

# DEPARTMENT OF URBAN AND TRANSPORT PLANNING

✉ 59

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WINDHOEK, NAMIBIA



*The Gateway to Endless Opportunities*

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ENQ: Ms. M Kuhanga

TEL: +264 61 290 2099

DATE: 27/03/2025

REF: Portion A of Remainder of the  
Farm Kupferberg No. 33

Willie Schutz Town and Regional Planning Consultants  
P O Box 31761  
WINDHOEK

Dear Sir/Madam,

**RE: THE SUBDIVISION OF THE REMAINDER OF THE FARM KUPFERBERG NO. 33 INTO PORTION A AND THE REMAINDER (APPROVED CR 302/09/2020); THE SUBDIVISION OF PORTION A OF THE FARM KUPERBERG NO. 33 INTO 42 PORTIONS (5HA AND LARGER) AND THE REMAINDER.**

In accordance with the delegation of authority applicable to the subdivision of Erven (as resolved per Council Resolution No. 283/11/2017 the following is approved for submission to Urban and Regional Planning Board subject to the following conditions:

2. That the Municipal Council of Windhoek reaffirms its decision to recommend the approval for subdivision of the Remainder of the Farm Kupferberg No. 33 into Portion A and the Remainder as per Council Resolution No. 302/09/2020.
3. That the subdivision of Portion A of the Remainder of the Farm Kupferberg No. 33 into Portions 1 to 42 and Remainder be recommended for approval to the Urban and Regional Planning Board in terms of Section 109(2)(a) of the Urban and Regional Planning Act (Act No. 5 of 2018), subject to the following conditions:
  - 3.1 *That the land may only be used for rural residential purposes.*
  - 3.2 *That the Right of Way Servitude be registered against Portions 6-15, 19, 27-32, 34-35, 41-40 and the Remainder of Portion A of the Remainder of the Farm Kupferberg No. 33 in favour of Portions 1-42 and the Remainder of Portion A of the Remainder of the Farm Kupferberg No. 33, as generally shown of WSTRPC plan number KUPFER 33/23.*
4. That the following condition be included and registered in the title deeds of Portions 1 to 42 (Portions of Portion A) and the Remainder of the Farm Kupferberg No. 33 in favour of the local authority:

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

5. That once Portion A of the Remainder of the Farm Kupferberg No. 33 and/or Portions 1 to 42 and Remainder of Portion A of the Farm Kupferberg No. 33 are incorporated into the Windhoek Zoning Scheme, the applicant must apply to the Municipal Council of Windhoek for the rezoning of Portions 1 to 42 and Remainder of Portion A of the Farm Kupferberg No. 33 to applicable zonings in accordance with the Windhoek Zoning Scheme and the Urban and Regional Planning Act (Act No. 5 of 2018) at his/ her own cost..
6. That access to Portion A from the C26 road (Windhoek – Walvis Bay) is provided as per Roads Authority approval letter dated 28 September 2017.
7. That the building line for properties along the C26 road (Windhoek – Walvis Bay) should be 100m from centre line of the C26 road.
8. That provision should be made to prevent accessing the C26 road (Windhoek – Walvis Bay) from any position than the authorized access point.
9. That speedhumps should be provided to improve road safety around erven 11 to 13, 36 and 38 to 41.
10. That a development agreement must be signed whereby an Engineer or Engineering firm is appointed to design and supervise construction of all infrastructures. All erven must be serviced before they are transferred over to a third party.
11. That all internal streets are to be upgraded to municipal requirements, be constructed to bitumen standards and to municipal requirements, even though the City is not taking over such road.
12. That since the City has no capacity presently to take over the roads located outside the serviced perimeter, a homeowner's association must be established for the maintaining and development of internal streets.
13. That the applicant appoints a registered professional Engineer to compile a detailed 50-year flood report of the rivers, stormwater courses and earth dams to own cost and risk.
14. That the applicant applies the conditions as stipulated in the detailed 50-year flood report.
15. 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.
16. That no adjacent or opposite property be negatively affected by the proposed development along the river, stormwater courses and earth dams.
17. That no development be allowed within the 50-year flood level of any river, stormwater courses or earth dam.
18. That no development be allowed onto or over any stormwater system or structure.
19. That any stormwater or river crossing be accommodative of at least a 50-year flood, and that any stormwater crossing be designed by a registered professional Engineer.

