

# SWAKOPMUND

## TOWN PLANNING AMENDMENT SCHEME NO. 12

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**Prepared For:**  
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## CLAUSE 1: INTERPETATION OF TERMS

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In this Scheme unless the context otherwise requires:

**“ARCHITECTURAL FEATURE”** means an aesthetically architectural/urban design feature accentuating a certain portion of a building such as an entrance, corners of buildings, a tower or pinnacle, forming part of a visual feature of a building; but does not include a roof construction, bay window, penthouse, living area or any other habitable room generally associated with a residential building, office or shop.

**“AGRICULTURAL BUILDING”** means a building designed and/or used in connection with, and which would ordinarily be incidental to, or reasonably necessary in connection with the use of the site as agricultural land and includes one dwelling house.

**“AGRICULTURAL LAND”** means arable, meadow or pasture land, market gardens, poultry farms, pig farms, land used for bee keeping, nursery gardens, plantations and orchards, or similar uses, but does not include:

- (a) Land occupied as a park together with a house thereon; or
- (b) Land used as a garden other than as aforesaid; or
- (c) Land kept or reserved for the purpose of sports, athletics or recreation or used as a racecourse.

**“AUTHORITY”** refers to the Government of the Republic of Namibia.

**“BASEMENT”** means that portion of a building, the finished floor level of which is at least 2m below, or the ceiling of which is at most 1 m above, the mean level of the ground along the perimeter of the building.

**“BEACH AREA”** means any land which has been reserved in terms of this scheme for use by the public for beach activities. Any building erected here may only be carried out with the consent of the Council.

**“BED AND BREAKFAST”** means any premises comprising no more than 10 bedrooms or 20 beds whichever is the most restrictive, in or on which the business of providing accommodation without meals except breakfast is conducted against payment to tourists, but exclude a Residential Guest House.

**“BLOCK OF FLATS”** means a building containing two or more dwelling units.

**“BUILDING”** means, any temporary or permanent structure or construction irrespective of its size or appearance.

**“BUILDING YARD”** means any land, together with ancillary and subordinate buildings on the same land, used for the storage of building materials or other similar used goods or preparation for re-sale of any used material.

**“BULK FACTOR”** means the ratio of the total floor area to the area of the erf concerned.





**“COMPETENT AUTHORITY”** means the Minister of Regional and Local Government and Housing.

**“COUNCIL”** means the Municipal Council of Swakopmund.

**“COVERAGE”** means the total percentage area of the site that may be covered by:

- (a) buildings measured over the outside wall and covered by a roof or projection, provided that the following shall not be included in the calculation of coverage:
- (i) any basement situated under street level;
  - (ii) external stairs and motor vehicle ramps;
  - (iii) balconies and projections of not more than 1.5 metres;
  - (iv) eaves of not more than 1.5 metres.

**“DATE OF PROCLAMATION”** means date on which the Minister in terms of Section 26(2) of Ordinance 18 of 1954 (as amended) has published the proclamation of the Scheme in the Government Gazette.

**“DENSITY ZONING”** refers to an area indicated on a specific map designating a portion of land for the purpose of indicating the restrictions imposed by this Scheme on the construction of buildings and the uses of land in terms of restrictions relating to density i.e. the minimum erf sizes permitted per dwelling unit.

**“DRIVE-IN CAFÉ”** means any land or building used for a café or restaurant from which food and refreshments are served to patrons who remain seated in motorcars parked in the vicinity of such café or restaurant.

**“DWELLING HOUSE”** means a dwelling with or without an outbuilding consisting of mutually adjacent rooms with a kitchen and with at least a bathroom and toilet facilities and designed for occupation by a single household, and may, subject to approval of the Council, include an additional dwelling, on condition that the density zoning be adhered to.

**“DWELLING UNIT”** means a self-contained <sup>1</sup>interleading group of rooms used only for the living accommodation and housing of a single family together with such outbuildings as are ordinarily used therewith.

**“ERECTION”** in relation to a building also includes:

- (a) the alteration, subdivision or conversion of, or addition to a building, and
- (b) the re-erection or repair of a building which has been completely or partially destroyed or demolished, and “erect” has a corresponding meaning.

**“EXISTING USE”** means in relation to any building or land, a continuous use of that building or land for any lawful purpose for which it was being used at the material date or, in the case of a new building erected before such date, provided that the interruption of such existing use of a building or land for a period of eighteen consecutive months, after the material date shall be deemed a cessation of the continuous use.

**“FARM STALL”** means a building or structure which does not exceed 100 m<sup>2</sup> in floor space, including storage facilities where a farmer sells products produced and processed on his

<sup>1</sup> “Interleading” refers to direct access between two or more rooms within the same dwelling unit. Direct access from a dwelling to a different usage in the same building such as a passageway between two or more dwelling units or direct access between two dwelling units will not be considered as interleading.







farm (in other words not products which are purchased), whether to his own employees or to the general public.

**“FLOOR AREA”** means the total maximum floor area of all the floors and basements of all the buildings which may be erected on an erf, measured across the external walls and may in no instance exceed the maximum bulk factor as defined in this Scheme: Provided that the following will be excluded from the calculation of Floor Area:

- (i) any parking area, and
- (ii) the area of all balconies, veranda or staircase above the ground floor, when covered by a roof, slab or any other covering shall be included: Provided that where such balconies or veranda are provided for the benefit of, and which are freely accessible to the public and the occupants of the building, the area shall be excluded.

**“FUNERAL PARLOUR”** means a building designed for the reception of human corpses prior to burial or cremation and may include a funeral chapel or workshop for the manufacture of coffins or other funeral furniture.

**“GENERAL INDUSTRIAL”** means a building or land used where any person or persons performs work in connection with:

- (a) the large scale manufacturing of any article or part of any article,
- (b) the sorting, assembling or packing (including washing or filling bottles or other containers) or articles,
- (c) 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),
- (d) the production and storage of gas in a holder of more than five hundred cubic metre storage capacity,

or any other industrial use (noxious industries excluded) ~~not~~ included in the definition of a light industrial use: Provided that the provision of a dwelling unit and the sale of goods manufactured and produced on site or which are related to the main use may be permitted by the special consent of the Council.

**“GROUND FLOOR”** means the lowest floor of a building not being a basement.

**“HABITABLE ROOM”** means a room used or designed, erected, adapted or intended to be used by persons for sleeping in, living in, the preparation or consumption of food or drink, the transaction of business, the rendering of professional service, the manufacture, processing or sale of goods, the performance of work, the gathering together of persons or for recreational purposes.

**“HERITAGE BUILDING”** means a building included in Table D and which, in the opinion of the Council, is worth preserving in whole or in part.

**“HERITAGE CONSENT”** means the entering into an agreement between the 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 <sup>2</sup>*quid pro quo* for the granting of permission by Council to use such building and ground for a "office building", provided that Council shall not enter into such agreement where it is expected that the use will have a detrimental effect on the neighbourhood.

**"HEIGHT"** means the vertical dimension of a building structure or wall measured from any point at the average gradient of the land vertically to a line parallel to the average gradient of the land.

*"average gradient"* means the original slope of the land before any earth works or other terrain modification have been undertaken. The average gradient of the land will be determined by accurate topographic surveys using a contour interval not greater than 1 meter and a horizontal map scale (section) of one centimeter equals two meters (1:200) or larger. Such maps and calculations shall be certified by a registered civil engineer or registered land surveyor as to its accuracy, provided that;

- the Council may waive the requirement to submit certified contour maps as described above if, in its opinion, no uncertainties exist about the height of the building or if the gradient of the land is less than 1 meter over 20 meter (1:20).

Diagram 1 which follows is to be incorporated into the Scheme. It shall serve to illustrate the meaning of height

**"INDUSTRIAL BUILDING"** means the use of a piece of land or a building on such land as a factory other than a service industry or light industry, provided that the provision of housing on the site and the sale of goods manufactured and/or produced or which are related to the main use of the site may be permitted with the special consent of the Council.

**"INSTITUTIONAL BUILDING"** means a building or portion of a building used or intended to be used as an old age home, creché, public or private school, community hall, religious or charitable institution and/or the administration thereof, and includes a hospital, clinic or dispensary, whether private or public, used in connection therewith, but does not include:

- (a) a hospital, sanatorium, dispensary or clinic for the treatment of infectious or contagious diseases, or
- (b) premises for the detention of mentally disordered persons, or
- (c) a mental hospital.

**"LAND"** also means land covered by water and any right in or on the land. Any reference to land is restricted to land within the area of jurisdiction of this Town Planning Scheme.

**"LATERAL"** or **"SIDE BOUNDARY"** of a site or erf means a boundary other than a street boundary or a rear boundary.

**"LICENSED HOTEL"** means a building designed and or used for the business of providing accommodation and meals for reward, as defined in, and which complies with, the provisions of the Accommodation establishment and tourism Ordinance, 20 of 1973 (as amended) and the Liquor Act, Act No. 6 of 1998, but excludes any off-sales department.

**"LIGHT INDUSTRY"** means the use of land or a building designed or used for such purposes as distribution centres, wholesale trade, storage, computer centres, warehouses, cartage and transport services and laboratories and may also include offices such as are usually ancillary to or reasonable necessary in connection with the main use. The provision

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<sup>2</sup> *quid pro quo*: Means Equal Value





of a dwelling unit and the sale of goods manufactured and produced on site or which are related to the main use may be permitted by the special consent of the Council.

**“LOCAL AUTHORITY”** means the Local Authority Council of Swakopmund.

**“MAIN BUILDING”** means the building erected on the site for the specific purpose for which the erf has been zoned on the map.

**“MAXIMUM BULK”** means the relationship between the total floor area prescribed for a specific zone in these Regulations and the net area of the site, or the net area of the portion of the site on which the ratio is applicable: Provided that where a site falls in an area where two or more ratios are applicable, the permissible floor area ratio of the whole erf shall be the sum of the floor area ratio for each portion of the site within the specific zone.

**“MAP”** means a scheme map as mentioned in Regulation 4 of the Town Planning Regulations, 1974, as amended by any approved amendment scheme.

**“METRE”** is the standard international metre.

**“MINISTER”** means the Minister of Regional and Local Government and Housing.

**“MOTOR VEHICLE”** means any vehicle designed or intended for propulsion by other than human or animal power and includes a motor cycle and a trailer or caravan but does not include a vehicle moving exclusively on rails.

**“NOXIOUS BUILDING”** means an offensive use or another use which constituted a nuisance, without prejudice to the generality of the foregoing, such as:

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, super phosphate 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 or size factories, entrails 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, grinding or extract factories, destructors, depositing sites or other sites for the disposar 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 on by-products or petroleum refining, paint and varnish works, quarries, asbestos cement-, bricks- and lime-works, metallurgical works, reduction and reprocessing works or any other works or trade which the Competent Authority may declare as such by notice in the Government Gazette: Provided that upon production of a certificate by the Medical Officer of Health, in consultation with the Inspector of Factories, that the process to be used in the conduct of any of the said industries or factories listed above will eliminate nuisance or danger to health in neighbouring premises arising from:

- (a) vapour or effluvia;
- (b) liquid waste matters discharging from the premises, and if land treatment of such matters is proposed, the nature, slope and area of the land and its position in relation to buildings used for human habitation, streams or water courses;





(c) solid waste matters;

the Council may consent to the erection and use of buildings for such industries in accordance with Table B, Zone G, in the defined industrial zone.

**“OFFICE”** means a building, room, suite or rooms used for administrative work and planning.

**“OFFICE BUILDING”** means a building used for business purposes and includes offices, a bank, professional chambers and buildings designed for similar uses, but does not include a shop, a place of assembly, a place of entertainment, an institution, service station, industrial building, noxious industry, a restaurant, a vegetable or animal market.

**“OUTBUILDING”** means a structure, whether attached to or separate from the main unit, which is designed to be normally utilised for the housing of persons: it may also include the garaging of motor vehicles and for storage purposes as far as these uses are usually and reasonably required in connection with the main building, and such structure may not be registered as a separate Sectional Title Unit on Single Residential zoned erven.

**“OWNER”** means the person registered in the Deeds Registry as the owner of the land and includes the liquidator of a company or a legal representative acting with the authority conferred upon him by law.

**“PARKING GARAGE”** means a building or any land designed or adapted to be used for the purpose of parking, but does not include a building, any part of which is designed or adapted for use as a workshop for the repair of motor vehicles or the selling of petrol, oil and accessories-

**“PENSION”** means any premises comprising no more than 20 bedrooms or 40 beds, whichever is the most restrictive, in or on which the business of providing accommodation with or without meals is conducted against payment to tourists and in which liquor may be served on payment to overnight guests only, but excludes a Residential Guest House.

**“PLACE OF AMUSEMENT”** means any building or land where persons congregate for amusement or for social, recreational or sporting purposes and where an admission fee is generally levied and includes a night-club/discotheque, restaurant where entertainment is provided.

**“PLACE OF INSTRUCTION”** means a school, crèche, college, technical institute, academic lecture hall, or other educational centre, and includes a hostel, appertaining thereto, a monastery, convent, public library, art gallery, museum, gymnasium, but does not include a building used or intended to be used wholly or principally as a certified reformatory or industrial school, or as a school for mentally defective children.

**“PLACE OF PUBLIC WORSHIP”** means a church, synagogue, chapel or other place of public devotion, and includes any building incidental thereto but excludes funeral parlours together with any chapel forming part thereof.

**“PLACE OF ASSEMBLY”** means

- (a) a public hall, social hall, theatre, cinema, music hall, concert hall, dance hall, exhibition hall;
- (b) a sports ground or amusement park, sports arena or similar amenities open to the public;





- (c) a billiard saloon or skating rink;
- (d) a non-residential club; and
- (e) any other place of assembly (including a funeral parlour) whether used for purposes of gain or not, which does not fall within the scope of the definitions of place of public worship, place of instruction, or institutional building.

**"PRIVATE OPEN SPACE"** means any land zoned in terms of this Scheme for use as private ground for the pursuit of sport, games, rest and recreation or as an ornamental garden or recreational resort.

**"PUBLIC GARAGE"** means a business or concern where motor vehicles are provided with fuel for payment or reward and includes trading in motor vehicles, oil, tyres or motor spares, the repair or overhauling of motor vehicles, a restaurant or café, spray painting panel beating, black smithery or body work.

**"PUBLIC OPEN SPACE"** means any land used or reserved in this Scheme for use by the public as an open space, park, garden, playground, recreation ground or square.

**"REAR BOUNDARY"** of a site or erf means every boundary thereof (other than a street boundary), which is parallel to, or is within 45° of being parallel to every street boundary of such site or erf, and which does not intersect a street boundary or does not border on an open space.

**"RESIDENTIAL GUEST HOUSE"** means all pensions, guest houses, bed and breakfast and backpackers establishments operating from **private dwellings** with a maximum of nine bedrooms available for not more than 20 tourists, and where the owner/manager permanently resides in the house.

**"RESIDENT OCCUPATION"** means any commercial or industrial use conducted within a dwelling and carried on by the inhabitants thereof, subject to the following:

- (i) The resident occupation shall be confined to one third of the *total floor area* of the said dwelling;
- (ii) The resident occupation must be carried out entirely within the dwelling to include the basement, outbuilding, garage, and/or attic of the dwelling.
- (iii) The home occupation must be clearly incidental and secondary to the residential use of the dwelling;
- (iv) The residential character and appearance of the dwelling and the property on which it is located shall not be changed in any visible manner. No advertisement of the existence of the resident occupation shall be visible from the dwelling or the erf on which it is located, except for one sign as permitted by this Scheme;
- (v) No materials or products shall be stored on the erf outside in such a manner as to be visible from any adjacent property;
- (vi) Display of merchandise or products of the resident occupation for sale may be permitted at the discretion of Council in keeping with subparagraph (iv) above;
- (vii) The resident occupation shall not create any objectionable noise, odor, vibration or unsightly conditions;
- (viii) The resident occupation shall not create a health or safety hazard;
- (ix) The resident occupation shall not create any interference with communication transmission or reception in the vicinity;
- (x) Only products that are substantially manufactured or fabricated in the dwelling solely by the inhabitants thereof shall be sold as part of the resident occupation. Products not manufactured or fabricated within the dwelling by the inhabitants may only be





sold by catalogue sales and may not be stocked for retail sales within the residence. Incidental sales of products directly associated with the resident occupation may be permitted by Council;

- (xi) The resident occupation may employ up to 2 full time employees.

**“RESIDENTIAL BUILDING”** means a building (other than a dwelling house, block of flats, pension or licensed hotel) used for human habitation, together with such outbuildings as are ordinarily used in connection therewith and includes tenements, residential clubs, and hostels, but does not include any building mentioned whether by way of inclusion or exclusion in the definitions of “place of instruction” and “institutional building”.

**“SCHEME”** means Amendment Scheme of the Swakopmund Town Planning Scheme adopted by the Council in terms of Section 16 bis of Ordinance No. 18 of 1954, and as amended from time to time.

**“SCRAP YARD”** means any land, together with ancillary and subordinate buildings on the same land, used for the storage of used cars or car parts, parts of used machinery, scrap metals, used pipes or other similar used goods or for the dismantling or breaking up of vehicles or machinery or any used waste material for re-cycling.

**“SERVICE INDUSTRY”** means use of land or a building which in the opinion of the Council is a small scale industry incidental to the needs of the local community and the retail trade and which in the opinion of the Council will not interfere with the amenities of the surrounding properties or be of nuisance value by virtue of noise, appearance, smell or activities or for any other reason whatsoever but excludes a service station. This use also provides for one dwelling unit as primary use and more dwelling units with the special consent of the Council.

**“SERVICE STATION”** means a building used for the purpose of profit or gain for one of the following purposes, namely to maintain or repair motorbikes, motor boats and motor vehicles or to supply fuel and for related purposes which also includes the parking or storage of motor vehicles but does not include panel beating, spray painting and the dismantling of motorbikes, motor boats and motor vehicles.

**“SHOP”** means a building designed and/or used for retail trade other than a service station.

**“SIDE WALK”** means that portion of the road reserve adjoining the street boundary of erf that is not usually used for vehicular traffic, but is designed for pedestrian use.

**“SITE AREA”** means the surveyed area of the erf.

**“SPECIAL CONSENT”** means the Council’s written consent with regard to an application requiring the procedure laid down in Clause 7 of this Scheme.

**“SPECIAL USE”** means a land used or a building designed or used for any other purpose than those uses specifically defined in this Scheme.

**“STREET”** or **“ROAD”** includes the whole or any portion of any street, road, bridge, subway, avenue, lane, sanitary lane or thoroughfare shown on the general plan of the town where a right-of-way is registered in the favour of the general plan or where the public has a right-of-way by prescription.

**“STREET BOUNDARY”** means the boundary of an erf or site which forms the boundary of a street.

**“TOWNHOUSE”** means a dwelling unit which forms part of a town housing scheme.





**"TOWN HOUSING"** means a row or group of linked and/or attached dwelling units planned, designed and built as a harmonious architectural entity, of which every dwelling unit has a ground floor; such dwelling units may be cadastrally subdivided

**"TOURIST"** means any person who travels to a destination away from his or her normal place of residence for recreation or business purposes.

**"TOURIST ESTABLISHMENT"** means a building designed and or used as an accommodation establishment which is not a hotel and includes a pension, a caravan park, a guest house, a lodge, a backpackers lodge, a motel and all other establishments referred to in the definitions of 'Accommodation Establishments and Tourism Ordinance, 20 of 1973, as well as the regulations made thereunder, the Liquor Act 6 of 1998 and the Namibian tourism Act 21 of 2000.

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

**"UNAUTHORISED BUILDING"** means the use of any land or building or the erection/construction of a building which is contrary to the provisions of Ordinance 18 of 1954 or the provisions of this Scheme.

**"WAREHOUSE"** means a building for the storage and distribution of goods and may include the transaction of wholesale business related to such goods.

**"ZONE"** means a portion of the area shown on the map in a distinctive manner for the purpose of indicating the restrictions imposed by this Scheme on the erection and use of buildings and 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.

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## CLAUSE 2: AREA AND PURPOSE OF SCHEME

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The area to which this Scheme applies is the area as indicated on the scheme map. The general purpose of the Scheme is the coordinated and harmonious development of the area of Swakopmund including where necessary the redevelopment of any part thereof which has already been subdivided and built upon, in such a way as will most effectively tend to promote health, safety, order, amenity, convenience and general welfare as well as efficiency and economy and conservation of the existing character of the town, in the process of such development.





### CLAUSE 3: RESERVATION OF LAND

- 3.1 The several parcels of land specified in column 1 of Table "A" are reserved for the respective purposes indicated in column 2, of the Table A and except as hereinafter provided, shall not be used for any other purpose whatsoever.

**TABLE A**

|    | <b>Map Reference<br/>(1)</b>                     | <b>Use for which land is reserved<br/>(2)</b>                                     |
|----|--|---|
| a. | Red circles                                      | New streets and proposed street widenings   |
| b. | Red cross hatch                                  | Street Closures   |
| c. | Light green fill                                 | Public Open Spaces  |
| d. | Black crosses                                    | Cemetery  |
| e. | Light brown fill                                 | Local Authority purposes  |
| f. | Brown brick pattern                              | Authority   |
| g. | Uncoloured                                       | Existing Streets  |
| h. | White with red-brown border and [P] superimposed | Parking   |
| i. | Green Circles                                    | Beach Area  |
| j. | Purple Line                                      | Conservation area (extent defined as per Map 17)                                  |
| k. | Green Line                                       | Special Designated Area   |
| l. | Grey   | Transport and Communication, Electricity Supply Authorities and other parastatals |

- 3.2 (a) No person (including Council) shall erect a building or execute works or make excavations on land reserved under Clause 3.1 hereof other than buildings, works, or excavations required for or incidental to the purpose for which the land is reserved.
- (b) Save as provided in sub-clause 3.2(a) above no person shall spoil or waste the surface of land reserved in terms of Clause 3.1 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 waste materials or refuse.
- (iii) Where any piece of land which was previously a street or a public space vested in or owned by the Council is closed and transferred to an abutting owner, such piece of land shall be deemed to fall into the same use zone and sub-zone as those into which the abutting land owned by such owner falls.
- (iv) Subject to the provisions of any other law, nothing in this Clause shall be construed as prohibiting the reasonable fencing of the land.
- (v) Any building erected on land reserved under Table "A" shall comply in all respects with the provisions of the scheme relating to that type of building.
- (vi) In giving its consent under this clause the Council may impose such regulations as it deems fit.



- 3.3. The new streets specified in Table A 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 the purpose under any law.
- 3.4. Where the Council has acquired, either by agreement or expropriation, any such land (together with buildings, structures or any other erections thereon) reserved under Clause 3 hereof, 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 Local Authority purposes.
- 3.5. Where any land is reserved for a new street or a street widening in terms of Clause 3 of this Scheme, the building line shall be determined as if such street or street widening was in fact an existing street.



## CLAUSE 4. LAND USE

### 4.1 ZONING ACCORDING TO UTILISATION

Notations on the zoning map are intended to indicate land use and not land ownership. Land falling under the ownership of the government or any other authority shall only be included in the Local Government or Government zone if the utilisation thereof is such that no other zone in Table B is appropriate. If any other zone in Table B is appropriate, the land shall be indicated for that purpose, whether or not it is owned by the government or other authority.

### 4.2 COMPONENTS OF THE ZONING SCHEME

This zoning scheme consists of three components: definitions, the scheme clauses, and the zoning map(s) in so far as the scheme is mapped.

### 4.3 ERECTION AND USE OF BUILDINGS AND USE OF LAND

The purpose for which land may be used and buildings may be erected or used, or land may be used or buildings may be erected and/or used with the special consent of the Council only in each of the use zones specified in Table "B" are shown in columns (3) and (4) of the Table, respectively. Any use not reflected in columns (3) and (4) may not be permitted in the relative zone. No land may be used for a purpose for which a building may not be erected or used on such land, provided that where a building may be erected and used for a particular purpose on land with the special consent of the Council, such land may be used for such purpose with such special consent.

TABLE B

|   | 1                     | 2             | 3  | 4   |
|---|-----------------------|---------------|--|---|
|   | ZONE                  | MAP REFERENCE | PURPOSES FOR WHICH LAND MAY BE USED                                  | PURPOSES FOR WHICH LAND MAY BE USED AND BUILDINGS MAY BE ERECTED AND USED WITH THE SPECIAL CONSENT OF THE COUNCIL ONLY                                      |
| A | Single Residential    | Yellow fill   | Dwelling House   | Place of Public Worship, Place of Instruction, Resident Occupation, Residential Guest House.  |
| B | General Residential 1 | Orange fill   | Dwelling House/s, Blocks of Flats, Residential Buildings, Townhouses | Place of Instruction, Place of Worship, Institutional Buildings, Bed and Breakfast, Pensions, Licensed Hotels, Resident Occupation. Residential Guest House |
| C | General Residential 2 | Red hatch     | Dwelling House/s, Blocks of Flats, Townhouses                        | Residential Buildings, Place of Public Worship, Bed and Breakfast, Pensions, Resident Occupation. Residential Guest House.                                  |



|   |                    |                                 |   |  |
|---|--------------------|---------------------------------|---|--|
| D | General Business   | Blue fill                       | Shops, Office Buildings, Parking Garages, Licensed Hotels, Blocks of Flats, Residential Buildings     | Service Stations, Service Industry, Launderettes, Dry-cleanettes, Place of Assembly, Place of Amusement, Institutional Buildings, Drive-in Cafés, Funeral Parlours and Chapels, Warehouses, Liquor Stores, Bed and Breakfast, Pensions.              |
| E | Local Business     | Blue cross-hatch                | Shop, Office Building, Dwelling House   | Place of Public Worship, Place of Instruction, Institutional Building, Blocks of Flats, Residential Building, Place of Assembly, Place of Amusement, Service Stations, Drive in Cafés, Bed and Breakfast, Pensions, launderettes and Dry-cleaners, . |
| F | Light Industrial   | Light purple fill               | Light Industrial Warehouse, Dry Cleanette, Launderette, Service Industry                              | Public Garage, Petrol Service Stations, Office Buildings, Funeral Parlour and Chapel, Building Yard, Panel Beater<br>Place of Amusement  |
| G | General Industrial | Dark purple fill                | Industrial Building, Scrap Yard, Warehouse, Building Yard, Dry Cleanette, Launderette, Light Industry | Service Stations, Office Building, Place of Instruction, Noxious Industry, Shop, Public Garage<br>Place of Amusement   |
| H | Institutional      | Black beehive pattern           | Institutional Building  | Dwelling House, Place of Assembly  |
| I | Undetermined       | Yellow Brown fill               |   | Any other use which the Council may permit   |
| J | Special            | Black hatch and numbered in red | See Annexure "A"  | Annexure "A"   |
| K | Agriculture        | Green outline                   | Agricultural building   | Tourist Facilities, Dwelling Houses, Farm Stall, Place of Instruction, Place of Public Worship, Shop, Tourist Establishment, Private Open Space  |
| L | Office             | Purple hatch                    | Office Buildings  | Dwelling Houses, Residential Buildings, Institutions, Places of Public Worship, Bed and Breakfast, Pension.  |
| M | Private Open Space | Dark Green Fill                 | Private Open Space  | Other uses not mentioned in column 3 as long as they remain secondary and subordinate to the primary use.  |



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## CLAUSE 5. CONTROL MEASURES

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The following restrictions shall apply in the relative zones:

### A. SINGLE RESIDENTIAL ZONE

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1. **Colour Notation:** Yellow fill  
**Primary Uses:** Dwelling House  
**Consent Uses:** Place of Public Worship, Place of Instruction, Resident Occupation, Residential Guest House.

