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WINDHOEK, NAMIBIA

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Enq: Ms R. Kwenani
Tel: 290 3428

Ref: L/1488/DP
Date: 29 June 2021

Plan Africa Consulting CC
P O Box 4114
Windhoek

Dear Sir,

NOTICE IN TERMS OF SECTION 109 (3) OF THE URBAN AND REGIONAL PLANNING ACT, 5 OF 2018

Please take note that the Municipal Council of Windhoek intends to recommend to the Urban and Regional Planning Board the following application:

- REZONING OF ERF 1488, DORADO PARK EXTENSION 1 FROM PRIVATE OPEN SPACE TO INSTITUTIONAL

Kindly also note that the submission of the application to the Urban and Regional Planning Board is subject to the following conditions as per Council Resolution 118/05/2021:

- 1.1.1 That a Traffic Impact Assessment (TIA) be conducted to assess systems capacity and include Non-Motorised Transport (NMT) and public transport requirements due to the traffic constraints already experienced in this area.
- 1.1.2 That the Traffic Impact Assessment (TIA) consider the node encompassed by Moses Garoëb Street, Hendrik Witbooi Drive, Mensa Street and the Arebbusch River.
- 1.1.3 That the outstanding taxi rank be constructed in terms of Council Resolution 208/08/2011.
- 1.1.4 That the roads and intersection improvements for transport systems within the enclave of the development be informed by the Traffic Impact Assessment (TIA) to be submitted together with conceptual plans to the Strategic Executive: Urban and Transport Planning.
- 1.1.5 That the applicant take note that where street upgrading is required, a corresponding Development Agreement need to be signed.
- 1.1.6 That an Engineer be appointed for the detail design and supervision of the proposed construction work for the account of the applicant, and such works must be completed to the satisfaction on the Strategic Executive: Urban and Transport Planning, before a Completion Certificate is approved for the site development.

- 1.1.7 That the Engineer consult the Strategic Executive: Urban and Transport Planning, during the planning stages to ensure that all potential drawbacks in respect of traffic impact and access are addressed before development gets under way.
- 1.1.8 That adequate stacking be accommodated at the entrance (to be informed by the Traffic Impact Assessment (TIA)) before access to any drop-off area or parking facility, to the satisfaction of the Strategic Executive: Urban and Transport Planning.
- 1.1.9 That no parking or access be allowed from the Western Bypass.
- 1.1.10 That the minimum parking requirements for institutions to be provided on-site be as follows:
 - 1.1.10.1 For training facilities, auditoriums, stadiums and sport fields: One (1) parking bay for every four (4) seats for a sitting capacity up to sixty (60) and one (1) parking bay for every six (6) seats or part thereof above;
 - 1.1.10.2 For universities: One (1) parking bay per classroom and or office plus one (1) parking bay per five (5) students (25 % of student parking must be allocated for public transport/taxis); and
 - 1.1.10.3 For all other uses (if not defined as above): One (1) parking bay per 66 m² floor area.
- 1.1.11 That the applicant construct the taxi rank to the satisfaction of the Strategic Executive: Urban and Transport Planning prior to the submission of the application to the Urban and Regional Planning Board and the approval of any building plan.
- 1.1.12 That the applicant take note of the area along the south western boundary of Erf 1488, $\pm 5\%$ of the erf, is affected by the 50 year flood level of the Arebbusch River.
- 1.1.13 That the portion of Erf 1488 that is affected by the 50 year flood level, be subdivided from Erf 1488, and remain private open space (as per the diagram).
- 1.1.14 That no development be allowed within the 50 year flood level of the Arebbusch River or other stormwater courses.
- 1.1.15 That the applicant appoint a Provisional Registered Engineer to do a detailed 50 year flood analysis of the Arebbusch River and other stormwater courses and compile a detailed 50 year flood report, at own cost and risk.
- 1.1.16 That the applicant apply the conditions as stipulated in the detailed 50 year flood report.
- 1.1.17 That the applicant accept the outcome of the detailed 50 year flood report, and if allowed by the flood report, and appoint a Provisional Registered Engineer to submit detailed engineering plans as to how the erf is to be protected against any potential flood damage.
- 1.1.18 That no adjacent or opposite property be negatively affected by the proposed development along the Arebbusch River and other stormwater courses.
- 1.1.19 That any river or stormwater crossing be accommodative of at least a 50 year flood, and that a river crossing be designed by a Provisional Registered Engineer.