20. That the applicant through the detailed flood report, verify the extent of private open spaces to accommodate the required stormwater flow.
21. 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:
22. That no stormwater drainage pipe, canal, work or obstruction (except stormwater drainpipes, 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 – 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 the flow of a natural watercourse (in which the local authority allows flood water to run off, be discharged or to be canalized) is or can be changed, canalized or impeded.
23. That the maintenance of such stormwater pipe, channel or work shall be the responsibility of the owner of the concerned property.
24. That prior approval must be obtained from the Chief Engineer: Planning, Design & Traffic Flow if the accommodation of the stormwater on the proposed portion is contemplated.
25. 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.
26. 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.
27. That no building plan will be approved until the above stormwater conditions are met.
28. 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.
29. That roads and stormwater be planned, designed and constructed to municipal standards.
30. That it be recommended that erven: 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 1, 2, 3, 4, 5, 6, 7, 37, 38, 39, 40, 41, 42, 43, 32, 31, 30, 33, 29, 34, 28, 27, 26, 25, 36 and 35 as well as any other erf affected by stormwater, be sold with relevant stormwater conditions.
31. That the applicant's professional Engineer needs to take note of the steep slopes along some proposed road reserves where roads may exceed the maximum slope requirements for gravel and surfaced roads.
32. 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.
33. That should any works requires to be taken over by the City, a development agreement be signed.
34. That all roads with a turning circle be accommodative of at least a 28.0-meter-wide road reserve diameter.
35. That it be noted that no existing bulk Water and Sewer Services are available.

36. That all costs for the provision of bulk and internal services for the development shall be borne by the Developer. And that this shall include the cost of bulk infrastructure upstream and downstream from the development.
37. That the Developer provide its own water storage (reservoir) for the development with a storage capacity of 48 hours.
38. That the City of Windhoek will not be held responsible for the provision of water if the groundwater supply deteriorates.
39. That it be noted that Portion A of the Farm Kupferberg falls within the Groundwater Protection Area.
40. That it be noted that approval for consent use in the groundwater protection area as per Windhoek Town Planning Scheme requires that land use proposal promote environmental conservation with adequate provisions that ensures no groundwater pollution will occur. Subsequently, intensive agricultural activities are not allowed to take place under groundwater protection area.
41. That it be noted that the envisaged water supply source for the proposed development is groundwater from the existing boreholes as per geohydrological studies, therefore, the developer is required to register and legalise the existing boreholes with the City of Windhoek.
42. That it be noted that groundwater abstraction from boreholes is subject to requirements set out in the geohydrological studies on installation of a monitoring system and submission of data as necessary to the City of Windhoek.
43. That any future requirements for drilling of new boreholes to expand the water supply capacity is subject to submission of an application to the Strategic Executive: Infrastructure, Water and Technical Services and prescribing processes.
44. That a condition be registered against the title deed of the property where a communal borehole is located to allow for shared use of the infrastructure prior to transferring of property to the new owners and that this be applicable to future borehole as well.
45. That it be noted that an application for sinking of boreholes from an individual will not be accepted except by a management body or association overseeing the development and further subject to the groundwater management approach and protocols of the groundwater permit administration system of the City of Windhoek.
46. That a water management plan addressing among others regular monitoring of the land use activities for compliance to pollution preventions measures, quality and quantity set out in specialist studies on geohydrology be developed and submitted to the Strategic Executive: Infrastructure, Water and Technical Services prior to the sale of the any new subdivided portions.
47. That only two residential dwellings per plot be allowed, with a plot area of minimum 5 ha.
48. That the Developer must appoint a registered professional engineer to propose an acceptable wastewater management plan, subject to the condition that no pollution of the groundwater occurs and further provide that there will be no health risks to the users and surrounding residents.