#### 2. Land Use Restrictions

##### 2.1 Coverage:

The maximum coverage for all buildings in this zone is 60%.

##### 2.2 Density Control:

- (a) No building in the residential zone shall be so erected that the number of dwelling houses and dwelling units on an erf exceeds the number specified in Table A1 for the density zone in which the erf is situated.

**TABLE A1: DENSITY ZONE**

| DENSITY ZONE | DENSITY   |
|--------------|---|
| 1:100        | One dwelling unit or dwelling house per 100m <sup>2</sup> |
| 1:250        | One dwelling unit or dwelling house per 250m <sup>2</sup> |
| 1:300        | One dwelling unit or dwelling house per 300m <sup>2</sup> |
| 1:600        | One dwelling unit or dwelling house per 600m <sup>2</sup> |
| 1:900        | One dwelling unit or dwelling house per 900m <sup>2</sup> |
| 1:ERF        | One dwelling unit or dwelling house per erf               |

- (b) Not more than one dwelling house or residential building may be erected on any erf without the consent of the Council.
- (c) Where an existing dwelling house has been built in this zone and it appears to the Council, with due consideration to the nature of the vicinity, that the dwelling is too extensive for further occupation by a single family only, the Council may consent to the modification of the dwelling house into not more than two dwelling units, on condition that the consent may not be issued unless:
- (i) the dwelling house and additions were erected before the coming into operation of the Scheme
  - (ii) the compliance with density zoning of Table A1;





### 2.3 Height:

No dwelling house shall exceed a **height** of 8m.

Provided that:

The Council may relax the maximum height to 10 metres if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result.

### 2.4 Building Lines:

- (a) No building, permanent structure or portion thereof, except for boundary walls and fences, may be erected on the site within:
- (i) 5 metres from any street boundary;
  - (ii) 3 metres from any rear boundary;
  - (iii) 3 metres from any side boundary; and
  - (iv) 5 metres in the case of a garage from any street boundary or half the height of the building, whichever is greater.
- (b) The three (3) metres requirement for side and rear boundaries shall apply to single storey units and shall increase by two (2) metres for each additional storey; measured from the external walls of the building under consideration.
- (c) Provided that:
- (i) the street building line shall be at least 3 m where the average depth of a land unit (measured at right angles to any street boundary of such land unit) does not exceed 20 m;
  - (ii) an eave projection may exceed the prescribed street, side or rear building line by at most 1 m, and
  - (iii) the council may approve the erection of an outbuilding or additional dwelling unit which exceeds a side or rear building line, subject to:
    - compliance with the street building line;
    - such building not exceeding a height of one storey;
    - no doors or windows being permitted in any wall of such building
    - which fronts onto the side or rear boundary concerned where a side or rear boundary of less than 1,5 m are allowed, and
    - the provision of an access way, other than through a building and at least 1 m wide, from a street to every vacant portion of the land unit concerned, other than a court-yard.
- (d) No wall, or any portion of the floor area, of a basement may be erected beyond the outside wall of the main building or outbuilding in this zone.
- (e) The Council may relax these requirements if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result.



- (f) With the consent of the Council or the Competent Authority a building (with opening windows overlooking the neighbouring property) can be erected on a common border with a Public Open Space.

## 2.5 Parking

- (a) Except where specified elsewhere in the scheme, 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 Table A2:

**TABLE A2: Provision of Parking**

| USE  | MINIMUM NUMBER OF PARKING SPACES TO BE PROVIDED   |
|--|---|
| Dwelling Houses                                    | As determined by Council.   |
| Places of Public Worship and Places of Instruction | 1 parking bay per 10 seats or 10 members<br>Min: 15 bays for funeral chapels; 8 bays for other uses |
| Residential Guest House                            | A minimum of 2 plus 1.5 per room  |

The parking requirements, subject to the specified use zoning, shall be calculated as set out in column (2) of Table A2 and that the number of parking bays thus obtained, shall be rounded off to the nearest integer.

- (b) The maximum number of garages for dwelling houses is restricted to four (4) with a total internal floor area of 80m<sup>2</sup>. Further the area of such outbuilding, garages excluded, may not exceed 50% of the total floor area of the main building (excluding garages) and may be erected separately from the main building.
- (c) The access to and the position and dimensions of a parking place shall conform to the requirements of the Council.
- (d) The Council may relax the requirements of sub-clause (a) and (b) if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result.

## 2.6 Additional Land Use Restrictions

No Sectional Title Development may be registered on a Single Residential Erf without special consent from Council.



## B. GENERAL RESIDENTIAL 1 ZONE

1. **Colour Notation:** Orange fill  
**Primary Uses:** Dwelling House/s, Block of Flats, Residential Buildings, Townhouses  
**Consent Uses:** Place of Public Worship, Place of Instruction, Resident Occupation, Bed and Breakfast, Pensions, Licensed Hotels, Institutional Buildings, Residential Guest House.

### 2. Land Use Restrictions

#### 2.1 Coverage

The maximum coverage for all buildings in this zone is 60%.

#### 2.2 Bulk

The maximum bulk for all buildings in this zone is 1.

#### 2.3 Minimum Erf Sizes

- (a) The minimum prescribed erf sizes for this zone are as follows:

| Minimum Size         | Erf | Blocks of Flats     | Licensed Hotels     | Residential buildings, townhouses and institutions |
|----------------------|-----|---------------------|---------------------|--|
| Minimum size of site |     | 1 500m <sup>2</sup> | 1 500m <sup>2</sup> | 1 000m <sup>2</sup>                                |

- (b) Notwithstanding the conditions in sub-paragraph (a) above the Council may in certain cases, beyond the control of the applicant, give its special consent for the erection of any of the listed buildings on an erf smaller than the prescribed area in sub-paragraph (a) above.

#### 2.4 Density Control:

- (a) No building in the General Residential 1 Zone shall be so erected that the number of dwelling houses and dwelling units on an erf exceeds the number specified in Table B1 for the density zone in which the erf is situated.

**TABLE B1: DENSITY ZONE**

| DENSITY ZONE | DENSITY   |
|--------------|---|
| 1:100        | One dwelling unit or dwelling house per 100m <sup>2</sup> |
| 1:250        | One dwelling unit or dwelling house per 250m <sup>2</sup> |
| 1:300        | One dwelling unit or dwelling house per 300m <sup>2</sup> |
| 1:600        | One dwelling unit or dwelling house per 600m <sup>2</sup> |
| 1:900        | One dwelling unit or dwelling house per 900m <sup>2</sup> |
| 1:ERF        | One dwelling unit or dwelling house per erf               |







- (b) Not more than one dwelling house or residential building may be erected on any erf without the consent of the Council.

## 2.5 Height

No building in this use zone shall be erected to exceed a height of 10 metres.

Provided that:

- (i) a height relaxation up to a maximum building height of 16 metres may be permitted with special consent of the Council.
- (ii) except for architectural features, no height relaxation be permitted within the conservation area.

## 2.6 Building Lines

- (a) No building, permanent structure or portion thereof, except for boundary walls and fences, may be erected on the site within:
- (i) 5 metres from any street boundary;
- (ii) 3 metres from any rear boundary;
- (iii) 3 metres from any side boundary; and
- (iv) 5 metres in the case of a garage from any street boundary or half the height of the building, whichever is greater.
- (b) The three (3) metres requirement for side and rear boundaries shall apply to single storey units and shall increase by two (2) metres for each additional storey; measured from the external walls of the building under consideration.
- (c) The Council may relax the requirements of sub-clause (a) and (b) if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result.
- (d) With the consent of the Council or the Competent Authority a building (with opening windows overlooking the neighbouring property) can be erected on a common border with a Public Open Space.

## 2.7 Parking

- (a) Except where specified elsewhere in the scheme, 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 Table B2:



**TABLE B2: Provision of Parking**

|                             |   |
|-----------------------------|---|
| Dwelling Houses             | As determined by Council.               |
| Other Residential Buildings | 1 per dwelling unit                     |
| Hotels                      | 1 per 50m <sup>2</sup> of floor area    |
| Youth Organisation Erven    | 1 per 10 members/residents; min: 4 bays |
| Pension & Bed & Breakfast   | A minimum of 2 plus 1.5 per room        |
| All other uses              | As determined by Council                |

The parking requirements, subject to the specified use zoning, shall be calculated as set out in column (2) of Table B2 and that the number of parking bays thus obtained, shall be rounded off to the nearest integer.

- (b) The maximum number of garages for dwelling houses is restricted to four (4) with a total internal floor area of 80m<sup>2</sup>. Further the area of such outbuilding, garages excluded, may not exceed 50% of the total floor area of the main building (excluding garages) and may be erected separately from the main building.
- (c) Parking may be provided in basements and/or on certain floors in blocks of flats and is excluded from the maximum floor area.
- (d) The access to and the position and dimensions of a parking place shall conform to the requirements of the Council
- (e) The Council may relax the requirements of sub-clause (a) and (b) if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result.

## **2.8 Additional Land Use Restrictions**

- (a) The requirements prescribed for dwelling houses and places of instruction and public worship in a residential zone, including the provision of on-site parking, shall apply to such buildings in this zone:



## C. GENERAL RESIDENTIAL 2 ZONE

1. **Colour Notation:** Red Hatch  
**Primary Uses:** Dwelling House/s, Block of Flats, Townhouses  
**Consent Uses:** Place of Public Worship, Resident Occupation, Bed and Breakfast, Pensions, Residential Buildings.

### 2. Land Use Restrictions

#### 2.1 Coverage

The maximum coverage for all buildings in this zone is 60%.

#### 2.2 Bulk

The maximum bulk for all buildings in this zone is 1.

#### 2.3 Minimum Erf Sizes

- (a) The minimum prescribed erf sizes for this zone are as follows:

| Minimum Erf Size     | Townhouses        | Residential buildings and blocks of flats |
|----------------------|-------------------|---|
| Minimum area of site | 900m <sup>2</sup> | 1 000m <sup>2</sup>                       |

- (b) Notwithstanding the conditions in sub-paragraph (a) above the Council may in certain cases, beyond the control of the applicant, give its special consent for the erection of a block of flats or residential building on an erf smaller than the prescribed area in sub-paragraph (a) above.

- (c) Save with the consent of the Council even smaller than 1 000m<sup>2</sup> may be used for the erection of Residential Buildings or Block of Flats within the following areas:

- (i) Swakopmund  
South of Bahnhof Street, west of Lüderitz Street and north of Rhode Allee / Cordes Street / Swakop Street.
- (ii) Tamariskia
- (i) Mondesa

#### 2.4 Density Control:

- (a) No building in the General Residential 2 Zone shall be so erected that the number of dwelling houses and dwelling units on an erf exceeds the number specified in Table C1 for the density zone in which the erf is situated.





**TABLE C1: DENSITY ZONE**

| DENSITY ZONE | DENSITY   |
|--------------|---|
| 1:100        | One dwelling unit or dwelling house per 100m <sup>2</sup> |
| 1:250        | One dwelling unit or dwelling house per 250m <sup>2</sup> |
| 1:300        | One dwelling unit or dwelling house per 300m <sup>2</sup> |
| 1:600        | One dwelling unit or dwelling house per 600m <sup>2</sup> |
| 1:900        | One dwelling unit or dwelling house per 900m <sup>2</sup> |
| 1:ERF        | One dwelling unit or dwelling house per erf               |

- (b) Not more than one dwelling house or residential building may be erected on any erf without the consent of the Council.

## 2.5 Parking

- (a) Except where specified elsewhere in the scheme, 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 Table C2:

**TABLE C2: Provision of Parking**

|                             |   |
|-----------------------------|---|
| Dwelling Houses             | As determined by Council.               |
| Other Residential Buildings | 1 per dwelling unit                     |
| Hotels                      | 1 per 50m <sup>2</sup> of floor area    |
| Youth Organisation Erven    | 1 per 10 members/residents; min: 4 bays |
| Pension & Bed & Breakfast   | A minimum of 2 plus 1.5 per room        |
| All other uses              | As determined by Council                |

The parking requirements, subject to the specified use zoning, shall be calculated as set out in column (2) of Table C2 and that the number of parking bays thus obtained, shall be rounded off to the nearest integer

- (b) The maximum number of garages for dwelling houses is restricted to four (4) with a total internal floor area of 80m<sup>2</sup>. Further the area of such outbuilding, garages excluded, may not exceed 50% of the total floor area of the main building (excluding garages) or 100 m<sup>2</sup> whichever is the most restrictive, and may be erected separately from the main building.:
- (c) Parking may be provided in basements or erected elsewhere on the site and is excluded in the calculation of the maximum floor are, but in the case where garages are erected outside the buildings, the area is included in the calculation of the coverage.
- (d) The access to and the position and dimensions of a parking place shall conform to the requirements of the Council.





- (e) The Council may relax the requirements of sub-clause (a) and (b) if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result.

## 2.6 Height control

Except with the special consent of the Council no building in this zone may exceed a height of 8 metres.

### Provided that:

The Council may relax the maximum height to 10 metres if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result.

## 2.7 Building lines

- (a) No building, permanent structure or portion thereof, except for boundary walls and fences, may be erected on the site within:
- (i) 5 metres from any street boundary;
  - (ii) 3 metres from any rear boundary;
  - (iii) 3 metres from any side boundary; and
  - (iv) 5 metres in the case of a garage from any street boundary or half the height of the building, whichever is greater.
- (b) The three (3) metres requirement for side and rear boundaries shall apply to single storey units and shall increase by two (2) metres for each additional storey; measured from the external walls of the building under consideration.
- (c) The Council may relax the requirements of sub-clause (a) and (b) if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result.
- (d) With the consent of the Council or the Competent Authority a building (with opening windows overlooking the neighbouring property) can be erected on a common border with a Public Open Space.



## D. GENERAL BUSINESS

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1. **Colour Notation:** Blue fill  
**Primary Uses:** Shops, Office Buildings, Parking Garages, Licensed Hotels, Block of Flats, Residential Buildings,  
**Consent Uses:** Service Stations, Service Industry, Place of Assembly, Place of Amusement, Institutional Buildings, Drive Inn Cafés, Funeral Parlours and Chapels, Warehouses, Liquor Stores, Pensions, Bed and Breakfast, Launderettes, Dry Cleaners

### 2. Land Use Restrictions

#### 2.1 Coverage

In this zone the coverage shall not exceed the following percentages:

|   |     |
|---|-----|
| Blocks of flats                                     | 70% |
| Licensed hotels, Pensions and Residential Buildings | 70% |
| Shops, Offices                                      | 85% |
| Office Buildings                                    | 85% |
| Institutional Buildings                             | 70% |
| Parking garages                                     | 85% |
| Service stations, service industries and warehouses | 70% |

#### 2.2 Bulk

No building shall be erected, altered or extended so as to exceed the bulk applicable for that type of building provided that the total bulk factor for the erf shall not exceed 2.0.

|  |      |
|--|------|
| Blocks of flats above the ground floor                                   | 1,20 |
| Licensed hotels and residential buildings                                | 1,20 |
| Shops, offices   | 2,00 |
| Office Buildings   | 2,00 |
| Places of instruction, places of public worship and places of assembly   | 1,00 |
| Institutional buildings, service stations and light industrial buildings | 1,00 |
| Parking garage   | 2,00 |





### 2.3 Height control

No building in this zone shall be erected so as to exceed a height of 13 metres.

**Provided that:**

- (i) a height relaxation up to a maximum building height of 16 metres may be permitted with special consent of the Council.
- (ii) except for architectural features, no height relaxation be permitted within the conservation area.

### 2.4 Building lines

#### (a) Street boundary

- (i) All buildings, except service stations, may be erected on the street boundary.
- (ii) residential units on ground level must be set back at least 3 metres.

#### (b) Side boundaries

- (i) Buildings may be erected on the side boundary.

Side boundaries for service stations will be according to Clause 10 of this Scheme.

#### (c) Rear boundaries

- (i) 3 metres from any rear boundary;

#### (d) Basements

Where a basement is below ground level the building line requirements need not be complied.

- (e) Notwithstanding the provisions of sub-paragraph (a), (b) and (c) above the Council may subject to any conditions it may deem necessary, relax the building line restrictions.

- (f) With the consent of the Council or the Competent Authority a building (with opening windows overlooking the neighbouring property) can be erected on a common border with a Public Open Space.

### 2.5 Projections

- (a) In this zone projections over streets and building lines, excluding advertising signs approved by the Council in accordance with the provisions of any other law, shall be limited to minor architectural features and one cantilevered open canopy which may be erected to within 0,5 metres of the pavement edge or 2,5 metres from the front of the building whichever dimension is the lesser,





provided that no portion of any projection shall be less than 2,5 metres above the pavement level and there shall be no access from the buildings to the canopy.

- (b) The following conditions, excluding advertising signs and cantilever slab projections approved by the Council in accordance with the provisions of any other law, shall apply to all to other projections over building lines applicable in this zone:
- (i) Projections shall not protrude more than 1 metres over the street boundary;
  - (ii) balconies may extend in length up to 60% of the total length of the façade (per floor) from which they project if no other projections are planned for that façade;
  - (iii) each separate bay window shall not exceed 3 metres in length;
  - (iv) balconies shall only be enclosed by a dwarf wall, railing or similar structure not exceeding 1,5 metres in height above the floor level of the balcony, and
  - (v) any projection, roof or hood over the balcony shall be cantilevered.

## 2.6 Provision for on-site parking

- (a) Except where specified elsewhere in the scheme, 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 Table D1:

**TABLE D1: Provision of Parking**

|  |  |
|--|--|
| Residential buildings                              | 1 per dwelling unit  |
| Hotels   | 1 per 50m <sup>2</sup> of floor area ✓   |
| Pension & Bed & Breakfast                          | A minimum of 2 plus 1.5 per room   |
| Shops and Offices                                  | 1 per 33,33m <sup>2</sup> of floor area, or as arranged with Council according to <del>Clause 8-D712</del> (Clause 8-800)                |
| Places of Public Worship and Places of Instruction | 1 parking bay per 10 seats or 10 members<br>Min: 15 bays for funeral chapels; 8 bays for other uses                                      |
| Institutional                                      | 1 per 2 beds or as determined by Council   |
| Service Stations                                   | At least one parking bay per 50 m <sup>2</sup> of the total floor area provided that the parking bays be clearly indicated for visitors. |
| All other uses                                     | 1 per 33,33m <sup>2</sup> of floor area  |

The parking requirements, subject to the specified use zoning, shall be calculated as set out in column (2) of Table D1 and that the number of parking bays thus obtained, shall be rounded off to the nearest integer

- (b) The access to and the position and dimensions of a parking place shall conform to the requirements of the Council.





- (c) The Council may relax the requirements of sub-clause (a) and (b) if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result.
- (d) The site to be provided for parking in terms of this clause shall not be used for the purpose of exhibition, sale, repair or maintenance of vehicles or for any purpose other than the parking of vehicles.

## **2.7 Non-Conforming Uses on Premises**

Before a registration certificate or licence of the Council is issued in respect of any premises for which there is no current licence at the date of coming into force of these provisions, or when additions or alterations are made to any building in this zone all the buildings on the site which a licence is being issued for or which are altered, shall be made to comply with the provisions of this Scheme, the regulations of the Council and any other laws which may be applicable.

## **2.8 Erection of Blocks of Flats and Residential Buildings**

Except with the special consent of the Council blocks of flats and residential buildings other than a licensed hotel in this zone may only be erected above the ground floor.

## **2.9 Additional access provisions**

- (a) the vehicular access and exit ways to and from the premises of a service station or public garage shall, where they cross the road boundary, be more than 10 m wide, and a wall at least 100 mm thick and 200 mm high shall be erected on the erf boundary between the points of access and exit. The wall shall be continued along such boundary unless the premises are otherwise enclosed. The vehicular access and exit ways to and from motor vehicle fuel pumps shall be restricted to one each for every continuous stretch of frontage of 30 m which the premises whereon such pumps are erected have on the boundary of a public street or public road.
- (b) In an urban area the vehicular access and exit ways to and from the premises of a service station or public garage, where they cross the road boundary, shall:
  - (i) be not less than 30 m from the point nearest to where a declared road, proclaimed road or prospective main road intersects any other road of a like status, or the nearest point of an intersection where traffic is controlled, or is proposed to be controlled, by a traffic signal or traffic island;
  - (ii) be not less than 1,5 m from the side boundary of the premises, or



- (iii) in the case of an intersection other than one referred to in paragraph (i), if the corner of the intersection is not splayed, be not less than 10 m from such corner, or if the corner at the intersection is splayed, be not less than 10 m from such corner or 5 m from the point where the line of splay meets the road boundary, whichever is the greater distance from the corner.

## 2.10. Additional enclosure provisions

- (a) Any part of the premises of a service station or public garage which is used for the storage of disused motor vehicles or parts of motor vehicles, empty containers such as oil drums and packing cases, or any other scrap whatsoever, or for the assembly, repair, painting or dismantling of motor vehicles shall, unless it is enclosed by buildings at least 2 m high, be enclosed with a suitable brick or concrete screen wall at least 2 m high.



## E. LOCAL BUSINESS ZONE

---

1. **Colour Notation:** Blue cross hatch  
**Primary Uses:** Shops, Office Buildings, Dwelling House.  
**Consent Uses:** Place of Public Worship, Place of Instruction, Institutional Building, Blocks of Flats, Residential Building, Place of Assembly, Place of Amusement, Service Stations, Drive in Cafés, Pensions, Bed and Breakfast, Launderettes, Dry Cleaners.

### 2. Land Use Restrictions

#### 2.1 Coverage

In this zone the floor area of the respective storeys of all the buildings on any site in relation to the site area shall not exceed the following percentages:

Shops and business premises, blocks of flats 50%

Places of instruction, public worship, assembly, institutional buildings and petrol filling station 40%

#### 2.2. Bulk (Floor Area Ratio)

No building shall be erected, altered or extended so as to exceed the bulk (floor area ratio) applicable for that type of building as stated below provided that the total bulk factor for the erf shall not exceed 1.0:

Shops and business premises 1,0

Residential buildings, public worship, places of instruction, assembly, institutional buildings, blocks of flats and townhouses. 0,6

#### 2.3 Height control

No building in this zone shall be erected so as to exceed a height of 10 metres.

**Provided that:**

- (i) with special consent of the Council, a height relaxation may be granted for architectural features only

#### 2.4 Building lines

##### (a) Street boundary

- (i) All buildings shall be set back a distance of 5 metres from the street boundary.

##### (b) Side boundaries

- (i) Buildings may be erected on the side boundary.





- (c) **Rear boundaries**
- (i) 3 metres from any rear boundary;

(d) **Basements**

Where a basement is below ground level the building line requirements need not be complied.

- (e) Notwithstanding the provisions of sub-paragraph (a), (b) and (c) above the Council may subject to any conditions it may deem necessary, relax the building line restrictions.
- (f) With the consent of the Council or the Competent Authority a building (with opening windows overlooking the neighbouring property) can be erected on a common border with a Public Open Space.

**2.5 Projections**

- (a) In this zone projections over streets and building lines, excluding advertising signs approved by the Council in accordance with the provisions of any other law, shall be limited to minor architectural features and one cantilevered open canopy which may be erected to within 0,5 metres of the pavement edge or 2,5 metres from the front of the building whichever dimension is the lesser, provided that no portion of any projection shall be less than 2,5 metres above the pavement level and there shall be no access from the buildings to the canopy.
- (b) The following conditions, excluding advertising signs and cantilever slab projections approved by the Council in accordance with the provisions of any other law, shall apply to all to other projections over building lines applicable in this zone:
- (i) Projections shall not protrude more than 1 metre over the street boundary;
- (ii) balconies may extend in length up to 60% of the total length of the façade (per floor) from which they project if no other projections are planned for that façade;
- (iii) each separate bay window shall not exceed 3 metres in length;
- (iv) balconies shall only be enclosed by a dwarf wall, railing or similar structure not exceeding 1,5 metres in height above the floor level of the balcony, and
- (v) any projection, roof or hood over the balcony shall be cantilevered.



