REPUBLIC OF NAMIBIA

MINISTRY OF ENVIRONMENT AND TOURISM

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Dr Kenneth Kaunda Street
Private Bag 13306
Windhoek
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E-mail: rikka.shikongo@met.gov.na

Enquiries: Ms. Rikka Shikongo

15th January 2019

OFFICE OF THE ENVIRONMENTAL COMMISSIONER

Mr. Ernst J Herma
P. O. Box 668
Windhoek

Dear Mr. Herma

SUBJECT: APPLICATION FOR ENVIRONMENTAL CLEARANCE CERTIFICATE FOR THE PROPOSED OPERATION OF WORKSHOP HALL AND REZONED TO RESTRICTED BUSINESS, PORTION A OF ATTA RENTALS, BRAKWATER, WINDHOEK, KHOMAS REGION

The above subject has reference:

Kindly be advised that the proposed activities cannot be undertaken without an Environmental Clearance Certificate. Therefore, an Environmental Management Plan must be submitted and approved by this Ministry. The EMP will form the basis upon which an environmental clearance certificate for the project will be issued.

Yours sincerely,

Teofilus Nghitila
ENVIRONMENTAL COMMISSIONER

MINISTRY OF ENVIRONMENT & TOURISM
P/Bag 13306
Windhoek, Namibia
2019 -02- 04
Office of the Environmental Commissioner

"Stop the poaching of our rhinos"

✉ 59
80 Independence Avenue
WINDHOEK, NAMIBIA
Tel: (+264) 61 290 2073 • **Fax:** (+264) 61 290 2060 • www.cityofwindhoek.org.na

City of Windhoek

Enq: Mr H Rust
Tel: 290 2378

Ref: L/503/BW
Date: 9 October 2019

Barrie Watson
P O Box 9993
Windhoek

Dear Sir

REZONING OF PORTION 503 BRAKWATER FROM RESIDENTIAL WITH A DENSITY OF 1:50 000 TO RESTRICTED BUSINESS WITH A BULK OF 0.4

Your application dated 5 August 2019 which served on the October 2019 Town Planning Committee Meeting refers.

In accordance with the delegation of authority applicable to the granting of rezoning applications in Policy Areas as resolved per Council Resolution No. **190/09/2017** it was recommended on the meeting of 1 October 2019, as follows:

1. That Portion 503 Brakwater be rezoned from Residential with a density of 1:50 000 to Restricted Business with a bulk of 0.4.

2. That the owner agrees in writing to pay a betterment fee of **N$ 869,880.00** being 30 % of the increase in value of the rezoned property, subject to Ministerial approval, prior to the incorporation of the rezoning in an amendment scheme and submission for approval of NAMPAB.

2.1 That a deposit equivalent to the proposed betterment fee be paid to the City.

2.2 That the invoice for the betterment fee as per paragraph 2 be requested from the Strategic Executive: Urban and Transport Planning.

3. That once a betterment fee has been determined by the Minister of Urban and Rural Development, this amount be taken from the account and any excess be repaid to the applicant and owner or, in the event of a refusal of the Amendment Scheme or the rezoning, the deposit be refunded.

4. That the payment of the deposit for the betterment fee not be seen as approval of the Amendment Scheme and that the Minister of Urban and Rural Development retains the right under the Town Planning Ordinance 18 of 1954 to approve or not to

approve the Amendment Scheme. That on-site parking as per the Town Planning Scheme be provided to the satisfaction of the Strategic Executive: Urban and Transport Planning.

5. No direct access will be allowed from an Arterial road. Access must be obtained from the collector road.
6. The applicant takes note of the collector road systems running along the western boundaries of Portion 503 and RE/20 of the Farm Brakwater No. 48.
7. Collectors for industrial/business purposes must be minimum 25m in width with a turning circle where required of not less than 28m diameters.

8. Parking requirements for 'restricted business' is 1 bay per 50 m^2.

9. That the applicant submits a detailed layout plan with contours of Portion 503.

10. That the applicant appoints a registered professional Engineer to compile a detailed 50 year flood report of the stormwater courses to own cost and risk and submit to Chief Engineer: Roads and Storm Water.