49. That it be noted that no treatment facilities are allowed within the Groundwater Protection area due to the risk of groundwater contamination.
50. That no final effluent from a treatment facility may be discharged within the Groundwater Protection area.
51. That no purified effluent for irrigation purposes may be used within the Groundwater Protection area.
52. That the issuing of the wastewater discharge permit must be subject to the adherence of all conditions pertaining to such permit.
53. That only full waterborne waste systems should be utilized, and all Windhoek service standards should apply.
54. That final effluent from any treatment facility shall comply with the Special Discharge Standards as prescribed by the Directorate of Water Affairs.
55. That no oxidation or other open pond system or holding system or french drains shall be allowed.
56. That no developments may take place within a radius of 500 meters from a Treatment Plant without odor control.
57. That the operations and maintenance of all water and sewer infrastructure will be the responsibility of the developer/Home Owner's Association/Governing Body Corporate.
58. That for the design of water and sewer-related services, the Developer is required to appoint a Professionally Registered Engineer to compile a comprehensive Design Report, which should be done in line with comments and recommendations of existing master plans if applicable.
59. That the design report must be submitted by the Applicant and approved by the Department of Infrastructure, Water & Technical Services: Engineering Services Division before submission to the Ministry of Urban and Rural Development Board.
60. That the design report should be submitted by the appointed Engineer to Infrastructure: Engineering Services Division for approval before starting with detailed water and sewer infrastructure designs.
61. That all costs involved due to the Design Report be for the Developer's account.
62. That the design report should stipulate at least the following:
  - 61.1 *The expected water demand for the development.*
  - 61.2 *Whether fire-fighting requirements will be met with the planned infrastructure.*
  - 61.3 *How access to an existing water supply source or linkage to an existing water supply network will cater for the water demand of the development.*
  - 61.4 *The minimum and maximum pressures in the reticulation under peak- and low-flow demand.*

*61.5 The calculated design wastewater generated by the development.*

*61.6 A wastewater management plan should be included that ensures that no pollution of the groundwater occurs and further provides that there will be no health risks to the users and surrounding residents.*

*61.7 It should be clearly stated who will take ownership of the water and sewer infrastructure and who will be responsible for the maintenance and operations thereof.*

*61.8 The design report to include detailed design calculations, assumptions, and clear referencing to Standards used in the calculations of water demands, sewer flows, pipe capacities, storage requirements, treatment capacities, etc.*

63. That an Environmental Impact Assessment (EIA) should be submitted along with the Design Report and should clearly confirm the following:

*62.1 The proposed wastewater management will have no negative impact on any water sources and/or aquifers.*

*62.2 The minimum recommended distance between the wastewater treatment facility and any water source/aquifer.*

*62.3 A quality analysis of the water quality of the water source.*

*62.4 A comprehensive Geo-hydrological Study that should confirm the sustainable supply of the water source. This shall include Test Pumping Data and Abstraction Rates for boreholes.*

*62.5 An Environmental Clearance Certificate for the proposed wastewater management should be submitted along with the Design Report.*

64. That after approval of the Design Report, all final designs for water and wastewater infrastructure should be submitted by the appointed Engineer to the Strategic Executive: Infrastructure, Water and Technical Services for approval before construction commences.

65. That building plans will only be approved after the design report is approved by the Strategic Executive: Infrastructure, Water and Technical Services, and after water and sewer services are installed as per approved design report and designs.

66. That the design criteria are to be in accordance with "The Neighbourhood Planning and Design Guide" as published by the Council of Scientific and Industrial Research (CSIR) and are available online at [http://www.csir.co.za/Built\\_environment/RedBook/](http://www.csir.co.za/Built_environment/RedBook/).