## 2.6 Provision for on-site parking

- (a) Except where specified elsewhere in the scheme, 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 Table E1:

**TABLE E1: Provision of Parking**

|  |  |
|--|--|
| Residential buildings                              | 1 per dwelling unit  |
| Hotels   | 1 per 50m <sup>2</sup> of floor area   |
| Shops and Offices                                  | 1 per 33,33m <sup>2</sup> of floor area, or as arranged with Council according to Clause 8: <del>D772</del> 8:20                         |
| Places of Public Worship and Places of Instruction | 1 parking bay per 10 seats or 10 members<br>Min: 15 bays for funeral chapels; 8 bays for other uses                                      |
| Institutional                                      | 1 per 2 beds or as determined by Council   |
| Service Stations                                   | At least one parking bay per 50 m <sup>2</sup> of the total floor area provided that the parking bays be clearly indicated for visitors. |
| Pension & Bed & Breakfast                          | A minimum of 2 plus 1.5 per room   |
| All other uses                                     | 1 per 33,33m <sup>2</sup> of floor area  |

The parking requirements, subject to the specified use zoning, shall be calculated as set out in column (2) of Table E1 and that the number of parking bays thus obtained, shall be rounded off to the nearest integer

- (b) The access to and the position and dimensions of a parking place shall conform to the requirements of the Council.
- (c) The Council may relax the requirements of sub-clause (a) if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result.
- (d) The site to be provided for parking in terms of this clause shall not be used for the purpose of exhibition, sale, repair or maintenance of vehicles or for any purpose other than the parking of vehicles.



## F. LIGHT INDUSTRIAL ZONE

1. **Colour Notation:** Light Purple Fill  
**Primary Uses:** Light Industrial, Warehouse, Service Industry, Dry Cleanette, Laundrette  
**Consent Uses:** Public Garage, Petrol Service Stations, Office Buildings, Funeral Parlour and Chapel, Building Yard, Panel Beater, Place of Amusement.

### 2. Land Use Restrictions

#### 2.1 Coverage

In these zones the respective coverage on any site shall not exceed the following percentages:

|  |     |
|--|-----|
| Light Industrial buildings   | 80% |
| Public garages, service industries warehouses  | 80% |
| Service stations, dry cleanette, laundrette, business premises and places of instruction | 70% |

#### 2.2 Loading and Off-loading

For the purposes of loading or off-loading of vehicles provision shall be made on the following basis:

| Total floor area                        | Number of. off-loading or loading bays requires                 |
|---|---|
| 0m <sup>2</sup> - 499m <sup>2</sup>     | 1   |
| 500m <sup>2</sup> - 1 499m <sup>2</sup> | 2   |
| 1 500m <sup>2</sup>                     | 3+ 1 bay for every additional 1 000m <sup>2</sup> of floor area |

Vehicular access to the loading bays shall be laid out to the satisfaction of the Council, each bay having a minimum width of 5 metres.

#### 2.3 Parking

- (a) 1 per 66,66m<sup>2</sup> of floor area (excluding parking bays needed for Loading and Off-loading.)
- (b) Parking spaces provide in accordance with this sub-clause shall not be used for the display, sale, repair or maintenance of motor vehicles or any other purposes whatsoever except for the parking of motor vehicles.
- (c) The access to and the position and dimensions of a parking place shall conform to the requirements of the Council.





## 2.4 Building lines

### (a) Street boundaries

Buildings may be erected up to any street boundary, except where a street is less than twenty five (25) metres wide, in which case any building shall be set back a 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.

### (b) Side boundaries

(i) 3 metres from any side boundary.

### (c) Rear boundaries

(i) 3 metres from any rear boundary;

(d) Notwithstanding the provisions of sub-paragraph (a), (b) and (c) above the Council may, subject to any conditions it may deem necessary, relax the building line restrictions.

(e) With the consent of the Council or the Competent Authority a building (with opening windows overlooking the neighbouring property) can be erected on a common border with a Public Open Space.

## 2.5 Height

No building in the Light Industrial Zone may exceed a height of 12 metres: provided that the Council may relax this restriction.

## 2.6 General amenity

(a) Except if provision is made in Table B of Clause 4 of these Regulations, no industry which can be classified as an offensive trade nor any industry which is likely to cause smoke, smell, fumes, noise or dust in any quantity, nor any industry whose effluent the Council will not accept in its sewers, shall be permitted.

(b) Any scrap- or building yard or other use of land or buildings which would in the opinion of the Council distract from the visual character of the area shall be screened by the provisions of a wall having a minimum height of 2,5 metres above the height of the street and constructed to the satisfaction of the Council.



## G. GENERAL INDUSTRIAL ZONE

---

1. **Colour Notation:** Dark Purple Fill  
**Primary Uses:** Industrial Building, Light Industrial, Warehouse, Dry Cleanette, Laundrette, Scrap Yard, Building Yard.  
**Consent Uses:** Public Garage, Service Stations, Office Buildings, Shop, Place of Amusement, Place of Instruction, Noxious Industry.

### 2. Land Use Restrictions

#### 2.1 Coverage

In these zones the respective coverage on any site shall not exceed the following percentages:

|  |     |
|--|-----|
| Industrial buildings   | 80% |
| Warehouses, scrap- and building yards, light industry.                                   | 80% |
| Service stations, dry cleanette, laundrette, business premises and places of instruction | 70% |

#### 2.2 Loading and Off-loading

For the purposes of loading or off-loading of vehicles provision shall be made on the following basis:

| Total floor area                        | Number of. off-loading or loading bays requires                 |
|---|---|
| 0m <sup>2</sup> - 499m <sup>2</sup>     | 1   |
| 500m <sup>2</sup> - 1 499m <sup>2</sup> | 2   |
| 1 500m <sup>2</sup>                     | 3+ 1 bay for every additional 1 000m <sup>2</sup> of floor area |

Vehicular access to the loading bays shall be laid out to the satisfaction of the Council, each bay having a minimum width of 5 metres.

#### 2.3 Parking

- (a) 1 per 66,66m<sup>2</sup> of floor area (excluding parking bays needed for Loading and Off-loading.)
- (b) Parking spaces provide in accordance with this sub-clause shall not be used for the display, sale, repair or maintenance of motor vehicles or any other purposes whatsoever except for the parking of motor vehicles.





## **2.4 Building lines**

### **(a) Street boundaries**

Buildings may be erected up to any street boundary, except where a street is less than twenty five (25) metres wide, in which case any building shall be set back a 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.

### **(b) Side boundaries**

(i) 3 metres from any side boundary.

### **(c) Rear boundaries**

(i) 3 metres from any rear boundary;

(d) Notwithstanding the provisions of sub-paragraph (a), (b) and (c) above the Council may, subject to any conditions it may deem necessary, relax the building line restrictions.

(e) With the consent of the Council or the Competent Authority a building (with opening windows overlooking the neighbouring property) can be erected on a common border with a Public Opens Space.

## **2.5 Height**

No building in the General Industrial Zone may exceed a height of 12 metres: provided that the Council may relax this restriction.

## **2.6 General amenity**

(a) Except if provision is made in Table B of Clause 4 of these Regulations, no industry which can be classified as an offensive trade nor any industry which is likely to cause smoke, smell, fumes, noise or dust in any quantity, nor any industry whose effluent the Council will not accept in its sewers, shall be permitted.

(b) Any scrap- or building yard or other use of land or buildings which would in the opinion of the Council distract from the visual character of the area shall be screened by the provisions of a wall having a minimum height of 2,5 metres above the height of the street and constructed to the satisfaction of the Council.



## H. INSTITUTIONAL ZONE

---

1. **Colour Notation:** Black beehive pattern  
**Primary Uses:** Institutional  
**Consent Uses:** Dwelling House

### 2. Land Use Restrictions

#### 2.1 Building Lines

- (a) No building, permanent structure or portion thereof, except for boundary walls and fences, may be erected on the site within:
- (i) 5 metres from any street boundary;
  - (ii) 3 metres from any rear boundary;
  - (iii) 3 metres from any side boundary; and
  - (iv) 5 metres in the case of a garage from any street boundary or half the height of the building, whichever is greater.
- (b) Notwithstanding the provisions of sub-paragraph (a) above the Council may, subject to any conditions it may deem necessary, relax the building line restrictions.
- (c) With the consent of the Council or the Competent Authority a building (with opening windows overlooking the neighbouring property) can be erected on a common border with a Public Open Space.

#### 2.2 Parking

- (a) Except where specified elsewhere in the scheme, 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 Table H1:

**TABLE H1: Parking Requirements**

|                              |   |
|------------------------------|---|
| Places of Public Worship and | 1 parking bay per 10 seats or 10 members                |
| Places of Instruction        | Min: 15 bays for funeral chapels; 8 bays for other uses |
| Institutional                | 1 per 2 beds or as determined by Council                |

The parking requirements, subject to the specified use zoning, shall be calculated as set out in column (2) of Table H1 and that the number of parking bays thus obtained, shall be rounded off to the nearest integer

- (b) The access to and the position and dimensions of a parking place shall conform to the requirements of the Council.



- (c) The Council may relax the requirements of sub-clause (a) if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result.
- (d) The site to be provided for parking in terms of this clause shall not be used for the purpose of exhibition, sale, repair or maintenance of vehicles or for any purpose other than the parking of vehicles.

### 2.3 Height

- (a) No building shall exceed a height of 8m.
- (b) Provided that:
  - The Council may relax the maximum height to 10 metres if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result

### 2.4 Coverage and Bulk

- (a) The maximum **coverage** for all buildings in this zone is 70%.
- (b) The maximum bulk will be 1.00.



## **I. UNDETERMINED**

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1. **Colour Notation:** Yellow Brown fill  
**Primary Uses:** None  
**Consent Uses:** Any other use which the Council may permit
2. Except with the special consent of the Council no building or land in this zone shall be erected or used for a purpose other than the purpose for which it was being legally used on the material date. Similarly no building shall be altered or extended without such special consent of the Council.

## **J. SPECIAL**

---

1. **Colour Notation:** Black hatch and numbered in red  
**Primary Uses:** As per Annexure A  
**Consent Uses:** As per Annexure A
2. If special factors justify the creation of a new zone on the zoning map for a site or sites without justifying the creation of a new zone in the scheme clauses, such site shall be zoned as a special zone on the zoning map. A special zone may consist of different portions of land, provided the land use restrictions are the same. Each special zone in respect of which the land use restrictions differ from those of other special zones shall be described as a separate zone in an annexure to these scheme clauses.

A special use is a land use or a building designed or used for any other purpose than those uses specifically defined in this Scheme;

Details of uses allowed on erven with a special zoning are listed in Annexure "A".



## **K. AGRICULTURE**

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- 1. Colour Notation:** Green Outline  
**Primary Uses:** Agricultural Building  
**Consent Uses:** Tourist Facilities, Dwelling Houses, Farm Stall, Place of Instruction, Place of Public Worship, Shop, Tourist Establishment, Private Open Space.

### **2. Land Use Restrictions**

#### **2.1 Number and Type of Buildings**

- (a) In this zone, except with the consent of the Council, only one residential dwelling, together with such buildings which are normally use in connection with agriculture, may be erected on each farm portion or agricultural holding.

#### **2.2 Building Lines**

- (a) No building may be erected nearer than:
- (i) 10 metres from any street, including a Right of Way;
  - (ii) 15 metres from any other boundary.
- (b) No building for agricultural purposes may be erected within a distance of 10 metres from any dwelling house except with the consent of the Council.
- (c) With the consent of the Council or the Competent Authority a building (with opening windows overlooking the neighbouring property) can be erected on a common border with a Public Open Space.



## L OFFICE

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1. **Colour Notation:** Purple hatch  
**Primary Uses:** Office Buildings  
**Consent Uses:** Place of Public Worship, Dwelling House, Institutional Building, Residential Building, Bed and Breakfast, Pension.

### 2. Land Use Restrictions

#### 2.1 Coverage

In this zone the coverage of all the buildings on any site shall not exceed the following percentages:

|   |     |
|---|-----|
| Office Buildings, Dwelling Houses, Pensions, Residential Building | 50% |
| Places of public worship, Institutional Buildings                 | 40% |

#### 2.2. Bulk (Floor Area Ratio)

No building shall be erected, altered or extended so as to exceed the bulk (floor area ratio) applicable for that type of building as stated below:

|  |     |
|--|-----|
| Office Buildings   | 1,0 |
| Place of Public Worship, Dwelling House, Institutional Building, Residential Building and Pension. | 0,6 |

#### 2.3 Height control

No building in this zone shall be erected so as to exceed a height of 10 metres.

**Provided that:**

- (i) with special consent of the Council, a height relaxation may be granted for architectural features only

#### 2.4 Building lines

##### (a) Street boundary

- (i) Except with the consent of the Council all buildings shall be set back a distance of 5 metres from the street boundary.

##### (b) Side boundaries

- (i) 3 metres from any side boundary.

##### (c) Rear boundaries

- (i) 3 metres from any rear boundary;



**(d) Basements**

Where a basement is below ground level the building line requirements need not be complied.

(e) Notwithstanding the provisions of sub-paragraph (a), (b) and (c) above the Council may subject to any conditions it may deem necessary, relax the building line restrictions.

(f) With the consent of the Council or the Competent Authority a building (with opening windows overlooking the neighbouring property) can be erected on a common border with a Public Open Space.

**2.5 Projections**

(a) In this zone projections over streets and building lines, excluding advertising signs approved by the Council in accordance with the provisions of any other law, shall be limited to minor architectural features and one cantilevered open canopy which may be erected to within 0,5 metres of the pavement edge or 2,5 metres from the front of the building whichever dimension is the lesser, provided that no portion of any projection shall be less than 2,5 metres above the pavement level and there shall be no access from the buildings to the canopy.

(b) The following conditions, excluding advertising signs and cantilever slab projections approved by the Council in accordance with the provisions of any other law, shall apply to all to other projections over building lines applicable in this zone:

(i) Projections shall not protrude more than 1 metre over the street boundary;

(ii) balconies may extend in length up to 60% of the total length of the façade (per floor) from which they project if no other projections are planned for that façade;

(iii) each separate bay window shall not exceed 3 metres in length;

(iv) balconies shall only be enclosed by a dwarf wall, railing or similar structure not exceeding 1,5 metres in height above the floor level of the balcony, and

(v) any projection, roof or hood over the balcony shall be cantilevered.





## 2.6 Provision for on-site parking

- (a) Except where specified elsewhere in the scheme, 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 Table L1:

**TABLE L1: Provision of Parking**

|  |   |
|--|---|
| Residential buildings                              | 1 per dwelling unit   |
| Office Buildings                                   | 1 per 33,33m <sup>2</sup> of floor area   |
| Places of Public Worship and Places of Instruction | 1 parking bay per 10 seats or 10 members<br>Min: 15 bays for funeral chapels; 8 bays for other uses |
| Institutional                                      | 1 per 2 beds or as determined by Council  |
| Pension & Bed & Breakfast                          | A minimum of 2 plus 1.5 per room  |
| All other uses                                     | 1 per 33,33m <sup>2</sup> of floor area   |

The parking requirements, subject to the specified use zoning, shall be calculated as set out in column (2) of Table L1 and that the number of parking bays thus obtained, shall be rounded off to the nearest integer

- (b) The access to and the position and dimensions of a parking place shall conform to the requirements of the Council.
- (c) The Council may relax the requirements of sub-clause (a) if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result.
- (d) The site to be provided for parking in terms of this clause shall not be used for the purpose of exhibition, sale, repair or maintenance of vehicles or for any purpose other than the parking of vehicles.





## **M. PRIVATE OPEN SPACE**

---

- 1. Colour Notation:** Dark Green fill  
**Primary Uses:** Private Open Space  
**Consent Uses:** Other uses not mentioned in column 3 as long as they remain secondary and subordinate to the primary use

### **2. Land Use Restrictions**

#### **2.1 Building Lines**

- (a) No building, permanent structure or portion thereof, except for boundary walls and fences, may be erected on the site within:
- (i) 5 metres from any street boundary;
  - (ii) 3 metres from any rear boundary;
  - (iii) 3 metres from any side boundary; and
  - (iv) 5 metres in the case of a garage from any street boundary or half the height of the building, whichever is greater.
- (b) Notwithstanding the provisions of sub-paragraph (a) above the Council may, subject to any conditions it may deem necessary, relax the building line restrictions.
- (c) With the consent of the Council or the Competent Authority a building (with opening windows overlooking the neighbouring property) can be erected on a common border with a Public Open Space.

#### **2.2 Parking**

- (a) Except where specified elsewhere in the scheme, 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 determined by Council:
- (b) The access to and the position and dimensions of a parking place shall conform to the requirements of the Council.
- (c) The site to be provided for parking in terms of this clause shall not be used for the purpose of exhibition, sale, repair or maintenance of vehicles or for any purpose other than the parking of vehicles.

#### **2.3 Height**

- (a) No building shall exceed a height of 8m.
- (b) Provided that:
- The Council may relax the maximum height to 10 metres if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result



## 2.4 Coverage and Bulk

- (a) As determined by Council



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## CLAUSE 6. CONSENT USES

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### 6.1 APPLICATIONS FOR CONSENT USE

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- 6.1.1 Subject to the provisions of clause 6.2 of these clauses the Council may, where application is made to it for its consent to the erection or utilisation of a building in a zone in which a building of the type proposed may be erected and utilised only with the Council's special consent, grant or refuse its consent, and shall in granting its consent be entitled to impose such restrictive conditions as it may deem fit governing the erection or utilisation of such building.
- 6.1.2 In considering such applications, regard shall be had to the question whether the use for which the building is intended or designed, or the proposed building, is likely to match the character of the neighbourhood, including marring owing to the emission of smoke, fumes, dust, noise or smells.

### 6.2 ADVERTISEMENTS OF INTENDED APPLICATION FOR CONSENT USE

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- 6.2.1 Any one (including Council) intending to make application to the Council for its consent to the erection or utilisation of a building or to the utilisation of land, whether wholly or partly, for any purposes requiring the Council's special consent, shall, before making such application, publish at his own expense once a week for two consecutive weeks in a local newspaper circulating in the area, a notice of his intention to make such an application, and shall post and maintain conspicuously for fourteen (14) days such notice on some part of the building or land, and shall with such application lodge with the Council proof of such publication. The notice on the building or land must have a minimum size of 600 x 450 mm and the letters may not be smaller than 5 mm.
- 6.2.2 The notice shall state that any person having any objections/comments to the proposed use of land or the erection and use of the proposed building may lodge such objection/comment with the Council and also with the applicant in writing within fourteen (14) days after the date of the last advertisement, and shall further state where the plans, if any, may be inspected.
- 6.2.3 The Council shall take into consideration any objections/comments within the said period of thirty (30) days and shall notify the applicant and objectors of its decision.
- 6.2.4 Any decision of the Council given in terms of this section shall be by resolution of the Council, taken at any meeting of the Council.
- 6.2.5 Any objector and/or applicant who is aggrieved by the decision of the Council, may lodge an appeal with the Council in which case it will be referred to the Minister, which decision shall be final.
- 6.2.6 The decision of the Council shall not take effect until the expiration of twenty eight (28) days from the date on which the applicant and the objectors, if any, are notified thereof, or if an appeal has been made, until such appeal is disposed of.
- 6.2.7 Notwithstanding any conditions in sub-clause 6.2.1 to 6.2.3 above, the Council may advertise any application and recover the cost of such advertisement from the applicant.



### 6.3 LAPSING OR WITHDRAWAL OF CONSENT

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- 6.3.1 If the rights obtained by virtue of the grant by Council of a consent to the erection and use of a building or for the use of the land, are not exercised within 24 months of the grant of such consent or, the rights having been exercised, the use permitted thereunder is interrupted for a continuous period of 18 months, the consent shall <sup>3</sup>*ipso facto* lapse, unless any condition upon which such consent was granted specifically provides otherwise in regard to the lapsing of such consent.
- 6.3.2 The period of validity of a consent granted by the Council to the erection and use of a building shall not extend beyond the life of the building used, or erected for such use, pursuant to the consent.
- 6.3.3 Any consent for the use of land granted by the Council may be reviewed ten years from the date of the decision to grant such consent if the Council considers it necessary.
- 6.3.4 Notwithstanding the provisions of paragraph 6.3.2 and 6.3.3, the Council may impose as a condition of consent a period of validity other than that mentioned in the said paragraphs.
- 6.3.5 Notwithstanding the provisions of sub-clauses 6.3.1, 6.3.2, 6.3.3 and 6.3.4 a consent shall be subject to termination by the Council, if after affording the owner of the land to which the consent relates a hearing, 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, provided that if, in respect of an obligation to contribute to any engineering services, the Council has in terms of this scheme accepted such contributions, then the contribution paid as a result of the consent use shall be taken into account in the form of a credit against any contribution to engineering services which is required to be provided in the event of any subsequent application for consent being approved.

### 6.4 COMBINED USE BUILDINGS

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In the case of multiple uses, land use restrictions shall be calculated in respect of each floor for the use to which such floor is to be put. The sum of the provisions so arrived at shall be applied to the whole building. Where it is intended to use any one floor or space of a building for more than one use, the more restrictive provisions shall apply.

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<sup>3</sup> *ipso facto*: Means from the stated facts alone





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## CLAUSE 7. BUILDING MANAGEMENT

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### 7.1 EXTERNAL APPEARANCE OF BUILDINGS

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- 7.1.1** Any persons intending to erect any building shall furnish the Council for its consideration, if it so requires (in addition to any plans and particulars required to be submitted under any of the Council's regulations), with the following:
- (a) a site plan with a scale of 1:200,
  - (b) a building plan, indicating the external appearance of the proposed building, including a description of the building materials to be used for that purpose, to a scale of 1:100,
  - (c) an electrical plan, and
  - (d) a sewer and water drainage plan.
- 7.1.2** The Council shall within sixty (60) 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 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.
- 7.1.3** No person shall commence the erection of any building until such time as the particulars hereinbefore referred to have been approved by the Council or by the competent authority on appeal.
- 7.1.4** No building shall be erected in the business zone or local business zone unless the Council is satisfied that such building will constitute an integral part of a comprehensive and coordinated development of the business zone in question, provided that the Council may, having regard to the economic and physical life of an existing building in such zone permit alterations to such building subject to such alterations being in conformity with the provisions of this scheme.

### 7.2 RELAXATION OF BUILDING LINES

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- 7.2.1** The building line provisions of this scheme may be relaxed with consent from the Council, where the Council is of the opinion that the building lines intervene with the development or use of a site or any other reason, subject to the following condition:
- (a) Written confirmation from the adjoining owner(s), if a side or rear building line will be exceeded, to the effect that they have no valid objections; and
  - (b) confirmation that no existing services or the maintenance thereof will be adversely affected.

### 7.3 LOADING AND UNLOADING FACILITIES

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- 7.3.1** Except in the light industrial zone and general industrial zone, the Council may, for the purpose of preventing the obstruction of traffic on any street or proposed street on which a proposed building will front or abut, require the owner to submit for its



*Ally*



approval proposals for ensuring, to the Council's satisfaction, suitable and sufficient space on the site for loading, unloading or fuelling of vehicles which the utilisation of the building is likely to entail normally.

- 7.3.2** No owner or occupant of the building in respect of which proposals under this clause have been required shall undertake or knowingly permit the continued loading or unloading or fuelling of vehicles otherwise than in accordance with approved proposals.

#### **7.4 UTILISATION OF OUTBUILDINGS**

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- 7.4.1** No outbuilding may be utilised for any purpose other than that for which the plans have been approved by the Council, and no such outbuilding may be utilised until the main buildings are completed or occupied, unless otherwise resolved by the Council.

#### **7.5 ADVERTISEMENTS AND HOARDING**

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- 7.5.1** No advertisements hoardings shall be erected or advertisements be displayed or announced without the consent of the Council: Provided that the consent of the Council, granted under this clause, shall not in any way be taken to excuse compliance with the by-laws of the Council, if any, relating to the erection, display and announcement of advertisement hoardings and advertisements.

- 7.5.2** If an application is made to the Council for its consent under this clause, the Council shall be entitled to impose such conditions as it may deem fit governing the erection and use of any such hoarding or advertisements: Provided that consideration shall be given to the question whether the proposed hoarding, display or the announcement of the proposed advertisement is likely to cause injury to the amenities of the neighbourhood.

- 7.5.3** No hoarding or advertisement shall be erected in the single residential and general residential 1 zones: Provided that the provisions of this subclause shall not apply to:

- (a) consent uses in these zones;
- (b) a sign or notice not projecting over a street and not exceeding sixty (60) by forty-five (45) centimetres in area and indicating only the name and profession or occupation of the occupant, or
- (c) the display of an advertisement relating solely to an entertainment, meeting, auction or sale to be held upon or in relation to the premises upon which such is displayed: Provided that this advertisement does not contain letters, figures, emblems, symbols or devices exceeding fifteen (15) centimetres in height and does not exceed a height of four metres from the ground.

The Council may, subject to the provisions of this clause, authorise the display of any particular class of advertisement either unconditionally or subject to conditions in respect of the position or manner in which, or the period in which the advertisement may be displayed.

- 7.5.4** No advertisement shall be announced in the single residential and general residential zones.





## **7.6 AESTHETICS AND LANDSCAPING**

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- 7.6.1** Where paving, landscaping, other treatment or any aesthetic requirements is deemed necessary by the Council, or the Minister if the matter is considered by him, it may be required by the Council or the Minister, as the case may be, and such requirement shall be carried out to the satisfaction of the Council or the Minister, as the case may be, at the cost of the owner.

## **7.7 NUMBER OF BUILDINGS PER ERF**

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- 7.7.1** Except in the case of places of instruction and public worship not more than one building together with such outbuildings as are ordinarily used in connection therewith, shall be erected on any erf except with consent of Council.

## **7.8 MINIMUM VALUE OF NEW BUILDINGS**

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- 7.8.1** In cases where new buildings are erected on an erf the minimum value of the main building shall be in accordance with the minimum municipal building value stipulated by Council within the area.

## **7.9 STORAGE OF MATERIAL ON VACANT ERVEN**

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- 7.9.1** The owner of the erf may not store any building material, equipment, tools or vehicle or erect a builders shed on the erf prior to submission and approval of building plans for a main building: Provided that following such approval building material, equipment and tools (or erection of a builders shed) may only be stored on the site for a period not exceeding 30 (thirty) days prior to the physical commencement of the erection of the building.

The Municipal Council reserves the right at the expiry of the 30 (thirty) days period to instruct the owner of the erf to remove the material, equipment, tools or builders shed from the site within a specified period failing which the Municipal Council shall remove same at the cost of the owner of the erf.

## **7.10 BOUNDARY WALLS AND FENCES**

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### **7.10.1 Boundary Walls**

Materials for boundary walls must be to the approval of the Council (e.g. the bottom 30cm of wall – face brick, natural stone or similar material with minimum water absorption characteristics and built on a solid concrete foundation).