11. That the applicant applies the conditions as stipulated in the detailed 50 year flood report.

12. That the applicant accepts the outcome of the detailed 50 year flood report, and if allowed by the flood report, appoints a registered professional engineer to submit detailed engineering plans as to how the portion is to be protected against any potential flood damage.

13. That no adjacent or opposite property be negatively affected by the development along the stormwater courses.

14. That no development will be allowed within the 50 year flood level of the stormwater courses.

15. That no development will be allowed onto or over any stormwater system or structure.

16. That any stormwater crossing be accommodative of at least a 50 year flood.

17. That surface storm water runoff be accommodated according to Clause 35 of the Town Planning Scheme (see Info 35 of the Town Planning Scheme) stating:

    17.1 That no stormwater drainage pipe, canal, work or obstruction (except stormwater drain pipes, canal or works which have been authorized in writing by the local authority or which have been or may be built, laid or erected in terms of any law) may be constructed on or over the property or located in such a way that –

    (a) the flow of stormwater from higher lying property to lower lying property is impeded or obstructed and through which any property is or may be endangered; or

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

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

18. That prior approval must be obtained from the Chief Engineer: Planning, Design & Traffic Flow if the accommodation of the stormwater on the portion is contemplated.

19. That Engineering drawings on how the stormwater would be accommodated to the satisfaction of the Chief Engineer, Planning, Design & Traffic Flow be submitted for approval simultaneously with the building plans.

20. That all existing stormwater pipes, outlets and inlets or any other stormwater system be clearly indicated on all building plans submitted prior to the approval thereof.

21. That no building plan will be approved until the above stormwater conditions are met.

22. That a condition be included into the title deed whereby selling to a third party may only take place once the proposed stormwater conditions had been addressed by the owner.

23. That roads and stormwater be planned, designed and constructed to municipal standards.

24. That access and "right of way" servitudes be according to the conditions as stipulated by the Chief Engineer: Planning, Design and Traffic Flow.

25. Council does not have any electrical network in the area. However, there is electricity in the area under the operation of NamPower, and the applicant indicated that they will approach NamPower for any upgrades.

26. Furthermore, since the Electricity Control Board has a proposal that Council to possibly takeover the distribution in this area, hence the applicant or his/her electrical engineering representative should approach the Strategic Executive: Electricity to be advised on council electricity specifications when designing for internal reticulations, and all design drawings to be submitted for approval by the Strategic Executive: Electricity

27. The applicant should obtain an Environmental Exemption from the Health and Environment Services as the anticipated environmental impacts are not significant.

28. That it be noted that no municipal bulk Water and Sewer Services are available for Portion 503 of the Farm Brakwater No. 48. Council conducted a bulk Water and Sewer Reticulation Master Plan for the entire Brakwater area during 2010, and the bulk services requirements anticipated for the area is specified in the said document. Henceforth, the supply of Bulk Water and Sanitation/Sewerage Services should be, if feasible for the developer, be executed in-line with the bulk services framework established for the entire area.

29. That all cost for the provision of bulk and internal services shall be borne by the Developer, including the cost of bulk infrastructure upstream and downstream from the development.

30. That the Developer appoints a Registered Professional Engineer to design the water-supply reticulation and sewer reticulation to the applicable municipal standards and subject to approval by the Strategic Executive: Infrastructure, Water and Technical Services, before construction commences.

31. That the Developer has to provide its own water storage for the development with a storage capacity of 48 hours, and that the City of Windhoek will not be held responsible for the provision of water if the groundwater supply deteriorates in case of boreholes.

32. That the Developer appoints a registered professional engineer to propose an acceptable waste water disposal system subject to the condition that no pollution of the ground water occurs and further provide that there will be no health risks to the users and surrounding residents. The possibility to re-use the purified effluent should be addressed. Final effluent shall at all times comply with applicable legislation.

33. That the sewer system and proposed treatment of waste water must be submitted to the Strategic Executive: Infrastructure, Water and Technical Services for approval prior to approval of any building plans. The issuing of the waste water discharge permit must be subject to the adherence of all conditions pertaining to such permit. Only full waterborne waste systems should be utilized and all Windhoek service standards should apply.

34. That final effluent from any treatment facilities shall comply with the Special Discharge Standards as prescribed by the Directorate of Water Affairs.