67. That any water and sewer infrastructure to be transferred to the Council has to comply with the standard conditions for large subdivisions in respect of services. These conditions can be obtained from Infrastructure, Engineering Services Division.

68. That the removal of waste from the premises be done by the city or by a private contractor, however if the applicant opts to make use of a private contractor, they are still compelled to pay availability charges to the city.

69. That since the Remainder of Farm Kupferberg NO. 33 fall within the Windhoek Aquiver Protection Area, treatment facilities are not permitted, same with french drains (soakaways), oxidation or other open pond systems, holding systems.
70. That the Septic tank (without soakaways) or conservancy tank systems be more acceptable, and the following guidelines should be applied:
  - 70.1 *That construction and use of septic or conservancy tank systems are subject to a wastewater discharge permit from the Department of Water Affairs and Forestry (DWAF).*
  - 70.2 *That the developer appoints registered professional engineer to design the tank system.*
  - 70.3 *That the design includes provisions for monitoring potential leakages.*
  - 70.4 *That the design must include measures to prevent effluent from contacting the environment in the event of overflow, such as an outer tank.*
  - 70.5 *That tanks be located near a driveway to facilitate waste removal by vacuum tanker.*
  - 70.6 *That tanks be positioned downhill from wells or springs.*
  - 70.7 *The tank's retention period must be specified in the design.*
  - 70.8 *That after construction, the tank system t be tested for water tightness.*
  - 70.9 *That sludge removed from a septic tank be not reused for agricultural purposes.*
  - 70.10 *That the responsible party for emptying the tanks be clearly identified.*
71. That the private waste transporters required to be licensed with the city of Windhoek as a Waste Transporter and shall be in a possession of a valid waste transporters certificate and discs.
72. That the applicant be required to apply for containment methods in a form of 240 L wheelie bins and the skip containers, be charged according to the zoning of the area.
73. That during the development phase strict measures be taken into considerations to prevent scavengers.
74. That hazardous waste, such as paint, waste oil may not be thrown onto the ground but rather be collected and removed from the site and disposed of at hazardous cell at Kuperberg.
75. That burning, littering and burying of waste is prohibited.
76. That developers are encouraged to think of waste as a potential resource, instead of treating waste as a problem, it could be treated as an opportunity e.g. recovering material from waste stream through recycling can potentially generate revenue.
77. That as far as possible the applicant will be required to institute recycling and waste reduction initiative in order compliment city initiative on waste recycling, reduce and reuse as per Solid Waste Management regulations and the policy.
78. That recyclable waste be handed over to authorized waste collectors.
79. That all clients must register their generators with the Department of Electricity.
80. That all generators will be subject to general inspections by City Council Inspectors.
81. That generators with a capacity exceeding 500kVA must possess a generation license in accordance with the Electricity Act, 2007.

82. That it be noted that there is a Windhoek Municipal Council electrical network in close vicinity, however there is not enough capacity to cater for the additional load of the development.
83. That no individual applications for electricity connections from the existing infrastructure will be entertained.
84. That it be noted that should the need arise for a municipal connection, an official application from the homeowner's association will be required to be directed to the Strategic Executive: Electricity.
85. That for a municipal connection for the development, the following conditions apply should further be coincided:
86. That the applicant should appoint an electrical engineering consultant firm with registered professional engineers with the Engineering Council of Namibia who shall submit the internal electrical network design.
87. That a formal application shall be submitted to the Strategic Executive: Electricity for connection of the new network reticulation.
88. That should an Electrical Substation be required a servitude or subdivided Erf must be allocated where the Substation will be constructed.
89. That no electrical substations shall be installed on sidewalks.
90. That Medium and Low Voltage Cables, Streetlights and Low Voltage Distribution Units may be installed on sidewalk spaces.
91. That all electrical services design drawings, and internal reticulations must be submitted to the office of the Strategic Executive: Electricity for approval before any construction works are commenced.
92. That during project implementation, the applicant's electrical representative should at all times engage the quality monitoring official from Electricity Department for all inspections and testing required.
93. That it be note 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 Electricity Department for information on Connection Charges.
94. That a complete as built drawings, including all protection if there is any and Quality Assurance Manuals to be submitted to the Strategic Executive: Electricity at completion in the latest edition of AutoCAD and PDF.
95. That the applicant acknowledges receipt of this Delegated Authority approval and accepts the conditions in writing, within 28 days of receipt of this letter.
96. That in terms of Clause 51 of the Windhoek Town Planning Scheme, 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 28 days from the date of this Notice to the Minister and Local Authority whose decision is the subject of the appeal.