### **7.10.2 Boundary Fences**

- (a) Boundary fences must have a solid foundation wall of at least 500mm above street or natural ground level (either of face bricks, strengthened concrete



bricks, or similar while the fence must consist of non corroding material – all wire mesh excluded.

- (b) With the consent of Council plastic coated wire fencing may be used in the following areas/zoning/circumstances:
- (i) in the Industrial Zone as long as the boundary line is not common with another zone or street;
  - (ii) as temporary fencing during the period of construction work on an erf, provided that the fence is removed within a 12 month period; and
  - (iii) any other special circumstances.
- (c) The erection of plastic coated wire fencing must be to the satisfaction of the Town Engineer or his representative and the fence must be replaced when visible rusting occurs or when it no longer looks neat and tidy.
- (d) Side and rear boundaries walls and fencing shall not exceed a maximum height of 2,25 metres measured from the natural ground level except with consent of Council.

### 7.10.3 Street Boundary Walls and Fences

Street boundary walls and fences shall not exceed 1,80 metres in height measured from the street/sidewalk level excluding architectural features at entrances.

The Council may, subject to written approval by the adjacent neighbours facing the house of the applicant, relax the height restriction to 2,25 metres.

### 7.10.4 Special Provisions

- (a) Alternative fencing to the approval of the Town Engineer may be erected in the Agricultural Zone with a maximum height of 2,25 metres
- (b) The following relaxation to the construction of street and boundary walls may be approved by consent of Council:
- (i) timber fencing may be used as long as it is consistent and neat in workmanship and appearance;
  - (ii) the regulations regarding minimum water absorption characteristics be waived as long as the boundary wall is constructed with material that is weather resistant, consistent to the whole wall and neat in workmanship and appearance.

## 7.11 EXTENSIVE BUILDING PROJECTS

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7.11.1 In case of extensive building project within the business or industrial areas, the Council may, subject to the conditions of Clause 6, impose more or less restrictive conditions than those contained in the scheme regulations, provided that it shall rest upon the Council only to decide whether or not a certain project be considered as an extensive building project. The height restriction will however apply in all instances.







## **7.12 SUBDIVISION AND CONSOLIDATION OF LAND**

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**7.12.1** No consolidation or subdivision of land shall be made without the consent of the Council and the Competent Authority.

## **7.13 CONSERVATION AREA**

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**7.13.1** In this area all new buildings or extensions to buildings on the street front must be adapted to the adjacent and surrounding buildings as far as height and architectural appearance are concerned. Any person or authority who intends to erect any new buildings or to alter the existing buildings in this area, shall submit drawings to the Council which sufficiently indicate the external appearance of the proposed building or extensions to the building including such description of the material which is to be used for the erection thereof. The Council may require such alteration of the external appearance, height or building material as it may deem necessary.



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## CLAUSE 8. DUTIES & POWERS

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### 8.1 EXAMINATION OF SCHEME

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- 8.1.1 The Council shall allow any person at any reasonable time to examine any definition, scheme clause or zoning map which are kept in the office of the Council; provided that any information in connection with the zoning scheme which is given to any person shall only be valid if it is in writing and signed by the official duly authorised thereto by the Council.

### 8.2 REMOVAL OF INJURIOUS CONDITIONS

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- 8.2.1 Where the amenity in any area is adversely affected by the condition of any building, land or erf, 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 28 (twenty eight) days from the date on which notice was served, to take such action as is necessary to eliminate the source of annoyance.

### 8.3 ENTRY AND INSPECTION OF PREMISES

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- 8.3.1 Where an authorised officer in the investigation of any contravention or alleged contravention [whether a notice in terms of Section 28(3) of the Ordinance has been given or not] of any provision of this 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 this 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.
- 8.3.2 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.

### 8.4 SERVICE OF NOTICES

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- 8.4.1 Any order, notice or other document required or authorised to be served under the scheme may be signed by the Town Clerk 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 <sup>4</sup>*domicilium citandi*, at the *domicile* so chosen.

**8.4.2** 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.

**8.4.3** Any order, notice or other document, by this 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.

## **8.5 CONFLICT OF LAWS AND EVASION OF SCHEME**

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**8.5.1** Nothing in this scheme or in any consent given in terms thereof shall be deemed to detract from any rights the Council possesses by virtue of any servitude, contract or agreement.

**8.5.2** Except where the contrary is specifically stated in this scheme, nothing in any provision of this scheme shall be deemed to override or absolve from compliance with any other provisions of the scheme.

**8.5.3** The Council shall refuse its consent to anything requiring such consent which in its opinion constitutes or facilitates an evasion of the intent and purpose of this scheme or of any of its provisions.

## **8.6 CONTRAVENTION OF THE SCHEME**

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**8.6.1** 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 this scheme, shall be deemed to have contravened the provisions of this scheme and shall be guilty of an offence and liable on conviction to the penalties prescribed by Section 48 of the Ordinance.

## **8.7 APPEALS**

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**8.7.1** 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.

**8.7.2** If the decision is one which the Council is required to give upon the application of any person or upon the submission by any person of plans or proposals, an appeal shall, in addition, lie against a refusal of the Council to give, or unreasonable delay on its part in giving a decision, as if it were an appeal against a decision of the Council.

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<sup>4</sup> *domicilium citandi*: Means address for service.





**8.7.3** Written notice of an appeal shall be given to the competent authority and to the Council. If the appeal is against a decision of the Council, the notice shall be given within twenty eight (28) days from the date of the service on the appellant of the notice of the Council's decision.

**8.7.4** The competent authority may, on the application of any person desiring to appeal, extend by not more than twenty eight (28) days the time for making the appeal specified in the last preceding paragraph, whether or not the time specified for making the appeal has expired.

## **8.8 BINDING FORCE OF CONDITIONS IMPOSED**

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**8.8.1** 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 this scheme, and conditions have been imposed, the conditions shall have the same force and effect as if they were part of this scheme.

## **8.9 COUNCIL MAY IMPOSE CONDITIONS ON WARRANTING CONSENT**

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**8.9.1** In giving its approval, authority, permission or consent under any clause in this scheme, Council may impose such conditions, as it deems necessary.

## **8.10 RECORD OF INSPECTION AND CONDITIONS**

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**8.10.1** 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.

## **8.11 SAVING FOR POWERS OF COUNCIL**

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**8.11.1** Nothing in this scheme will operate to prevent the Council erecting, maintaining or using any building, executing any work, or maintaining or using 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.

## **8.12 CONFLICT OF SCHEME AND TOWNSHIPS CONDITIONS**

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**8.12.1** 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.



## **8.13 COMPLIANCE WITH REGULATIONS**

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- 8.13.1** Nothing in these clauses contained shall be deemed to grant exemption from compliance with any of the Council's regulations.

## **8.14 EXISTING USE**

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- 8.14.1** Existing land uses legally practised, in accordance with the Land Use Plan, before the Minister gave notice of his approval of the original Swakopmund Town Planning Scheme, are allowed subject to "existing use" defined.
- 8.14.2** (a) The continued use of any land or building which is in conflict with the conditions of the Scheme shall subject to the conditions in Sub-Clause (b) lapse without the payment of compensation upon the termination of a period of fifteen (15) years from the date of proclamation of the Scheme in terms of Section 26 (2) of the Town Planning Ordinance (18 of 1954) as amended.
- (b) The Council may, after receiving an application from the owner, before the expiry of the period mentioned in Sub-Clause (a) 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 (a) 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.
- 8.14.3** Land reserved as streets and public open spaces, under the "Reserved" zoning, may continue to be used for the purpose for which it was used on the date when the Minister gave notice of his approval of this Scheme by proclamation, until such time as the Council in terms of the Ordinance or any other law requires the owner to use or set aside such land for the purpose for which it is reserved or until the land has been transferred to the Council or to the authority for whose purpose it has been reserved.

## **8.15 NON-CONFORMING SITES**

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- 8.15.1** Before written authority is granted, or a licence is issued by the Council with regard to a site for which there is no valid licence 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.

## **8.16 LETTING AND SOCIAL FUNCTIONS**

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- 8.16.1** Without prejudice to any powers of the Council under any other law, nothing in a zoning scheme contained shall be constructed as prohibiting or restricting, or enabling the Council to prohibit or restrict, the following:
- (a) The letting, subject to the Council's regulations relating to boarding houses and hostels, by any occupant of a dwelling-house of any part of such dwelling house; and





- (b) the occasional utilisation of a place of public worship, place of instruction or institution as a hall for social functions.

## **8.17 TRANSFER OF CLOSED STREETS AND PUBLIC OPEN SPACES**

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- 8.17.1 Where any piece of land which was previously a street or a public place vested in or owned by the Council is closed and transferred to an abutting owner, such piece of land shall be deemed to fall into the same use zone and sub-zone as those into which the abutting land owned by such owner falls.

## **8.18 MINING**

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- 8.18.1 Without prejudice to any powers of the Council under any other law, nothing in a zoning scheme contained shall be construed as prohibiting or restricting, or enabling the Council to prohibit or restrict, the following:

- (i) The recovery of minerals by underground or surface mining on any land which is not included in a proclaimed township

## **8.19 SHOPS OR ACTIVITIES IN HOTELS**

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- 8.19.1 The Council may permit any one or more of the following shops or activities viz:

Shop  
Office  
Restaurant  
Place of amusement

to be established:

- (a) in any hotel which has been classified and graded under Ordinance 20 of 1973, and  
(b) by special consent in any hotel than those referred to in sub-paragraph (a) hereof,

provided that no external advertising of any shop or activity shall be permitted and access thereto shall be gained only from within the hotel.

## **8.20 PARKING- SPECIAL PROVISIONS**

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- 8.20.1 Notwithstanding any other provisions of this Scheme the occupier and/or owner of a dwelling house, block of flats or residential building may not park or cause or allow to park on the site of such dwelling house, block of flats or residential building more than one public vehicle used for business purposes or financial gain: Provided that public vehicles may be parked for the purposes of loading or unloading goods normally required for attendance to a dwelling house, block of flats or residential building.



**8.20.2** No person shall park any commercial vehicle in a public street within the Local Authority Area of Swakopmund for longer than 10 hours per week, provided that parking during the period 08h00 to 19h00 excluding Saturdays and Sundays shall not be taken into account.

**8.20.3** Notwithstanding the provisions of this Scheme, the Council may relax the parking requirements applicable to any zone and enter into a written agreement with the owner of the site concerned whereby the owner shall:

- (a) 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 within reasonable walking distance from the erf as are required in terms of the parking requirement for that zone; or
- (b) 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 the parking requirement for that zone; or
- (c) construct and maintain the number of parking spaces required in terms of the parking requirement for that zone on any other property which is considered to be suitable by the Council.

#### **8.21 HOME BASED GENERAL DEALERS**

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- (a) Council may, subject to the provisions of Clause 6.2 of this Scheme (advertisements for consent use), allow the operation of shebeens or home based general dealers in the following special demarcated areas: to the east of Rakotoka Street, to the north of Winter Street and to the west of the railway reserve.



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## CLAUSE 9. GENERAL

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### 9.1 UTILISATION OF ZONED LAND

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- 9.1.1 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.
- 9.1.2 No person shall damage or destroy zoned land so as to destroy or impair its utilisation for the purpose for which it is zoned, provided that the Council may consent to the deposit on such land of waste materials or refuse:
- (a) In giving its consent under this clause, the Council may impose such conditions as it may deem fit.
  - (b) Subject to the provisions of any other law, nothing in this clause shall be constructed as prohibiting the reasonable fencing of land.

### 9.2 DRILLING OR EXCAVATION FOR WATER

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- 9.2.1 Except with the consent of the Council and the Ministry of Agriculture, Water and Rural Development it shall not be permitted to drill or excavate for water on any land.

### 9.3 ACCESS

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- 9.3.1 If an erf has more than one street frontage, access to the erf shall be obtained from the street(s) determined by the Council: Provided that such determination shall be made before the approval of the building plans.

### 9.4 RIGHT OF ACCESS AND USE

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- 9.4.1 Each erf is subject to the reservation by the Council of the right of access and use without compensation of the area, three metres parallel with any boundary for the construction and maintenance of municipal services in respect of water, sewerage, drainage, electricity and gas, which right includes the right to place on such erf temporarily any materials that may be excavated during such operations on the erf or any adjacent erf.

### 9.5 STORM WATER AND FLOOD

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- 9.5.1 No water drainage pipe, canal, work or obstruction (except water 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 water 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 local authority allows flood water to run off, be discharged or to be canalised) is or can be changed,





canalised or impeded; and the maintenance of such water pipe, channel or work shall be the responsibility of the owner of the concerned property.

## **9.6 DANGER TO LIFE, HEALTH AND AMENITY**

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- 9.6.1** 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.
- 9.6.2** 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.

## **9.7 APPROVED TOWNSHIPS**

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Notwithstanding the foregoing provisions, the conditions relating to use, maximum coverage, height and building lines imposed by the Minister in the approval of townships, shall apply in so far as such conditions are more restrictive than the provisions of this Scheme.

More restrictive conditions can be amended to comply with the Scheme Regulations as set out in this document.

## **9.8 SHORT TITLE**

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This Scheme shall be known as the Amendment Scheme No. 12 of the Town Planning Scheme of Swakopmund.



## ANNEXURE A: SPECIAL USES

Following erven designated in column (2) shall only be used for the purpose as indicated under column (3). Every use designated under column (3) is subject to the special consent of the Local Authority and the conditions they may impose.

| (1)           | (2)   | (3)  |
|---------------|---|--|
| Number on map | Number of erf zoned "special"   | Uses permitted with the special consent of the local authority   |
| 1             | Erf 608, Industrial area  | Petrol Service Station, Public Garage, Restaurant and Café with the leasable floor area of the restaurant and café restricted to 150m <sup>2</sup>   |
| 2             | Erven 637 and 3570, Swakopmund Town   | Brewery  |
| 3             | Erven 2747 and 1316, Swakopmund Town  | Holiday houses and Caravan park  |
| 4             | Portions situated on MA 36 Panther, MA Panther 2 No 81, MA Helo No 1 and MA Helo No 2   | South West Africa Salt Coordinated   |
| 5             | Erf 3723, Swakopmund Town   | To be used by the Welwitchia Lodge and the Swakopmund Round Table, according to their respective constitutions and the erf shall not be used for any<br>(i) public functions or meetings<br>(ii) purpose for which a trading licence is required<br>(iii) purpose for which a liquor licence is required |
| 6             | Ptn 3/ Farm Nonidas No167   | Restricted to Hotel and Accommodation purposes, and Agriculture  |
| 7             | Rem/ Farm Nonidas No 167  | Motor Garage and Agriculture   |
| 8             | Farm 175  | Tourism and Agriculture  |
| 9             | Rem/ Farm Douglas No 184  | Recreation and Accommodation   |
| 10            | Farm Three Sisters No 96  | Butchery and Agriculture   |
| 11            | Erf 1 Mile 4  | Caravan Park   |
| 12            | Portion A, Erf 1023 <sup>3951</sup>   | Parking area for Swakopmund Entertainment Centre and Hotel   |
| 13            | Erven 2113, 2114, 2139, 2154, 2155, 2156, 2175, 2176, 2195, 2213, 2214, 2215, 2216, 2217, 2218, 2228, 2229, 2230, 2239, 2254, 2259, 2260, 2261. | Home based General Dealer  |



## ANNEXURE B: HERITAGE USE

| Ref No | Erf No    | Street                           | Date Built  | Present Use                         | Grade |
|--------|-----------|----------------------------------|-------------|-------------------------------------|-------|
| 1      | 361       | Strand Street                    | 1905        | Dwelling and Joinery Workshop       | C 41  |
| 2      | A/356     | Lazarett Street                  | 1902        | Old Age Home / Private Care Centre  | A 92  |
| 3      | 2/356     | Rhode Allee                      | 1904        | Maternity Clinic                    | C 54  |
| 4      | 352       | Strand / Lazarett Street         | 1912        | Commercial / Dwelling               | C 50  |
| 5      | 354       | Buecken Street                   | 1905        | Commercial / Dwelling               | C 46  |
| 6      | 348       | Buecken Street                   | 1904        | Dwelling                            | D     |
| 7      | 343       | Buecken Street                   | <1904       | Dwelling and Workshop               | B 60  |
| 8      | 342       | Bismark Street                   | 1905        | Commercial / Dwelling               | C 57  |
| 9      | B/341     | Bismark Street                   | <1912       | Dwelling                            | C 48  |
| 10     | 346       | Lazarett Street                  | 1905        | Commercial / Dwelling               | B 66  |
| 11     | 351 & 352 | Lazarett Street                  | 1911        | Dwelling                            | D     |
| 12     | 247       | Strand Street                    | 1905        | Deutsche Grundschule                | A 94  |
| 13     | 863       | Buecken / Bismarck Street        | 1901        | Blacksmith and Workshop             | D     |
| 14     | 252       | Buecken Street                   | 1905/08     | Dwelling                            | C 52  |
| 15     | 250       | Buecken Street                   | 1902        | Garage / Workshop                   | D     |
| 16     | 1310      | Buecken Street                   | 1912        | Hotel                               | B 61  |
| 17     | 234       | Bismarck / Kaiser Wilhelm Street | 1906        | Ministry of Environment and Tourism | A 96  |
| 18     | Block I   | Strand Promenade                 | 1928–30     | Strand Promenade                    | B 71  |
| 19     | 2809      | Wooden Pier / Steel Pier         | 1905–06     | Steel Pier / Jetty                  | B 75  |
| 20     | Block I   | Mole                             | 1898 – 1903 | Public Beach Area                   | A 88  |
| 21     | Block I   | Gardens                          | 1921        | Garden and Park                     | C 47  |
| 22     | 139       | Koch Street                      | 1899        | Magistrate Residence                | A 88  |
| 23     | 110       | Baeker / Mittel Street           | 1906        | Church                              | B 75  |
| 24     | 110       | Baeker / Mittel Street           | 1905        | Parsonage                           | C 59  |
| 25     | 110       | Baeker / Mittel Street           | -           | Dwelling                            | C 47  |
| 26     | 110       | Baeker / Mittel Street           | -           | Dwelling                            | C 45  |
| 27     | D/122     | Schlosser Street                 | 1904        | Commercial / Dwelling               | C 48  |
| 28     | E/122     | Kolonnen Street                  | 1902        | Commercial / Dwelling               | D     |
| 29     | 4A/12 2   | Schlosser Street                 | 1930/31     | Dwelling                            | C 46  |
| 30     | 949       | Breite Street                    | 1904/06     | Church                              | C 50  |
| 31     | 949       | Breite Street                    | 1907/08     | Hospital                            | A 83  |
| 32     | 949       | Breite Street                    | 1899        | Roman Catholic Mission              | B 73  |
| 33     | 949       | Breite Street                    | 1907/08     | R C Mission: Recovery Home          | C 54  |





|    |       |                                  |           |                                      |       |
|----|-------|----------------------------------|-----------|--------------------------------------|-------|
| 34 | 949   | Breite Street                    | 1911/12   | Mortuary                             | D     |
| 35 | 989   | Post Street                      | 1906/07   | Municipality of Swakopmund           | A 98  |
| 36 | C/143 | Bahnhof / Schul Street           | 1908/11   | Police Dwelling                      | C 41  |
| 37 | 577   | Stand Street                     | 1902/03   | Lighthouse                           | A 98  |
| 38 | 577   | Stand Street                     | 1902/03   | Lighthouse Dwelling                  | B 86  |
| 39 | 599   | Stand Street                     | 1902      | Dwelling                             | A 84  |
| 40 | 599   | Stand Street                     | 1902-04   | Dwelling                             | A 81  |
| 41 | 1525  | Garnison / Bahnhof Street        | 1907-09   | Municipality of Swakopmund           | A 96  |
| 42 | 511   | Post Street                      | 1908      | War Memorial                         | A 94  |
| 43 | 599   | Post Street                      | 1901 & 05 | Summer Residence: President S Nujoma | A 98  |
| 44 | A/136 | Koch Street                      | 1931      | Dwelling                             | C 54  |
| 45 | 131   | Koch Street                      | 1933 & 44 | New School Hostel                    | D     |
| 46 | 127   | Koch Street                      | 1901      | New School Hostel                    | A 96  |
| 47 | 128   | Garnison Street                  | 1905 & 30 | Dwelling                             | C 50  |
| 48 | A/123 | Werft / Schlosser Street         | 1917      | Commercial / Dwelling                | C 53  |
| 49 | 833   | Bismarck Street / Rhode Allee    | 1910      | Dwelling                             | B 74  |
| 50 | 833   | Bismarck Street                  | 1913      | Dwelling                             | C 56  |
| 51 | 327   | Bismarck / Lazarett Street       | 1905      | Dwelling                             | A 98  |
| 52 | D/340 | Bismarck / Lazaret Street        | 1905      | Dwelling                             | C 54  |
| 53 | C/340 | Bismarck Street                  | 1905      | Dwelling                             | C 50  |
| 54 | B/340 | Bismarck Street                  | 1909      | Dwelling                             | C 50  |
| 55 | A/340 | Bismarck Street                  | 1906/08   | Dwelling                             | C 54  |
| 56 | A/338 | Bismarck Street                  | 1905/08   | Dwelling                             | C 57  |
| 57 | 337   | Bismarck / Bruecken Street       | 1904      | Commercial / Dwelling                | C 56  |
| 58 | 337   | Bismarck / Bruecken Street       | 1911      | Commercial / Dwelling                | B 66  |
| 59 | 336   | Bruecken Street                  | 1906      | Restaurant / Hotel Hall              | B 61  |
| 60 | 334   | Bruecken / Moltke Street         | 1910      | Commercial / Dwelling                | C 48  |
| 61 | 334   | Bruecken Street                  | 1913      | Commercial / Dwelling                | C 56  |
| 62 | 2795  | Moltke Street                    | 1913/14   | Dwelling                             | C 52  |
| 63 | 329   | Moltke street                    | 1906      | Dwelling                             | C 48  |
| 64 | 1308  | Bismarck Street                  | 1904      | Library                              | A 100 |
| 65 | 257   | Kaiser Wilhelm / Bismarck Street | 1895      | Dwelling                             | A 86  |
| 66 | 257   | Bismarck Street                  | 1906      | Commercial                           | C 43  |
| 67 | 2746  | Kaiser Wilhelm / Bismarck Street | 1898      | Medical Centre                       | A 94  |
| 68 | 2746  | Bismarck Street                  | 1909      | Medical Centre                       | B 72  |
| 69 | 991   | Bismarck Street                  | 1908      | Boarding House                       | D     |
| 70 | C/228 | Post / Moltke Street             | 1930      | Commercial                           | C 57  |
| 71 | A/228 | Moltke Street                    | 1899      | Commercial                           | A 82  |





|     |                |                                 |         |                          |      |
|-----|----------------|---------------------------------|---------|--------------------------|------|
| 72  | 1524           | Moltke / Kaiser Wilhelm Street  | 1895    | Commercial               | D    |
| 73  | 1523           | Kaiser Wilhelm Street           | 1929    | Commercial               | D    |
| 74  | 860            | Kaiser Wilhelm Street           | 1909    | Commercial / Dwelling    | B 77 |
| 75  | 224            | Moltke Street                   | 1930    | Commercial               | C 47 |
| 76  | 225            | Moltke Street                   | 1911    | Commercial / Dwelling    | D    |
| 77  | 227            | Post / Moltke Street            | 1900/04 | Commercial / Dwelling    | A 89 |
| 78  | 2808           | Post Street                     | 1900/03 | Office                   | A 85 |
| 79  | 218            | Post Street                     | 1905    | Commercial / Dwelling    | C 59 |
| 80  | 217            | Post Street                     | 1905    | Commercial / Dwelling    | C 42 |
| 81  | 220            | Roon Street                     | 1899    | Commercial               | D    |
| 82  | 221            | Roon Street                     | 1899    | Commercial               | B 76 |
| 83  | 221            | Kaiser Wilhelm / Roon Street    | 1898    | Commercial               | B 69 |
| 84  | 222            | Kaiser Wilhelm Street           | 1910    | Commercial Bank Building | B 64 |
| 85  | 222            | Kaiser Wilhelm Street           | 1911    | Commercial               | B 68 |
| 86  | 214            | Post Street                     | 1906    | Commercial               | D    |
| 87  | 213            | Post Street                     | 1899    | Commercial               | C 46 |
| 88  | 212            | Post / Breite Street            | 1899    | Commercial               | D    |
| 89  | 210            | Breite Street                   | 1906    | Dwelling                 | D    |
| 90  | 446            | Kaiser Wilhelm Street           | 1913    | Commercial / Dwelling    | C 59 |
| 91  | 283            | Breite / Kaiser Wilhelm Street  | 1909-11 | Commercial / Dwelling    | D    |
| 92  | 274            | Roon / Bruecken Street          | <1900   | Dwelling                 | D    |
| 93  | 275            | Roon Street                     | 1900    | Dwelling                 | C 47 |
| 94  | 777            | Roon Street                     | 1928    | Dwelling                 | C 44 |
| 95  | Cons.<br>777   | Roon Street                     | 1906    | Dwelling                 | C 59 |
| 96  | 764            | Woermann Street                 | 1914    | New Apostolic Church     | D    |
| 97  | 278            | Breite Street / Bruecken Street | 1911    | Commercial               | C 57 |
| 98  | 3503           | Bruecken Street                 | <1913   | Dwelling                 | C 47 |
| 99  | 3502           | Bruecken Street                 | <1913   | Commercial / Dwelling    | C 55 |
| 100 | 313            | Roon / Bruecken Street          | 1906    | Effluent reservoir       | B 70 |
| 101 | Cons<br>950    | Moltke / Bruecken Street        | 1904    | Dwelling                 | A 88 |
| 102 | 316            | Roon Street                     | <1937   | Dwelling                 | D    |
| 103 | 1/485<br>& 317 | Lazarett / Roon Street          | 1908    | Dwelling                 | D    |
| 104 | 267            | Moltke Street                   | 1904    | Restaurant and Dwelling  | B 63 |
| 105 | 271            | Bruecken Street                 | 1905    | Dwelling                 | D    |
| 106 | 1/260          | Woermann / Moltke Street        | 1904    | Restaurant               | B 70 |
| 107 | 260            | Moltke Street                   | 1909/10 | Commercial               | A 91 |
| 108 | 259            | Moltke / Kaiser Wilhelm Street  | 1904/22 | Commercial               | B 63 |



