

DOCUMENT 1

# CITY OF WINDHOEK

✉ 59, Windhoek

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NOTICE is hereby given of the monthly meeting of the

## MUNICIPAL COUNCIL OF WINDHOEK

scheduled to be held on **Thursday, 28 March 2024**, postponed to be held on **Thursday, 4 April 2024 at 17:30**, in the new Council Chambers, Windhoek.

  
.....  
CHIEF EXECUTIVE OFFICER

ENQUIRIES: Ms M Garises/pek  
Ms T Edward

REF: 0404(2803)2024.ca

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DATE: 2024-03-27

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[Municipal Council Agenda: 2024-04-04(03-28)]

**1 OPENING BY PRAYER**  
(3/2/1)

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[Municipal Council Agenda: 2024-04-04(03-28)]

**2 OFFICIAL ANNOUNCEMENTS, STATEMENTS  
AND COMMUNICATIONS BY THE MAYOR -  
COUNCILLOR MS QO KAMATI**  
(3/1/6/8)

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[Municipal Council Agenda: 2024-04-04(03-28)]

**3 APPLICATIONS FOR LEAVE OF ABSENCE**  
(3/1/5/1)

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[Municipal Council Agenda: 2024-04-04(03-28)]

**4 DECLARATION OF INTEREST**  
(3/1/5/1)

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**5 CONFIRMATION OF MINUTES**

[Municipal Council Agenda: 2024-04-04(03-28)]

**5.1 MUNICIPAL COUNCIL MEETING  
HELD ON 29 FEBRUARY 2024**  
(3/2/1)

The minutes of the monthly meeting of the Municipal Council of Windhoek held on 29 February 2024 are submitted for confirmation.

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[Municipal Council Agenda: 2024-04-04(03-28)]

**5.2 SPECIAL MUNICIPAL COUNCIL  
MEETING HELD ON 26 MARCH 2024**  
(3/2/1)

The minutes of the special meeting of the Municipal Council of Windhoek held on 26 March 2024 are submitted for confirmation.

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[Municipal Council Agenda: 2024-04-04(03-28)]

6 **PETITIONS**  
(3/2/1)

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[Municipal Council Agenda: 2024-04-04(03-28)]

7 **MOTIONS**  
(3/2/1)

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[Municipal Council Agenda: 2024-04-04(03-28)]

8 **ANSWERS TO QUESTIONS OF WHICH  
NOTICE HAS BEEN GIVEN**  
(3/1/6/3) (16/15/1)

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9 **MINUTES OF MANAGEMENT COMMITTEE**

[Municipal Council Agenda: 2024-04-04(03-28)]

9.1 **APPROVAL OF MINUTES (MC 04/2024)**

The minutes of the Management Committee meeting (MC 04/2024) held on 5 March 2024 was approved by the said Committee on 18 March 2024 and is submitted for notice with the exception of Items GOV.1, GOV.2, GOV.3, FNS.1 and FNS.2, which follow immediately hereunder for consideration.

It is

**RECOMMENDED**

That the minutes of the Management Committee meeting (MC 04/2024) held on 5 March 2024, be noted by its members, with the exception of Items GOV.1, GOV.2, GOV.3, FNS.1 and FNS.2.

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[Municipal Council Agenda: 2024-04-04(03-28)]

**9.1.1 GOV.1 [CEO] ESTABLISHMENT OF A TWINNING RELATIONSHIP BETWEEN THE MUNICIPAL COUNCIL OF WINDHOEK AND THE CITY OF KRASNOYARSK, RUSSIAN FEDERATION**  
(3/1/6/9/2)

**Introduction**

\*\*\* The Municipal Council of Windhoek received a letter, **attached as pages 1 - 15(a) to the agenda**, via the Ministry of Urban and Rural Development, proposing the establishment and formalisation of a Twinning City Agreement with the City of Krasnoyarsk in the Russian Federation. The Twinning City Agreement, **attached as pages 13 - 15 to the agenda**, is expected not only to solidify the social, economic, cultural, and diplomatic ties between the two cities but also the historic relationship between the people of Namibia and Russia.

**Purpose**

To seek the Council's approval for the establishment of a twinning city relationship between the Municipal Council of Windhoek and the City of Krasnoyarsk, in the Russian Federation.

**Background**

The friendly bilateral relations between Namibia and the Russian Federation are rooted on a longstanding history. The relationship dates back to the Russian Federation's (as part of the Soviet Union) support for Namibia's struggle for self-determination. This fraternal relation was replicated in the post-independence and post-cold war foreign policy of both states by establishing formal diplomatic relations.

\*\*\* Following the participation of the Namibian Ambassador to Russia in the 19<sup>th</sup> Krasnoyarsk Economic Forum, the representative of the Russian Ministry of Foreign Affairs in the Krasnoyarsk Region paid a follow-up visit to the Namibian Embassy and presented possible areas of partnerships between the Krasnoyarsk Region and the Republic of Namibia, per note verbale, **attached as pages 3 - 11 to the agenda**. Among other proposed partnerships with Namibia, the authorities in Krasnoyarsk proposed the establishment of a Twinning City Agreement between the Municipal Council of Windhoek and the City of Krasnoyarsk. The proposed Twinning City Agreement between the cities is expected to focus on following areas of cooperation:

- Technical exchanges on water management;
- Tourism, arts and events management;
- Youth and sports exchanges; and
- Economic development: Creation of innovation centres and business incubators.

## **Discussion**

The City of Krasnoyarsk was founded in 1628 as a Russian border fort intended to protect the frontier against attacks from the native people of Yenisei and the surrounding areas. The fort was transformed into a settlement and was granted town status in 1690 marking the beginning of an intensive growth of the town as it became the logistical hub of Siberia. The city has since acquired administrative status equal to that of a district concurrently experiencing a steady increase in population, expansion of industries and tourism, and also hosting major world events.

The City of Krasnoyarsk is the administrative centre of the Krasnoyarsk Krai (Territory) in south-central Siberia, Russia. The City stands on both banks of the Yenisei River. The city has an estimated population of 1 187 771 million in 2021 and it is the second largest city in Siberia. The city is known for its industrial, cultural, economic, and educational brilliance. The leading industries are the space industry, non-ferrous metallurgy, mechanical engineering, woodworking, transportation, chemical, food, retail, and wholesale, services.

On the other hand, the Municipal Council of Windhoek is renowned for its world class technology in water management, especially the direct potable water re-use, diverse culture and rich tourism offering, Krasnoyarsk is thus desirous to collaborate in these sectors. Equally, considering Krasnoyarsk's rich experiences in industrial, cultural, economic and educational brilliance, it is expected that the proposed twinning relationship between the two cities will present an array of opportunities for synergy and mutually beneficial outcomes.

## **Strategic implications/significance**

The submission is in alignment with the following strategic objectives:

- Improve Organisational capabilities;
- Pursue technological advancement, innovation, and operational efficiencies; and
- Enhance the quality of life for all our stakeholders.

## **Compliance check/ Legal implications**

As in all twinning arrangement with foreign cities, this agreement is subject to the Attorney General's legal scrutiny.

## **Consultation with stakeholder departments and other interested parties**

The following comments were received:

### **Comments from the Chief Executive Officer**

#### **Legal Services**

No input to make

## Conclusions

International competitiveness is a key component in realizing the Municipal Council of Windhoek's Vision and Mission. Links with the rest of the world are essential to achieving this vision. A twin city relationship is a vehicle for wide-ranging interactions between people at all levels of society. It presents opportunities for citizens the twin cities to experience and explore each other cultures through long-term community partnerships. It is an environment through which the communities of two cities creatively learn, work, and solve problems together. Hence, concluding a twin city agreement with the City of Krasnoyarsk, will accord the Municipal Council of Windhoek an opportunity to exchange experiences and understand different viewpoints on issues of shared interest.

Management Committee

## RECOMMENDED

- \*\*\*
- 1 That the proposed Twinning City Agreement and Action Plan between the Municipal Council of Windhoek and City of Krasnoyarsk, Russian Federation, **attached as pages 13 - 15 and 15(a) respectively to the agenda**, be approved.
  - 2 That the signing ceremony be held on the exact convenient date to be agreed between the parties.
  - 3 That the Chief Executive Officer (Manager: External Relations and Networking) make logistical arrangements for the signing ceremony.
  - 4 That the resolution be implemented prior to confirmation of the minutes.

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[Municipal Council Agenda: 2024-04-04(03-28)]

### 9.1.2 **GOV.2 [CEO] CONFIDENTIAL MATTER** (4/10/5)

This matter, submitted to the Councillors under separate cover, is to be dealt with in terms of section 14(2)(a) of the Local Authorities Act, 1992 (Act 23 of 1992) (as amended) which reads as follows:

*Every meeting of a local authority council shall be open to the public, except on any matter relating to -*

- (i) *the appointment, promotion, conditions of employment and discipline of any particular officer or employee of a local authority council;*

*unless the local authority council by a majority of at least two-thirds of its members present at the meeting in question determines such a meeting to be so open.*

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[Municipal Council Agenda: 2024-04-04(03-28)]

**9.1.3 GOV.3 [CEO] CONFIDENTIAL MATTER**  
(5/1/1/2)

This matter, submitted to the Councillors under separate cover, is to be dealt with in terms of section 14(2)(a) of the Local Authorities Act, 1992 (Act 23 of 1992) (as amended) which reads as follows:

*Every meeting of a local authority council shall be open to the public, except on any matter relating to -*

*(ii) any offer to be made by the local authority council by way of tender or otherwise for the purchase of any property;*

*unless the local authority council by a majority of at least two-thirds of its members present at the meeting in question determines such a meeting to be so open.*

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[Municipal Council Agenda: 2024-04-04(03-28)]

**9.1.4 FNS.1 [UTP] APPLICATION FOR THE REZONING OF ERF 1490, PIONIERSPARK EXTENSION 1, FROM 'RESIDENTIAL' WITH A DENSITY OF 1:900 m<sup>2</sup> TO 'HOSPITALITY'; CONSENT TO USE THE ERF FOR AN ACCOMMODATION ESTABLISHMENT OF SIXTEEN (16) ROOMS AND CONSENT TO OPERATE THE HOTEL PENSION WHILE THE REZONING IS IN PROCESS (L/1490/PP)**

**Application**

An application was received from Kamau Town Planning, on behalf of the owner of the erf, Feleciana Nkiavete Toco for the following:

- Rezoning of Erf 1490, Pionierspark Extension 1, from 'residential' with a density of 1:900 m<sup>2</sup> to 'hospitality';
- Consent to use Erf 1490 for an accommodation establishment of sixteen (16) rooms;
- Consent to operate the hotel pension while the rezoning is in process.

\*\*\* The full application, including relevant correspondence/documentation is **attached as 16 – 57 to the agenda.**

A Credit Clearance was provided and the Strategic Executive: Finance and Customer Services indicated that the application may proceed.

### **Erf information**

Erf 1490, Pionierspark Extension 1, is zoned 'residential' with a density of 1:900 m<sup>2</sup> and is 1 438 m<sup>2</sup> in extent. A site inspection was conducted during the assessment of the application, which confirmed that the property comprises of an existing accommodation establishment of sixteen (16) bedrooms.

### **Development intention**

The intention of the owner is to rezone to 'hospitality' in order to legally continue operating the accommodation establishment with sixteen (16) bedrooms.

### **Advertisement**

The public consultation process was completed as follows for the proposed development in line with the requirements of the Public Consultation Policy:

- \*\*\* - The proposed rezoning on Erf 1490, Pionierspark was advertised in the Market Watch for the Republikein, Namibian Sun and the Allgemeine newspapers on 6 to 12 October 2023 and 29 to 5 October 2023; and in the New Era newspaper for 29 September and 6 October 2023, respectively as per the advertisements, **attached as pages 45 - 48 to the agenda;**
- \*\*\* - A notice of the proposed consent, **attached as pages 49 - 52 to the agenda,** was placed on the Notice Board of the Municipal Council of Windhoek Customer Care Centre (CCC) , as well as on-site;
- \*\*\* - Neighbour consultation letters/forms, **attached as pages 53 - 54 to the agenda** were sent to the direct neighbours on Erven 492,1473, 1482, 1489, 1474, 1491, 1493 and 1620, Pionierspark; and
- \*\*\* - A notice was published in the Government Gazette of 13 October 2023, Notice No. 8232, **attached as pages 55 - 56 to the agenda.**

The closure date for objections was 20 October 2023. No objections were received.

### **Technical comments**

The application was circulated for comments and the following can be reported:

#### **Comments from the Strategic Executive: Urban and Transport Planning**

##### **- Sustainable Development**

There is no objection to the proposed application regarding the above mentioned matter. The applicant should be responsible for the costs and cadastral Town Planning applications to Council and the Ministry of Urban and Rural Development.

- **Roads Planning, Design and Traffic Flow**

Erf 1490 is located on Range Street, Pionierspark Extension 1. The street carries low traffic volumes and no traffic flow problems are experienced during peak hours. Rezoning of Erf 1490, Pionierspark to 'hospitality' and consent use with a maximum of sixteen (16) leasable rooms will generate about seven (7) vehicular trips to the current road network.

This division objects to the proposed rezoning of Erf 1490, Pionierspark Extension 1, from 'residential' with a density of 1:900 m<sup>2</sup> to 'hospitality' (Guest house with sixteen (16) rooms): Provided:

- Erf 1490, Pionierspark has no space to accommodate parking for the proposed sixteen (16) leasable rooms;
- The proposal to notarial link parking to Erf 1491, Pionierspark for parking purpose in favour of Erf 1490, Pionierspark cannot be supported as the erven will have different zonings and the applicant did not follow formal consent application procedures;
- It was found that the revised parking layout plan is not a true reflection of the situations on-site and is therefore not supported;
- Some structures on-site (the game room and the garage) do not comply with the approved Building Plan, Permit No. 2034/2006;
- This division objects to the proposed consent to use of Erf 1490, Pionierspark Extension 1, for an accommodation establishment (Hotel Pension) with sixteen (16) bedrooms; due to the following; and
- This division objects to the proposed consent to operate the Hotel Pension while the rezoning process is in progress; due to the following:

As per the reasons stated under point 1 above.

- **Roads and Stormwater**

A stormwater investigation was done and the following is reported:

- Erf 1490 has a general downward slope from the southeast into a northwesterly direction; and
- There is no visible stormwater course or system flowing across the proposed Erf 1490, except for surface stormwater run-off.

There is no objection to the proposed, rezoning of Erf 1490, Range Street, Pionierspark Extension 1, from 'residential' with a density of 1:900 m<sup>2</sup> to 'hospitality'; and consent to use Erf 1490, for an accommodation establishment (Hotel Pension) with sixteen (16) bedrooms, while the rezoning is in progress: Provided:

- That surface stormwater runoff be accommodated according to clause 35 of the Windhoek Town Planning Scheme.

**Comments from the Strategic Executive: Infrastructure, Water and Technical Services**

- **Engineering Services**

There is no objection to the application: Provided:

- That the total number of bedrooms not exceed sixteen (16) bedrooms.
- That any additional requirements with regard to water and sewer services brought on as a direct consequence of the rezoning, or subsequent activities will be for the cost of the applicant, subject to approval by the Strategic Executive: Infrastructure, Water and Technical Services.

**Comments from the Strategic Executive: Electricity**

- **Technical Support**

There is in principle no objection to the application submitted for the rezoning of Erf 1490, Pionierspark Extension 1 from 'residential', with a density of 1:900 m<sup>2</sup>, consent to use Erf 1490, Pionierspark for an accommodation establishment (Hotel Pension) with sixteen (16) rooms and consent to operate as a Hotel Pension: Provided:

- That should any municipal electrical infrastructure need to be relocated, dismantled or replaced as per request received from the applicant, all cost related thereto be for the applicant's account.
- That only one (1) service connection from the municipal electrical network be allowed per erf, and further distribution be from the main LV kiosk/board of each erf.
- That for erven that are zoned 'general residential', 'business', 'office', 'institutional' or 'industrial' 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.
- That it be noted that a connection charge may be payable at the cost of the applicant and the applicant be advised to review the Department of Electricity's Connection Charge Policy, Schedule of Approved Non-Regulated Tariffs and/or to consult directly



with the Strategic Executive: Electricity for information on connection charges.

### **Comments from the Strategic Executive: Economic Development and Community Services**

#### **- Environmental Management**

Applicant be issued with an Environmental Clearance Exemption by the Department of Economic Development and Community Services for rezoning from 'residential' to 'hospitality' (commercial).

#### **Urban Policy evaluation**

Erf 1490, Pionierspark Extension 1 is zoned 'residential' with a density of 1:900 m<sup>2</sup> and the intended zoning is 'hospitality' with sixteen (16) leasable rooms.

Consent use for resident occupation for an accommodation establishment on the property was granted on 25 October 2017, which was limited to eleven (11) bedrooms but expired on 24 August 2022. It was further found the applicant is utilising the total floor area of the property for accommodation establishment purposes which is a direct contravention of the Resident Occupation Policy as well as the Windhoek Zoning Scheme. Hence, the applicant's intention is to legalise the current operation of the accommodation establishment as a Hotel Pension, comprising of sixteen (16) rooms.

The rezoning to 'hospitality' with sixteen (16) leasable rooms for a Hotel Pension on Erf 1490, Pionierspark Extension 1 is in line with existing Council policies and is likely to complement the existing land uses in the area.

However, and as highlighted in the technical inputs received, there is insufficient space on the property to meet the legal parking requirements. Furthermore, there is also not adequate space on the adjacent road reserve for potential lease for on-street parking purposes.

The applicant proposed that some parking bays for the development on Erf 1490, Pionierspark Extension 1 will be provided on the adjacent erf (Erf 1491, Pionierspark Extension 1) through a registration of a right to use servitude on Erf 1491, in favour of Erf 1490, Pionierspark Extension 1. This however, cannot be legally done, due to the zoning discrepancy as already pointed out.

The adjacent Erf 1491, Pionierspark Extension 1 is not **suitable** to be utilised for 'business parking' purposes, as the erf will retain the 'residential' zoning, and parking for business purposes is not a primary or consent use in terms of Table B of the Windhoek Zoning Scheme.

Clause 11(1) of the Windhoek Zoning Scheme states that subject to the provisions of clause 43 (advertisement requirements), Council may consent to the use of land for uses for which buildings are prohibited in terms of Table B. However, no advertisement for the utilisation of Erf 1491, Pionierspark Extension 1 for the hospitality business parking purposes was undertaken by the applicant. Furthermore, the aforesaid clause 11(1) is applicable to 'buildings' and the proposed parking on the subject site is not within a building or structure.

The erven (not reserved for public open space or street purposes) that are used for parking purposes in conjunction with other erven are listed under Table C:1 (Special Uses) of the Windhoek Zoning Scheme. However, Erf 1491, Pionierspark Extension 1 is still zoned as 'residential' and not listed under Table C:1.

Based on the above, there is no sufficient grounds to support the rezoning of Erf 1490, Pionierspark Extension 1 to 'hospitality'.

### **Betterment fee**

No betterment fee will be imposed as the rezoning is not supported.

### **Conclusion**

The rezoning of Erf 1490, Pionierspark Extension 1, from 'residential' with a density of 1:900 m<sup>2</sup> to 'hospitality' is not supported, due to insufficient parking space on-site and the surrounding areas.

The use of the neighbouring Erf 1491, Pionierspark Extension 1 for parking provision is not feasible, due to incompatible zonings and no application has been made in terms of clauses 11(1) and 43 of the Windhoek Zoning Scheme.

Subsequently, consent to use Erf 1490, Pionierspark Extension 1 for an accommodation establishment of sixteen (16) rooms and consent to operate the Hotel Pension while the rezoning is in process is not recommended for approval.

It should be noted that the illegal structures revealed during the evaluation of the application has been reported to the Building Control Division and the necessary enforcement action initiated.

Management Committee, having considered the application,

### **RECOMMENDED**

- 1 That the rezoning of Erf 1490, Pionierspark Extension 1, from 'residential' with a density of 1:900 m<sup>2</sup> to 'hospitality' is not recommended for approval to the Urban and Regional Planning Board in accordance with section 109(2)(b) of the Urban and regional Planning Act, 20189 (Act 5 of 2018), due to the following:
  - 1.1 That Erf 1490, Pionierspark Extension 1 does not have sufficient space to meet the legal parking requirements for the proposed sixteen (16) leasable rooms.
  - 1.2 That the parking layout plan provided does not indicate a true reflection of the situation on-sites and can therefore not be supported.
  - 1.3 That several structures on-site (for example the game room and the garage) do not comply with the approved Building Permit No. 2034/2006.

- 1.4 That the proposal to notarial link the neighbouring property, Erf 1491, Pionierspark Extension 1, for parking purposes in favour of Erf 1490, Pionierspark Extension 1 cannot be supported, as the erven will have different zonings and the applicant did not follow the public and neighbours notification process for the consent for parking on Erf 1490, Pionierspark Extension 1.
  - 1.5 That the neighbouring erf, Erf 1490, Pionierspark Extension 1, will retain a different and conflicting zoning 'residential' and thus not considered as a suitable site in accordance with clause 25(b)(iii) of the Windhoek Zoning Scheme.
  - 1.6 That the use of the adjacent Erf 1491, Pionierspark Extension 1 for 'hospitality business parking' purposes, does not comply with Table B, as well as clauses 11(1) and 43 of the Windhoek Zoning Scheme.
  - 1.7 That the use of Erf 1491, Pionierspark Extension 1 for parking purposes in conjunction with the uses on Erf 1490, Pionierspark Extension 1 is not listed in terms of Table C:1 of the Windhoek Zoning Scheme (Special Uses table).
  - 2 That subsequently, consent to use Erf 1490, Pionierspark Extension 1 for an accommodation establishment of sixteen (16) rooms and consent to operate the hotel pension while the rezoning is in process is not approved, as the issued stipulated in Paragraph 1 and sub-paragraphs 1.1 to 1.6, have not been addressed.
  - 3 That in terms of section 110 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018) any person who is aggrieved by the decision of the Local Authority may appeal against that decision to the Minister.
  - 3.1 That Notice of the Appeal and the Grounds for the Appeal be lodged within twenty one (21) days from the date of this Notice to the Minister and Local Authority whose decision is the subject of the appeal.
  - 4 That the applicant accept the conditions of this Council resolution in writing.
  - 5 That the resolution be implemented prior to confirmation of the minutes.
-

[Municipal Council Agenda: 2024-04-04(03-28)]

#### 9.1.5

**FNS.2 [UTP] APPLICATION FOR THE REZONING OF ERF 8275, WINDHOEK FROM 'RESIDENTIAL' WITH A DENSITY OF ONE (1) DWELLING PER ERF TO 'GENERAL RESIDENTIAL' WITH A DENSITY OF 1:500 m<sup>2</sup>; AND CONSENT FOR MORE THAN TWO-STOREYS ON A RESIDENTIAL ZONED ERF (L/8275/W)**

#### **Application**

An application was received from Du Toit Planning Consultant, on behalf of the owners of the erf, Carola Anita von Maltzahn for the following:

- Rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from 'residential' with a density of one (1) dwelling per erf to 'general residential' with a density of one (1) dwelling per 500 m<sup>2</sup>; and
- Consent for more than two-storeys on a 'residential' zoned erf.

\*\*\*

The full application, including relevant correspondence/documentation is attached as pages 58 – 127 and 128 - 212 to the agenda.

A Credit Clearance was provided and the Strategic Executive: Finance and Customer Services indicated that the application may proceed.

#### **Erf information**

Erf 8275, Windhoek measures 2 687 m<sup>2</sup> and is zoned 'residential' with a density of one (1) dwelling per erf and is located directly east of Anton Lubowski Street, southeast of the Windhoek Central Business District (CBD) area.

Erf 8275, Windhoek is situated in an established residential area surrounded by other residential properties. The erf is currently used for residential purposes and the land is situated above street level with a steep upward slope in an easterly direction. The property takes access from Anton Lubowski Street.

#### **Development intention**

It is the intention of the owner to demolish the existing dwelling and to replace it with five (5) luxurious, modern dwellings contained in one (1) structure.

### Advertisement

The public consultation process was completed for the proposed development in line with the requirements of the Public Consultation Policy as follows:

- \*\*\* - The proposed rezoning of Erf 8275, Windhoek was advertised in the Market Watch for the Republikein, Namibian Sun and Allgemeine Zeitung newspapers and New Era on 27 October 2022 and 3 November 2022 respectively and **attached as pages 112 - 115 to the agenda;**
- \*\*\* - A notice of the proposed rezoning was placed on the Notice Board of the Municipal Council of Windhoek Customer Care Centre (CCC) as well as on-site, **attached as pages 116 - 119 to the agenda;**
- \*\*\* - Neighbour consultation letters / forms were sent to the direct neighbours on Erven 2649,2650, R/2651 and 7562, Windhoek, **attached as pages 120 - 123 to the agenda.**
- \*\*\* - A notice was published in the Government Gazette of 1 November 2022, Notice No.7943, **attached as pages 124 - 127 to the agenda.**
- \*\*\* - The closing date was 17 November 2022 and objections (combined received from the owners of Erven 2646, 827, 2680, 2676, 2650, 2648, 2644, 2643, 2677, 2672, 7562, 2681 and 2651, Windhoek). The objections are **attached as pages 128 - 210 to the agenda.**

### Objections and responses

#### Design – Objection

The renders gave a wrong impression.

#### Response

The renders were provided as additional information and to give an impression of the concept the owner intends to develop. In any event, the design will be considered in detail as per the building permit process and when the final design is available.

#### Height - Objection

The height of proposed buildings is not clear. The height is estimated to be  $\pm$  14.5 m and 3.5 m which is higher than the existing buildings. The height impacts Erf 2650, Windhoek and the number of storeys are described as three (3) storeys but it is effectively four (4) storeys.

#### Response

The proposed building will comprise of the basement and three (3) additional storeys, as per the definitions of a basement and storey pursuant to the Windhoek Zoning Scheme. The exact and final design, including the height of the buildings will be considered during the building permit process.

### **Influence of excavation on surrounding properties - Objection**

The proposal will more likely negatively impact surrounding properties due to the excavation.

#### **Response**

Should there be any potential influence on surrounding properties as a result of the planned excavation this will be addressed during the technical design of building plans. Any retaining structures will be identified and carried out by professional structural engineers. It is thus doubtful that this would negatively affect any surrounding properties.

It has to be noted that the construction of the swimming pool on Erf 2650, Windhoek to the east of Erf 8275, Windhoek has already required the owner of Erf 8275, Windhoek to make some reinforcements.

### **Privacy - Objection**

North facing units will compromise privacy for Erven 8276 and Erf 7562, Windhoek.

#### **Response**

The proposed building is indicated to be built well within the building lines of Erf 8275, Windhoek. For privacy purposes, the multi-storey residential building will have setbacks from the third (3<sup>rd</sup>) floor. As per above, this matter will be considered in detail during the Building Permit process when the final detail design is available.

### **Increase in density - Objection**

The density increase is too high. Furthermore, high density/high-rise developments in the area will emerge if the proposed rezoning approved.

#### **Response**

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There is an existing Council Resolution 392/10/2007, **attached as pages 211 - 212 to the agenda** where it was resolved that the rest of the erven not bordering Robert Mugabe Avenue of the 'Luxury Hill' area up to the border of Klein Windhoek remain residential but that future higher residential densities be encouraged and considered. The Council Resolution 392/10/2007 is **attached as pages 211 - 212 to the agenda** for easy reference.

The Policy/Council resolution does not give any indication as to what densities would be supported, but higher densities can be considered as the densification of urban areas is a good planning practice. The erven are generally large and not developed to full potential due to the density being one (1) dwelling per erf. Care will be exercised to consider prevailing land use and infrastructure constraints.

**Impact on the character of the area - Objection**

The application will negatively influence the current character and will destroy the sense of place of Luxury Hill. Furthermore, the rezoning will not enhance the attractiveness of the neighbourhood.

**Response**

The proposed residential building on Erf 8275, Windhoek will be architecturally designed. The objection that it will have a negative influence on the character is subjective and cannot be substantiated. The current dwelling on the property is such that it will have to be demolished, it cannot be renovated as there are structural challenges. It is thus possible that even with a standard residential dwelling, a building can be built that does not 'fit' in with the objector's perspective of the character of the area.

**Security - Objection**

The increase in the number of service providers and non-permanent residents will affect the security of area and neighbours.

**Response**

Again, the objection is deemed subjective. Additional residents and associated movement are likely to increase the security of the area.

**Traffic - Objection**

The proposed rezoning will increase traffic in the area.

**Response**

As part of the planning process due regard is given to all supporting services including access and roads. Any upgrades required to support the development will be accordingly implemented.

**Property Value - Objection**

The value of properties may be affected negatively due to potential tenants such as embassies who chose the area for the quiet character.

**Response**

As before the objection is subjective and there is no evidence provided supporting the claims that the proposed development will in any way affect property values.

**Rezoning applicable to other areas - Objection**

There are other areas where the rezoning is more applicable.

**Response**

The owner of Erf 8275, Windhoek (as well as all other property owners and objectors) are allowed to initiate a project/development for their properties to better the value of their assets as long as it is within the regulations of the Windhoek Zoning Scheme and other municipal requirements. Development policy is based on a holistic view of suitable development in an area which is aligned with the proposed development.

**Transfer to accommodation establishment - Objection**

The use of the property may transfer to Air BnB or Boutique Hotel.

**Response**

Operating a boutique hotel cannot be done without the necessary rezoning or consent use approvals from Council.

**Impact on the park and wildlife - Objection**

The rezoning will have a negative impact on the park and wildlife in the area.

**Response**

The development will take place on an already developed property and no impact on the park or wildlife is foreseen. Accordingly, the necessary environmental clearances are in place.

**Management of Units not Clear - Objection**

The management of the proposed dwelling units is not clear.

**Response**

A Sectional Title Scheme will be registered and there will thus be a Body Corporate which will oversee the management of the complex as is the case in all similar developments.

**Technical comments**

The application was circulated for comments and the following can be reported:

**Comments from the Strategic Executive: Urban and Transport Planning****- Sustainable Development**

There is no objection to the proposed development.

**- Roads Planning, Design and Traffic Flow**

The division has no objection to the proposed rezoning of Erf 8275, Windhoek from 'residential' with a density of one (1) dwelling per erf to 'general residential' with a density of 1:500 m<sup>2</sup>; on condition that:



That a minimum one (1) parking bay per equal or less than three (3) bedroom units, or two (2) parking bays per equal or greater than four (4) bedroom unit.

The division has no objection to the proposed consent for more than two (2) storeys/floors on a residentially zoned erf: Provided:

- That building plans should be submitted to the Building Control Division, for approval.
- Consent use only come into effect once adequate parking has been provided for and subject to approval by the Strategic Executive: Urban and Transport Planning.

- **Roads and Stormwater**

This division has no objection to the proposed application for the rezoning and consent of Erf 8275, Windhoek from 'residential', one (1) dwelling per erf to 'general residential' with a density of 1:500 m<sup>2</sup>: Provided:

- That surface stormwater runoff be accommodated according to clause 35 of the Windhoek Town Planning Scheme.

**Comments from the Strategic Executive: Infrastructure Water and Technical Services:**

- **Engineering Services**

The application can be approved under the following conditions:

- That any additional requirements with regard to water and sewer services brought on as a direct consequence of the rezoning or subsequent activities will be for the cost of the applicant, subject to approval by the Strategic Executive: Infrastructure, Water and Technical Services.

**Comments from the Strategic Executive: Electricity**

- **Technical Support**

There is in principle no objection to the application submitted for the rezoning of Erf 8275, Anton Lubowski Street, Windhoek, from 'residential' with a density of 1:900 m<sup>2</sup> to 'general residential' with a density of 1:500 m<sup>2</sup>: Provided:

- That should any municipal electrical infrastructure need to be relocated, dismantled or replaced as per request received from the applicant, all cost related thereto be for the applicant's account.
- That only one (1) service connection from the municipal electrical network be allowed per erf, and further distribution be from the main LV kiosk/board of each erf.

- That for erven that are zoned 'general residential', 'business', 'office', 'institutional' or 'industrial' 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.
- That it be noted that a connection charge may be payable at the cost of the applicant and the applicant be advised to review the Department of Electricity's Connection Charge Policy, Schedule of Approved Non-Regulated Tariffs and/or to consult directly with the Strategic Executive: Electricity for information on connection charges.

### **Comments from the Strategic Executive: Economic Development and Community Services**

#### **- Environmental Management**

The division has no objection to the application and no environmental management compliance is required to rezone from 'residential' to 'general residential'.

#### **Urban Policy evaluation**

Erf 8275, Windhoek measures 2 687 m<sup>2</sup> and is zoned 'residential' with a density of one (1) dwelling per erf. It is further located in the Windhoek's 'Luxury Hill Area' and the erf is currently used for residential purposes.