You may now proceed with the application to the Ministry of Urban and Rural Development.

Yours Faithfully



Mr P van der Merwe

2015-03-27

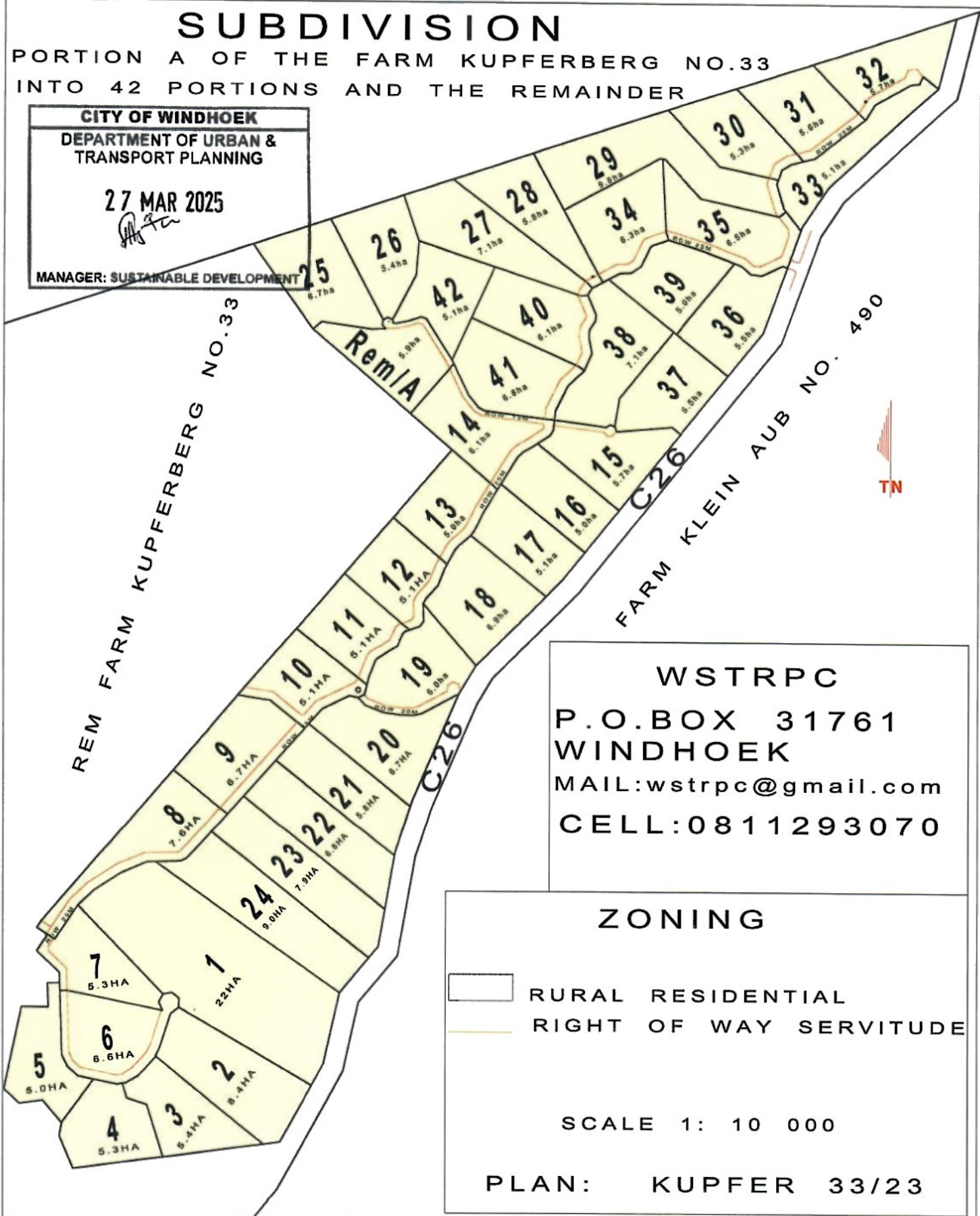
**STRATEGIC EXECUTIVE: URBAN AND  
TRANSPORT PLANNING**



# SUBDIVISION

PORTION A OF THE FARM KUPFERBERG NO.33  
INTO 42 PORTIONS AND THE REMAINDER

**CITY OF WINDHOEK**  
**DEPARTMENT OF URBAN &  
TRANSPORT PLANNING**  
  
