control.

Guest Farm means an accommodation establishment located on a farm or other rural area within a natural environmental where the owner or manager lives and comprises of at least 5 bedrooms for accommodation by guests (which are which are separate from any private dwelling on the premises; or if part of or attached to a private dwelling, are separated from the dwelling by means of walls and securable doors; provides meals to guests, or food for the preparation of meals by guests at the premises; provides recreational facilities to guests and meets the requirements as stipulated in the Namibia Tourism Board Act, 2000 (Act 21 of 2000). Functions and events may only be undertaken with consent as per Table A.

Guest House refers to an accommodation establishment as per the Tourism Board Act, 2000 (Act 21 of 2000) and its regulations where accommodation and breakfast is provided to guests comprising of at least 5 but not more than 10 bedrooms and meets the requirements as stipulated in the Tourism Board Act and its regulations.

Gymnasium means premises used for indoor or outdoor physical training, exercise and conditioning activities, including the use of gymnastic, strength training, cardiovascular and related equipment; and which may include ancillary facilities such as change rooms, showers, lockers cafeteria, saunas, steam rooms, instruction spaces and related uses; but excludes spectator sports facilities, uses listed under the Place of Entertainment and activities generating excessive noise and public disturbance or public nuisance.

H

Hazardous Substance means any pesticide, herbicide or other biocide, radioactive substance, chemical or other substance and any micro-organism or energy form that has properties that, either by themselves, or in combination with any other thing, make it hazardous to human health or safety, or to the environment.

Heavy Industrial means the operations that typically involve heavy machinery, hazardous materials, and a higher level of noise, pollution, and traffic. Examples of

heavy industrial activities include steel mills, chemical plants, power generation facilities, and automotive manufacturing plants. These areas are usually located in separate zones, away from residential or commercial areas due to their potential negative impacts on the environment and surrounding land uses.

Height as defined by the Building Regulations of the Municipality of Windhoek, means total building height, measured vertically in metres from natural ground level, exclusive of underground structures, to the highest point on the roof, including any fixtures (antennas, chimneys, towers, lift shafts, etc.), in excess of finished roof height level.

Heritage Building means a building included in Table K or a listed building in accordance with the National Heritage Act, 2004 (Act No. 27 of 2004) and which, in the opinion of Council, is worth preservation, protection or conservation in whole or in part.

Heritage Consent means a consent use issued by entering into an agreement between Council and the owner of a "Heritage Building" in terms of which agreement the owner undertakes to preserve the building or certain specified features of the building to the satisfaction of Council as quid pro quo for the granting of permission by Council to use such building and ground for any use without the need for a rezoning, provided that Council shall not enter into such an agreement where it is expected that the use will have a detrimental effect on the neighbourhood. The Heritage Consent is applicable to the Heritage Buildings as per Table K and to all other buildings included in the Register under Section 53 of the National Heritage Act, 2004 (Act No. 27 of 2004) irrespective of the zoning.

Hospital means a place for diagnoses and treatment of human illness, with integrated facilities such as operating theatres and live-in accommodation for patients and can include a clinic and medical consulting rooms, a coffee shop / cafeteria and related activities as consented to by the Council.

Hospitality zoning refers to the zoning in which accommodation establishments, as defined in the Scheme, is permitted in the Scheme Area, with prescribed conditions and restrictions by the Council upon application.

Hotel means an accommodation establishment used for the business of providing accommodation and meals for reward and has at least 20 bedrooms or as approved by the Council, as defined in, and which complies with the provisions of the Namibian Tourism Board Act, 2000 (No. 21 of 2000) and its regulations and the Liquor Act, Act No. 6 of 1998, but excludes any off-sales department. A hotel may include restaurants, shop, conference and entertainment facilities subservient to the dominant use of the hotel

Hotel Pension means an accommodation establishment comprising of at least 10 but not more than 20 bedrooms for accommodation of guests and which complies with the provisions of the Namibian Tourism Board Act, 2000 (No. 21 of 2000) and its regulations and the Liquor Act, Act No. 6 of 1998, but excludes any off-sales department. A restaurant, place of entertainment and functions and events may only be undertaken with consent of Council as per Table A.

Household means one or more related persons, who live together in the same dwelling house or dwelling unit and have the same catering or eating arrangements.

I

Illegal Land Uses means any activities or uses of land that are not permitted or are non-compliant with the designated land use categories or restrictions imposed on specific zoning, reserved land or property; or that are in violation of the provisions of this zoning scheme or any other laws.

Impact Assessment is a study that evaluates and investigates the likely impacts a development or project will have on the natural and man-made environment, infrastructure and urban form of the area and/or in accordance with the Environmental Management Act (Act 7 of 2007). Such impact assessment must accompany specified planning applications to the Council.

Industrial Building means a building where large-scale manufacturing, processing, or production processes or activities that involve significant amount of space; heavy machinery; hazardous materials; a higher level of noise, pollution and traffic and infrastructure and where any person performs work in connection with any business, undertaking or institution, whether as an employer or employee, pupil or inmate of an institution, or otherwise, in any one or more of the following activities:

- (a) the making of any article or part of any article;
- (b) the altering, repairing, renovating, testing, ornamenting, painting, spraying, polishing, finishing, cleaning, dyeing, washing, or breaking up of any article;
- (c) the adaption for sale or use of any article;
- (d) the sorting, assembling or packing (including washing or filling bottles or other containers) of any articles
- (e) the construction, reconstruction, assembling, repairing or breaking up of vehicles or parts thereof (but excluding premises used for the purpose of housing vehicles where only minor adjustments are carried out);
- (f) printing by letterpress, lithography, photogravure or other similar process, including any activity associated with the printing industry;
- (g) the production and storage of gas in a holder of more than five hundred cubic metre (500 m³) storage capacity;
- (h) the generation and supply of electricity;
- (i) any other activity added in terms of the Labour Act (Act 11 of 2007);
- (j) any activity that is necessarily or ordinarily incidental to any activity referred to in subparagraphs (a) to (i).

Industrial Retail means a building or land where goods or materials, such as household fixtures, timber, tools, paint, wallpaper, plumbing supplies and the like, which are used in the improvement, construction and maintenance of buildings and adjacent outdoor areas, furniture, farming or garden supplies, outdoor supplies, industrial and mining equipment and materials, mechanical and vehicles or vehicles parts are sold.

Infiltration Area means the area lying within a 1 in 50-year flood area or within a strip of land measured 5 meters outwards on both sides from the outer edges of the

seasonally active river bed (gravel bed) or the visually identifiable banks of a watercourse. which is further than 500 meter from its bounding watershed, or as may be assessed by a hydrogeological study as being an area within which surface water percolates into the groundwater in above average quantities, whichever is the larger.

Institutional Building means a building or portion of building or land used as an old age home, day care centre, orphanage or vulnerable children centre, shelter, religious or charitable institution and administration thereof, health awareness or health information centres, hospital, clinic and building used in connection with the administrative activities of a foreign organisation or welfare organisations and any other related activities but exclude:

- (a) a reform or rehabilitation centre;
- (b) a sanatorium or clinic for treatment of infections or contagious diseases;
- (c) premises for the detention of mentally disorder persons;
- (d) prison; and
- (e) and excludes Special Institutional Building.

Further provided that a dwelling unit/ caretaker unit and a restaurant/ coffee shop for the clients may be permitted with consent from the Council.

Intensive-Feed Farming means the keeping, feeding and breeding of animals or poultry on an intensive and commercial basis, but excludes the breeding, feeding and keeping of wildlife.

Intensive Horticulture means the culture of plants on an intensive and commercial scale, including the culture of plants under a roof or in a greenhouse, as well as the sale of self-produced foods on a property.

K

“Kiosk” means a building or part of a building (room) or a temporary structure, approved by Council, which does not exceed 100m² in floor space, including storage, and which can be located within the accommodation establishment, service station, truck port development, institutional erf, private or public open spaces where basic needs are sold to the guests or patrons of such land uses. Provided that Council may relax the size of the kiosk.

L

Land Use as defined by the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), means the purpose for which land is used or may lawfully be used in terms of a condition of approval, a zoning scheme or the Act.

Landscaping means the placement of plants, contoured features, water features, paving, street furniture and other soft and hard elements for the purposes of enhancing the aesthetic appeal, environmental management, amenity and value of a property or area.

Light Industry means the use of land or a building designated for less intensive industrial activities that typically involve workshops (such as carpentry, upholstery, joinery, motor vehicle servicing and repairs, etc), the assembly of goods, warehousing and storage, or distribution centres and operations; packaging, printing, wholesale trade, computer centres, logistics or cartage and transport services and related workshop, service industry and laboratories and may also include offices such as usually ancillary to or reasonable necessary in connection with the main use and may include the sale of goods produced on-site. The provision of a caretaker unit related to the main use may be permitted with consent of the Council.

Local Business means the use of land or building primarily for businesses and commercial activities that primarily serve the immediate local community. It includes retail (convenience stores) offering groceries and everyday items/goods, restaurants, other services that cater to the daily needs of local residents but compatible with the surrounding residential area; and may include offices or dwelling units (subordinate to the main use) but shall not include manufacturing, repairing or assembly of goods, funeral parlours or any place of entertainment or a gambling house.

Lodge means an accommodation establishment that is located in a rural area or other area within a natural environment where recreation facilities are offered; comprises at least five bedrooms for the accommodation of guests; has a dining room or restaurant for the service of meals to guests; provides recreational facilities to guests like, game drives, health spa or other similar activities; and meets the requirements set out in the Namibia Tourism Board Act 21 of 2000 and its regulations.

M

Map means a scheme map as contemplated in Section 42 of the Act and Clause 2 as contained within this Scheme.

Medical Consulting Rooms means an office or offices and ancillary rooms used by a registered medical professional for human medical or other medical related consultations and may include a cafeteria / coffee shop for the patients with the consent of the Council.

Minimum Building Value means the minimum value of buildings, structures, and improvements which are to be erected on any erf or farm portion.

Mining means an enterprise which practices the extraction of raw materials, whether by means of surface or underground methods, and includes a quarry for the removal of stone, sand, clay, kaolin, ores, minerals or precious stones and any operations carried on in connection with mining in accordance with the Minerals (Prospecting and Mining) Act (Act No. 33 of 1992)

Mixed Land Use Area means an area demarcated by the Windhoek Urban Structure Plan for mixed land uses, where horizontal and/or vertical integration of suitable and compatible residential and non-residential uses (such as commercial, industrial and

recreational land uses) are permitted in order to create a vibrant, pedestrian friendly environment, diverse and sustainable community or precinct. Vertical mixed-use allows for a combination of different land uses in the same building and most frequently the non-residential uses occupy the bottom portion of the building, with the residential on top. Horizontal mixed-use allows land uses in separate buildings (e.g. stand-alone commercial building and a stand-alone residential building) on the same property. The Scheme accommodates the mixed land uses through the Mixed Land Use: Commercial-Residential and Mixed Land Use: Industrial-Residential zonings.

Mixed Land Use: Commercial – Residential means a zoning that allows for a combination of compatible commercial and residential land uses. It encourages the development of buildings or areas that combine ground-floor commercial spaces with residential units above or nearby. A Mixed Land Use: Commercial – Residential development is only permissible in areas demarcated for mixed land uses in terms of the Windhoek Urban Structure Plan and shall have at least three (3) different land use types with one type that must be residential.

Mixed Land Use: Industrial – Residential means a zoning that combines industrial and residential land uses within a single property. This zoning allows for the coexistence of housing and industrial activities, such as manufacturing, warehousing, or commercial operations, in close proximity. It aims to create a balanced and functional environment that can cater to both the housing needs of residents and the economic activities of businesses, often promoting efficiency and reducing commuting. A Mixed Land Use: Industrial – Residential development is only permissible in areas demarcated for mixed land uses in terms of the Windhoek Urban Structure Plan and shall have at least three (3) different land use types with one type that must be residential.

Municipal Purposes means those purposes that the Council can and should give effect to in terms of the Local Authorities Act, 1992 (Act 23 of 1992), as amended, or any other legislation, which empowers the Council to act and may include third parties' utilities.

Museum means a building in which objects of historical, scientific, artistic, or cultural interest are stored and exhibited for the general public.

N

Nature Estate means land under private ownership managed by a homeowner's association and include Wildlife Estates, Residential Estates, Equestrian Estates, Golf Estates and Retirement Villages as defined below:

- a) Equestrian estate means a nature estate as defined above of which the primary lifestyle theme is related to the keeping and riding of horses and may include activities and land uses based on and land uses incidental to the primary theme;
- b) Golf Estate means a nature estate as defined above of which the primary lifestyle theme is related to the playing of golf and may include activities and land uses incidental to the primary theme;

- c) Residential Estate means nature estate as defined above of which the primary lifestyle theme is related to the conservation and utilisation of the natural environment and may include activities based on and land uses incidental to the primary theme; and
- d) Wildlife Estate means a nature estate as defined above of which the primary lifestyle theme is related to wildlife and may include activities and land uses incidental to the primary theme.

Nature Reserve means a national park, or some other nature park which is in the ownership of a public authority or has been declared as such in terms of applicable legislation but remains in private ownership; it consists of an area which is utilised as a game park or reserve for fauna or flora in their natural habitat and may include accommodation facilities for tourists or holiday makers with consent from the Council.

Non-Compliance means the action or activity of any owner, manager or lessee of a property that does not conform to the stipulations of this Scheme or conditions of the consent or approval of Council or other laws.

Noxious industrial building means a building designed and/or used for the purpose of carrying on any noxious or offensive trade or occupation and, without prejudice to the generality of the foregoing, includes the following:

Chemical works, paint works, breweries and distilleries, sugar mills and sugar refineries, manure-, superphosphate- or fertilizer works; or premises used for the storing or mixing of manure, superphosphates or fertilizers or premises for the storing, drying, preserving or other treatment of bones, horns or hoofs, premises used for the storing, sorting or treatment of hides and skins, other than in a dry and inoffensive condition, abattoirs, glue factories, entrail scraping and tripe boiling works; soap or candle works, fat and dripping works and any other similar works where meat, bones, blood, offal or other animal organic matter is handled, wool scouring or wool washing works, rock-lobster or fish processing works, fish pickling or rock-lobster and fish canning trades, whaling stations, premises or trades used for the storing or handling and processing of material originating from fish, whales and seals, paper-mills or paper factories, wattle-bark grinding or extract factories, destructors, depositing sites or other sites for the disposal or processing of domestic refuse, trade refuse, street refuse, sewage or night-soil, lead melting works, oil refineries and other trades in connection with the processing of by-products or petroleum refining, paint and varnish works, quarries, asbestos cement-, bricks- and lime-works, metallurgical works, reduction and reprocessing works, scrapyard or any other works or trade which the Competent Authority may declare as such by notice in the Gazette:

Provided that upon production of an Environmental Clearance Certificate issued in terms of the Environmental Management Act 7 of 2007, Council may consent to the erection and use of buildings for such industries in an Industrial zone. The provision of a caretaker unit and the sale of goods manufactured and produced on site or which are related to the main use may be permitted with consent of the Council.

Nursery means a property or part thereof that is utilised for the sale of plants and gardening products, and propagation, breeding and early cultivation of plants

O

Occasional Use is the use of a property for a temporary and short-term event such as craft markets, public meeting; religious gatherings, film shoots or any other events, which may be permitted subject to the approval of the Council, even though these events are not in accordance with the use rights of the property, provided that:

- a) The Council may put up any conditions relating to the event;
- b) The Council may cease such an event if the conditions as given by the Council has not been met or if the event has become a public nuisance.
- c) The event does not become a daily occurrence and may not occur with a higher frequency than specified by the Council;
- d) The neighbours within a 100m radius have been informed and have signed acknowledgment or approval of notified of the event’;
- e) The number of parking and ablution facilities for the event is sufficient as required by the Council;

Occupier in relation to any building, structure or land means and includes any person in actual occupation of, or legally entitled to occupy such building, structure or land; or any person having the charge or management thereof and includes the agent of any such person absent from the area or whose whereabouts is unknown.

Office means a room or set of rooms or a building utilised for the performance of an administrative function, clerical, financial or professional duties and similar uses and may include the sale of products directly linked to the office use. A restaurant or coffee shop for the general public may be permitted only with consent of the Council and such use will form part of the total approved bulk. However, a cafeteria for the employees only may be permitted as part of the primary use but may not exceed 25% of the floor area of the office floor area and may only be used internally for the employees and not for the public.

Orphanage or Vulnerable Children Centre means a facility that provides care, shelter, food, emotional support as well as a safe and nurturing environment for children who have lost their parents or whose parents are unable to care for them or who need care and protection. The maximum number of children and rooms will be determined by Council.

Other Business Building means a site or building or structure on or in which business is done, but does not include:

- (a) places of assembly or entertainment or public worship, an institutional building, service stations, public garages, industries and noxious trades
- (b) land uses that are not ancillary to the primary land use (in cases where Other Business Building is a consent use) and
- (c) any other land uses defined in the Scheme.

Outdoor Advertisement means any material, fabric, article, appliance or any surface on which characters, letters, numerals or illustrations are applied and erected, constructed or displayed in any manner whatsoever in view of any street or public place for the purpose of advertising or to give information regarding, or to attract the public to any place, public performance, article or merchandise whatsoever.

Owner in relation to any building or land includes:

- (a) the registered owner;
- (b) the lessee under a lease registered under any law;
- (c) the person administering the estate of any person referred to in the above-mentioned subsections (a) or (b) whether it is in the capacity of executor, administrator, curator guardian or any other capacity;
- (d) any person receiving payment from any occupant or other person, or would have received such payment if such building or land was leased, whether for his own account or as an agent for somebody entitled to it or having an interest therein; and
- (e) a duly authorised agent.

Owner's Consent means consent or temporary development rights given by the Council to the owner of the property upon application with a specific timeframe and certain conditions as per Table A, Column 4. This owner's consent is not transferable, and any new owner will have to re-apply for such Owner's Consent.

P

Parastatal or Public Enterprises means any government co-operations or semi-government institutions and related buildings as declared under Section 2(1) of the Public Enterprises Governance Act, 2019 (Act No. 1 of 2019 as amended) or any other law to be a public enterprise, which will furthermore be obliged to submit building plans to the Council, for any new development or excursions to these services.

Permanent Tented Camps means an accommodation establishment that is located in a rural area or other area within a natural environment; provides accommodation in permanent tents or other structures with walls of canvas or wood, reeds, grass or other natural material, and may include, in combination therewith, accommodation facilities in the form of camping sites or caravan pitches; has at least 4 accommodation units, excluding camping sites and caravan pitches; has a dining room or restaurant for the service of meals to guests; and meets the requirements set out in the Namibia Tourism Board Act 21 of 2000 and its regulations.

Permanent Tented Lodge means an accommodation establishment that includes bedrooms, consists wholly or mainly of permanent tents or other structures with walls of canvas or wood, reeds, grass or other natural material and with concrete or wooden floors and meets the requirements set out in the Namibia Tourism Board Act 21 of 2000 and its regulations.

Place of Assembly means a building designed and / or used for public meetings and

gatherings; and includes a music or concert hall, an exhibition hall, a town hall or civic centre, non-residential club and can be used to host occasional functions and events with consent of Council, but does not include a place of entertainment.

Place of Entertainment means any building or land used for commercial entertainment and operate outside normal business hours; or a place that generate noise from musical, or revelry, including a theatre, a cinema, a dance hall, an amusement park, gambling and other commercial halls, nightclub or similar place .

Place of Instruction means a building designed and/or used for educational purposes, administrative activities related therewith, and may with the consent of Council include boarding or hostel and lodging. It includes functions such as a crèche, pre-primary school, primary school, secondary school, college, vocational centre, technikon, university, conference centre, convent, library, or some other centre which is utilised for instruction purposes.

Place of Public Worship means a building or facility where religious or spiritual activities or land uses are conducted for the community; and where individuals or groups gather for religious ceremonies, worship services, prayer, meditation, rituals, religious education, community gathering related to religious practices and other religious or spiritual practices; and includes a church, synagogue, mosque, temple, chapel or other place for practicing religion and any building used in connection therewith, but does not include a funeral parlour with related chapel.

Policy Area or Precinct means identified and Council approved development area as indicated in Table B, Windhoek Urban Structure Plan or otherwise approved by the Council where applications for land uses changes, higher density and bulk will be considered.

Primary Use in relation to property means any land use specified in this zoning scheme as a primary use, being a land use that is permitted without further approval.

Private Open Space means any land reserved in this Scheme for use as private or club grounds for sports, games, recreation or show (including events or festivals) purposes; and may have a restaurant, bar as a supplementary land use. Occasional use for events (festivals or shows) or functions on private open space properties must obtain written temporary approval for any planned event / function prior to the hosting of such event/function.

Public Garage means a business or concern where motor vehicles are repaired, serviced or overhauled and includes trading in motor vehicles, tyres or motor spares, spray painting, panel beating, black smithery or body work and can include a restaurant / café or take away with the consent of Council.

Public Nuisance includes any action resulting from a person's activities and legal or illegal land uses and any other action which is likely to injure the safety, health, peace or convenience of residents in a Scheme area, including, excessive noise, the burning of rubbish or grass, traffic or parking obstruction and other obstructions, and the carrying

on of any activity which cause a stench or any activity which is otherwise objectionable.

Public Open Space means any land use in this Scheme for use by the public as an open space, park, garden, playground, recreation ground or square.

R

Restaurant means a place where food is prepared and served to customers at tables against payment and can include a coffee shop, take-away restaurant, excluding a "place of entertainment".

Resident Occupation means an occupation carried out by a person in his or her own home and may, with the consent of Council, include the employment of other persons not resident in the home; the nature of the activities shall be such that they do not adversely interfere with the amenities of the neighbourhood nor alter the essential residential nature of the erf involved; furthermore, for the purpose of this Scheme, a resident occupation shall be excluded from the definitions of all other land uses and shall be an owner's consent use as indicated on Table A of this Scheme.

Residential Building means a building, other than a dwelling unit, designed or used for human habitation, consisting of more than one residential unit together with such outbuildings and entertainment areas as are ordinarily used therewith but which does not include:

- (a) a building mentioned whether by way of inclusion or exclusion in the definition of "place of instruction" or "institutional building";
- (b) an accommodation establishment; and
- (c) supplementary dwelling unit.

Residential Unit means a room or suite of rooms, other than a dwelling unit, which is designed as a dwelling for one or more single persons and relates to residential buildings and block of flats

Resort means an accommodation establishment that offers tourism incorporated accommodation, food and beverage services and recreational facilities and is located in a rural or natural setting. Such an establishment must meet the requirements as stipulated in the Namibia Tourism Board Act, 2000 (Act 21 of 2000).

Rest Camp means an accommodation establishment that provides accommodation to guests primarily in rooms, rondavels, bungalows or other accommodation units and may include a combination therewith and meets the requirements as stipulated in the Namibian Tourism Board Act, 2000 (Act 21 of 2000).

Retail Trade means the sale of goods or merchandise in relatively small quantities and/or packaging to the public and includes trade other than the wholesale trade, as defined in the scheme.