Erf 8275, Windhoek is situated in an established residential area surrounded by other residential and office properties. The property obtains access from Anton Lubowski Street.

It is the intention of the owner to demolish the existing dwelling and to replace it with five (5) luxurious, modern dwellings contained in one (1) structure by rezoning the erf to a density of 1:500 m<sup>2</sup>. The proposed increase in density needs to be evaluated based on Council's standing policy on development in Luxury Hill, site context and existing residential densities in the area.

### **Current Policy**

Council approved the extension of the office policy area to include the area to the east of Robert Mugabe Avenue, whereby Council Resolution 392/10/2007 *inter alia* resolved as follows:

- 10 *That it be Council Policy that the rest of erven not bordering Robert Mugabe Avenue of the 'Luxury Hill' area of Windhoek up to the boundary of Klein Windhoek remain a residential area for houses, flats and accommodation establishments such as hotels, and that future higher residential densities be encouraged.*

Erf 8275, Windhoek does not border Robert Mugabe Avenue and is thus one of the erven where 'higher residential densities' are encouraged as per Council Resolution 392/10/2007. However, Council Resolution 392/10/2007 does not specify the density ranges that can be supported in the Luxury Hill area. Furthermore, the increase in any density as per the aforesaid resolution is not automatically allocated to the area or erf. Such increase still needs to be evaluated on merit, including the consideration of the specific context and goals of the area as well as existing residential densities in the area.

The density applied for (1:500 m<sup>2</sup>) for Erf 8275, Windhoek is three (3) levels higher. Currently, almost all erven in the same street block as Erf 8275, Windhoek have densities of one (1) per erf.

Therefore, although Council Resolution 392/10/2007 encourages higher densities, allowing densities of 1:500 m<sup>2</sup> in a predominantly one (1) per erf area will be a drastic change with likely profound impact on aging infrastructure and the general character of the area. In line with the studies done under the Windhoek Structure Plan, it is advised that the subject erf be rezoned to a density of 1:700 m<sup>2</sup>, being two (2) density levels higher. This is deemed sufficient to allow for future increased density without being disruptive in terms of existing land use and infrastructure limitations.

The Luxury Hill is one of the areas with a distinct heritage character and charm in Windhoek. In particular, it includes three (3) castles, being the Heinitzburg, Schwerinsburg and Sanderburg Castles. By encouraging a lower residential density of 1:700 m<sup>2</sup>, it is more likely that the unique heritage and aesthetic character of the area will be maintained and preserved.

### **Betterment fee**

Compensation (Development Contribution) will be payable in terms of section 59 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018) prior to the submission of the application to the Urban and Regional Planning Board.

### **Conclusion**

The rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from 'residential' with a density of one (1) dwelling per erf to 'general residential' with a density of 1:500 m<sup>2</sup> is not supported as such a density is deemed too high considering the existing character of and land use in the area as well as infrastructure concerns.

However, the rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from 'residential' with a density of one (1) dwelling per erf to 'general residential' with a density of 1:700 m<sup>2</sup> can be recommended for approval, because it is two (2) density levels higher, is in line with the Council Resolution 392/10/2007 and is not likely to affect the distinct heritage character of the area.

Consent for a dwelling of more than two (2) storeys on Erf 8275, No. 29 Anton Lubowski Street, Windhoek is not considered at this time and will be evaluated during the building permit application phase.

Management Committee, having considered the application,

### **RECOMMENDED**

- 1 That the rezoning of Erf 8275, Anton Lubowski Street, Windhoek from 'residential' with a density of one (1) dwelling per erf to 'general residential' with a density of one (1) dwelling per 500 m<sup>2</sup> **not be recommended for approval** to the Urban and Regional Planning Board (the Board) in accordance with section 109(2)(b) of the Urban and Regional Planning Act, 2018 (Act 5 of 2018) as such a density is deemed to high considering the existing character of and land use in the area as well as infrastructure concerns.
- 2 That the rezoning of Erf 8275, Anton Lubowski Street, Windhoek from 'residential' with a density of 1 dwelling per erf to 'general residential' with a density of 1:700 m<sup>2</sup> be **recommended for approval** to the Urban and Regional Planning Board (the Board) in accordance with section 109(2)(a) of the Urban and Regional Planning Act, 2018 (Act 5 of 2018), given that it is only two density levels higher, is in line with the Council Resolution 392/10/2007 and is not likely to affect the distinct heritage character of the area.
- 3 That consent for a dwelling of more than two storeys on Erf 8275, No. 29 Anton Lubowski Street, Windhoek **not be approved** in accordance with clause 20(3) of the Windhoek Zoning Scheme, as the applicant has not submitted details building plans for Council's evaluation on the impact of the additional storeys on the neighbouring properties; and such consideration thereof generally takes place at building plan submission phase.
- 4 That the applicant take note that betterment fee (compensation) is payable in terms of section 59 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018).
- 5 That the applicant obtain an invoice for the betterment fee (compensation) from the Strategic Executive: Urban and Transport Planning.
- 6 That the applicant take note that the application will only be submitted to the Urban and Regional Planning Board upon payment of the betterment fee (compensation).

- 7 That a minimum one (1) parking bay per equal or less than three (3) bedroom units, or two (2) parking bays per equal or greater than four (4) bedroom unit.
- 8 That surface stormwater run-off be accommodated according to clause 35 of the Windhoek Town Planning Scheme, stating:
  - 8.1 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.
  - 8.2 That the maintenance of such stormwater pipe, channel or work be the responsibility of the owner of the concerned property.
- 9 That any additional requirements with regard to water or sewer services be for the applicant's account, subject to approval by the Strategic Executive: Infrastructure, Water and Technical Services.
- 10 That should any municipal electrical infrastructure need to be relocated, dismantled or replaced as per request received from the applicant, all cost related thereto be for the applicant's account.
- 11 That only one (1) service connection from the municipal electrical network be allowed per erf, and further distribution be from the main LV kiosk/board of each erf.
- 12 That for erven that are zoned 'general residential', 'business', 'office', 'institutional' or 'industrial' 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.
- 13 That it be noted that a connection charge may be payable at the cost of the applicant and the applicant be advised to review the Department of Electricity's Connection Charge Policy, Schedule of Approved Non-Regulated Tariffs and/or to consult directly with the Strategic Executive: Electricity for information on connection charges.

- 14 That 'general residential' developments without high rise buildings i.e. individual apartments, a Split Prepayment meter for each unit shall be used with a metering box located on the street/ development erf boundary if it's technically possible otherwise a bulk meter shall be used.
- 15 That the objectors and applicant be informed of the Council's decision and their right to appeal against such decision.
- 16 That in terms of section 110 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018) any person who is aggrieved by the decision of the Local Authority may appeal against that decision to the Minister.
- 16.1 That Notice of the Appeal and the Grounds for the Appeal be lodged within twenty one (21) days from the date of this Notice to the Minister and Local Authority whose decision is the subject of the appeal.
- 17 That the resolution be implemented prior to confirmation of the minutes.

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[Municipal Council Agenda: 2024-04-04(03-28)]

**9.2 APPROVAL OF MINUTES (MC 05/2024)**

The minutes of the Management Committee meeting (MC 05/2024) held on 18 March 2024 is submitted to Management Committee members for approval.

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[Municipal Council Agenda: 2024-04-04(03-28)]

**9.3 MINUTES (MC 05/2024)**

The minutes of the Management Committee meeting (MC 05/2024) held on 18 March 2024 as approved by its members at this Council meeting, is submitted for notice with the exception of Items GOV.1, FNS.1, FNS.2, FNS.3, which follow immediately hereunder for consideration.

It is

**RECOMMENDED**

That the minutes of the Management Committee meeting (MC 05/2024) held on 18 March 2024, be noted by its members, with the exception of Items GOV.1, FNS.1, FNS.2, FNS.3,

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[Municipal Council Agenda: 2024-04-04(03-28)]

### 9.3.1

#### **GOV.1 [FCS] PROPOSED SCHEDULE TO PREPARE THE CORPORATE SCORECARD AND STATEMENT OF ESTIMATED INCOME AND EXPENDITURE FOR THE 2024/2025 FINANCIAL YEAR (4/10/5)**

##### **Municipal Council of Windhoek budgeting process**

The budgeting process is critical to align the financial resources to the Strategic Plan to ensure effective implementation on the Operational [OPEX] and Capital [CAPEX] budget which is prepared with the guidelines from the Ministry of Urban and Rural Development as well as to the Local Authorities Act, 1992 (Act 23 of 1992) (as amended).

##### **Proposed schedule**

The following schedule for the compilation of the Corporate Scorecard and Statement of Estimated Income and Expenditure for the 2024/2025 Financial Year is being proposed for consideration for the Municipal Council of Windhoek.

##### **Municipal Council of Windhoek Corporate Scorecard and Budget for 2024/2025 Financial Year**

The following table indicates the schedule for the compilation of the Corporate Scorecard and Statement of Estimated Income and Expenditure for the Municipal Council of Windhoek for the 2024/2025 Financial Year.

**Table 1: Corporate Scorecard and Estimated Income and Expenditure for the Municipal Council of Windhoek for the 2024/2025 Financial Year**

Topic	Action	Due	Person responsible	Status	Cumulative Completion %
Budget	Submit Budget Timeline to the Strategic Executives Forum	18 January	Finance and Customer Services	Completed	5.26%
Manpower	Manpower Budget preparation commences	31 January	Human Resources - Human Capital and Corporate Services	Completed	5.26%
Budget templates	Distribute Budget templates to cost centre owners	31 January	Finance and Customer Services	Completed	5.26%
Budget	Submit Budget Guideline to Management Committee	18 March	Finance and Customer Services	Completed	5.26%
Budget	Management Committee to request Councillors to submit projects for inclusion in the Budget	6 February	Finance and Customer Services	Completed	5.26%
Manpower	Manpower headcount number draft finalised	16 February	Human Capital and Corporate Services	Completed	5.26%
Capital	Strategic Executive approved capital requests to Financial Reporting	23 February	Financial Reporting	Completed	10.52%
Operational	Completed cost centre templates to Financial Reporting	23 February	Managers/cost centre owners	Completed	15.78%

Topic	Action	Due	Person responsible	Status	Cumulative Completion %
Capital and Operational	Prepare OPEX and CAPEX Summaries	26 to 29 February	Financial Reporting	Completed	21.04%
Manpower	Manpower costing complete	29 February	Human Resources	Completed	26.3%
Strategic review proposal/s	Strategic Review proposal/s (Heads of Departments)	04-08 March	Strategy Organisational Performance Unit (SPMU) Chief Executive Officer and all Heads of Departments	Completed	31.56%
Corporate Scorecard	First draft to the Strategic Executives Forum	14 March	Chief Executive Officer and all Heads of Departments	Completed	36.82%
Capital and Operational					42.08%
Budget	Receipt of Stakeholders' proposals and distributed to departments for consideration	22 March	Relevant Stakeholders	Pending	Pending

Topic	Action	Due	Person responsible	Status	Cumulative Completion %
Strategic Review and Budget Workshop Completion	Councillor Strategic Review & Budget Workshop (proposals to be available for the workshop)	15-19 April 2024	Financial Reporting SPMU  All City Councillors Chief Executive Officer and all Heads of Departments	Future Date	Pending
Completion	Consultative Meeting with Khomas Regional Council (KRC)	22 to 26 April	Councillors and Management	Future Date	Pending
Completion	Populate Corporate Scorecard 24/25	29 April to 03 May	SPMU	Future Date	Pending
	Populate line Ministry Budget template		Financial Reporting		Pending
Completion	Submission of draft Corporate Scorecard Budget 2024/25 to Management Committee	06 May	Chief Executive Officer	Future Date	Pending
Completion	Submission of draft Corporate Scorecard and Budget 24/25 to Council	13/14 May	Chief Executive Officer	Future Date	Pending
Completion	Signing of Budget documents	15/16 May	Mayor	Future Date	Pending
Completion	Submission of Budget recommendation to the Minister for approval	17 May (Note: Budget Circular not yet out. Tentative Date)	Chief Executive Officer	Future Date	Pending
Cost centres and manpower	Upload of cost centres and manpower into E-Venus	May to June	Financial Reporting	Future Date	Pending
Approved Corporate Scorecard and Budget 24/25 presentation	Media and stakeholder briefing of approved Corporate Scorecard and Budget 24/25	To be announced	Chief Executive Officer/all Heads of Departments and Councillors	Future Date	Pending



It is important that adherence is given to the above schedules to ensure that there will be enough time to plan the implementation of the Corporate Scorecard and Budget for the 2024/2025 Financial Year and to inform the City's clients well in advance of tariff adjustments.

Management Committee

### RECOMMENDED

- 1 That the proposed process and due dates to compile and finalise the Corporate Scorecard and Statement of Estimated Income, Expenditure and Capital Expenditure for the 2024/2025 Financial Year for the Municipal Council of Windhoek as follows, be noted and approved:

Topic	Action	Due	Person responsible	Status	Cumulative Completion %
Budget	Submit Budget Timeline to the Strategic Executives Forum	18 January	Finance and Customer Services	Completed	5.26%
Manpower	Manpower Budget preparation commences	31 January	Human Resources - Human Capital and Corporate Services	Completed	5.26%
Budget templates	Distribute Budget templates to cost centre owners	31 January	Finance and Customer Services	Completed	5.26%
Budget	Submit Budget Guideline to Management Committee	18 March	Finance and Customer Services	Completed	5.26%
Budget	Management Committee to request Councillors to submit projects for inclusion in the Budget	6 February	Finance and Customer Services	Completed	5.26%
Manpower	Manpower headcount number draft finalised	16 February	Human Capital and Corporate Services	Completed	5.26%
Capital	Strategic Executive approved capital requests to Financial Reporting	23 February	Financial Reporting	Completed	10.52%
Operational	Completed cost centre templates to Financial Reporting	23 February	Managers/cost centre owners	Completed	15.78%
Capital and Operational	Prepare OPEX and CAPEX Summaries	26 to 29 February	Financial Reporting	Completed	21.04%
Manpower	Manpower costing complete	29 February	Human Resources	Completed	26.3%
Strategic review proposal/s	Strategic Review proposal/s (Heads of Departments)	04-08 March	Strategy Organisational Performance Unit (SPMU) Chief Executive Officer and all Heads of Departments	Completed	31.56%
Corporate Scorecard	First draft to the Strategic Executives Forum	14 March	Chief Executive Officer and all Heads of Departments	Completed	36.82%
Capital and Operational					42.08%
Budget	Receipt of Stakeholders'	22 March	Relevant Stakeholders	Pending	Pending

Topic	Action	Due	Person responsible	Status	Cumulative Completion %
	proposals and distributed to departments for consideration				

Topic	Action	Due	Person responsible	Status	Cumulative Completion %
Strategic Review and Budget Workshop Completion	Councillor Strategic Review & Budget Workshop (proposals to be available for the workshop)	15-19 April 2024	Financial Reporting SPMU All City Councillors Chief Executive Officer and all Heads of Departments	Future Date	Pending
Completion	Consultative Meeting with Khomas Regional Council (KRC)	22 to 26 April	Councillors and Management	Future Date	Pending
Completion	Populate Corporate Scorecard 24/25	29 April to 03 May	SPMU	Future Date	Pending
	Populate line Ministry Budget template		Financial Reporting		Pending
Completion	Submission of draft Corporate Scorecard Budget 2024/25 to Management Committee	06 May	Chief Executive Officer	Future Date	Pending
Completion	Submission of draft Corporate Scorecard and Budget 24/25 to Council	13/14 May	Chief Executive Officer	Future Date	Pending
Completion	Signing of Budget documents	15/16 May	Mayor	Future Date	Pending
Completion	Submission of Budget recommendation to the Minister for approval	17 May (Note: Budget Circular not yet out. Tentative Date)	Chief Executive Officer	Future Date	Pending
Cost centres and manpower	Upload of cost centres and manpower into E-Venus	May to June	Financial Reporting	Future Date	Pending
Approved Corporate Scorecard and Budget 24/25 presentation	Media stakeholder briefing of approved Corporate Scorecard and Budget 24/25	To be announced	Chief Executive Officer/all Heads of Departments and Councillors	Future Date	Pending

2 That all the relevant stakeholders adhere to the set deadlines.

- 3 That the Strategic Executive: Finance and Customer Services, in consultation with the Chief Executive Officer (Manager: Corporate Communication, Marketing and Public Participation) take appropriate initiatives to educate the communities of Windhoek on the intricacies of the Municipal Council of Windhoek.
- 4 That the resolution be implemented prior to confirmation of the minutes.

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 [Municipal Council Agenda: 2024-04-04(03-28)]

### 9.3.2

#### **FNS.1 [HPH] APPLICATION TO PURCHASE A PORTION OF ERF RE/17, KLEIN WINDHOEK AND REDUCTION OF RENTAL AMOUNT ON THE CORRECT SIZE OCCUPIED (L/17/KW)**

The Strategic Executive: Housing, Property Management and Human Settlement hereby indicate that the Strategic Executive Forum resolution have been attended to in the item. The value of the 10 % of the purchase price is verified and is correct. It should be noted that the applicant was leasing the portion in question and is not unlawfully occupying Council's land. Therefore, no retrospective charges are applicable but only backdated rent on the correct size of the portion occupied.

The item is herewith resubmitted.

#### **Introduction**

The purpose of this item is to submit to Council an appeal received from Jana De Kock Legal Practitioner, Notary and Conveyancer on behalf of Paulannic CC (CC/97/739), to purchase a portion of the Remainder of Erf 17, Klein Windhoek as well as to request a reduction in the rental amount charged on a lease to the same client.

#### **Application**

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An application dated 8 September 2021, **attached as pages 213 – 215 to the agenda**, was received from Jana De Kock Legal Practitioner, Notary and Conveyancer on behalf of Paulannic CC (CC/97/739) to which Mr Sam Joubert is the sole member. The applicant is applying to purchase a portion (± 110.72 m<sup>2</sup> in extent) of the Remainder of Erf 17, Klein Windhoek in order to accommodate the cooling facilities that extended from the adjacent Erf 2797, Klein Windhoek.

The following are the options proposed by the applicant, thus applying to be allowed to either:

- Enter into a Wayleave Agreement with Council for the ± 110.72 m<sup>2</sup> occupied by the existing parking structures and cool room as per the approved plan; or
- Obtain a servitude in favour of the adjacent Erf 2797, Klein Windhoek, to be allowed to accommodate the use of these; or

- Enter into a formal lease with Council to continue the use of the already approved area of 110.27 m<sup>2</sup>, as reflected on the approved plan attached hereto; or
- Purchase the small portion of ± 110.72 m<sup>2</sup> (used by its tenants and not needed for the parking area from Council) at an agreed price and:
  - At his costs, to close this part of open space used as parking area;
  - Subdivide Remainder of Erf 17, Klein Windhoek to accommodate the 110.27 m<sup>2</sup> portion so used as per the attached subdivision plan;
  - Consolidate or notarially link same with his property; and
  - Allow a right of way to egress from the adjacent Erf 2797, Klein Windhoek across the Remainder of Erf 17, Klein Windhoek (already existing) and a right of way to access and use the two (2) parking spaces from the Remainder of Erf 17, Klein Windhoek (already existing).

(The latter being the long term solution and preferred option); or
- That the:
  - Rental Agreement be amended, the lease amount be recalculated to the 111 m<sup>2</sup> area occupied retrospectively to November 2017 and not for the whole area; and
  - Interest levied be corrected and not be levied.

In an event that the purchase cannot be considered, the applicant proposed a lease of the same proposed portion.

The applicant is committed to the subdivision and consolidation of the portion of the Remainder of Erf 17, Klein Windhoek at own cost. The applicant would also like to be allowed a right of way to egress from the adjacent Erf 2797, Klein Windhoek across the Remainder of Erf 17, Klein Windhoek and a right of way to access and use the two (2) parking spaces from the Remainder of Erf 17, Klein Windhoek.

Further to the above, the applicant is requesting Council to proportionally charge rental only on the ± 110.72 m<sup>2</sup> as from November 2017 and not on the entire lease area, given that the site occupation of the Contractor contracted to develop the parking on the Remainder of Erf 17, Klein Windhoek disturbed their rightful enjoyment of the lease area as per the Lease Agreement. Therefore, the applicant also requested Council to correct the interest levied on the rental account based on the amount proportional to the ± 110.72 m<sup>2</sup>.

## Background

Mr S Joubert entered into a Lease Agreement (measuring  $\pm 2\,246\text{ m}^2$  in extent) with the Municipal Council of Windhoek in respect of the Remainder of Erf 17, Klein Windhoek on 1 February 2000 which was to continue until 31 January 2001 whereafter the lease continued on a year-to-year basis subject to the right of the parties (subject to the provisions of clause 14) to terminate the agreement with a three (3) month written notice and subject further to the provisions of clause 17 thereof.

\*\*\*

Mr Sam Joubert applied to purchase the Remainder of Erf 17, Klein Windhoek of which the application was not supported as per Council Resolution 354/10/2012, **attached as page 216 to the agenda**. Mr Joubert applied again to purchase a portion of Erf R/17, Klein Windhoek and offered to develop, at his own cost, the public parking on the Remainder of Erf 17, Kleine Windhoek. This application was further declined in terms of Council Resolution 52/03/2017, **attached as page 217 to the agenda**. Consequently, Council Resolution 354/10/2012, was upheld by Council Resolution 52/03/2017, in order for Council to develop the Remainder of Erf 17, Klein Windhoek into a public parking. Based on the provision of clause 2 of Council Resolution 354/10/2012, a three (3) months' written lease cancellation notice was issued to Mr Joubert, as per letters dated 14 December 2018 and 10 October 2019 respectively, **attached as pages 218 and 219 respectively to the agenda**. Following the above notices, Mr Joubert did not vacate the premises as per the notices which prompted a Memorandum, dated 19 May 2020, **attached as page 220 to the agenda**, to be written to the City's Corporate Legal Adviser to secure the premises through a Court Order.

## Locality and property description

Remainder of Erf 17, Klein Windhoek is zoned 'residential' and is  $\pm 2\,286\text{ m}^2$  in extent.

Erf 2797, Klein Windhoek is zoned 'business' and is  $\pm 1\,384\text{ m}^2$  in extent.

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The locality of the properties is indicated on the Enlighten Plan, **attached as page 221 to the agenda**.

## Sale of portions of the Remainder of Erf 17, Klein Windhoek and Stein Street to the owner of Erf 2797, Klein Windhoek

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It however transpired later that the Municipal Council of Windhoek letter dated 24 October 2019, **attached as pages 222 – 224 to the agenda**, gave the owner of Erf 720, Klein Windhoek a right of way over the Remainder of Erf 17, Klein Windhoek in exchange for developing a parking over the Remainder of Erf 17, Klein Windhoek. On 9 February 2021, Jana De Kock Legal Practitioner, Notary and Conveyancer applied on behalf of the owner of Erf 2797, Klein Windhoek to purchase a portion of the Remainder of Erf 17, Klein Windhoek for consolidation purposes. The applicant pointed to the unjust treatment of his client having been refused the option of purchasing a portion of the Remainder of Erf 17, Klein Windhoek in lieu of developing parking, just for the same to be offered to someone else.

Given the above, the Strategic Executive: Housing, Property Management and Human Settlement is therefore of an opinion that a just and permanent solution need to be concluded and that would only be by offering the owner of Erf 2797, Klein Windhoek a portion of the Remainder of Erf 17, Klein Windhoek that is occupied by their structure.

### **Lease of Portion A ( $\pm 110.72 \text{ m}^2$ ) of the Remainder of Erf 17, Klein Windhoek**

As indicated in the preceding background paragraph, Mr S Joubert entered into a Lease Agreement (measuring  $\pm 2 246 \text{ m}^2$  in extent). However, in his appeal he indicated that since November 2017, he could not occupy the entire size as the developer occupied the Remainder of Erf 17, Klein Windhoek when he started to develop the parking. Accordingly, he is requesting Council to look into proportionally charging him on the  $\pm 100 \text{ m}^2$ . Although the portion that he is applying to lease is measuring  $\pm 110.72 \text{ m}^2$ , which would be fairly the size that he occupies. Therefore, the proportional rental calculations for new size has been done on  $\pm 110.72 \text{ m}^2$  as from November 2017 until January 2023. The proportional rental adjustment was based on the November 2017 rental of N\$2 346.76 which has been proportionally reduced to the  $\pm 110.72 \text{ m}^2$  and thus being N\$115.70 rental. The calculations was done until January 2023 as reflected on the table below:

Year	Initial rental (N\$)	Initial size	Size difference	New size	% difference in size	Adjusted rental (N\$)	Adjusted annual rental (N\$)
November 2017-January 2018	2 346.76	2246	2 135.28	110.75	4.93	115.70	1 388.34
February 2018-January 2019	2 468.79	2246	2 135.28	110.75	4.93	121.71	1 460.54
February 2019-January 2020	2 607.04	2246	2 135.28	110.75	4.93	128.53	1 542.32
February 2020-January 2021	2 672.22	2246	2 135.28	110.75	4.93	131.74	1 580.89
February 2021-January 2022	2 731.01	2246	2 135.28	110.75	4.93	134.64	1 615.67
February 2022-January 2023	2 842.98	2246		110.75	4.93	140.16	1 681.91
							<b>9 269.66</b>

November 2017-January 2018	2 346.76	2246	2135.28	110.72	4.93	115.70
February 2018-January 2019	2 468.79	2246	2135.28	110.72	4.93	121.71
February 2019-January 2020	2 607.04	2246	2135.28	110.72	4.93	128.53
February 2020-January 2021	2 672.22	2246	2135.28	110.72	4.93	131.74
February 2021-January 2022	2 731.01	2246	2135.28	110.72	4.93	134.64
February 2022-January 2023	2 842.98	2246	2135.28	110.72	4.93	140.16

It is imperative to note that the lease was continuing on a year-to-year basis, hence it is advisable that only the escalation amount be proportionally calculated to the  $\pm 110.72 \text{ m}^2$  and no need to get a new valuation. More so, this is to take a conciliation position on the back and forth negotiation between the City and the client and the subject property. Therefore, the Strategic Executive: Finance and Customer Services should review and adjust the rental account of Mr Joubert in line with the above table. Mr Joubert will thus have to pay a back charged rental amount of N\$9 269.66 in respect to the occupation of  $\pm 110.72 \text{ m}^2$  for the period November 2017 until January 2023.

## Valuation

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The Strategic Executive: Housing, Property Management and Human Settlement valued Portion A ( $\pm 110.72 \text{ m}^2$ ) of the Remainder of Erf 17, Klein Windhoek at N\$189 000.00 as indicated on the Valuation Certificate, dated 19 July 2023, **attached as page 225 to the agenda**. The applicant must lease Portion A ( $\pm 110.72 \text{ m}^2$ ) of Erf R/17, Klein Windhoek at a rental amount of N\$1 575.00, calculated at 10 % of the purchase price divided by twelve (12) months, pending the finalisation of the sale.

## Comments from the Strategic Executive: Urban and Transport Planning

### - Urban Planning

Proposed Portion A ( $\pm 110.72 \text{ m}^2$ ) of the Remainder of Erf 17, Klein Windhoek should be subdivided and should be rezoned to 'business' with a bulk of 1. Kindly note that a subdivision and rezoning applications require public participation as per Urban and Regional Planning Act, 2018 (Act 5 of 2018). The conditions to subdivide and rezone is therefore not an approval of the subdivision and rezoning but an instruction to subdivide and rezone the property.

The applicant will be responsible for the subdivision and rezoning application to the local authority and all costs involved.

### - Road Planning, Design and Traffic Flow

The City has lost four (4) public parking bays at the north western corner of the parking lot, due to the carport/shaded parking/storage and cold room on the applied Portion A. This defeats the City's effort to mitigate the public parking shortages experienced in areas such as these where properties are rapidly changing into mixed-use. The previous Lease Agreement, clause 4, specifically stated that the Remainder Erf 17, Klein Windhoek shall only be leased for the sole purpose of parking. Despite same the tenant, now applicant, provided illegal structures, other than parking. All attempts by the Strategic Executive: Urban and Transport Planning to have the encroachment rectified at the time of construction were unsuccessful. Now the applicant argues he was treated unfairly, while being in violation of the Lease Agreement, and now trying to rectify same violation. To not delay construction, the encroachment was incorporated, and such initial planned parking was omitted, paving the way for an eventual purchase of such land to legalise the encroachment.

In view of the above, this division supports the sale of the proposed Portion A ( $\pm 110.72 \text{ m}^2$ ) of the Remainder of Erf 17, Klein Windhoek and reduction of rental amount on the correct size occupied on condition:

- That the applied Portion A is properly enclosed;
- That no direct access to Portion A is obtained from Stein Street;
- That the applicant at his own cost register a right of way servitude over the Remainder of Erf 17, Klein Windhoek in favor of Erf 2797, Klein Windhoek to secure access to Portion A;

- That loading and offloading in front of Portion A only be conducted after hours to not disrupt parking or traffic movements;
- That the applicant at his own cost submit building plans to legalise the improvements on Portion A before the land can be transferred, as part of compliance;
- That the gas bottles located on Portion A be properly secured and that Fire Services properly ensure these conform to safety requirements, to not pose a safety risk to parked vehicles or the public on the public parking area; and
- The Urban Arterial Account (UAA) contribution of N\$28 758.11 is applicable to be paid into Item 5010/05/2/05/1032.

### Conclusion

The Strategic Executive: Housing, Property Management and Human Settlement hereby submit this item with a recommendation of selling Portion A ( $\pm 110.72 \text{ m}^2$ ) of the Remainder of Erf 17, Klein Windhoek to the owner of Erf 2797, Klein Windhoek. This recommendation is given for purposes of finding an amicable and permanent solution to the problem and to allow the owner of Erf 2797, Klein Windhoek an opportunity to continue operating his business with ease that will be attained by the sale of the subject portion. It is further proposed that the Strategic Executive: Finance and Customer Services review the arear rental charges and penalties given that occupation of the Remainder of Erf 17, Klein Windhoek was limited to  $\pm 110.72 \text{ m}^2$  and only charge such retrospectively on the size of  $\pm 110.72 \text{ m}^2$ .

Management Committee, having considered the application,

### RECOMMENDED

- 1 That the appeal from Mr Sam Joubert, through Jana De Kock Legal Practitioner, Notary and Conveyancer, be noted.
- \*\*\*  
2 That the Remainder of Erf 17, Klein Windhoek be subdivided into Portion A ( $\pm 110.72 \text{ m}^2$ ) and the Remainder as shown on a Plan dated 7 September 2021, **attached as page 226 to the agenda.**
- \*\*\*  
3 That Portion A ( $\pm 110.72 \text{ m}^2$ ) of the Remainder of Erf 17, Klein Windhoek be sold for consolidation purposes to the owner of Erf 2797, Klein Windhoek at a purchase price of N\$189 000.00 as indicated on the Valuation Certificate dated 19 July 2023, **attached as page 225 to the agenda**, as determined by the Strategic Executive: Housing, Property Management and Human Settlement, to rectify the encroachment over the Remainder of Erf 17, Klein Windhoek.
- 4 That Portion A ( $\pm 110.72 \text{ m}^2$ ) of the Remainder of Erf 17, Klein Windhoek should be rezoned to 'business' with a bulk of 1.



- 4.1 That it be noted that a subdivision and rezoning application require public participation as per Urban and Regional Planning Act, 2018 (Act 5 of 2018). Therefore, the conditions to subdivide and rezone is not an approval of the subdivision and rezoning but an instruction to subdivide and rezone the property.
- 4.2 That the applicant be responsible for the subdivision and rezoning application to the local authority and all costs involved.
- 4.3 That this sale is subjected to the rezoning of Portion A ( $\pm 110.72 \text{ m}^2$ ) of the Remainder of Erf 17, Klein Windhoek, be approved.
- 4.4 That should the rezoning of Portion A ( $\pm 110.72 \text{ m}^2$ ) of the Remainder of Erf 17, Klein Windhoek not be approved that the sale approval become null and void and that the applicant enter into a Lease Agreement for the occupation of Portion A ( $\pm 110.72 \text{ m}^2$ ) of the Remainder of Erf 17, Klein Windhoek.

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- 5 That the Strategic Executive: Finance and Customer Services adjust the rental charges to the applicant, as per the spreadsheet **attached as page 227 to the agenda**, given that the occupation of the Remainder of Erf 17, Klein Windhoek was limited to  $\pm 110.72 \text{ m}^2$ .
- 6 That Mr Sam Joubert the owner of Erf 2797, Klein Windhoek pay the proportional backdated charges of an amount of **N\$9 269.66** as a once off payment and continue to pay the monthly rental, subject to the escalation of the rental in line with the Namibia Inflation Rate, pending the finalisation of the sale.
- 7 That the Corporate Legal Adviser draft the Addendum to the existing Lease Agreement.
- 8 That surface stormwater run-off be accommodated according to clause 35 of the Windhoek Town Planning Scheme, stating:
  - 8.1 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.
  - 8.2 That the maintenance of such stormwater pipe, channel or work be the responsibility of the owner of the concerned property.