27 MAR 2025  
*[Signature]*  
  
MANAGER: SUSTAINABLE DEVELOPMENT



**WSTRPC**  
P.O. BOX 31761  
WINDHOEK  
MAIL: wstrpc@gmail.com  
CELL: 0811293070

**ZONING**

□ RURAL RESIDENTIAL  
— RIGHT OF WAY SERVITUDE

SCALE 1: 10 000

PLAN: KUPFER 33/23

# SUBDIVISION

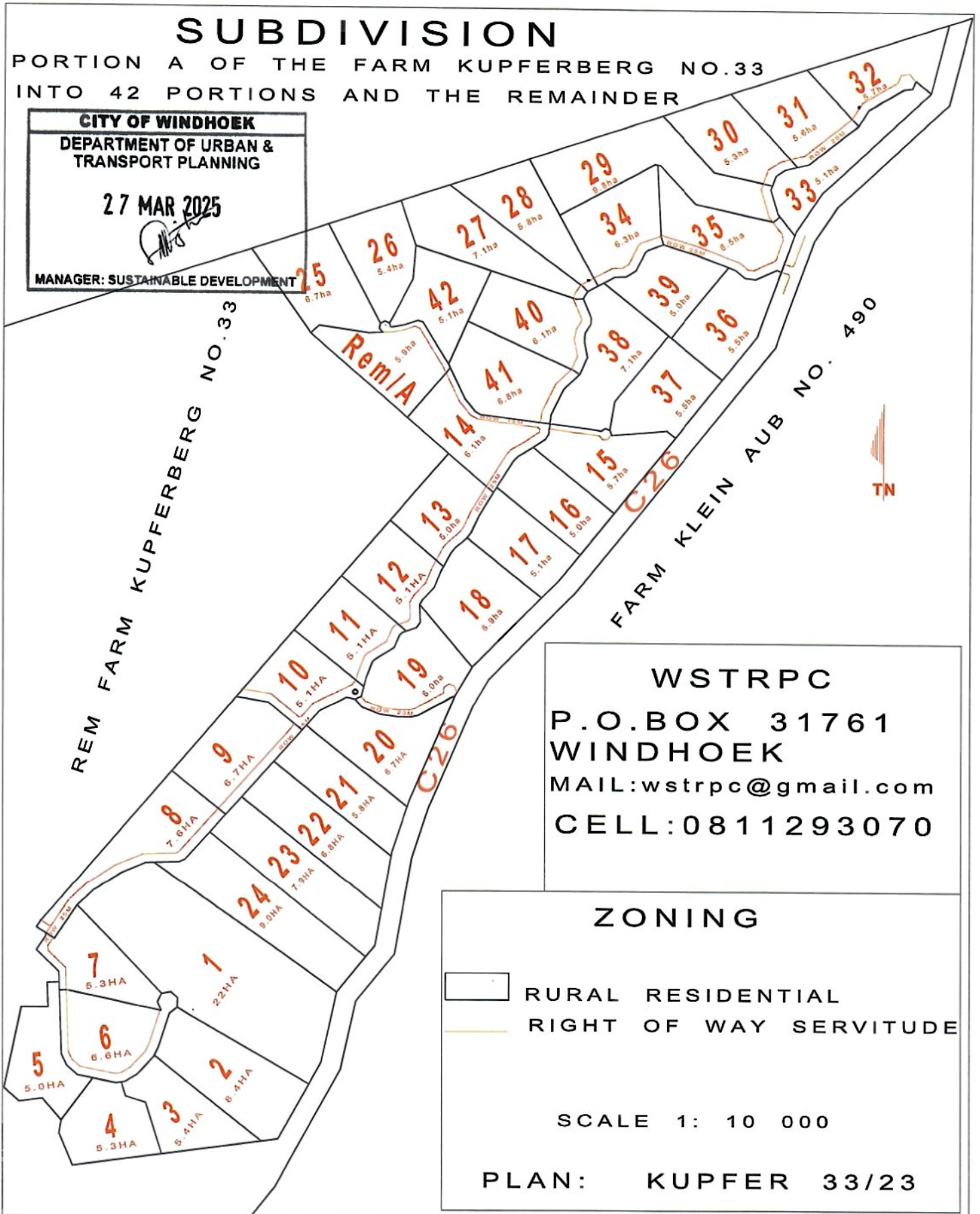
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MANAGER: SUSTAINABLE DEVELOPMENT