Retirement Village means dwelling units or flats that conform to the following

additional conditions:

- (a) each dwelling unit shall only be occupied by an elderly person;
- (b) a full spectrum of care and other recreational facilities shall be provided to the satisfaction of the Council and shall comply with other national legislations.

Such a retirement village may have a care-takers unit, kiosk, cafeteria or restaurant for the inhabitants of the village.

Rezoning means the change/amendment of a zone/ use of land, as defined per the Urban and Regional Planning Act, 2018 (Act no. 5 of 2018)

Rural Residential Zone means a dwelling on a small area of agricultural land where the owner or occupant may conduct small scale agriculture with such outbuildings and ancillary buildings as are ordinarily used for such small scale agriculture.

S

Sand Mining means the removal of sand, gravel, soil, stone, stone, clay, stones, by excavation, stripping, pumping, processing or other method from any naturally occurring land formation for eventual loading and commercial use or construction of civil infrastructure.

Sand Mining Operator means natural or legal person involved in the collection, processing, storage, transportation, commercial sale of sand registered and licensed by Council

Scrapyard means a building or land which is utilised for one or more of the following purposes:

- (a) The storing, depositing or collecting of junk or scrap material used in the manufacture thereof;
- (b) the dismantling of second-hand vehicles or machines to recover components or material, and
- (c) the storing or sale of second-hand items such as pipes, poles, steel sections, wire, lumber, tyres, bricks, containers or other articles which are suitable to be left in the open without any serious damage being incurred.

Self-Catering Accommodation Establishment means an accommodation establishment where accommodation is provided on a self-catering basis in an accommodation unit (being a house, flat, chalet or other residential unit); comprising of at least one bedroom with a kitchen and lounge area and bathroom facilities; and meets the requirements set out in the Namibia Tourism Board Act 21 of 2000 and its regulations.

Service Station means a building / land used for the purpose of profit or gain to supply fuel and lubrications for motor vehicles and for related purposes such as Automatic Teller Machines, a take-away, shop or cafe and can with the consent of Council include the parking or storage of motor vehicles, the sale of parts and, accessories, but does not

include panel-beating, spray painting and the dismantling of motor vehicles and motorbikes.

Service Industry means land used or a building used or designed or adapted to be used for catering primarily for the local customer, and includes a hardware and allied trades; launderette; bakery; depots; dry cleaning; servicing and repairing appliances; upholstery; jeweller; motor car washing and polishing (but excludes service station); handcraft; needlework; and similar types of uses which, in the opinion of the Council, do not cause any undue detriment to the amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, traffic congestion or otherwise.

Shebeen means any premises exclusively or mainly used for the sale to, and the consumption on the premises by the public of light liquor and refreshments, but does not include an accommodation establishment, restaurant or club, or any enterprise or commercial undertaking in terms of this Scheme.

Shelter means an open-door residential facility, providing temporary accommodation and support services to individuals or families experiencing homelessness or in difficult circumstances in accordance with government regulations and standards.

Shop means a building designed or used for retail trade or concern and can include a supermarket (including its restaurant), nursery, launderette and dry cleaners and similar uses, to the public but does not include an industry, service trade or industry, motor repairs, service station, or industrial retail.

Side Boundary means any boundary of a land unit which does not constitute a common boundary of such land unit with a public street or public road.

Site in relation to a building includes the area of any appurtenances, outbuildings, yard, court or garden occupied or intended to be occupied in conjunction therewith.

Special Institutional Building means a building or portion of a building or land used or intended to be used as a substance abuse rehabilitation centre, certified reformatory, clinic for the treatment of infectious or contagious diseases, prison, a mental hospital, animal rehabilitation centre and/or the administration thereof, but does not include any land use that falls within the definition of an Institutional Building.

Special Use means a use not defined or provided for in this zoning scheme and may be so classified and permitted in any zone with the approval of Council. All special uses so approved shall be listed in Table H

Stoep / Veranda means an under-roof space interconnected with the main house by means of a door(s) that has at least one open side.

Storey as per the Building Regulations of the Municipality of Windhoek means that part of a building which is situated between the top of any floor and the top of the floor

above it, or if there is no floor above it that portion between such floor and the ceiling above it (any mezzanine floor, open work floor, catwalk or gallery being taken to be part of the storey in which it is situated), and in relation to a building –

- (a) the ground storey shall be taken as the storey in which there is situated an entrance to the building from the level of the adjoining ground or, if there is more than one such storey the lower or lowest of these;
- (b) a basement shall be taken to be any part of the building, which is below the level of the ground storey, with no possibility of direct level entrance from external and for which 100% of the floor area is more than 1,5m below natural ground level;
- (c) an upper storey shall be taken to be any storey of the building which is above the level of the ground storey; and
- (d) the height expressed in storeys shall be taken to be that number of storeys which includes all storeys other than a basement;

Street Boundary means the common boundary of a site or land unit and street; provided that where a portion of a site or land unit is reserved for purposes of a new street or street widening in terms of the Zoning Scheme or any other law, the street boundary of the site or land unit shall be the boundary of such proposed new street or proposed street widening.

Street means any street, road, thoroughfare, pavement, footpath, sidewalk and lane and includes any bridge, subway, drain, canal, culvert or the like in or under a street. Occasional use, events or functions on private open space properties must obtain written temporary approval for any planned event / function prior to the hosting of such event/function.

Supplementary Dwelling Unit: See the definition under dwelling unit.

T

Tavern means a building or land used primarily for the sale and consumption of alcoholic beverages for consumption on the premises, includes bar, pub, shebeen and cocktail lounge, and which may include ancillary activities such as limited food preparation; but exclude nightclubs, discotheques, live or amplified music, DJs, public address systems, sound amplifiers or any form of entertainment generating audible noise beyond the boundaries of the premises; and exclude all the land uses contained in the definition of Place of Entertainment.

Total Floor Area means the gross area of all floors (floor space) of a building as fixed by the exterior measurement of each floor, excluding:

- (a) a caretaker's flat and/or storage areas not exceeding 120 m².
- (b) a projection including a projection of eaves and a projection which acts as a sunscreen or an architectural feature, which projection does not exceed 1m

- beyond the exterior wall or similar support
- (c) any covered balcony, veranda, staircases or terrace which, apart from protective railings is permanently open to the elements on at least the front or long side, and which does not exceed 1.5m in width and is not let or used for any other purpose;
- (d) any uncovered internal courtyard, lightwell or other uncovered shaft which has an area in excess of 10m²;
- (e) areas forming part of arcades;
- (f) areas needed for the lift motor room, air-conditioning equipment and other mechanical or electrical equipment which is necessary for the proper functioning and utilisation of the building, provided that no portion of such floor area may be let or used for any other purpose;
- (g) canopies;
- (h) external entrance steps and landings, and any area required for external fire escapes;
- (i) in the case of multi-level buildings, any stairwells, lift wells, or other wells and any atrium shall only be counted once;
- (j) open roofs provided no portion of such roof may be let or used for any other purpose;
- (k) parking areas and loading facilities and
- (l) ablution facilities

Provided that an additional floor area may be taken into account in accordance with the Council's policy on conservation of historic buildings.

Tourist Facilities means amenities for tourists such as lecture rooms, restaurants, gift shops, spas and rest rooms permitted by the Council as a consent use but does not include overnight accommodation.

Township Development means the planning and design (including the subdivision, surveying, registration and construction of services) of a portion of land owned by the Council, private owner or any other legal entity, planned as a harmonious extension to existing urban development or a new town in the Council area and established in terms of the provisions of the Urban and Regional Planning Act, 2018 (Act 5 of 2018).

U

Undetermined means land set aside for future urban development, , provided that once an appropriate land use is determined, the land be rezoned to the applicable zoning.

Urban Agriculture means the cultivation of crops on a relatively small area within the urban area or edge for own consumption or sale in neighbouring markets, provided that the cultivation of a garden at a dwelling by an occupant shall not be regarded as urban agriculture for the purpose of this zoning scheme. It may include aquaponics, horticulture, hydroponics, vertical agriculture, but exclude animal husbandry, chicken

and fish hatchery, and piggery.

W

Warehouse means a building primarily used or intended to be used for the storage of goods and distribution of goods and materials. Should the purpose of the building no longer apply, such building must meet the structural requirements as per the “industrial building” definition for the operation of any workshop; lighting, ventilation, drainage and storage.

Wellness and Personal Care Facilities means the use of land or building for facilities that provide services aimed at promoting health, wellness and personal care through non-medical interventions; and may include, but are not limited to, physical fitness centres, spas, beauty salons, barbershops, massage therapy, yoga studios, holistic health clinics, and other therapeutic and personal grooming services; and may also include retail products, provided that they are ancillary to the primary service.

Wildlife means, means animals, including protected animals, birds and exotic game, as listed or as defined in the Nature Ordinance No. 4 of 1975.

Workshop means a site, building or room where manual or mechanical work is conducted and is used for activities such as repair, assembly or the creation of goods; and may include premises where vehicles and farm equipment like drilling machines, windmills, pumps and pump motors and generators and compressors are serviced and repaired, metalworking, woodworking or other craft-based activities.

Z

Zone means a portion of the area shown on the Map by distinctive colouring, hatching, edging or in some other distinctive manner for the purpose of indicating the restrictions imposed by this Scheme on the erection and use of buildings or the use of land; and the terms "density zone", "use zone" and "bulk zone" mean zones indicating restrictions as to density, use and bulk factor of buildings respectively.

CLAUSE 2: AREA AND PURPOSE OF SCHEME USE OF LAND AND BUILDINGS

(1) AREA OF THE SCHEME:

The area to which this Scheme applies is the area shown within the black dotted line on the Map. The area at this time includes the areas contained in the Aris and Kapps Farm Town Planning (Zoning) Schemes.

All properties within the defined area of the Scheme must comply with the provisions of such scheme, inclusive of Government and State-owned properties.

(2) PURPOSE OF SCHEME:

The purpose of the Windhoek Zoning Scheme, in accordance with Section 41 of the Urban and Regional Planning Act 5 of 2018, as amended and in general, is as follows:

- (1) to promote the orderly development of the area of jurisdiction of the Municipal Council of Windhoek to which the zoning scheme applies;
- (2) to promote the health, safety and general well-being of the public;
- (3) to determine land use rights and provide for control over land use rights and over the use of land in the area to which the zoning scheme applies; and
- (4) to guide suitable urban development in Windhoek by incorporating climate change resilience, environmental protection and resource-efficient practices in land use planning.

CLAUSE 3: RESPONSIBLE AUTHORITY

- (1) The Municipal Council of Windhoek shall be the authority responsible for enforcing and carrying into effect the provisions of this Scheme.

II USE OF LAND AND BUILDINGS

CLAUSE 4: ACQUISITION OF LAND

- (1) Where the Council has acquired, either by agreement or expropriation, any land (together with buildings, structures or any other erections thereon), it may execute thereon such works as in the opinion of the Council may be required for, or be incidental to, the purpose for which the land is reserved or for public utilities.

CLAUSE 5: AESTHETICS AND LANDSCAPING

- (1) Where paving, landscaping, other treatment or any aesthetic requirements are deemed necessary by the Council, it may be required by the Council and such requirements shall be carried out to the satisfaction of the Council and the cost negotiated with the owner.

CLAUSE 6: LAND RESERVATIONS

- (1) The Urban and Regional Act (Act No. 5 of 2018) as amended, makes provisions for the reservation of erven for the State or for municipal purposes in general. In terms of this Scheme, land can be reserved for the following purposes:
 - (a) New streets and widening of existing streets;
 - (b) Public open spaces;
 - (c) Cemetery;
 - (d) Government purposes;
 - (e) Transport and communication purposes; and
 - (f) For other Public Enterprises purposes (as and when required).
- (2) The reserved land is only reserved for use for the purposes indicated in sub clause (1) and shall not be used for any other purpose whatsoever, except for public utilities.
- (3) The pieces of land so specified on the map are reserved for the creation of new streets and the widening or improvement of existing streets or comprise streets which are to be closed. Provided that the Council, subject to the consent of the Competent Authority, may amend any proposed street or street-widening if on the establishment of a township this is deemed necessary.
- (4) Nobody may erect a building or execute work or excavations on land reserved under Clause 6 hereof: Provided that -
 - (a) The Council may assent to a consent use mentioned in Table A which is incidental to the land or building or for such use of the land or buildings which is necessary and desirable;
 - (b) The building or land may be used for the purpose for which it was lawfully used on the date on which this Scheme came into operation; and
 - (c) The building or land may be used or work may be executed or excavations
- (5) Save as provided in subclause 6(4), no person shall spoil land reserved under Clause 6 hereof so as to destroy or impair its use for the purpose for which it is reserved: Provided that the Council may consent to the deposit on such land of non-hazardous waste materials or refuse.
- (6) Nothing in this clause shall be construed as prohibiting the reasonable fencing of the land.

- (7) The new streets specified in Clause 6 shall not be deemed to be public streets until they or any portion of them fall within any township which may be established on the land traversed by such streets, or they are proclaimed as public roads, or become vested in the Council for that purpose under any law.

CLAUSE 7: CLOSURE OF STREETS AND PUBLIC OPEN SPACES

- (1) The Council may permanently close a public open space and / or divert any street, provided that the Council shall, in the exercise of such power, be subject to the provisions of the Local Authorities Act, 1992 or any amendment thereof.
- (2) Where any piece of land which was previously a street or public space vested in or owned by the Council is closed and transferred to an abutting owner by means of consolidation, such piece of land shall be deemed to fall into the same use zone and sub-zone (zoning, density, bulk, etc) as those into which the abutting land owned by such owner falls. Provided that compliance has been met in terms of the closure of a street or public place in terms of the Local Authorities Act, 1992 (Act 23 of 1992), as amended. Further provided that in such case that it is not necessary to apply for rezoning in terms of this scheme, the closed street portions/ public open space will assume the same zoning, bulk and density of the abutting erf with which it will be consolidated.

CLAUSE 8: NON-CONFORMING SITES

- (1) Before written authority is granted, or a license is issued by the Council with regard to a site for which there is no valid license on the date of coming into operation of these scheme clauses, or when a building is extended or changed, the Council may require that all the buildings on the site and the site itself be brought into line with the land use restrictions contained in these clauses, with the by-laws of the Council, and with any other laws which are applicable.
- (2) An existing building or an existing work which is not in conformity with the provisions of this Scheme relating to the erection and use of buildings and use of land, may be maintained and may be used for its existing use and that subject to the provisions of this Scheme, other than those relating to the erection and use of buildings and land, it may with the consent of the Council be altered or extended, upon the same site for the particular trade, business, industry or purpose for which it is being used : Provided that no such alteration or extension shall increase the floor space of the existing building by more than ten per cent (10%).
- (3) (a) Should land or a building have been used or erected for a specific purpose before or on the first of October 1993 in respect of the area incorporated into the Scheme boundary in terms of Windhoek Amendment Scheme No. 23, or before or on the date for the areas incorporated into Windhoek by the extension of Windhoek townlands by the Minister as per Government Gazette on 30

September 2011 or on the date for any other areas incorporated into Windhoek local authority area or on the date of commencement of the Scheme for the remainder of the Scheme area, and such use or building do not comply to the provisions of this scheme, but is otherwise lawful, the use of land or a building may be continued for that purpose as an "existing use" and will be deemed to conform to the requirements of this scheme.

- (b) The right to use land or a building as contemplated in subclause (3)(a), expires after the lapse of a period of fifteen (15) years from the date of promulgation of this Scheme in the Government Gazette.
- (c) The Council may, after receiving an application from the owner, before the expiry of the period mentioned in Sub-Clause (b) above consider the extension for a further period or periods of five (5) years with a maximum of fifteen (15) years: Provided that after the expiry of the period mentioned in Sub-Clause (b) above, the Council may issue a written notice requesting the owner/occupier of the land or building to bring the use into compliance with the Town Planning Scheme without compensation.

CLAUSE 9: ERECTION AND USE OF BUILDINGS AND LAND

(1) Table A specifies the primary, consent and prohibited uses in each zone where:

"Primary uses" are those uses for which buildings / land may be erected and/or used.

"Consent uses" are those uses for which land may be used only with the prior written consent of the Council, provided that such land uses shall be secondary to the primary uses and cannot be granted in the absence of the primary land uses.

"Owner's Consent" refers to consent upon application, to the owner of the property and is not transferable.

"Prohibited uses" are those uses for which buildings/ land may not be erected and/or used.

- (2) Save with the approval of the Council, in the erection of a dwelling unit, the primary unit, which shall be a complete building, and not one partly erected and intended for completion at a later date, shall be erected simultaneously with, or before the erection of the outbuilding and supplementary dwelling.
- (3) No person shall use or cause or allow to be used any building or portion thereof for a use other than that for which it has been erected unless such building has been altered for any such proposed new use and any necessary consent of the Council has been obtained therefor.
- (4) On application by the owner, Council may consent to the changes in land use rights for erven as shown in Table B (Development Areas). Any consent in terms of this Clause shall only come



into effect upon and after payment of any development contribution/compensation/betterment fee in relation to the new land use consented to.

- (5) Except with the consent of Council, no person or business selling alcoholic beverages in containers, selling alcoholic beverages for on-site consumption, selling petroleum, noxious or explosive products, or operating a storage or warehouse business, may operate from a “residential” or “general residential” zoned erf or from an erf with a bulk factor of 0.4 or smaller.
- (6)
 - (a) No commercial vehicles with a gross vehicle mass of 9 000 kilogram and more may be parked on any erf, or on the pavement or within a street reserve, between 21h00 and 07h00 without the approval of the Council except an erf in the Light Industrial and Industrial zone as per Table A;
 - (b) Unless specifically reserved for such purpose, no land within the area of this Scheme, shall be used for the purpose of refuse tipping, sewage disposal, storage yard, scrapyard, ash dumps or a motor grave-yard.
 - (c) Provided that, subject to the provisions of Clause 10(4), the Council may grant permission for the use of land with or without temporary and ancillary and subordinate buildings for the aforementioned purposes, and subject to such requirements as the Council deems fit in connection with advertising in cases where application is made to park motor vehicles on any land.
- (7) No person shall use or cause or allow to be used any land or portion thereof for a use other than provided for in this Scheme.
- (8) Provided that, subject to the provisions of Clause 10(4), the Council may grant permission for the use of land with or without temporary and ancillary and subordinate buildings for any purpose, and subject to such requirements as the Council deems fit.

CLAUSE 10: REZONING, CONSENT, INCREASE IN BULK OR DENSITY APPLICATIONS

- (1) Any person intending to make an application to the Council for the erection or utilisation of a building or for the utilisation of land for consent, rezoning or increase in bulk or density, whether wholly or partly, for any purposes requiring the Council approval, shall apply to the Council in writing for such approval.
- (2) Upon such an application the Council may grant or refuse approval or request for additional information and shall in granting its approval be entitled to impose such restrictive conditions as it may deem fit governing the erection or utilisation of such building(s) and/or land.
- (3) Any person intending to apply to the Council for its consent, rezoning or increase in bulk or density in accordance with subclauses 1) and 2) above shall furnish the Council with the following:

- (a) a plan showing the extent of the development on the land
 - (b) a motivation for the application
 - (c) in the extended townlands area, if water for the development is to be obtained from a bore hole a certificate from a registered authority that will prove the yield of the borehole
 - (d) in the extended townlands area if water for the development is going to be obtained from another source the signed agreement with the owner of that source that water will be provided
 - (e) if electricity for the development is going to be obtained from somewhere other than the City of Windhoek, the signed agreement with the owner of that source that electricity will be provided
 - (f) provide details on how the sewerage that will be generated by the development will be piped and treated in areas where there is no municipal sewer connection
 - (g) Provide, in general, engineering studies on the traffic impact and the impact of the development on all supporting infrastructure (water, sewer and electricity, etc.)
 - (h) provide a Development Plan (see definition)
 - (i) provide details on how all waste products will be treated and be disposed in the event that the service is not available from the Council;
 - (j) Proof of public participation and neighbours' consultation
 - (k) Provide a parking layout indicating the provision of parking on-site for the development
 - (l) And any other information that might be required by the Council, Urban and Regional Planning Board or the Urban and Regional Planning Act 2018 to evaluate the application.
- (4) Any applicant intending to make an application to the Council for the erection or utilisation of a building or for the utilisation of land for consent, rezoning, subdivision, consolidation, alteration of township boundaries, disestablishment of township or increase in bulk or density, whether wholly or partly, for any purposes requiring the Council approval, shall at the applicant's own expense engage in public consultation as prescribed by the minimum requirements of the Urban and Regional Planning Act 5 of 2018 and the Public Consultation Policy for Proposed Development of Council.
- (5) The Council shall take into consideration any objections received within the specified period for objections and shall notify the applicant and the persons, if any, from whom objections were received of its decision in accordance with the provisions of the Urban and Regional Planning Act.
- (6) Any approval granted by Council for the erection or utilisation of a building or the utilisation of land for consent, rezoning or increase in bulk or density, whether wholly or partly shall lapse after a period of two years from the date of Council's approval or recommendation if the application for development rights was never finalised (duly promulgated) in the case of rezoning applications, and where the consent use has not commenced.

CLAUSE 11: CONTRAVENTION OF CONSENT USE / APPROVAL CONDITIONS

- (1) If anybody is of the opinion that any conditions attached to the consent or approval have been contravened, such person may lodge a written complaint with the Council.
- (2) Such a complaint will be investigated by the Council and if deemed valid, the necessary enforcement actions will be launched which could lead to the consent to be withdrawn in terms of Clause 12.

CLAUSE 12: LAPSING OR WITHDRAWAL OF CONSENT

- (1) If the rights obtained by virtue of the granting, by the Council, of a consent to the erection and use of a building or for the use of the land is not exercised within 24 months of the grant of such consent or, the rights having been exercised, the use permitted there under is interrupted for a continuous period of 18 months, the consent shall *ipso facto* lapse, unless any condition upon which such consent was granted specifically provides otherwise in regard to the lapsing of such consent.
- (2) A consent shall be subject to termination by the Council, if it is of the opinion that owing to a change of circumstances or for any other reason it is undesirable for the consent to remain in force, or if the consent has become a nuisance.
- (3) If the Council is of the opinion that an approved consent use is becoming a nuisance or is non-compliance to approval conditions or is exceeding the consent use approval, it may issue a notification to correct or cease with such operations and provide a timeframe to adhere to such notification. Upon failure to adhere within the specified timeframe, a withdrawal notice of such consent use will be issued, and the consent use will be cancelled.
- (4) If the responsible person does not adhere to such notice given as in Sub-section (3), the person will be deemed to be non-compliant with the Scheme and action will be taken as per Clause 43.

CLAUSE 13: APPEALS

- (1) Any person who is aggrieved by a decision of the Council in terms of an application made under this Scheme, may appeal to the Competent Authority.
- (2) The notice of appeal shall be submitted to the Competent Authority and to the Council within twenty-one (21) work or business days from the date of the service on the appellant of the notice of the Council's decision.
- (3) Any decision taken by Council that is under appeal will not take effect until such time as the appeal has been dealt with by the Competent Authority.

- (4) If the appeal is supported by the Competent Authority, in a case of a rezoning application, the applicant will be required to adhere to conditions of Council (including those associated with compensation or betterment fees payment arrangements).