35. That the operation and maintenance of all water and sewer infrastructure shall be the responsibility of the applicant.

37. That the applicant acknowledges receipt of this Delegated Authority approval and accepts the conditions thereof in writing.

Yours faithfully

P.P.

Pierre van Rensburg
STRATEGIC EXECUTIVE

[Municipal Council Minutes: 2017-09-06]

9.5.1 GOV.2 [UTP] AMENDMENT SCHEME NO. 97
(13/2/20)

On proposal by Councillor MJ Amadhila, it was

RESOLVED

1 That the advertisement period for all applications received in and prior to 2016 be waived and that all advertisements be regarded as valid.

[redacted]

[redacted]

9 That the Strategic Executive: Urban Transport and Planning submit all applications contained in Amendment Scheme No. 97 that can be **supported** but where any objection has been received in a bulk item to Council for approval.

10 That due to the sensitivity and urgency of Amendment Scheme No. 97 delegated authority to approve all applications in Amendment Scheme No. 97 **in line with Council's Policy** be granted to the Strategic Executive: Urban Transport and Planning under section 31(1) of the Local Authorities Act, 1992 (Act 23 of 1992) except applications where objections were received.

11 That the Strategic Executive: Urban Transport and Planning conduct the Policy Area Study as a matter of urgency.

12 That it be noted that funding estimated to the amount of N$8 million (not expressly budgeted for under the 2017/2018 Budget) will need to be allocated for the planned Urban Policy Area Study indicated in paragraph 10 above.

13 That the resolution be implemented prior to confirmation of the minutes.

RESOLUTION 190/09/2017

APPROVED

15 AUG 2019

SHEET No. 1

No. A548/2019

for SURVEYOR-GENERAL

THIS DIAGRAM COMPRISES TWO SHEETS.

SIDES Metres		ANGLES OF DIRECTION ° ′ ″		CO-ORDINATES System 22/17 y	x	DESIG.
AB	33,90	269 39 00	A	- 6 888,45	+ 47 479,74	503a
BC	14,14	314 39 20	B	- 6 922,35	+ 47 479,53	503b
CD	18,19	283 01 40	C	- 6 932,41	+ 47 489,47	503c
DE	36,27	291 06 10	D	- 6 950,13	+ 47 493,57	503d
EF	36,46	302 57 10	E	- 6 983,97	+ 47 506,63	503e
FG	45,91	315 45 30	F	- 7 014,56	+ 47 526,46	503f
GH	33,52	322 52 50	G	- 7 046,59	+ 47 559,35	503g
HJ	42,79	315 44 50	H	- 7 066,82	+ 47 586,08	503h
JK	41,07	300 45 10	J	- 7 096,68	+ 47 616,73	503j
KL	41,03	285 45 40	K	- 7 131,97	+ 47 637,73	503k
LM	26,29	270 37 40	L	- 7 171,46	+ 47 648,87	503l
MN	13,46	222 57 10	M	- 7 197,75	+ 47 649,15	503m
NP	45,11	355 13 40	N	- 7 206,92	+ 47 639,30	503n
PQ	14,79	132 55 00	P	- 7 210,67	+ 47 684,25	SA01
QR	31,98	90 37 40	Q	- 7 199,84	+ 47 674,18	SA02
RS	47,64	105 45 40	R	- 7 167,86	+ 47 673,83	SA03
ST	47,64	120 45 10	S	- 7 122,01	+ 47 660,89	SA04
TU	47,63	135 44 50	T	- 7 081,07	+ 47 636,53	SA05
UV	33,52	142 52 50	U	- 7 047,83	+ 47 602,41	SA06
VW	41,55	135 45 30	V	- 7 027,60	+ 47 575,68	SA07
WX	31,06	122 57 10	W	- 6 998,61	+ 47 545,92	SA08
XY	31,92	111 06 10	X	- 6 972,55	+ 47 529,02	SA09
YZ	14,37	103 01 40	Y	- 6 942,77	+ 47 517,52	SA10
Z	8,77	44 37 50	Z	- 6 928,77	+ 47 514,29	SA11
A1B1	34,27	89 39 00	A1	- 6 922,61	+ 47 520,53	SA12
B1C1	1,18	197 30 50	B1	- 6 888,34	+ 47 520,74	SA13
C1A	39,88	179 38 20	C1	- 6 888,70	+ 47 519,62	506e