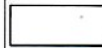
**WSTRPC**

**P.O. BOX 31761  
WINDHOEK**

**MAIL: wstrpc@gmail.com**

**CELL: 0811293070**

## ZONING



RURAL RESIDENTIAL




RIGHT OF WAY SERVITUDE

SCALE 1: 10 000

PLAN: KUPFER 33/23

**PORTION AREAS: DEVELOPMENT OF THE FARM KUPFERBERG NO. 33**

PTN Number	Area (HA)	Zoning	Ptn Number	Area (HA)	Zoning
1	22.0	Rural Residential	23	7.9	Rural Residential
2	8.4	Rural Residential	24	9.0	Rural Residential
3	5.4	Rural Residential	25	6.7	Rural Residential
4	5.3	Rural Residential	26	5.4	Rural Residential
5	5.0	Rural Residential	27	7.1	Rural Residential
6	6.6	Rural Residential	28	5.8	Rural Residential
7	5.3	Rural Residential	29	9.8	Rural Residential
8	7.6	Rural Residential	30	5.3	Rural Residential
9	6.7	Rural Residential	31	5.6	Rural Residential
10	5.1	Rural Residential	32	5.7	Rural Residential
11	5.1	Rural Residential	33	5.1	Rural Residential
12	5.1	Rural Residential	34	6.3	Rural Residential
13	5.0	Rural Residential	35	6.5	Rural Residential
14	6.1	Rural Residential	36	5.5	Rural Residential
15	5.7	Rural Residential	37	5.5	Rural Residential
16	5.0	Rural Residential	38	7.1	Rural Residential
17	5.1	Rural Residential	39	5.0	Rural Residential
18	6.9	Rural Residential	40	6.1	Rural Residential
19	6.0	Rural Residential	41	6.8	Rural Residential
20	6.7	Rural Residential	42	5.1	Rural Residential
21	5.8	Rural Residential	Remainder	5.0	Rural Residential
22	6.8	Rural Residential	Total	279.0	

**CITY OF WINDHOEK**  
 DEPARTMENT OF URBAN &  
 TRANSPORT PLANNING  
  
 27 MAR 2025  
  
 MANAGER: SUSTAINABLE DEVELOPMENT