CLAUSE 14: BUILDINGS USED FOR MORE THAN ONE PURPOSE

- (1) Where a building is used, or a proposed building is designed for more than one use, it shall be treated as being used or designed partly for each of those uses.
- (2) Save with the consent of the Council no use which is included in the definition of a shop or other business building may be located on the same storey as a dwelling unit or residential unit unless separated by means of a firewall. For the purpose of this subclause the term "on the same storey" shall include any two storeys the levels of which differ by two (2) metres or less.
- (3) Where more than one primary and/or consent use is approved in the same building in a particular zone, the requirements with regard to floor factor, height and coverage, as prescribed for the primary use of the zone concerned, shall be applicable, and the following conditions shall apply with regard to all other land use restrictions:
- (a) Where a use which is permitted in a combined-use or mixed-use building in a particular zone is a primary use in another zone, the use concerned shall be subject to the same conditions, except those with regard to floor factor, height and coverage, applicable to the primary use in the other zone.
 - (b) Where a use which is permitted in a combined-use building in a particular zone is not a primary use in any other zone, the use concerned shall be totally subject to the conditions applicable to the primary use in the zone in which the use concerned is permitted.

CLAUSE 15: SAVING FOR SPECIAL PURPOSES

- (1) Without prejudice to any powers of the Council derived from any law, or to the remainder of this Scheme, nothing in the foregoing provisions of this part of the Scheme shall be construed as prohibiting or restricting or enabling the Council to prohibit or restrict:
- (a) The occasional use of a Hotel, place of public worship, place of instruction, or institution, as a social hall;
 - (b) The practice, subject to the compliance with the by-laws of the Council, by a person in his own home of a hobby, sport or recreational activity which would ordinarily be associated with residential use and which does not detract from the amenities of the neighbourhood;
 - (c) Such application is to be dealt with in terms of Clause 9 of the scheme (Consent application)

CLAUSE 16: SAVING FOR POWERS OF COUNCIL

- (1) Nothing in the Scheme will operate to prevent the Council to, in the case of any emergency or being so directed by the state, erect, maintain or use any building, execute any work, or maintain or use any land, in any part of the area for the purpose of any undertaking which it may be empowered to carry out under any law.

III BUILDING RESTRICTIONS: BUILDING LINES, HEIGHT & SIDE SPACES

CLAUSE 17: BUILDING LINE AND COVERAGE IN EACH ZONE

- (1) Building Lines and Coverage provisions for the use zones shall apply as per Table C. No building may be erected within the Building Lines and exceeding the coverage as provided in Table C.
- (2) Where any land is reserved for a new street or a street widening, the Building Line shall be determined as if such new street or street widening was in fact an existing street.
- (3) Where a Building Line is fixed in terms of this Scheme, no building other than temporary buildings erected in connection with building operations or buildings permitted shall hereafter be erected on the land between the Building Line and the street boundary and no goods, merchandise, wares or other obstructions shall be placed, deposited, kept or displayed on the area between the street boundary and any such Building Line without the consent of Council.

CLAUSE 18: RELAXATION OF BUILDING LINES AND COVERAGE UNDER SPECIAL CIRCUMSTANCES

- (1) The Council may relax the provisions of the Building where compliance with a Building Line would not unreasonably interfere with the development or use of a site or in any other circumstances deemed necessary. Such approval shall be at the sole discretion of the Council after consideration of the comments from the neighbouring property owners.
- (2) The Council may relax the provisions of coverage where compliance with coverage would unreasonably interfere with the development or use of a site or in any other circumstances deemed necessary, provided that compliance with height and Building Lines has been met. Such approval shall be at the sole discretion of the Council after consideration of the comments from the neighbouring property owners.
- (3) Any such application for relaxation of coverage will only be considered when such relaxation is not more than 10% of the original coverage area specified in Table C.
- (4) Application for coverage and building line relaxation must obtain comments from neighbours as per the Council's policy on Public Consultation for Development.
- (5) In considering an application for the relaxation of building lines and coverage, the Council can consider fire safety; ventilation, amenity and privacy of neighbouring properties.

CLAUSE 19: HEIGHT OF BUILDINGS

- (1) No building or structure may be erected in a position which will protrude into the obstruction zones of Eros Aerodrome as indicated on Plan P/1667/S and Table D, provided that;
 - (a) In areas where the obstruction zone is lower than the natural level ground structure heights may not exceed 8 metres above natural ground level;
 - (b) Any proposed structure exceeding the limitations of Table D (Eros Aerodrome Obstruction Zones and Resulting Restrictions on the Heights of Structures) must be referred to the Namibia Airports Company for approval of the structure height before the building plans will be considered.
- (2) No building, structure or object may be erected in a position which will affect the microwave system of the Ministry of Works, Transport and Communication; the extent to which buildings and structures are affected by the microwave system is shown on an inset to the Map (Plan number P/899/S, dated 21/06/1974, details heights, widths, angle and direction).
- (3) That no dwelling unit or residential building may be erected in excess of two storeys on land zoned "Residential" without Council approval; Council shall, in considering the application, have regard to the impact, real or potential, of the additional storeys on the neighbouring property
- (4) Council may consider relaxing this provision of subsection 3 provided that:
 - (a) The applicant undertakes the public participation process as per the Public Consultation Policy for Development Applications; and
 - (b) The Council in its consideration of the application must consider the impact the additional storey will have on the neighbouring properties.

IV BUILDING RESTRICTIONS: DENSITY, BULK, COVERAGE, PARKING & LOADING

CLAUSE 20: NUMBER OF RESIDENTIAL UNITS WHICH MAY BE ERECTED (DENSITY)

- (1) No residential building shall be so erected that the number of dwelling units and residential units exceeds the number specified in Table E.
- (2) Provided that in cases where no density is specified or prescribed, Council may impose such density it deems suitable for the area.
- (3) No consent is required from Council for two or more dwelling units on a property zoned Residential or General Residential, provided that the number of the dwelling units comply with the density provisions of that particular erf and pursuant to this Scheme or Table E of this Scheme.

CLAUSE 21: LIMITATION OF FLOOR AREA OF BUILDINGS (BULK)

- (1) No building shall be erected so that the bulk factor, as specified in Table F is exceeded;

Provided that in those areas with no prescribed bulk factor, appropriate bulk factors may be imposed by the Council;

Provided further that in cases of properties zoned Business and Office where a bulk factor is specified, Council may consider consent to additional floor area not exceeding 50% of the allowable business or office bulk, which must be devoted solely to residential use in the form of a dwelling unit or residential units. This consent is however not applicable if there are already dwelling units forming part of the development.

Further provided that where a building with more than one use is contemplated, the bulk factor, upon written confirmation by the Council, will apply to all uses.
- (2) Bulk factors may be applied to General Residential erven upon Council consent and subject to Clause 10 (3) and the impact of the bulk factor on the neighbouring area, the scale of development and any infrastructure capacity.
- (3) Bulk factors between 0.4 and 8.0 will generally be considered for local business, business, light industrial, industrial and mixed land use erven.

CLAUSE 22: PROVISION OF PARKING AND LOADING ACCOMMODATION

- (1) When a building is to be erected on a site, the owner thereof shall construct and maintain, at his own expense and to the satisfaction of the Council, parking spaces on the site as set out in the Parking Requirements (Table G) and Council's Technical Standards for Parking Provision.

Provided that:

- (a) Notwithstanding any provision to the contrary in this Scheme, the Council may relax the provisions of Table G and enter into a written agreement with the owner of the site concerned whereby the owner shall:
 - (i) pay an amount to the Council which in the opinion of the Council is sufficient to enable it to provide and maintain the same number of parking spaces as are required in terms of Table G elsewhere; or
 - (ii) transfer a suitable site to the Council and pay an amount to the Council which will in the opinion of the Council be sufficient to enable it to construct and maintain the number of parking spaces required in terms of Table G on the said site; or
 - (iii) construct and maintain the number of parking spaces required in terms of Table G on any other property which is considered to be suitable by the Council.
 - (b) Notwithstanding the provisions of this clause, the Council may in its own discretion prohibit the provision of some or all of the parking: provided that the provisions of Clause 22(1)(a)(i) shall be applicable.
 - (c) The leasing of parking spaces shall not be deemed to be a business for the purpose of this Scheme.
 - (d) The access to and the position and dimensions of a parking place shall conform to the requirements of the Council.
- (2) Every owner who intends erecting a building which is to be wholly or partially used for business or industrial purposes shall submit to the Council for its approval proposals for securing, so far as is reasonably practicable, the provision of suitable and sufficient accommodation on the site for loading, unloading, charging of e-vehicles and fuelling of vehicles which will serve the needs of the occupants of such building as set out in the Technical Standards for Parking Provision of Council: Provided that no owner or occupier of a building, in respect of which the provisions of this clause have been applied, shall permit the loading, unloading or fuelling of vehicles in a manner which is not in conformity with the approved proposals.

V SAFETY, HEALTH, AMENITY AND CONVENIENCE

CLAUSE 23: DANGER TO LIFE, HEALTH AND AMENITY

- (1) No buildings may be erected on land which by reason of its situation or nature of the land would be likely to involve danger to life or danger or injury to health or the environment.
- (2) No land shall be used, and no buildings and structures be erected and/or used for purposes likely to involve danger of life, or danger to or the possibility of harm to health or serious detriment of the neighbourhood.
- (3) No shop or building or premises of any sort which supplies fuel and lubrications directly into motor vehicles shall be permitted or erected on any erf unless the following conditions are met:
 - (a) The layout of facilities and design of entrances and egresses must be to the satisfaction and have been approved in writing by the Council.
 - (b) An effluent and waste disposal system to the satisfaction of Council has been provided which is adequate to handle all effluent and waste collected on the erf.
 - (c) No sales of fuel to commercial motor vehicles with a gross vehicular mass of 9 000 kilograms or more shall be permitted from erven other than erven in the “industrial” and “restricted business” zones and “business” zoned erven abutting on Sam Nujoma Drive, Hosea Kutako Drive, Andimba Toivo Ya Toivo Street, and Mandume Ndemufayo Avenue without the permission of Council.
 - (d) Liquid petroleum gas facilities must be restricted to industrial zones and not be located in close proximity to residential, office or business zoned areas.
 - (e) Noxious buildings used for taxidermies or tanneries should be operated strictly in industrial zones with written consent by the Council.
 - (f) The premises do not fall under any prohibition mentioned in Clause 26 or at any other place in this Scheme.

CLAUSE 24: REMOVAL OF INJURIOUS CONDITIONS

- (1) In any instance, determined as per Clause 23, or otherwise determined by Council; where:
 - (a) the amenity of the neighbourhood or
 - (b) the groundwater or
 - (c) other environmental asset in any area

is adversely affected by the condition of any building, land or curtilage, garden or by any activity taking place in the area; the Council may serve notice on the responsible person requiring him, within a specified period of not less than 21 (twenty one) work

or business days from the date on which notice was served, to cease all such activities, to take such action as is necessary to eliminate the source of annoyance and, or remove any polluting agent and cause the ground to be rehabilitated to a condition that it was at prior to being polluted or to a condition acceptable to Council.

- (2) The notice period may be shortened should the urgency of the matter require a more urgent intervention.
- (3) Should the responsible person fail to take action as envisaged in Clause 24(1), Council may enter onto the premises or may cause its agent to enter onto the premises and may pull down, demolish and, or destroy or may cause to pull down, demolish or destroy the source leading to such danger or injury to health, or detriment of the neighbourhood or the source leading to such effect on amenities and, or may remove pollutants or cause such to be removed and ground rehabilitated, and may recover the expense so incurred from the owner or person causing such effect to the amenities, irrespective of any criminal proceedings which may have been or may be instituted in terms of the Scheme.
- (4) In this clause "responsible person" is not restricted to the person responsible for the creation of the adverse condition but also the registered owner of the property from which the adverse condition originates.
 - (a) "owner" in this clause shall include his or her heirs, assigns and successors in title.

CLAUSE 25: ADVERTISEMENT

- (1) No advertisement shall be erected or displayed without the consent of Council.
- (2) Council may authorise the display of any particular class of advertisement either unconditionally or subject to conditions in respect of the nature of the advertisement, its position or manner in which the advertisement may be displayed, the period in which it may be displayed, or the environmental impact the advertisement may have.

CLAUSE 26: ENVIRONMENTAL PROTECTION AND CONSERVATION OF NATURAL RESOURCES

- (1) No trees known as Prosopis or alien invasive species shall be planted or permitted to grow on any erf.
- (2) No structures may be erected and no activity may take place which may entail the direct or indirect alteration of the physical, chemical or biological properties of groundwater or pollution of groundwater in any other way so as to make it less fit for any beneficial purpose for which it may reasonably be expected to be used.
- (3) No refuse, rubble or other hazardous substance that may pollute groundwater may be dumped except at a site designated by Council as a waste disposal site.
- (4) Save with the approval of Council,
 - (a) No boreholes or wells may be sunk for the purposes of abstracting groundwater on any land located within the area of this Scheme.



- (b) No hazardous substance shall be conveyed from an area outside of the Area of the Scheme for purposes of dumping the hazardous substance at a site within the Area of the Scheme; provided that such substance is destroyed or incinerated at an approved facility for this purpose with the Area of the Scheme.
 - (c) No topsoil stripping activity shall take place within protected aquifer areas;
 - (d) No storage tank or drum in excess of 200 litres or other similar type facility for a hazardous substance shall be installed, upgraded or replaced whether above or below ground;
 - (e) Flat drainage areas with or without discernible gradient that form the source of rivers or groundwater recharge shall not be destroyed, damaged or polluted in any way;
 - (f) No stable, feedlot or concentration of livestock may occur within 200 m of a watercourse, production borehole or private borehole and within protected aquifer areas.
 - (g) No sand or gravel may be mined or removed for any purpose from any watercourse and protected aquifers areas.
 - (h) No sewer, septic tank, pit latrine, VIP or French drain is allowed within 500 m of any private or public production borehole.
 - (i) All septic tanks, pit latrines or VIPs must be emptied as required, and the waste removed to a municipal wastewater treatment facility.
 - (j) All sewers, septic tanks, pit latrines or VIPs must be inspected when empty for cracks or leaks.
 - (k) A 100 m buffer zone must be maintained at all times around production boreholes. No development or construction activities may occur within this buffer zone.
 - (l) All boreholes, whether private or production, located on private property must be capped and locked when not in use.
- (5) No hazardous substance may be conveyed in quantities exceeding 200 litres to, from, or within the Area of the Scheme except in accordance with National Regulations and SANS 0228; 2003, SANS 0229: 1996, SANS 0230: 1997 and SANS 0231:2003)
- (6) No shop or building or premises of any sort which supplies fuel and lubrications directly into motor vehicles or any storage of hazardous substances in excess of 200 litres, shall be located on land South of the Southern edges of Academia, Cimbebasia, Windhoek, Olympia and Klein Windhoek Townships.
- (7) No watercourse including an "infiltration area" shall be used for any building or covered by an impermeable surface other than temporary buildings used in association with a park, garden or recreational area. The protection afforded by an infiltration area shall be applicable for a watercourse should it be 500 metre or more from its bounding watershed or should special topographical or flow conditions warrant earlier recognition.

- (8) No area within a 1 in 50-year flood line shall be built upon or used for any purpose other than as park, a garden or a recreational area or for municipal services.
- (9) No person shall sell or trade firewood or charcoal or be responsible for the movement thereof without being registered as a firewood trader with Council and carry the necessary written consent.
- (10) No person shall harvest or transport or dispose of protected tree species or wood from any property without Council approval
- (11) No person shall import a single consignment of forestry related products (e.g. droppers planks, charcoal and firewood) into the municipal townlands without written approval from Council
- (12) No person shall grow or propagate alien invasive plant species such as White-flowered Mexican poppy (*Argemone ochroleuca ochroleuca*), Downy thorn apple (*Datura inoxia*), Wonderboom (*Leucaena leucocephala*), Syringa (*Melia azedarach*), Wild Tobacco (*Nicotiana glauca*), Prickly pear (*Opuntia spp*), Fountain grass (*Pennisetum setaceum*), Prosopis or Mesquite (*Prosopis spp*) and Kariba weed or *Salvinia* (*Salvinia molesta*)
- (13) No forestry related products may be harvested and carted away from any spot within the Municipal jurisdiction except from such places as shall be appointed by the Council through prior written consent.
- (14) Notwithstanding any permission granted to this effect, no forestry related products may be harvested between sunset and sunrise
- (15) No bush harvesting operations may be conducted without written Council approval
- (16) No person may keep or utilize any game or any other wild animal within the Windhoek Municipal Area unless consented to by Council or approving state authorities.
- (17) No person may kill game or any other wild animal by any means within the Windhoek Municipal Area unless consented to by Council or approving state authorities.
- (18) No person may capture game or any other wild animal by means of a snare, pitfall, trap, spring trap, net, birdlime, drug or any other device or means whatsoever or by any method whatsoever within the Windhoek Municipal Area unless consented to by Council or approving state authorities.
- (19) No person may keep or rear game animals on his property within the Windhoek Municipal boundaries without a Council approved wildlife management plan
- (20) No person may capture wild animals within the Windhoek Municipal boundaries without being registered with Council or approving state authorities as a game trader

(21) No person shall at any time within the Windhoek Municipal boundaries remove, disturb, destroy, sell, hawk or purchase the eggs of hunt able game birds or those protected birds.

(22) Sand Mining or the mining of gravel, stone, clay and soil quarries is to adhere to the Windhoek Municipal Policy and Regulations pertaining to Sand Mining.

(23) Heritage Management

- (a) No person shall nominate or accord an area, site or object heritage status in terms of any law without the express written consent from Council.

(24) Environmental Impact Assessments

- (a) No listed activity as per the Environmental Management Act 7 of 2007 and Regulations 4878 of 2012 may commence within the Windhoek Municipal boundaries without an Environmental Clearance and the express written consent from Council.

VI LAND SUBDIVISION, CONSOLIDATION & INFRASTRUCTURE

CLAUSE 27: PERMISSION FOR CONSOLIDATION AND SUBDIVISION

- (1) No consolidation of any land shall be made without Council's written recommendation as a local authority or approval of the Council (as an Authorised Planning Authority) or the Minister of Urban and Rural Development's approval.
- (2) No subdivision of any land shall be made without Council's written recommendation as a local authority or approval of the Council (as an Authorised Planning Authority) or the Minister of Urban and Rural Development's approval.
- (3) All subdivision applications must show all existing structures and buildings on the land to be subdivided, including subdivision borders, upon submission of application.
- (4) All subdivision applications must show distances from existing buildings to the proposed new boundary line.
- (5) Where any piece of land is being subdivided for consolidation purposes to an abutting piece of land, and as long as such piece of land is not larger than 25% of the size of the abutting land to which it will be consolidated, such piece of land will assume the same zoning (including the density, bulk, storey/height and coverage) as the abutting land.
- (6) In considering an application, the Council may put forth any conditions and requirements.
- (7) Unless as determined by the Minister or APA or the Act, any approval granted by Council as an APA or recommendation for approval granted by the local authority for the subdivision of land shall lapse:
 - (a) within 12 months from the date of approval by the Minister or Council as an APA, if the applicant fails to lodge for approval with the Surveyor-General such plans, diagrams or other documents as the Surveyor-General may require within those twelve months; or
 - (b) within six months after the date on which the Surveyor-General (SG) has approved the general plan and diagram, if the applicant fails to lodge with the Registrar of deeds the prescribed documents within the six months of the SG's approval.

CLAUSE 28: TOWNSHIP ESTABLISHMENT

- (1) No application for township establishment shall be made to the Ministry of Urban and Rural Development (through the Urban and Regional Planning Board) without the written approval or recommendation of the Council.
- (2) In considering such an application the Council may request any further studies to be undertaken it deems necessary and may lay down any conditions upon approval or recommendation.
- (3) Any approval or recommendation granted by Council for the establishment of a township shall lapse:
 - (a) after six months from the date of approval of the plans, diagrams or other documents by the Surveyor General, if the applicant fails to lodge with the Registrar of Deeds for endorsement or registration the approved plans (General Plans, diagrams, etc).

CLAUSE 29: DEVELOPMENT CONTRIBUTION/CHARGES, COMPENSATION AND ENDOWMENT

- (1) Any property owner carrying out any action under this Scheme for which compensation to Council is payable shall pay to the Council a development charge as determined by the Council as per the Development Charges Policy, within the maximum allowed for in the applicable legislation.
 - (a) Such payment (development contribution) is to be effected prior to the further submission of such application in terms of the Urban and Regional Planning Act.
- (2) Whereby the coming into operation of any provision contained in a scheme, or by the execution by a responsible authority of any work under a scheme, any property is increased in value, the responsible authority, if within twelve months after the date on which the provision came into operation, or within twenty four (24) months of approval being granted by the competent authority, or within twelve months after the completion of the work, as the case may be, it makes a claim in that behalf, may recover from the person whose property is so increased in value an amount not exceeding seventy-five per cent of the amount of that increase.
- (3) The development charge amount shall be based on a method as determined by the Council and is paid to cover for the cost of infrastructure provision or improvements at the time that the development will be implemented / constructed.
- (4) In deciding whether or not to approve an establishment of a township or subdivision of the land, the functionary authorised to approve such an establishment or subdivision as contemplated in the Act must consider and impose conditions in relation to the

endowment, if any, which must be made to a local authority, pursuant to Sections 65(r) and 66(1)(k) of the Act, as amended and in accordance with the following:

- (a) Any property owner subdividing land (either through subdivision or township establishment) shall pay to the Council an endowment as prescribed by the local authority, Authorised Planning Agency or competent authority or any law) of the value of the new portions being created, on or before registration of the new portions, except as may otherwise be determined by Council.
- (b) If an endowment is imposed as part of the subdivision or township establishment conditions, the endowment must be made in the prescribed manner and during the prescribed period.
- (c) An endowment is not payable, where land is transferred or rented to a local authority, regional council or the State.
- (d) An endowment payable in terms of this clause must be used to establish public places or to carry out improvements or maintenance on public places or may be used for any other prescribed purposes, as stipulated by Section 66(7) of the Act, as amended.
- (e) If conditions are imposed on any land regarding the endowment payment, the functionary imposing such conditions (such as the local authority or the competent authority) must, make the fulfilment of the endowment payment condition a prerequisite for the sale of land or the transfer of the land or the transfer of a portion of the land, as stipulated by Section 66(8) of the Act, as amended.

CLAUSE 30: LAND PROVISIONS

- (1) Any property owner subdividing land shall make provision for and transfer, free of all charges, such portions of land required for Municipal services related to and required by that subdivision.
- (2) Any property owner establishing a township, subdividing land, or rezoning and subdividing land with the intention of establishing township shall provide land for public services such as schools, crèches, hospitals, clinics, powerline reserves, pump stations, streets or any other land uses, etc. as may be reasonably required by the State or the Council.

CLAUSE 31: MINIMUM SITE REQUIREMENTS

- (1) Where, upon the subdivision of an erf, land is given off for a street (other than the usual mandatory property access for the proposed erf) or for some other public purpose, the area of such land may, with the consent of the Council, be calculated as part of the area of the subdivision for the purpose of Tables C (Coverage), E (Density) and F (Bulk Factors).