|     |                     |                             |                |                                     |      |
|-----|---------------------|-----------------------------|----------------|-------------------------------------|------|
| 109 | 262                 | Kaiser Wilhelm Street       | 1905           | Commercial                          | C 43 |
| 110 | Cons<br>670         | Woermann Street             | 1911           | Dwelling                            | C 57 |
| 111 | 627                 | Swakop Street               | <1911          | Dwelling                            | D    |
| 112 | B/371<br>&<br>1/372 | Rhode Allee                 | ?              | Dwelling                            | C    |
| 113 | 372                 | Rhode Allee / Moltke Street | ?              | Dwelling                            | C    |
| 114 | 384                 | on Swakop River             | 1905           | Dwelling and Water Works<br>Storage | B 71 |
| 115 | 2747                | on Swakop River             | 1911/12        | Anchor                              | B 71 |
| 116 | 657                 | Rhode Allee                 | 1914           | Dwelling                            | C 51 |
| 117 | 380                 | Swakop Street               | 1907           | Commercial / Dwelling               | C 48 |
| 118 | 394                 | Bruecken / Breite Street    | 1905/06        | Dwelling / Hotel                    | D    |
| 119 | 1309                | Breite / Leutwein Street    | <1909          | Dwelling / "Gruener Kranz" Hotel    | D    |
| 120 | 1309                | Leutwein Street             | 1930           | Dwelling                            | C 42 |
| 121 | 285                 | Leutwein / Breite Street    | 1905           | Commercial / Dwelling               | B 78 |
| 122 | A &<br>B/286        | Leutwein Street             | 1930           | Workshop and Store Room             | D    |
| 123 | 202                 | Breite Street               | 1905           | Commercial / Dwelling               | B 60 |
| 124 | 201                 | Breite Street               | <1906          | Commercial / Dwelling               | B 65 |
| 125 | A/200               | Breite Street               | 1908           | Commercial / Dwelling               | C 45 |
| 126 | 200                 | Breite Street               | 1905           | Commercial / Dwelling               | D    |
| 127 | 199                 | Breite Street               | 1906           | Dwelling                            | D    |
| 128 | 197                 | Breite Street               | 1905 &<br>1912 | Commercial / Dwelling               | D    |
| 129 | 776                 | Breite / Post Street        | <1909          | Commercial / Dwelling               | D    |
| 130 | 195                 | Post / Estorff Street       | 1909           | Dwelling                            | B 67 |
| 131 | 3482                | Estorff Street              | <1911          | Dwelling and Workshop               | C 57 |
| 132 | 192                 | Estorff Street              | 1913           | Dwelling                            | C 58 |
| 133 | 192                 | Estorff Street              | 1910/11        | Dwelling                            | C 57 |
| 134 | 187                 | Estorff Street              | 1912           | Dwelling                            | D    |
| 135 | 184                 | Post / Otavi Street         | 1909           | Dwelling                            | D    |
| 136 | 186                 | Otavi Street                | 1913           | Dwelling                            | B 68 |
| 137 | 953                 | Post / Breite Street        | 1905           | Commercial / Dwelling               | D    |
| 138 | 154                 | Breite Street               | 1927           | Commercial / Dwelling               | C 41 |
| 139 | 152                 | Breite Street               | <1908          | Commercial / Dwelling               | C 46 |
| 140 | 151                 | Breite / Wasserfall Street  | 1905           | Hotel Eggers – Demolished           | C 59 |
| 141 | 158                 | Wasserfall Street           | 1905 &<br>1909 | Dwelling                            | D    |
| 142 | 161                 | Otavi / Post Street         | ±1913          | Dwelling                            | A 85 |
| 143 | 160                 | Post Street                 | 1914 (?)       | Dwelling                            | B 68 |
| 144 | 157                 | Post Street                 | 1929           | Dwelling                            | B 61 |



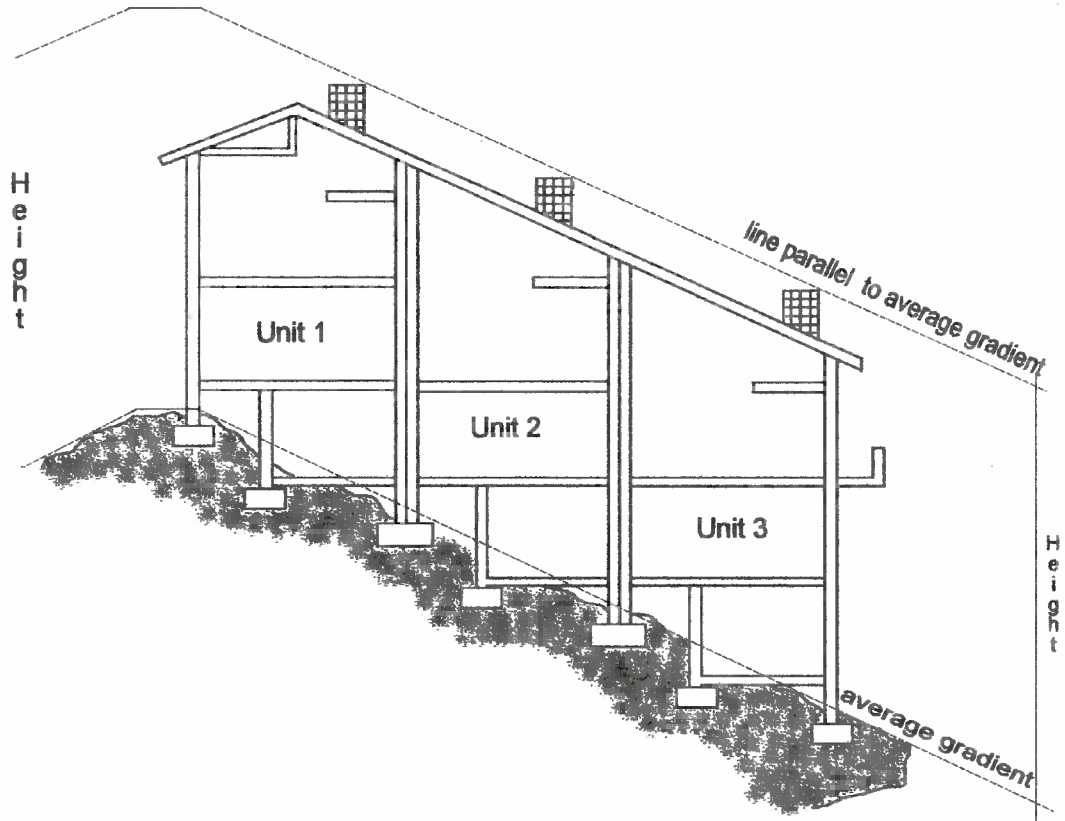


|     |       |                               |                |   |       |
|-----|-------|-------------------------------|----------------|---|-------|
| 145 | 147   | Breite Street                 | 1905           | Dwelling                                    | C 51  |
| 146 | 146   | Breite Street                 | 1902           | Dwelling                                    | C 57  |
| 147 | 150   | Otavi Street                  | 1928           | Dwelling                                    | C 43  |
| 148 | 644   | Otavi Street                  | 1910           | Dwelling                                    | C 43  |
| 149 | A/149 | Wasserfall / Otavi Street     | 1931           | Dwelling                                    | C 47  |
| 150 | B/149 | Wasserfall Street             | 1931           | Dwelling                                    | C 50  |
| 151 | 148   | Wasserfall Street             | <1908          | Dwelling                                    | C 52  |
| 152 | 642   | Wasserfall Street             | 1914           | Dwelling                                    | D     |
| 153 | 444   | Bahnhof Street                | 1901/02        | Hotel                                       | A 92  |
| 154 | 1624  | Post / Otavi Street           | 1913           | School                                      | A 100 |
| 155 | 3535  | Kaiser Wilhelm / Otavi Street | 1911           | Dwelling                                    | B 95  |
| 156 | 183   | Otavi / Post Street           | 1912           | Church (DELK)                               | A 100 |
| 157 | 183   | Otavi / Post Street           | 1911           | Parsonage (DELK)                            | A 94  |
| 158 | 301   | Otavi / Kaiser Wilhelm Street | <1913          | Dwelling                                    | B 62  |
| 159 | 303   | Kaiser Wilhelm                | 1914           | Dwelling                                    | B 63  |
| 160 | 502   | Nordring                      | 1908           | Prison                                      | A 92  |
| 161 | 687   | Kaser Wilhelm Street          | <1907          | Dwelling                                    | C 54  |
| 162 | 927   | Kaser Wilhelm Street          | 1913/14        | Offices                                     | C 47  |
| 163 | 172   | Windhuker Street              | 1911           | Dwelling                                    | C 52  |
| 164 | 171   | Windhuker / Bahnhof Street    | 1905           | Dwelling and Church                         | B 76  |
| 165 | Ext 6 | Rhode Allee                   | 1897/95?       | Cemetery                                    | B 76  |
| 166 | 1307  | Rhode Allee                   | 1897?          | Cemetery                                    | D     |
| 167 | 1307  | on Swakop River               | ±1914          | Cemetery                                    | D     |
| 168 | 1307  | on Swakop River               | ±1905          | Previous Borehole – not in use              | D     |
| 169 | 75    | Suedring / Lazarett Street    | 1912           | Dwelling                                    | A 88  |
| 170 | 3507  | Suedring / Bruecken Street    | 1929           | Workshop                                    | D     |
| 171 | 3508  | Bruecken / Nonidas Street     | 1912           | Workshop                                    | B 60  |
| 172 | 3509  | Nonidas                       | 1912           | Workshop                                    | C 52  |
| 173 | 3510  | Nonidas / Lazarett Street     | 1912           | Dwelling                                    | C 59  |
| 174 | 2228  | Strand Street                 | 1903<br>(1899) | Previous Rubbish removal – no longer in use | D     |
| 175 | -     | On road to Usakos             | 1896           | Martin Luther – early locomotive            | A 81  |





Diagram 1C Height







## DIAGRAM 1

### HEIGHT CONTROL

#### Intention

The rationale behind height control in Swakopmund is twofold; (i) to control the scale of development in different areas and (ii) to control sight lines especially in areas where the view may be critical.

In order to control the scale of development and sight lines, Council needs to prescribe the maximum height in meters above the natural ground level. Height control for different land uses differ: Single residential development has a lower height restriction than business development. Given the stated objectives of height control, it is logical that control of the vertical distance from natural ground level to a maximum height would serve the purpose of regulating sight lines and the scale of development. Accordingly, the principle of height control should be expressed as a vertical distance from natural ground level. Because the natural ground level is often uneven, it is desirable to use the average gradient or general slope of the site for the purpose of determining the level from where the height should be measured (See Diagram 1A to 1C). The general slope can be determined by a contour survey and horizontal map or section through the erf.

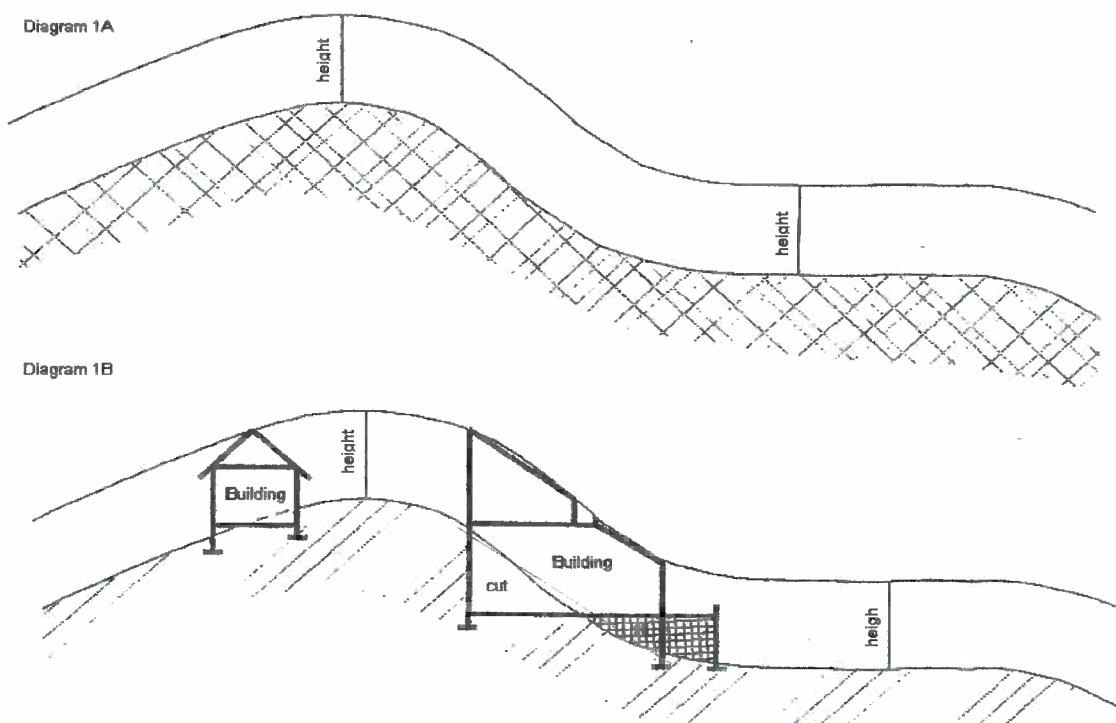
#### Definition

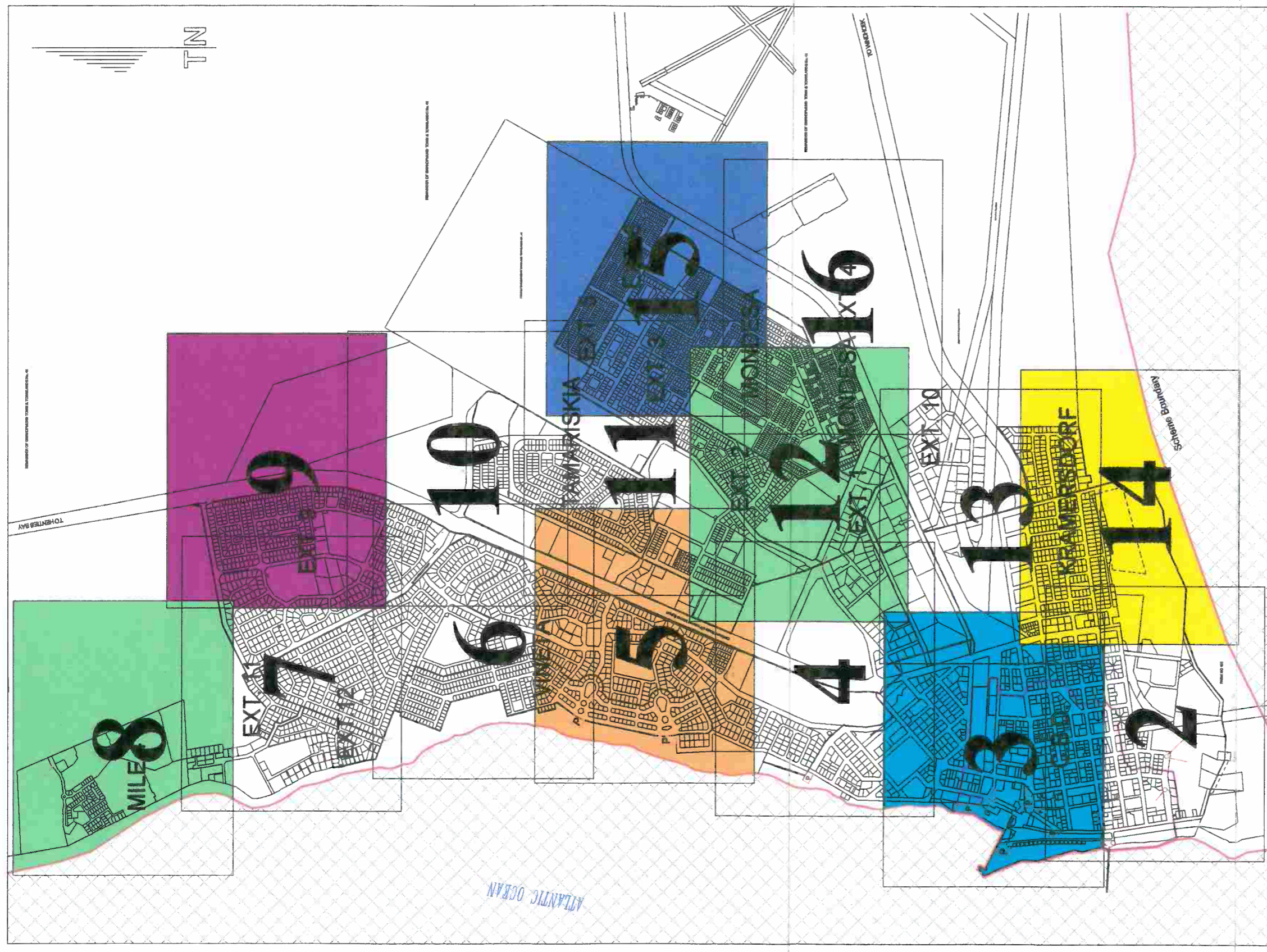
**"HEIGHT"** means the vertical dimension of a building structure or wall measured from any point at the average gradient of the land vertically to a line parallel to the average gradient of the land.

**"average gradient"** means the original slope of the land before any earth works or other terrain modification have been undertaken. The average gradient of the land will be determined by accurate topographic surveys using a contour interval not greater than 1 meter and a horizontal map scale (section) of one centimeter equals two meters (1:200) or larger. Such maps and calculations shall be certified by a registered civil engineer or registered land surveyor as to its accuracy, provided that:

- the Council may waive the requirement to submit certified contour maps as described above if, in its opinion, no uncertainties exist about the height of the building or if the gradient of the land is less than 1 meter over 20 meter (1:20).



**Diagram 1** which follows is to be incorporated into the Scheme. It shall serve to illustrate the meaning of height





|   |        |                                |            |
|---|--------|--------------------------------|------------|
| DRAWN   | EWJ    | DATE                           | MAY 2001   |
|   | CHECK  |                                |            |
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| DRAWING NAME                                  | MT1_00 | PALETTE                        | swa_ptc199 |
| <b>SCALE 1 : 20 000</b>                       |        |                                |            |























  

|  |  |  |  |
|--|--|--|--|
| <b>INDEX<br/>PLAN A</b>  |  | <b>MAP 1</b>   |  |
| MUNICIPALITY OF<br><br>SWAKOPMUND |  | PREPARED BY:<br><br><b>URBAN DYNAMICS</b><br>TOWN & REGIONAL PLANNERS<br>Klein/Aal/Gans, Hoewad Building 1st Floor, Sam Nujoma Drive<br>KLEIN WINDHOEK, NAMIBIA<br>P O BOX 20337<br>WINDHOEK<br>Namibia<br>Telephone : +264-61-240290<br>Telefax : +264-61-240359<br>e-mail: urban@urban.com.na |  |
| Notes:<br>The copyright of this drawing is reserved  |  | Date: MAY 2001   |  |

*Al.*


# SWAKOPMUND ZONING SCHEME MAP 2

## LEGEND

-  Single Residential
-  General Residential 1
-  General Residential 2
-  Local Business
-  General Business
-  Institutional
-  Authority
-  Local Authority
-  Light Industrial
-  General Industrial
-  Undetermined
-  Private Open Space
-  Public Open Space
-  Cemetery
-  Parking
-  Beach Area
-  Special
-  Street Closures
-  Parastatal
-  Scheme Boundary
-  Conservation Area
-  Extension Boundary



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SWAKOPMUND

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SWAKOPMUND MAP 1

PLATE Swak\_Maps

**SCALE: 1: 5 000**

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TN

ATLANTIC OCEAN

# SWAKOPMUND ZONING SCHEME MAP 3

## LEGEND

- Single Residential
- General Residential 1
- General Residential 2
- Local Business
- General Business
- Institutional
- Authority
- Local Authority
- Light Industrial
- General Industrial
- Undetermined
- Private Open Space
- Public Open Space
- Cemetery
- Parking
- Beach Area
- Special
- Street Closures
- Parastatal
- Scheme Boundary
- Conservation Area
- Extension Boundary



PREPARED FOR:

MUNICIPALITY



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 Namibia e-mail: urban@jstca.com.na

Date: MAY 2001 Amendment Details:  
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Drawn by: MAP 2 PLOT 2 Date: Map  
 Scale: 1:5 000



**SWAKOPMUND  
ZONING SCHEME  
MAP 23**

**LEGEND**

- Peristal
- Private Open Space
- Undetermined
- Special
- Scheme Boundary
- Agriculture
- Local Authority



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| SWAKOPMUND ZONING SCHEME MAP 23 (REVISED) |                    |
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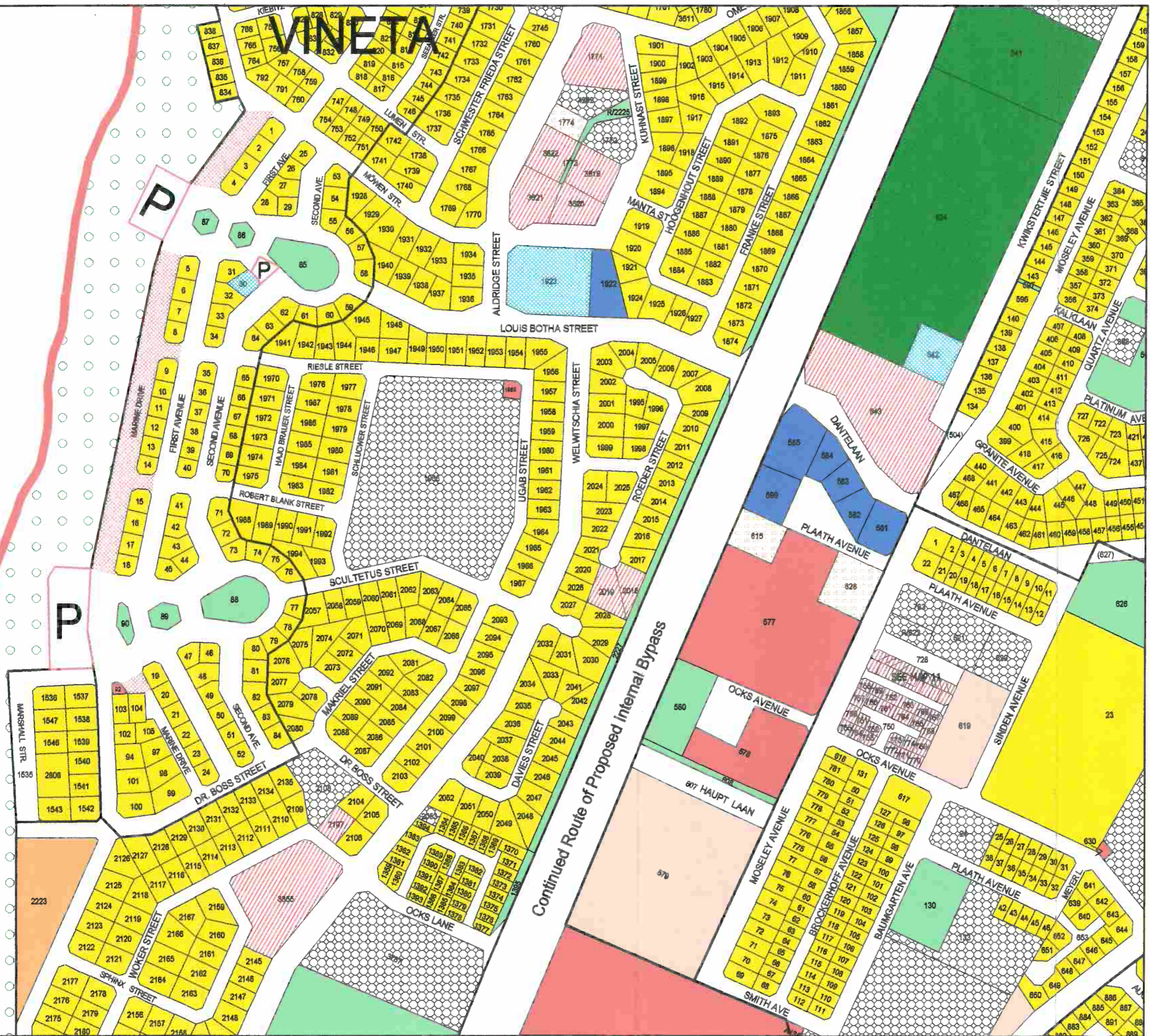
ATLANTIC OCEAN

# VINETA


## SWAKOPMUND ZONING SCHEME MAP 5

### LEGEND

-  Single Residential
-  General Residential 1
-  General Residential 2
-  Local Business
-  General Business
-  Institutional
-  Authority
-  Local Authority
-  Light Industrial
-  General Industrial
-  Undetermined
-  Private Open Space
-  Public Open Space
-  Cemetery
-  Parking
-  Beach Area
-  Special
-  Street Closures
-  Parastatal
-  Scheme Boundary
-  Extension Boundary




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SWAKOPMUND

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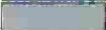




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# SWAKOPMUND ZONING SCHEME MAP 6

## LEGEND

-  Single Residential
-  General Residential 1
-  General Residential 2
-  Local Business
-  General Business
-  Institutional
-  Authority
-  Local Authority
-  Light Industrial
-  General Industrial
-  Undetermined
-  Private Open Space
-  Public Open Space
-  Cemetery
-  Parking
-  Beach Area
-  Special
-  Street Closures
-  Education
-  Parastatal
-  Schermis Boundary
-  Extension Boundary