- 9 That Portion A ( $\pm 110.72 \text{ m}^2$  in extent) of the Remainder of Erf 17, Klein Windhoek be leased to the applicant at an amount of N\$1 575.00 per month calculated at 10 % of the purchase price divided by twelve (12) months, pending the finalisation of the sale, further subject to the annual escalation in line with the Namibia Inflation Rate.
- 10 That the applicant/owner of Erf 2797, Klein Windhoek ensure that Portion A is properly enclosed.
- 11 That no direct access to Portion A is obtained from Stein Street.
- 12 That the applicant at his cost register a right of way servitude over the Remainder of Erf 17, Klein Windhoek in favor of Erf 2797, Klein Windhoek to secure access to Portion A.
- 13 That loading and offloading in front of Portion A only be conducted after hours to not disrupt parking or traffic movements.
- 14 That the applicant at his own cost submit building plans to legalise the improvements on Portion A before the land can be transferred, as part of compliance.
- 15 That the gas bottles located on Portion A be properly secured and that the Strategic Executive: Economic Development and Community Services (Emergency and Fire Services) properly ensure these conform to safety requirements, to not pose a safety risk to parked vehicles or the public on the public parking area.
- 16 That Urban Arterial Account (UAA) contribution of N\$28 758.11 is applicable to be paid into Item 5010/05/2/05/1032.
- 17 That should the owner of Erf 2797, Klein Windhoek fail to comply with any of the conditions stipulated in this resolution or fail to finalise the sale within eighteen (18) months from the date of this Council resolution, that the allocation of Portion A ( $\pm 110.72 \text{ m}^2$  in extent) of the Remainder of Erf 17, Klein Windhoek beyond eighteen (18) months be subject to the escalation of the purchase price to be determined by the Strategic Executive: Housing, Property Management and Human Settlement.
- 18 That the sale / lease of Portion A ( $\pm 110.72 \text{ m}^2$  in extent) of the Remainder of Erf 17, Klein Windhoek by private treaty be advertised for objections in terms of section 63(2) of the Local Authorities Act, 1992 (Act 23 of 1992) (as amended).
- 19 That the sale / lease of Portion A ( $\pm 110.72 \text{ m}^2$  in extent) of the Remainder of Erf 17, Klein Windhoek be subject to Ministerial approval in terms of section 30(1)(t) of the Local Authorities Act, 1992 (Act 23 of 1992) (as amended).
- 20 That the Chief Executive Officer (Corporate Legal Adviser) draft the Deed of Sale and Lease Agreements.

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

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[Municipal Council Agenda: 2024-04-04(03-28)]

### 9.3.3

**FNS.2 [UTP] APPLICATION FOR THE  
REZONING OF ERF 3347, OTJOMUISE  
EXTENSION 8 FROM 'RESIDENTIAL'  
WITH A DENSITY OF 1:300 m<sup>2</sup> TO 'BUSINESS'  
WITH A BULK OF 0.4  
(L/3347/Otj)**

#### **Application**

An application was received from M & N Planning and Development CC, on behalf of the owner of the property, Grow More Trading Khomas CC, CC/2022/05647 which is solely owned by Ali Dharani for:

- The rezoning of Erf 3347, Istanbul Street No. 10, Otjomuise Extension 8 from 'residential' with a density of 1:300 m<sup>2</sup> to 'business' with a bulk of 0.4; and
- Consent to use Erf 3347, Otjomuise in accordance with the proposed zoning while the rezoning is being completed.

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The full application, including relevant correspondence/documentation is **attached as pages 228 - 280 to the agenda.**

A Credit Clearance was provided and the Strategic Executive: Finance and Customer Services indicated that the application may proceed.

#### **Erf information**

Erf 3347, Otjomuise Extension 8 is zoned 'residential' with a density of 1:300 m<sup>2</sup> and is 313 m<sup>2</sup> in extent. The property is located at the corner of Istanbul and Calcutta Streets. There is an existing structure which is being renovated to accommodate the proposed zoning.

#### **Development intention**

The intention of the owner is to rezone the subject erf to 'business', so that they can operate a groceries shop.

#### **Advertisement**

The public consultation process was completed as follows for the proposed development in line with the requirements of the Public Consultation Policy:

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- The proposed rezoning was advertised in the New Era and The Namibian newspapers on 18 and 25 July 2023, as per the advertisements, **attached as pages 266 – 270 to the agenda;**

- \*\*\* - A Notice of the proposed consent was placed on the Notice Board of the Municipal Council of Windhoek Customer Care Centre (CCC) as well as on-site, **attached as pages 271 -272 to the agenda**;
- \*\*\* - Neighbour consultation letters/forms, **attached as pages 273 - 277 to the agenda**, were sent to the direct neighbours on Erven 3359, 3348 and 3346 Otjomuise.
- \*\*\* - A notice was published in the Government Gazette of 01 September 2023, Notice No. 8203, **attached as pages 278 - 280 to the agenda**.

The closing date for public consultation was on 15 September 2023. No objections were received.

### **Technical comments**

The application was circulated for comments and the following can be reported:

#### **Comments from the Strategic Executive: Urban and Transport Planning**

##### **- Roads Planning, Design and Traffic Flow**

Erf 3347 is located at the corner of Istanbul and Calcutta Streets in Otjomuise, zoned 'residential' 1:300 m<sup>2</sup> and is approximately 313 m<sup>2</sup> in extent. Istanbul and Calcutta Streets are both local streets with no significant traffic volumes experienced during peak hours. Rezoning of Erf 3347, Otjomuise from 'residential' to 'business' with a bulk of 0.4 will be generating approximately three (3) additional trips to the current road network.

There is no objection to the proposed rezoning of Erf 3347, Istanbul Street, Otjomuise from 'residential' with a density of 1:300 m<sup>2</sup> to 'business' with a bulk of 0.4: Provided:

- That a minimum one (1) parking bay per 33 m<sup>2</sup> of utilised bulk be provided for on-site; and
- That no access will be allowed 20 meters from the intersection, measured from the intersecting kerbs.

There is no objection to the proposed consent to use Erf 3347, Istanbul Street, Otjomuise in accordance with the proposed zoning and bulk while the rezoning is being completed: Provided:

- Parking No. 2 to 5 are encroaching on the sidewalk. Such parking is subjected to a Lease Agreement with the Municipal Council of Windhoek. In addition, such parking must be constructed in accordance to the Municipal Council of Windhoek's Non-Motorised Transport Strategy requirements, as per approved Drawing No. A.03.2, dated 29 September 2023. The sidewalk lease application must be submitted for approval through the Property Management Division on the following conditions:

- That a minimum two (2) meters must be retained for pedestrian movement;
- That parking must be properly constructed with kerb stones making distinction between parking and pedestrian movement;
- That the Council reserves the right to cancel the lease/parking space should such land be needed for Council services;
- That Council is not held liable to reinstate any parking or compensate the owner for any improvements should the lease/parking be terminated;
- That the owner remain responsible to provide any shortfall of parking on-site or any other area approved by Council should the lease be cancelled/terminated.

That consent use shall only come into effect after meeting parking requirements on-site and subject to written approval by the Strategic Executive: Urban and Transport Planning.

- **Roads and Stormwater**

A stormwater investigation was done and the following is reported:

- Erf 3347 has a general downward slope from the west into an easterly direction.
- There is no visible storm-water course or system flowing across the proposed Erf 3347, except for surface stormwater run-off.

There is no objection to the proposed, rezoning of Erf 3347, Istanbul Street No. 10, Otjomuise from 'residential' with a density of 1:300 m<sup>2</sup> to 'business' with a bulk of 0.4 and consent to use Erf 3347, in accordance with the proposed zoning and bulk while rezoning is in process: Provided:

- That surface stormwater run-off be accommodated according to clause 35 of the Windhoek Town Planning Scheme.

**Comments from the Strategic Executive: Infrastructure, Water and Technical Services**

- **Engineering Services**

There is no objection to the application: Provided:

- That any additional requirements with regard to water or sewer services be for the applicant's account, subject to approval by the Strategic Executive: Infrastructure, Water and Technical Services.

### Comments from the Strategic Executive: Electricity

#### - Technical Support

The Electrical Consultant or Contractor to obtain approval for all related electrical drawings for electrification indicating connection to the grid of the Municipal Council of Windhoek: Provided:

- That should any municipal electrical infrastructure need to be relocated, dismantled or replaced as per request received from the applicant, all cost related thereto be for the applicant's account.
- That only one (1) service connection from the municipal electrical network be allowed per erf, and further distribution be from the main LV kiosk/board of each erf.
- That for erven that are zoned 'general residential', 'business', 'office', 'institutional' or 'industrial' 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.
- That it be noted that a connection charge may be payable at the cost of the applicant and the applicant be advised to review the Department of Electricity's Connection Charge Policy, Schedule of Approved Non-Regulated Tariffs and/or to consult directly with the Strategic Executive: Electricity for information on connection charges.

### Comments from the Strategic Executive: Economic Development and Community Services

#### - Environment Division

There is no objection to the application. The applicant will be issued with an Environmental Clearance Exemption (by the Department of Economic Development and Community Services) for rezoning from 'residential' to 'business' in a built-up environment, upon the application being approved by Council.

#### Urban Policy evaluation

The subject property is zoned 'residential' with a density of 1:300 m<sup>2</sup> and the intended zoning is 'business' with a bulk of 0.4. In accordance with the Windhoek Zoning Scheme, the following primary and consent uses are allowed on a 'business' zoned property.

Use zone (1)	Primary uses (2)	Consent uses (3)	Prohibited uses (4)
IV Business	Shops, Business buildings, dwelling units, residential buildings and social halls	Other uses not under columns 2 and 4	Noxious Industrial Buildings

The intended use is for a grocery store which would suit the property, as it is located on a corner and would serve the purpose of a convenience shop for the surrounding area.

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The property is situated on the fringes of an existing neighborhood business node although not within any existing policy area. However, the vicinity of business related developments, prompts the need to create a small policy area as shown by the Plan attached as **page 233 to the agenda**.

There is no need for additional infrastructure studies due to the diminutive scale of the proposed policy area and minor expected impact on existing supplementary infrastructure capacity.

The Roads Planning and Traffic Flow Division indicated that part of the parking provision encroaches on the sidewalk. Therefore, a sidewalk lease application will be required prior to the submission of the application to the Urban and Regional Planning Board.

#### **Betterment fee**

A 40 % betterment fee (compensation) is payable in terms of section 59 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018), prior to the submission of the application to the Urban and Regional Planning Board (the Board).

#### **Conclusion**

That the rezoning of Erf 3347, Istanbul Street No.10, Otjomuise Extension 8 from 'residential' with a density of 1:300 m<sup>2</sup> to 'business' with a bulk of 0.4 is recommended for approval subject to the approval of the sidewalk lease application and payment of the betterment fee, prior to the submission of the application to the Urban and Regional Planning Board.

The consent to use Erf 3347, Otjomuise in accordance with the proposed zoning while the rezoning is being completed cannot be supported as the subject erf is not located within any existing policy area, the parking is encroaching on the sidewalk, the lease for the sidewalk land has not yet been approved by the Municipal Council of Windhoek and parking has not yet been constructed.

The applicant will be required to obtain an Environmental Clearance Exception from the Department of Economic Development and Community Services before submission of the application to the Urban and Regional Planning Board.

Management Committee having considered the application,

**RECOMMENDED**

- 1 That the rezoning of Erf 3347, Istanbul Street No. 10, Otjomuise Extension 8 from 'residential' with a density of 1:300 m<sup>2</sup> to 'business' with a bulk of 0.4 is recommended for approval to the Urban and Regional Planning Board in accordance with section 109(2)(a) of the Urban and Regional Planning Act, 2018 (Act 5 of 2018) and subject to the approval of the sidewalk lease application by the Property Management Division, prior to submission of the application to the Urban and Regional Planning Board.
- 2 That the consent to use Erf 3347, Otjomuise in accordance with the proposed zoning while the rezoning is ongoing shall not be granted, because the subject erf is not located within any existing policy area, the parking is encroaching on the sidewalk, the lease for the sidewalk land has not yet been approved by the Municipal Council of Windhoek and parking has not yet been constructed.
- \*\*\* 3 That a new policy area, Otjomuise 3, as generally shown by the Plan, **attached as page 233 to the agenda**, be established, and the said policy area be further included in the Windhoek Urban Structure Plan.
- 4 That the applicant take note that betterment fee (compensation) is payable in terms of section 59 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018).
- 5 That the applicant obtain an invoice for the betterment fee (compensation) from the Strategic Executive: Urban and Transport Planning.
- 6 That the applicant take note that the application will only be submitted to the Urban and Regional Planning Board upon payment of the betterment fee (compensation).
- 7 That a minimum of one (1) parking bay per 33 m<sup>2</sup> of utilised bulk be provided for on-site.
- 8 That no access will be allowed 20 meters from the intersection, measured from the intersecting kerbs.
- 9 That Parking No. 2 to 5 are encroaching on the sidewalk and such parking is subjected to a Lease Agreement with Council.
- 9.1 In addition, such parking must be constructed in accordance with the Municipal Council of Windhoek's Non-Motorised Transport Strategy requirements, as per approved Drawing No. A.03.2, dated 29 September 2023.
- 10 That the sidewalk lease application be submitted for approval through the Property Management Division on the following conditions:
  - 10.1 A minimum of 2 meters must be retained for pedestrian movement.



- 10.2 Parking must be properly constructed with kerb stones making distinction between parking and pedestrian movement.
- 10.3 Council reserves the right to cancel the lease/ parking space should such land be needed for Council services.
- 10.4 That Council will not be held liable to reinstate any parking or compensate the owner for any improvements should the lease/ parking be terminated.
- 10.5 That the owner remain responsible to provide any shortfall of parking on-site or any other area approved by Council should the lease be cancelled / terminated.
- 11 That surface stormwater run-off be accommodated according to clause 35 of the Windhoek Town Planning Scheme, stating:
- 11.1 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.
- 11.2 That the maintenance of such stormwater pipe, channel or work be the responsibility of the owner of the concerned property.
- 12 That any additional requirements with regard to water or sewer services be for the applicant's account, subject to approval by the Strategic Executive: Infrastructure, Water and Technical Services.
- 13 That the Electrical Consultant or Contractor to obtain approval for all related electrical drawings for electrification indicating connection to the grid of Municipal Council of Windhoek.
- 14 That should any municipal electrical infrastructure need to be relocated, dismantled or replaced as per the request received from the applicant, all cost related thereto will be for the applicant's account.
- 15 That only one (1) service connection from the municipal electrical network will be allowed per erf.
- 16 That only one (1) additional meter point be allowed for an approved flat on erven that are zoned 'single residential', and for more meter points, the erf be rezoned to 'general residential'.

- 17 That for erven that are zoned 'general residential', 'business', 'office', 'institutional' or 'industrial' 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, and also to determine the financial contribution to be made by the applicant towards the upgrade cost of the network.
  - 18 That it be noted that a connection charge may be payable at the cost of the applicant and the applicant be advised to review the Department of Electricity's Connection Charge Policy, Schedule of Approved Non-Regulated Tariffs and/or to consult directly with the Strategic Executive: Electricity for information on connection charges.
  - 19 That for erven that are rezoned to 'general residential', 'business', 'office', 'institutional' or 'industrial', the applicant/owner or his/her registered Electrical Contractor contact the Strategic Executive: Electricity to determine whether the existing metering installation complies to Council's Metering Policy for the specific type of zoning.
  - 20 That the applicant obtain an Environmental Clearance Exception from the Department of Economic Development and Community Services before submission of the application to the Urban and Regional Planning Board.
  - 21 That in terms of section 110 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018) any person who is aggrieved by the decision of the local authority may appeal against that decision to the Minister.
  - 21.1 That Notice of the Appeal and the Grounds for the Appeal be lodged within twenty one (21) days from the date of this Notice to the Minister and Local Authority whose decision is the subject of the appeal.
  - 22 That the applicant accept the conditions of this Council Resolution, in writing.
  - 23 That the resolution be implemented prior to confirmation of the minutes.
-

[Municipal Council Agenda: 2024-04-04(03-28)]

**9.3.4 FNS.3 [HPH] LEGAL MATTER**  
(2/1/11/1)

This matter, submitted to the Councillors under separate cover, is to be dealt with in terms of section 14(2)(a) of the Local Authorities Act, 1992 (Act 23 of 1992) (as amended) which reads as follows:

*Every meeting of a local authority council shall be open to the public, except on any matter relating to -*

- (iii) the institution of any legal proceedings by, or opposition of any legal proceedings instituted against, a local authority council,*

*unless the local authority council by a majority of at least two-thirds of its members present at the meeting in question determines such a meeting to be so open.*

=====



Republic of Namibia

## Ministry of Urban and Rural Development

Enquiries: Ms. LN Amadhilah  
Tel: (+264+61) 297-5080  
Fax: (+264+61) 297-5305  
Email: lamadhilah@murd.gov.na

Government Office Park  
Luther Street

Private Bag 13289  
Windhoek, Namibia

Our Ref.: 27/R/W3  
Your Ref.:

**Mr. Moses Matyayi**  
Chief Executive Officer  
Windhoek Municipality  
P.O.Box 59  
WINDHOEK  
10005



Dear Mr. Matyayi,

**RE: PROPOSED COOPERATION BETWEEN THE CITY OF KRASNOYARSK REGION AND THE CITY OF WINDHOEK**

Please find attached hereto a self-explanatory letter dated 24<sup>th</sup> November 2023 received from the Ministry of International Relations and Cooperation (MIRCO) regarding a proposed Twinning Agreement between the City of Krasnoyarsk of the Russian Federation and the Windhoek Municipality

The Municipal Council is therefore requested to consider the proposal by the City of Krasnoyarsk and to provide feedback to MIRCO.

Your usual cooperation and prompt action are urged.

Yours sincerely

  
**NGHIDINUA DANIEL**  
EXECUTIVE DIRECTOR



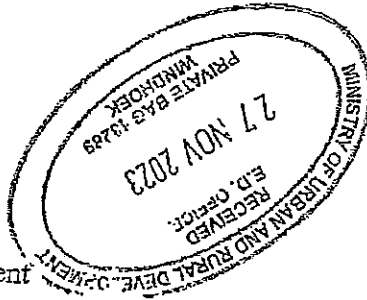


REPUBLIC OF NAMIBIA

MINISTRY OF INTERNATIONAL RELATIONS AND COOPERATION

Tel.: (061) 2829111  
Telegram: MINFORA  
Fax: (061) 223937/221145/220265  
E-mail: [headquarters@minrcp.gov.na](mailto:headquarters@minrcp.gov.na)  
Ref: 1/1/125/6  
Enquiries: S. N. Musilika, Ext 2418

Private Bag 13347  
WINDHOEK



24 November 2023

Mr. Nghidinua Daniel  
Executive Director  
Ministry of Urban and Rural Development  
Private Bag 13299  
Windhoek


Dear Colleague,

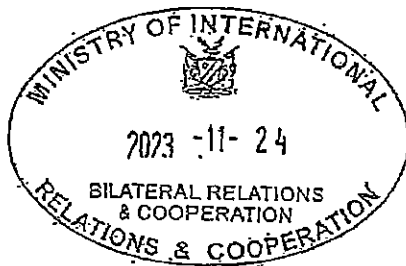
**PROPOSED COOPERATION BETWEEN THE CITY OF KRASNOYARSK REGION AND THE CITY OF WINDHOEK**

Kindly be informed that the City of Krasnoyarsk of the Russian Federation has proposed to establish the Twinning Cities Agreement with the City of Windhoek. The aim of the Agreement is to inter alia, exchange experience and technologies between the two cities, sharing experiences in holding major events and share knowledge on creating innovation centers and technology business incubators in Windhoek and the rest of Namibia.

In this connection, your office is requested to liaise with the City of Windhoek, to consider the proposal by the City of Krasnoyarsk and provide feedback.

Yours sincerely,

  
Penda A. Naanda  
Executive Director






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**EMBASSY OF THE REPUBLIC OF NAMIBIA**


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Tel: +7 - 499 230 3173/2031  
 Fax: +7 - 499 230 1274  
 E-mail: info@ministry-embassy.ru  
 Website: www.krasnoyarsk-embassy.ru  
 Ref: 17/17  
 Enquiries: Mbevanal Sitwoka

2<sup>nd</sup> Kuznetsky Lane, 7  
 119110, Moscow  
 Russian Federation

**URGENT  
 DRINGEND**

16 November 2023

Amb. Penda Naanda  
 Executive Director  
 Ministry of International Relations and Cooperation  
 Private Bag 13347  
 Windhoek

Dear Colleague,

**LIST OF PROPOSALS ON COOPERATION BETWEEN KRASNOYARSK REGION AND THE  
 REPUBLIC OF NAMIBIA**

The Mission's report dated 15 March 2023, addressed to the Ministry on my attendance and participation in the 19th Krasnoyarsk Economic Forum on the invitation of Mr. Aleksandr Viktorovich Uss, Governor of the Krasnoyarsk Region, which took place from 1 to 3 March 2023 in Krasnoyarsk Region in the Russian Federation, bears reference.

Furthermore, on 27 September 2023 Mr. Alekseevich Zakharova, representative of the Russian Ministry of Foreign Affairs in Krasnoyarsk Region visited the Embassy for a follow-up bilateral meeting in which he presented a list of proposals on fostering cooperation with the Republic of Namibia.

The following are the proposed possible areas of cooperation with the Republic of Namibia as proposed by the authorities of the Krasnoyarsk Region:

1. **City of Windhoek and Ministry of Urban and Rural Development**
  - i. To establish Twinning Cities between the City of Krasnoyarsk and the City of Windhoek;
  - ii. To exchange of experience and technologies between Krasnoyarsk and Windhoek for processing wastewater into drinking water in the format of direct drinking water reuse (DPR)
  - iii. To exchange of experiences in holding major events in the fields of tourism, youth policy and innovation;
  - iv. To exchange knowledge in practices for creating innovation centers and technology business incubators in Windhoek and rest of Namibia.

All official correspondence must be addressed to the Ambassador

2. Ministry of Higher Education, Training and Innovation

- i. To initiate the process for a Memorandum of Understanding between the Siberian Federal University (SFU); Krasnoyarsk State Medical University, Siberian State University of Science and Technology and other universities;
- ii. To intensify inter-university cooperation in particular, between the University of Namibia, the Namibia University of Science and Technology; Namibian Institute of Mining and Technology (NIMT) and other universities and vocational training institutions in the format of signing memoranda and agreements.

3. Ministry of Works and Transport:

- i. The leadership of the Siberian Fire and Rescue Academy of the Ministry of Emergency Situations of Russia is interested in organizing short-term courses for employees of Namibian fire and rescue services

4. Ministry of Home Affairs, Immigration, Safety and Security

- i. Organising courses specializing in training employees of anti-drug units the Siberian Law Institute of the Ministry of Internal Affairs of Russia

5. Ministry of Environment and Tourism

- i. Conduct research and exchange of knowledge in reforestation to combat desertification in Namibia (the Forest Institute of the Siberian Branch of the Russian Academy of Sciences and the Ministry of Natural Resources and Forestry of the Krasnoyarsk Region.

6. Ministry of Education Arts and Culture

- i. To build partnerships between schools in Namibia with the Norilsk Gymnasium and the Khakassia National Gymnasium.
- ii. Young Namibians are invited to participate in the Territory of Initiative Youth "Biryusa" Forum, scheduled to take place between June and August in 2024, Krasnoyarsk regional authorities are ready to provide free accommodation and meals to the youth attending the forum. However, Namibian participants are expected to cater for their own flight costs to the Russian Federation.
- iii. Invitation of Namibian schoolchildren to participate in the National Robotics Championship, which will be held in Krasnoyarsk in the spring of 2024, Krasnoyarsk Region is prepared to organize online classes for the school children in this discipline.
- iv. Furthermore, Namibia traditional artists are invited to participate in the *non-competitive category* in the International Festival of Ethnic Music and Crafts "WORLD of Siberia" in 2024, the Krasnoyarsk Region.

All official correspondence must be addressed to the Ambassador

- v. The Namibian Artists with the endorsement and support of the MEC are expected to apply from January 2024 via the website <https://festival.ru/en>
  - vi. In April 2024, the Krasnoyarsk Selection Committee determines the composition of participants' full coverage expenses of flight, accommodation and meals will be provided by the organizers.
7. Ministry of Sport, Youth and National Service
- i. To develop cooperation in area of sports such as rugby, football and other forms of sport in the format of organizing training camps, friendly matches, tournaments and internships between the two countries.
  - ii. To exchange of experience in holding major events in the fields of youth policy and innovation.
8. Ministry of Industrialisation and Trade, NCCI, NIDB
- i. The business community has been invited to participate in the Krasnoyarsk Economic Forum in 2024.
9. Ministry of Environment and Tourism
- i. To exchange of experience in holding major events in the fields of tourism.


### CONCLUSION

The Embassy is ready to engage and facilitate the proposed activities with Krasnoyarsk Region once the Mission has been notified by the above-mentioned stakeholders.

The Ministry is further recommended to transmit the attached Proposal of the Authorities of the Krasnoyarsk Region and Krasnoyarsk City on Fostering Cooperation with the Republic of Namibia to the above-mentioned OMA's for consideration.

Thanking you in advance for your cooperation and understanding.

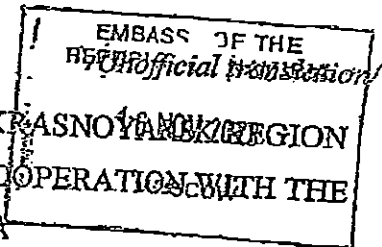
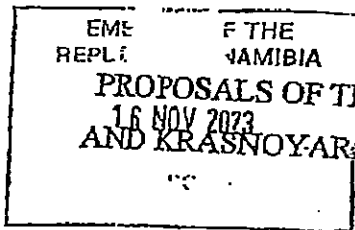
Yours sincerely,

  
Clemens Handoukeme Kashupulwa  
Ambassador



All official correspondence must be addressed to the Ambassador





1. Increase in the number of Namibian students studying at higher education institutions of the Krasnoyarsk Region. There is an opportunity to hold talks with the management of the Siberian Federal University, Siberian State University of Science and Technology, Krasnoyarsk State Medical University and other universities. The management of the Siberian Fire and Rescue Academy of the Ministry of Emergency Situations of Russia is interested in organising short-term courses for employees of Namibian fire and rescue services. The Siberian Law Institute of the Russian Ministry of Internal Affairs, which specialises in the training of anti-drug units, also has experience in organising both short-term courses for foreigners and full-time study.
2. Intensification of inter-university cooperation (in particular, between the University of Namibia, Namibia University of Science and Technology and universities of the Krasnoyarsk Region, Tuva and Khakassia) in the format of signing memorandums and agreements, participation in scientific conferences, student exchanges, dispatching Russian language teachers to Namibia.
3. Organisation of visits of the staff of the Embassy of Namibia in Russia to the Republic of Khakassia and the Republic of Tuva to establish cooperation with these regions.
4. Building partnerships between Namibian schools and Gymnasium No. 11 in Norilsk, Krasnoyarsk Region, and the Khakassia National Boarding Gymnasium, where Young Diplomats clubs are successfully operating.
5. Exploring the experience of the Krasnoyarsk Region in restoring forests to combat desertification in Namibia. In Krasnoyarsk, the Forest Institute of the Siberian Branch of the Russian Academy of Sciences and the Ministry of Natural Resources and Forestry of the Krasnoyarsk Region have extensive experience in this field.

EMBASSY OF THE  
REPUBLIC OF NAMIBIA

16 NOV 2023

2

Attraction of Namibian cultural figures to participate in the International Festival of Ethnic Music and Crafts "WORLD of Siberia" held annually in the Krasnoyarsk Region. For famous artists from Namibia performing national music and dances - by invitation from the festival organisers for the non-competitive programme with full coverage of expenses (the Namibian Side may nominate participants for this category). For participants of the competition programme - applications are accepted from January to March via <https://festmir.ru/en/>. In April the Selection Committee determines the list of participants; the selected contestants pay their own travel expenses to the Krasnoyarsk Region, accommodation and meals are covered by the organisers.

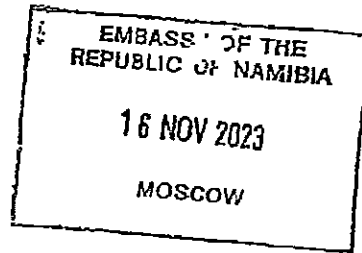
7. Possibility of participation of Namibian diplomats, other officials and businessmen in the Krasnoyarsk Economic Forum in 2024. In 2023 a delegation of the Embassy of Namibia to Russia headed by Ambassador C.H. Kashumpulwa participated. In 2024 the Forum will attain a federal status, which will make it one of the main international negotiating platforms in Russia.

8. Attracting young Namibians to participate in major youth events organised in the Krasnoyarsk Region, such as the forum of the Territory of Initiative Youth "Biryusa" (organised annually between June and August). The regional authorities are ready to provide free accommodation and meals to foreign participants of this forum.

9. Establishment of twin city relations between the city of Krasnoyarsk and the city of Windhoek with a focus on:

- a. development of sports exchanges involving youth and adult rugby, football and other teams in the format of organising training camps, friendly matches, tournaments, internships;
- b. exchange of experience and technologies between the city of Krasnoyarsk and the city of Windhoek on processing wastewater into drinking water in the format of direct potable water reuse (DPR);
- c. exchange of experience in organising major events in the areas of tourism, youth policy and innovation;

- d. study of practices for the establishment of innovation centres (taking into account the experience of the Krasnoyarsk Regional Innovation and Technology Business Incubator and similar organisations from Namibia);
- e. attracting Namibian schoolchildren to participate in the National Robotics Championship to be held in Krasnoyarsk in spring 2024; organising online classes in this discipline for them.



ПРЕДЛОЖЕНИЯ ОРГАНОВ ВЛАСТИ КРАСНОЯРСКОГО КРАЯ  
 EMBASSY OF THE  
 REPUBLIC OF NAMIBIA  
 КРАСНОЯРСКА ПО АКТИВИЗАЦИИ СОТРУДНИЧЕСТВА  
 С РЕСПУБЛИКОЙ НАМИБИЕЙ

16 NOV 2023

МОСКВА

увеличение числа студентов из Намибии, обучающихся в вузах Красноярского края. Имеется возможность проведения переговоров с руководством Сибирского федерального университета, Сибирского государственного университета науки и технологий, Красноярского государственного медицинского университета и других вузов. Руководство Сибирской пожарно-спасательной академии МЧС России заинтересовано в организации краткосрочных курсов для работников намибийских противопожарных и спасательных служб. Сибирский юридический институт МВД России, специализирующийся на подготовке сотрудников антинаркотических подразделений, также имеет опыт в организации как краткосрочных курсов для иностранцев, так и полноценного обучения.

2. Активизация межвузовского сотрудничества (в частности, между Университетом Намибии, Намибийским университетом науки и технологии и вузами Красноярского края, Тывы и Хакасии) в формате подписания меморандумов и соглашений, участия в научных конференциях, студенческих обменов, направления в Намибию преподавателей русского языка.

3. Организация визитов сотрудников Посольства Намибии в России в Республику Хакасия и Республику Тыва для налаживания сотрудничества с данными регионами.

4. Выстраивание партнёрских отношений между школами Намибии и гимназией № 11 г. Норильска Красноярского края и Хакасской национальной гимназией-интернатом, где успешно работают клубы «Юных дипломатов».

5. Изучение опыта Красноярского края по восстановлению лесов для борьбы с опустыниванием в Намибии. В г. Красноярске действуют Институт леса Сибирского отделения Российской академии наук и Министерство

EMBASSY OF THE  
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16 NOV 2023

природных ресурсов и лесного комплекса Красноярского края, у которых имеется богатый опыт в данной сфере.

6. Привлечение намибийских деятелей культуры к участию

в проводимом ежегодно на территории Красноярского края Международном фестивале этнической музыки и ремёсел «МИР Сибири». Для известных артистов из Намибии, исполняющих национальную музыку и танцы – по приглашению от организаторов фестиваля на внеконкурсную программу с полным покрытием расходов (Намибийская Сторона может предложить участников для этой категории). Для участников конкурсной программы – заявки принимаются с января по март на сайте <https://festmir.ru/en/>, в апреле отборочная комиссия определяет состав участников; отобранные конкурсанты самостоятельно оплачивают проезд до Красноярского края, проживание и питание – за счёт организаторов.