- (2) Without derogating from anything else stated in the Scheme, the Council may consent to a subdivision of land whereby any portion used for residential purposes has a size or extent which is up to a maximum of 10% less than the promulgated density.

CLAUSE 32: ACCESS AND STREET NUMBERS

- (1) If an erf has more than one street frontage, access to the erf shall be obtained from the street(s) determined by the Council. The determination shall be made before the approval of any building plans showing how access is to be taken.
- (2) Street numbers shall be regulated as follows.
- (a) All erven within the municipal area shall be fitted with a conspicuous number plate, showing the erf's street address number, erected on the street boundary from which access is legally taken, within six weeks of submitting a building plan for the main building on that erf, or within six weeks from the date of proclamation hereof.
 - (b) No service connection will be given to any erf created by private subdivision or consolidation unless a street number has been allocated and a number plate is displayed.
 - (c) No service connection will be given to any unit in a sectional title scheme unless that unit has been numbered and a number plate displayed to the satisfaction of Council.
 - (d) In the event of an owner failing to comply with sub-paragraphs (a), (b) and (c), Council shall have the right to, after written notice of its intention to do so, within a specified period, which period may not be less than 21 business or work days, fit such number plate and to recover the cost thereof from the owner as a liquid claim.
- (3) Any property where by virtue of the topography or otherwise it is necessitated to provide an access gate encroaching into the Street or any other municipal property the owner of such property shall enter into an Encroachment Agreement with Council, with such conditions as Council may determine.

CLAUSE 33: DRAINAGE AND STORMWATER

- (1) No stormwater drainage pipe, canal, work or obstruction (except stormwater drain pipes, canal or works which have been authorized in writing by the Council or which have been or may be built, laid or erected in terms of any law) may be constructed on or over the property or located in such a way that -
- (a) the flow of stormwater from higher lying property to lower lying property is



impeded or obstructed and through which any property is or may be endangered;
or

- (b) the flow of a natural watercourse (in which the Council allows flood water to run off, be discharged or to be canalised) is or can be changed, canalised or impeded.

(2) The maintenance of such stormwater pipe, channel or work shall be the responsibility of the owner of the concerned property.

(3) No property may be sold if the stormwater conditions as mentioned in sub paragraphs (1)(a) to (b) and (2) have not been addressed by the owner and compliance has been met

CLAUSE 34: UNSERVICED ERVEN

(1) Sale or transfer of unserviced erven

No property owner may sell or otherwise give transfer of an erf or farm portion which lacks any of the following:

- (a) access to a public street constructed and surfaced in accordance with Municipal standards;
- (b) a Municipal water connection or access to a communal water supply point or supply pipeline which has been approved by the Municipality for use by that erf or farm portion;
- (c) a sewer connection or access to a sewage disposal system or sewer which has been approved by the Municipality for use by that erf or farm portion;

except with the written consent of the Council.

2) Building plans or building operations on unserviced erven

No person shall submit building plans or commence any building operations on an erf n which lacks any of the following;

- (a) access to a public street constructed and surfaced in accordance with Municipal standards;
- (b) a Municipal water connection or access to a Municipal communal water supply point or supply pipeline which has been approved by the Municipality for use by that erf;
- (c) a sewer connection or access to a sewage disposal system or sewer which has been approved by the Municipality for use by that erf or farm portion;

except with the written consent of the Council.

CLAUSE 35: DRILLING FOR WATER

- (1) Except with the written consent of the Council and strictly according to such conditions as which the Council may impose (including the relevant Environmental Clearance) it shall not be permitted to drill or excavate for water on any land within the Area of the Scheme.

CLAUSE 36: BUILDING OF DAMS

- (1) Except with the written consent of the Council and strictly according to such conditions as which the Council may impose (including the relevant Environmental Clearance) it shall not be permitted to build dams in rivers on any land.

VII BUILDING VALUES

CLAUSE 37: MINIMUM BUILDING VALUES

- (1) Unless otherwise determined by Council or by the conditions of township establishment, the value of buildings, structure and improvements erected on any property shall not be less than the minimum building value specified for that property.
- (2) Minimum building values imposed in terms of this section are applicable to the value of a main building excluding any outbuilding or a single house in the case of a "residential" zoned erf, unless otherwise determined by Council.
- (3) For all ultra-low income residential areas (such as Havana and Extensions, Hakahana and Extensions and Okuryangava and Extensions) there shall be no minimum building value specified for land zoned residential and general residential.
- (4) For all low income residential areas (Goreangab and Extensions, Wanaheda and Extensions, Katutura and Extensions) the minimum building value for land zoned residential and general residential shall be equal to 1 time the current municipal valuation of the land comprising that erf at the time of building permit application
- (5) For all low-to-middle income residential areas (Otjomuise and Extensions, Khomasdal and Extensions) the minimum building value for land zoned residential and general residential shall be equal to 1.5 times the current municipal valuation of the land comprising that erf at the time of building permit application
- (6) For all middle income residential areas (Dorado Park and Extensions, Rocky Crest and Extensions, Cimbebasia and Extensions Venus and Extensions) areas the minimum building value for land zoned residential and general residential shall be equal to 2.5 times the current municipal valuation of the land comprising that erf at the time of building permit application.
- (7) For all high income residential areas (Hochland Park and Extensions, Windhoek and Extensions, Eros Park and Extensions, Pioniers Park and Extensions, Klein Windhoek and Extensions, Academia and Extensions, Olympia and Extensions, Auasblick and Extensions, Kleine Kuppe and Extensions) areas the minimum building value for land zoned residential and general residential shall be equal to 2.5 times the current municipal valuation of the land comprising that erf at the time of building permit application
- (8) For all commercial zoned land (including office, business, industrial, etc) the minimum building value for land shall be equal to 4 times the current municipal valuation of the land comprising that erf at the time of building permit application.

VIII CONDITIONS

CLAUSE 38: SPECIAL CONDITIONS

- (1) Special conditions on land and buildings may be imposed by Council for each township individually.

CLAUSE 39: COUNCIL MAY IMPOSE CONDITIONS ON GRANTING CONSENT

- (1) In giving its approval, authority, permission or consent under any clause in this Scheme, the Council may impose such conditions as it deems necessary, including conditions relating to the operation and management of the approved activity, such as an approved environmental management plan and environmental clearance certificate which outlines the processes and procedures for minimising or mitigating, or preventing the adverse effects of activities on the environment, community and neighbourhood, inclusive of the possible pollution of groundwater recharge areas or groundwater or both.
- (2) Council may impose further conditions or waive or amend a condition after an approval has been granted and after consultation with the owner of the land concerned. Council may impose further conditions, including but not necessarily limited to:
 - (a) limiting a consent use for a specified period of time;
 - (b) requiring that a consent use does not adversely affect the potential use of that property for its primary uses in terms of this zoning scheme; etc.

CLAUSE 40: BINDING FORCE OF CONDITIONS IMPOSED

- (1) Where permission to erect any building, execute any works or to use any building or land for any particular purpose or to do any other act or thing, is granted under the Scheme, and conditions have been imposed, the conditions shall have the same force and effect as if they were part of the Scheme.

CLAUSE 41: SUBMISSION OF DRAWINGS AND PARTICULARS AND ASSOCIATED CONDITIONS

- (1) The provisions of this Clause are subject to the provisions of the Building Regulations of the Municipal Council of Windhoek.
- (2) A person, in this clause referred to as the "building owner", intending to erect a building in any use zone shall furnish the Council with drawings or other sufficient indication of the external appearance of the proposed building, including such description of the materials to be used in its construction as may be necessary for that purpose (all of which are hereafter in this clause referred to as "the particulars") and any other requirements as per the Building Regulations of the Municipal Council of Windhoek.

- (3) Any person intending to erect a building in any use zone may be required by Council to furnish an environmental assessment report having regard to the promotion of health, safety, order, amenity, convenience and general welfare and the impact the new buildings and the operations are likely to have on the amenity of the locality.
- (4) The Council shall within a reasonable timeframe, preferably within twenty-eight (28) working days from the submission to it of particulars under this clause:
- (a) approve the particulars; or
 - (b) if it considers that having regard to the character of the locality, urban design guidelines/ policy guidelines of an area (if relevant) or of the buildings erected or proposed to be erected therein, the building would disfigure the locality by reason of its external appearance, disapprove the particulars;

and shall forthwith give notice of its decision to the building owner and if it disapproves, of the reasons for its decision.

- (5) No person shall commence the erection of any building until such time as the particulars herein before referred to have been approved by the Council or by the Competent Authority on appeal.
- (6) Any application for a consent use falling within the “conservation” zone, must be accompanied by an environmental impact analysis for the proposed use to the satisfaction of the Council and the applicant may be required to submit an environmental management plan as part of the application or in order to meet Council conditions arising from a Council Resolution.
- (7) In all cases where application is made for rezoning, consent use, or subdivision for an area which includes an infiltration area for non-residential activities which could pose a threat of polluting the infiltration area, an environmental impact analysis, assessment reviewed by and to the satisfaction of the Council, including an hydrogeological study must be submitted:
- (a) To assess groundwater vulnerability to pollution relevant to the proposed land-use,
 - (b) To recommend conditions for the development, and
 - (c) To fix the boundaries for any subdivision of developable erven along watercourses and other identified areas of groundwater vulnerability and to set the building lines for future buildings.
- (8) An application made for rezoning, consent use, or subdivision in the vicinity of an infiltration area, conservation zone or other groundwater recharge area shall include full details of the proposed activities so as to enable Council to assess the potential groundwater vulnerability.

X CONTRAVENTIONS & APPEALS

CLAUSE 42: CONFLICT OF SCHEME AND TOWNSHIP CONDITIONS

- (1) No consent of the Council given under the provision of this Scheme shall be construed as conferring upon any person the right to use any land or to erect or use any building thereon in any manner or for any purpose which is prohibited in any condition registered against the title deeds of the land or imposed in respect of the land under any law relating to the establishment of the townships.

CLAUSE 43: CONTRAVENTION OF THE SCHEME AND NON-COMPLIANCE

- (1) Any person who commits, or knowingly permits, a contravention of any of the provisions of this Scheme or of the requirements of any order or notice issued or conditions imposed under the provisions of the Scheme, shall be deemed to have contravened the provisions of the Scheme and shall be guilty of an offence.
- (2) Any person, Erf owner or operator of any illegal activities or land uses and/or any legal land use that causes public nuisance, shall be deemed to have contravened the provisions of the Scheme and shall be guilty of an offence.

- (3) Any person who after a scheme has come into operation -

- (a) executes any work or does any other matter or thing contrary to any provision of the scheme without such approval as it may be competent for the responsible authority to grant, or contrary to any condition subject to which such approval was given; or
- (b) fails to comply with any provision of the scheme with which it is his duty to comply; or
- (c) fails to comply with the requirements of any notice lawfully issued under the scheme and duly served upon him; or
- (d) uses any land or building in a manner contrary to any provision of the scheme or;

shall be guilty of an offence and liable to a fine or on conviction to imprisonment as determined in terms Section 130 of the Urban and Regional Planning Act, Act 5 of 2018; provided that in the case of a continuing offence an additional fine for every day upon which the contravention continued may be imposed.

- (4) Where the person is found to have contravened the scheme after an inspection, a notice to cease the activities or land uses will be served on the responsible person requiring him/ her, within a specified period of not less than twenty-one (21) work or business days from the date on which notice was served or such period as determined by the Council, to take such action as is necessary to cease all activities that is found to be in non-compliance with the scheme.

- (5) Should the responsible person fail to take the necessary action after the expiry date of the notice described in (2) above, the charging of a daily non-compliance tariff will be added to the municipal account of the owner of the property, until compliance has been indicated by the owner and verified by the Council.
- (6) In the event of continued failure by the responsible person to ensure compliance with the Scheme, Council may enter onto the premises or may cause its agent to enter onto the premises and may pull down, demolish and, or destroy the source leading to such nuisance and non-compliance and, or cause such to be removed, and may recover the expense so incurred from the owner or person causing such effect to the amenities, irrespective of any criminal proceedings which may have been or may be instituted in terms of the Scheme.
- (7) In this clause:
- (a) "responsible person" is not restricted to the person responsible for the creation of the adverse condition but also the owner of the property from which the adverse condition originates.
- (b) "owner" in this clause shall include his or her heirs, assigns and successors in title.
- (8) Any person who introduces or discharges hazardous materials into groundwater, drainage system, water source or onto a groundwater recharge area, whether intentionally or accidentally, shall compensate Council for the damage caused thereby, and for the cost of remedial action to rehabilitate the area in which the pollutants were introduced or discharged, to a standard acceptable to Council.
- (9) The owner or operator of any installation or vehicle designed to manufacture, process, store, deposit, convey or dispose of hazardous materials and which releases or discharges hazardous materials into groundwater, whether directly or indirectly or whether intentionally or accidentally, shall compensate Council for the damage caused thereby, and for the cost of remedial action to rehabilitate the area in which the pollutants were introduced or discharged, to a standard acceptable to Council.
- (a) The words "owner or operator" shall include such persons heirs, assigns and successors in title in the case of natural persons and assigns and successors in title in the case of legal personae and in the case of the latter also its shareholders, members or partners and their Heirs, assigns and successors in title.

CLAUSE 44: ENTRY AND INSPECTION OF PREMISES

- (1) Where an authorised officer in the investigation of any contravention or alleged contravention of any provision of the Scheme reasonably suspects that a person who may furnish information with reference to any such contravention is on or in any premises or that a contravention of the Scheme is being committed on or in any premises, such officer may at any reasonable time without prior notice or warrant enter on or into such premises.
- (2) No person shall in any way hinder, obstruct or interfere with any authorised officer of

the Council, or cause in so far as he has any authority, or permit such officer to be hindered, obstructed or interfered with in the exercise of the powers hereby granted or refuse or fail to furnish any information required or knowingly furnish false information.

CLAUSE 45: SERVICE OF NOTICES

- (1) Any order, notice or other document required or authorised to be served under the Scheme may be signed by the Chief Executive Officer or other official duly authorised thereto, and may be served by delivery of a copy thereof in one or other of the following manners:
 - (a) to the said person personally, or to his duly authorised agent; or
 - (b) if service cannot be effected in terms of the preceding paragraph, at his residence or place of business or employment to some person apparently not less than sixteen (16) years of age and apparently residing at or employed there; or
 - (c) if there is no such person on the premises as is mentioned in the preceding paragraph, by fixing such order, notice or other document on some conspicuous part of the premises and by despatching such order, notice or other document by prepaid registered post in an envelope on which is written his last known abode, place of business or employment, or post office box number; or
 - (d) if such a person to be served has chosen a domicilium citandi, at the domicile so chosen.; or
 - (e) Nominated e-mail address.
- (2) Where any service is effected in accordance with the provisions of paragraph (c) of the preceding subclause, such service shall be deemed to have been effected at the time when the letter containing such order, notice or other document would have been delivered in the ordinary course of post and, in proving such service, it shall be sufficient to prove that the order, notice or other document was properly addressed and registered.
- (3) Any order, notice or other document, by the Scheme required to be given to the owner or occupier of any particular premises, may be addressed by the description of the "owner" or "occupier" of such premises in respect of which the order, notice or other document is given, without further name or description.

XI TRANSITIONAL ARRANGEMENTS

CLAUSE 46: TRANSITIONAL ARRANGEMENTS

- 1) Existing approved land uses and zonings under the previous Windhoek Zoning Scheme as well as the Aris and Kappsfarm Zoning Schemes remain binding.
- 2) Restricted Business zoning has been changed to Light Industrial zoning.
- 3) The Home-Based Business and Occupational Practice as previously provided for under the Kappsfarm and Aris Zoning Schemes now form part of the Resident Occupation definition.
- 4) Holiday Accommodation and Tourist Establishments as previously provided for under the then Kappsfarm and Aris Zoning Schemes are now classified as part of Hospitality, Hotel and Accommodation Establishment.
- 5) Any zoning scheme matter pending the court's decision as part of the Aris and Kappsfarm Zoning Schemes shall not be implemented in terms of this Scheme until such time the relevant court has issued the final ruling.

XII ADMINISTRATION

CLAUSE 47: INSPECTION OF SCHEME

- 1) The Council shall permit any person to inspect at any reasonable time the Scheme and the Map deposited in the offices of the Council.

CLAUSE 48: RECORD OF PERMISSION AND CONDITIONS

- 1) The Council shall keep, so as to be available for inspection at all reasonable times by any person interested, a record of approvals, consents, authorities or permission granted by it, or on appeal from its decision under any provision of this Scheme, and of any conditions imposed or agreed between the Council and the applicant in connection therewith.

TABLE A: LAND USE ZONES

USE ZONE (1)	PRIMARY USES (2)	CONSENT USES (3)	OWNER'S CONSENT (4)	PROHIBITED USES (5)
Agriculture	Agriculture Dwelling unit (at a density of 1 per 10 Ha). One Ancillary Farm Dwelling Unit Agricultural Building Intensive-Feed Farming More than one Dwelling Unit Agricultural Industry Workshop Warehouse Nursery Animal Care Centre	Farm Stall Accommodation Establishment Tannery Butchery Taxidermy More than one Dwelling unit More than one Ancillary Farm Dwelling Unit	Resident Occupation	Other uses not under columns 2 to 4
Business	Shop Other Business Building Hospital Medical Consulting Rooms & Pharmacy Accommodation Establishment Conference Facility Restaurant Office Wellness and Personal Care Facilities Tavern	Other uses not under columns 2 and 5		Industrial Noxious industrial buildings
Conservation	Uses specifically for the protection of indigenous fauna and flora, nature and natural resources, conservation areas and national heritage sites	Municipal purposes Public infrastructure park, playground, pastureland and associated agricultural building but excluding any concentration of domesticated animals, beekeeping.		Uses not under columns 2 and 3 and any land use which in the opinion of Council may cause environmental damage

USE ZONE (1)	PRIMARY USES (2)	CONSENT USES (3)	OWNER'S CONSENT (4)	PROHIBITED USES (5)
		Environmental research and education facilities; non-consumption wildlife-based tourism, wildlife rehabilitation, cultural and heritage promotion facilities		
General Residential	Dwelling Units Residential Building Residential Units	Places of Public Worship Places of Instruction (up to 60 Learners), Institutional Building Accommodation Establishment (Other than Self-Catering Accommodation, Bed and Breakfast, Guest Houses), Heritage Consent	Resident Occupation Self-Catering Accommodation, Bed and Breakfast, Guest Houses	Other uses not under columns 2 to 4
Hospitality	Accommodation Establishment	Restaurant; Conference Facility; Office (limited to 100m ²); Social Hall Wellness and Personal Care Facilities Farm Stall Kiosk		Other uses not under columns 2 and 3
Industrial	Industrial Building; Light Industrial, Public Garage; Workshop	Noxious Industrial building except in prohibited areas as per column 5		No noxious industrial buildings may be erected, no

USE ZONE (1)	PRIMARY USES (2)	CONSENT USES (3)	OWNER'S CONSENT (4)	PROHIBITED USES (5)
	Industrial Retail Warehouse	All other uses not under columns 2 and 5		noxious activities may be undertaken and no hazardous substances may be stored in quantities exceeding 200 litres, saving for a quantity of 1000 litres of fuel, specifically and only to cater for on- site standby generator installations, on any aquifer protection areas.
Institutional	Institutional building; Special Institutional Building; Places of instruction, Places of public worship, Hospital Clinic Community Facilities Place of Assembly / Social Hall Medical Consulting Rooms Wellness and Personal Care Facilities	Dwelling units, Residential buildings, offices, Other Business Building, Restaurant. Animal Care Centre		Other uses not under columns 2 and 3
Light Industrial	Industrial Retail Light Industrial Building Warehouse Wholesaler Service Station Other Business Building	Other uses not under columns 2 and 5		Noxious industrial buildings

USE ZONE (1)	PRIMARY USES (2)	CONSENT USES (3)	OWNER'S CONSENT (4)	PROHIBITED USES (5)
Local Business	Shop; Office; Restaurants Medical Consulting Rooms Service Trade or Service Industry Wellness and Personal Care Facilities Tavern/Shebeen	Dwelling Unit(s) Workshop Place of Entertainment Industrial Retail <u>Service Station</u> Other Business Building	Resident Occupation	Light industrial, Industrial and Noxious industrial buildings
Mining	Mining	Noxious Industrial building except in prohibited areas as per column 5 All other uses not under columns 2 and 5		No noxious industrial buildings may be erected, no noxious activities may be undertaken and no hazardous substances may be stored in quantities exceeding 200 litres, saving for a quantity of 1000 litres of fuel, specifically and only to cater for on- site standby generator installations, on any aquifer protection areas.
Mixed Land Use: Commercial- Residential	Dwelling Unit or Residential Unit and any 2 of the primary uses allowed under the Business, Local Business, Office and Hospitality zonings.	All consent uses allowed under the Business, Local Business, Office and Hospitality Zonings.	Resident Occupation	Light industrial, Industrial and Noxious industrial buildings

USE ZONE (1)	PRIMARY USES (2)	CONSENT USES (3)	OWNER'S CONSENT (4)	PROHIBITED USES (5)
Mixed Land Use: Industrial-Residential	Any 2 of the primary uses allowed under the Light Industrial and Business zonings <u>and</u> Dwelling Unit or Residential Unit (limited to 33% of the total floor area of the development)	All consent uses allowed under the Light Industrial and Business zonings		Noxious industrial buildings Scrapyard
Municipal	Municipal purposes	All uses not under column 2		None
Nature Estate	Dwelling units for different Residential Developments as defined in definition	Place of Public Worship Place of Instruction Accommodation Establishment Institutional Building Special Institutional Building <u>Service Station</u>	Resident Occupation;	Other uses not under columns 2 and 3
Office	Office, Medical consulting room Wellness Centre and Personal Care Facilities	Residential buildings, Institutional buildings, Places of public worship, Other Business Building, Accommodation Establishments (with the exception of the caravan park and lodges), Restaurant, Place of Instruction Animal Care Centre Tavern		Other uses not under columns 2 and 3

USE ZONE (1)	PRIMARY USES (2)	CONSENT USES (3)	OWNER'S CONSENT (4)	PROHIBITED USES (5)
Private Open Space	Private open space, Gymnasium	Social Hall Restaurant Wellness and Personal Care Facilities.		Light industrial, Industrial and Noxious industrial buildings.
Private Streets	Street purposes (vehicle /pedestrian)	Markets		Other uses not under columns 2 and 3
Public Open Space	Public Open space purposes	Other uses not under columns 2 and 5		Other uses not under columns 2 and 3
Rural Residential	Small scale agriculture, Dwelling unit Ancillary Farm Dwelling Unit; Agricultural building	Nature Estate, Agricultural Industry, Intensive-Feed Farming, Service Trade or Service Industry, Accommodation Establishment, workshop and butchery related to agriculture activities Farm Stall, Nursery Animal Care Centre Institutional Building Special Institutional Building	Resident Occupation	Other uses not under columns 2 and 3
Residential	Dwelling unit Residential Building	Heritage Consent	Resident Occupation	Other uses not under columns 2 and 3
Service stations	Service station Carwash	Workshop,		Other uses not under columns 2 and 3
Special	Special Use	Other uses not under columns 2 and 5		Noxious industrial buildings

USE ZONE (1)	PRIMARY USES (2)	CONSENT USES (3)	OWNER'S CONSENT (4)	PROHIBITED USES (5)
Street	Street purposes; pedestrian streets;	Markets		Other uses not under columns 2 and 3
Undetermined	No primary Uses. All land use subject to council's consent	Any land use is subject to Council's approval for consent and simultaneous rezoning,	None	None

TABLE B: DEVELOPMENT AREAS

DEVELOPMENT AREA	CHANGE IN LAND USE RIGHT
1. Erven in the Office zone area: 1.1 <u>Windhoek Township (Central)</u>: The area bounded by Eros Road, Promenaden Road, Langenhoven Street, Liliencron Street, Uhland Street, Schanzen Road, Erf 3346 Erf 3346 (old Orban Street), Orban Street, Hugel Street, Sam Nujoma Drive, Robert Mugabe Avenue, Jan Jonker Road, Guthenberg Street, Hochland Road, the Gammams River, Brahms Street, Haydn Street, Verdi Street, John Meinert Street, Van Rhijn Street, Gessel Street, Harvey Street, Pullman Street, the northern boundary of Consolidated Erf 194 (railways), Independence Avenue to Eros Road. 1.2 <u>Windhoek Township (Eros)</u>: Properties abutting Omuramba Road on its eastern side between the intersections of Omuramba Road with Eiseb Street and the intersection of Omuramba Road with Heliodoor Street. 1.3 <u>Klein Windhoek Township</u>: The area bounded by the western boundaries of erven Re. 294, 3172, Re. Portion C of 88, the watercourse commencing along the western boundary Re. 1185 and continuing to the intersection with the western boundary of Erf 395, then the western boundary of Erf 395 to Berg Street, Berg Street, Klein Windhoek River, Hebenstreit Street, John Ludwig Street, Sam Nujoma Drive, Nelson Mandela Avenue, Arians Road, Stein Street, to the western boundary of Re. 294. 1.4 <u>Windhoek Extension 8</u>: The area bounded by Erf 934 (a river course), Bloekom, Laurent Desire Kabila, Jakaranda, and Seder streets, the rear boundaries of erven abutting on to Tacoma Street, Perkin Street, Erf 7206 and Erf 934 in Suiderhof (Windhoek Extension 8). 1.5 <u>Windhoek Township Central</u>: The area to include erven abutting onto Robert Mugabe Avenue on its eastern side between the intersection with Sam Nujoma Drive and Jan Jonker Road, as well as Erven 2776, 2777, 2778, 2779, 27780, 3349, R/7467 and 7730, Windhoek	Erven with the land use rights provided by the zoning "residential" or "general residential" but excluding erven reserved in this Scheme for new streets and widening of existing streets, to land use rights provided by the zoning "office" with a bulk of 0.4: Provided: That applications do not result in subdivisions creating an 'office' zoned erf between the rear boundaries of two (2) or more residential erven.
2. Higher residential density area: 2.1 <u>Windhoek Township (Central)</u>: The area bounded by Eros Road, Promenaden Road, Langenhoven Street, Liliencron Street, Uhland Street, Schanzen Road, Erf 3346 Erf 3346 (old Orban Street), Orban Street, Hugel Street, Sam Nujoma Drive, Robert	Erven with the zoning "residential" to residential land use rights provided by the density of 1:250 m².