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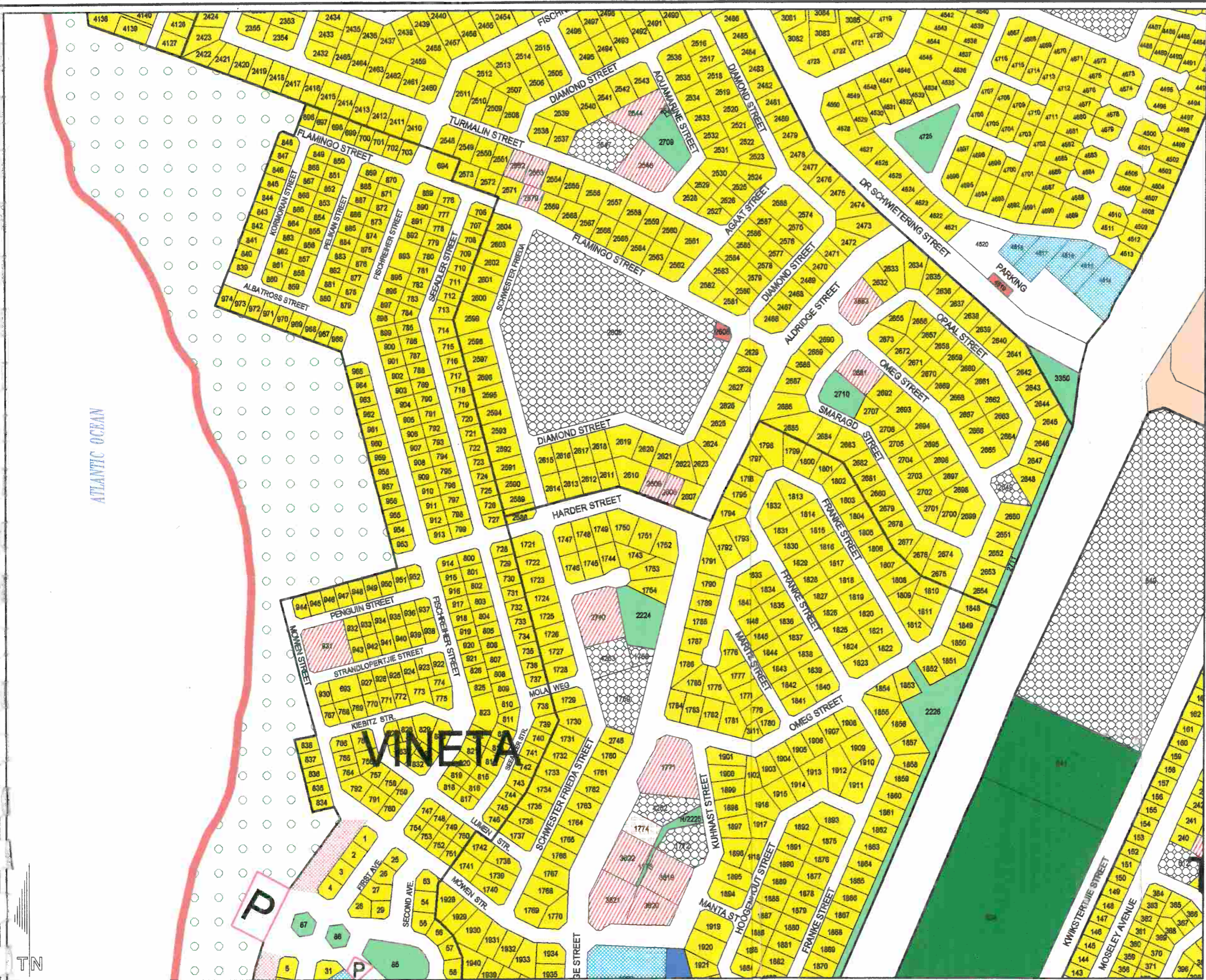


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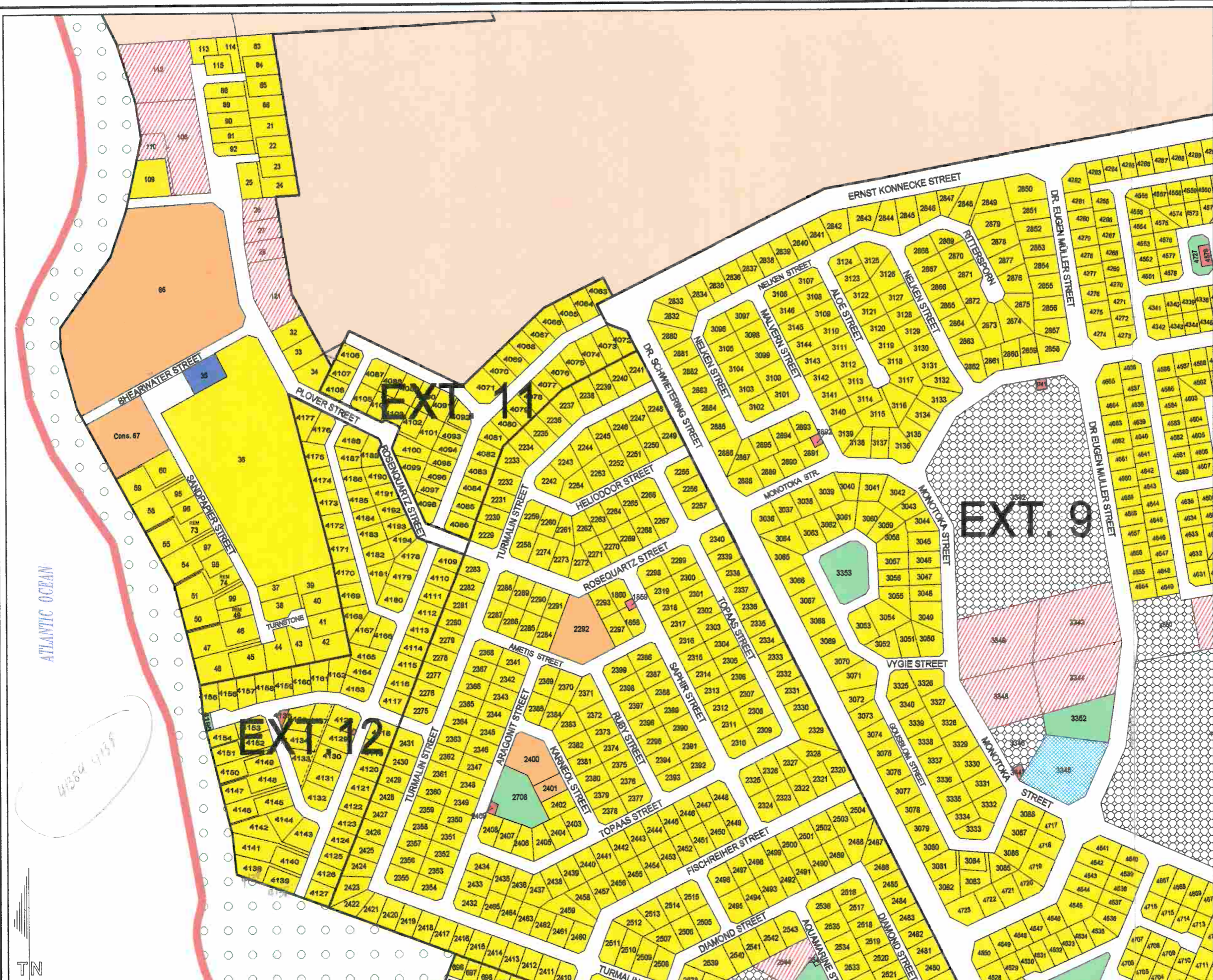


# SWAKOPMUND


## ZONING SCHEME MAP 7

### LEGEND

|  |                       |
|--|-----------------------|
|  | Single Residential    |
|  | General Residential 1 |
|  | General Residential 2 |
|  | Local Business        |
|  | General Business      |
|  | Institutional         |
|  | Authority             |
|  | Local Authority       |
|  | Light Industrial      |
|  | General Industrial    |
|  | Undetermined          |
|  | Private Open Space    |
|  | Public Open Space     |
|  | Cemetery              |
|  | Parking               |
|  | Beach Area            |
|  | Special               |
|  | Street Closures       |
|  | Parastatal            |
|  | Scheme Boundary       |
|  | Extension Boundary    |




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MAP 6

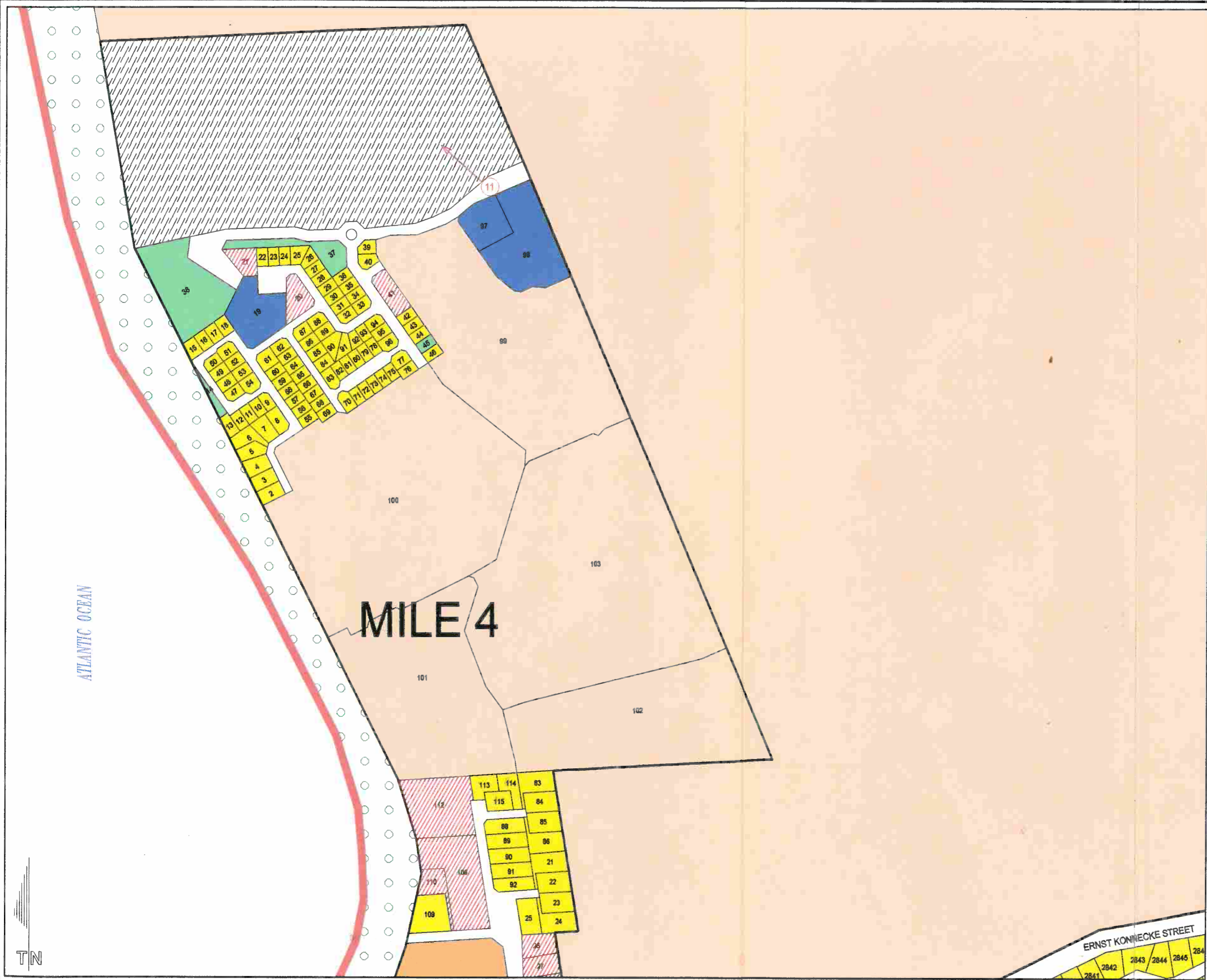
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# SWAKOPMUND ZONING SCHEME MAP 8

## LEGEND

-  Single Residential
-  General Residential 1
-  General Residential 2
-  Local Business
-  General Business
-  Institutional
-  Authority
-  Local Authority
-  Light Industrial
-  General Industrial
-  Undetermined
-  Private Open Space
-  Public Open Space
-  Cemetery
-  Parking
-  Beach Area
-  Special
-  Street Closure
-  Parastatal
-  Scheme Boundary
-  Extension Boundary



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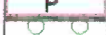







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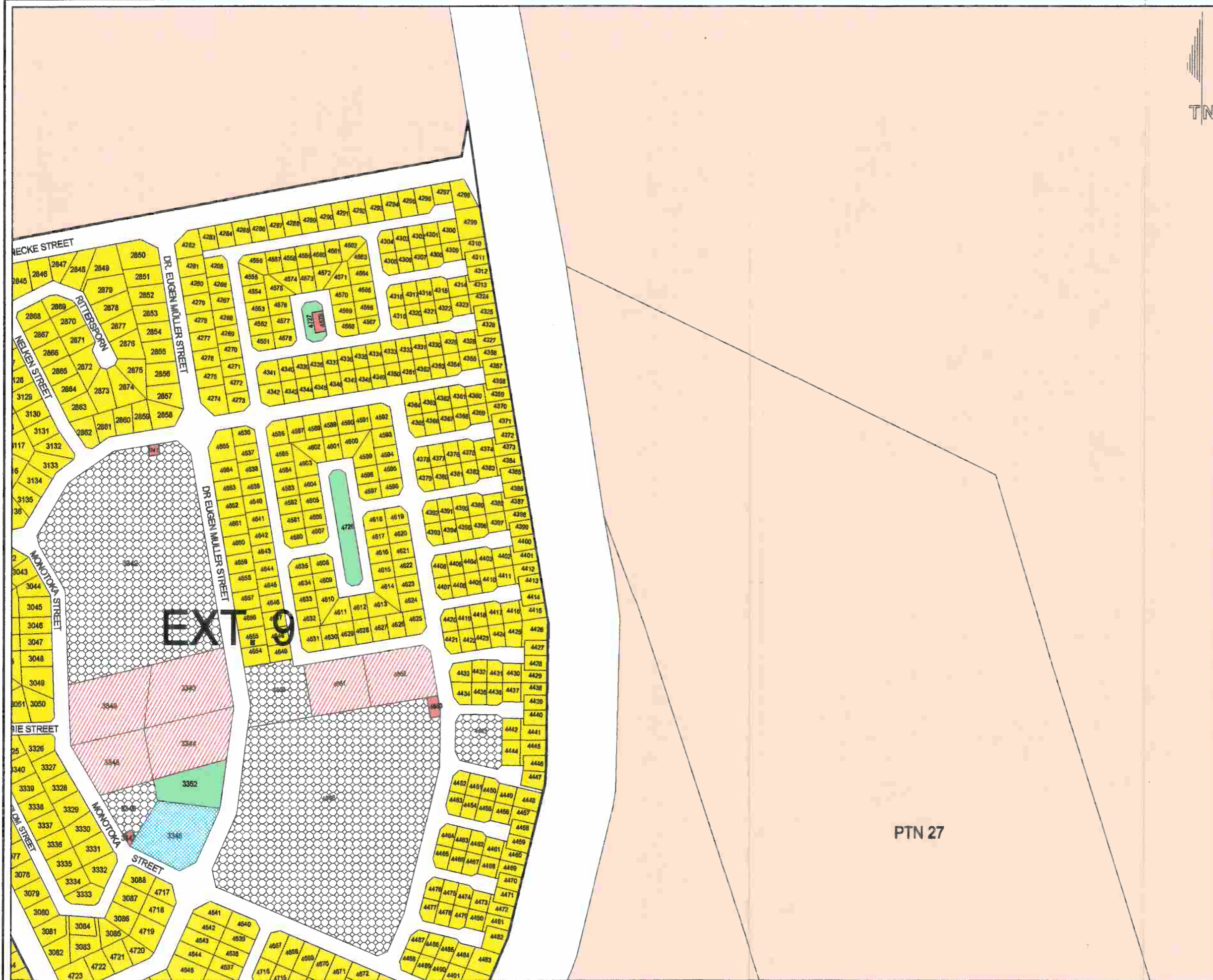


# SWAKOPMUND

## ZONING SCHEME MAP 9

### LEGEND


|   |                       |
|---|-----------------------|
|    | Single Residential    |
|    | General Residential 1 |
|    | General Residential 2 |
|    | Local Business        |
|    | General Business      |
|    | Institutional         |
|    | Authority             |
|    | Local Authority       |
|    | Light Industrial      |
|    | General Industrial    |
|    | Undetermined          |
|    | Private Open Space    |
|    | Public Open Space     |
|    | Cemetery              |
|    | Parking               |
|    | Beach Area            |
|   | Special               |
|  | Street Closures       |
|  | Permitatal            |
|  | Scheme Boundary       |
|  | Extension Boundary    |



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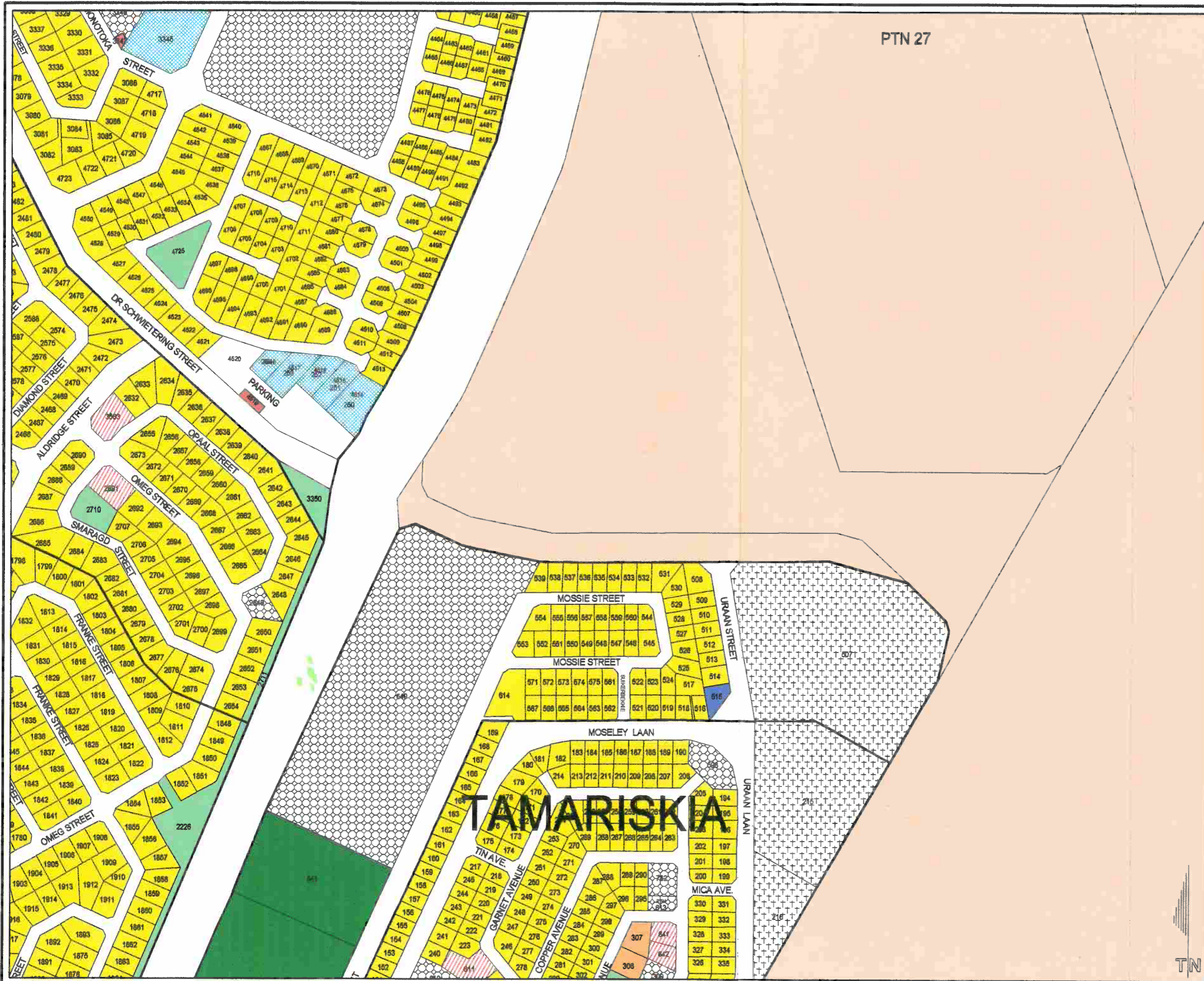
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**SWAKOPMUND**  
**ZONING SCHEME**  
**MAP 10**

**LEGEND**

- Single Residential
- General Residential 1
- General Residential 2
- Local Business
- General Business
- Institutional
- Authority
- Local Authority
- Light Industrial
- General Industrial
- Undetermined
- Private Open Space
- Public Open Space
- Cemetery
- Parking
- Beach Area
- Special
- Street Closures
- Parastatal
- Scheme Boundary
- Extension Boundary

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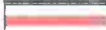




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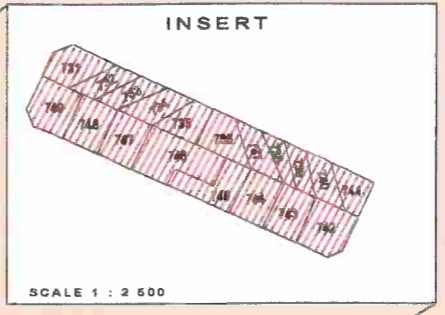
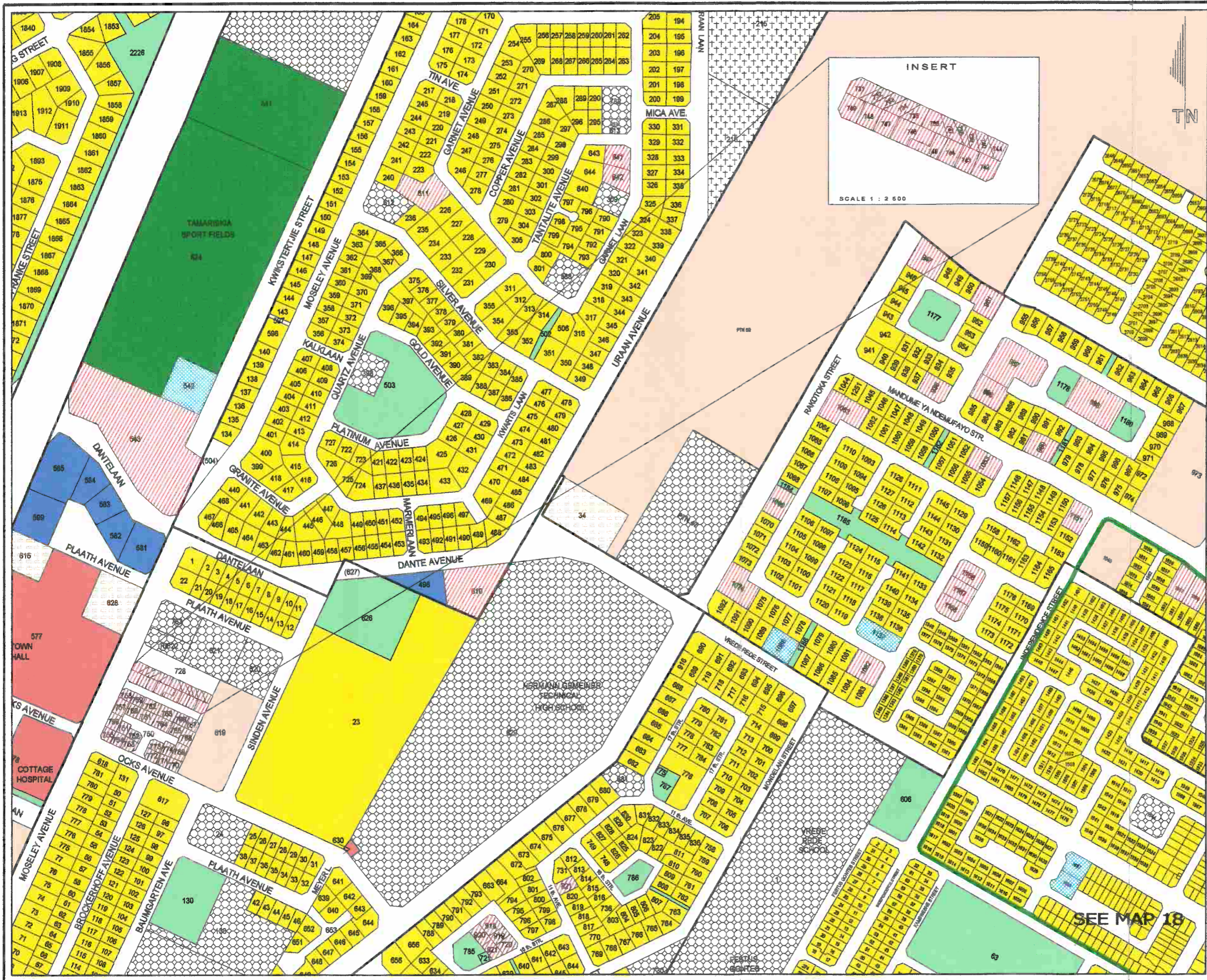
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# SWAKOPMUND

## ZONING SCHEME MAP 11

### LEGEND

-  Single Residential
-  General Residential 1
-  General Residential 2
-  Local Business
-  General Business
-  Institutional
-  Authority
-  Local Authority
-  Light Industrial
-  General Industrial
-  Undetermined
-  Private Open Space
-  Public Open Space
-  Cemetery
-  Parking
-  Beach Area
-  Special
-  Street Closures
-  Permittal
-  Scheme Boundary
-  Special Designated Area
-  Extension Boundary