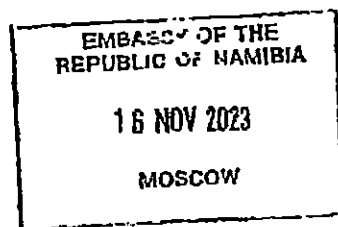
7. Возможность участия намибийских дипломатов, иных официальных лиц и бизнесменов в Красноярском экономическом форуме в 2024 году. В 2023 г. участие принимала делегация Посольства Намибии в России во главе с Послом К.Х.Капуупулвой. В 2024 г. форум будет иметь федеральный статус, что сделает его одной из главных международных переговорных площадок в России.

8. Привлечение молодых намибийцев к участию в крупных молодёжных мероприятиях, организуемых на территории Красноярского края, таких как форум ТИМ «Бирюса» (организуется ежегодно в период с июня по август). Органы власти региона готовы предоставить бесплатное проживание и питание иностранным участникам этого форума.

9. Установление побратимских связей между городом Красноярск и городом Вьнджук с акцентом на:

а. развитие спортивных обменов с участием молодёжных и взрослых регбийных, футбольных и иных команд в формате организации сборов, товарищеских матчей, турниров, стажировок;

- б. обмен опытом и технологиями между городом Красноярск и городом Виндхук по переработке сточных вод в питьевую воду в формате прямого повторного использования питьевой воды (DPR);
- с. обмен опытом по проведению крупных мероприятий в сферах туризма, молодежной политики и инноваций;
- д. изучение практик по созданию инновационных центров (с учётом опыта Красноярского регионального инновационно-технологического бизнес-инкубатора и подобных организаций из Намибии);
- е. привлечение намибийских школьников к участию в Национальном чемпионате по робототехнике, который пройдёт в г. Красноярске весной 2024 года; организация для них онлайн занятий по этой дисциплине.



**OFFICE OF THE CHIEF EXECUTIVE OFFICER**

☒ 59

80 Independence Avenue  
WINDHOEK, NAMIBIA

Tel: (+264) 61 290 2615

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www.cityofwindhoek.org.na

Enquiries: C. Eita  
Email address: [cei@windhoekcc.org.na](mailto:cei@windhoekcc.org.na)  
Tel number: (061) 2902285Date: 19 December 2023  
Ref: Krasnoyarsk Cooperation

Amb. Pendapala Naanda  
Executive Director  
Ministry of International Relations and Cooperation  
Private Bag 13347  
WINDHOEK

Dear Amb. Naanda,

**RE: PROPOSED COOPERATION BETWEEN THE CITY OF KRASNOYARSK  
REGION AND THE CITY OF WINDHOEK**

I acknowledge receipt of your letter dated 13 December 2023, on the above caption subject matter.

In this regard, I am pleased to inform you that your request has been forwarded to the relevant department for technical contemplation and recommendation to Council for a final decision. Once this exercise is completed, your office will be notified accordingly.

For ease of coordination and follow ups, kindly liaise with our Mr. Eita, Manager: External Relations and Networking who is reachable at Tel: +264 612902285 or Email: [Christopher.Eita@windhoekcc.org.na](mailto:Christopher.Eita@windhoekcc.org.na).

Yours sincerely,

Moses Matyayi  
CHIEF EXECUTIVE OFFICER



**TWINNING AGREEMENT  
BETWEEN  
THE MUNICIPAL COUNCIL OF WINDHOEK  
REPUBLIC OF NAMIBIA  
HERE DESIGNATED AS THE CITY OF WINDHOEK**



**City of Windhoek**  
80 Independence Avenue P.O. Box 59,  
Windhoek  
**Republic of Namibia**

**AND**

**THE MUNICIPALITY OF  
KRASNOYARSK, RUSSIAN FEDERATION  
HERE DESIGNATED AS THE CITY OF KRASNOYARSK**



**City of Krasnoyarsk**  
93 Karl Marx Street, 660049, Krasnoyarsk,  
**Russian Federation**

Here referred to as "the parties"



Convinced of the necessity to contribute to the continuous and harmonious development of the cooperation between our two Cities;

Considering the diverse meetings and engagements already undertaken at the national level which provided better knowledge of the respective communities as well as the identification of sectors of cooperation,

Considering that the twinning of the two cities will contribute to the reinforcement of the friendship between the Russian Federation and Namibia,

Desirous to promote and reinforce the friendly and brotherly relations that so fortunately already exist between the peoples of Namibia and the Russian Federation in conformity with the legislation of the States and the international agreements that they are party to;

The parties now agree as follows:

#### **Article 1: The Goal**

The parties commit to promoting diverse cooperation as well as exchanges between Windhoek and Krasnoyarsk that are based on principles of fairness and reciprocal benefits.

#### **Article 2: Sectors of Cooperation**

The parties are in agreement to develop exchanges in the following sectors:

- **Technical Exchanges on Water Management**
- **Tourism, Arts and Events Management**
- **Youth and Sports Exchanges**
- **Economic Development: Creation of Innovation Centers and Business Incubators**

The parties can enter, if needs be, into additional agreements or any other form of arrangements for any other sector other than those listed here above.

#### **Article 3: Monitoring and Assessment**

To assess the cooperation, the parties agreed to establish a Joint Coordination Committee made of three representatives from each City and jointly chaired by the Accounting Officers of Windhoek and Krasnoyarsk.

This Committee will meet, depending on the resources, once a year, alternatively in one of the two Cities. During these meetings, the Committee can eventually call upon outside expertise depending on the sectors on the agenda of the meeting.

#### **Article 4: Terms of the implementation of the agreement**

To achieve the objectives of this agreement, the parties may:

- Jointly establish a work plan
- Decide on the duration of the said plan
- Promote technical meetings
- Facilitate exchanges between experts to ensure the success of the said plan.

**Article 5: Funding**

The parties are committing to mobilize the necessary resources for the completion of the selected projects.

Details relating to the material necessary for project completion, its inventory, its quantity, its cost as well as the cost-of-service procurement, will be agreed upon, through additional contracts, between the parties and the assigned organizations.

Unless sponsorship is secured, each party shall be financially responsible, during visits of delegations, for the traveling cost of its delegates. The host of the meeting shall be responsible for the expenditures relating to the logistics within the country, the organization of the meeting, and the stay of the invited delegation as per the current agreement.

**Article 6: Protection of the intellectual property**

The parties will ensure the protection of the intellectual property that will be created or entrusted to them because of this agreement or any additional contracts that may derive from the implementation of this agreement.

**Article 7: Conflict resolution**

Any conflict that may arise from the interpretation or the implementation of this agreement will be resolved amicably.

**Article 8 Review, amendment, and modification**

Either one of the two parties to this agreement can initiate its review, amendment, or modification. The reviewed, amended, or modified articles will enter into force as soon as they are approved by the parties.

**Article 9: Entry into force, duration and termination**

This agreement enters into force at the date of its signature by the parties.

It is concluded for the duration of five (5) years renewable automatically unless one of the parties indicates in writing, six (6) months before the agreement lapses, its intent to do otherwise.

The non-renewal of this agreement, unless otherwise agreed by the parties, will not affect the completion of the contract already commenced nor the implementation of other decisions taken whilst the said agreement was still valid.

Done in Windhoek or Krasnoyarsk, on ..... in two original copies in English and Russian.

\_\_\_\_\_  
Queen Omagano Kamati  
Mayor of Windhoek

\_\_\_\_\_  
Vladislav Loginov  
Mayor of Krasnoyarsk



## Windhoek and Krasnoyarsk Draft Action Plan

Main Goal	Subgoals	Project Team	Timeframe	To Do	Indicators of Success
<b>1. Technical Exchanges on Water Management</b>	<ul style="list-style-type: none"> <li>- Technical and Technological Exchange</li> <li>-Water Management Techniques</li> <li>-Water Management and Governance</li> <li>-Water Demand Management</li> </ul>	<b>Windhoek:</b> Mr. Sebastian Husselmann <b>Krasnoyarsk</b>	2024	<ul style="list-style-type: none"> <li>-Team meetings and knowledge exchanges</li> <li>-Exchange of water strategies</li> <li>-Exchange of experience and technologies on processing wastewater into drinking water in the format of direct potable water reuse (DPR)</li> </ul>	<ul style="list-style-type: none"> <li>-Improved water and wastewater management.</li> <li>- Improved Water Security</li> <li>-Bolstered Water Reserves and reduction in costs of water acquisition</li> </ul>
<b>2. Tourism, Arts and Events Management</b>	<ul style="list-style-type: none"> <li>-Exchange of experience in organizing major events in the areas of tourism, youth policy and innovation.</li> <li>-Capacity building</li> <li>-Promote tourism</li> <li>-Cultural Exchanges</li> </ul>	<b>Windhoek:</b> Ms. Grace Pujatura Ms. Mariah Hamata Aaron Nambadi  <b>Krasnoyarsk:</b>	Annual	<ul style="list-style-type: none"> <li>-Benchmarking and information sharing on best practices</li> <li>-Coordination to jointly host events</li> <li>-Technical Exchange</li> <li>-Skills transfer and training of technical officials through capacity building events, seminars, conferences, collaborations, stage sharing and workshops.</li> <li>-Collaboration in promoting tourism and investment in tourism</li> </ul>	<ul style="list-style-type: none"> <li>-Exchange of valuable insights on events management and tourism</li> <li>-Enhanced cultural exchanges</li> </ul>
<b>3. Youth and Sports Exchange</b>	<ul style="list-style-type: none"> <li>-Educational exchanges</li> <li>-Sports Exchange Programmes</li> <li>-Youth Exchange Programmes</li> </ul>	<b>Windhoek:</b> Mr. Kakazuvaka Kazombiaze Mr. James Kahindu  <b>Krasnoyarsk:</b>	2024	<ul style="list-style-type: none"> <li>-Twinning of Schools</li> <li>-Development of Youth Policies</li> <li>-Namibia schoolchildren to participate in the National Robotics Championship in 2024</li> <li>-Twining of sports teams and academies in two cities</li> <li>-Participation of Namibian Youth in the Territory of Initiative Youth "Biryusa"</li> <li>-Organising training camps, friendly matches, tournaments and internships</li> <li>- Development of sports exchanges involving youth and adult rugby, football and other sports codes.</li> </ul>	<ul style="list-style-type: none"> <li>-Effective implementation of youth and sports exchange programmes</li> <li>-Participation in the National Robotics Championship and the "Biryusa"</li> </ul>
<b>4. Economic Development: Creation of Innovation Centers and Business Incubators</b>	<ul style="list-style-type: none"> <li>-Benchmarking</li> <li>-Technical Exchange</li> <li>-Information Sharing</li> <li>-Strengthen trade relations</li> <li>- Study of practices for the establishment of innovation centers</li> <li>-Internet Accessibility</li> <li>-SMART Cities</li> </ul>	<b>Windhoek:</b> Ms. Lisa Figaji Ms. Leonora Joodt Mr. Clarence Rupingena  <b>Krasnoyarsk:</b>	Annual	<ul style="list-style-type: none"> <li>-Benchmark models for infrastructure development and management</li> <li>-Technical exchange in areas of mutual interest such as logistics</li> <li>-Exchange programs on economic Development</li> <li>-Training on economic/market management</li> <li>-Liaison between the Krasnoyarsk Regional Innovation and Technology Business Incubator and similar Organizations in Namibia</li> </ul>	<ul style="list-style-type: none"> <li>-Improved economic and trade relations</li> <li>- Successful establishment of innovation centers</li> <li>-Implementation of Smart Cities strategies</li> </ul>

## MEMORANDUM

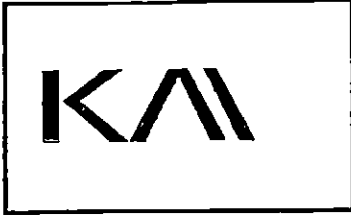
**TO:** Mrs. R. Kwenani**DATE:** Aug 2023**FROM:** E. Liseli**REF:** L/1490/PP

UTP: Sustainable Development

**SUBJECT:****REZONING OF ERF 1490 PIONIERSPARK, EXTENSION 1, WINDHOEK FROM RESIDENTIAL WITH A DENSITY OF 1:900 TO HOSPITALITY****CONSENT TO USE ERF 1490 PIONEERSPARK, EXTENSION 1, WINDHOEK FOR AN ACCOMMODATION ESTABLISHMENT (HOTEL PENSION) WITH 16 BEDROOMS****CONSENT TO OPERATE THE HOTEL PENSION WHILE THE REZONING PROCESS IS PROCESS**

The Division has no objection to the proposed application regarding the above subject matter. The applicant should be responsible for the costs and cadastral Town Planning applications to Council and the Ministry of Urban and Rural Development.

**TOWN PLANNER: SUSTAINABLE DEVELOPMENT**

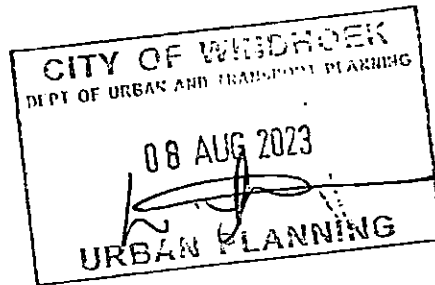


**KAMAU**  
town planning &  
development specialist

No. 04 Wagner street | Windhoek west | c: +264 81 3290584  
P.O. Box 22296 | Windhoek | t: +264 61251975 | f: +264 61 304219 |  
[neshila@kamautpds.com](mailto:neshila@kamautpds.com) w: [www.kamau-architects.com](http://www.kamau-architects.com)

Date: 31 July 2023

The Chief Executive Officer  
City of Windhoek  
Box 59  
80, Independence Avenue



Attention: Town Planner

Dear Sir/Madam

Herewith application for:

- REZONING OF ERF 1490 PIONEERSPARK EXTENSION 1, WINDHOEK FROM RESIDENTIAL WITH A DENSITY OF 1:900 TO HOSPITALITY
- CONSENT TO USE ERF 1490 PIONEERSPARK EXTENSION 1, WINDHOEK FOR AN ACCOMMODATION ESTABLISHMENT (HOTEL PENSION) WITH 16 BEDROOMS
- CONSENT TO OPERATE THE HOTEL PENSION WHILE THE REZONING PROCESS IS IN PROGRESS

## 1. Introduction and Background

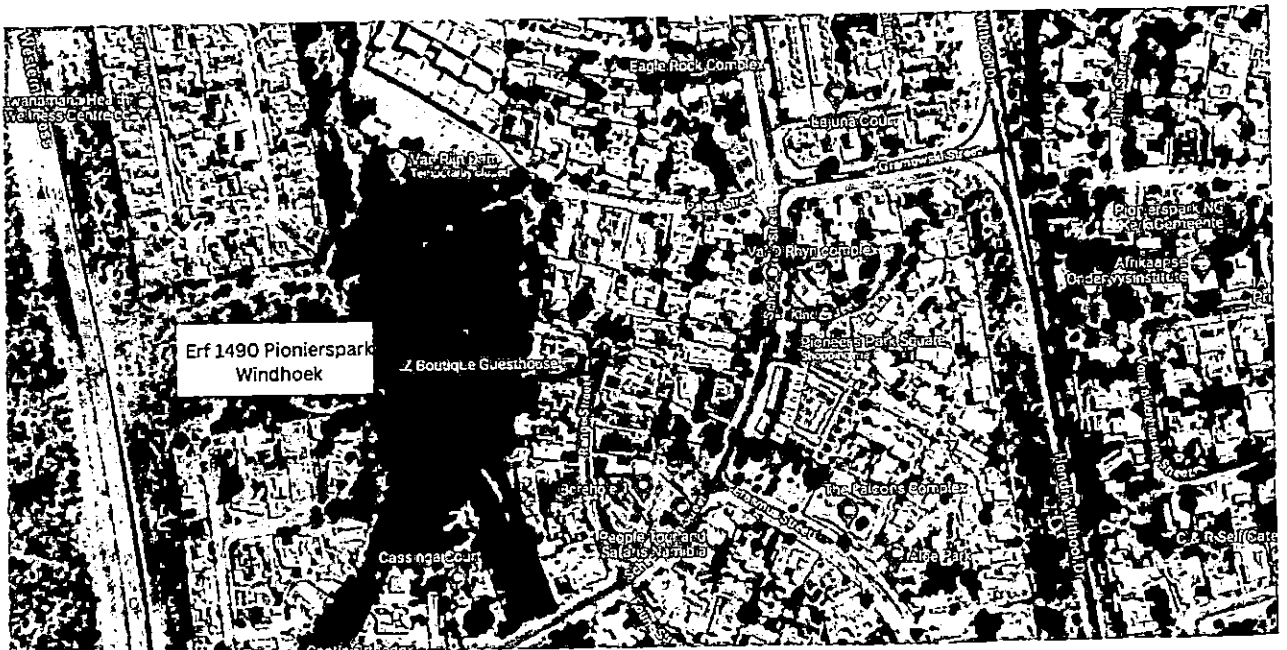
Kamau Town Planning and Development Specialist, on behalf of Beatriz Jacinto Antonio De Sousa as the owner (T3637/2010) of Erf 1490 Range Street, Pioneerspark Extension 1, Windhoek, hereby applies for the rezoning of the respective Erf from Residential with a density of 1:900 to hospitality and subsequent consent to use the respective Erf for a 'Hotel Pension' with 16 bedrooms in line with the definition of Hotel Pension in the Windhoek Town Planning Scheme. The owner wishes to apply for consent to operate the hotel pension while the rezoning is in process.

## 2. Erf Information and Surrounding Area

Erf 1490 Range Street Pioneerspark, Extension 1, Windhoek, is located in the cul-de-sac of Range Street which intersects with Scheppmann Street. The Erf lies on a flat surface and measures 1438m<sup>2</sup> in extent and is currently zoned 'Residential' with a density of 1:900 in terms of the Windhoek Town Planning Scheme.

Erf 1490 currently operates as a hotel pension with 16 bedrooms. There are already existing water, sewer and electricity services on the erf. Erf 1490 is located in a predominantly residential zoned area. The Pioneer's Park Square Shopping Mall is located in walking proximity east of the Erf along the Sheppmann Street. Additionally, common in the area are residential courts including Val D Rhyn Complex, Eagle Rock Complex, The Falcons Complex, Aloe Park etc. as seen in Figure 1 below.

Figure 1: Aerial Image of Erf 1490 Pionierspark Locality and it's Immediate Surrounding





Front View

Cul-de-sac View

Distant Front View

Table 1: Images of the Dalarize Boutique Guesthouse on Erf 1490 Pionierspark Extension 1

### 3. Development Proposal

The owner of Erf 1490 Range Street Pionierspark, Extension 1, Windhoek intends to rezone the subject property to Hospitality and to consent to operate an Accommodation Establishment and more specifically a Pension Hotel with 16 bedrooms, in accordance with the consent uses of the Hospitality zoning. An Accommodation Establishment means: "a building for accommodation purposes for tourist/ guest and can include a pension, a caravan park, a guest house, a lodge, hotel pension, hotel, a backpackers-lodge and all other type of hospitality establishments but excludes place of amusement, place of entertainment, restaurant and functions and events except with consent from Council". While a pension hotel means an accommodation establishment comprising of at least 10 but not more than 20 bedrooms for accommodation of guests and which complies with the provisions of the Namibian Tourism Board Act, 2000 (No. 21 of 2000) and its regulations and the Liquor Act, Act No. 6 of 1998, but excludes any off-sales department.

The Pension Hotel will comprise of 16 bedrooms. The client does not intent on carrying out any construction or structural changes as the Guesthouse is already operational and intends to mostly align the current land uses with the Windhoek Town Planning Scheme. Thus, no impact on noise, air pollution or traffic congestion is anticipated with the rezoning considering that the land use (Pension Hotel) has been in operation since 2012.

#### 4. Need and Desirability

The proposed zoning (Hospitality) and subsequent consent use for the Hotel Pension with 16 rooms are consistent with the current land use on the property. The client intends to provide a total of 4 Parking bays on the Erf, while the remaining 17 Parking bays will be accommodated on Erf 1491 which belongs to Julia Jacinto Antonio De Sousa (T2418/2006) who is a sister to the client and by virtue of the MOU attached as Annexure I, agreed to assist her sister with parking space on her Erf that has ample space. The proposed parking layout is Attached as Annexure G. The proposed pension hotel use caters to Namibians and tourists needs for temporary accommodation. The approval of the rezoning and consent application will mean an increase in land value, which becomes a source of revenue for the City of Windhoek, as the applicant will start paying hospitality rates.

#### 5. Conditions

The conditions of title are stipulated in the title deed of Erf 1490, title deed number T3637/2010 that is attached as Annexure A. The conditions of title of Erf 1490 stipulates that the respective Erf may not be used for uses other than those under the primary and consent uses of the 'residential' zone.

#### 6. Application

- *Rezoning of Erf 1490 Pionierspark, Extension 1, Windhoek from Residential with a density of 1:900 to Hospitality*
- *Consent to use Erf 1490 Pionierspark, Extension 1, Windhoek for an Accommodation Establishment (Hotel Pension) with 16 Bedrooms*
- *Consent to operate the Hotel Pension while the rezoning process is process*

In support of the application the following documentation are submitted:

- Annexure A: Copy of Title Deeds
- Annexure B: Power of Attorneys'
- Annexure C: Locality Map
- Annexure D: Erf Diagrams
- Annexure E: Current Zoning Plans
- Annexure F: Proposed Zoning Plans
- Annexure G: Building Plans + Parking Layout



- Annexure H: Credit Check Certificates & Town Planning Certificates
- Annexure I: MOU on Parking Bays

I trust that the application will receive your favorable consideration.

Yours faithfully



Principal Member  
Mr. F, K. NESHILA

CONVEYANCER  
C J GOUWS

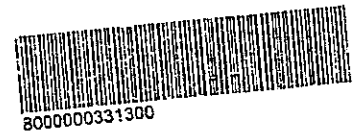
ORIGINAL
STAMPED
DUTY \$ 21.900-00
FEES

T 3637 1 2010

**DEED OF TRANSFER**

BE IT HEREBY MADE KNOWN:

THAT Adriana Jacoba van der Merwe



appeared before me Registrar of Deeds at Windhoek, he/she the said Appearer being duly authorized thereto by a Power of Attorney, granted to him/her by:

**ABSALOM RIKUETJUA TJOMBONDE**

**IDENTITY NUMBER 610218 0076 7**

**AND**

**LIZA VEZIRUAPI NAPUHERI TJOMBONDE**

**IDENTITY NUMBER 600529 0014 2**

**MARRIED IN COMMUNITY OF PROPERTY TO EACH OTHER**

dated the 10<sup>TH</sup> JULY 2010 and signed at OTJIWARONGO

and the said Appearer declared that his/her said constituent had truly and legally sold on 10<sup>TH</sup> JULY 2010

*Handwritten signature*

*Handwritten mark*

*Handwritten mark*

and that he/she in his/her capacity aforesaid did, by these presents, cede and transfer, in full and free property, to and on behalf of:

**BEATRIZ JACINTO ANTONIO DE SOUSA**

**BORN ON 17 FEBRUARY 1964**

**UNMARRIED**

His/her Heirs, Executors, Administrators or Assigns

**CERTAIN                    ERF NO. 1490 PIONIERSPARK  
   EXTENSION NO 1**

**SITUATE                    IN THE MUNICIPALITY OF WINDHOEK  
   REGISTRATION DIVISION "K"  
   KHOMAS REGION**

**MEASURING                1438 (ONE FOUR THREE EIGHT) SQUARE METRES**

**FIRST TRANSFERRED** by Deed of Transfer No T. 1355/1993 with General Plan S.G No A 786/1989 relating thereto and held by Deed of Transfer No T. 965/1999

**SUBJECT** to the following conditions imposed in terms of the Town Planning Ordinance No 18 of 195, (as amended), namely:

**IN FAVOUR OF THE LOCAL AUTHORITY**

- (a) The erf shall only be used or occupied for purposes which are in accordance with, and the use or occupation of the erf shall at all time be subject to, the provisions of the Walvis Bay Town Planning Scheme prepared and approved in terms of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954) as amended.
- (b) The building value of the main building, excluding the outbuilding to be erected on the erf shall be least four times the municipal valuation of the erf.

FOR INFORMATION ONLY

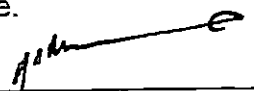
2024-3

WHEREFORE the Appearer renouncing all the right and title which the said TRANSFEROR/S heretofore had to the premises, did, in consequence also acknowledge the said TRANSFERORS to be entirely dispossessed of, and disentitled to, the same; and that by virtue of these presents the said TRANSFEREE/S His/Her heirs, executors, administrators or assigns, now are and henceforth shall, be entitled thereto conformably to local custom the State, however, reserving its rights, and finally acknowledging that the purchase price is the sum of N\$2 200 000.00

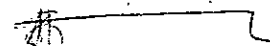
30 JUL 2010

SIGNED at WINDHOEK on

together with the Appearer, and confirmed with my seal of office.

  
Signature of Appearer


In my presence

  
REGISTRAR OF DEEDS

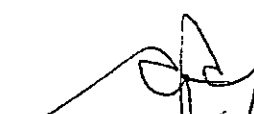
FOR INFORMATION ONLY

Transfer Duty Receipt No. 108136543 for N\$ 95 000.00 issued by the

Receiver of Revenue WINDHOEK on 21 July 2010

(Checked) 1  .....

I the undersigned, **CHRISTIAAN JOHAN GOUWS**, Conveyancer hereby certify in terms of section 78 of Act 23/1992 that all rates leviable in respect of such immovable property in terms of this Act, and all the fees, charges and other moneys due to the local authority council in respect of any service, amenity of facility supplied to such property in terms of this Act, inclusive of any availability charge and minimum charge provided for in section 30(1)(u) has been paid up to and including the date of registration hereof

  
CONVEYANCER  
CHRISTIAAN JOHAN GOUWS

Handwritten marks at the bottom of the page.

25



POWER OF ATTORNEY

I, the undersigned BEATRIZ JACINTO ANTONIO DE SOUSA as the owner of Erf 1490 Pionierspark, Extension 1, Windhoek, as per Title Deed No T3637/2010, do hereby nominate, constitute and appoint,

KAMAU TOWN PLANNING & DEVELOPMENT SPECIALIST  
NO.04 WAGNER STREET, WINDHOEK (WEST)  
P.O. BOX 22296  
WINDHOEK

with power of Substitution, to be my lawful Attorney and Agent in my name, place and stead, to make the necessary application to the City of Windhoek and the Urban and Regional Planning Board for the

- a. REZONING OF ERF 1490 PIONEERSPARK EXTENSION 1, WINDHOEK FROM RESIDENTIAL WITH A DENSITY OF 1:900 TO HOSPITALITY
- b. CONSENT TO USE ERF 1490 PIONEERSPARK EXTENSION 1, WINDHOEK FOR AN ACCOMMODATION ESTABLISHMENT (HOTEL PENSION) WITH 16 BEDROOMS
- c. CONSENT TO OPERATE THE HOTEL PENSION WHILE THE REZONING PROCESS IS IN PROGRESS

at the cost of the applicant and generally for effecting the purposes aforesaid, to do or cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes I might or could do if personally present and acting herein – hereby ratifying, allowing and confirm all and whatsoever my said Attorney shall lawfully do, or cause to be done, by virtue of these presents.

Signed at Windhoek on 02 of August 2023, in the presence of the undersigned witnesses.

WITNESSES:

1. [Signature]

[Signature]  
SIGNED

2. Hana Francina

1944





LOCALITY PLAN

ERF 1490

Extension 1 Pionierspark  
NAMTRTA

Legend







-  Erf 1490 Locality
-  Erf 1490 Boundary



**CURRENT ZONING PLAN:**

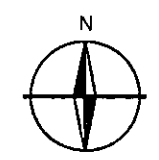
ERF 1490 Extension 1  
PIONIERSPARK  
"Residential 1:900"

**LEGEND**

-  Public Open Space
-  Residential
-  Business
-  Undetermined
-  Street
-  Erf 1490

**KAM** KAMAU  
town planning & development specialists







No 04 Wagner street | Windhoek west |  
c +264 81 3290584  
P.O. Box 22296 | Windhoek J.L. +264 61251975 |  
P.P. | +264 81 304219 |  
neshita@a3aro.com wv. www.kamau-architects.com



**PROPOSED ZONING PLAN:**

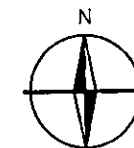
ERF 1490 Extension 1  
PIONEERSPARK  
"Hospitality 15 Bedrooms"

**LEGEND**

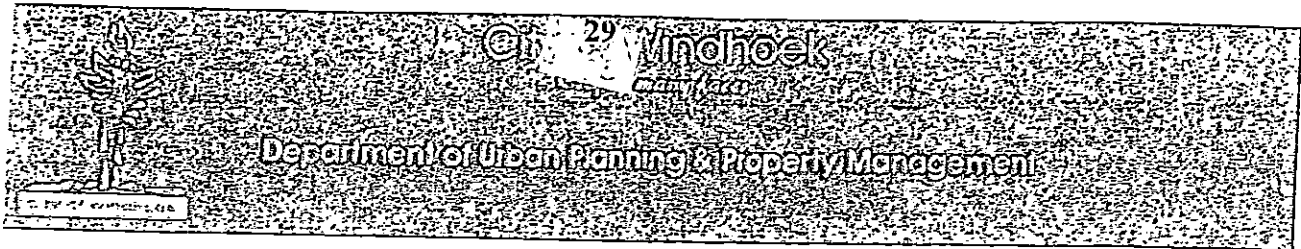
-  Public Open Space
-  Residential
-  Business
-  Undetermined
-  Hospitality
-  Erf 1490



No 04 Wagner street | Windhoek west |  
c +264 81 3290684  
P.O. Box 22206 | Windhoek | +264 61251975 |  
P.P. +264 61 304219 |  
neshta@a3aro.com w. www.kamau-architects.com







CREDIT CHECK LIST

Surname: ANTONIO DE SILVA Full Names: JACINTA BEATRICE
Erfic: 1490 Township: PEUNEEKSAK EXT 1
Company/co: N/A
Matric No: PASS RA NO N1681704
Postal Address:
Physical Residential or Business Address:
Telephone (B): (H):
Mobile No.:

FINANCIAL DEPARTMENT CREDIT CHECK

Service Accounts (MS)

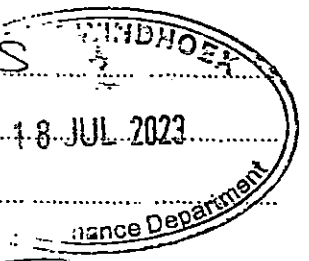
Comments: 12606952 - In credit
No other arrears



Accounting Technician - Credit Control: SHAMEN Signature: [Signature]
Date:

LAND SALES

Comments: No landsales accounts



Accounting Technician - Credit Control: SHAMEN Signature: [Signature]
Date:

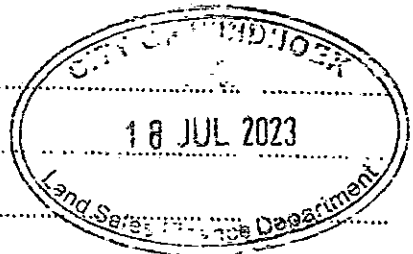


CREDIT CHECK LIST

Surname: ANTONIO DE SOUSA, Full Names: JULIA JACINTO, Eff No: 1491, Township: PIONEERS PARK EXT 1, Company/CC: N/A, Namiban ID: Pass PoA No N1681704, Postal Address, Physical Residential or Business Address, Telephone (B), (H), Mobile No.

FINANCIAL DEPARTMENT CREDIT CHECK

Service Accounts: M.S, Comments: 10861971 - In credit, No other arrears



Accounting Technician Credit Control: SITAMEN, Signature: [Handwritten Signature]

LAND SALES

Comments: No landsales accounts



Accounting Technician Credit Control: SITAMEN, Signature: [Handwritten Signature]

**Town Planning Certificate No. 1:  
Town Planning Scheme Information**

31

Ref : \_\_\_\_\_

Enq : \_\_\_\_\_

Tel : \_\_\_\_\_

**Applicants Address** \_\_\_\_\_

**Telephone Number :** \_\_\_\_\_

**Sir / Madam**

**Erf No:** 1490

**Township :** PIONIERSPARK

**Street :** RANGE STR

In terms of the Windhoek Town Planning Scheme the following conditions apply to the above mentioned erf.