DEVELOPMENT AREA	CHANGE IN LAND USE RIGHT
Mugabe Avenue, Jan Jonker Road, Guthenberg Street, Hochland Road, the Gammams River, Brahms Street, Haydn Street, Verdi Street, John Meinert Street, Van Rhijn Street, Gessel Street, Harvey Street, Pullman Street, the northern boundary of Consolidated Erf 194 (railways), Independence Avenue to Eros Road. 2.2 <u>Klein Windhoek Township</u>: The area bounded by Sam Nujoma Drive, Berg Street, Uhland Street, northern boundaries of erven Re. 101, Re. 102, Re. 826, 1655, the Klein Windhoek River, to Sam Nujoma Drive. (excluding erven 1699 and 3388) 2.3 <u>Windhoek Extension 8</u>: The area bounded by Erf 934, Benz, Krupp, Bloekom, Laurent Desire Kabila, and Jakaranda streets, the rear boundary of Erf 2147, the rear boundaries of erven abutting on to Palm Street, Blackwood and Perkin streets Erf 7206 and Erf 934 in the Suiderhof area (Windhoek Extension 8).	
2.4 <u>Windhoek Extension 8</u>: The area bordered by Erf Re/1949, Frankie Fredericks Drive, Erf 7534, Erf Re/6755, Erf 7587, Erf Re/6022 and across Springbok Street to Erf Re/1949 in the Suiderhof area (Windhoek Extension 8)	Erven with the zoning 'residential' or 'general residential', to the residential land use rights provided by the density of 1:350 m².
2.5 <u>Klein Windhoek Township</u>: The area comprising the whole of Klein Windhoek Township west and south of the Klein Windhoek River and including the area from the Klein Windhoek River northwards along Gevers Street to the unnamed tributary of the Klein Windhoek River at Schafer Street, then along the tributary, and the southern boundaries of open spaces Erven 2485 and 2483 until it again joins Gevers Street running southwards back to the Klein Windhoek River. 2.6 <u>Windhoek Extension 8</u>: The area bordered by Erf 4616, Krupp Street and Erf 6531 Windhoek, as well as the four 'residential' zoned erven along Judt Street (Erven 4951, 4952, 4953 and 4954) in the Suiderhof area (Windhoek Extension 8)	Erven with the zoning 'residential' to residential land use rights provided by the density of 1:500 m².
2.7 <u>Windhoek Extension 8</u>: The area bordered by Krupp Street, Robert Mugabe Avenue, Erven R/7146 and R/4966 Knudsen Street in the Suiderhof area (Windhoek Extension 8).	Erven with the zoning 'residential' or 'general residential', to residential land use rights provided by the density of 1:700 m².
3. General increase in density. 3.1 All erven in "Residential" zones.	Erven with a density zone lower than one dwelling per 300 m² to two density zone higher which shall not differ by more than two density zone from the modal density of the abutting erven.

DEVELOPMENT AREA	CHANGE IN LAND USE RIGHT
4. Density Conversion 4.1 Sanderburg Road, Jan Jonker Road, Robert Mugabe Avenue, Sam Nujoma Drive 4.2 The area bounded by Sanderburg Road, Jan Jonker Road, Robert Mugabe Avenue, Heintzburg Street, Sam Nujoma Drive and Erf 2271; 4.3 The area bounded by Berg Street, Breiting Street and Rykvoet Street, Public Open Space Erf 1745, northern boundary of Erf A/2638, eastern boundary of Erf 2591 and eastern boundary of Erf 908.	Erven with the land use rights provided by the zoning "residential" but excluding erven reserved in this Scheme for new streets and widening of existing streets, from a density of one dwelling per erf to one dwelling per 900 m²
5. Erven in the "business" development area. 5.1 Properties abutting Omuramba Road on its western side between the intersection of Omuramba Road and Eiseb Street and the intersection of Omuramba Road and Heliodoor Street. 5.2 Erven abutting on to Eveline Street, Green Mountain Dam Road east of its intersection with Matshitshi Street, Danela, Audrey and Eileen Streets, Goreangab. 5.3 Erven excluding panhandles abutting on to Omulunga Street and a portion of Omutula Street connecting Omulunga Street to Etetewe Street, Hakahana. 5.4 Erven abutting on to Etetewe Street. 5.5 Erven abutting on to Mamre, Rama, and Rabbi Streets and Siegfried Tjitemisa Street west of Clemence Kapuu Street, and Clemence Kapuu Street between its intersections with Mungunda Street and Siegfried Tjitemisa Street (erven 1068 to 1084 & 1019). 5.6 Erven abutting on to Mungunda Street on its northern side between its intersections with Shanghai Street and Clemence Kapuu Street and Heita Kamati Street, Katutura. 5.7 Katutura erven abutting on to Shanghai Street from the South up to its intersection with Independence Avenue in the North. 5.8 Erven abutting on to Andrew Mogalie Street. 5.9 Katutura erven abutting on to Hans-Dietrich Genscher Street up to the nearest two erven north of its intersection with Shanghai Street. 5.10 Erven 155 to 163 abutting on to Beijing Street, Otjomuise. 5.11 Erven abutting on to Julius Nyerere Street, Okuryangava.	Erven with the land use rights provided by the zoning "residential" or "general residential" but excluding erven reserved in this Scheme for new streets and widening of existing streets, to land use rights provided by the zoning "business" with a bulk of 0.4.
Amendments: Council Resolution 190/09/2017	
6. Erven in the Office and Higher Residential Density zone area: 6.1 Windhoek West	Erven with the land use rights provided by the zoning "residential" or "general residential" but excluding erven reserved in this Scheme for new streets and widening of existing streets, to land use rights provided by the zoning "office" with a bulk of 0.4: Provided: That applications do not result in

DEVELOPMENT AREA	CHANGE IN LAND USE RIGHT
	subdivisions creating an 'office' zoned erf between the rear boundaries of two (2) or more residential erven. Erven with the zoning "residential" to residential land use rights provided by the density of 1:250 m².
6.2 Windhoek North	Erven with the land use rights provided by the zoning "residential" or "general residential" but excluding erven reserved in this Scheme for new streets and widening of existing streets, to land use rights provided by the zoning "office" with a bulk of 0.4: Provided: That applications do not result in subdivisions creating an 'office' zoned erf between the rear boundaries of two (2) or more residential erven. Erven with the zoning "residential" to residential land use rights provided by the density of 1:250 m².
6.3 Olympia Lolo Park precinct	Erven with the land use rights provided by the zoning "residential" or "general residential" but excluding erven reserved in this Scheme for new streets and widening of existing streets, to land use rights provided by the zoning "office" with a bulk of 0.4: Provided: That applications do not result in subdivisions creating an 'office' zoned erf between the rear boundaries of two (2) or more residential erven. Erven with the zoning "residential" to residential land use rights provided by the density of 1:250 m².
7. Erven in the Office zone area: 7.1 Eros Park Medical precinct	Erven with the land use rights provided by the zoning "residential" or "general residential" but excluding erven reserved in this Scheme for new streets and widening of existing streets, to land use rights provided by the zoning "office" with a bulk of 0.4: Provided: That applications do not result in subdivisions creating an 'office' zoned erf between the rear boundaries of two (2) or more residential erven.
8. Erven in the Higher Residential Density zone area: 8.1 Otjomuise	Erven with the zoning "residential" to residential land use rights provided by the density of 1:150 m².
Amendments: Council Resolution 204/09/2019	
9. Erven in the Business development area. 9.1 Okuryangava: Southern portion of Ongava Street. 9.2 Havana: Erven abutting Outapi Street up to the intersection with Zambia Street 9.3 Katutura: erven abutting Abraham Mashego Street from the intersection with Claudius Kandovazu Street southwards up to the intersection with Ceasar/Mungunda Streets 9.4 Otjomuise: erven abutting Frankfurt and Cassamba Streets and Erven 2949 to 2961 along Bonn Street	Erven with the land use rights provided by the zoning "residential" or "general residential" but excluding erven reserved in this Scheme for new streets and widening of existing streets, to land use rights provided by the zoning "business" with a bulk of 0.4.



DEVELOPMENT AREA	CHANGE IN LAND USE RIGHT
9.5 Goreangab: western part of Green Mountain Dam Road and erven abutting Matshitshi Street up to Monte Christo Road and up to the intersection with Green Mountain Dam Road	
10. Erven in the Office and Higher Residential Density zone area: 10.1 Eros Medical Policy Area (Heliodoor Corridor);	Erven with the land use rights provided by the zoning "residential" or "general residential" but excluding erven reserved in this Scheme for new streets and widening of existing streets, to land use rights provided by the zoning "office" with a bulk of 0.4 and 0.75: Provided: That applications do not result in subdivisions creating an 'office' zoned erf between the rear boundaries of two (2) or more residential erven. Erven with the zoning "residential" to residential land use rights provided by the density of 1:250 m².
11. Erven in the office zone area: 11.1 Hans Dietrich Genscher/Florence Nightingale Policy Area (Khomasdal).	Erven with the land use rights provided by the zoning "residential" or "general residential" but excluding erven reserved in this Scheme for new streets and widening of existing streets, to land use rights provided by the zoning "office" with a bulk of 0.4 and business with a bulk of 1.0 Provided: That applications do not result in subdivisions creating an 'office' zoned erf between the rear boundaries of two (2) or more residential erven. Erven with the zoning "residential" to residential land use rights provided by the density of 1:250 m².
11.2 Kenneth Kaunda/Sam Nujoma (Klein Windhoek	Erven with the land use rights provided by the zoning "residential" or "general residential" but excluding erven reserved in this Scheme for new streets and widening of existing streets, to land use rights provided by the zoning "office" with a bulk of 0.4, 0.75 and 1.0 and business with a bulk of 1.0 Provided: That applications do not result in subdivisions creating an 'office' zoned erf between the rear boundaries of two (2) or more residential erven. Erven with the zoning "residential" to residential land use rights provided by the density of 1:250 m².
BRAKWATER AREA POLICY ZONES CR 41/2/2002 AND 363/10/2008 (BASED ON CR 496/10/1993)	
ZONE A1: NUBUAMIS HILLS EAST	
Development objectives	Area to be developed for high income residential purposes. Medium intensity residential development. Encourage conservation of natural systems Eliminate existing and prevent future light industrial uses
Dominant Land Use	Residential
Development Intensity	Density determined by topography up to 900m² Higher densities possible to provide housing to labourers

DEVELOPMENT AREA	CHANGE IN LAND USE RIGHT
Subdivisions	Minimum Plot Size: 900m ²
Primary use	Dwelling Houses
Consent uses	Agriculture Residential buildings; Places of public worship; Places of Instruction; Social Halls; Institutions; Special Buildings; Pensions; and Resident Occupations, agriculture
Prohibited uses	Other uses not under Primary and Consent uses
Infrastructure	New development to indicate how: sewer; water; and electricity will be provided Provision of services the responsibility of the developer. Services to be provided to municipal standards When subdividing, access should be provided to individual plots from roads maintained by the City.
Conservation	Natural qualities of the landscape to be conserved. Conserve hill tops, slopes and water courses Prevent dumping and pollution of river beds
ZONE A2: NUBUAMIS HILLS WEST	
Development objectives	Area to be developed for high income residential purposes. Large plots with low intensity residential development. Encourage conservation of natural systems Eliminate existing and prevent future light industrial uses
Dominant Land Use	Residential
Development Intensity	Maximum 1/5ha Higher densities possible to provide housing to labourers
Subdivisions	Minimum Plot Size: 25 ha
Primary use	Dwelling Houses
Consent uses	Agriculture Residential buildings; Places of public worship; Places of Instruction; Social Halls; Institutions; Special Buildings; Pensions; and Resident Occupations, agriculture
Prohibited uses	Other uses not under Primary and Consent uses
Infrastructure	New development to indicate how: sewer; water; and electricity will be provided Provision of services the responsibility of the developer. Services to be provided to municipal standards When subdividing, access should be provided to individual plots from roads maintained by the City.
Conservation	Natural qualities of the landscape to be conserved. Conserve hill tops, slopes and water courses Prevent dumping and pollution of river beds
ZONE B: NORTHERN FLATS	
Development objectives	Area to be developed for medium income residential purposes. Ultimately plot size to vary between 500 m ² and 700 m ² .



DEVELOPMENT AREA	CHANGE IN LAND USE RIGHT
	Commercial nodes can develop at strategic places to serve residents. Discourage light industrial activities.
Dominant Land Use	Residential
Development Intensity	Average residential density 1/ 500m ² Higher densities possible to provide housing to labourers Plots along the district road can have higher intensity development to support public transportation in the long run. For commercial development, a maximum bulk of 1 to be allowed.
Subdivisions	Minimum Plot Size: 500 m ² .
Primary use	Dwelling Houses
Consent uses	Agricultural Residential buildings; Places of public worship; Places of Instruction; Social Halls; Institutions; Special Buildings; Pensions; and Resident Occupations
Prohibited uses	Other uses not under Primary and Consent uses
Infrastructure	New development to indicate how: sewer; water; and electricity will be provided Provision of services the responsibility of the developer. Services to be provided to municipal standards When subdividing, access should be provided to individual plots from roads maintained by the City.
Rezoning	Can be supported to: Higher Density Residential General Residential Business Office Institutional Proof of advertisements in two local newspapers and comments from affected plot owners need to be provided on application for the rezoning.
Conservation	Natural qualities of the landscape to be conserved. Conserve water courses Prevent dumping and pollution of river beds
ZONE C: EASTERN FLATS	
Development objectives	Area to be developed for medium income residential purposes. Ultimately plot size to vary between 500 m ² and 700 m ² . Commercial nodes can develop at strategic places to serve residents.
Dominant Land Use	Residential
Development Intensity	Average residential density 1/ 500m ² Higher densities possible to provide housing to labourers Plots along the railway line can have higher intensity development For commercial development, a maximum bulk of 0,4 to be allowed.

DEVELOPMENT AREA	CHANGE IN LAND USE RIGHT
Subdivisions	Minimum Plot Size: 500 m ² .
Primary use	Dwelling Houses
Consent uses	Agricultural Residential buildings; Places of public worship; Places of Instruction; Social Halls; Institutions; Special Buildings; Pensions; and Resident Occupations
Prohibited uses	Other uses not under Primary and Consent uses
Infrastructure	New development to indicate how: sewer; water; and electricity will be provided Provision of services the responsibility of the developer. Services to be provided to municipal standards When subdividing, access should be provided to individual plots from roads maintained by the City.
Rezoning	Can be supported to: Higher Density Residential General Residential Business Office Institutional Proof of advertisements in two local newspapers and comments from affected plot owners need to be provided on application for the rezoning.
Conservation	Natural qualities of the landscape to be conserved. Conserve water courses Prevent dumping and pollution of river beds
ZONE D: THE INDUSTRIAL PERIPHERY	
Development objectives	Mixed development Area for low income residential and light industrial purposes. Commercial nodes can develop at strategic places to serve residents. Encourage light industrial activities Discourage informal settlement Encourage high density housing
Dominant Land Use	Residential and Industrial
Development Intensity	Average residential density 1/ 300m ² Higher densities possible to provide housing to labourers Plots along the national road and the district road can have higher intensity development. For commercial development, a maximum bulk of 1.0 to be allowed.
Subdivisions	Minimum Plot Size: 300 m ² .
Primary use	Dwelling Houses, Industrial buildings and Other Business Buildings
Consent uses	Agricultural Residential buildings; Places of public worship; Places of Instruction; Social Halls; Institutions; Special Buildings; Pensions; and Resident Occupations
Prohibited uses	Other uses not under Primary and Consent uses

DEVELOPMENT AREA	CHANGE IN LAND USE RIGHT
Infrastructure	New development to indicate how: sewer; water; and electricity will be provided Provision of services the responsibility of the developer. Services to be provided to municipal standards When subdividing, access should be provided to individual plots from roads maintained by the City.
Rezoning	Can be supported to: Higher Density Residential General Residential Business Office Institutional Proof of advertisements in two local newspapers and comments from affected plot owners need to be provided on application for the rezoning.
Conservation	Conserve water courses Prevent dumping and pollution of river beds
ZONE E: THE INDUSTRIAL CORE	
Development objectives	Heavy Industrial development Commercial nodes can develop at strategic places. Discourage residential development Encourage large scale industrial and commercial uses.
Dominant Land Use	Industrial
Development Intensity	An industrial bulk of 1.0 will be allowed High density residential uses possible for labour housing
Subdivisions	Minimum plot size: 300 m ²
Primary use	Industrial buildings and Other Business Buildings
Consent uses	Agricultural Residential buildings
Prohibited uses	Hotels and pensions
Infrastructure	New development to indicate how: sewer; water; and electricity will be provided Provision of services the responsibility of the developer. Services to be provided to municipal standards When subdividing, access should be provided to individual plots from roads maintained by the City.
Rezoning	Can be supported to: Higher intensity Industrial Business Office Proof of advertisements in two local newspapers and comments from affected plot owners need to be provided on application for the rezoning..
Conservation	Conserve water courses
ZONE F: THE INDUSTRIAL PERIPHERY SOUTH	
Development objectives	Mixed development Area for low income residential and light industrial purposes. Commercial nodes can develop at strategic places to serve residents.

DEVELOPMENT AREA	CHANGE IN LAND USE RIGHT
	Encourage light industrial uses Encourage high density residential uses Discourage informal residential uses
Dominant Land Use	Residential and Industrial
Development Intensity	Average residential density 1/ 300m ² Higher densities possible to provide housing to labourers Plots along the national road and the district road can have higher intensity development. For commercial development, a maximum bulk of 1.0 to be allowed.
Subdivisions	Minimum Plot Size: 300 m ² .
Primary use	Dwelling Houses, Industrial buildings and Other Business Buildings
Consent uses	Agricultural Residential buildings; Places of public worship; Places of Instruction; Social Halls; Institutions; Special Buildings; Pensions; and Resident Occupations
Prohibited uses	Other uses not under Primary and Consent uses
Infrastructure	New development to indicate how: sewer; water; and electricity will be provided Provision of services the responsibility of the developer. Services to be provided to municipal standards When subdividing, access should be provided to individual plots from roads maintained by the City.
Rezoning	Can be supported to: Higher Density Residential General Residential Business Office Institutional Proof of advertisements in two local newspapers and comments from affected plot owners need to be provided on application for the rezoning.
Conservation	Conserve water courses Prevent dumping and pollution of river beds
ZONE G: BRAKWATER WEST	
Development objectives	Area to be developed for high income residential purposes. Commercial nodes can develop at strategic places to serve residents. Discourage light industrial activities
Dominant Land Use	Residential
Development Intensity	Average residential density 1/ 10 000m ² Higher densities possible to provide housing to labourers Plots along the railway line can have higher intensity development For commercial development, a maximum bulk of 0,4 to be allowed.
Subdivisions	Minimum Plot Size: 10 000 m ² .
Primary use	Dwelling Houses

DEVELOPMENT AREA	CHANGE IN LAND USE RIGHT
Consent uses	Agricultural Residential buildings; Places of public worship; Places of Instruction; Social Halls; Institutions; Special Buildings; Pensions; and Resident Occupations
Prohibited uses	Other uses not under Primary and Consent uses
Infrastructure	New development to indicate how: sewer; water; and electricity will be provided Provision of services the responsibility of the developer. Services to be provided to municipal standards When subdividing, access should be provided to individual plots from roads maintained by the City.
Rezoning	Can be supported to: Higher Density Residential General Residential Business Institutional Proof of advertisements in two local newspapers and comments from affected plot owners need to be provided on application for the rezoning..
Conservation	Natural qualities of the landscape to be conserved. Conserve water courses Prevent dumping and pollution of river beds
ZONE H: EXTENSIVE EASTERN FARMS	
Development objectives	Maintain agricultural character
Dominant Land Use	Residential
Development Intensity	Residential density: 1/5 ha
Subdivisions	Minimum plot size: 1/25 ha
Primary use	Undetermined
Consent uses	All uses
Prohibited uses	None
Infrastructure	New development to indicate how: sewer; water; and electricity will be provided Provision of services the responsibility of the developer. Services to be provided to municipal standards When subdividing, access should be provided to individual plots from roads maintained by the City.
Rezoning	To be considered on merit Proof of advertisements in two local newspapers and comments from affected plot owners need to be provided on application for the rezoning.
Conservation	Natural qualities of the landscape to be conserved. Conserve water courses Prevent dumping and pollution of river beds

Development Areas shall include any additional Development Areas or Precincts as determined by Council from time to time through a formal resolution and all other policy areas approved as per the Windhoek Urban Structure Plan.