Continued on Sheet 2

The figure A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 B1 C1 represents

a Servitude Area over Portion 503 of the Farm Brakwater No. 48

situate in the Municipal Area of Windhoek
Registration Division K
Khomas Region

Republic of NAMIBIA

Surveyed in July 2019, by me

Land Surveyor
W.A. Sell (Reg. No. 030)

This diagram is annexed to No. dated Registrar of Deeds	The original diagram is No. A541/2019 annexed to D.T No. dated	S.R. No. E.159/2019 Gen. Plan No. Noting Plan: MG-3CA File No. K.48

SERVITUDE DIAGRAM

APPROVED

15 AUG 2019

SURVEYOR-GENERAL

SHEET No. 2

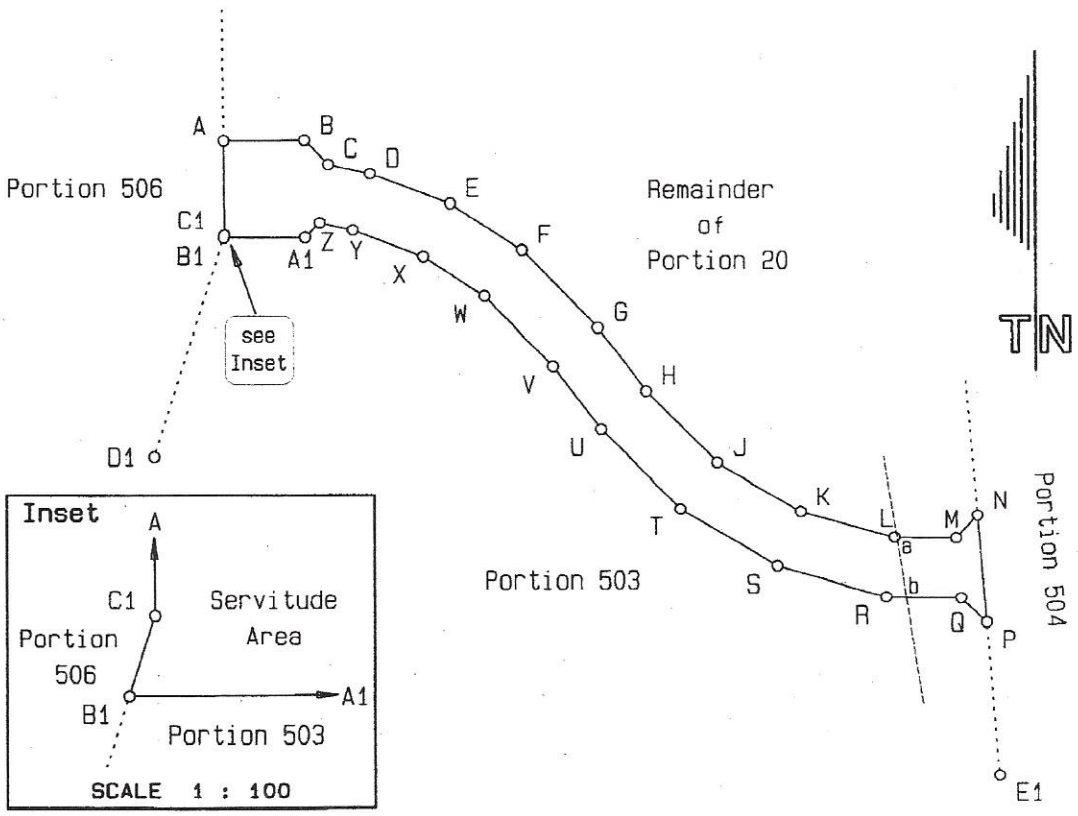
No. A548/2019

THIS DIAGRAM COMPRISES TWO SHEETS.

SIDES Metres		ANGLES OF DIRECTION ° ′ ″		CO-ORDINATES System 22/17 y	x	DESIG.
CONNECTION DATA:						
B1D1	183,78	17 30 50	D1	- 6 833,04	+ 47 696,00	506f
PE1	76,13	355 13 40	E1	- 7 217,00	+ 47 760,12	504g
		FTSM20	⊕	- 6 852,79	+ 45 884,86	Doebra
		FTSM31	⊕	- 7 246,39	+ 48 753,51	Ujams North

SERVITUDE NOTE:
The line a-b represents the western boundary of a 15m wide servitude vide diagram No. A525/71.