Use Zone :	RESIDENTIAL	Refer to Table B.
2. Density :	1 DWELLING / 900M <sup>2</sup>	Refer to Table E.
3. Bulk Factor :	0 00	Refer to Table F.
4. Coverage :	50 %	Refer to Table G.
5. Erf Size :	1,438 m <sup>2</sup>	
6. Parking :	_____	

(The parking ratio should be confirmed with the Transportation Department for erven in the business zone, and for restaurants, grouped housing schemes, hotels, bed & breakfasts, resident occupations, places of amusement, social halls and churches)

7. Street Build Lines \_\_\_\_\_

8. Position Of Buildings : \_\_\_\_\_

9. Street Address : 9 RANGE STR \_\_\_\_\_

10. Flood Line : \_\_\_\_\_

11. Height Restriction : \_\_\_\_\_ Refer to Table J.

∴ Street Reservation : \_\_\_\_\_

13. Other : \_\_\_\_\_

The TOWN PLANNING SCHEME and MAP are open for inspection on the passage wall of the 7th floor of the town house. The information provided herein must be verified by the applicant by inspection of the Scheme and Map.

Your attention is further directed to any condition which may be registered against your property in the title deeds. You may be required to furnish a certified copy of the title deeds conditions before any building plans are approved.

**Town Planning Certificate No. 1:  
Town Planning Scheme Information**

332

Ref : \_\_\_\_\_

Enq : \_\_\_\_\_

Tel : \_\_\_\_\_

Applicants Address \_\_\_\_\_

Telephone Number : \_\_\_\_\_

**Sir / Madam**

**Erf No:** 1491

**Township :** PIONIERSPARK

**Street :** RANGE STR

In terms of the Windhoek Town Planning Scheme the following conditions apply to the above mentioned erf.

- |                  |                                |                   |
|------------------|--------------------------------|-------------------|
| Use Zone :       | RESIDENTIAL                    | Refer to Table B. |
| 2. Density :     | 1 DWELLING / 900M <sup>2</sup> | Refer to Table E. |
| 3. Bulk Factor : | 0 00                           | Refer to Table F. |
| 4. Coverage :    | 50 %                           | Refer to Table G. |
| 5. Erf Size :    | 1,492 m <sup>2</sup>           |                   |
| 6. Parking :     | _____                          |                   |

(The parking ratio should be confirmed with the Transportation Department for erven in the business zone, and for restaurants, grouped housing schemes, hotels, bed & breakfasts, resident occupations, places of amusement, social halls and churches)

7. Street Build Lines \_\_\_\_\_

8. Position Of Buildings : \_\_\_\_\_

9. Street Address : 11 RANGE STR \_\_\_\_\_

10. Flood Line : \_\_\_\_\_

11. Height Restriction : \_\_\_\_\_ Refer to Table J.

12. Street Reservation : \_\_\_\_\_

13. Other : \_\_\_\_\_

The TOWN PLANNING SCHEME and MAP are open for inspection on the passage wall of the 7th floor of the town house. The information provided herein must be verified by the applicant by inspection of the Scheme and Map.

Your attention is further directed to any condition which may be registered against your property in the title deeds. You may be required to furnish a certified copy of the title deeds conditions before any building plans are approved.



Town Planning Project:

- o REZONING OF ERF 1490 PIONEERSPARK EXTENSION 1, WINDHOEK FROM RESIDENTIAL WITH A DENSITY OF 1:900 TO HOSPITALITY
- o CONSENT TO USE ERF 1490 PIONEERSPARK EXTENSION 1, WINDHOEK FOR AN ACCOMMODATION ESTABLISHMENT (HOTEL PENSION) WITH 16 BEDROOMS
- o CONSENT TO OPERATE THE HOTEL PENSION WHILE THE REZONING PROCESS IS UNDERWAY

**MEMORANDUM OF UNDERSTANDING**

Between:

**BEATRIZ JACINTO ANTONIO DE SOUSA OF**

P.O. Box, .....Windhoek

Business Address:

PIONEERSPARK EXT. 1  
 RANGE STREET 10  
 ERF 1491 WINDHOEK  
 NAMIBIA

(Hereinafter referred to as "the Owner of Erf 1490 (by virtue of T3637/2010)")

And:

**JULIA JACINTO ANTONIO DE SOUSA OF**

P.O. Box, .....Windhoek

Business Address:

PIONEERSPARK EXT. 1  
 RANGE STREET 10  
 ERF 1491 WINDHOEK  
 NAMIBIA

(Hereinafter referred to as "the Owner of Erf 1491 ( by virtue of T2418/2006)")

The owner of Erf 1490 Pionierpark Extension 1, Windhoek intents to embark on the above mentioned Town Planning Project (hereinafter referred to as "(1) Rezoning of Erf 1490 Pionierspark Extension 1,



Windhoek from "Residential" with a density of 1 900 to "Hospitality" with consent to operate a Hotel Pension with 16 bedrooms

AND WHEREAS the owner of Erf 1490 is required to provide a total of 17 parking bays for the realization of the above mentioned project, which they are unable to accommodate on their erf due to space limitations. The above mentioned parties have therefore decided to enter into this recorded agreement in order to meet the required number of parking bays

The Owner of Erf 1491 hereby consents to a right of use for parking purposes as in the City of Windhoek approved parking layout against his property in favour of Erf 1490 in order for Erf 1490 to meet their parking requirements as necessary to operate a hotel pension with 16 Bedrooms. The owner of Erf 1491 further consents to the registration of the right of use condition against his Title Deed in favour of Erf 1490

SIGNED AT Luanda ON THE 12 DAY OF August 2023.

WITNESSES

1 [Signature]

[Signature]  
Owner Erf 1490

2 Ama Francisco

SIGNED AT Luanda ON THE 12 DAY OF August 2023

WITNESSES

1 [Signature]

[Signature]  
Owner Erf 1491

2 [Signature]



# MEMORANDUM

TO: Ruth Kwenani

DATE: 30-Aug-2023

FROM: Engineering Services  
Electricity Department



REF: L/1490/PP

**REZONING OF ERF 1490 PIONEERSPARK EXTENSION 1, WINDHOEK FROM RESIDENTIAL WITH A DENSITY OF 1:900 TO HOSPITALITY; CONSENT TO USE ERF 1490 PIONEERSPARK EXTENSION 1, WINDHOEK FOR AN ACCOMMODATION ESTABLISHMENT (HOTEL PENSION) WITH 16 BEDROOMS; CONSENT TO OPERATE THE HOTEL PENSION WHILE THE REZONING PROCESS IS IN PROGRESS**

The Strategic Executive: Electricity has in principle no objection to the application submitted for the rezoning of Erf 1490, Pionierspark, Ext. 1 from 'Residential', with a density of 1:900, consent to use Erf 1490, Pionierspark for an accommodation establishment (Hotel Pension) with 16 rooms and consent to operate as a Hotel Pension, provided that the following be adhered to:

- Should any municipal electrical infrastructure need to be relocated, dismantled or replaced as per request received from the applicant, all cost related thereto will be for the applicant's account.
- ***Only one (1) service connection from the municipal electrical network will be allowed to each of the erven created.***
- For Erven that is zoned "General Residential", "Business", "Office", "Institutional" or "Industrial" and a service connection larger than 3 x 60 Amp is required, the applicant and/or his/her electrical engineering representative must 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.
- ***Kindly 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, Metering Policy, Schedule of Approved Non-Regulated Tariffs and/or to consult directly with the Electricity Department for information on Connection Charges and Metering.***

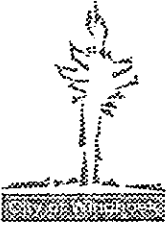
Kind regards

.....  
VH Namgongo

**Chief Engineer: Engineering Services**

36  
MEMORANDUM

<b>TO:</b>	Mrs. R. Kwenani	<b>DATE:</b>	31 August 2023
<b>FROM:</b>	Chief Engineer Roads and Storm Water Planning, Design & Traffic Flow	<b>REF:</b>	L/1490/PP



**SUBJECT: REZONING OF ERF 1490, RANGE STREET, PIONEERSPARK EXTENSION 1, FROM RESIDENTIAL WITH A DENSITY OF 1:900 TO HOSPITALITY; AND CONSENT TO USE ERF 1490, FOR AN ACCOMMODATION ESTABLISHMENT (HOTEL PENSION) WITH 16 BEDROOMS, WHILE REZONING IS IN PROGRESS.**

The application dated 31 July 2023, for the proposed, Rezoning of Erf 1490, Range Street, Pioneerspark, Extension 1, from residential with a Density of 1:900 to Hospitality; and Consent to use Erf 1490, for an accommodation establishment (Hotel Pension) with 16 bedrooms, while rezoning is in progress, received on 14 August 2023, refers.

A storm water investigation was done, and the following is reported:

1. Erf 1490 has a general downward slope from the southeast into a northwesterly direction.
2. There is no visible stormwater course or system flowing across the proposed Erf 1490, except for surface stormwater run-off.
3. Access to Erf 1490, is indicated to be obtained from Range Street.

This Division has no objection to the proposed, Rezoning of Erf of Erf 1490, Range Street, Pioneerspark, Extension 1, from residential with a Density of 1:900 to Hospitality; and Consent to use Erf 1490, for an accommodation establishment (Hotel Pension) with 16 bedrooms, while rezoning is in progress, provided:

1. That should parking on the sidewalk be proposed, an area of at least 2.0 meters wide, be maintained along the inside of the proposed parking for pedestrian movement.
2. 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:
  - (1) 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 -
    - (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 canalized) is or can be changed, canalized, or impeded.
    - (c) the maintenance of such stormwater pipe, channel or work shall be the responsibility of the owner of the concerned property.

.....  
SECTION ENGINEER: DESIGN  
CJ VAN DER MERWE



# MEMORANDUM

**TO:** Urban Policy

**Date:** 27 September 2023

**FROM:** Health and Environment Services



**Ref:** Erf 1490 PP

**SUBJECT: REZONING OF ERF 1490 PIONEERSPARK EXTENSION 1, WINDHOEK FROM RESIDENTIAL WITH A DENSITY OF 1:900 TO HOSPITALITY**

The above subject matter has reference:

The Division is supporting the application with the following condition.

- Applicant be issued with an Environmental Clearance Exemption by the Department of Economic Development and Community Services for rezoning from residential to hospitality (commercial).

Regards,

# MEMORANDUM

TO: Ms. R. Kwenani

DATE: 27 October 2023

FROM: INF: Engineering Services Division REF: L/1490/PP



- SUBJECT:**
- REZONING OF ERF 1490 PIONEERSPARK EXTENSION 1, WINDHOEK FROM RESIDENTIAL WITH A DENSITY OF 1:900 TO HOSPITALITY
  - CONSENT TO USE ERF 1490 PIONEERSPARK EXTENSION 1, WINDHOEK FOR AN ACCOMMODATION ESTABLISHMENT (HOTEL PENSION) WITH 16 BEDROOMS
  - CONSENT TO OPERATE THE HOTEL PENSION WHILE THE REZONING PROCESS IS IN PROGRESS

The application dated 31 July 2023 regarding the above subject matter, refers.

The application can only be approved under the following conditions:

1. That the total number of rooms not exceed 16 rooms.
2. That any additional requirements with regard to water and sewer services brought on as a direct consequence of the rezoning, or subsequent activities will be for the cost of the applicant, subject to approval by the Strategic Executive: Infrastructure, Water and Technical Services.

.....  
SECTION ENGINEER  
OC Archer

# MEMORANDUM

**SUBJECT:**

- 1. REZONING OF ERF 1490 PIONIERSPARK EXTENSION 1, WINDHOEK FROM RESIDENTIAL WITH A DENSITY OF 1:900 TO HOSPITALITY**
- 2. CONSENT TO USE ERF 1490 PIONEERSPARK EXTENSION 1, WINDHOEK FOR AN ACCOMMODATION ESTABLISHMENT (HOTEL PENSION) WITH 16 BEDROOMS**
- 3. CONSENT TO OPERATE THE HOTEL PENSION WHILE THE REZONING PROCESS IS IN PROGRESS**

CIRCULATION	DATE	COMMENTS	SIGNATURES
Technical enquiries: T. Iiyambula	29/11/2023	Tel: 290 2914	
Section Engineer	.../.../2023		
Chief Engineer	.../.../2023		

TO: Urban Planning  
R. Kwenani

DATE: 29 November 2023

FROM: Section Engineer: Transport Planning

REF: L/1490/PP



## REVISED COMMENTS

### ROADS PLANNING & TRAFFIC FLOW COMMENTS:

Reference is made to our previous comments dated 01 November 2023 and a subsequently revised Parking Layout received dated 09 November 2023, regarding the above subject matter:

The Erf 1490 is located on Range Street Pionierspark, Extension 1. The street carries low traffic volumes and no traffic flow problems are experienced during peak hours. Rezoning Erf 1490 PP to hospitality and Consent Use with a maximum of 16 leasable rooms will generate about 7 vehicular trips to the current road network.

1. This Division has objections to the proposed Rezoning of Erf 1490 Pionierspark Extension 1, Windhoek from Residential with a density of 1:900 to hospitality (Guest House – 16 rooms); due to the following:
  - 1.1 Erf 1490 PP has no space to accommodate parking for the proposed 16 leasable rooms.
  - 1.2 The proposal to notarial link parking to Erf 1491 PP for parking purpose in favour of Erf 1490 PP cannot be supported as the erven have different zonings and the applicant did not follow formal consent applications.
  - 1.3 Indication is also that the revised parking layout plan is not a true reflection of the situations onsite and is not supported.
  - 1.4 Some structures onsite (*the game room and the garage*) do not comply with the approved Building Plan, Permit No. 2034/2006.
2. This Division has objections to the proposed Consent to Use Erf 1490 Pionierspark Extension 1, Windhoek for an accommodation establishment (Hotel Pension) with 16 bedrooms; due to the following:
  - 2.1 That Point 1 above is sorted first.
3. This Division has objections to the proposed Consent to operate the Hotel Pension while the rezoning process is in progress; due to the following:
  - 3.1 That Point 1. above is sorted first.

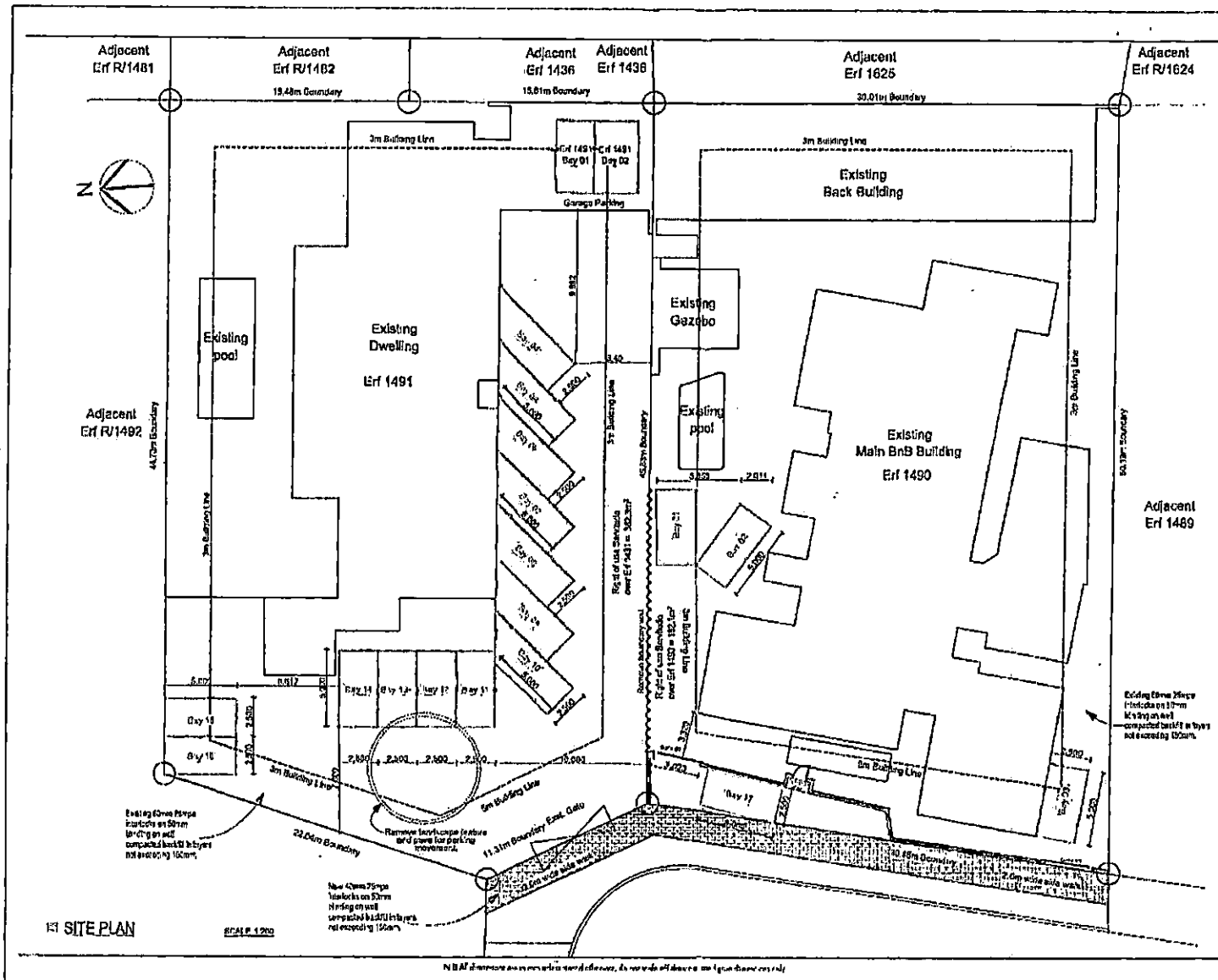
Yours faithfully

.....

MN Shiimi

Transport Planning

\*2508



**MUNICIPALITY OF MMS**

### Parking Layout for BnB

**Existing Conditions for Erf 1491**

Existing Conditions for Erf 1491  
 7 Bays per existing unit with 4 bedrooms or more  
 Number Provided = 9 Bays

**Parking Calculation for Erf 1491**

**Back Building**  
 4 Guest Rooms @ 0,66 bays per room = 2,64 Bays  
**Front Building**  
 12 Guest Rooms @ 0,66 bays per room = 7,92 Bays

**Back Building**  
 632m<sup>2</sup> of Open area @ 5 bays per 100m<sup>2</sup> = 31,5 Bays  
**Front Building**  
 672m<sup>2</sup> of Open area @ 5 bays per 100m<sup>2</sup> = 33,6 Bays

**Total number of Required Bays**  
 2,64 + 7,92 + 31,5 + 33,6  
 = 75,6 Bays or 76 Bays

**Total Number of Provided Bays = 9 Bays**

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**1/11 to 1/12/2014**

Doc. No.	Planning 11/12/14-11/12/14
Doc. #	WC0245 Rev. 03
Date:	1/12/14

**Drawn:**  
 Proposed Parking Layout

**Project:** 1/11 to 1/12/2014  
 1/11 to 1/12/2014  
 Proposed parking layout  
 On Erf 1491 BnB Project  
 Project No. 11/12/14  
 Worksheet, Sheet 1 of 1

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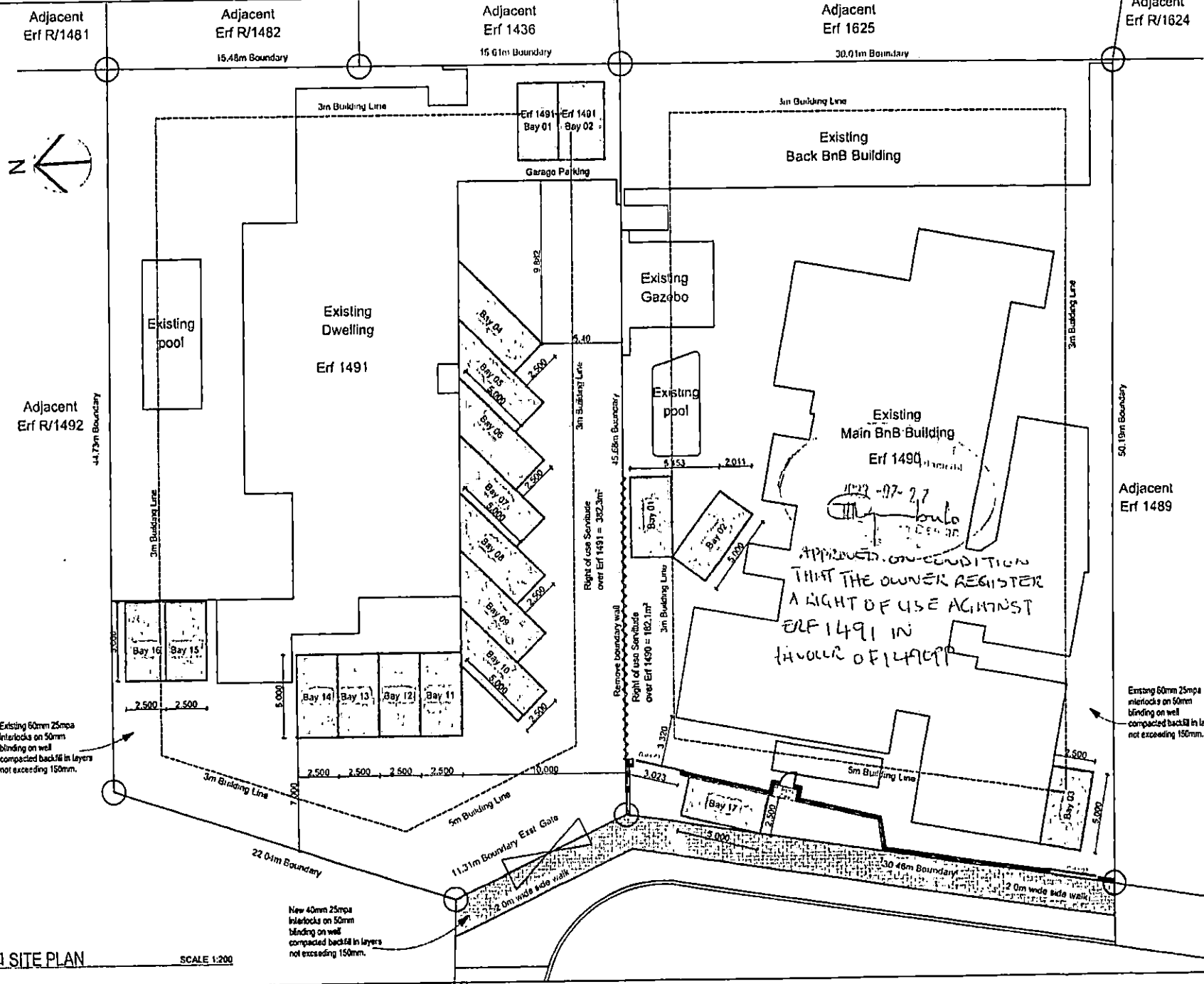
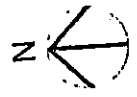
**Icons:**

**ICS | ICON STUDIOS**

**Drawn by:**  
 J. D. F. N.

**SHEET 1 of 1**

42



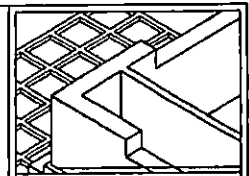
SITE PLAN

SCALE 1:200

New 40mm 25mpa interlocks on 50mm blinding on well compacted backfill in layers not exceeding 150mm.

Existing 60mm 25mpa interlocks on 50mm blinding on well compacted backfill in layers not exceeding 150mm.

N.B All dimensions are in mm unless stated otherwise, do not scale off drawing use figure dimensions only



MUNICIPALITY STAMPS

### Parking Layout for BnB

Existing Calculation for Erf 1491  
 2 bays per dwelling unit with 4 bedrooms or more  
 Number Provided = 2 bays

Parking Calculation for BnB Erf 1490  
 Back Building  
 4 Guest Rooms @ 0.66 bays per room = 2.6 Bays  
 Front Building  
 12 Guest Rooms @ 0.66 bays per room = 7.9 Bays

Back Building  
 63 2m<sup>2</sup> of Open area @ 3 bays per 100m<sup>2</sup> = 3.2 Bays  
 Front Building  
 62 4m<sup>2</sup> of Open area @ 3.1 bays per 100m<sup>2</sup> = 3.1 Bays  
 Total number of Bays = 2.6 + 7.9 + 3.2 + 3.1 = 16.8 Bays i.e 17 Bays

Total Number of Provided Bays = 17 Bays

*APPROVED ON CONDITION THAT THE OWNER REGISTER A LIGHT OF USE AGAINST ERF 1491 IN FAVOUR OF 1490*

Existing 60mm 25mpa interlocks on 50mm blinding on well compacted backfill in layers not exceeding 150mm.

Date

If This Drawing has a copyright			
Date	Wednesday, 16 June 2023		
Drawn by	VGOJ43	Rev	03
Scale	1:200	A3	

Drawn by  
 Prepared by

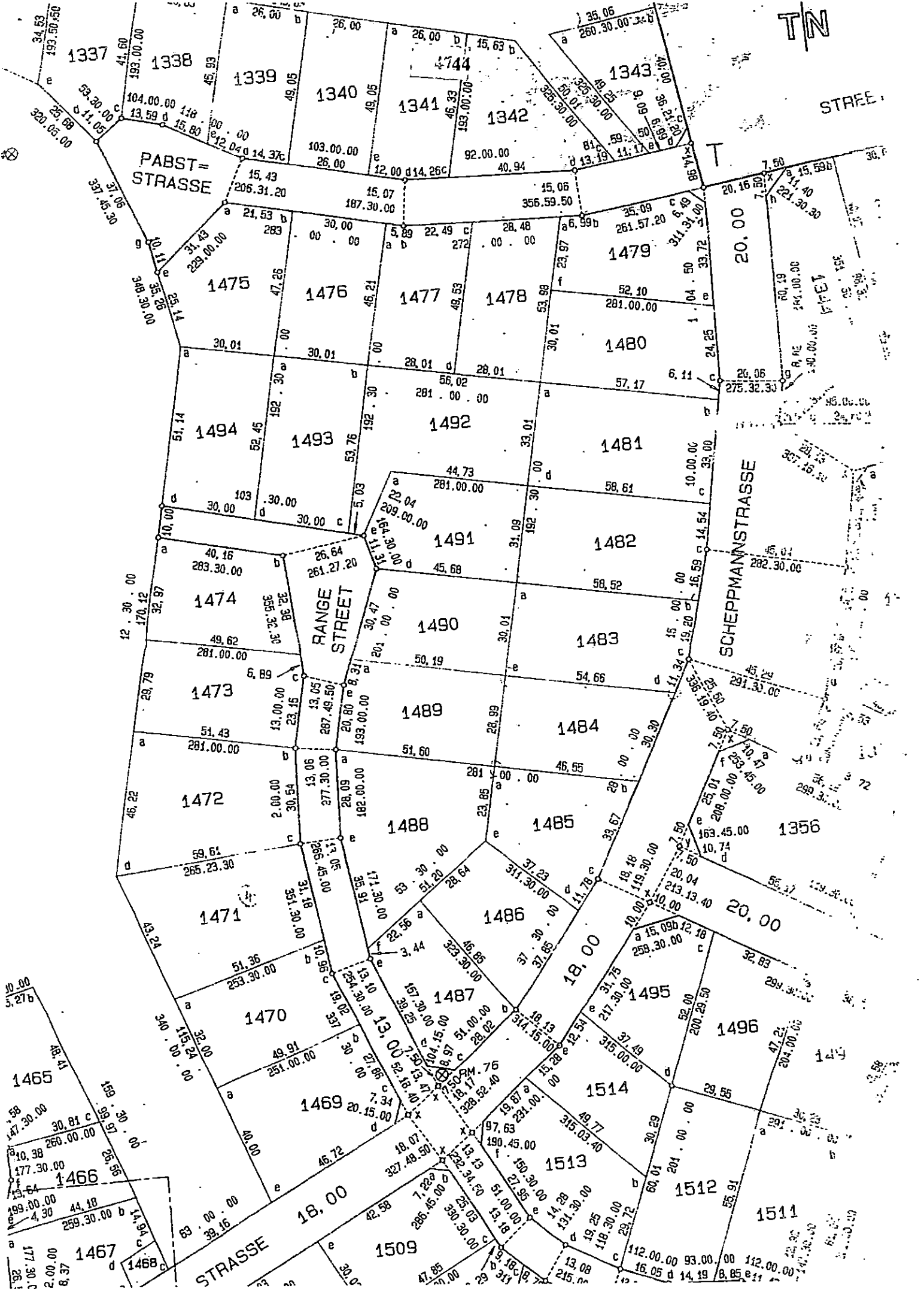
Project Title and Stand #  
 Mrs. Wenne DeScho  
 Proposed parking layout for Erf 1490, Ruyter Street, Ploersfontein, East of Woodstock

Designed and drawn by  
**ICS** | **ICON** STUDIO

Drawn by  
 J. D. F. N.  
 SHEET 1 of 1

TN

STREE



PABST-STRASSE

RANGE STREET

SCHEPPMANSTRASSE

STRASSE

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## PUBLIC NOTICE

Notice is hereby placed to inform all potentially interested and affected Parties (PAPs) that an application for Environmental Clearance Certificate by Kamea Town Planning and Development Specialist, on behalf of the owner of Erf 1000 & 1001, Grootfontein, Erongo, will be made to the Environmental Commission, in line with the provisions of Environmental Management Act (No. 97 of 2007) and its Regulations (GN 30 of 8 February 2012), for the:

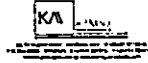
- SUBDIVISION OF Erf 1000 EXTENSION 3, GROOTFONTAIN INTO 24 PORTIONS AND THE REMAINDER OF Erf 1000
- REZONING OF PORTIONS 1-13 AND 24 (OF Erf 1000), EXTENSION 3 GROOTFONTAIN FROM INDUSTRIAL TO LOCAL BUSINESS
- REZONING OF PORTIONS 14-23 (OF Erf 1000), EXTENSION 3 GROOTFONTAIN FROM INDUSTRIAL TO RESIDENTIAL
- REZONING OF PORTIONS 24, 25 AND REMAINDER (OF Erf 1000), EXTENSION 3 GROOTFONTAIN FROM INDUSTRIAL TO STREET
- SUBDIVISION OF Erf 1001 EXTENSION 3, GROOTFONTAIN INTO 23 PORTIONS AND THE REMAINDER OF Erf 1001
- REZONING OF PORTIONS 1, 11-22 (OF Erf 1001), EXTENSION 3 GROOTFONTAIN FROM INDUSTRIAL TO LOCAL BUSINESS
- REZONING OF PORTIONS 23-28 (OF Erf 1001), EXTENSION 3 GROOTFONTAIN FROM INDUSTRIAL TO RESIDENTIAL
- REZONING OF PORTION 21 AND THE REMAINDER OF Erf 1001 (OF Erf 1001), EXTENSION 3 GROOTFONTAIN FROM INDUSTRIAL TO STREET

**Location**  
Erf 1000 and 1001 Erongo 3 Grootfontein are located south east from the CBD of Grootfontein town. The sites lie on a flat surface and measure 11421 sqm and 11532sqm in extent. The respective sites are located in a predominantly industrial area to the west of the Grootfontein CBD. The respective sites are currently zoned Industrial 1.

Please further take note that:-

All interested and affected parties (IAPs) are invited to cordially participate in public consultation meeting on the 22nd of September 2023. Additionally, register with Kamea TPOS for any comments, issues or concerns related to the project, for consideration on the environmental assessment. LA, no later than 26 October 2023.

FOR MORE INFORMATION AND QUERIES, KINDLY CONTACT:



## PUBLIC NOTICE

Please take note that Kamea Town Planning and Development Specialist has been appointed by the owner of Erf 796, 800 & 823 Erongo 2, Muanusuru to apply to the Muanusuru Town Council and the Urban and Regional Planning Board for the:

- REZONING OF Erf 796, EXTENSION 2 MUEANUSURU FROM 'SINGLE RESIDENTIAL' WITH A DENSITY OF 1:500 TO 'SINGLE RESIDENTIAL' WITH A DENSITY OF 1:300
- SUBDIVISION OF Erf 796 EXTENSION 2 MUEANUSURU INTO PORTION A AND THE REMAINDER OF Erf 796 EACH WITH A DENSITY OF 1:300
- REZONING OF Erf 800, EXTENSION 2 MUEANUSURU FROM 'SINGLE RESIDENTIAL' WITH A DENSITY OF 1:500 TO 'SINGLE RESIDENTIAL' WITH A DENSITY OF 1:300
- SUBDIVISION OF Erf 800 EXTENSION 2 MUEANUSURU INTO PORTION A AND THE REMAINDER OF Erf 800 EACH WITH A DENSITY OF 1:300
- REZONING OF Erf 823, EXTENSION 2 MUEANUSURU FROM 'SINGLE RESIDENTIAL' WITH A DENSITY OF 1:500 TO 'SINGLE RESIDENTIAL' WITH A DENSITY OF 1:300
- SUBDIVISION OF Erf 823 EXTENSION 2 MUEANUSURU INTO PORTION A AND THE REMAINDER OF Erf 823 EACH WITH A DENSITY OF 1:300

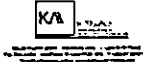
In terms of Table 9 of the Muanusuru Town Planning Scheme and Part 2, Section 105 of the Urban and Regional Planning Act 5 of 2018.