TABLE C: BUILDING LINES AND COVERAGE

USE ZONE	STREET BUILDING LINE	SIDE AND REAR BUILDING LINE	COVERAGE
Residential	5m	• 3m (single storey) • Increase by 2m for every additional storey	Residential and Residential buildings (60%) All other buildings 70%
General Residential	5m	1) 3m (single storey) 2) Increase by 2m for every additional storey	Residential and Residential buildings (60%) All other buildings 70%
Rural Residence	100m from centre of road (Trunk and main road) 45m from centre of road (District road) 5m from any other internal road	• 3m (single storey) • Increase by 2m for every additional storey	Blank?
Nature Estate	100m from centre of road (Trunk and main road) 45m from centre of road (District road) 5m from any other internal road	• 3m (single storey) • Increase by 2m for every additional storey	60%
Hospitality - Accommodation Establishment	5m	• 3m (single storey) • Increase by 2m for every additional storey	Residential and Residential buildings (60%) All other buildings 70%
Hospitality	5 m	• 3m (single storey) • Increase by 2m for every additional storey	Residential and Residential buildings (60%) All other buildings 70%

USE ZONE	STREET BUILDING LINE	SIDE AND REAR BUILDING LINE	COVERAGE
Office	5m	• 3m • For Dwelling Unit and Residential building = Increase by 2m for every additional storey	Residential and Residential buildings (60%) All other buildings 70%
Local Business	Dwelling units 5m All other buildings – 0 m	• 3m • Dwelling Unit and Residential building = Increase by 2m for every additional storey	Residential and Residential buildings (60%) All other buildings 85%
Business	Dwelling units 5m All other buildings – 0 m An additional 4m for fuel pumps	• 3m • Dwelling Unit and Residential building Increase by 2m for every additional storey	Residential and Residential buildings (60%) All other buildings 85%
Institutional	5m	• 3m • Dwelling Unit and Residential building = Increase by 2m for every additional storey	Residential and Residential buildings (60%) All other buildings 70%
Garage (Service Station)	5m An additional 4m for fuel pumps	3m	Dwelling unit and residential buildings (50%) All other buildings 70%
Light Industrial	Street reserve less than 25m wide = distance of at least one half of the difference between the width of the street and twenty-five (25) metres measured from the boundary of such street. Street more than 25m = 0 m	3m	Dwelling unit and residential buildings (50%) All other buildings 70%
Industrial	Street less than 25m wide = distance of at least	3m	Dwelling unit and residential buildings (50%)

USE ZONE	STREET BUILDING LINE	SIDE AND REAR BUILDING LINE	COVERAGE
	one half of the difference between the width of the street and twenty-five (25) metres measured from the boundary of such street. Street more than 25m = 0 m An additional 4m for fuel pumps		All other buildings 70%
Special	5m	• 3m • Dwelling Unit and Residential building = Increase by 2m for every additional storey • All other buildings: as determined by Council	Residential and Residential buildings (60%) All other buildings 70%
Municipal	5m (except for electrical substations)	3m	
Mixed Land Use: Commercial-Residential	All buildings – 0 m	3m Dwelling Unit and Residential building. Increase by 2m for every additional storey provided that council may relax this requirement	Residential and Residential buildings (60%) All other buildings 85%
Mixed Land Use: Industrial-Residential	Street less than 25m wide = distance of at least one half of the difference between the width of the street and twenty-five (25) metres measured from the boundary of such street. Street more than 25m = 0 m	3m	Residential buildings (50%) All other buildings 70%
Private Open Space	5m	3m	Residential and Residential buildings (60%) All other buildings 70%

USE ZONE	STREET BUILDING LINE	SIDE AND REAR BUILDING LINE	COVERAGE
Agriculture	100m from centre of road (Trunk and main road) 45m from centre of road (District road) 15m from any other internal road	15m	
Mining	N/A	N/A	To be determined by Council
Government	5m	• 3m • Dwelling Unit and Residential building = Increase by 2m for every additional storey	Residential and Residential buildings (60%) All other buildings 70%
Public Open Space	5m	3m	
Telecommunication	5m	3m	All other buildings 70%
Cemetery	As determined by Council	As determined by Council	N/A
Street	N/A	N/A	N/A

TABLE D: EROS AERODROME OBSTRUCTION ZONES AND RESULTING RESTRICTIONS ON THE HEIGHTS OF STRUCTURES

AREA	OBSTRUCTION ZONE	CONTOUR VALUES	RESTRICTION ON THE HEIGHT OF STRUCTURES
Academia	1705-1739	1679-1714	No structures without Dept. of Transport approval allowed on erven 517, 600 & 681, otherwise 8 metres.
Auasblick	1739-1765	1706-1809	8 metre
Avis	1765-1785	1673-1716	
Cimbebasia	1739-1785	1720-1776	8 metre
Dorado Park	1785	1630-1653	
Dorado Park Ext1	1760-1785	1632-1685	
Eros	1785	1635-1703	
Gammamsrivier Park	1739-1780	1724-1814	8 metres
Gammams Water Treatment Plant & Haloid	1785	1582-1629	
Goreangab Dam	1785	1555-1639	
Hochland Park	1739-1785	1639-1684	
Katutura & Okuryangava	1785	1595-1655	
Khomasdal	1785	1608-1683	
Kleine Kuppe	1739	1712-1853	8 metre
Kleine Kuppe 1	1739-1745	1720-1803	8 metre
Klein Windhoek	1739-1785	1640-1753	8 metre on higher areas otherwise 30 metre
Northern Industrial Area	1785	1600-1646	
Olympia	1739	1700-1753	8 metre in approach zone - see plan P/1156/S Rev.1, otherwise 12 metre
Otjomuise	1785	1592-1647	

Pionierspark	1710-1739	1705-1720	See plan P/1662/S 11 m to 18 metre
Pionierspark 1	1739	1653-1692	
Prosperita	1715-1739	1705-1720	See plan P/1662/S 11 - 18 metre
Rocky Crest	1760-1785	1630-1690	
Show Grounds - Centaurus Street	1739	1677-1765	8 metre on higher areas otherwise 30 metre
Sports Grounds, Windhoek Township	1705-1739	1681-1753	No structures without Dept. of Transport approval allowed in the approach zone (see plan P/1427/S) otherwise 30 metre
Central Business District South of P.Müller St.	1739-1785	1660-1690	
Central Business District North of P.Müller St.	1785	1652-1680	
Restricted Business Area, Windhoek Township	1680-1739	1661-1697	8 metres in approach zone otherwise 12 metre
University of Namibia	1739	1650-1690	
Windhoek North	1785	1630-1673	
Windhoek West	1785	1630-1681	

TABLE E: DENSITY REQUIREMENTS

DENSITY
1:50
1:100
1:150
1:250
1:300
1:350
1:450
1:500
1:700
1:900
1 per Erf
1:1 Hectare
1:5 Hectare
1:10 Hectare

TABLE F: BULK PROVISIONS

BULK ZONE	BULK FACTOR NOT TO BE EXCEEDED
1	8.0
2	6.0
3	4.0
4	3.5
5	2.0
6	1.0
7	0.75
8	0.5
9	0.4
10	0.1

TABLE G: PARKING REQUIREMENTS

No	ZONING	USE	MINIMUM NUMBER OF PARKING SPACES TO BE PROVIDED
1.	Residential & General Residential	Residential Dwelling; ≤ 3 bedrooms	1 bay per dwelling unit with 3 bedrooms or less (make sure parking bay for minimum one vehicle is provided for all dwelling units having no garage or carports)
		Residential Dwelling; ≥ 4 bedrooms	2 bays per dwelling unit with 4 bedrooms or more
		Flats & Group Housing Complex / Schemes	1 bay per equal or less than 3-bedroom unit, or 2 bays per equal or greater than 4-bedroom unit, <u>plus</u> one bay per 3 units or part thereof explicitly for visitors parking
		Old Age Home & Boarding Houses	0.3 bays per bed
		Guest Houses (B&B or Pensions)	Refer to Hotel as of 01/2019
		Resident Occupation	Parking requirement for residential dwelling <u>plus</u> 1 bay per employee <u>plus</u> 2 bays per industry or as required by the Urban and Transport Planning Department
		Medical Suites as Resident or Home Occupation	4 bays per medical practitioner <u>plus</u> parking requirement for residential building
		All other uses	As determined by the Urban and Transport Planning Department
2.	Business, Local Business, Hospitality & Light Industrial	Hotels, Pension & Motels	0.66 bays per leasable room <u>plus</u> 5 bays per 100m ² open floor space (excluding reception area), <u>plus</u> loading zone.
		Restaurants and Pubs	1 bay per 3 seats <u>plus</u> loading zone
		Fast Foods and Tea Gardens	1 bay per 4 seats <u>plus</u> loading zone
		Fuelling Stations	5 bays per 100 m ² leasable area in the convenience store, 2 bays per ATM facility, 6 parking bays per car wash; <u>must</u> submit a turning movement plan showing how fuelling trucks unload at dispatch points
		Garages	4 bays per service bay plus 2 bays per 100 m ² spare parts or sales / display area.
		Retail / Shops > 1,000 m ² total area	5 bays per 100 m ² <u>plus</u> loading area

No	ZONING	USE	MINIMUM NUMBER OF PARKING SPACES TO BE PROVIDED
		Medical Suites (consent compulsory)	5 bays per medical practitioner
		Gymnasiums	7 bays per 100 m ² floor area
		Nursery	1 bay per 100 m ² erf area
		All other uses (business)	3 bays per 100 m ² developed floor area. Note large business areas > 1,000m ² should be considered as retail.
		All other uses (restricted business)	2 bays per 100 m ² developed floor area
3.	Industrial	Warehouse > 1,000 m ² having no partitions	1 bay per 100 m ² floor area <u>plus</u> loading area
		Warehouse ≤ 1,000 m ²	1.5 bay per 100 m ² floor area <u>plus</u> loading bay
		All other uses	1.5 bays per 100 m ² floor area <u>plus</u> loading area. Adequate provision must be made for the in and out movement of large trucks.
4.	Institutional	Churches	1 bay for every 4 seats for a sitting capacity up to 60 and 1 bay for every 6 seats or part thereof above
		Schools; Nursery School (Day-care Centres)	1 bay per classroom and or office <u>plus</u> 1 bay per 10 children for on and off loading
		Hospital, Clinics	1.20 bays per bed <u>plus</u> 4 bays per medical practitioner
		Universities	1 bay per classroom and or office <u>plus</u> 1 bay per 5 students; 25% of student parking allocated to taxis
		All other uses	Minimum 1 bay per 66 m ² floor area or as determined by the Urban & Transport Planning Department
5.	Office	All uses	1 per 25m ² floor area

TABLE H: SPECIAL USES

(1) DESCRIPTION OF PROPERTY	(2) PRIMARY USES	(3) CONSENT USES	(4) PROHIBITED USES
Erf 5465 Windhoek	Places of Entertainment (previously known as Places of Amusement)	Other uses not under columns 2 and 4	Noxious industrial buildings, scrapyards and industrial buildings
Erven 7519 and 5424 Re (Erven 6750, 1774, 5187, ptn 893, ptn 5424, and 903, 429, 1/A/430) Windhoek (consolidated 7726)	Hotel, caravan park, service station, drive-in cafe and Places of Entertainment (previously known as Places of Amusement)	Other uses not under columns 2 and 4	Noxious industrial buildings, scrapyards and industrial buildings
Erf 5969 Windhoek (AS 81)	See Table H		
Erf 5979 W, and Erf 6572 Windhoek (AS 75)	Places of Entertainment (previously known as Places of Amusement) Institutional and sport 18 000 m² Restaurant and social club 200 m² Agriculture (auctions) 7 000 m² Office 150 m² Agriculture (auctions) 4 651 m² Business with a bulk of 0.5 <u>16 191 m²</u> Total <u>46 192 m²</u>	Other uses not under columns 2 and 4	Noxious industrial buildings
Erf Re/235 Klein Windhoek	Hotel and Places of Entertainment (previously known as Places of Amusement)	Other uses not under columns 2 and 4	Noxious industrial buildings, scrapyards and industrial buildings
Erf 3090 Windhoek	Parking for use in conjunction with the use on erf 68/A Windhoek	None	Other uses not under column 2
Erf 1667 Windhoek	Dwelling units, residential buildings and 100 m ² floor area which may be used for shops and purposes incidental thereto	Places of public worship, places of instruction, social halls, institutions, special buildings and hotels	Other uses not under columns 2 and 3

(1) DESCRIPTION OF PROPERTY	(2) PRIMARY USES	(3) CONSENT USES	(4) PROHIBITED USES
Erven 1/B/351, Re/B/351, Re/352, Re/B/352, 4262, Windhoek	Residential buildings, offices and places of instruction	Shops and social halls	Other uses not under columns 2 and 3
Erf 6166 Windhoek	Bible society purposes as approved by Council	Places of public worship, places of instruction, social halls, institutions and special buildings	Other uses not under columns 2 and 3
Erven 3498 to 3503 Windhoek	Processing of meat	Other uses not under columns 2 and 4	Hotels and dwelling units
Erf 2354 Windhoek	Parking	None	Other uses not under columns 2 and 3
Erf 121/B Windhoek	Dwelling units and residential buildings	Places of public worship, social halls, institutions, special buildings, hotels, offices, resident occupation and places of instruction	Other uses not under columns 3 and 4
Erf 238 Windhoek	Parking	None	Other uses not under column 2
Erf 875, Windhoek	Restaurant	Institutional	All other uses
Erf 174 Pionierspark	Parking for use in conjunction with the use of erf 63 Pionierspark.	None	Other uses not under column 2
Erven 6594, 2314, 6101 to 6107 and 6150 to 6155 Windhoek (Cons. 6866)	Broadcasting and related purposes	Dwelling units, residential buildings, social halls, institutions, places of public worship, places of instruction, shops and special buildings	Other uses not under columns 2 and 3

(1) DESCRIPTION OF PROPERTY	(2) PRIMARY USES	(3) CONSENT USES	(4) PROHIBITED USES
A Portion of Erf R/9 of Hillside as per land surveyor's diagram.		Slaughterhouse with a minimum of 1000m ² . Residential	Other uses not under columns 2 and 3
Erf 5561, Windhoek	(i) Hotel (150 leasable bedrooms) total area of 15 000 m ² including Places of Entertainment (previously known as Places of Amusement) (450 m ²), shops (150 m ²), restaurant (650 m ²). (ii) 40 Chalets (6 000 m ²).	Other uses not mentioned under columns 2 and 4.	Noxious industrial buildings, scrap yards and industrial buildings.
Deleted by A.S. 43			
Erf 7440 Re Windhoek	Hotel (150 leasable bedrooms) total area of 18000m ² including a "Places of Entertainment (previously known as Places of Amusement)" (450m ²), shops (150m ²), and restaurant (650m ²).	Other uses not mentioned under columns 2 and 4	Noxious industrial buildings, scrap yards and industrial buildings.
Erf 7496 Windhoek	40 Chalets (6000m ²)	Other uses not mentioned under columns 2 and 4	Noxious industrial buildings, scrap yards and industrial buildings.
1944 Klein Windhoek	- Restaurant & shops with maximum floor area of 500m²; - A hotel with a maximum floor area of 2700m². - A health resort & wellness centre with a maximum floor area of 1800m². Dwelling units, residential buildings and dwelling houses with a maximum floor area of 5200m ² .	None	Other uses not under columns 2 & 3.
Erf Re/105 Klein Windhoek	Medical Spa with a maximum floor area of 1 049 m ² Dwelling units, residential buildings and dwelling houses with a maximum floor area of 2 098 m ² (50 % of the Remainder of the residential area retaining a density of 1:900 m ²)	Bed and Breakfast	Other uses not under columns 2 & 3.

(1) DESCRIPTION OF PROPERTY	(2) PRIMARY USES	(3) CONSENT USES	(4) PROHIBITED USES
3381, Goreangab	- Place of amusement; - Restaurant with max floor area of 338.92m²; - Accommodation establishment of maximum of fifteen (15) units (rooms); - Business building with a maximum of 954.55m² (offices, conference facility and gift shop); - Arts and craft workshop with maximum floor area of 170.8m²; and Agriculture limited to Aquaponics garden and a regular traditional garden and small chicken pen.	Other uses not under columns 2 and 4	-Noxious industrial buildings Scrapyards and industrial buildings
Erf 1957 [consolidation of Erf 1956 (a portion of Erf R/1235) with Erf 324], Pionierspark	Residential (Bulk of 0.4 not be exceeded by both primary and consent uses)	Training facility (beauty school and clinic) not exceeding size of existing house (428 m ²) (Bulk of 0.4 not be exceeded by both primary and consent uses)	Other uses not mentioned under column 2

TABLE I: SPECIAL USES - EMBASSIES

(1) DESCRIPTION OF PROPERTY	(2) PRIMARY USES	(3) CONSENT USES	(4) PROHIBITED USES
Erf 402, Klein Windhoek Erf 2413, Klein Windhoek Erf 52, Windhoek Erf 626, Windhoek Erf 451, Klein Windhoek	Embassy: residential and office purposes	Dwelling units, Residential buildings, Places of public worship, Places of instruction, Social halls, Institutions, Special buildings, Bed-and-breakfasts, Resident occupations and Heritage Consent	Other uses not under columns 2 and 3
Erf 2021, Windhoek	Embassy: residential and office purposes	Dwelling units, residential buildings, places of public worship, Places of instruction, Institutions, Special buildings, Hotels, Resident occupations, and Heritage Consent	Other uses not under columns 2 and 3
Erf 2914, Klein Windhoek	Embassy: residential and office purposes, subject to the following restrictions: - maximum floor area of 200m ² for office usage; - density: 1 dwelling per 900m ²	Dwelling units, Residential buildings, Places of public worship, Places of instruction, Social halls, Institutions, Special buildings, Bed-and-breakfasts, Resident occupations and Heritage Consent	Other uses not under columns 2 and 3
Erf 3078, Klein Windhoek	Embassy: residential and office purposes, subject to the following restrictions: - maximum floor area of 1000m ² for office usage; - density: 1 dwelling per 700m ²	Dwelling units, Residential buildings, Places of public worship, Places of instruction, Social halls, Institutions, Special buildings, Bed-and-breakfasts, Resident occupations and Heritage Consent	Other uses not under column 2 and 3
Erf 32, Klein Windhoek	Embassy: residential and office purposes, subject to the following: - that the existing floor area for office usage not be exceeded	Dwelling units, residential buildings, places of public worship, Places of instruction, Institutions, Special buildings, Hotels, Resident occupations, and Heritage Consent	Other uses not under columns 2 and 3

(1) DESCRIPTION OF PROPERTY	(2) PRIMARY USES	(3) CONSENT USES	(4) PROHIBITED USES
Erf B/4, Windhoek	Embassy: residential and office purposes, subject to the following restrictions: - maximum floor area of 200m² for office usage; - density: 1 dwelling per 900m²	Dwelling units, Residential buildings, Places of public worship, Places of instruction, Social halls, Institutions, Special buildings, Bed-and-breakfasts, Resident occupations and Heritage Consent	Other uses not under columns 2 and 3
Erf 457, Klein Windhoek	Embassy: residential and office purposes, subject to the following conditions: - maximum floor area of 200m² for office usage. - density of 1 residential unit per 250m²	Dwelling units, Residential buildings, Places of public worship, Places of instruction, Social halls, Institutions, Special buildings, Bed-and-breakfasts, Resident occupations and Heritage Consent	Other uses not under columns 2 and 3
Erf 2637, Windhoek	Embassy: residential and office purposes, subject to the following condition: - maximum floor area of 120m² for office usage.	Dwelling units, Residential buildings, Places of public worship, Places of instruction, Social halls, Institutions, Special buildings, Bed-and-breakfasts, Resident occupations and Heritage Consent	Other uses not under columns 2 and 3
Erf H/399, Windhoek	Embassy: residential and office purposes, subject to the following conditions: - maximum floor area of 150m² for office usage, - total number of 5 offices	Dwelling units, residential buildings, places of public worship, Places of instruction, Institutions, Special buildings, Hotels, Resident occupations, and Heritage Consent	Other uses not under columns 2 and 3
Erf F/399 Windhoek	Embassy: residential and office purposes	Dwelling units, Residential buildings, Places of public worship, Places of instruction, Social halls, Institutions, Special buildings, Bed-and-breakfasts, Resident occupations and Heritage Consent	Other uses not under columns 2 and 3
177 Re. Klein Windhoek	Embassy: residential and office purposes	Dwelling units, Residential buildings, Places of public worship, Places of instruction, Social halls, Institutions, Special buildings, Bed-and-breakfasts, Resident occupations and Heritage Consent	Other uses not under columns 2 and 3

TABLE J: SPECIAL ADDITIONAL USES & SPLIT ZONING

(1) DESCRIPTION OF PROPERTY	(2) ADDITIONAL PRIMARY USES	(3) CONSENT USES	(4) PROHIBITED USES
Zoning plus (Star plus notation shown on map)			
3445 Windhoek	Offices with a bulk of 0.4		
6436 Windhoek	Offices with a bulk of 0.4		
623 Academia	12m ² floor area for retail of horse-riding materials and related commodities		
2781 Klein Windhoek	700m ² retail floor area		
Portion 41 Brakwater No. 48 (AS 68)	None	5000m ² for slaughterhouse, 50m ² butchery and residential purposes.	All other uses
Portion 122 of the Farm Nubumis No 37 (AS 77)	2 000m ² for an accommodation establishment (building area). This would include 20 rooms and related facilities such as bathrooms, service areas, recreation areas such as a swimming pool		
	2 000m ² for retail facilities (building area). This would include the restaurant area (dining area, kitchen, washrooms and outside sitting areas for sundowners), a tourist shop and other related facilities		
	3 000m ² for conference facilities (building area), This would include conference rooms, small kitchen, dining area, verandas etc.)		
	20 camping sites		
1711 Pionierspark Ext. 1	3 000m ² business floor area		
2044 Windhoek	600m ² for medical consulting rooms		
A Portion of Erf R/9 of Hillside as per land surveyor's diagram.		Slaughterhouse with a minimum of 1000m ² . Residential	Other uses not under columns 2 and 3
Remainder of Portion B of Erf 119 Windhoek	Split Zone: Approx 50% Institutional Approx 50% Restricted Business with bulk of 0.5	As per Table A	As per Table A
Portion of Portion 43 Brakwater No. 48 (AS 63)	None	Taxidermy (6500 m ²); residential with density of 1 per 5 hectare; places of public worship, places of instruction, social halls, institutions, special buildings and hotels	Other uses not under columns 2 and 3.