DESCRIPTION OF BEACONS
All - 16mm iron peg.



SCALE 1 : 3000

a Servitude Area over Portion 503
of the Farm Brakwater No. 48

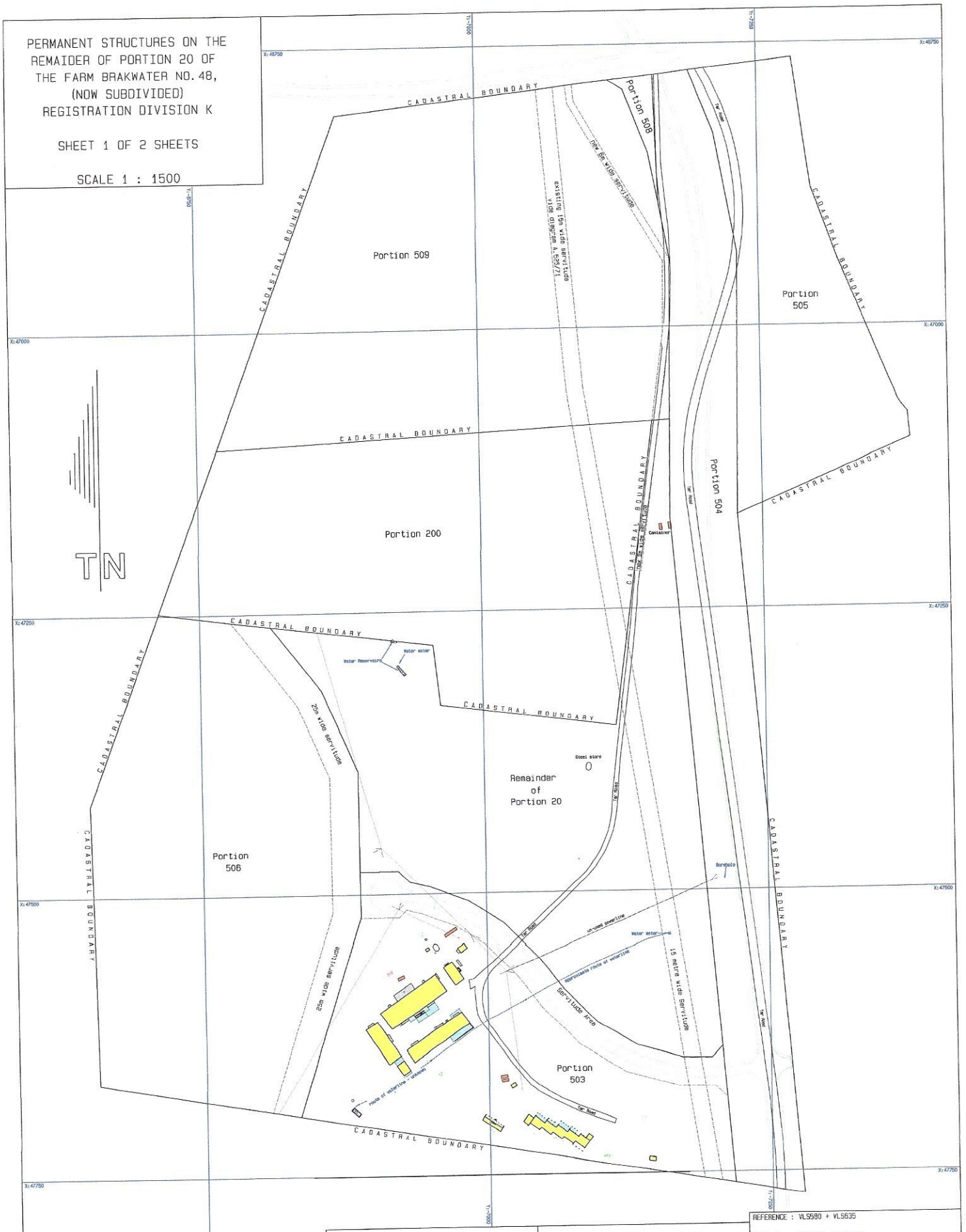
Surveyed in July 2019, by me

Land Surveyor
W.A. Sell (Reg. No. 030)