**Location**  
Muanusuru Extension 2 in which the subject sites Erf 796, 800 and 823 situated for zoning and subdivision is located in the D3068 national road to the north, the B10 to the east and the D3403 to the west. The sites are located in close proximity and south of the Muanusuru Combined School. To the north of the sites are major land uses such as the Tula Service Station, Zone Muanusuru, Ministry of Education, Waterworks, Supermarkets and Muanusuru Town Council located within the CBD of the town.

Please further take note that:-

In order to maximize the development potential of the property, the owner of Erf 796, 800 & 823 Erongo 2, Muanusuru, intends to subdivide the property into 2 Portions (A and the remainder). The Erf sites assigned to the proposed sites are in line with the Ministry of Urban and Rural Development's Town Planning Guidelines for Principal Layout Plans, and the Muanusuru Town Planning Scheme. Furthermore, the proposed sites are compatible with the size of the surrounding sites.

FOR MORE INFORMATION AND QUERIES, KINDLY CONTACT:



## PUBLIC NOTICE

Please take note that Kamea Town Planning and Development Specialist has been appointed by the owner of Erf 115 Oshakati North, to apply to the Oshakati Town Council and the Urban and Regional Planning Board for the:

- REZONING OF Erf 115 OSHAKATI NORTH, FROM GENERAL RESIDENTIAL WITH THE DENSITY OF 1:1000 TO BUSINESS WITH A BULK OF 2.0

In terms of the Oshakati Town Planning Scheme and Part 2, Section 105 of the Urban and Regional Planning Act 5 of 2018.

Erf 115 is located within the Oshakati North Township, well known also as Eshenyi. The respective Erf is located along the 6th street on the right, from the main road leading north of Eshenyi and Oshakati. Erf 115 is the sixth erf after the newly built flats, Kitsho Coors.

The respective Erf measures 4316sqm in extent, is currently zoned as "General Residential" with a density of 1:1000sqm as per the Oshakati Town Planning Scheme and Rules on a flat terrain.

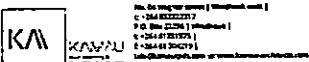
In order to maximize the development potential of the property, the owners of Erf 115 Oshakati North intends to rezone the respective property from "general residential" with a density of 1:1000sqm to "business" with a bulk of 2.0.

Please further take note that:-

(a) For more enquiries regarding the rezoning application, visit the Oshakati Town Council's department of Planning

(b) Any person having objections to the rezoning concerned or who wants to comment, may in writing lodge such objections and comments, together with the grounds, with the Chief Executive Officer of the Oshakati Town Council, and with the applicant within 14 days of the last publication of the notice, i.e. no later than 25 October 2023.

FOR MORE INFORMATION AND QUERIES, KINDLY CONTACT:



## PUBLIC NOTICE

Please take note that Kamea Town Planning and Development Specialist has been appointed by the owner of Erf 940 Erongo 2, Muanusuru to apply to the Muanusuru Town Council and the Urban and Regional Planning Board for the:

- REZONING OF Erf 940, EXTENSION 2 MUEANUSURU FROM 'SINGLE RESIDENTIAL' WITH A DENSITY OF 1:500 TO 'SINGLE RESIDENTIAL' WITH A DENSITY OF 1:300
- SUBDIVISION OF Erf 940 EXTENSION 2 MUEANUSURU INTO PORTION A AND THE REMAINDER OF Erf 940 EACH WITH A DENSITY OF 1:300

In terms of Table 9 of the Muanusuru Town Planning Scheme and Part 2, Section 105 of the Urban and Regional Planning Act 5 of 2018.

Muanusuru Extension 2 in which the subject erf earmarked for rezoning and subdivision is located in the D3068 national road to the north, the B10 to the west and the D3403 to the east. The erf is located in close proximity and south of the Muanusuru Combined School. To the north of the sites are major land uses such as the Tula Service Station, Zone Muanusuru, Ministry of Education, Waterworks, Supermarkets and Muanusuru Town Council located within the CBD of the town.

Please further take note that:-

In order to maximize the development potential of the property, the owner of Erf 940 Erongo 2, Muanusuru, intends to subdivide the property into 2 Portions (A and the remainder). The Erf sites assigned to the proposed sites are in line with the Ministry of Urban and Rural Development's Town Planning Guidelines for Principal Layout Plans, and the Muanusuru Town Planning Scheme. Furthermore, the proposed sites are compatible with the size of the surrounding sites.

FOR MORE INFORMATION AND QUERIES, KINDLY CONTACT:



## PUBLIC NOTICE

Please take note that Kamea Town Planning and Development Specialist has been appointed by the owner of Erf 1490 Lange Street, Windhoek to apply to the City of Windhoek and the Urban and Regional Planning Board for the:

- REZONING OF Erf 1490 PROMEREPARE EXTENSION 1, WINDHOEK FROM RESIDENTIAL WITH A DENSITY OF 1:500 TO HOSPITALITY
- CONSENT TO USE Erf 1490 PROMEREPARE EXTENSION 1, WINDHOEK FOR AN ACCOMMODATION ESTABLISHMENT (HOTEL PROMEREPARE) WITH 14 BEDROOMS
- CONSENT TO OPERATE THE HOTEL PROMEREPARE WHILE THE REZONING PROCESS IS IN PROGRESS

In terms of the City of Windhoek Town Planning Scheme and Part 2, Section 105 of the Urban and Regional Planning Act 5 of 2018.

Erf 1490 Lange Street Promerepar, Extension 1, Windhoek, is located in the old-estate of Lange Street, which intersects with Scheppenberg Street. The Erf lies on a flat surface and measures 1432sqm in extent and is currently zoned Residential with a density of 1:500 in terms of the Windhoek Town Planning Scheme.

The owner of Erf 1490 Lange Street Promerepar, Extension 1, Windhoek intends to rezone the subject property to Hospitality and to consent in operating an Accommodation Establishment and subject specifically a Pension Hotel with 16 bedrooms, in accordance with the intended uses of the rezoning zoning.

Please further take note that:-

(a) For more enquiries regarding the rezoning and consent application, visit the City of Windhoek Department of Town Planning, Sub Plans, Office Number 213.

(b) Any person having objections to the rezoning and consent concerned or who wants to comment, may in writing lodge such objections and comments, together with the grounds, with the Chief Executive Officer of the City of Windhoek, and with the applicant within 14 days of the last publication of the notice, i.e. no later than 26 October 2023.

FOR MORE INFORMATION AND QUERIES, KINDLY CONTACT:



## NOTICE

Take notice that HARMONIC TOWN PLANNING CONSULTANTS CC, TOWN, AND REGIONAL PLANNERS, on behalf of the owners of the respective erf, intends to apply to the Keetmanshoop Municipality and the Urban and Regional Planning Board for the:

- Rezoning of Erf No. 3065 (a Portion of Erf 1476) Keetmanshoop from "Residential 1" with a density of 1:750 to "Residential 2" with a density of 1:100; and
- Consent to commence with the proposed development while the rezoning is in progress.

Erf No. 3065 (a Portion of Erf 1476) Keetmanshoop measures ±1001 m<sup>2</sup> in extent and is zoned "Residential 1" with a density of 1:750 as per Keetmanshoop Zoning Scheme. The owners intend to develop residential flats on their property in order to provide rental accommodation. The proposed rezoning will allow the owners to use the Erf to its maximum potential and contribute to the housing options in the town of Keetmanshoop.

Parking to the development will be provided in accordance with the requirements of the Keetmanshoop Zoning Scheme.

Further take notice that the plan of the Erf lies for inspection on the town planning notice board at the Keetmanshoop Municipality and at Harmonic Town Planning Offices, 769 Pastor Street, Windhoek West.

Further take notice that any person objecting to the proposed use of the land as set out above may lodge such objection together with the grounds thereof, with the Keetmanshoop Municipality with the Applicant in writing within 14 days of the last publication of this notice (final date for objections is Friday, 13 October 2023).



Contact: Heidi Kisting  
Harmonic Town Planning  
Consultants CC  
Town and Regional Planners  
P.O. Box 5216 Windhoek  
Cell: 081 127 0679  
Fax: 023 2584621  
E-mail: HPA@HARMONIC.COM

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### PUBLIC NOTICE

Notice is hereby placed to inform all potentially interested and affected Parties (IAPs) that an application for Environmental Clearance Certificate by Kamau Town Planning and Development Specialist, on behalf of the owner of Erf 1000 & 1001, Grootfontein, Erongo Region, will be made to the Environmental Commissioner, in line with the provisions of Environmental Management Act (No. 17 of 2007) and its Regulations (GA 36 of 6 February 2002), for the:

- REZONING OF ERF 1000 EXTENSION 5, GROOTFONTein INTO 26 PORTIONS AND THE REMAINDER OF ERF 1000
- REZONING OF PORTIONS 1-13 AND 24 (Erf 1001) EXTENSION 5 GROOTFONTein FROM INDUSTRIAL Y TO LOCAL BUSINESS
- REZONING OF PORTIONS 14-25 (Erf 1001) EXTENSION 5 GROOTFONTein FROM INDUSTRIAL Y TO RESIDENTIAL
- REZONING OF PORTIONS 26, 25 AND 24/2400 (Erf 1001) EXTENSION 5 GROOTFONTein FROM INDUSTRIAL Y TO STREET
- REZONING OF ERF 1001 EXTENSION 5, GROOTFONTein INTO 23 PORTIONS AND THE REMAINDER OF Erf 1001
- REZONING OF PORTIONS 1, 11-22 (Erf 1001) EXTENSION 5 GROOTFONTein FROM INDUSTRIAL Y TO LOCAL BUSINESS
- REZONING OF PORTIONS 2-10 (Erf 1001) EXTENSION 5 GROOTFONTein FROM INDUSTRIAL Y TO RESIDENTIAL
- REZONING OF PORTION 23 AND THE REMAINDER OF Erf 1001 (Erf 1001) EXTENSION 5 GROOTFONTein FROM INDUSTRIAL Y TO STREET

**Location**  
Erf 1000 and 1001 Extension 5 Grootfontein are located south west from the CBD of Grootfontein town. The erven lie on flat surfaces and respectively measure 11621 sqm and 11632sqm in extent. The respective erven are located in a predominantly industrial area to the west of the Grootfontein CBD. The respective erven are currently zoned 'Industrial Y'.

Please further take note that:-

All interested and affected parties (IAPs) are invited to cordially participate in public consultation meeting on the 22nd of September 2023. Additionally, to register with Kamau TPOS for any comments, issues or concerns related to the project, for consideration in the environmental assessment, is no later than 28 October 2023.

FOR MORE INFORMATION AND QUERIES, KINDLY CONTACT:



### PUBLIC NOTICE

Please take note that Kamau Town Planning and Development Specialist has been appointed by the owner of Erf 798, 820 & 823 Erongo 2, Muhanzaru to apply to the Muhanzaru Town Council and the Urban and Regional Planning Board for the:

- REZONING OF Erf 798, EXTENSION 2 (MURHANZARU) FROM SINGLE RESIDENTIAL WITH A DENSITY OF 1:500 TO SINGLE RESIDENTIAL WITH A DENSITY OF 1:300
- SUBDIVISION OF Erf 798 EXTENSION 2 (MURHANZARU) INTO PORTION A AND THE REMAINDER OF Erf 798 EACH WITH A DENSITY OF 1:300
- REZONING OF Erf 820, EXTENSION 2 (MURHANZARU) FROM SINGLE RESIDENTIAL WITH A DENSITY OF 1:500 TO SINGLE RESIDENTIAL WITH A DENSITY OF 1:300
- SUBDIVISION OF Erf 820 EXTENSION 2 (MURHANZARU) INTO PORTION A AND THE REMAINDER OF Erf 820 EACH WITH A DENSITY OF 1:300
- REZONING OF Erf 823, EXTENSION 2 (MURHANZARU) FROM SINGLE RESIDENTIAL WITH A DENSITY OF 1:500 TO SINGLE RESIDENTIAL WITH A DENSITY OF 1:300
- SUBDIVISION OF Erf 823 EXTENSION 2 (MURHANZARU) INTO PORTION A AND THE REMAINDER OF Erf 823 EACH WITH A DENSITY OF 1:300

In terms of Table B of the Muhanzaru Town Planning Scheme and Part 2, Section 105 of the Urban and Regional Planning Act 5 of 2018.

In order to enhance the development potential of her properties, the owner of Erf 798, 820 & 823 (Extension 2) Muhanzaru, intends to subdivide the property into 3 Portions (A and the remainder). The Erf also assigned to the proposed erven are in line with the Ministry of Urban and Rural Development's Town Planning Guidelines for Principal Layout Plans, and the Muhanzaru Town Planning Scheme. Furthermore, the proposed erven sizes are compatible with the uses of the surrounding erven.

Please further take note that:-

(a) For more enquiries regarding the rezoning and subdivision applications, visit the Muhanzaru Town Council department of Town Planning.

(b) Any person having objections to the rezoning and subdivision or who wants to comment, may in writing lodge such objections and comments, together with the grounds, with the Chief Executive Officer of the Muhanzaru Town Council, and with the applicant within 14 days of the last publication of this notice, i.e. no later than 28 October 2023.

FOR MORE INFORMATION AND QUERIES, KINDLY CONTACT:



### PUBLIC NOTICE

Please take note that Kamau Town Planning and Development Specialist has been appointed by the owner of Erf 115 Oshanaati North, to apply to the Oshanaati Town Council and the Urban and Regional Planning Board for the:

- REZONING OF Erf 115 OSHANAATI NORTH, FROM GENERAL RESIDENTIAL WITH THE DENSITY OF 1:1000sqm TO BUSINESS WITH A DENSITY OF 2:0

In terms of the Oshanaati Town Planning Scheme and Part 2, Section 105 of the Urban and Regional Planning Act 5 of 2018.

Erf 115 is located within the Oshanaati North township, well known also as Ehenye. The respective Erf is located along the 6th street on the right, from the main road leading north of Ehenye and Oshanaati. Erf 115 is the sixth erf after the newly built Raza, Kibira Court.

The respective Erf measures 4816sqm in extent, is currently zoned as 'General Residential' with a density of 1:1000sqm as per the Oshanaati Town Planning Scheme and it lies on a flat terrain.

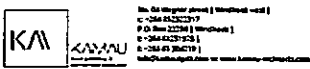
In order to maximize the development potential of the property, the owners of Erf 115 Oshanaati North intend to rezone the respective property from 'general residential' with a density of 1:1000sqm to 'business' with a density of 2:0.

Please further take note that:-

(a) For more enquiries regarding the rezoning application, visit the Oshanaati Town Council's department of Planning.

(b) Any person having objections to the rezoning concerned or who wants to comment, may in writing lodge such objections and comments, together with the grounds, with the Chief Executive Officer of the Oshanaati Town Council, and with the applicant within 14 days of the last publication of this notice, i.e. no later than 28 October 2023.

FOR MORE INFORMATION AND QUERIES, KINDLY CONTACT:



### PUBLIC NOTICE

Please take note that Kamau Town Planning and Development Specialist has been appointed by the owner of Erf 940 Extension 2, Muhanzaru to apply to the Muhanzaru Town Council and the Urban and Regional Planning Board for the:

- REZONING OF Erf 940, EXTENSION 2 (MURHANZARU) FROM SINGLE RESIDENTIAL WITH A DENSITY OF 1:500 TO SINGLE RESIDENTIAL WITH A DENSITY OF 1:300
- SUBDIVISION OF Erf 940 EXTENSION 2 (MURHANZARU) INTO PORTION A AND THE REMAINDER OF Erf 940 EACH WITH A DENSITY OF 1:300

In terms of Table B of the Muhanzaru Town Planning Scheme and Part 2, Section 105 of the Urban and Regional Planning Act 5 of 2018.

Muhanzaru Extension 2 in which the subject of rezoning and subdivision is located is bounded by the D1006 national road to the north, the D10 to the west and the CORO to the east. The erf is located in close proximity and south of the Muhanzaru Combined School. To the north of the erf are major retail uses such as the Tula Service Station, Umanu Muhanzaru, Ministry of Education, Muhanzaru/Erongo Supermarkets and Muhanzaru Town Council located within the CBD of the town.

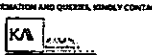
In order to maximize the development potential of her properties, the owner of Erf 940 Extension 2, Muhanzaru, intends to subdivide the property into 2 Portions (A and the remainder). The Erf also assigned to the proposed erven are in line with the Ministry of Urban and Rural Development's Town Planning Guidelines for Principal Layout Plans, and the Muhanzaru Town Planning Scheme. Furthermore, the proposed erven sizes are compatible with the uses of the surrounding erven.

Please further take note that:-

(a) For more enquiries regarding the rezoning and subdivision applications, visit the Muhanzaru Town Council department of Town Planning.

(b) Any person having objections to the rezoning and subdivision or who wants to comment, may in writing lodge such objections and comments, together with the grounds, with the Chief Executive Officer of the Muhanzaru Town Council, and with the applicant within 14 days of the last publication of this notice, i.e. no later than 28 October 2023.

FOR MORE INFORMATION AND QUERIES, KINDLY CONTACT:



### PUBLIC NOTICE

Please take note that Kamau Town Planning and Development Specialist has been appointed by the owner of Erf 1490 Rango Street, Pongorpaak Extension 1, Windhoek to apply to the City of Windhoek and the Urban and Regional Planning Board for the:

- REZONING OF Erf 1490 PONGORPAAK EXTENSION 1, WINDHOEK FROM RESIDENTIAL WITH A DENSITY OF 1:500 TO HOSPITALITY
- CONSENT TO USE Erf 1490 PONGORPAAK EXTENSION 1, WINDHOEK FOR AN ACCOMMODATION ESTABLISHMENT (HOTEL/PENSION) WITH 16 BEDROOMS
- CONSENT TO OPERATE THE HOTEL/PENSION WHILE THE REZONING PROCESS IS IN PROGRESS

In terms of the City of Windhoek Town Planning Scheme and Part 2, Section 105 of the Urban and Regional Planning Act 5 of 2018.

Erf 1490 Rango Street, Pongorpaak, Extension 1, Windhoek, is located in the cul-de-sac of Rango Street, which intersects with Sjoepanweg Street. The Erf lies on a flat surface and measures 3430sqm in extent and is currently zoned 'Residential' with a density of 1:500 in terms of the Windhoek Town Planning Scheme.

The owner of Erf 1490 Rango Street, Pongorpaak, Extension 1, Windhoek intends to rezone the subject property to Hospitality and to consent to operate an Accommodation Establishment (more specifically a Pension Hotel with 16 bedrooms), in accordance with the consent uses of the Hospitality zoning.

Please further take note that:-

(a) For more enquiries regarding the rezoning and consent applications, visit the City of Windhoek Department of Town Planning, 5th Floor, Office Number 511.

(b) Any person having objections to the rezoning and consent or who wants to comment, may in writing lodge such objections and comments, together with the grounds, with the Chief Executive Officer of the City of Windhoek, and with the applicant within 14 days of the last publication of this notice, i.e. no later than 28 October 2023.

FOR MORE INFORMATION AND QUERIES, KINDLY CONTACT:



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## Notices

### Legal Notices

**LIQUIDATION AND DISTRIBUTION ACCOUNT IN DECEASED ESTATE LYING FOR INSPECTION**

In terms of section 35(5) of Act 66 of 1965, notice is hereby given that copies of the liquidation and distribution in the estate below will be open for inspection for all persons interested therein for a period of 21 days from date of publication hereof at the Master of the High Court (Windhoek) and Magistrates Court as stated below (where applicable). Should no objection thereto be lodged with the Master concerned during the period, the executor shall proceed to make payments in accordance with the account.

Registered number of Estate: E 982/2023

Surname: GEINGOB  
 First Name: OLGA PETRONELLA  
 Identity No: 73051500879  
 Last Address: SWAKOPMUND, OSHANA REGION  
 Full Name of the Surviving Spouse: AUGUSTINUS GEINGOB  
 ID Number: 70080800831  
 Account Description: FIRST & FINAL  
 Magistrate's Court: SWAKOPMUND  
 Authorized Agent: S. NEWAKA & COMPANY INC 137, JOHN MEINERT STREET, WINDHOEK WEST, WINDHOEK  
 Email: snewaka@snewakaco.com  
 Advertiser and Address: S. Newaka & Company Inc PO Box 26215  
 Email address: snewaka@snewakaco.com  
 Tel: +264 81 2310193 (Sabanius Newaka)

**LIQUIDATION AND DISTRIBUTION ACCOUNT IN DECEASED ESTATE LYING FOR INSPECTION**

In terms of section 35(5) of Act 66 of 1965, notice is hereby given that copies of the liquidation and distribution in the estate below will be open for inspection for all persons interested therein for a period of 21 days from date of publication hereof at the Master of the High Court (Windhoek) and Magistrates Court as stated below (where applicable). Should no objection thereto be lodged with the Master concerned during the period, the executor shall proceed to make payments in accordance with the account.

Registered number of Estate: E 405/2023

Surname: TEOFFILUS  
 First Name: FRANS HANGULA  
 Identity No: 64052610016  
 Last Address: ONDANGWA, OSHANA REGION  
 Full Name of the Surviving Spouse: OTTILIE N. HAUFUKU  
 ID Number: 70061700746  
 Account Description: FIRST & FINAL  
 Magistrate's Court: ONDANGWA  
 Authorized Agent: S. NEWAKA & COMPANY INC 137, JOHN MEINERT STREET, WINDHOEK WEST, WINDHOEK  
 Email: snewaka@snewakaco.com  
 Advertiser and Address: S. Newaka & Company Inc PO Box 26215  
 Email address: snewaka@snewakaco.com  
 Tel: +264 81 2310193 (Sabanius Newaka)

**LIQUIDATION AND DISTRIBUTION ACCOUNT IN DECEASED ESTATE LYING FOR INSPECTION**

In terms of section 35(5) of Act 66 of 1965, notice is hereby given that copies of the liquidation and distribution in the estate below will be open for inspection for all persons interested therein for a period of 21 days from date of publication hereof at the Master of the High Court (Windhoek) and Magistrates Court as stated below (where applicable). Should no objection thereto be lodged with the Master concerned during the period, the executor shall proceed to make payments in accordance with the account.

Registered number of Estate: 1016/2016

Surname: LYAMINE  
 First Name: MATENGU PATRICK  
 Identity No: 76075000486  
 Last Address: KATIAMA MULLILO  
 Account Description: FIRST & FINAL  
 Magistrate's Court: KATIAMA MULLILO  
 Authorized Agent: S. NEWAKA & COMPANY INC 137, JOHN MEINERT STREET, WINDHOEK WEST, WINDHOEK  
 Email: snewaka@snewakaco.com  
 Advertiser and Address: S. Newaka & Company Inc PO Box 26215  
 Email address: snewaka@snewakaco.com  
 Tel: +264 81 2310193 (Sabanius Newaka)

## Notices

### Legal Notices

**LIQUIDATION AND DISTRIBUTION ACCOUNT IN DECEASED ESTATE LYING FOR INSPECTION**

In terms of section 35(5) of Act 66 of 1965 notice is hereby given that copies of the liquidation and distribution accounts (first and final, unless otherwise stated) in the estates specified below will be open for the inspection of all persons interested therein for a period of 21 days (or longer if specially stated) from the date specified or from the date of publication hereof, whichever may be the later, and at the offices of the Masters and Magistrates as stated.

Registered number of estates: E 554/2023

Surname: Inasiku  
 Christian Names: Jerome Masule  
 Identity number: 64 010100533  
 Last Address: Windhoek  
 Description of account other than First and Final  
 Period of inspection other than 21 days: 21 days  
 Magistrate's Office: Katima Mulilo  
 Master's Office: Windhoek  
 Name and (only name) address of executor or authorized agent: Namb Capital Investment  
 Cc: Eluwa Building Unit 9, Independence Avenue, Windhoek  
 Tel No: 083 3452897

Notice for publication in the Government Gazette on 29<sup>th</sup> September 2023

**LIQUIDATION AND DISTRIBUTION ACCOUNT IN DECEASED ESTATE LYING FOR INSPECTION**

In terms of section 35(5) of Act 66 of 1965 notice is hereby given that copies of the liquidation and distribution accounts (first and final, unless otherwise stated) in the estates specified below will be open for the inspection of all persons interested therein for a period of 21 days (or longer if specially stated) from the date specified or from the date of publication hereof, whichever may be the later, and at the offices of the Masters and Magistrates as stated.

Registered number of estates: E 890/2016

Surname: Shavuka  
 Christian Names: Johannes  
 Identity number: 69121600163  
 Last Address: Windhoek  
 Description of account other than First and Final  
 Period of inspection other than 21 days: 21 days  
 Magistrate's Office: Windhoek  
 Master's Office: Windhoek  
 Name and (only name) address of executor or authorized agent: Namb Capital Investment  
 Cc: Eluwa Building Unit 9, Independence Avenue, Windhoek  
 Tel No: 083 3452897

Notice for publication in the Government Gazette on 29<sup>th</sup> September 2023

**SECOND LIQUIDATION AND DISTRIBUTION ACCOUNTS IN DECEASED ESTATES LYING FOR INSPECTION**

In terms of section 35(5) of Act 66 of 1965 notice is hereby given that copies of the liquidation and distribution accounts (amended first account, unless otherwise stated) in the estates specified below will be open for inspection of all persons interested therein for a period of 21 days (or longer if specially stated) from the date specified or from the date of publication hereof, whichever may be the later, and at the offices of the Masters and Magistrates as stated.

Should no objection thereto be lodged with the Masters concerned during the period, the executors will proceed to make payments in accordance with the accounts.

Registered number of Estate: 1947/2017

Surname: MIHO  
 Christian Names: FESTUS  
 Identity Number: 600614 01129  
 Last Address: OKAKARARA  
 Christian names and surviving spouse: LYDIA U. HIHO  
 Identity Number: 710289 00037  
 Description of account other than First and Final: Second and Final Liquidation and Distribution Account  
 Period of inspection other than 21 days: 21 days  
 Magistrate's Office: OKAKARARA  
 Master's Office: Windhoek  
 Name and (only one) address of executor or authorized agent: WESSCO CONSULTING SERVICES, MAGNA VEWARI TRUST PO BOX 858, OKAVANGA DATE: 29th September 2023  
 Tel No: 081 688 0463  
 Notice for publication in the Government Gazette on 29<sup>th</sup> SEPTEMBER 2023

## Notices

### Legal Notices

**LIQUIDATION AND DISTRIBUTION ACCOUNT IN DECEASED ESTATE LYING FOR INSPECTION**

In terms of section 35(5) of Act 66 of 1965 notice is hereby given that copies of the liquidation and distribution accounts (first and final, unless otherwise stated) in the estates specified below will be open for the inspection of all persons interested therein for a period of 21 days (or longer if specially stated) from the date specified or from the date of publication hereof, whichever may be the later, and at the offices of the Masters and Magistrates as stated.

Registered number of estates: E 3177/2021

Surname: Van Neel  
 Christian Names: Maria Magdalena  
 Identity number: 421202200041  
 Last Address: SWAKOPMUND  
 Description of account other than First and Final  
 Period of inspection other than 21 days: 21 days  
 Magistrate's Office: SWAKOPMUND  
 Master's Office: Windhoek  
 Name and (only name) address of executor or authorized agent: Namb Capital Investment  
 Cc: Eluwa Building Unit 9, Independence Avenue, Windhoek  
 Tel No: 083 3452897

Notice for publication in the Government Gazette on 29<sup>th</sup> September 2023

**LIQUIDATION AND DISTRIBUTION ACCOUNT IN DECEASED ESTATE LYING FOR INSPECTION**

In terms of section 35(5) of Act 66 of 1965 notice is hereby given that copies of the liquidation and distribution accounts (first and final, unless otherwise stated) in the estates specified below will be open for the inspection of all persons interested therein for a period of 21 days (or longer if specially stated) from the date specified or from the date of publication hereof, whichever may be the later, and at the offices of the Masters and Magistrates as stated.

Registered number of estates: E 1033/2023

Surname: Flanks  
 Christian Names: Christa  
 Identity number: 620070300321  
 Last Address: United States of America  
 Description of account other than First and Final  
 Period of inspection other than 21 days: 21 days  
 Magistrate's Office: Windhoek  
 Master's Office: Windhoek  
 Name and (only name) address of executor or authorized agent: Namb Capital Investment  
 Cc: Eluwa Building Unit 9, Independence Avenue, Windhoek  
 Tel No: 083 3452897

Notice for publication in the Government Gazette on 29<sup>th</sup> September 2023

**LIQUIDATION AND DISTRIBUTION ACCOUNTS IN DECEASED ESTATES LYING FOR INSPECTION**

In terms of section 35 (5) of Act 66 of 1965 notice is hereby given that copies of the liquidation and distribution accounts (first and final, unless otherwise stated) in the estates specified below will be open for the inspection of all persons interested therein for a period of 21 days (or longer if specially stated) from the date specified or from the date of publication hereof, whichever may be the later, and at the offices of the Masters and Magistrates as stated.

Should no objection thereto be lodged with the Masters concerned during the period, the executors will proceed to make payments in accordance with the accounts.

Registered number of Estate: E1612/2023

Surname: LEONARD  
 Christian Names: HERMES  
 Identity/Passport number: 640703 0031 3  
 Last address: RUNDU  
 Date of Death: 23 FEBRUARY 2020  
 Christian names and surname of surviving spouse: N/A  
 Identity number: N/A  
 Description of account other than first and final: FIRST AND FINAL  
 Period of inspection other than 21 days: 21 days  
 Master's office: WINDHOEK  
 Magistrate's office: RUNDU  
 Name and (only one) address of executor or authorized agent: WESSCO CONSULTING SERVICES, MAGNA VEWARI TRUST PO BOX 858, OKAVANGA DATE: 29th SEPTEMBER 2023  
 Tel No: 081 411 2843  
 Notice for publication in the government Gazette on 29 SEPTEMBER 2023

## Notices

### Legal Notices

**PUBLIC NOTICE**

Please take note that Karoo Town Planning and Development Specialist has been appointed by the owner of Erf 1490 Pannaspan Extension 1, Windhoek to apply to the City of Windhoek and the Urban and Regional Planning Board for the:

- REMOVAL OF ERF 1490 PANNASPAN EXTENSION 1, WINDHOEK FROM RESIDENTIAL WITH A DENSITY OF 100 TO HOUSING
- CONSENT TO USE ERF 1490 PANNASPAN EXTENSION 1, WINDHOEK FOR AN ACCOMMODATION ESTABLISHMENT (POOL PERSON WITH 18 BEDROOMS)
- CONSENT TO OPERATE THIS HOTEL, POOL WITH THE REZONING PROCESS IS IN PROGRESS

In terms of the City of Windhoek Town Planning Scheme and Part 2, Section 105 of the Urban and Regional Planning Act 5 of 2018.

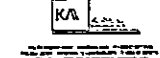
Erf 1490 Range Street Pannaspan Extension 1, Windhoek, is located in the off-beat of Range Street between what Schepens Drive, The Erf has a flat surface and measures 1435sqm in area and is currently zoned Residential with a density of 100 as terms of the Windhoek Town Planning Scheme.

The owner of Erf 1490 Range Street Pannaspan Extension 1, Windhoek intends to rezone the subject property to Housing and to convert to operate an Accommodation Establishment and to use the subject property as a Pool Person with 18 bedrooms. In accordance with the consent rules of the Municipality, please further take note that:

If for more enquiries regarding the rezoning and consent application, visit the City of Windhoek department of Town Planning, 303 Pines, Office Number 111.

If any person having objections to the rezoning and consent application or who wants to comment, may in writing lodge such objections and comments, together with the grounds, with the Chief Executive Officer of the City of Windhoek, and with the application within 14 days of the last publication of the notice. No later than 14, no later than 26 October 2023.