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SEE MAP 18

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















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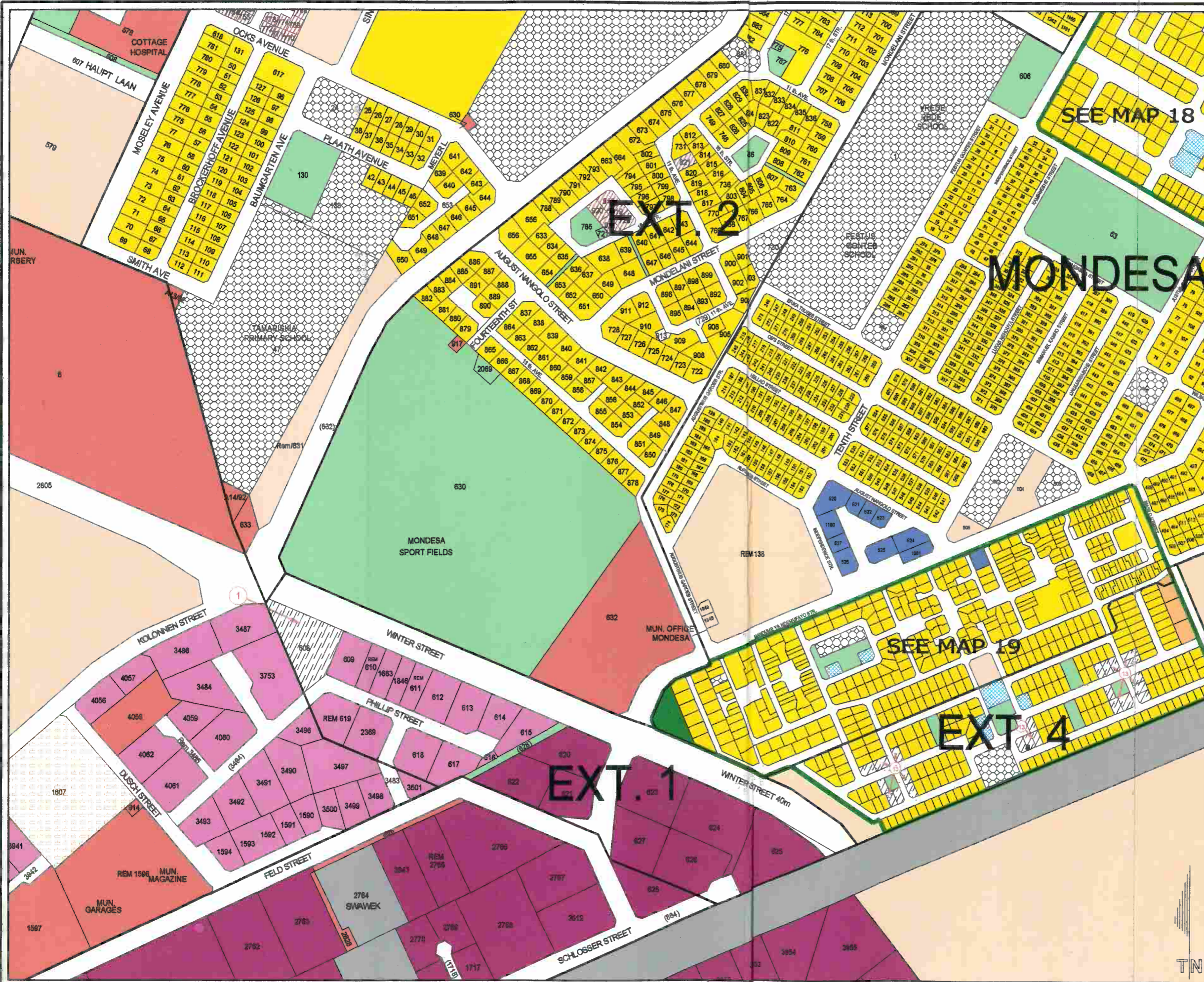
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**SWAKOPMUND**  
**ZONING SCHEME**  
**MAP 12**

**LEGEND**

-  Single Residential
-  General Residential 1
-  General Residential 2
-  Local Business
-  General Business
-  Institutional
-  Authority
-  Local Authority
-  Light Industrial
-  General Industrial
-  Undetermined
-  Private Open Space
-  Public Open Space
-  Cemetery
-  Parking
-  Beach Area
-  Special
-  Street Closures
-  Parastatal
-  Scheme Boundary
-  Special Designated Area
-  Extension Boundary



SEE MAP 18

MONDESA


SEE MAP 19

EXT. 4

EXT. 1

EXT. 2


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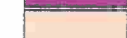











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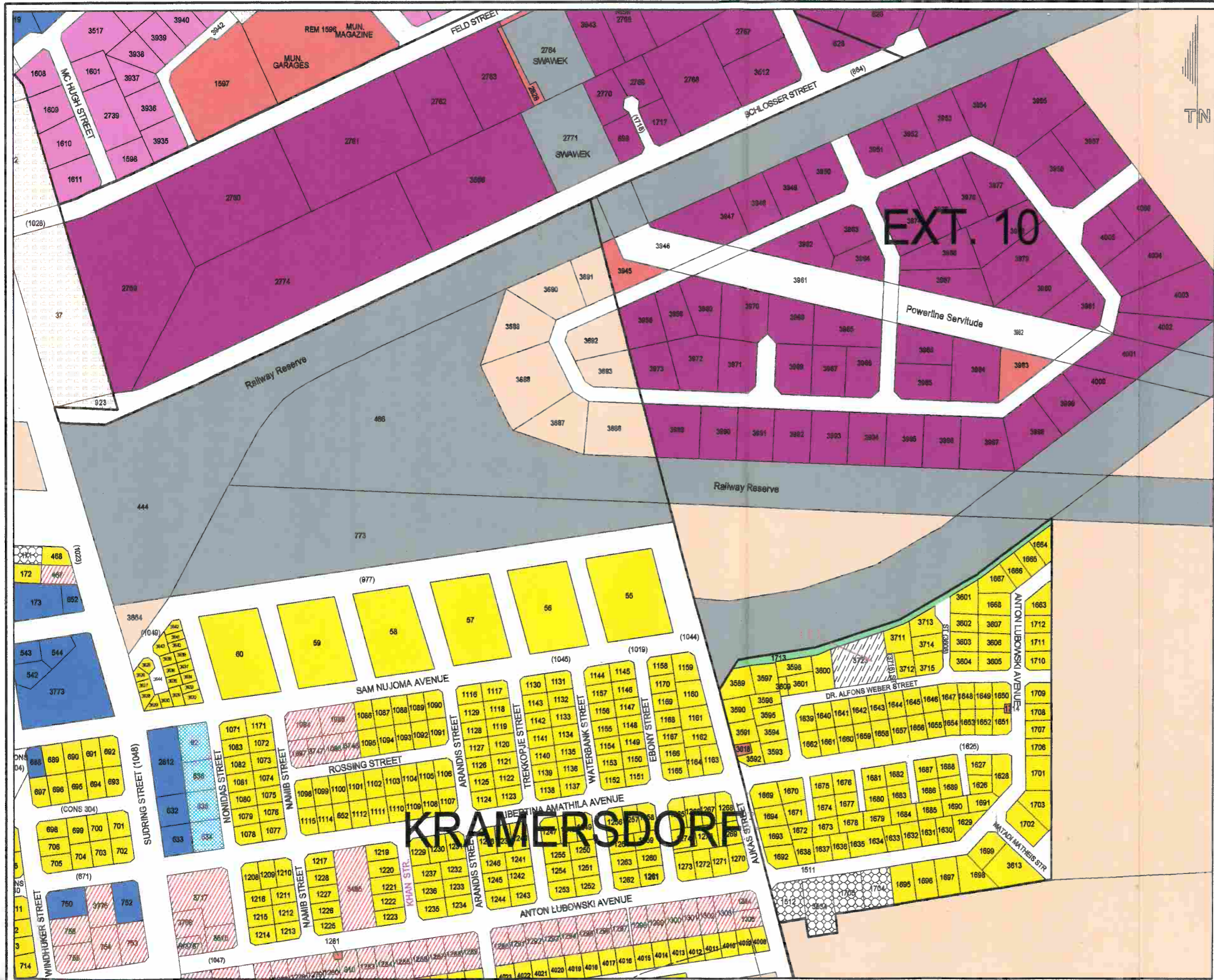
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# SWAKOPMUND

## ZONING SCHEME MAP 13

### LEGEND

-  Single Residential
-  General Residential 1
-  General Residential 2
-  Local Business
-  General Business
-  Institutional
-  Authority
-  Local Authority
-  Light Industrial
-  General Industrial
-  Undetermined
-  Private Open Space
-  Public Open Space
-  Cemetery
-  Parking
-  Beach Area
-  Special
-  Street Closures
-  Parastatal
-  Scheme Boundary
-  Extension Boundary



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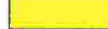




















MAP 12

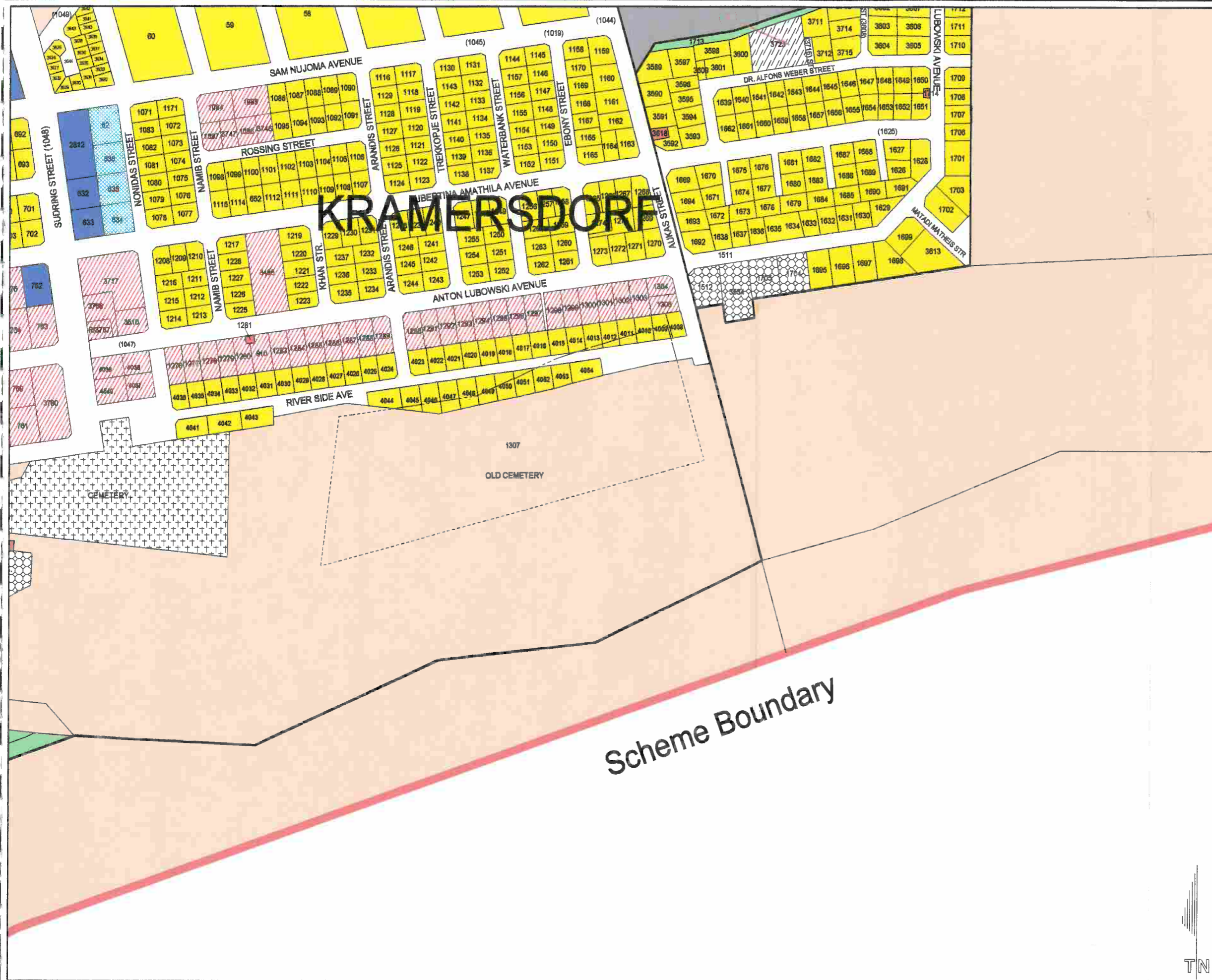
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# SWAKOPMUND ZONING SCHEME MAP 14

## LEGEND

-  Single Residential
-  General Residential 1
-  General Residential 2
-  Local Business
-  General Business
-  Institutional
-  Authority
-  Local Authority
-  Light Industrial
-  General Industrial
-  Undetermined
-  Private Open Space
-  Public Open Space
-  Cemetery
-  Parking
-  Beach Area
-  Special
-  Street Closures
-  Parastatal
-  Scheme Boundary
-  Extension Boundary



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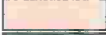
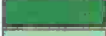
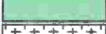










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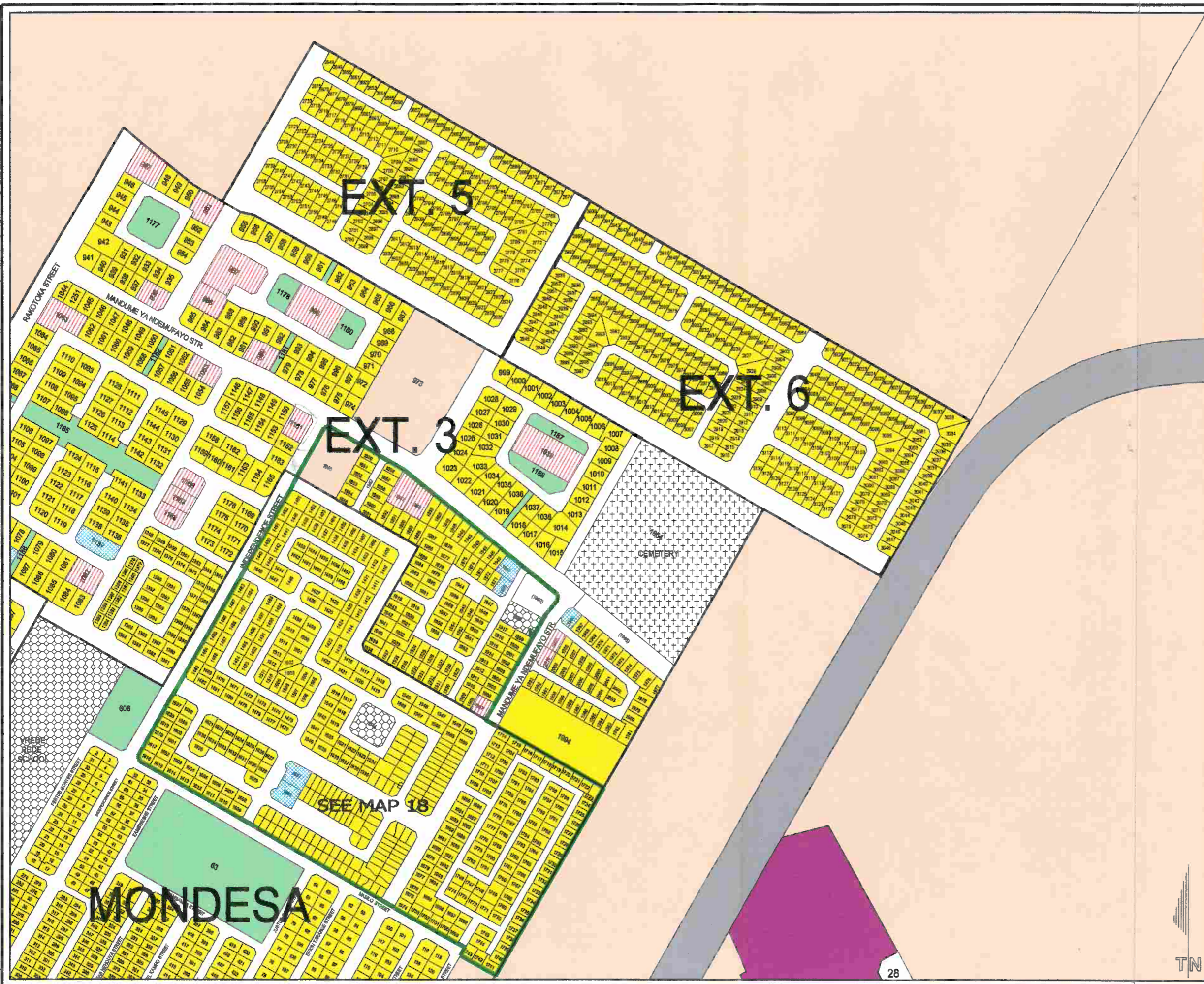


# SWAKOPMUND

## ZONING SCHEME MAP 15

### LEGEND

|   |                         |
|---|-------------------------|
|    | Single Residential      |
|    | General Residential 1   |
|    | General Residential 2   |
|    | Local Business          |
|    | General Business        |
|    | Institutional           |
|    | Authority               |
|    | Local Authority         |
|    | Light Industrial        |
|    | General Industrial      |
|    | Undetermined            |
|    | Private Open Space      |
|    | Public Open Space       |
|    | Cemetery                |
|    | Parking                 |
|    | Beach Area              |
|   | Special                 |
|  | Street Closures         |
|  | Parastatal              |
|  | Scheme Boundary         |
|  | Special Designated Area |
|  | Extension Boundary      |



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SEE MAP 18

EXT. 5

EXT. 3

EXT. 6


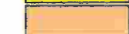




















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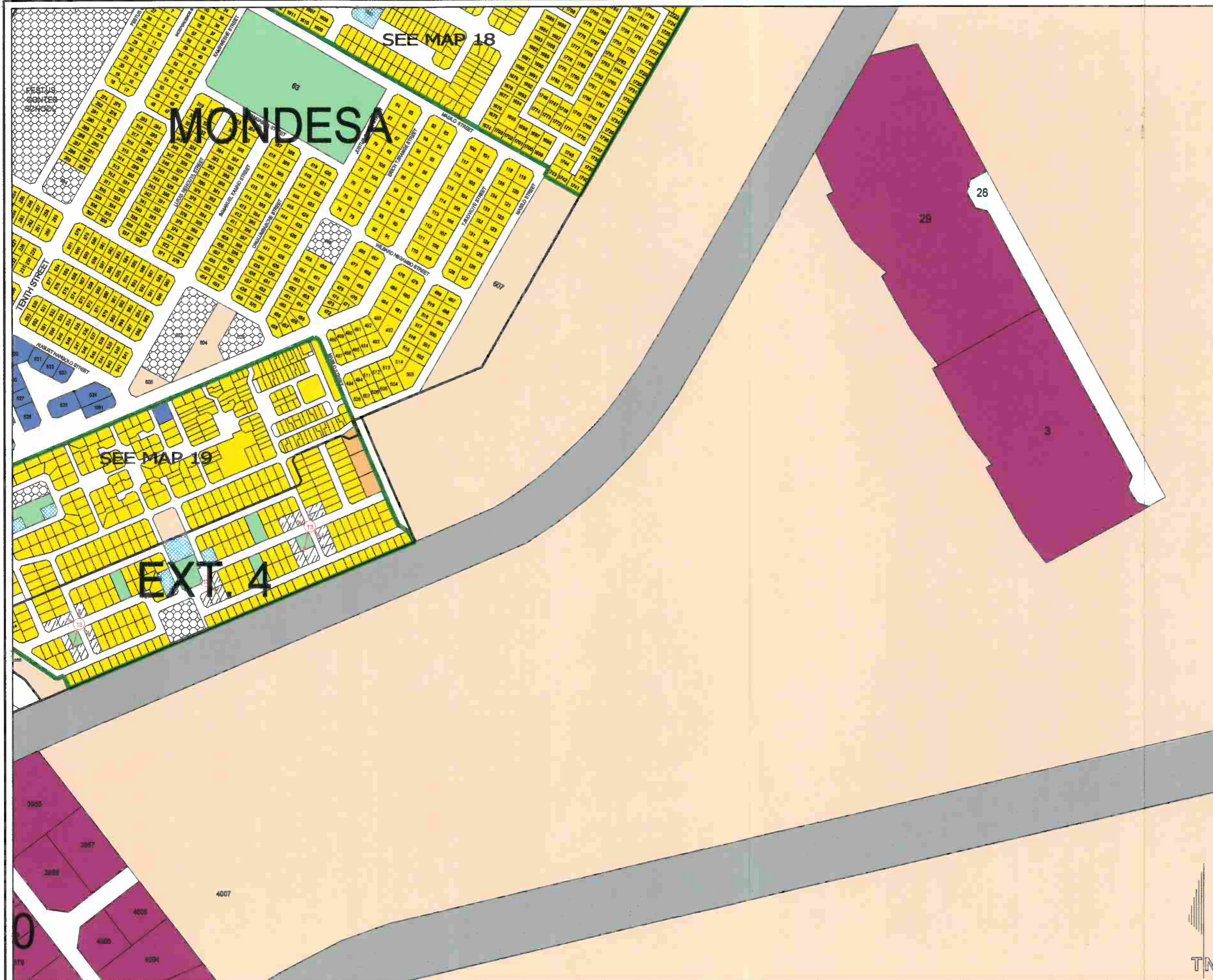
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 SCHOOL

# SWAKOPMUND

## ZONING SCHEME MAP 16

### LEGEND

-  Single Residential
-  General Residential 1
-  General Residential 2
-  Local Business
-  General Business
-  Institutional
-  Authority
-  Local Authority
-  Light Industrial
-  General Industrial
-  Undetermined
-  Private Open Space
-  Public Open Space
-  Cemetery
-  Parking
-  Beach Area
-  Special
-  Street Closures
-  Parastatal
-  Scheme Boundary
-  Special Designated Area
-  Extension Boundary



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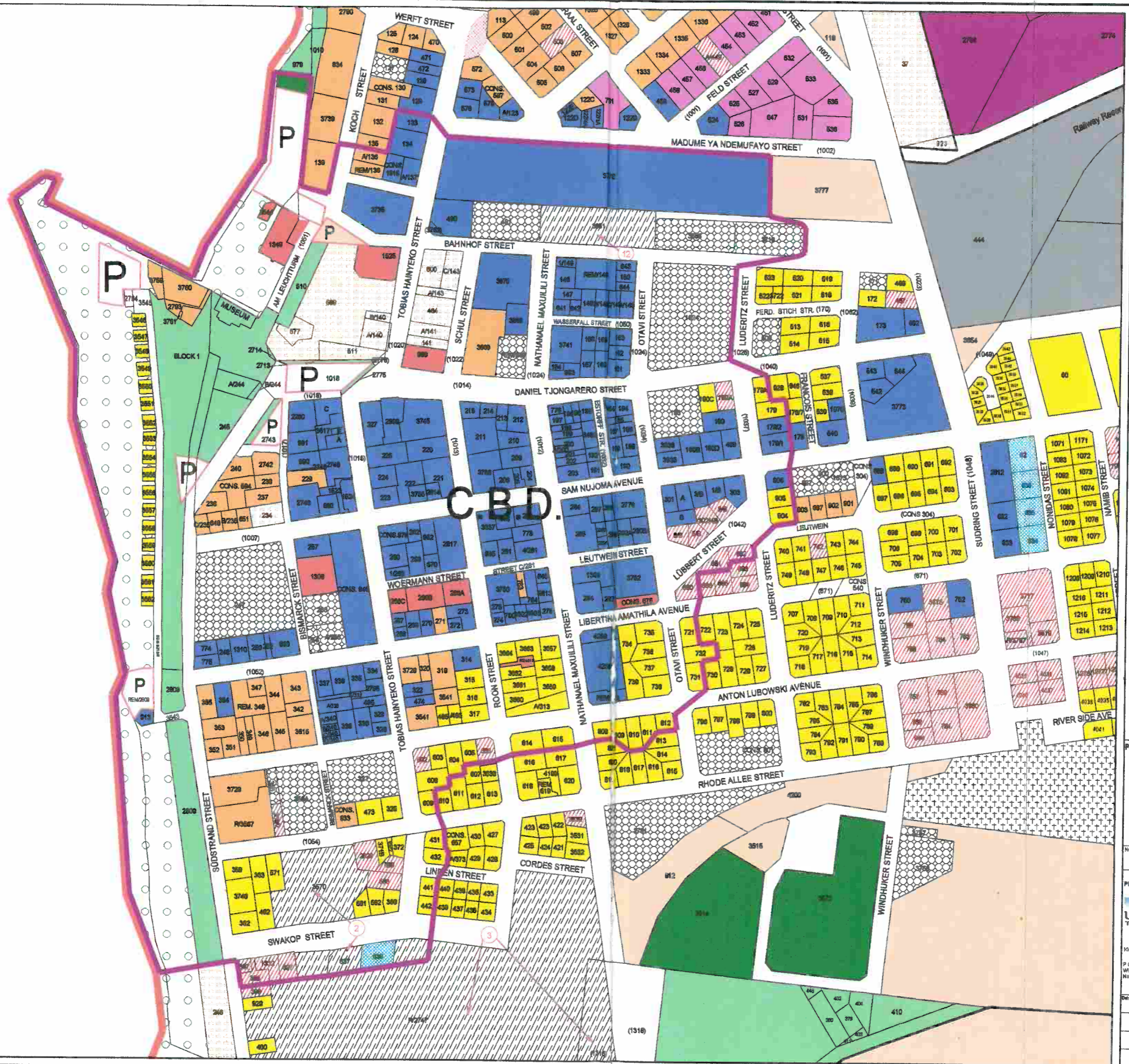
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ATLANTIC OCEAN



# SWAKOPMUND CONSERVATION AREA MAP 17

## LEGEND

- Single Residential
- General Residential 1
- General Residential 2
- Local Business
- General Business
- Institutional
- Authority
- Local Authority
- Light Industrial
- General Industrial
- Undetermined
- Private Open Space
- Public Open Space
- Cemetery
- Parking
- Beach Area
- Street Closures
- Ferretal
- Scheme Boundary
- Conservation Area
- Extension Boundary

