

The Chief Executive Officer

Our Ref: 31/5/49 Dob/App

City of Windhoek

P O Box 59

Windhoek

24 November 2022

Attention Mr H Rust

Dear Sir

APPLICATION FOR THE REZONING OF PORTION 31/5/49 OF THE FARM DÖBRA NO 49 FROM RESIDENTIAL TO RESTRICTED BUSINESS WITH A BULK OF 0.75

Introduction

Willem Schutz Town and Regional Planning Consultant has been appointed by the owner of Portion 31/5 of the Farm Döbra No 49, Mr Jacques Coetzer as the sole member of Zeal Properties Nine Hundred and Five Close Corporation (CC/2019/09125) to apply to the City of Windhoek for the rezoning of Portion 31/5 of the Farm Döbra No 49 from 'Residential' with a density of 1:5 ha to 'Restricted Business' with a bulk of 0.75.

The intention of the developer is to establish warehousing facilities on Plot 31/5 of Döbra. The intended development is discussed in more detail under the Intended Development section of this application.

The power of attorney and founding statement is attached to the application.

Existing Situation

Portion 31/5 is situated in Döbra to the north of Windhoek and is located in the eastern extremity of the developed section of Döbra, north of the Döbra Road (D 1473) and north east of the Nampower Erf (Portion Remainder 117 of Brakwater).

The Plot gains access from District Road D1512 north of where the Döbra Road crosses the Klein Windhoek River.

Portion 31/5 is 5.0297 hectare in extent.

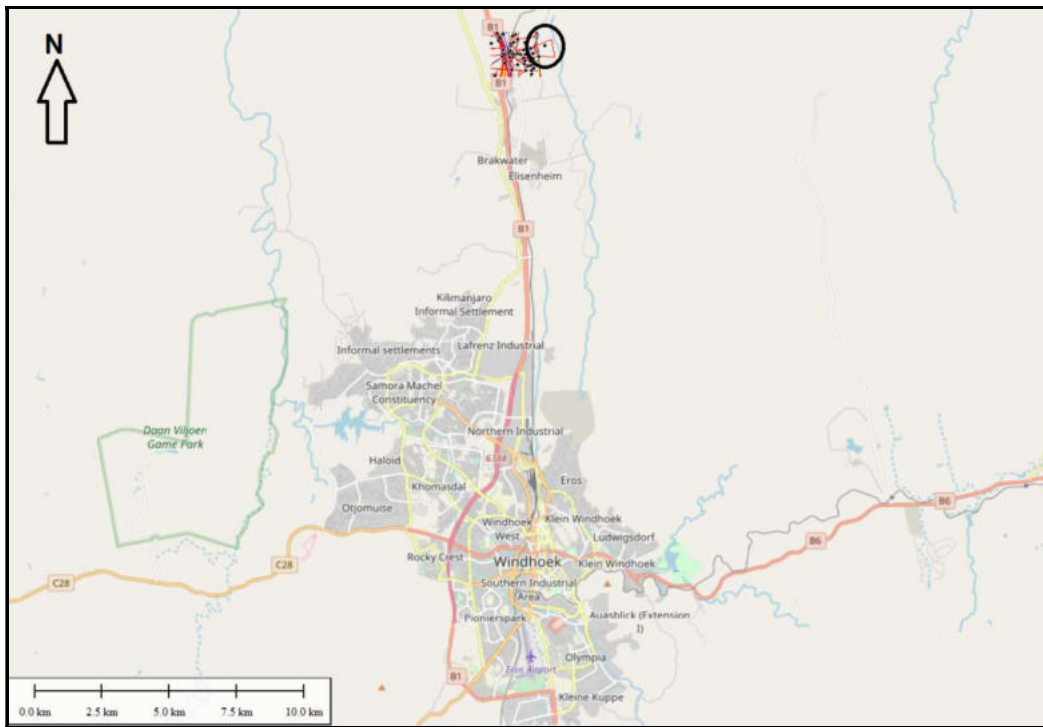
The plot is zoned Residential with a density of 1 dwelling unit per 5 hectares. The portion is currently vacant and underutilised.

