

# DEPARTMENT OF URBAN AND TRANSPORT PLANNING

59

80 Independence Avenue  
**WINDHOEK, NAMIBIA**



Tel: (+264) 61 290 2482

e-mail: UTP@windhoekcc.org.na

*The Gateway to Endless Opportunities*  
www.cityofwindhoek.org.na

**ENQ:** H Rust  
**DATE:** 28/08/2024

**TEL:** 290 2378  
**REF:** L/1/Paulinenhof 492

Du Toit Town Planning Consultant  
P O Box 6871  
Ausspannplatz  
Windhoek

Dear Madam

**RE: NOTICE IN TERMS OF SECTION 109(3) OF THE URBAN AND REGIONAL PLANNING ACT (ACT NO. 5 OF 2018): SUBDIVISION OF PORTION 1 OF THE FARM PAULINENHOF NO. 492, INTO PORTIONS A, B, C, D AND THE REMAINDER OF PORTION 1 OF THE FARM PAULINENHOF NO. 492**

In accordance with the delegation of authority applicable to the granting of subdivision applications as resolved per Council Resolution 283/11/2017 and it is recommended as follows:

1. That the subdivision of Portion 1 of the Farm Paulinenhof No. 492, Windhoek into Portion A ( $\pm 5,0078\text{ha}$ ), Portion B ( $\pm 5,0178\text{ha}$ ), Portion C ( $\pm 5,0868\text{ha}$ ), Portion D ( $\pm 5,5996\text{ha}$ ) and the Remainder of Portion 1 of the Farm Paulinenhof No. 492 ( $\pm 155,9763\text{ha}$ ) be recommended to the Urban and Regional Planning Board in accordance with Section 109(2)9a) of the Urban and Regional Planning Act.
2. That the applicant takes note that an endowment fee of 9% is payable for each new portion.
3. That a 13m wide right of way servitude be registered over Consolidated Farm Voigtland No. 472 in favour of Portions A, B, C and D, and the Remainder of Portion 1 of the Farm Paulinenhof No. 492.
4. That the existing 13m wide right of way servitude registered over the Remainder of the Farm Paulinenhof No. 492 be amended and be registered in favour of Portions A to D and the Remainder of Portion 1 of the Farm Paulinenhof No. 492.
5. That a 13m wide right of way servitude registered against the Remainder of Portion 1 of the Remainder of the Farm Paulinenhof No. 492 in favour of Portions A to D (Portions of the Remainder of Portion 1 of the Farm Paulinenhof No. 492).

---

***All official correspondence must be addressed to the Chief Executive Officer***

6. That the applicant submits a revised Subdivision Plan indicating the proposed 13m Right of Way Servitudes for registration over the Remainder of Portion 1 of the Farm Paulinenhof in favour of the respective subdivided portions as illustrated on Plan No. Paulinenhof + RoW dated October 2023 prior to the submission of the application to the Urban and Regional Planning Board.
7. That the conditions registered against Portion 1 of the Farm Paulinenhof No. 492 be registered against Portions A, B, C and D and be retained for the Remainder of Portion 1 of Farm Paulinenhof No. 472.
8. That surface stormwater runoff be accommodated according to Clause 35 of the Town Planning Scheme stating:
  - (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.
9. That the Applicant submits a detailed layout plan with detailed contours for the proposed subdivided Portion(s), preferably in drawing (dwg) format.
10. That the applicant appoints a registered professional Engineer to compile a detailed 50-year flood report of the stormwater courses at own cost and risk.
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 proposed portions is to be protected against any potential flood damage.
13. That no adjacent or opposite property be negatively affected by the proposed development along any river or stormwater course
14. That no development will be allowed within the 50-year flood level of any stormwater course.



15. That no development will be allowed onto or over any stormwater system or structure.
  16. That any stormwater crossing / river crossing be accommodative of at least a 50-year flood.
  17. 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.
  18. 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.
  19. 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.
  20. That no building plan will be approved until the above stormwater conditions are met.
  21. 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.
  22. That roads and stormwater be planned, designed and constructed to municipal standard.
  23. That a detailed layout plan of the proposed accesses to the proposed portions is recommended.
  24. That it be noted that no existing bulk Water and Sewer Services are available.
  25. That all cost for the provision of bulk and internal services shall be borne by the applicant, including the cost of bulk infrastructure upstream and downstream from the erf.
  26. That all new water and sewer infrastructure requirements have to comply with the standard conditions to large subdivisions in respect of services, and that these requirements can be obtain from Infrastructure, Engineering Services Division.
  27. That the applicant 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 Chief Engineer: Infrastructure, Engineering Services Division, before construction commences.
  28. That the applicant has to provide its own water storage for the erf with a storage capacity of 48 hours.
  29. That it be noted that the City of Windhoek will not be held responsible for the provision of water if the groundwater supply deteriorates in case of boreholes.
  30. That the applicant 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.

31. That the sewer system and proposed treatment of waste water be submitted to the Chief Engineer: Infrastructure, Engineering Services Division 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.
32. That only full waterborne waste systems should be utilized and all Windhoek service standards should apply.
33. That final effluent from a treatment facility shall comply with the Special Discharge Standards as prescribed by the Directorate of Water Affairs.
34. That the operation and maintenance of all water and sewer infrastructure shall be the responsibility of the applicant.
35. That the design criteria are to be in accordance with the "The Neighbourhood Planning and Design Guide 2019" as published by the Council of Scientific and Industrial Research (CSIR) and are available on-line at <https://www.ukesa.info>.
35. That the applicant takes note that there is no Council Electricity Network in the vicinity.
36. That electricity is therefore either self-generated (solar or diesel-powered generation) or provided by Nampower.
37. That electricity can be provided by NamPower if the development is close to their GRID and the applicant indicate that if grid connection is required that they will consult NamPower for a supply connection.
38. That the applicant and/or their professional electrical engineering consultant must approach NamPower for an electrical supply point, if required; and the applicant/developers will be responsible for all cost related thereto.
39. That the design of the MV and LV reticulation must adhere to all Namibian Standards, in particular NamPower -, City of Windhoek – and ECB distribution and township development standards.
40. That the applicant and/or consulting engineers are advised to approach NamPower well in advance; before any layout and building plans are approved to allow them ample time to determine whether the existing network will be able to handle any additional loading as a result of the new development.
41. That where MV/HV overhead lines are in proximity and servitudes have not been registered, the following horizontal clearing width applies for allowing access to the line and for safety reasons:

41.1 220/132 kV - 25 metres either side of the overhead line structure



- 41.2 66/33/22/19/11 kV – 11 metres either side of the overhead line structure; and therefore, **no permanent structure is be erected within the stipulated area.**
  - 41.3 No permanent structures should be erected within any powerline servitude area.
  - 41.4 A minimum vertical working clearance of 4.3 metres from ground and horizontal working clearance of 2.9 metres from body centre line always needs to be maintained, possible during road construction parallel or perpendicular to the line or crossing underneath the line with machineries/ trucks etc.
  - 41.5 Encroaching this clearance will result in electric shocks and hence fatalities.
42. That the applicant accepts the conditions of the Delegated Authority Approval in writing.
43. That the applicant takes 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 of Urban and Rural Development (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 sincerely



Mr P van Rensburg

**STRATEGIC EXECUTIVE: URBAN AND  
TRANSPORT PLANNING**