- 1.1.20 That surface stormwater run-off be accommodated according to clause 35 of the Windhoek Town Planning Scheme (see Info 35 of the Town Planning Scheme), stating:
- 1.2.20.1 That no stormwater drainage pipe, canal, work or obstruction (except stormwater drain pipes, canal or work which have been authorised in writing by the local authority or which have been or may be built, laid or erected in terms of any law) be constructed on or over the property or located in such a way that:
- The flow of stormwater from a higher lying property to a lower lying property is impeded or obstructed and through which any property is or may be endangered; or
 - The flow of a natural watercourse (in which the local authority allow flood water to run-off, be discharged or to be canalised) is or can be changed, canalised or impeded.
- 1.2.20.2 That the maintenance of such stormwater pipe, channel or work be the responsibility of the owner of the concerned property.
- 1.2.21 That prior approval be obtained from the Strategic Executive: Urban and Transport Planning if the accommodation of the stormwater on the erf is contemplated.
- 1.2.22 That engineering drawings on how the stormwater would be accommodated to the satisfaction of the Strategic Executive: Urban and Transport Planning be submitted for approval simultaneously with the building plans.
- 1.2.23 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.
- 1.2.24 That no building plans be approved until the stormwater conditions are met.
- 1.2.25 That a condition for the resale of this property be included in the Title Deed of the erf, whereby transfer to a third party only take place with approval of the City of Windhoek. [Approval will only be granted after the Strategic Executive: Urban and Transport Planning has certified that the stormwater has been accommodated satisfactorily.]
- 1.2.26 That no development be allowed onto or over any stormwater system or structure.
- 1.2.27 That no access be allowed over any stormwater catch pit, stormwater manhole or stormwater structure.
- 1.2.28 That access be according to the conditions as stipulated by the Chief Engineer: Planning, Design and Traffic Flow.
- 1.2.29 That any encroachment of the existing southern boundary wall of Erf 1488 onto Erf 1416 be verified, confirmed and rectified as required.
- 1.2.30 That the applicant confirm whether any roads, stormwater or other services infrastructure will be required to be taken over by the City of Windhoek, and if taking over would be considered, a Development Agreement be entered into with the City of Windhoek.

- 1.2.31 That the roads and stormwater conditions as per Council Resolution 208/08/2011 equally be applicable.
- 1.2.32 That the applicant take note that 3 metre wide sewer servitudes are registered over the sewer lines that are situated on the erf as per Council Resolution 208/08/2011.
- 1.2.33 That the application not include residential developments.
- 1.2.34 That any additional requirements with regard to water and sewer services be for the applicant's account, subject to approval by the Strategic Executive: Infrastructure, Water and Technical Services.
- 1.2.35 That should any municipal electrical infrastructure need to be relocated, lowered, dismantled or replaced as per request received from the applicant, all cost related thereto be for the applicant's account.
- 1.2.36 That only one (1) service connection from the municipal electrical network be allowed per erf and further distribution from the main LV kiosk/board of each erf.
- 1.2.37 That for erven that are zoned 'institutional' and a service connection larger than 3 x 60 ampere is required, the applicant and/or his/her electrical engineering representative contact the Strategic Executive: Electricity, well in advance, during the planning stage, before any building plans have been approved to determine whether the existing electrical network can handle the additional loading or whether a substation building or site is to be provided by the applicant at his/her own cost to incorporate an additional substation.
- 1.2.38 That it be noted that a connection charge may be payable at the cost of the applicant and the applicant is advised to review the Electricity Department Connection Charge Policy, Schedule of Approved Non-Regulated Tariffs and/or to consult directly with the Department of Electricity for information on connection charges.
- 1.2.39 That the applicant submit an Environmental Management Clearance Certificate to the Acting Strategic Executive: Economic Development and Community Services, before the application is submitted to the Ministry of Urban and Rural Planning's Board.

Please further take note that in terms of Section 110 of the Urban and Regional Planning Act, 5 of 2018 any person who is aggrieved by the decision of the local authority may appeal against that decision to the Minister. Notice of the appeal and the grounds for the appeal must be lodged within 21 days from the date of this Notice to the Minister and Local Authority whose decision is the subject of the appeal.

Yours faithfully



Hugo Rust
Acting Urban Planner