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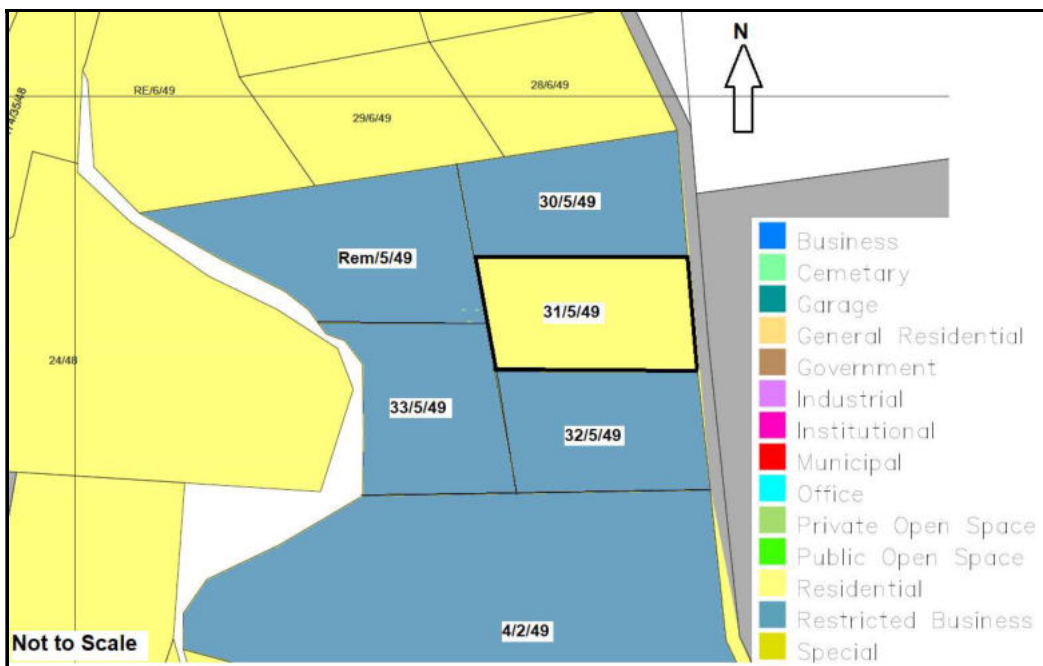
Electricity and water is supplied by Nampower and Namwater, respectively. Sewerage is provided in the form of a french drain. Domestic waste is taken to the Brakwater transfer station and from there removed by the City of Windhoek.

Further information on existing and future infrastructure supply is discussed under each service later in the application.

Location Plan (nts)



Detailed Location Plan (nts)



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Intended Development

The intention of the developer is to establish warehousing facilities on Portion 31/5/49.

To use the Plot for the intended purposes it has to be rezoned from “Residential” with a density of 1:50 000m² to “Restricted Business” with a bulk of 0.75.

Access to Portion 31/5/49

Portion 31/5/49 currently obtains access from the District Road D1512. This road links to the National B1 Road to Okahandja via the D1473, informally known as the Döbra Road.

The existing road infrastructure is sufficient to accommodate warehousing facilities and land use in this area as well as any increase in traffic.

The City of Windhoek draft collector plan of Brakwater indicates a draft collector affecting the southern and western boundaries of Portion 31. When Portion 32 of Döbra was rezoned and subdivided the City of Windhoek required a 12,5 meter right of way be registered to accommodate the collector between the two Portions.

Mr Jacques Coetzer owns both Portions 31 and 32 and therefore the provision of the 12,5 meters right of way servitude on Portion 31 will also be accommodated.

Infrastructure Provision

Water

Water to the plot is currently obtained from the NAMWATER Bulk line via a 33mm pipe. This water supply will have to be upgraded and increased by the developer.

Sewer

There are no waste water treatment facilities in the Brakwater area and preliminary discussions with the City of Windhoek Infrastructure Department indicated that a septic tank with soak away system based on the number of users will be viable for land use changes and subdivisions in Brakwater in the absence of a waterborne system.

The number of users between residential land uses will be different than from industrial land use developments. It is anticipated that a bigger system with a retention tank capacity specified by the City of Windhoek will be sufficient for industrial use.

The developer intends to construct an onsite modular biological sewer treatment plant which disinfects or sterilizes the final effluent to prevent harmful bacteria from entering the environment. The disinfectant Sterisew is automatically added to the system at a rate of 25 litres every six months. This disinfectant does not break down under UV or temperature and remains active in the water keeping the water cleaner for longer periods.

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Refuse removal

Domestic waste is taken to the Brakwater transfer station situated at the Brakwater Recreational Area on the D1491 and from there removed by the City of Windhoek to the Kupferberg Waste Disposal Site.

For the warehouse development on Portion 31/5/49, it is proposed that all refuse be collected and removed to the Kupferberg Waste Disposal Site by a private contractor.

Electricity

Electricity is available through the NAMPOWER bulk 66kV line in the road reserve of the D1512. Connection to the Plot is provided by NAMPOWER.

Neighbour Comments

The Windhoek Town Planning Scheme requires that the general public and neighbouring property owners are informed of development proposals and given the opportunity to comment on the intended rezoning and development.

The neighbour consultation process will be completed upon instruction from the local authority.