PERMANENT STRUCTURES ON THE REMAIDER OF PORTION 20 OF THE FARM BRAKWATER NO. 48, (NOW SUBDIVIDED) REGISTRATION DIVISION K

SHEET 1 OF 2 SHEETS

SCALE 1 : 1500



NOTES:

1) The cadastral boundaries indicated on this plan are accurate to approximately 10cm.
2) Not all details were surveyed, but only specific details specified by the client.
3) On the digital version of this plan, the layers are named according to content.

LEGEND:

- Permanent buildings
- Container
- Concrete slabs
- Interlocks

REFERENCE : VLS580 + VLS635

DATE: August 2017 + July 2019

ENQUIRIES : O. Engelhard + W.A. Sell

FILE NAME : VLS580 site plan s1 updated.drw

VOLKMANN LAND SURVEYORS

P.O. Box 610 * Windhoek * Namibia
22 Schiller Street * Windhoek * Tel.: 061-236541

APPROVED

15 AUG 2019

for SURVEYOR-GENERAL

SHEET No. 1

No. A541/2019

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		FTSM31	⊕	- 7 246,39	+	48 753,51	Ujams North

SERVITUDE NOTE:
The line s-t represents the western boundary of a 15m wide servitude vide diagram No. A525/71.

The figure A B C D E F G H J K L M N P Q R represents 5,8777 hectares of land, being

Portion 503 (a Portion of Portion 20) of the Farm Brakwater No. 48

situate in the Municipal Area of Windhoek
Registration Division K
Khomas Region

Republic of NAMIBIA

Surveyed in July 2019, by me

Land Surveyor
W.A. Sell (Reg. No. 030)

This diagram is annexed to No. dated Registrar of Deeds	The original diagram is No. A67/57 annexed to D.T No. 536/57 dated 24.05.1957	S.R. No. E.159/2019 Gen. Plan No. Noting Plan: MG-3CA File No. K.48

APPROVED

15 AUG 2019

SURVEYOR-GENERAL

SHEET No. 2

No. A541/2019

THIS DIAGRAM COMPRISES TWO SHEETS.