(1) DESCRIPTION OF PROPERTY	(2) ADDITIONAL PRIMARY USES	(3) CONSENT USES	(4) PROHIBITED USES
Portion 26 excluding Portion 126 (a ptn of Ptn 6) of the Farm Brakwater No. 48 (AS 68) A 296/59	216907 m ² Industry with a bulk of 0.5 (as in Table A) (Total extent of Portion 26 = 300003m ²)	(as in Table A)	(as in Table A)
Portion 126 (a ptn of Ptn 6) of the Farm Brakwater No. 48 (AS 68)	83096 m ² : Street		
Erf 5969 Windhoek (AS 81)	Places of Entertainment (previously known as Places of Amusement and 'industry and warehousing' to a maximum floor area of 4 300m ² on a site shown by survey diagram A90/2007 coordinated as follows: <u>Pts</u> <u>Y</u> <u>X</u> A. -8945.21 +64329.27 B. -8005.58 +64250.55 C -9019.45 +64249.17 D -9040.07 +64266.61 E. -9039.85 +64269.36 F. -8967.62 +64361.47	Other uses not under columns 2 and 4	Noxious industrial buildings
Portion 37/24 of the Farm Nubuamis No. 37	Equestrian facilities including a club house. Residential estate of 22 portions.	Other complimentary uses not listed in Column 2.	Industrial use.

SPECIAL ADDITIONAL USES & SPLIT ZONINGS – WITH LOCATIONAL INDICATORS (COORDINATES OR MAPS)

(1) FARM	(2) DESCRIPTION OF PROPERTY	(3) ZONE	(4) COORDINATES
Portion 17 of the Farm Emmarentia No. 380. (AS 75)	1000 m ² portion of the Farm falling outside the road reserve as indicated on the applicant's date stamped plan (dated 04/02/2002)	Business with a bulk of 0.4	<u>Point Y X</u> L5 -6450.71 +41895.31 L6 -6482.22 +41891.88 L7 -6493.30 +41922.39 L8 -6461.79 +41925.83 Ref. WJ Dreyer; system Lo.22/17; dd 060310
Portion 17 of the Farm Emmarentia No. 380 (AS 75)	A 2-hectare portion	Residential with a density of 1:900 m ²	<u>Point Y X</u> L1 -6568.01 +41921.64 L2 -6698.66 +41895.03 L3 -6728.60 +42042.01 L4 -6597.95 +42068.63 Ref. WJ Dreyer; system Lo.22/17; dd 060310
Portion of Portion 88 of Brakwater No. 48. (AS 30)	A 7115 m ² portion	General Residential (as given in Table A) with a density of one dwelling per 500m ²	<u>Point Y X</u> a -5152.35 +42090.04 b -5225.55 +42084.06 c -5282.98 +42115.08 d -5275.01 +42146.34 e -5147.08 +42146.34 Ref. SG No. 395/95; dd 14 Nov 1995
Portion of Portion 62 of Brakwater No. 48. (AS 34)	A 999.8244 m ² portion	Business (as given in Table A) with a bulk of 1.0	<u>Point Y X</u> a -5170.36 +45043.14 b -5184.41 +45071.47 c -5156.08 +45085.52 d -5142.03 +45057.19 Ref. Pierre Neethling & Assoc; dd 960409
Portion of Remainder of Farm Elisenheim No. 68. (AS 34 & 54)	39.0001 hectare	Industry (as given in Table A) with a bulk of 0.4	<u>Point Y X</u> a -8749.71 +55501.70 b -8819.74 +55435.99 c -9196.44 +55435.13 d -9206.26 +55607.88 e -9210.85 +55759.73 f -9218.11 +55787.45 g -9254.96 +55839.53 h -9256.67 +55879.16 j -9392.69 +56085.73 k -9076.33 +56272.60 l -9008.80 +56297.26 m -8671.18 +56061.97 n -8670.79 +55784.16 o -8728.20 +55645.45 p -8730.62 +55559.57 Ref. Prinsloo & Visser; dd 0103
Portion of Portion 4 Farm Emmarentia No. 380. (AS 34)	Approximately 10 hectares	General Residential (as given in Table A) with a density of one dwelling per	<u>Lengths</u> FG = 508.45 m GB = 268.70 m BC = 452.98 m CF = 174.09 m



SPECIAL ADDITIONAL USES & SPLIT ZONINGS – WITH LOCATIONAL INDICATORS (COORDINATES OR MAPS)

(1) FARM	(2) DESCRIPTION OF PROPERTY	(3) ZONE	(4) COORDINATES
		900m ² .	Ref. E.Marks Building Contractors; dd 961203
Portion of the Remainder of Portion 36 of Farm Brakwater No. 48 (AS 40)	Approximately 2.8523 Hectare	Industrial (as given in Table A) with a bulk of 0.4	<u>Point</u> <u>Y</u> <u>X</u> a -5966.6024 +45206.9461 b -6116.416 +45216.512 c -6111.8526 +45406.6075 d -5962.039 +45397.0416 Ref. Owner's plan
Portion 146 of the Farm Brakwater No. 48	Approximately 11680 m ²	General residential (as given in Table A) with a density of 1 per 900 m ² .	80 m by 146 m central to the portion and abutting on to the southern boundary Ref. spc dd 020510
Two portions of Farm Brakwater No. 428 lying in the flood zone of the River (AS 79)	Two portions being approximately 3.0 hectare and 1.2 hectare	Conservation (as given in Table A)	<u>Northern Portion</u> <u>Point</u> <u>Y</u> <u>X</u> 1 -7587.44 +47486.67 2 -7588.45 +47504.01 23 -7592.09 +47530.85 3 -7597.51 +47560.96 4 -7610.06 +47606.97 5 -7616.32 +47631.10 24 -7629.10 +47660.25 6 -7649.28 +47674.39 25 -7667.11 +47694.72 7 -7694.86 +47707.74 8 -7725.18 +47748.74 9 -7765.22 +47776.74 10 -7786.13 +47822.89 26 -7791.19 +47844.67 11 -7812.12 +47866.29 12 -7833.83 +47892.37 13 -7865.76 +47858.20 14 -7860.11 +47827.48 15 -7823.08 +47793.18 16 -7797.69 +47750.75 17 -7772.65 +47706.58 18 -7734.89 +47672.98 19 -7711.01 +47632.68 20 -7669.12 +47589.12 21 -7669.91 +47560.11 22 -7669.91 +47528.77 B -7637.66 +47482.87 <u>Southern Portion</u> <u>Point</u> <u>Y</u> <u>X</u> 31 -7779.06 +48257.40 32 -7757.07 +48277.53 33 -7690.61 +48290.44 34 -7639.47 +48259.79 35 -7652.35 +48459.10

SPECIAL ADDITIONAL USES & SPLIT ZONINGS – WITH LOCATIONAL INDICATORS (COORDINATES OR MAPS)

(1) FARM	(2) DESCRIPTION OF PROPERTY	(3) ZONE	(4) COORDINATES
			36 -7695.94 +48502.92 H -7727.12 +48453.09 G -7680.82 +48364.67 Ref. Windhoek Consulting Engineers; dd 070123
Portion of Portion 147 of the Farm Brakwater No. 48	Approximate 2.5 Ha building restriction area	Not applicable	<u>Point Y X</u> E -3215.677 +43529.258 B -3366.737 +43529.238 C -3366.737 +43674.222 Cor. Ptn Re/136 & 147 see restriction for Portion 136. Ref. Amendment Scheme 34 of March 1997
Portion of Portion 136 Re. of the Farm Brakwater No. 48	Approximate 2.5 Ha building restriction area	Not applicable	<u>Point Y X</u> E -3215.677 +43529.258 D -3025.737 +43674.26 A -3025.677 +43529.238 Cor. Ptn Re/136 & 147; see restriction for Portion 147. Ref. Amendment Scheme 34 of March 1997
Portions 171, 172 and Remainder of Portion 54 of the Farm Brakwater No. 48 (AS 48)	2 hectares in total spread over the three portions.	Not applicable	
Portion 182 of Portion 56 of the Farm Brakwater No. 48(AS 48)	2 hectares in north-east corner	Not applicable	
Remainder of Portion 56 of the Farm Brakwater No. 48 (AS 48)	2 hectares in north-western corner	Not applicable	
Portion 358 of Portion 58 (a portion of Portion H) of the Farm Brakwater No.48 (AS 48)	4 hectares in northern 40% of the portion	Not applicable	
Portion 177 and Remainder of Portion 62 of the Farm Brakwater No. 48 (AS 48)	2 hectares spread over both portions	Not applicable	
Remainder of Portion 6 (a portion of Portion 2) of the Farm	2 hectares forming southern 30% of the portion	Not applicable	



SPECIAL ADDITIONAL USES & SPLIT ZONINGS – WITH LOCATIONAL INDICATORS (COORDINATES OR MAPS)

(1) FARM	(2) DESCRIPTION OF PROPERTY	(3) ZONE	(4) COORDINATES
Döbra No.49 (AS 48)			
Remainder of Portion 32 of the Farm Nubuamis No. 37 (AS 48)	2 hectares	Not applicable	
Portion 2 of Portion 94 of the Farm Brakwater No. 48 (AS 63)	2 hectares	Not applicable	

TABLE K: LIST OF HERITAGE BUILDINGS.**WINDHOEK:**

ERF	STREET	TYPE	GRADE
A/4	Omuramba	Dwelling	B64
B/4	Omuramba	Dwelling	B64
A/9	Nelson Mandela	Dwelling	C50
21	Independence	Dwelling	C40
1/E/29	Okonguarri	Dwelling	B63
4/A/29	Promenaden	Main house built 1929/30	C42
5/A/29	Promenaden	Dwelling	C42
A/36	Promenaden	Dwelling	C41
B/39	Promenaden	Dwelling	C51
53	Robert Mugabe	Dwelling	C53
59	Robert Mugabe	Dwelling	C54
64	Love	Dwelling	B67
69	Körner	Dwelling	C54
B & H/74 (7388)	Eugene Marais	Dwelling	B71
A & G/74	Eugene Marais	Dwelling	B71
J/74	Körner	Dwelling	B76
77 (8010)	Eugene Marais	Dwelling	B77
A/103	Schutzen	Dwelling	C50
A/103	Schutzen	Dwelling	B78
1/A/109	Crohn	Dwelling	B64
A/109	Crohn/Bahnhof	Dwelling	B70
A/110	Schanzen	Dwelling	A85
113	Werth Singel	Dwelling	B74
120	Conradie/Love	Dwelling	B71
120	Love	Dwelling	B73
E/121	Love	Dwelling	C50
F/121	Lindequist	Dwelling	C57
153	Rev. Michael Scott	Dwelling	A80
153	Kalk	Dwelling	B60
160	Lossen	Dwelling	C51
167	Heinitzburg	Castle dwelling	A100
A/171	Kasteel	Castle dwelling	A91
1/C/171	Robert Mugabe	Dwelling	C58
A/180	Lazarett	Dwelling	C50
C/181	Lossen/Feld	Dwelling	C46
182	Lazarett/Feld	Main Sanitation Depot, Office & Laboratory	B67
A/351	Schinz/Trift	Dwelling	C52
C/351	Nachtigal	Dwelling	C45
C/351	Nachtigal	Dwelling	C45
C/352	Trift	Dwelling	C47
D/399	Bismarck	Dwelling	C49
E/399	Bismarck	Dwelling	B62
H/399	Bismarck	Dwelling	B67
I/399	Bismarck	Dwelling	C59
L/399	Bismarck	Dwelling	C58
M/399	Bismarck	Dwelling	C47
1/B/440	John Meinert	Dwelling	C54
2/B/440	John Meinert	Dwelling	C53
6/B/440	Rossini	Dwelling	C52
7/B/440	Rossini	Dwelling	C57



WINDHOEK:

ERF	STREET	TYPE	GRADE
8/B/440	Rossini	Dwelling	B62
9/B/440	Rossini	Dwelling	C50
11/B/440	John Meinert/Rossini	Dwelling	C56
12/B/440	Van Rhijn	Dwelling	C59
13/B/440	Van Rhijn	Dwelling	C50
14/B/440	Van Rhijn	Dwelling	C56
15/B/440	Van Rhijn	Dwelling	C54
15/B/440	Van Rhijn	Dwelling	C54
16/B/440	Van Rhijn	Dwelling	B61
17/B/440	Van Rhijn	Boarding House	B61
18/B/440	Van Rhijn	Boarding House	C57
1/8/B/440	Rossini	Dwelling	C52
467	Bach	Dwelling	C50
469	Bach	Dwelling	C58
470	Bach	Dwelling	C46
A/471	Bach	Commercial & Dwelling	C46
479	Purcell	Commercial & Dwelling	C48
481	Purcell	Commercial & Dwelling	C41
494	Kerby	Shop & Office converted to Dwelling	C49
RE/530	Love	Dwelling	C47
A/530	Love	Dwelling	C53
RE/531	Love	Dwelling	C53
A/531	Love	Dwelling	C51
537	Purcell	Comm. & Dwelling	C43
RE/544	Post	Comm. & Dwelling	C53
546	Bismarck	Comm. & Dwelling	C52
548	Bismarck	Dwelling	C47
553	Rev.M.Scott/Kalk	Dwelling	B79
564	Kalk	Dwelling	B60
569	Liliencron	Dwelling	C56
577	Johann Albrecht	Dwelling	B75
640	Bismarck	Dwelling	B74
RE/641	Bismarck	Dwelling	C52
A/641	Bismarck	Dwelling	C41
RE/644	Bismarck	Dwelling	C59
1/644	Bismarck	Dwelling	C57
RE/645	Bismarck	Dwelling	C54
A/645	Bismarck	Dwelling	C53
RE/648	Church	Dwelling	C51
A/648	Bismarck	Dwelling	C41
B/648	Church/Bismarck	Dwelling	C54
650	Voigts & Trift	Dwelling	A83
651	Trift	Dwelling	C45
652	Trift	Dwelling	B63
654	Voigts	Dwelling	C51
655	Voigts	Dwelling	C56
656	Voigts	Dwelling	C40
657	Schinz	Dwelling	C57
658	Trift	Dwelling	C51



RE/659	Trift/Nachtigal	Comm. & Dwelling	C48
A/659	Nachtigal	Dwelling	C56
679	Van Rhijn/Pasteur	Dwelling	C58

WINDHOEK:

ERF	STREET	TYPE	GRADE
696	Schanzen	Dwelling	B62
702	Anderson	Dwelling	C50
RE/761	Hochland	Dwelling	C46
B/761	Trift	Dwelling	C43
774	Schanzen	Dwelling & office	B72
846	Lindequist	Dwelling	B62
1575	Robert Mugabe	Dwelling	B76
1575	Robert Mugabe	Dwelling	B79
1575	Robert Mugabe	Dwelling	B69
1575	Robert Mugabe	Dwelling	B74
1575	Robert Mugabe	Dwelling	B74
1575	Heinitzburg	Dwelling	C48
1662	Eugene Marais	Dwelling	C51
1667	Bismarck/Church	Comm. & Dwelling	C45
1668	Garten/Kalk	Dwelling	B77
1672	Newton	Dwelling	C50
1742	Bismarck	Dwelling	B61
1747	Trift	Dwelling	C49
1756	Schutzen	Dwelling	B79
1756	Werth Singel	Dwelling	B61
1770	Nachtigal	Dwelling	C51
1799	Robert Mugabe/Luther	Dwelling	B62
1806	Sinclair	Dwelling	B62
1810	Bach	Outbuilding & shop	C44
1810	Bach/Purcell	Outbuilding & shop	B60
2021	Bismarck	Dwelling	B63
2165	Okonguarri	Dwelling	C40
2236	Outeniqua	Dwelling	C44
2295	Sandpiper	Dwelling	C42
3705	Hosea Kutako	Dwelling	C57
3705	Hosea Kutako	Dwelling	C57
3712	Hosea Kutako	Dwelling	C59
5524	Promenaden	Dwelling	B61
5636	Schwerinsburg	Castle dwelling	A99
5642	Heinitzburg	Dwelling	C48
5668 (now part of Erf 7215)			
	Robert Mugabe	Dwelling	C55
5753	Love/Sinclair	Dwelling	B66
6608	Eugene Marais/Uhland	Dwelling	C53
6645	Schutzen/Bahnhof	Dwelling	B79



KLEIN WINDHOEK:

ERF	STREET	TYPE	GRADE
1	Christian	Dwelling	C50
7	Stein/Sam Nujoma	Dwelling	C47
10	Stein	Dwelling	C45
13 (3673)	Eadie/Jan Jonker	Dwelling	C58
A/22	Nelson Mandela	Dwelling	B60
34	Kiekebusch	Dwelling	A87
B/35	Jan Jonker	Dwelling	B62
54	Sam Nujoma	Dwelling	C44
A/59	Sam Nujoma	Dwelling	C47
97	Le Roux	Dwelling	C58
98	Berg/Koch	Dwelling	C51
A/117	Uhland	Dwelling	C41
129	Von Eckenbrecher	Dwelling	C45
349	Nelson Mandela	Dwelling	C46
411	Sam Nujoma	Dwelling	C57
554	Ziegler	Dwelling	C49
555	Von Eckenbrecher	Garage conv. to dwelling	C49
1106	De Jager	Dwelling	C49
1145	Anz	Outbuilding conv. to dwelling	C49
1339	Berg	Dwelling	C49
1352	Rusch	Dwelling	C45
1593	Mocke	Dwelling	C50
1842	Metje	Dwelling	C49
1944	Jan Jonker Drive	Dwelling	B73
2533	Sam Nujoma	Dwelling	C50
2644	Nelson Mandela/ Hofmeyr	Dwelling	C55
2644	Nelson Mandela/ Hofmeyr	Dwelling	C47
2758	Off Eggers	Dwelling	B77
2760	Nelson Mandela	Dwelling	C46
2797	Stein	Comm. & Dwelling	C45



TABLE L: RECORDS OF WINDHOEK ZONING SCHEME AMENDMENTS IN ACCORDANCE WITH THE TOWN PLANNING ORDINANCE, 1954 (ORDINANCE NO. 18 OF 1954) AS AMENDED

The original Scheme was approved by virtue of Proclamation No 16 of 1 July 1976.

AMENDMENT SCHEME NO.	APPROVAL NOTICE	DATE
1, 2, 3, 4, 5, 6	Approved by virtue of Proclamation No. AG 28	13 July 1987
7 & 8	Approved by virtue of Proclamation No. AG 27	12 December 1988
9	Approved by virtue of Proclamation No. AG 38	7 October 1987
10	Approved by virtue of Proclamation No. AG 63	6 November 1989
11	Approved by virtue of Proclamation No. 14	20 May 1992
12	Approved by virtue of Proclamation No. 15	20 May 1992
13	Approved by virtue of Proclamation No. AG 48	26 September 1989
14	Approved by virtue of Proclamation No. 9	11 March 1993
15	Approved by virtue of Proclamation No. 9	11 March 1993
16	Approved by virtue of Proclamation No. 18	2 August 1993
17	Approved by virtue of Proclamation No. 25	1 October 1993
18	Approved by virtue of Proclamation No. 27	1 December 1993
19	Approved by virtue of Proclamation No. 1	3 January 1994
20	Approved by virtue of Proclamation No.	16 May 1994
22	Approved by virtue of Notice No. 166	5 September 1994
23	Approved by virtue of Notice No. 61	1 April 1995
24	Approved by virtue of Notice No. 68	1 April 1995
25	Approved by virtue of Notice No. 63	1 April 1995
26	Approved by virtue of Notice No. 219	17 November 1995
27	Approved by virtue of Notice No. 76	2 May 1995
28	Approved by virtue of Notice No. 77	2 May 1995
29	Approved by virtue of Notice No. 23	15 January 1996
30	Approved by virtue of Notice No. 68	15 April 1997
31	Approved by virtue of Notice No. 84	15 April 1998
32	Approved by virtue of Notice No. 138	15 July 1997
33	Approved by virtue of Notice No. 139	15 July 1997
34	Approved by virtue of Notice No. 85	15 April 1998
35	Approved by virtue of Notice No. 86	15 April 1998
36	Approved by virtue of Notice No. 105	15 April 2000
37	Approved by virtue of Notice No. 170	16 August 1999
38	Approved by virtue of Notice No. 26	15 February 1999



39	Approved by virtue of Notice No. 171	16 August 1999
40	Approved by virtue of Notice No. 103	15 April 2000
41	Approved by virtue of Notice No. 75	2 May 2001
42	Approved by virtue of Notice No. 106	1 June 2001
43	Approved by virtue of Notice No. 164	1 July 2000
44	Approved by virtue of Notice No. 107	1 June 2001
45	Approved by virtue of Notice No. 108	1 June 2001
46	Approved by virtue of Notice No. 109	1 June 2001
47	Approved by virtue of Notice No. 15	1 February 2002
48	Approved by virtue of Notice No. 209	15 October 2001
49	Approved by virtue of Notice No. 210	15 October 2001
50	Approved by virtue of Notice No. 16	1 February 2002
51	Approved by virtue of Notice No. 180	15 October 2002
52	Approved by virtue of Notice No. 199	15 November 2002
53	Approved by virtue of Notice No. 148	2 September 2002
54	Approved by virtue of Notice No. 85	15 April 2003
55	Approved by virtue of Notice No. 177	16 September 2002
56	Approved by virtue of Notice No. 154	15 July 2003
57	Approved by virtue of Notice No. 40	15 March 2003
58	Approved by virtue of Notice No. 150	15 July 2003
59	Approved by virtue of Notice No. 216	15 October 2003
60	Approved by virtue of Notice No. 113	15 May 2004
61	Approved by virtue of Notice No. 57	1 April 2004
62	Approved by virtue of Notice No. 226	15 November 2003
63	Approved by virtue of Notice No. 208	1 October 2004
64	Approved by virtue of Notice No. 191	11 August 2004
65	Approved by virtue of Notice No. 211	1 December 2006
66	Approved by virtue of Notice No. 51	16 May 2005
67	Approved by virtue of Notice No. 81	15 July 2005
68	Approved by virtue of Notice No. 7	15 January 2005
69	Approved by virtue of Notice No. 82	15 July 2005
70	Approved by virtue of Notice No. 161	01 July 2008
71	Approved by virtue of Notice No. 52	16 May 2005
72	Approved by virtue of Notice No. 152	15 September 2006
73	Approved by virtue of Notice No. 8	3 January 2006
74	Approved by virtue of Notice No. 151	15 September 2006
75	Approved by virtue of Notice No. 217	3 December 2007
76	Approved by virtue of Notice No. 164	2 October 2006
77	Approved by virtue of Notice No. 195	15 November 2006
78	Approved by virtue of Notice No. 161	2 October 2006
79	Approved by virtue of Notice No. 218	3 December 2007
80	Approved by virtue of Notice No. 4875	01 February 2012
81	Approved by virtue of Notice No. 116	30 May 2008
82	Approved by virtue of Notice No. 239	15 October 2008
83	Approved by virtue of Notice No. 275	1 June 2009

84	Approved by virtue of Notice No. 159	14 June 2013
85	Approved by virtue of Notice No. 363	03 November 2008
86	Approved by virtue of Notice No. 183	16 August 2010
87	Approved by virtue of Notice No. 262	01 December 2010
88	Approved by virtue of Notice No. 263	01 December 2010
89	Approved by virtue of Notice No. 229	13 November 2009
90	5 Yearly Review & approved by virtue of Notice No. 5668	13 February 2015
91	Approved by virtue of Notice No. 5264	15 August 2013
92	Approved by virtue of Notice No. 5211 Notice No. 137	31 May 2013 7 May 2013
93	Approved by virtue of Notice No. 5497	1 July 2014
94	Approved by virtue of Notice No. 5668	13 February 2015
95	Approved by virtue of Notice No. 6346	30 June 2017
96	Approved by virtue of Notice No. 229	13 November 2009
97	Approved by virtue of Notice No. 188	15 August 2018
98	Approved by virtue of Notice No. 7133	28 February 2020
99	Approved by virtue of Notice No. 62	13 March 2021
100	Approved by virtue of Notice No. 7290	31 July 2020
101	5 Yearly Amendment Scheme	
102	Approved by virtue of Notice No. 283	13 November 2020
103	Approved by virtue of Notice No 12	1 February 2022

TABLE M: RECORDS OF WINDHOEK ZONING SCHEME AMENDMENTS IN ACCORDANCE WITH THE URBAN AND REGIONAL PLANNING ACT, ACT NO. 5 OF 2018.