Environmental consideration

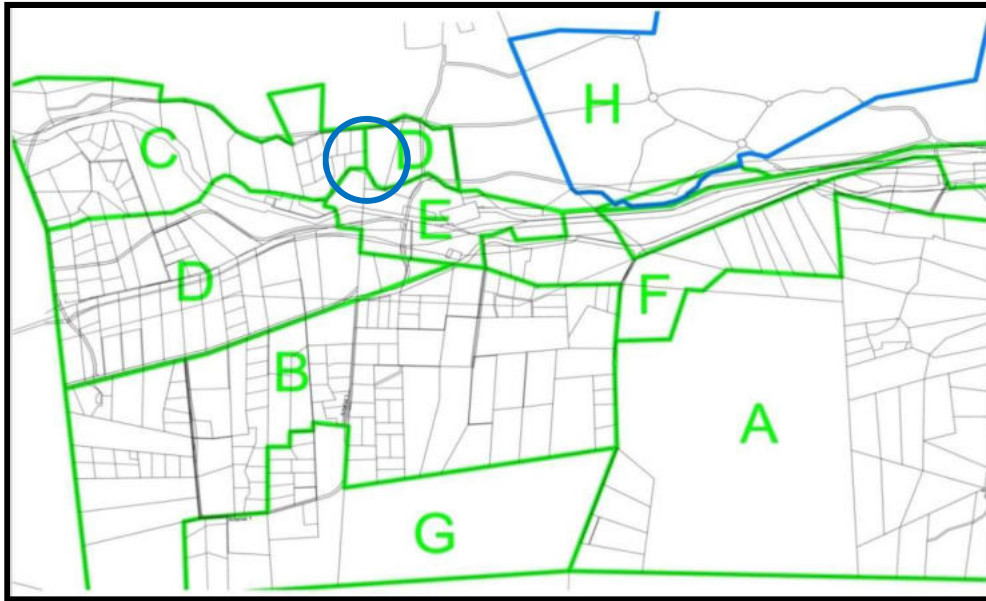
In line with the Environmental Commissioner letter dated 26 July 2012, the City of Windhoek may provide clearance for rezonings from residential to commercial.

The City is requested to exempt the rezoning application from an environmental impact assessment as the intended use falls within the provisions of the Windhoek Town Planning Scheme.

Land Use and Town Planning Policy

Portion 31/5/49 falls inside the current Zone C of the Brakwater Policy Guidelines document and plan. The original development proposals for this area when the Guidelines were drawn up in 1998 – 2000 were for Residential purposes. Due to the number of existing restricted businesses in the area as well as the demand for industrial and restricted business properties, the City of Windhoek however amended the Policy Area by expanding the Industrial Zone D northwards up to and including Portion 13 of the Farm Döbra which accommodates the existing poultry farm.

This extension was approved per Council Resolution 259/11/2021.



The extension of the Industrial Zone D northwards is logical from a town planning point of view and makes perfectly sense if one considers the following issues:

- Existing and expected land use changes in the area
- Infrastructure availability
- Excellent access
- Suitable topography

The land use situation and land demand situation in the entire Windhoek Basin and more specific the Greater Brakwater Area has also changed considerably. Due to market demand and a definite shortage of adequate sized warehousing land, more developers have moved out of the Windhoek industrial/restricted business areas to the greater Brakwater Area.

This is can be attributed to the following reasons:

Pull factors towards Brakwater

- Ideal topography of land in specific Brakwater Area
- Excellent transportation connectivity through District Roads and Railway Line
- Availability of bulk infrastructure such as electricity and water

Push factors from existing industrial areas

- Availability of adequately sized land in existing industrial areas
- Exorbitant lease prices in existing industrial areas

In general, it is also normal market driven forces that locates more intensive land uses such as business and industrial to areas in precincts around higher category transportation routes such as the D 1512 and the D 1473. These two routes make a T-junction very close in the vicinity of Plot 31/5/49 and given the above-mentioned push and pull factors coupled with the

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market demand for warehousing facilities and land in Windhoek, it is to be expected that the more intensive land uses will be attracted to the area of Plot 31/5/49.

Some examples of the trend in industrial areas and business relocating from the Windhoek industrial areas to Brakwater include the following industrial parks:

- Carin Park Development Portion 22 Nubuamis
- Nubu Industrial Park Portion 108 Nubuamis
- Industrial Park Development Portion 428
- Lafrenz Extension 1 Development by Trustco
- Portion H of Brakwater

Examples of individual businesses that have already moved their operations to the Brakwater Area include:

- Truck and Cab Development Portion 24 Brakwater
- Snyman Transport on Portions in Döbra
- Namibbeton Portion 388 Brakwater
- Woerman Brock Warehouse Portion 3/2/49 Döbra
- Interpack Namibia Bottling Plant Portion 32/5/49 Döbra

The plot is situated in an area which in terms of expected land uses is anticipated to turn into a growth area for restricted business and industrial purposes.