DESCRIPTION OF BEACONS

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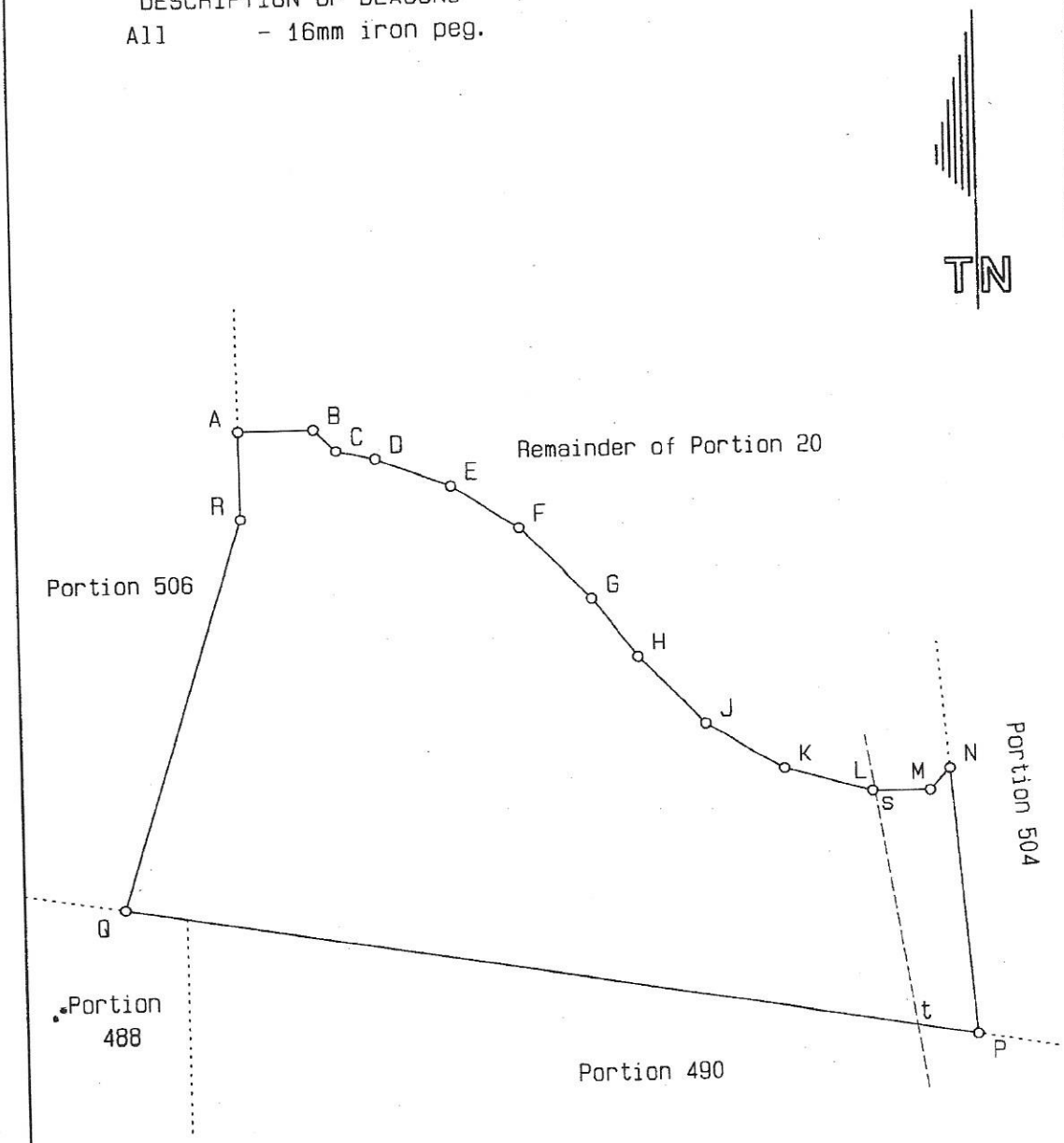

SCALE 1 : 3000

Portion 503 (a Portion of Portion 20)
of the Farm Brakwater No. 48

Surveyed in July 2019, by me

Land Surveyor
W. A. Sell (Reg. No. 030)

PLOT 503 Structures

3 water tanks @ 10000 ltrs

2 Toi / Show WMT	2 Toi/ 2 Show HYDRO
Office 2 48 SQM	Offices 1 48 SQM

HALL D I

SQM 270

W DRAYER VEHICLE STORAGE

HALL D II

SQM 160

W DRAYER VEHICLE STORAGE

SEPTIC TANK OLD 1

HALL C

SQM 160

W DRAYER Sedan Vehicles Repair & Maint

HALL B2

WM Trading Coal Packaging

SQM 240

SQM 160

HALL B1 - ATA RENTALS

DB - Board

Hall A

160 SQM

SME PLANT Hire - Road Maintenance

HALL E

SQM 475

GOUWS Vehicle Mechnical Workshop

CURRENT

2 toi

2 sho (two toilets 1 shower)

2 toi (two toilets 1 shower)

2 sho NAD 12,937.50

mechani-cal pit

Vehicle Washing Lane

Grease Trap

HALL F

SQM 530

HYDRO WORLD - Hydrolic Machines Workshop

1 x toilet shower

(AR Staff)

SEPTIC TANK NEW 1

SEPTIC TANK OLD 2

2xToi/ Sho	2xToi/ Sho	2xToi/Sho
FLAT 6	FLAT 6	
SQM 85 - SVEN BAARD	SQM 70 - SVEN BAARD	

Generator Room

Nampower DB Board

EXTERNAL: ESPERAR TRANSPORT Truckparking 100 SQM

TRACY STERNAGEL: Horses-School (3.2 HA)

FLAT 1
C VAN RENSBURG
80 SQM

FLAT 2
B PEARSON / GENIS
80 SQM

FLAT 3
JP JORDAAN
80 SQM

FLAT 4
B PEARSON / LOUW
80 SQM

FLAT 5
C VAN RENSBURG
80 SQM

SEPTIC TANK NEW 2

SEPTIC TANK OLD 3