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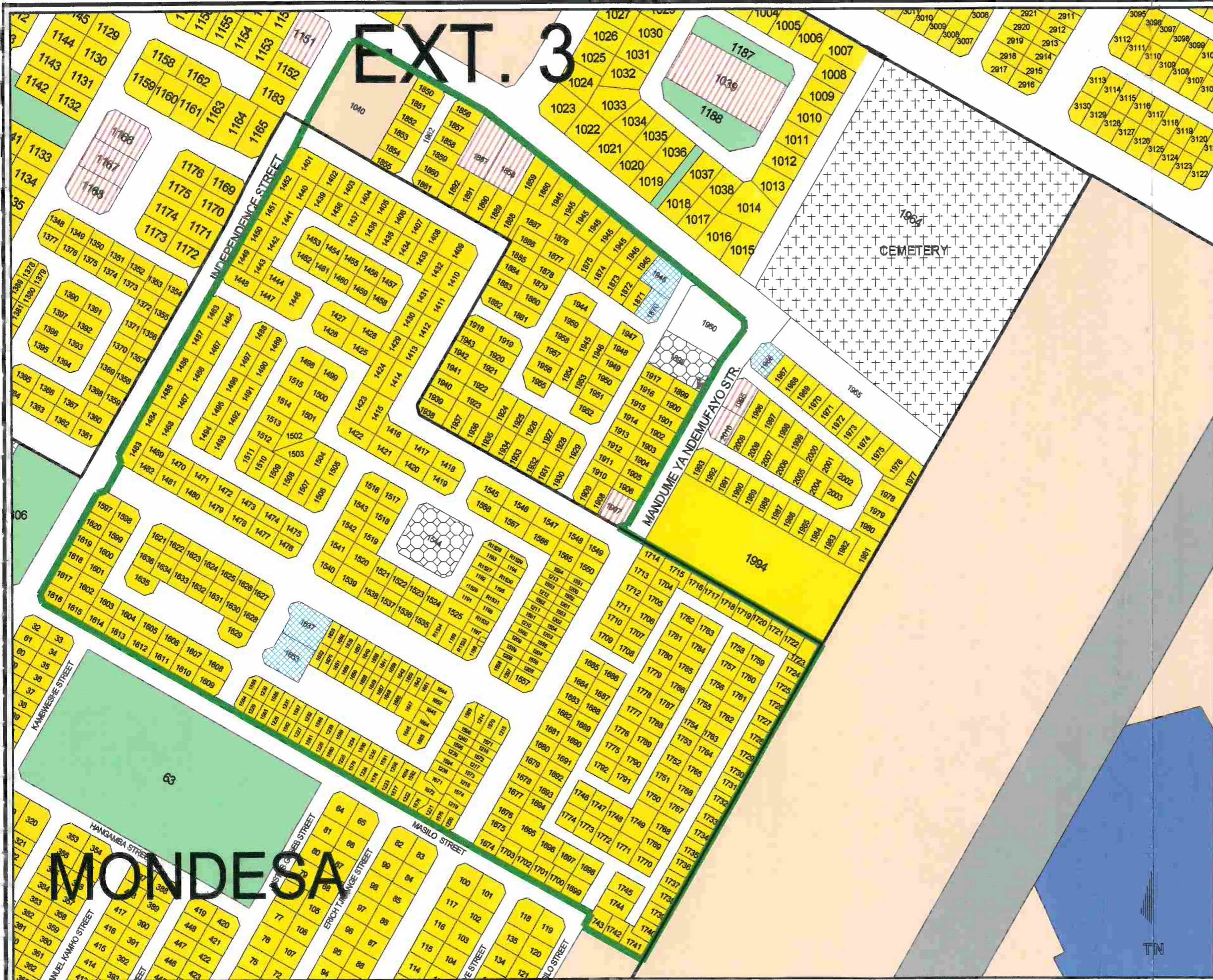
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# EXT. 3



## SWAKOPMUND SPECIAL DESIGNATED AREA MAP 18

### LEGEND

-  Single Residential
-  General Residential 1
-  General Residential 2
-  Local Business
-  General Business
-  Institutional
-  Authority
-  Local Authority
-  Light Industrial
-  General Industrial
-  Undetermined
-  Private Open Space
-  Public Open Space
-  Cemetery
-  Parking
-  Beach Area
-  Special
-  Street Closures
-  Parastatal
-  Scheme Boundary
-  Conservation Area
-  Special Designated Area
-  Extension Boundary

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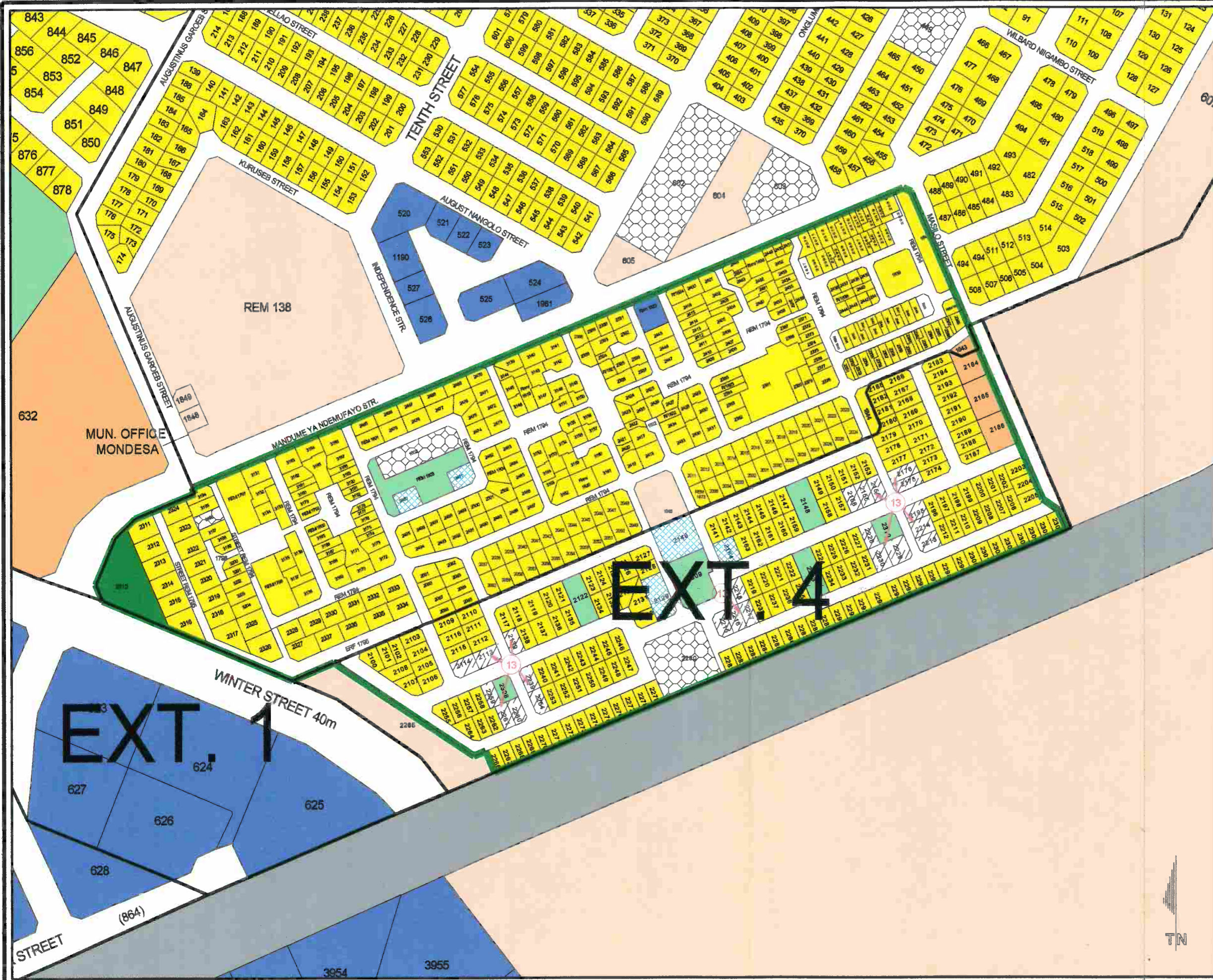


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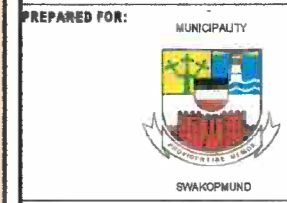
# SWAKOPMUND

## SPECIAL DESIGNATED AREA

### MAP 19

#### LEGEND

- Single Residential
- General Residential 1
- General Residential 2
- Local Business
- General Business
- Institutional
- Authority
- Local Authority
- Light Industrial
- General Industrial
- Undetermined
- Private Open Space
- Public Open Space
- Cemetery
- Parking
- Beach Area
- Special
- Street Closures
- Parastatal
- Scheme Boundary
- Conservation Area
- Special Designated Area
- Extension Boundary



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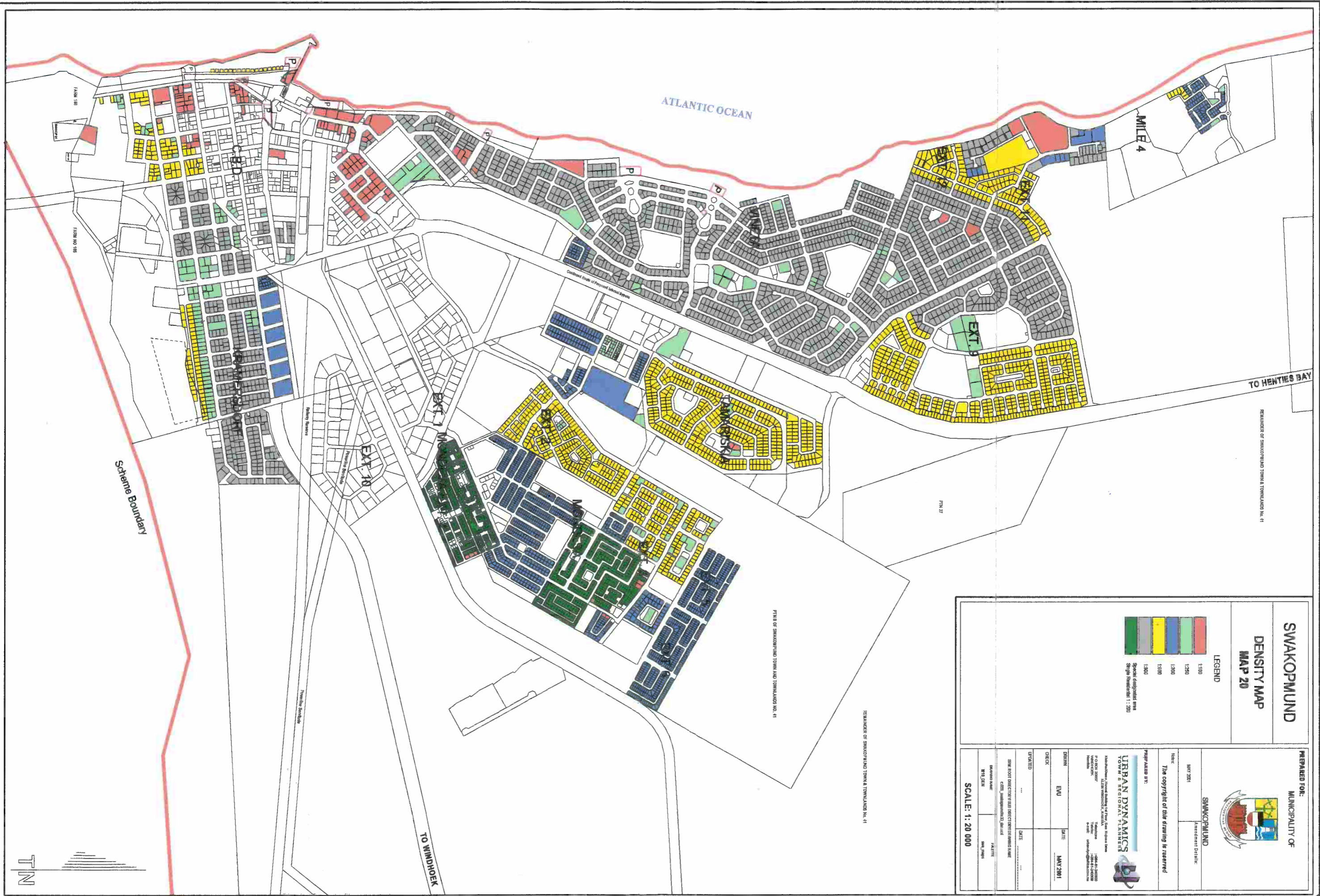


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| MAP 19_CON                                     |                                 | SWR_MAPS         |          |

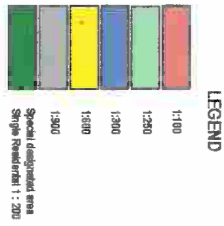
SCALE: 1: 3 000





**SWAKOPMUND**

**DENSITY MAP  
MAP 20**



**PREPARED FOR:**  
MUNICIPALITY OF SWAKOPMUND  
Municipal Engineer



**DATE:** MAY 2011

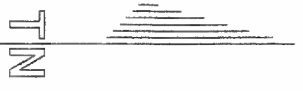
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|                  |          |              |          |
|------------------|----------|--------------|----------|
| <b>DESIGNER:</b> | EMU      | <b>DATE:</b> | MAY 2011 |
| <b>CHECK:</b>    |          |              |          |
| <b>DATE:</b>     |          |              |          |
| <b>SCALE:</b>    | 1:20 000 |              |          |







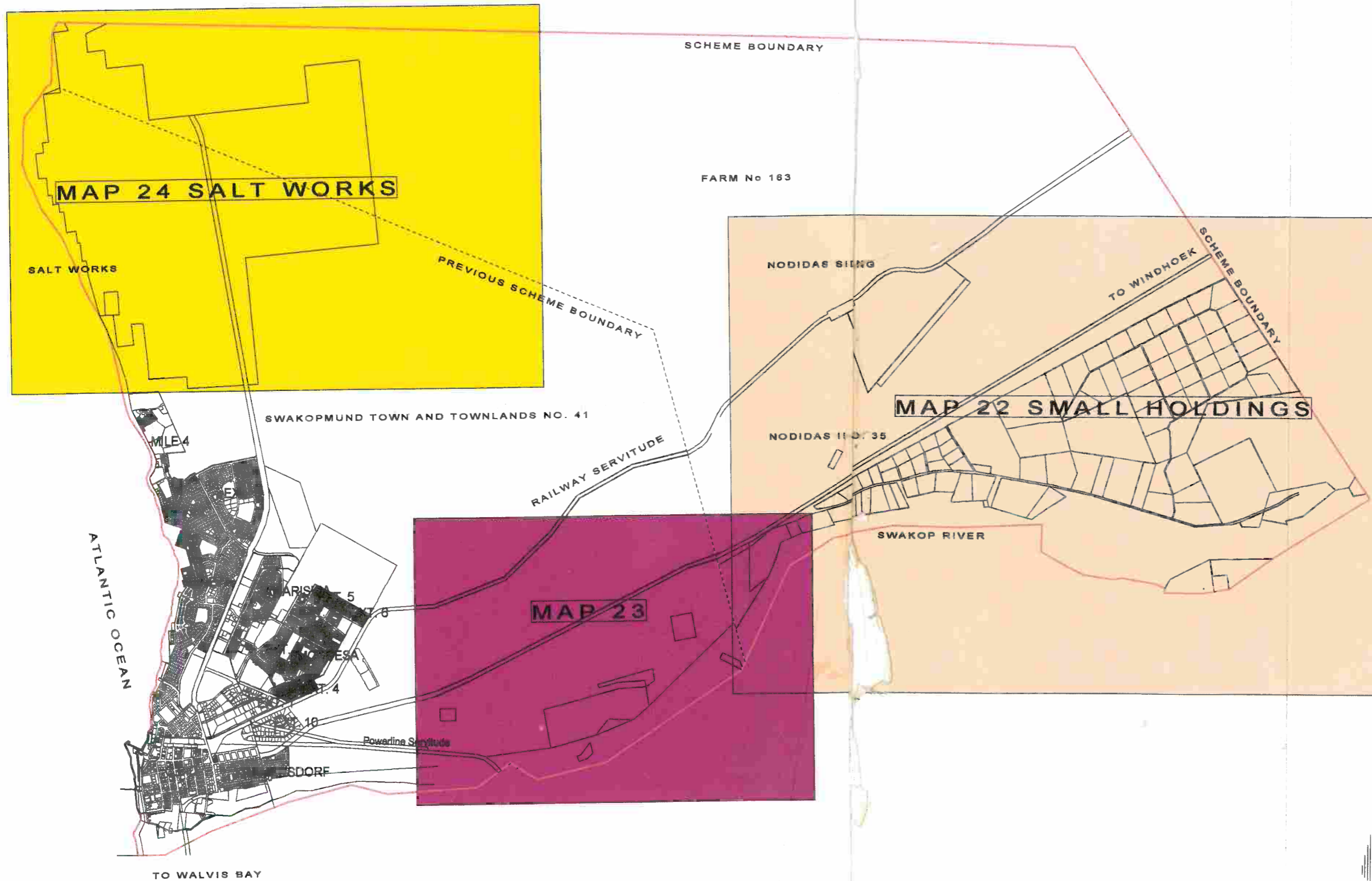
TN

**SWAKOPMUND**

**INDEX PLAN B  
MAP 21**

**LEGEND**

-  Map 22
-  Map 23
-  Map 24
-  Scheme Boundary



PREPARED FOR:



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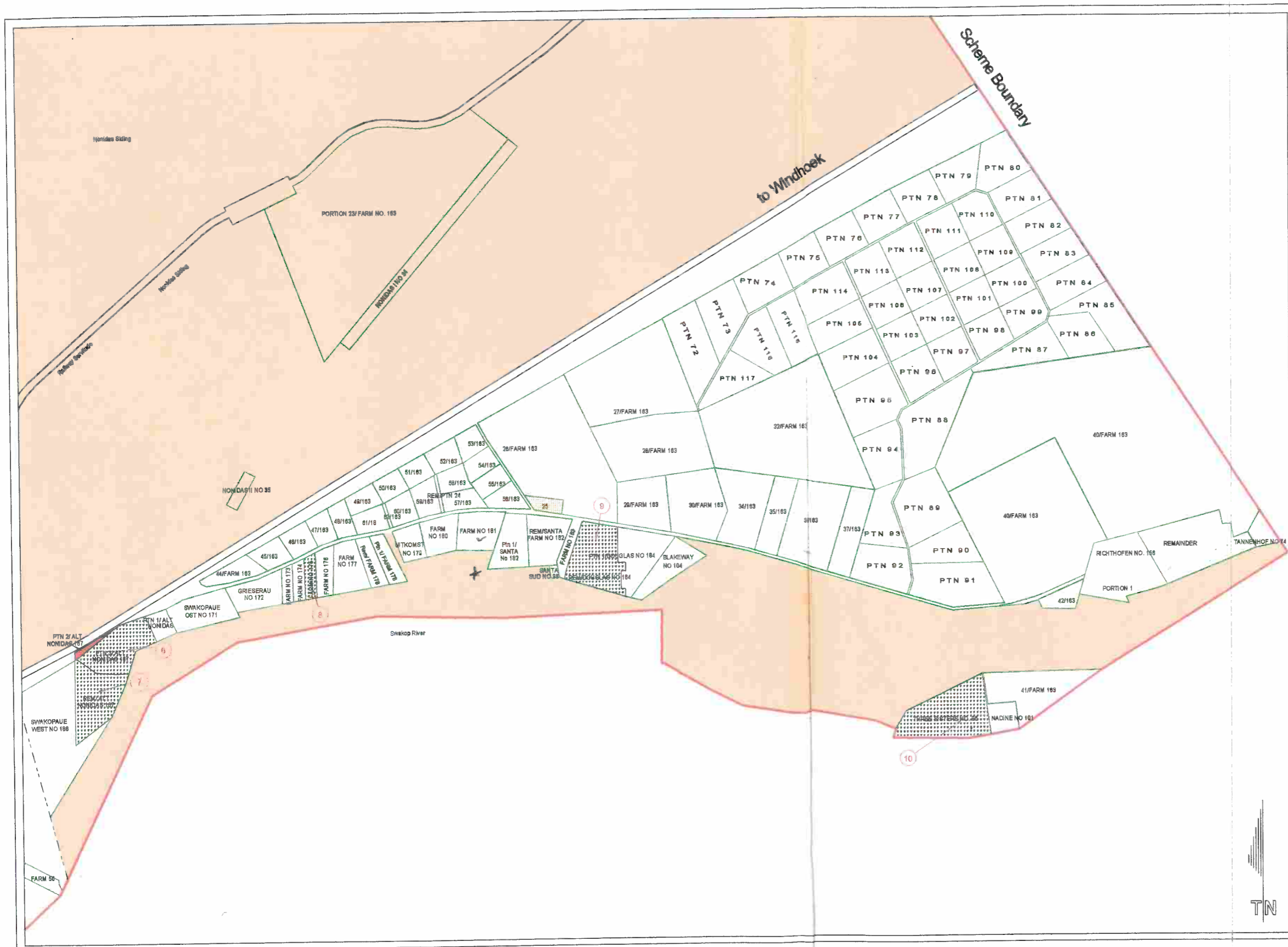


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|           |          |                     |           |
|-----------|----------|---------------------|-----------|
| Date:     | MAY 2001 | Assessment Details: |           |
| Drawn by: | MAP 23   | Checked by:         | Eng. Maps |
| Scale:    | 1:1000   |                     |           |

TN






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**SWAKOPMUND**

**SMALL HOLDINGS  
MAP 22**

**LEGEND**

-  Undetermined
-  Special
-  Authority
-  Local Authority
-  Agriculture



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Date: MAY 2021 Approved Date:

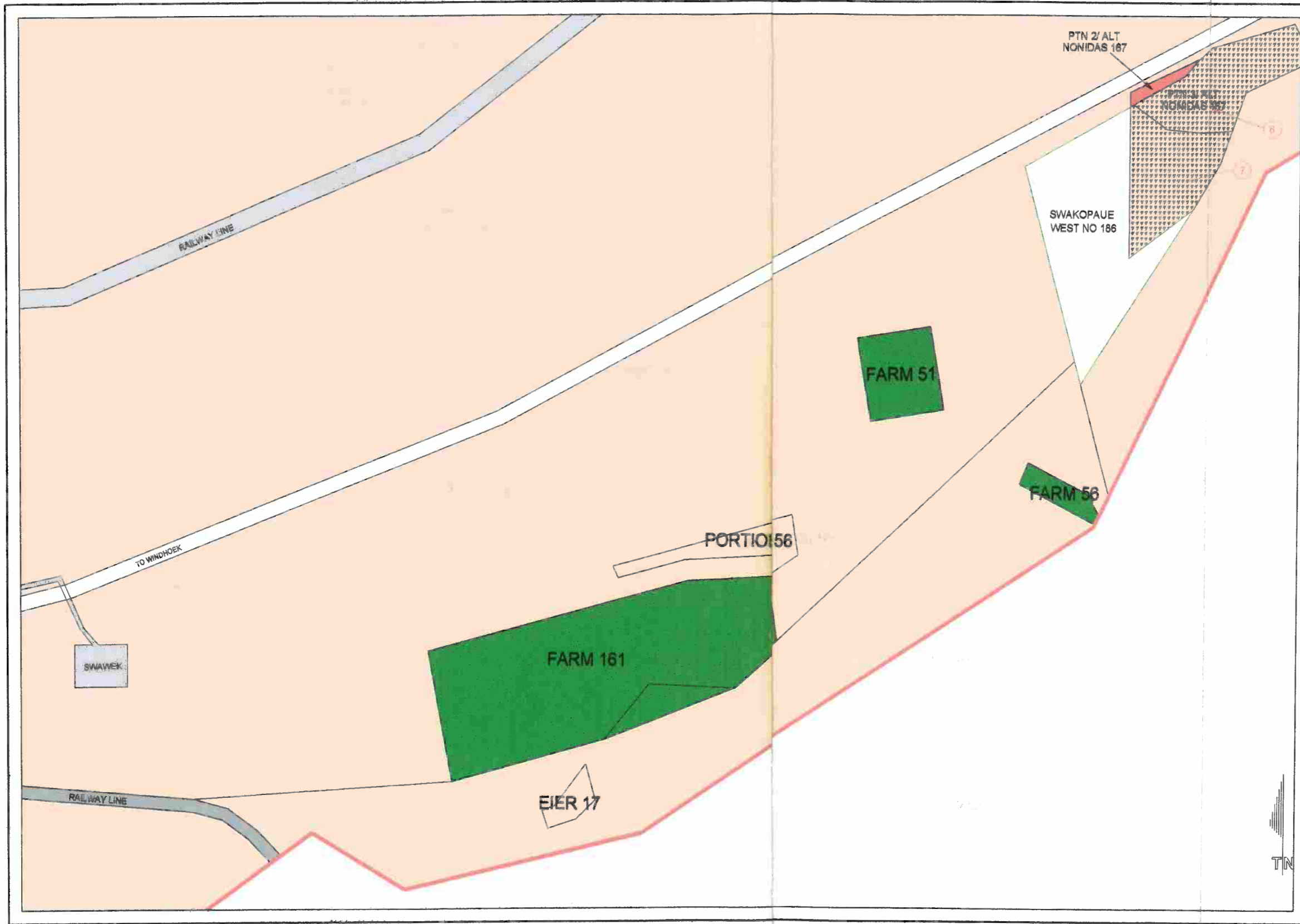
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


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**SWAKOPMUND  
ZONING SCHEME  
MAP 23**

**LEGEND**

-  Permanent
-  Private Open Space
-  Undetermined
-  Special
-  Scheme Boundary
-  Agriculture
-  Local Authority

PREPARED FOR:

MUNICIPALITY



SWAKOPMUND

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|  |        |                  |
|--|--------|------------------|
| MAY 2001                                     |        | Revised Edition: |
| SWAKOPMUND MUNICIPALITY ZONING SCHEME MAP 23 |        |                  |
| SWAKOPMUND                                   | MAP 14 | Doc. No.         |
| <b>SCALE: 1: 20 000</b>                      |        |                  |

TN

*Handwritten signature*

It is hereby certified that the Swakopmund Amendment Scheme No. 12 as approved by the Minister of Regional and Local Government and Housing in accordance with Section 26 (1) of the Town Planning Ordinance (Ordinance 18 of 1954), is correct.

*AP. [Signature]*

**CHIEF: DIVISION PLANNING**

2003 - 07 - 31

**DATE:**