The Windhoek Town Planning Scheme determines the Restricted Business zoning as follows:

TABLE B: LAND USE ZONES

USE ZONE (1)	PRIMARY USES (2)	CONSENT USES (3)	PROHIBITED USES (4)
Restricted Business	Business buildings	Other uses not under columns 2 and 4	Noxious industrial buildings

The definition of a business building is provided as:

“a building designed and/or used as offices, warehouses, medical or dental consulting rooms, laboratories or other business purposes but does not include other buildings specifically defined or mentioned elsewhere in this Scheme with the exception of offices.”

This indicates that the establishment of warehousing facilities on Plot 31/5 of Döbra is in line with the provisions of the Windhoek Town Planning Scheme.

Motivation for development

The original Brakwater Policy Plan recognized that the Brakwater area will accommodate commercial townships similar to the rest of Windhoek and that the area will need to cater for the future demand for these types of land uses. Most of the existing commercial areas

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(Northern Industrial Area, Southern Industrial Area and Lafrenz) are nearly fully developed. Provision was therefore also made for areas where commercial developments could take place in the Policy Plan.

This is what is currently happening in the greater Brakwater area with the shortage of commercial/industrial land in the City of Windhoek, commercial and industrial land uses are relocating in other areas such as Brakwater. This is mainly due to the relative flatness of the area and the excellent accessibility it provides with the D1491, D1473 and D1512 and the National B1 Road. Commercial and industrial development is taking place on the flatter areas where the topography allows for it and close to intersections and major roads.

It is also a normal development trend that properties next to busy and major roads are not popular and suitable for residential use. The increase in traffic, possible noise and pollution are part of the so-called push factors for residential development near these roads.

The establishment of warehousing facilities in suitable areas will not only broaden the economic base, but also attract investors, create job opportunities and alleviate poverty. In general, it will help to enhance the quality of life of Windhoek residents.

By providing more commercial land, the pressure will be taken off the City of Windhoek to provide more commercial and industrial erven. There is hardly any vacant industrial land left in the northern Industrial Area or Lafrenz. Limited land is still available in Prosperita, but those erven are situated in the southern area of Windhoek and restricted to certain uses because of the Windhoek aquifer.

The proposed development will not be in conflict with the overall land uses in the Döbra area.

The site plan and building plans, as well as supporting infrastructure will be designed in accordance with municipal building standards and safety regulations. All plans will be submitted with the City of Windhoek for approval.

Registered conditions

The portion is subject to the standard Windhoek Zoning Scheme condition.

Portion 31/5/49 is further subject to the following:

- a) a servitude right of way 12,5 meter wide parallel to the entire eastern boundary as indicated on diagram A263/05 annexed to Certificate of Registered Title No T1661/2007 over the remaining extent of Portion 5 of the Farm Döbra No 49 held by T___2007 which servitude of right of way as more fully described in Notarial Deed No K134/2007 S
- b) to a Notarial Right in favour of Nampower to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions more fully described in Notarial Deed of Servitude No K95/2011S

These Servitudes will be maintained.

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Deed of Transfer T5134/2022 further lists no restrictive conditions:

The standard municipal conditions are already registered against the property.

Conclusion

Windhoek City is not a stagnant entity. As the City grows, changes take place in terms of land use demand and the location of specific land use precincts.

Commercial development has already started taking place in various suitable areas in the greater Brakwater Area as indicated in the body of the application.

The northern Brakwater Area is part of the City of Windhoek. The urban structure does not only consist of residential orientated sectors, but the economic sector is just as important and should also be promoted. Not only will the establishment of warehousing facilities broaden the economic base, but also will attract investors, create job opportunities and help alleviate poverty.

The rezoning of Portion 31/5 of the Farm Döbra No 49 from residential to restricted business with the purpose of establishing warehousing facilities will not have any negative impacts on the surrounding properties and the environment as a whole.

The Council is therefore requested to support the rezoning application.

Attachments

5 copies of the full application consisting of the following are attached:

- ✓ Application and motivation letter
- ✓ Locality plans and zoning plans
- ✓ Deed of Transfer T5134/2022 for Portion 31/5 of the Farm Döbra No 49
- ✓ Power of Attorney
- ✓ Founding Statement of Zeal Properties Nine Hundred and Five CC/2019/09125

It is trusted that the application meets the City of Windhoek standards and that the City of Windhoek will favourably consider the application for the rezoning of Portion 31/5 of the Farm Döbra No 49.

Should there however be any further inquiries, kindly contact me at one of the provided numbers.

Yours faithfully



W. Schutz

Willem Schutz Town and Regional Planning Consultant