FOR MORE INFORMATION AND OTHERS, KINDLY CONTACT:



Karoo Town Planning and Development Specialist

## PUBLIC NOTICE

Notice is hereby given to inform all potentially interested and affected Parties (PAIPs) that an application for Environmental Clearance Certificate by Karoo Town Planning and Development Specialist on behalf of the owner of Erf 1001 & 1001A, Grootfontein, Extension 8 will be made to the Environmental Commission, in line with the provisions of Environmental Management Act (No. 107 of 2002) and as Regulator (EO 30 of 6 February 2012), to wit:

- SUBDIVISION OF ERF 1000 EXTENSION 8, GROOTFONTEIN INTO 28 PORTIONS AND THE REMOVAL OF ERF 1000
- REMOVAL OF PORTIONS 1, 12 AND 24 OF ERF 1001, EXTENSION 8 GROOTFONTEIN FROM INDUSTRIAL 1 TO LOCAL BUSINESS
- REMOVAL OF PORTIONS 14-22 OF ERF 1001, EXTENSION 8 GROOTFONTEIN FROM INDUSTRIAL 1 TO RESIDENTIAL
- REMOVAL OF PORTIONS 24, 25 AND 25/100A OF ERF 1001, EXTENSION 8 GROOTFONTEIN FROM INDUSTRIAL 1 TO STREET
- SUBDIVISION OF ERF 1001 EXTENSION 8, GROOTFONTEIN INTO 23 PORTIONS AND THE REMOVAL OF ERF 1001
- REMOVAL OF PORTIONS 1, 11-22 OF ERF 1001, EXTENSION 8 GROOTFONTEIN FROM INDUSTRIAL 1 TO LOCAL BUSINESS
- REMOVAL OF PORTIONS 1, 11-22 OF ERF 1001, EXTENSION 8 GROOTFONTEIN FROM INDUSTRIAL 1 TO RESIDENTIAL
- REMOVAL OF PORTION 23 AND THE REMOVAL OF ERF 1001 OF ERF 1001, EXTENSION 8 GROOTFONTEIN FROM INDUSTRIAL 1 TO STREET


Location

Erf 1001 and 1001 Extension 8 Grootfontein are located south west from the CBD of Grootfontein. The area is on flat surface and respectively measure 118131 sqm and 11832sqm in area. The respective areas are located in a predominantly industrial area with the use of the Grootfontein CDZ. The respective areas are currently zoned Industrial 1.

Please further take note that:-

All interested and affected parties (PAIPs) are invited to publicly participate in public hearings concerning the project on 16 September 2023. Additionally, to register with Karoo TWS for any concerns, issues or comments related to the project, for consideration in the environmental assessment. No, no later than 26 October 2023.

FOR MORE INFORMATION AND OTHERS, KINDLY CONTACT:



Karoo Town Planning and Development Specialist

## Notices

### Legal Notices

**PUBLIC NOTICE**

Please take note that Karoo Town Planning and Development Specialist has been appointed by the owner of Erf 115 Okavango North, Windhoek to apply to the Okavango Town Council and the Urban and Regional Planning Board for the:

- REZONING OF ERF 115 OKAVANGO NORTH, FROM GENERAL RESIDENTIAL WITH THE DENSITY OF 1:1050sqm TO BUSINESS WITH A BULK OF 2:0

In terms of the Okavango Town Planning Scheme and Part 2, Section 105 of the Urban and Regional Planning Act 5 of 2018.

Erf 115 is located within the Okavango North Township, but was also at Ernye. The respective Erf is located along the 5th street on the right, from the main road leading north of Ernye and Okavanga. Erf 115 is the street after the newly built face, Kotteva Court.

The respective Erf measures 451sqm in extent, is currently zoned as "General Residential" with a density of 1:1000sqm as per the Okavango Town Planning Scheme and it lies on a flat terrain.


In order to maximize the development potential of the property, the owners of Erf 115 Okavango North intend to rezone the respective property from "General Residential" with a density of 1:1000sqm to "Business" with bulk of 2:0.

Please further take note that:-

If for more enquiries regarding the rezoning application, visit the Okavango Town Council's department of Planning

If any person having objections to the rezoning and consent application or who wants to comment, may in writing lodge such objections and comments, together with the grounds, with the Chief Executive Officer of the Okavango Town Council, and with the application within 14 days of the last publication of the notice, i.e. no later than 26 October 2023.

FOR MORE INFORMATION AND OTHERS, KINDLY CONTACT:



Karoo Town Planning and Development Specialist

## PUBLIC NOTICE

**PUBLIC NOTICE**

Please take note that Karoo Town Planning and Development Specialist has been appointed by the owner of Erf 962 Eckerman 2, Murrumbidgee to apply to the Murrumbidgee Town Council and the Urban and Regional Planning Board for the:

- REMOVAL OF ERF 962 ECKERMAN 2, MURRUMBIGEE FROM TRINGLE RESIDENTIAL WITH A DENSITY OF 0:80
- SUBDIVISION OF ERF 968 EACH WITH A DENSITY OF 0:80

In terms of Table B of the Murrumbidgee Town Planning Scheme and Part 2, Section 105 of the Urban and Regional Planning Act 5 of 2018.

Murrumbidgee Extension 2 in which the subject is earmarked for rezoning and subdivision is located in the north of the Murrumbidgee, between the R10 to the west and the R1040 to the east. The Erf is located in the southern part of the Murrumbidgee Township. To the north of the area are major road such as the Tolk Lane, Service Street, Ekimbe Murrumbidgee, Ministry of Education, Waterworks/Superintenders and Murrumbidgee Town Council located within the CBD of the town.

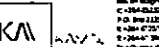
In order to maximize the development potential of the property, the owner of Erf 962 Eckerman 2, Murrumbidgee intends to subdivide the property into 2 Portion (A and B) and the remainder. The Erf will be rezoned from Tringle Residential with a density of 0.80 and with the proposed rezoning, the proposed area are in line with the Ministry of Urban and Rural Development, Furthermore, the proposed area are compatible with the uses of the surrounding area.

Please further take note that:-

If for more enquiries regarding the rezoning and subdivision application, visit the Murrumbidgee Town Council department of Town Planning.

If any person having objections to the rezoning and consent application or who wants to comment, may in writing lodge such objections and comments, together with the grounds, with the Chief Executive Officer of the Murrumbidgee Town Council, and with the application within 14 days of the last publication of the notice, i.e. no later than 26 October 2023.

FOR MORE INFORMATION AND OTHERS, KINDLY CONTACT:



Karoo Town Planning and Development Specialist

## PUBLIC NOTICE

**PUBLIC NOTICE**

Please take note that Karoo Town Planning and Development Specialist has been appointed by the owner of Erf 1000 Eckerman 2, Murrumbidgee to apply to the Murrumbidgee Town Council and the Urban and Regional Planning Board for the:

- REMOVAL OF ERF 1000 ECKERMAN 2, MURRUMBIGEE FROM TRINGLE RESIDENTIAL WITH A DENSITY OF 0:80
- SUBDIVISION OF ERF 1000 EXTENSION 2, MURRUMBIGEE INTO PORTION A AND THE REMOVAL OF ERF 1000 WITH A DENSITY OF 0:80

In terms of Table B of the Murrumbidgee Town Planning Scheme and Part 2, Section 105 of the Urban and Regional Planning Act 5 of 2018.

Murrumbidgee Extension 2 in which the subject is earmarked for rezoning and subdivision is located in the north of the Murrumbidgee, between the R10 to the west and the R1040 to the east. The Erf is located in the southern part of the Murrumbidgee Township. To the north of the area are major road such as the Tolk Lane, Service Street, Ekimbe Murrumbidgee, Ministry of Education, Waterworks/Superintenders and Murrumbidgee Town Council located within the CBD of the town.


In order to maximize the development potential of the property, the owner of Erf 1000 Eckerman 2, Murrumbidgee intends to subdivide the property into 2 Portion (A and B) and the remainder. The Erf will be rezoned from Tringle Residential with a density of 0.80 and with the proposed rezoning, the proposed area are in line with the Ministry of Urban and Rural Development, Furthermore, the proposed area are compatible with the uses of the surrounding area.

Please further take note that:-

If for more enquiries regarding the rezoning and subdivision application, visit the Murrumbidgee Town Council department of Town Planning.

If any person having objections to the rezoning and consent application or who wants to comment, may in writing lodge such objections and comments, together with the grounds, with the Chief Executive Officer of the Murrumbidgee Town Council, and with the application within 14 days of the last publication of the notice, i.e. no later than 26 October 2023.

FOR MORE INFORMATION AND OTHERS, KINDLY CONTACT:



Karoo Town Planning and Development Specialist

**CALL FOR PUBLIC PARTICIPATION ENVIRONMENTAL IMPACT ASSESSMENT FOR EXPLORATION AND PROSPECTING LICENCES ON EPL7997 AND EPL793**

This notice serves to inform all interested and affected parties that an application for the environmental clearance certificate will be launched with the Environmental Commission in terms of the Environmental Management Act (No.7 of 2007) and the Environmental Regulations (GN 30 of 2012).

The allocated EPL Area is located approximately 60 kilometers west of Karanjab, in the Kunene region. The applied area covers an area of 45 000ha. The proposed EPL area is accessible along the C40 gravel road from Kamanjab towards Ernye enroute to Palmaraj. The proponent intends to conduct exploration and prospecting for base and rare metals, dimension stone, industrial minerals and precious metals.

Proponent: Abud Katjipa  
 All interested and affected parties are hereby invited to register and submit their comments regarding the proposed project on or before 02/11/2023. Contact details: Ausite Environmental Consulting Dr. K Kanguehi Email: kanguehi@gmail.com Cell number: 0817069027

**LIQUIDATION AND DISTRIBUTION ACCOUNT IN DECEASED ESTATE LYING FOR INSPECTION**

In terms of section 35(5) of Act 66 of 1965 notice is hereby given that copies of the liquidation and distribution accounts (first and final, unless otherwise stated) in the estates specified below will be open for the inspection of all persons interested therein for a period of 21 days (or longer if specially stated) from the date specified or from the date of publication hereof, whichever may be the later, and at the offices of the Masters and Magistrates as stated.

Registered number of estates: E1373/2021

Surname: Cioete  
 Christian Name: Christian  
 Identity number: 65012900316  
 Last Address: Windhoek  
 Description of account other than First and Final  
 Period of inspection other than 21 days: 21 days  
 Magistrate's Office: Windhoek  
 Master's Office: Windhoek  
 Name and (only name) address of executor or authorized agent: Namb Capital Investment  
 Cc: Eluwa Building Unit 9, Independence Avenue, Windhoek  
 Tel No: 083 3452897

Notice for publication in the Government Gazette on 29<sup>th</sup> September 2023


# CLASSIFIEDS

Tel: (061) 208 0800/44

Fax: (061) 220 584

Email: classifieds@nepc.com.na

<b>Services</b>	<b>Notice</b>	<b>Notice</b>	<b>Notice</b>	<b>Notice</b>	<b>Notice</b>	<b>Notice</b>
<b>General</b>	<b>Legal Notice</b>	<b>Legal Notice</b>	<b>Legal Notice</b>	<b>Legal Notice</b>	<b>Legal Notice</b>	<b>Legal Notice</b>



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sms website to 0814767714

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**OMITO YILONGA**

Otakukongwa aahondji yapyakokwa nawa tayakalongela ko Gimbabasi, Nayakale yeshi kulogitha eshina iyopashinameta (industrial machine), Mboka yena ehala nayandhege ko 0857461813

**Notice**

**THREE (3) STOREY RESIDENTIAL DWELLING UNIT NOTICE.**  
Please take note that Anita. Platt, the owner of Erf 554, Kleine Kuppe, intends to apply to the Windhoek Municipal Council for the:  
• Construction of a three (3) storey dwelling unit on Erf 554 Makuri street, Kleine Kuppe, Windhoek, as prescribed and provided for by the Windhoek Town Planning Scheme.  
Erf 554 is situated in the Kleine Kuppe township, located to the Southern-Eastern parts of the larger Windhoek. The erf measures 365m<sup>2</sup> in extent and is zoned 'Residential'. The proposed construction will allow the owner to erect a three storey dwelling unit on Erf 554 Kleine Kuppe. Should this application be successful, the number of vehicles for which parking must be provided on-site will be Two (2), in accordance with the requirements of the Windhoek Town Planning Scheme.  
Take note that the plan of the erf lies for inspection on the Town Planning Notice Board at the Customer Care Centre, Main Municipal Offices, Rev. Michael Scott Street, Windhoek.  
Further take note that any person objecting to the proposed use of the land as set out above, may lodge such objection together with the grounds thereof, with the City and with the applicant in writing within 14 days of the appearance of this notice. The last date for any objection is 18 October 2023.  
Dated at Windhoek on 26 September 2023.  
Anita Platt, Erf 554 Kleine Kuppe, P.O. Box 58338 Windhoek, 0814316052

**PUBLIC NOTICE**

Please take note that Kamau Town Planning and Development Specialist has been appointed by the owner of Erf 940 Extension 2, Niurenkuru to apply to the Niurenkuru Town Council and the Urban and Regional Planning Board for the:

- REZONING OF ERF 940, EXTENSION 2 NIURENKURU FROM 'SINGLE RESIDENTIAL' WITH A DENSITY OF 1:900 TO 'SINGLE RESIDENTIAL' WITH A DENSITY OF 1:300
- SUBDIVISION OF ERF 940 EXTENSION 2 NIURENKURU INTO PORTION A AND THE REMAINDER OF ERF 940 EACH WITH A DENSITY OF 1:300

In terms of Table B of the Niurenkuru Town Planning Scheme and Part 2, Section 105 of the Urban and Regional Planning Act 5 of 2018.

Niurenkuru Extension 2 in which the subject erf earmarked for rezoning and subdivision is located is bordered by the D3406 national road to the north, the B10 to the west and the D3405 to the east. The erf is located in close proximity and south of the Niurenkuru Combined School. To the north of the erf are major land uses such as the Tula Service Station, Ushave Niurenkuru, Ministry of Education, Women and Child Supermarkets and Niurenkuru Town Council located within the CBD of the town.

In order to maximize the development potential of his properties, the owner of Erf 940 Extension 2, Niurenkuru, intends to subdivide the property into 2 Portions (A and the remainder). The Erf sizes assigned to the proposed erven are in line with the Ministry of Urban and Rural Development's Town Planning Guidelines for Precinct Layout Plans, and the Niurenkuru Town Planning Scheme. Furthermore, the proposed erven sizes are comparable with the sizes of the surrounding erven.

Please further take note that -

- For more enquiries regarding the rezoning and subdivision application, visit the Niurenkuru Town Council department of Town Planning.
- Any person having objections to the rezoning and consent concerned or who wants to comment, may in writing lodge such objections and comments, together with the grounds, with the Chief Executive Officer of the Niurenkuru Town Council, and with the applicant within 14 days of the last publication of this notice, i.e. no later than, i.e. no later than 26 October 2023.

FOR MORE INFORMATION AND QUERIES, KINDLY CONTACT:

**KAMAU**  
No. 04 Mbagwe street | Windhoek | Tel: +264 81 8233442  
P.O. Box 22298 | Windhoek | Tel: +264 81 204219 |  
Email: kamau@nepc.com.na | www.kamau-erf.com.na

**FOR MORE INFORMATION AND QUERIES, KINDLY CONTACT:**

**KAMAU**  
No. 04 Mbagwe street | Windhoek | Tel: +264 81 8233442  
P.O. Box 22298 | Windhoek | Tel: +264 81 204219 |  
Email: kamau@nepc.com.na | www.kamau-erf.com.na

**• CHANGE OF SURNAME - THE ALIENS ACT, 1937**  
**NOTICE OF INTENTION OF CHANGE OF SURNAME**  
I, (1) NAEMAN NDEYILUKUWA residing at ERF 518 B, OSHAKATI EAST and carrying on business / employed as a (2) AIR CONDITION AND REFRIGERATION TECHNICIAN. Intend applying to the Minister of Home Affairs for authority under section 9 of the Aliens Act, 1937, to assume the surname NAEMAN BEN BEN for the reasons that (3) BECAUSE THE SURNAME BEN IS MY BIOLOGICAL FATHER'S SURNAME, MY NAME TO BE RECTIFIED FROM NAEMANI TO NAEMAN, I previously bore the name(s) (4) NAEMAN NDEYILUKUWA GABRIEL. I intend also applying for authority to change the surname of my wife and minor children (5) to Any person who objects to my/or assumption of the said surname of NAEMAN BEN BEN be lodge his/her objection, in writing, with a statement of his/her reasons therefor, with the magistrate of Windhoek - 25 SEPTEMBER 2023

**CALL FOR PUBLIC PARTICIPATION ENVIRONMENTAL IMPACT ASSESSMENT FOR EXPLORATION AND PROSPECTING LICENCES ON EPL7997 AND EPL793**  
This notice serves to inform all interested and affected parties that an application for the environmental clearance certificate will be launched with the Environmental Commissioner in terms of the Environmental Management Act (No.7 of 2007) and the Environmental Regulations (GN 30 of 2012).  
Project: The allocated EPL area is located approximately 60 kilometers west of Karanjab, in the Kunene region. The applied area covers an area of 45 000Ha. The proposed EPL area is accessible along the C40 gravel road from Karanjab towards Erwee enroute to Palmwag. The proponent intends to conduct exploration and prospecting for base and rare metals, dimension stone, industrial minerals and precious metals.  
Proponent: Abud Katjira  
All interested and affected parties are hereby invited to register and submit their comments regarding the proposed project on or before 02/11/2023. Contact details for registration and further information: Augustine Environmental Consulting, Dr. K. Kang'ethe, Email: kang'ethe@gea.com.na, Call number: 0817065927

**NOTICE TO CREDITORS IN DECEASED ESTATES**  
All persons having claims against the estates specified below, are called upon to lodge their claims with the executors concerned within a period of 30 days (or otherwise as indicated) from the date of publication hereof.  
Registered number of Estate: E 1537/2023  
Master's Office: Windhoek  
Surname: Kambei  
First Name: Lydia  
Date of Birth: 1961 July 21  
Last Name Number: 61072100231  
Last Address: Ovitoto, Otjozondjupa Region  
Date of Death 04 July 2023  
Name and (only one) address of executor or authorized agent: MAGNA VENARI TRUST  
P.O. BOX 868, WINDHOEK  
Date: 06th October 2023  
Tel No: 081 858 0463  
Notice for publication in the Government Gazette on: 06th October 2023

**NOTICE TO CREDITORS IN DECEASED ESTATES**  
All persons having claims against the estates specified below, are called upon to lodge their claims with the executors concerned within a period of 30 days (or otherwise as indicated) from the date of publication hereof.  
Registered number of Estate: E 1537/2023  
Master's Office: Windhoek  
Surname: Kambei  
First Name: Lydia  
Date of Birth: 1961 July 21  
Last Name Number: 61072100231  
Last Address: Ovitoto, Otjozondjupa Region  
Date of Death 04 July 2023  
Name and (only one) address of executor or authorized agent: MAGNA VENARI TRUST  
P.O. BOX 868, OKAHANJIA  
Date: 06th October 2023  
Tel No: 081 858 0463  
Notice for publication in the Government Gazette on: 06th October 2023

**PUBLIC NOTICE**

Please take note that Kamau Town Planning and Development Specialist has been appointed by the owner of Erf 1490 Pionierspark Extension 1, Windhoek to apply to the City of Windhoek and the Urban and Regional Planning Board for the:

- REZONING OF ERF 1490 PIONIERSPARK EXTENSION 1, WINDHOEK FROM RESIDENTIAL WITH A DENSITY OF 1:900 TO HOSPITALITY
- CONSENT TO USE ERF 1490 PIONIERSPARK EXTENSION 1, WINDHOEK FOR AN ACCOMMODATION ESTABLISHMENT (HOTEL PENSION) WITH 16 BEDROOMS

CONSENT TO OPERATE THE HOTEL PENSION WHILE THE REZONING PROCESS IS IN PROGRESS

In terms of the City of Windhoek Town Planning Scheme and Part 2, Section 105 of the Urban and Regional Planning Act 5 of 2018.

Erf 1490 Range Street Pionierspark, Extension 1, Windhoek, is located in the cut-throat of Range Street, which intersects with Scheypmann Street. The Erf lies on a flat surface and measures 1438sqm in extent and is currently zoned 'Residential' with a density of 1:900 in terms of the Windhoek Town Planning Scheme.

The owner of Erf 1490 Range Street Pionierspark, Extension 1, Windhoek intends to rezone the subject property to Hospitality and to consent to operate an Accommodation Establishment and more specifically a Pension Hotel with 16 bedrooms, in accordance with the consent uses of the Hospitality zoning.

Please further take note that -

- For more enquiries regarding the rezoning and consent application, visit the City of Windhoek department of Town Planning, 5th Floor, Office Number 518.
- Any person having objections to the rezoning and consent concerned or who wants to comment, may in writing lodge such objections and comments, together with the grounds, with the Chief Executive Officer of the City of Windhoek, and with the applicant within 14 days of the last publication of this notice, i.e. no later than, i.e. no later than 26 October 2023.

FOR MORE INFORMATION AND QUERIES, KINDLY CONTACT:

**KAMAU**  
No. 04 Mbagwe street | Windhoek | Tel: +264 81 8233442  
P.O. Box 22298 | Windhoek | Tel: +264 81 204219 |  
Email: kamau@nepc.com.na | www.kamau-erf.com.na

**PUBLIC NOTICE**

Please take note that Kamau Town Planning and Development Specialist has been appointed by the owner of Erf 799, 800 & 828 Extension 2, Niurenkuru to apply to the Niurenkuru Town Council and the Urban and Regional Planning Board for the:

- REZONING OF ERF 799, EXTENSION 2 NIURENKURU FROM 'SINGLE RESIDENTIAL' WITH A DENSITY OF 1:900 TO 'SINGLE RESIDENTIAL' WITH A DENSITY OF 1:300
- SUBDIVISION OF ERF 799 EXTENSION 2 NIURENKURU INTO PORTION A AND THE REMAINDER OF ERF 799 EACH WITH A DENSITY OF 1:300
- REZONING OF ERF 800, EXTENSION 2 NIURENKURU FROM 'SINGLE RESIDENTIAL' WITH A DENSITY OF 1:900 TO 'SINGLE RESIDENTIAL' WITH A DENSITY OF 1:300
- SUBDIVISION OF ERF 800 EXTENSION 2 NIURENKURU INTO PORTION A AND THE REMAINDER OF ERF 800 EACH WITH A DENSITY OF 1:300
- REZONING OF ERF 828, EXTENSION 2 NIURENKURU FROM 'SINGLE RESIDENTIAL' WITH A DENSITY OF 1:900 TO 'SINGLE RESIDENTIAL' WITH A DENSITY OF 1:300
- SUBDIVISION OF ERF 828 EXTENSION 2 NIURENKURU INTO PORTION A AND THE REMAINDER OF ERF 828 EACH WITH A DENSITY OF 1:300

In terms of Table B of the Niurenkuru Town Planning Scheme and Part 2, Section 105 of the Urban and Regional Planning Act 5 of 2018.

Niurenkuru Extension 2 in which the subject erven (Erf 799, 800 and 828) earmarked for rezoning and subdivision are located is bordered by the D3406 national road to the north, the B10 to the west and the D3405 to the east. The erven are located in close proximity and south of the Niurenkuru Combined School. To the north of the erven are major land uses such as the Tula Service Station, Ushave Niurenkuru, Ministry of Education, Women and Child Supermarkets and Niurenkuru Town Council located within the CBD of the town.

In order to maximize the development potential of his properties, the owner of Erf 799, 800 & 828 Extension 2, Niurenkuru, intends to subdivide each property into 2 Portions (A and the remainder). The Erf sizes assigned to the proposed erven are in line with the Ministry of Urban and Rural Development's Town Planning Guidelines for Precinct Layout Plans, and the Niurenkuru Town Planning Scheme. Furthermore, the proposed erven sizes are comparable with the sizes of the surrounding erven.

Please further take note that -

- For more enquiries regarding the rezoning and subdivision application, visit the Niurenkuru Town Council department of Town Planning.
- Any person having objections to the rezoning and consent concerned or who wants to comment, may in writing lodge such objections and comments, together with the grounds, with the Chief Executive Officer of the Niurenkuru Town Council, and with the applicant within 14 days of the last publication of this notice, i.e. no later than, i.e. no later than 26 October 2023.

FOR MORE INFORMATION AND QUERIES, KINDLY CONTACT:

**KAMAU**  
No. 04 Mbagwe street | Windhoek | Tel: +264 81 8233442  
P.O. Box 22298 | Windhoek | Tel: +264 81 204219 |  
Email: kamau@nepc.com.na | www.kamau-erf.com.na

**REPUBLIC OF NAMIBIA**  
**MINISTRY OF INDUSTRIALISATION AND TRADE, LIQUOR ACT, 1998 NOTICE OF APPLICATION TO A COMMITTEE IN TERMS OF THE LIQUOR ACT, 1998**  
(Regulations 14, 26 & 33)

Notice is given that an application in terms of the Liquor Act, 1998, particulars of which appear below, will be made to the Regional Liquor Licensing Committee, Region: KARAS

- Name and postal address of applicant, PAULINA SILKA N. NDJOBA
- Name of business or proposed business to which application relates NAVAL CALLING STATION LUDERTZ, BAYVIEW GANTEEEN (NAVY GANTEEEN)
- Address/Location of premises to which application relates: CBD BISMARCK STREET, LUDERTZ
- Nature and details of application: SHEBEN LIQUOR LICENSE
- Chief of the court with whom Application will be lodged: LUDERTZ MAGISTRATE'S COURT
- Date on which application will be Lodged: 15 OCTOBER 2023

Any objection or written submission in terms of section 28 of the Act in relation to the applicant must be sent or delivered to the Secretary of the Committee to reach the Secretary not less than 21 days before the date of the meeting of the Committee at which the application will be heard.

**PUBLIC NOTICE**

Notice is hereby placed to inform all potentially interested and Affected Parties (IAPs) that an application for Environmental Clearance Certificate by Kamau Town Planning and Development Specialist, on behalf of the owner of Erf 1000 & 1001, Grootfontein, Extension 9, will be made to the Environmental Commissioner, in line with the provisions of Environmental Management Act (No. 07 of 2007) and its Regulations (GN 30 of 6 February 2012), for the:

- SUBDIVISION OF ERF 1000 EXTENSION 9, GROOTFONTEIN INTO 26 PORTIONS AND THE REMAINDER OF ERF 1000
- REZONING OF PORTIONS 1-13 AND 24 (OF ERF 1000), EXTENSION 9 GROOTFONTEIN FROM 'INDUSTRIAL 1' TO 'LOCAL BUSINESS'
- REZONING OF PORTIONS 14-23 (OF ERF 1000), EXTENSION 9 GROOTFONTEIN FROM 'INDUSTRIAL 1' TO 'RESIDENTIAL'
- REZONING OF PORTIONS 24, 25 AND RE/1000 (OF ERF 1000), EXTENSION 9 GROOTFONTEIN FROM 'INDUSTRIAL 1' TO STREET
- SUBDIVISION OF ERF 1001 EXTENSION 9, GROOTFONTEIN INTO 23 PORTIONS AND THE REMAINDER OF ERF 1001
- REZONING OF PORTIONS 1, 11-22 (OF ERF 1001), EXTENSION 9 GROOTFONTEIN FROM 'INDUSTRIAL 1' TO 'LOCAL BUSINESS'
- REZONING OF PORTIONS 2-10 (OF ERF 1001), EXTENSION 9 GROOTFONTEIN FROM 'INDUSTRIAL 1' TO 'RESIDENTIAL'
- REZONING OF PORTION 23 AND THE REMAINDER OF ERF 1001 (OF ERF 1001), EXTENSION 9 GROOTFONTEIN FROM 'INDUSTRIAL 1' TO STREET

Location  
Erf 1000 and 1001 Extension 9 Grootfontein are located south west from the CBD of Grootfontein town. The erven lie on flat surfaces and respectively measure 11631 sqm and 11633sqm in extent. The respective erven are located in a predominantly industrial area to the west of the Grootfontein CBD. The respective erven are currently zoned Industrial I.

Please further take note that -

All interested and affected parties (IAPs) are invited to verbally participate in a public consultation meeting on the 22nd of September 2023. Additionally, to register with Kamau TPDS for any comments, issues or concerns related to the project, for consideration in the environmental assessment, i.e. no later than 26 October 2023.

FOR MORE INFORMATION AND QUERIES, KINDLY CONTACT:

**KAMAU**  
No. 04 Mbagwe street | Windhoek | Tel: +264 81 8233442  
P.O. Box 22298 | Windhoek | Tel: +264 81 204219 |  
Email: kamau@nepc.com.na | www.kamau-erf.com.na

**PUBLIC NOTICE**

Please take note that Kamau Town Planning and Development Specialist has been appointed by the owner of Erf 115 Oshakati North to apply to the Oshakati Town Council and the Urban and Regional Planning Board for the:

- REZONING OF ERF 115 OSHAKATI NORTH, FROM GENERAL RESIDENTIAL WITH THE DENSITY OF 1:100SQM TO BUSINESS WITH A BULK OF 2.0

In terms of the Oshakati Town Planning Scheme and Part 2, Section 105 of the Urban and Regional Planning Act 5 of 2018.

Erf 115 is located within the Oshakati North township, well known also as Ehenye. The respective Erf is located along the fifth street on the right, from the main road heading north of Ehenye and Oshesha. Erf 115 is the sixth erf after the newly built flats, Kristine court.

The respective Erf measures 4816sqm in extent, is currently zoned as 'General Residential' with a density of 1:100sqm as per the Oshakati Town Planning Scheme and it lies on a flat terrain.

In order to maximize the development potential of the property, the owners of Erf 115 Oshakati North intends to rezone the respective property from a general residential with a density of 1:100sqm to 'Business' with a bulk of 2.0.

Please further take note that -

- For more enquiries regarding the rezoning application, visit the Oshakati Town Council's department of Planning.
- Any person having objections to the rezoning concerned or who wants to comment, may in writing lodge such objections and comments, together with the grounds, with the Chief Executive Officer of the Oshakati Town Council, and with the applicant within 14 days of the last publication of this notice, i.e. no later than 26 October 2023.

FOR MORE INFORMATION AND QUERIES, KINDLY CONTACT:

**KAMAU**  
No. 04 Mbagwe street | Windhoek | Tel: +264 81 8233442  
P.O. Box 22298 | Windhoek | Tel: +264 81 204219 |  
Email: kamau@nepc.com.na | www.kamau-erf.com.na

**• CHANGE OF SURNAME - THE ALIENS ACT, 1937**  
**NOTICE OF INTENTION OF CHANGE OF SURNAME**  
I, (1) HENLOU VISSER residing at FARM GOIBIB 96 and carrying on business / employed as a (2) FARM WORKER. Intend applying to the Minister of Home Affairs for authority under section 9 of the Aliens Act, 1937, to assume the surname MEINDIES for the reasons that (3) I'M ADOPTEE, I previously bore the name(s) (4) HENLOU VISSER. I intend also applying for authority to change the surname of my wife and minor children (5) to Any person who objects to my/or assumption of the said surname of VISSER be lodge his/her objection, in writing, with a statement of his/her reasons therefor, with the magistrate of Windhoek - 25 SEPTEMBER 2023

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# PUBLIC NOTICE

has been approved by the City of Windhoek and the Urban and Regional Planning Board for the following:

- REZONING OF ERF 1490 PIONEERSPARK EXTENSION 1, WINDHOEK FROM RESIDENTIAL WITH A DENSITY OF 1:900 TO HOSPITALITY
- CONSENT TO USE ERF 1490 PIONEERSPARK EXTENSION 1, WINDHOEK FOR AN ACCOMMODATION ESTABLISHMENT (HOTEL PENSION) WITH 16 BEDROOMS
- CONSENT TO OPERATE THE HOTEL PENSION WHILE THE REZONING PROCESS IS IN PROGRESS

In terms of the City of Windhoek Town Planning Scheme and Part 2, Section 105 of the Urban and Regional Planning Act 5 of 2018.

Erf 1490 Range Street Pioneerspark, Extension 1, Windhoek, is located in the cul-de-sac of Range Street, which intersects with Schepmann Street. The Erf lies on a flat surface and measures 1438m<sup>2</sup> in extent and is currently zoned 'Residential' with a density of 1:900 in terms of the Windhoek Town Planning Scheme.

The owner of Erf 1490 Range Street Pioneerspark, Extension 1, Windhoek intends to rezone the subject property to Hospitality and to consent to operate an Accommodation Establishment and more specifically a Pension Hotel with 16 bedrooms, in accordance with the consent uses of the Hospitality zoning.

Please further take note that -

(a) For more enquiries regarding the rezoning and consent application, visit the City of Windhoek department of Town Planning, 5th Floor, Office Number 522.

(b) any person having objections to the rezoning and consent concerned or who wants to comment, may in writing lodge such objections and comments, together with the grounds, with the Chief Executive Officer of the City of Windhoek, and with the applicant within 14 days of the last publication of this notice, i.e. no later than, i.e. no later than 26 October 2023.