PROPERTY DESCRIPTION	PREVIOUS ZONING	APPROVED ZONING	GOVERNMENT GAZETTE	
			NOTICE NO.	DATE
Erf 1691 Windhoek	Residential with a density of 1:900	Office with a bulk of 0.4	34 of 2022	15-Feb-22
Portion 451 (a Portion of Portion 24) of the Farm Brakwater 48	Industrial with a bulk of 0.1	Industrial with a bulk of 0.75	35 of 2022	15-Feb-22
Erf 5158 Otjomuise Ext.4	Residential with a density of 1:300	General Residential with a density of 1:150	72 of 2022	15-Mar-22
Erf 5159 Otjomuise Ext.4	Residential with a density of 1:300	General Residential with a density of 1:150	72 of 2022	15-Mar-22
Erf 87 Lafrenz	Open Space	Government	73 of 2022	15-Mar-22
Erf 10837 Katutura Ext. 15	Public Open Space	Institutional	75 of 2022	15-Mar-22
Erf 10838 Katutura Ext.15	Institutional	Public Open Space	75 of 2022	15-Mar-22
Erf 1864 Windhoek	Residential with a density of 1:900	Office with a bulk of 0.4	152 of 2022	1-Jun-22
Erf 1488 Dorado Park Ext.1	Private Open Space	Institutional with a density of	243 of 2022	15-Aug-22
Erf 6239 Windhoek Ext. 15	Residential with a density of 1:900	Office with a bulk of 0.75	297 of 2022	30-Sep-22
Erf 7589 Katutura Ext. 18	Business with a bulk of 1.0	General Residential with a density of 1:100	297 of 2022	30-Sep-22
Erf 3716 Khomasdal Ext. 3	Residential with a density of 1/erf	Institutional with a density of	297 of 2022	30-Sep-22
Erf 3952 Windhoek	Residential with a density of 1:700	Office with a bulk of 0.4	297 of 2022	30-Sep-22
Erf 421 Klein Windhoek	Residential with a density of 1:900	General Residential with a density of 1:1250	297 of 2022	30-Sep-22
Erf 1781 Klein Windhoek	Residential with a density of 1:900	General Residential with a density of 1:1250	297 of 2022	30-Sep-22
Erf 2773 Khomasdal Ext.4	Private Open Space	Special	299 of 2022	30-Sep-22
Erf 673 Windhoek	Residential with a density of 1:900	Institutional	321 of 2022	14-Oct-22
Erf 674 Windhoek	Residential with a density of 1:900	Institutional	321 of 2022	14-Oct-22

PROPERTY DESCRIPTION	PREVIOUS ZONING	APPROVED ZONING	GOVERNMENT GAZETTE	
			NOTICE NO.	DATE
Erf 675 Windhoek	Residential with a density of 1:900	Institutional	321 of 2022	14-Oct-22
Erf 676 Windhoek	Residential with a density of 1:900	Institutional	321 of 2022	14-Oct-22
Portion 37 of the Farm Emmarentia No. 380	Residential	Industrial	368 of 2022	1-Dec-22
Portion 38 of the Farm Emmarentia No. 380	Residential	Industrial	368 of 2022	1-Dec-22
Erf 7328 Windhoek Ext. 2	Residential with a density of 1:250	Office with a bulk of 0.4	383 of 2022	1-Dec-22
Erf 1419 Rocky Crest	Undetermined with a density of	Residential with a density of 1:250	384 of 2022	1-Dec-22
Erf 7326 Windhoek Ext. 2	Residential with a density of 1:250	Office with a density of 0.4	385 of 2022	1-Dec-22
Erf 2444 Khomasdal Ext. 3	Business with a bulk of 0.4	Residential with a density of 1/Erf	386 of 2022	1-Dec-22
Portion 164 (a Portion of Portion 7) of the Farm Nubumamis 37	Residential with a density of 1:5 ha	Restricted Business with a bulk of 0.5	31 of 2023	1-Mar-23
Erf 3294 Windhoek	Residential with a density of 1:900	Office with a bulk of 0.4	31 of 2023	1-Mar-23
Erf 7589 Katutura Ext. 18	Business with a density of 1.0	General Residential with a density of 1:100	32 of 2023	1-Mar-23
Portion 174 (a Portion of Portion 35) of the Farm Brakwater No. 48	Residential with a density of 1:5 ha	Industrial with a bulk of 0.1	32 of 2023	1-Mar-23
Portion 175 (a Portion of Portion 35) of the Farm Brakwater No. 48	Residential with a density of 1:5 ha	Industrial with a bulk of 0.1	32 of 2023	1-Mar-23
Erf 1464 Rocky Crest Ext. 2	Institutional	Business with a bulk of 0.5	49 of 2023	15-Mar-23
Erf 7191 Katutura Ext. 17	Business with a bulk of 0.4	Residential with a density of 1:750	63 of 2023	31-Mar-23
Portion 389 of the Farm Brakwater No. 48	Residential	Restricted Business with a bulk of 0.5	63 of 2023	31-Mar-23
Erf R/77 Klein Windhoek	Residential with a density of 1:900	Office with a bulk of 0.4	63 of 2023	31-Mar-23
Erf 1956 Khomasdal Ext.12	Institutional	Residential with a density of 1:1250	63 of 2023	31-Mar-23
Erf 1535 Klein Windhoek	Residential with a density of 1:900	Office with a bulk of 0.4	93 of 2023	14-Apr-23



PROPERTY DESCRIPTION	PREVIOUS ZONING	APPROVED ZONING	GOVERNMENT GAZETTE	
			NOTICE NO.	DATE
Erf 1686 Windhoek	Residential with a density of 1:900	Office with a bulk of 0.4	93 of 2023	14-Apr-23
Erf 1535 Klein Windhoek	Residential with a density of 1:900	Office with a bulk of 0.4	93 of 2023	14-Apr-23
Erf 1686 Windhoek	Residential with a density of 1:900	Office with a bulk of 0.4	93 of 2023	14-Apr-23
Erf 3700 Goreangab Ext. 5	General Residential with a density of 1:100	Office with a bulk of 0.4	129 of 2023	28-Apr-23
Erf 3701 Goreangab Ext. 5	General Residential with a density of 1:100	Office with a bulk of 0.4	129 of 2023	28-Apr-23
Erf 3723 Goreangab Ext. 5	Institutional	Business with a bulk of 1.0	129 of 2023	28-Apr-23
Erf 3722 Goreangab Ext. 5	Business with a bulk of 1.0	General Residential with a density of 1:100	129 of 2023	28-Apr-23
Erf 3724 Goreangab Ext. 5	Institutional	General Residential with a density of 1:100	129 of 2023	28-Apr-23
Erf 3726 Goreangab Ext. 5	Undetermined	Business with a bulk of 1.0	129 of 2023	28-Apr-23
Erf 3717 Goreangab Ext. 5	Business with a bulk of 1.0	Institutional	129 of 2023	28-Apr-23
Erf 544 Klein Windhoek	Residential with a density of 1:900	General Residential with a density of 1:700	129 of 2023	28-Apr-23
Erf 4174 Windhoek	Residential with a density of 1:900	Office with a bulk of 0.4	129 of 2023	28-Apr-23
Re/Ptn. 10 of Ptn. C Farm Brakwater 48	Residential with a density of 1:500	Industrial with a bulk of 0.5	129 of 2023	28-Apr-23
Erf 914 Olympia	Residential with a density of 1:900	Office with a bulk of 0.4	129 of 2023	28-Apr-23
Erf 9058 Windhoek	Office with a bulk of 1.0	Office with a bulk of 2.0	204 of 2023	3-Jul-23
Erf 1689 Windhoek	Residential with a density of 1:900	Office with a bulk of 0.4	204 of 2023	3-Jul-23
Erf 1499 Rocky Crest Ext. 4	General Residential with a density of 1:250	Residential with a density of 1:300	204 of 2023	3-Jul-23
Erf 5 Eros Park	Residential with a density of 1:900	Hospitality with a density of	236 of 2023	1-Aug-23
Erf 69 Windhoek	Residential with a density of 1:100	Office with a bulk of 0.4	236 of 2023	1-Aug-23
Erf 2921 Windhoek Ext. 2	Residential with a density of 1:900	Office with a bulk of 0.4	236 of 2023	1-Aug-23
Erf 5391 Khomasdal Ext. 16	Business with a bulk of 1.0	General Residential with a density of 1:50	236 of 2023	1-Aug-23



PROPERTY DESCRIPTION	PREVIOUS ZONING	APPROVED ZONING	GOVERNMENT GAZETTE	
			NOTICE NO.	DATE
Erf 2029 Hochland Park	Municipal with a density of	Residential with a density of 1:700	278 of 2023	1-Sep-23
Erf 9094 Windhoek	Undetermined	Residential with a density of 1:500	349 of 2023	1-Nov-23
Erf 9095 Windhoek	Private Open Space	Residential with a density of 1:5 Ha	349 of 2023	1-Nov-23
Portion 37 (a portion of Portion 17) of the Farm Döbra No. 49	Residential with a density of 1:5 Ha	Industrial with a bulk of 0.5	349 of 2023	1-Nov-23
Erf 782 Kleine Kuppe Ext. 1	Residential with a density of 1:500	Residential with a density of 1:250	349 of 2023	1-Nov-23
Erf 1172 (a Portion of Erf 6291) Katutura Extension 1	Residential with a density of 1:250	General Residential with a density of 1:100	349 of 2023	1-Nov-23
Erf 2460 (a Portion of Erf 499) Goreangab Extension 1	Residential with a density of 1:150	Business with a bulk of 0.75	349 of 2023	1-Nov-23
Erf 5546 Windhoek	Residential with a density of 1:900	Hospitality	357 of 2023	15-Nov-23
Erf 1253 Windhoek	Residential with a density of 1:900	Institutional	363 of 2023	15-Nov-23
Erf 702 Windhoek	Residential with a density of 1:900	Institutional	363 of 2023	15-Nov-23
Erf 2579 Rocky Crest Extension 4	General Residential with a density of 1:250	Residential with a density of 1:300	363 of 2023	15-Nov-23
Erf 2580 Rocky Crest Extension 4	General Residential with a density of 1:250	Residential with a density of 1:300	363 of 2023	15-Nov-23
Erf 2581 Rocky Crest Extension 4	General Residential with a density of 1:250	Residential with a density of 1:300	363 of 2023	15-Nov-23
Erf 2582 Rocky Crest Extension 4	General Residential with a density of 1:250	Residential with a density of 1:300	363 of 2023	15-Nov-23
Erf 2583 Rocky Crest Extension 4	General Residential with a density of 1:250	Residential with a density of 1:300	363 of 2023	15-Nov-23
Erf 2584 Rocky Crest Extension 4	General Residential with a density of 1:250	Residential with a density of 1:300	363 of 2023	15-Nov-23
Erf 2585 Rocky Crest Extension 4	General Residential with a density of 1:250	Residential with a density of 1:300	363 of 2023	15-Nov-23
Erf 2586 Rocky Crest Extension 4	General Residential with a density of 1:250	Residential with a density of 1:300	363 of 2023	15-Nov-23

PROPERTY DESCRIPTION	PREVIOUS ZONING	APPROVED ZONING	GOVERNMENT GAZETTE	
			NOTICE NO.	DATE
Erf 2587 Rocky Crest Extension 4	General Residential with a density of 1:250	Residential with a density of 1:300	363 of 2023	15-Nov-23
Erf 2588 Rocky Crest Extension 4	General Residential with a density of 1:250	Residential with a density of 1:300	363 of 2023	15-Nov-23
Erf 2589 Rocky Crest Extension 4	General Residential with a density of 1:250	Residential with a density of 1:300	363 of 2023	15-Nov-23
Erf 7388 Windhoek	General Residential with a density of 1:100	Office with a bulk of 0.4	414 of 2023	29-Dec-23
Erf 2231 Windhoek	Residential with a density of 1:900	Office with a bulk of 0.4	414 of 2023	29-Dec-23
Erf 5406 Windhoek	Residential with a density of 1:900	Office with a bulk of 0.4	94 of 2024	30-Apr-24
Erf 8816 Windhoek	Public Open Space	Institutional with a density of	94 of 2024	30-Apr-24
Erf 711 Olympia Extension 1	Residential with a density of 1:900	Residential with a density of 1:700	94 of 2024	30-Apr-24
Erf 10850 Katutura Extension 17	Undetermined	Office with a bulk of 0.4	98 of 2024	30-Apr-24
Erf 946 Kleine Kuppe Extension 1	Residential with a density of 1:500	General Residential with a density of 1:250	98 of 2024	30-Apr-24
Erf 1019 Windhoek	Single Residential with a density of 1:900	General Residential with a density of 1:700	98 of 2024	30-Apr-24
Erf 1083 Windhoek	Residential with a density of 1:900	Office with a bulk of 0.75	98 of 2024	30-Apr-24
Erf 1672 Windhoek	Residential with a density of 1:900	Office with a bulk of 0.75	98 of 2024	30-Apr-24
Erf 2757 Windhoek	Residential with a density of 1:Erf	Residential with a density of 1:700	98 of 2024	30-Apr-24
Erf 6791 Windhoek	Office with a bulk of 0.4	Office with a bulk of 0.5	98 of 2024	30-Apr-24
Portion R/30/5 of the Farm Dobra No. 49	Residential with a density of 1:5 Ha	Restricted Business with a bulk of 0.5	100 of 2024	30-Apr-24
Erf 4286 Klein Windhoek Ext. 3	Open Space	Residential with a density of 1:900	118 of 2024	15-May-24
Erf 768 Goreangab Extension 2	Residential with a density of 1:150	Business with a bulk of 0.4	118 of 2024	15-May-24
Erf 2527 Windhoek	Residential with a density of 1:900	Office with a bulk of 0.4	118 of 2024	15-May-24
Erf 965 Hochland Park	Residential with a density of 1:700	Office with a bulk of 0.75	118 of 2024	15-May-24

PROPERTY DESCRIPTION	PREVIOUS ZONING	APPROVED ZONING	GOVERNMENT GAZETTE	
			NOTICE NO.	DATE
Erf 2211 Windhoek	Residential with a density of 1:900	Office with a bulk of 0.4	118 of 2024	15-May-24
Erf 9062 Windhoek	Private Open Space	Residential with a density of 1:500	123 of 2024	15-May-24
Erf 1814 Windhoek	Residential with a density of 1:900	Office with a bulk of 0.4	123 of 2024	15-May-24
Erf 1429 Khomasdal Extension 15	Institutional	Business with a density of 1.0	123 of 2024	15-May-24
Erf 178/58/BW No. 48 Brakwater	Residential with a density of 1:5 Ha	Institutional with a bulk of 0.1	123 of 2024	15-May-24
Erf 2135 Goreangab Extension 3	Residential with a density of 1:250	Business with a bulk of 0.4	123 of 2024	15-May-24
Erf 1596 Goreangab Extension 2	Residential with a density of 1:150	Business with a bulk of 0.4	123 of 2024	15-May-24
Erf 1358 Kleine Kuppe	Residential with a density of 1:500	General Residential with a density of 1:250	123 of 2024	15-May-24
Erf 1249 Kleine Kuppe	Office with a bulk of 1.0	Business with a bulk of 1.0	178 of 2024	1-Jul-24
Portion 210/6 Nubumamis No. 37	Residential with a density of 1:5 ha	Restricted Business with a density of 0.5	178 of 2024	1-Jul-24
Erf 376 Elisenheim	Business with a bulk of 1.0	General Residential with a density of 1:50	178 of 2024	1-Jul-24
Erf 5285 Khomasdal Extension 16	Residential with a density of 1:500	Residential with a density of 1:350	197 of 2024	15-Jul-24
Erf 1203 Goreangab Extension 2	Residential with a density of 1:150	Business with a bulk of 0.4	197 of 2024	15-Jul-24
Erf 2398 Windhoek Extension 1	Residential with a density of 1:900	Office with a bulk of 0.4	197 of 2024	15-Jul-24
Erf 39 Academia	Residential with a density of 1:900	Residential with a density of 1:700	197 of 2024	15-Jul-24
Erf 2397 Windhoek Extension 1	Residential with a density of 1:900	Office with a bulk of 0.4	210 of 2024	1-Aug-24
Erf 2780 Windhoek	Office with a bulk of 0.4	Institutional with a bulk of 0.4	210 of 2024	1-Aug-24
Erf 8552 Windhoek	Residential with a density of 1:900	Institutional with a bulk of 0.4	210 of 2024	1-Aug-24
Erven 108, 110 & 122 Thorn Valley	Residential with a density of 1:300	General Residential with a density of 1:150	210 of 2024	1-Aug-24
Erf 4566 Windhoek	Residential with a density of 1:900	Office with a density of 0.4	228 of 2024	15-Aug-24
Erf 87 Goreangab	Undetermined	Institutional	247 of 2024	30-Aug-24
Erf 311 Goreangab Extension 1	Residential with a density of 1:250	Business with a bulk of 0.4	247 of 2024	30-Aug-24



PROPERTY DESCRIPTION	PREVIOUS ZONING	APPROVED ZONING	GOVERNMENT GAZETTE	
			NOTICE NO.	DATE
Erven 3550 & R435 Cimbebasia	Public Open Space	Residential with a density of 1:300	247 of 2024	30-Aug-24
Erf 2591 Wanaheda Extension 4	Residential with a density of 1:500	Residential with a density of 1:350	247 of 2024	30-Aug-24
Erf 9094 Windhoek	Office with a density of 1.0	Business with a density of 1.0	252 of 2024	30-Aug-24
Erf 7493 Windhoek	General Residential with a density of 1:250	Office with a bulk of 0.75	252 of 2024	30-Aug-24
Erf 1926 Windhoek	General Residential with a density of 1:900	Office with a bulk of 0.75	252 of 2024	30-Aug-24
Erf 637 Windhoek	General Residential with a density of 1:100	Municipal	252 of 2024	30-Aug-24
Erf 1817 Windhoek	Residential with a density of 1:900	Office with a bulk of 0.4	252 of 2024	30-Aug-24
Erf D/4 Windhoek	Residential with a density of 1:900	Office with a bulk of 0.4	252 of 2024	30-Aug-24
Erf 467 Goreangab Extension1	Residential with a density of 1:150	Business with a bulk of 0.4	252 of 2024	30-Aug-24
Erf 212 Goreangab Extension 1	Residential with a density of 1:250	Office with a bulk of 0.4	252 of 2024	30-Aug-24
Erf 805 Pionierspark	Residential with a density of 1:900	Residential with a density of 1:350	252 of 2024	30-Aug-24
Erf 1806 Hochland Park	Residential with a density of 1:250	Business with a density of 0.5	282 of 2024	1-Oct-24
Erf 3381 Goreangab Extension 4	Undetermined	Special	282 of 2024	1-Oct-24
Erf R/3238 Windhoek	Residential with a density of 1:900	Office with a bulk of 0.4	282 of 2024	1-Oct-24
Erf 3715 Windhoek	Residential with a density of 1:900	Office with a bulk of 0.4	282 of 2024	1-Oct-24
Erf R/5642 & 8893 Windhoek	Residential with a density of 1:700	Office with a bulk of 0.4	282 of 2024	1-Oct-24
Erf 2761 Klein Windhoek	Residential with a density of 1:900	Office with a bulk of 0.4	282 of 2024	1-Oct-24
Erf 2920 Windhoek Extension 2	Residential with a density of 1:900	Office with a bulk of 0.4	282 of 2024	1-Oct-24
Erf 3576, Katutura Extension 14	Residential with a density of 1:500	Office with bulk of 0.4	371 of 2024	29-Nov-24
Erf 2024, Klein Windhoek Extension 3	Residential with a density of 1:900	Residential with a density of 1:700	371 of 2024	29-Nov-24
Erf 2370, Klein Windhoek Extension 3	Residential with a density of 1:900	Institutional	371 of 2024	29-Nov-24



PROPERTY DESCRIPTION	PREVIOUS ZONING	APPROVED ZONING	GOVERNMENT GAZETTE	
			NOTICE NO.	DATE
Erf 6336, Windhoek	Residential with a density of 1:900	Business with a bulk of 1.0	371 of 2024	29-Nov-24
Erf 6337, Windhoek	Office with a bulk of 0.4	Business with a bulk of 1.0	371 of 2024	29-Nov-24
Remainder of Portion 1 of Portion A of Erf 110, Windhoek	Residential with a density of 1:50	General Residential with a density of 1:500	371 of 2024	29-Nov-24
Remainder of Portion 1 of Portion B of Erf 110, Windhoek	Residential with a density of 1:900	General Residential with a density of 1:500	371 of 2024	29-Nov-24
Portion 551 of Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48	Residential with a density of 1:5 Ha	Business with a bulk of 0.5	371 of 2024	29-Nov-24
Portion 552 of Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48	Residential with a density of 1:5 Ha	Business with a bulk of 0.5	371 of 2024	29-Nov-24
Portion 553 of Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48	Residential with a density of 1:5 Ha	Business with a bulk of 0.5	371 of 2024	29-Nov-24
Remainder of Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48	Residential with a density of 1:5 Ha	Business with a bulk of 0.5	371 of 2024	29-Nov-24
Portion 554 of Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48	Residential with a density of 1:5 Ha	Industrial with a bulk of 0.5	371 of 2024	29-Nov-24
Portion 387 (a portion of Portion 70) of the Farm Brakwater No. 48	Residential with a density of 1:5 Ha	Industrial with a bulk of 0.1	371 of 2024	29-Nov-24
Erf 853, Kleine Kuppe Extension 1	Undetermined	General Residential with a density of 1:50	371 of 2024	29-Nov-24