FOR MORE INFORMATION AND QUERIES, KINDLY CONTACT:



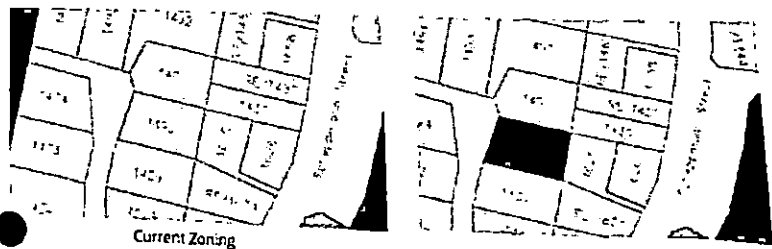
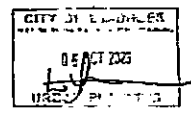
Ms. SA Mager (Head of Property Unit)  
c. 254 8181 (346)  
P.O. Box 72256 (Windhoek)  
t. 254 4121751 | f. 254 4134719 |  
www.municipality.gov.na/www.namdeb.org.na

## DITDI IIF NOTICE



### LEGEND

- Proposed Zoning
- Current Zoning
- Boundary
- Street
- Water
- Other



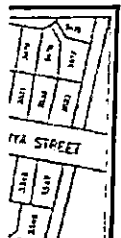
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AND CONSENT TO  
REZONING IS IN

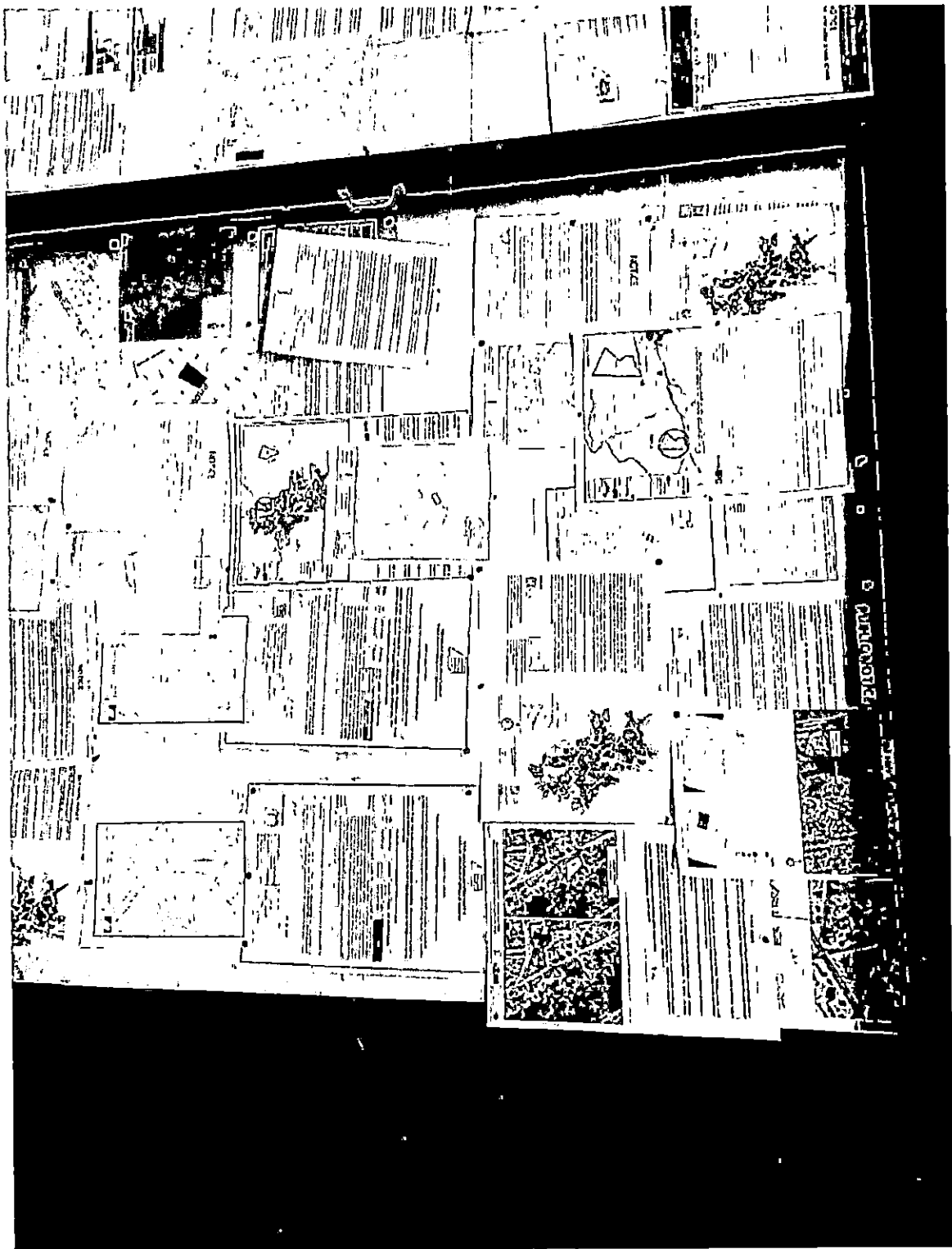
to City of Windhoek  
(1) of the Urban &  
(2) (Factors of Erf 29,  
'Residential' with a

1409 (Portion of Erf  
in the premises of  
near of the Erf) is  
a site used for 12  
rooms to be able to

an existing pension  
with 16 beds

my lodge written





150

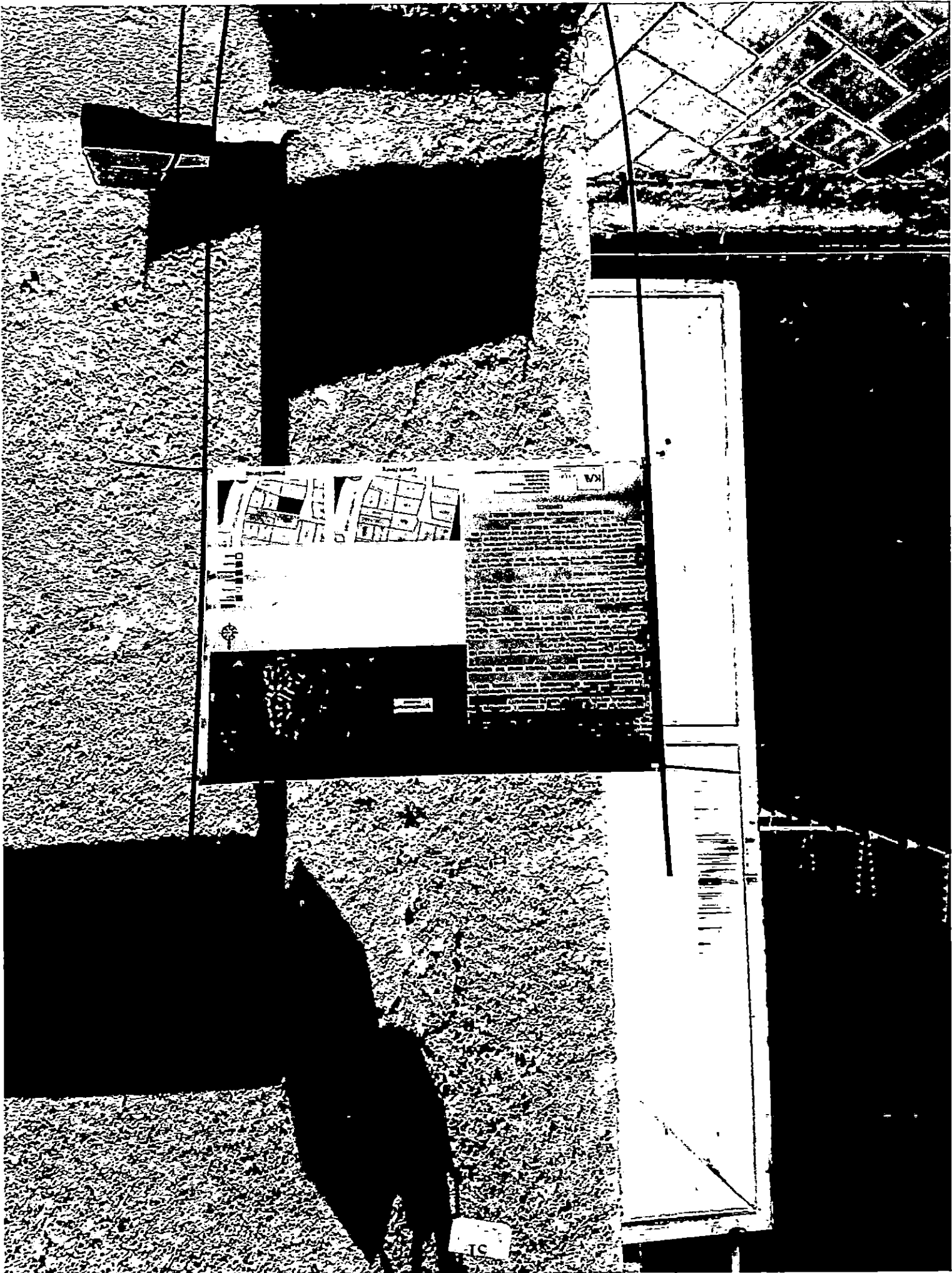


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9	10	11	12

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TC







# LIST OF REGISTERED ITEMS POSTED



by **PK KAMAU IDWIN PLANNING AND DEVELOPMENT SPECIALIST**  
**ERF 1490 EXTENSION 1 PIONEERSPARK WINDHOEK**

Stamp

	Addressee's name and address	Registration no.
ERF 1489 Ext 1 Pionerspark 1. Windhoek	<b>BONY CORPORATE THE PS</b> P.O. BOX 3063 Pionerspark	BA 002 253 492 NA
ERF 1474 Ext 2 Pionerspark 2. Windhoek	<b>ARMANDO LINDA PEARLY</b> P.O. BOX 258 03 WINDHOEK	BA 002 253 489 NA
ERF 1491 Ext. 1 Windhoek 3. Pionerspark WHK	<b>JULIA DE SUSA</b> P.O. BOX 23849 WINDHOEK	BA 002 253 475 NA
ERF 1492 Ext 1 PIONERSPAK 4. Windhoek	<b>TEO FILIS NGHITILA</b> P.O. BOX 899 Windhoek.	BA 002 253 461 NA
ERF 1482 WHK Pionerspark 5. ext. 2	<b>BONY CORPORATE MYRONES</b> COURT P.O. BOX 1170 WINDHOEK	BA 002 253 458 NA
ERF 1493 Ext. 2 PP 6. WHK	<b>BONY CORPORATE AMON</b> COURT P.O. BOX 25380 WHK	BA 002 253 444 NA
ERF 1489 Rock Crest 7.	<b>GUESTHOUSE A. 2</b> P.O. BOX 5518 ROCKYCREST	BA 002 253 435 NA
ERF 1473 Pionerspark 8. Windhoek	<b>MARGAREEN HINDA</b> P.O. BOX 23744 WINDHOEK	BA 002 253 427 NA
ERF 1620 Pionerspark 9. Windhoek	<b>CITY OF WINDHOEK</b> P.O. BOX 59 WINDHOEK.	BA 002 253 413 NA

studio print 28054

Number of items 9 Received by J Date stamp




No compensation will be considered unless enquiry regarding this postal article is made within one year after the date of posting.


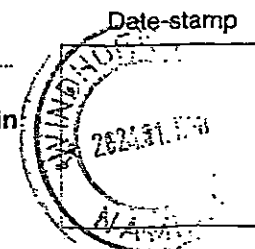
# LIST OF REGISTERED ITEMS POSTED



by KAMPAU TOWN PLANNING AND DEVELOPMENT SPECIALIST  
ERT 1490 EXTENSION 2 PIONIERSPAK

"airpost"

	Addressee's name and address	Registration no
2. Pionierspak ERF 1625 EXT 2	P. A. Amungela P.O. BOX 5566 	BA 002 253 210 NA
2. Pionierspak ERF 1436 EXT 2	Body corporate Myrons Court. P.O. BOX 6484 AUSSPERPLATZ 	BA 002 253 206 NA
3. Pionierspak ERF R1164 WINDHOEK	M. REICHEL P.O. BOX 1418 PIONIERSPAK 	BA 002 253 197 NA

studio print 28054  
 Number of items 31 three Received by  Date-stamp 

No compensation will be considered unless enquiry regarding this postal article is made within one year after the date of posting.

P1/185

**REZONING OF ERF 115, OSHAKATI NORTH**

**Kamau Town Planning and Development Specialist** has been appointed by the owner of Erf 115, Oshakati North to apply to the Oshakati Town Council and the Urban and Regional Planning Board for the:

- **REZONING OF ERF 115, OSHAKATI NORTH, FROM GENERAL RESIDENTIAL WITH THE DENSITY OF 1:100SQM TO BUSINESS WITH A BULK OF 2.0**

In terms of the Oshakati Town Planning Scheme and Part 2, Section 105 of the Urban and Regional Planning Act, 2018 ( Act No. 5 of 2018).

Erf 115 is located within the Oshakati North township, well known also as Ehenye. The respective Erf is located along the fifth street on the right, from the main road heading north of Ehenye and Oneshila. Erf 115 is the sixth erf after the newly built flats, Kristine Court.

The respective Erf measures 4816sqm in extent, is currently zoned as "General Residential" with a density of 1:100sqm as per the Oshakati Town Planning Scheme and it lies on a flat terrain.

In order to maximize the development potential of the property, the owners of Erf 115, Oshakati North intends to rezone the respective property from "general residential" with a density of 1:100sqm to "Business" with abulk of 2.0.

**Further Take note that:**

- (a) For more enquiries regarding the rezoning application, visit the Oshakati Town Council's department of Planning.
- (b) Any person having objections to the rezoning concerned or who wants to comment, may in writing lodge such objections and comments, together with the grounds, with the Chief Executive Officer of the Oshakati Town Council, and with the applicant within 14 days of the last publication of this notice, i.e. not later than **5 October 2023**.

**FOR MORE INFORMATION AND QUERIES, KINDLY CONTACT:**

**Kamau Town Planning and Development Specialist**  
No. 4 Wagner street | Windhoek West  
c: +264 81 8113442  
P.O. Box 22296 | Windhoek  
t: +264 61251975  
f: +264 61 304219 |  
fenni@kamautpds.com w: www.kamau-architects.com

**REZONING OF ERF 1490, PIONIERSPARK EXTENSION 1**

**Kamau Town Planning and Development Specialist** has been appointed by the owner of Erf 1490 Pionierspark Extension 1, Windhoek to apply to the City of Windhoek and the Urban and Regional Planning Board for the:

- **REZONING OF ERF 1490, PIONIERSPARK EXTENSION 1, WINDHOEK FROM RESIDENTIAL WITH A DENSITY OF 1:900 TO HOSPITALITY**

- 56
- **CONSENT TO USE ERF 1490, PIONIERSPARK EXTENSION 1, WINDHOEK FOR AN ACCOMMODATION ESTABLISHMENT (HOTEL PENSION) WITH 16 BEDROOMS**
  - **CONSENT TO OPERATE THE HOTEL PENSION WHILE THE REZONING PROCESS IS IN PROGRESS**

In terms of the City of Windhoek Town Planning Scheme and Part 2, Section 105 of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018).

Erf 1490, Range Street, Pioneerspark Extension 1, Windhoek is located in the cul-de-sac of Range Street, which intersects with Scheppmann Street. The Erf lies on a flat surface and measures 1438sqm in extent and is currently zoned 'Residential' with a density of 1:900 in terms of the Windhoek Town Planning Scheme.

The owner of Erf 1490, Range Street, Pioneerspark Extension 1, Windhoek intends to rezone the subject property to Hospitality and to consent to operate an Accommodation Establishment and more specifically a Pension Hotel with 16 bedrooms, in accordance with the consent uses of the Hospitality zoning.

**Further take note that -**

- (a) For more enquiries regarding the rezoning and consent application, visit the City of Windhoek department of Town Planning, 5th Floor, Office Number 518.
- (b) any person having objections to the rezoning and consent concerned or who wants to comment, may in writing lodge such objections and comments, together with the grounds, with the Chief Executive Officer of the City of Windhoek, and with the applicant within 14 days of the last publication of this notice, i.e. not later than, i.e. not later than **26 October 2023**.

**FOR MORE INFORMATION AND QUERIES, KINDLY CONTACT:**

**Kamau Town Planning and Development Specialist**  
No. 4 Wagner street |Windhoek West  
c: +264 81 8113442  
P.O. Box 22296 |Windhoek  
t: +264 61251975  
f: +264 61 304219 |  
fenni@kamautpds.com w: www.kamau-architects.com

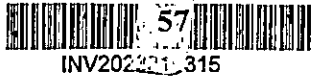
No. 646

2023

**REZONING AND SUBDIVISION OF ERF 1000 AND 1001, GROOTFONTEIN EXTENSION 5**

Notice is hereby placed to inform all potentially Interested and Affected Parties (I&APs) that an application for Environmental Clearance Certificate by Kamau Town Planning and Development Specialist, on behalf of the owner of Erven 1000 and 1001, Grootfontein Extension 5, will be made to the Environmental Commissioner, in line with the provisions of Environmental Management Act, 2007 (Act No. 7 of 2007) and its Regulations (GN 30 of 6 February 2012), for the:

- **SUBDIVISION OF ERF 1000, GROOTFONTEIN EXTENSION 5 INTO 26 PORTIONS AND THE REMAINDER OF ERF 1000**



CITY of WINDHOEK

# OF WINDHOEK

x 59, WINDHOEK NAMIBIA  
phone No: (061) 290 2911

## TAX INVOICE

eg. Number 2646057-01-5



2023/08/08 17:53:40

Term Id.: 31

Receipt No.: 33785

General Payment

Vote No.: 5000132050048

Name: KAMAU TOWN PLANNING

C.Card Amount Pd N\$\*\*\*\*\*2012.50

Dupl. Amt Tend N\$\*\*\*\*\*2012.50

Change N\$\*\*\*\*\*0.00

Processed by: 001052-Stephanie S Be

Comment :

15

Date Issued : 2023/08/08

Account Number : N/A

Vote Number : 5000132050048

Name : KAMAU TOWN PLANNING

Reference Number : ERF 490 PP EXT.1

Address : N/A

System Reference : INV364269

Issued By : 17304 - HAIKONDA (D)

Contact Details : +264 61 290 3517

Description : REZONING OF ERF 1490 FROM RES (1:900) TO HOSPITALITY

### PAYMENT DUE

Total Amount Excluding VAT	: N\$ 1750.00
Total VAT Amount	: N\$ 262.50
Total Amount Payable	: N\$ 2012.50

### INVOICE DETAILS

Department : 5000 - URBAN & TRANSPORT PLANNING

Tariff Code	: N/A
Tariff Description	: N/A
Quantity Provided	: 1
Unit Price	: N\$ 1750.00
Tariff Amount Excluding VAT	: N\$ 1750.00
Tariff VAT Amount	: N\$ 262.50
Tariff Total Amount	: N\$ 2012.50
Service Code	: N/A

25/10/2022

## SUBMISSION:

Rezoning of Erf 8275, No. 29 Anton Lubanski Street, Windhoek from 'residential' 1/erf to 'gen res' 1:500 & consent for more than 2 storeys

1	Application by Consultant or Owner of the Erf/ Portion/ Farm on the prescribed form.	✓ PD
2	A) Locality and Detailed Sketch Plan (Illustrating the whole boundary of the Local Authority area under which the application is made)	✓ PD
	B) Portion Number (s) or Erf number (s) from Surveyor General's Office	N/A
	C) Existing Zoning Plan/Zoning Certificate	✓ PD
	D) Intended Zoning Plan	N/A
	E) Parking Layout	N/A
3	Conditions to be registered (if applicable)	N/A
4	Special Power of Attorney including Revenue Stamps with relevant initials	✓ PD
5	Closure Certificate and Environmental Clearance Certificate (if applicable)	N/A
6	Previous Board approvals (Townships Board or NAMPAB) (if applicable)	N/A
7	Road Authority approval together with the sketch plan indicating the access point (s) (if applicable)	N/A
8	A) Copy of Founding Statement (CC 1/2) (if registered in the name of Close Corporation)	N/A
	B) Copy of Company Resolution (if registered in the name of a Company)	N/A
9	Copy of Title Deed or Certificate of Registered Title	✓ PD
10	Conditions of Establishment attached to all copies (if applicable)	N/A
11	Copy of Erf diagram at time of application	✓ PD
12	Proof of Payment of CoW submission Fee	✓ PD
13	Credit Clearance Certificate	✓ PD
14	Existing infrastructure Report	✓ PD

Electronic copy – date requested:			Sent
Application in .doc format			
All annexures (pdf)			
All relevant plans and drawings (pdf)			
Advertisements & Notices	Dates placed	Closing date	Date Sent
Proof of Advertisements	GG		
	New Era		
	Republik		
Proof of Neighbour Notices (list of registered letters)			
Proof of Notice on Site			
Proof of Notice on LA Board			
Copies of all objections received			



1<sup>st</sup> floor Bridgeview Offices & Apartments, No. 4 Dr Kwame Nkrumah Avenue, Klein Windhoek, Namibia  
PO Box 6871, Ausspannplatz, Windhoek, Phone: +264 61 248010, Fax: +264 61 248608, Mobile: +264 81 281 0836, Email: eimarie@dutoitplan.com

Enquiries: D. Opperman  
Tel: +264 81 835 2021  
Ref: WHK/8275

Strategic Executive  
Department of Urban and Transport Planning  
Windhoek City Council  
P O Box 59  
WINDHOEK

25 October 2022

**For Attention: Mr. Hugo Rust**

Dear Mr. Rust

**REZONING AND CONSENT: ERF 8275, NO. 29 ANTON LUBOWSKI STREET, WINDHOEK FROM 'RESIDENTIAL' 1 DWELLING PER ERF TO 'GENERAL RESIDENTIAL' WITH A DENSITY OF 1:500m<sup>2</sup>**

Application is herewith submitted on behalf of Carola Anita von Maltzahn, the owner of Erf 8275, Windhoek, to the City Council of Windhoek and the Urban and Regional Planning Board for the:

- Rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from 'residential' with a density of 1 dwelling per Erf to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup>
- Consent for more than two storeys/floors on a residentially zoned erf.

The locality of the erf is shown on the attached plans.

See also attached the signed 'special power of attorney' authorizing Du Toit Town Planning to attend to the rezoning of Erf 8275, Windhoek.

#### **1. Erf Information (size, zoning, use and topography)**

Erf 8275, No. 29, Anton Lubowski Street, Windhoek measures 2687m<sup>2</sup> and is zoned "residential" with a density of 1 dwelling per Erf. See copy of Zoning Certificate attached. It is in the Windhoek 'Luxury Hill Area' directly east of Anton Lubowski Street, southeast of the Windhoek CBD area. The erf is currently used for residential purposes.

Erf 8275, Windhoek is situated in an established residential area surrounded by other residential and office properties. The land is situated above street level with a steep upward in an easterly direction. The property takes access from Anton Lubowski Street. See below and attached plan showing the locality of the Erf.

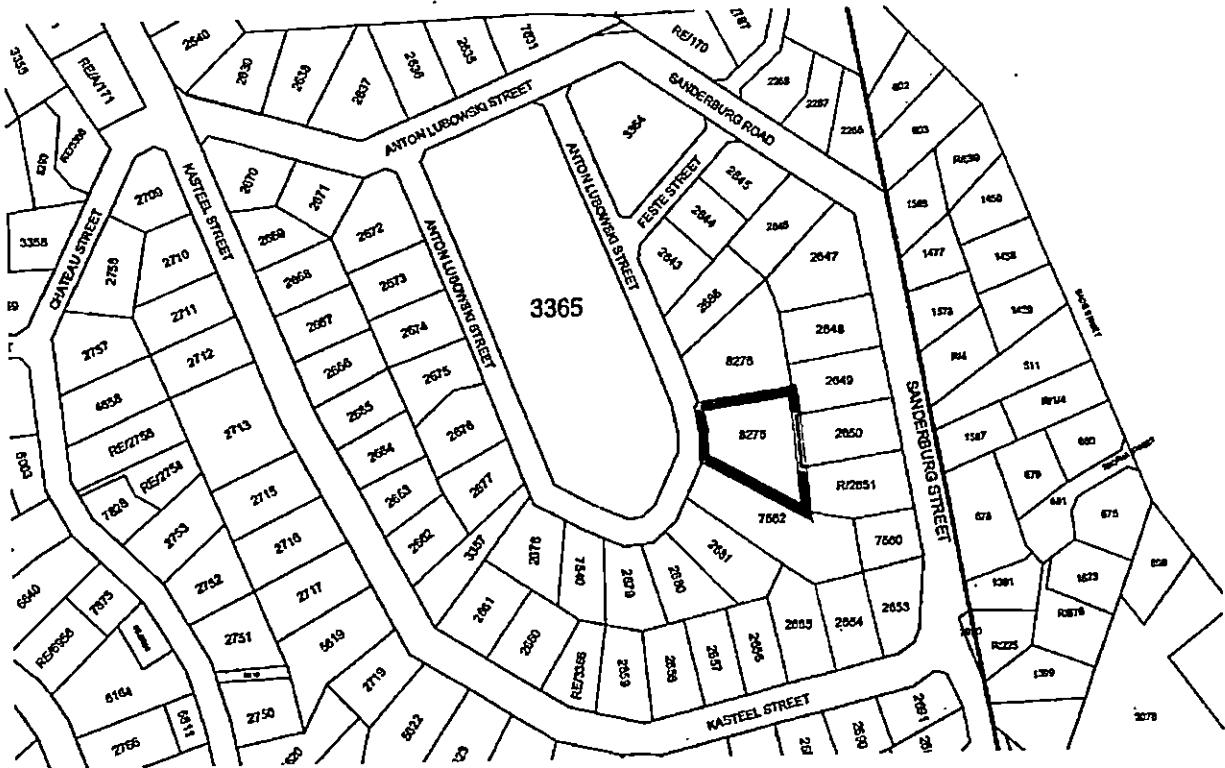


Figure 1: Locality of Erf 8275, Windhoek

There is a residential dwelling on the erf.

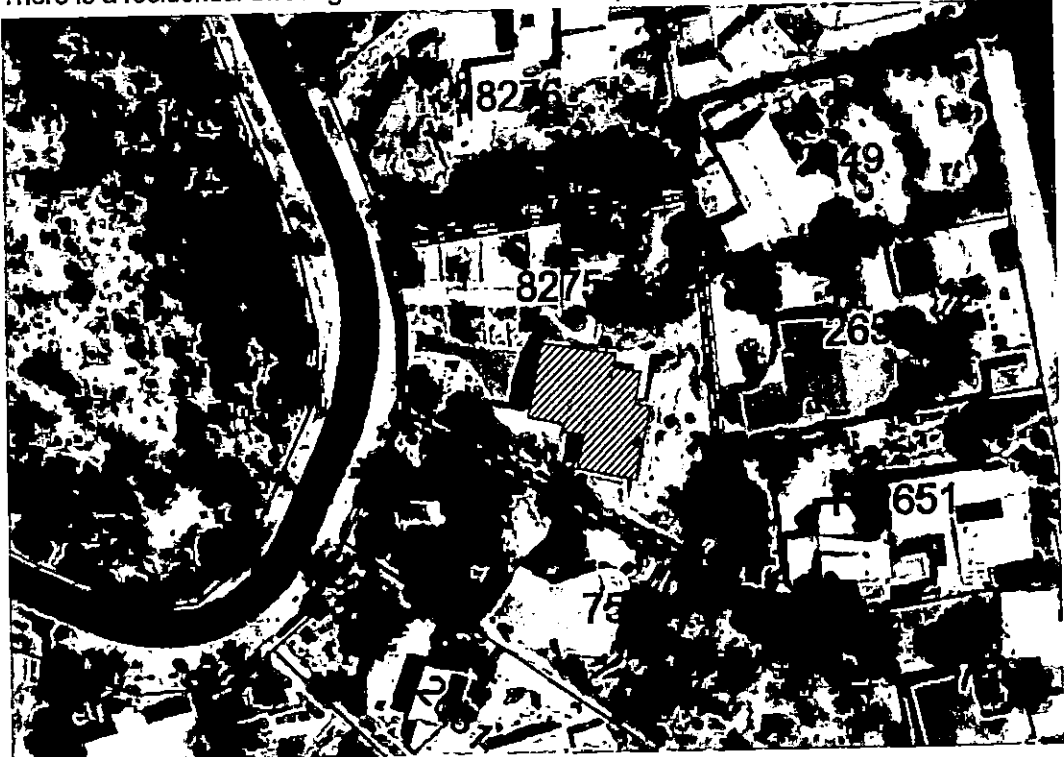


Figure 2: Photo of Erf 8275, Windhoek showing the buildings and surrounds.



## 2. Registered Conditions

The conditions registered against Erf 8275, Windhoek is contained in 4 x Deeds of Transfer T2423/2019, T1536/2021, T1537/2021, and T1538/2021 allocating 4 x ¼ shares to Ms Carola Anita von Maltzahn. See attached copies of the Title Deeds. The registered conditions are the standard conditions which reads as follows:

### IN FAVOUR OF THE LOCAL AUTHORITY

- (a) The erf shall only be used or occupied for purposes which are in accordance with and the use or occupation of the erf shall at all times be subject to the provisions of the Windhoek Town Planning Scheme prepared and approved in terms of the Town Planning ordinance, 1954 (Ordinance 18 of 1954) as amended.
- (b) The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least four times the municipal valuation of the erf.

## 3. Proposal and Motivation

Erf 8275, Windhoek is 2687m<sup>2</sup> in extent and zoned 'residential' with a density of 1 per erf. This means that only one residential dwelling is allowed on the erf. The current dwelling is old and in dire need for upgrading and or replacement. The Erf, due to its size of 2687m<sup>2</sup>, is underutilized with large areas of vacant space.

It is thus the intention of the owner to demolish the existing dwelling and to replace it with 5 luxurious, modern dwellings contained in one structure. The footprint of the existing dwelling is ± 420m<sup>2</sup> while the proposed footprint of the new building will be ± 590m<sup>2</sup>. Still within the 50% coverage allowed.

The units will be luxury apartments ideal for people that prefer lock-up-and-go living units or have continental lifestyles and are only in residence in Namibia for some months.

As the erf is sloping towards the street it is the intention to excavate the erf to provide for a basement with parking garages and storerooms as well as 3 additional floors for residential units above the basement level.

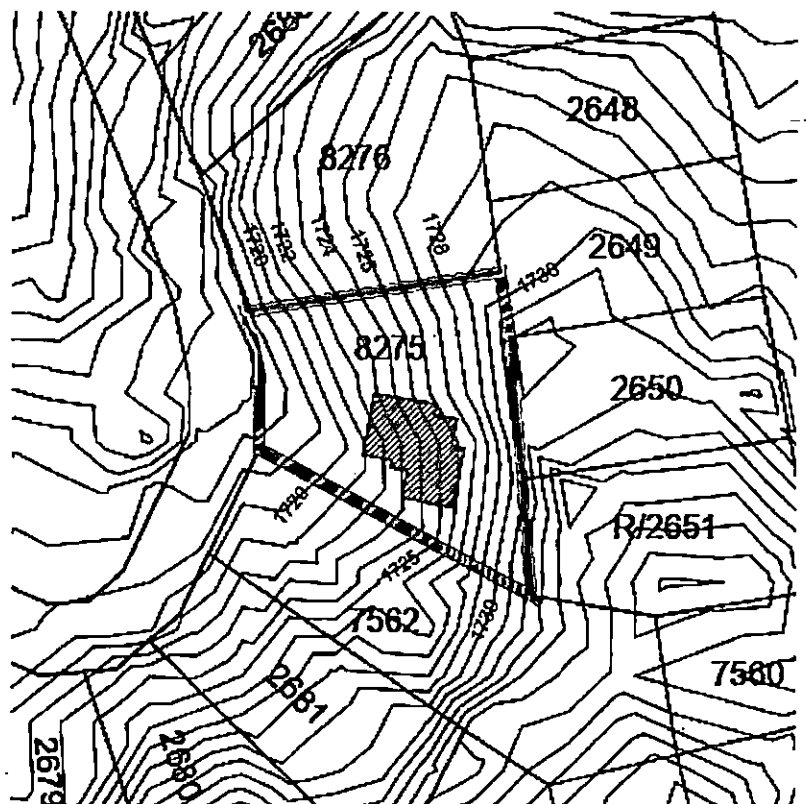


Figure 3 : Topography of the Erf

The first and second floor will accommodate 2 residential units each with one residential unit on the third floor. See below and attached the contour map and plans for the basement, first and second floor and the third floor.

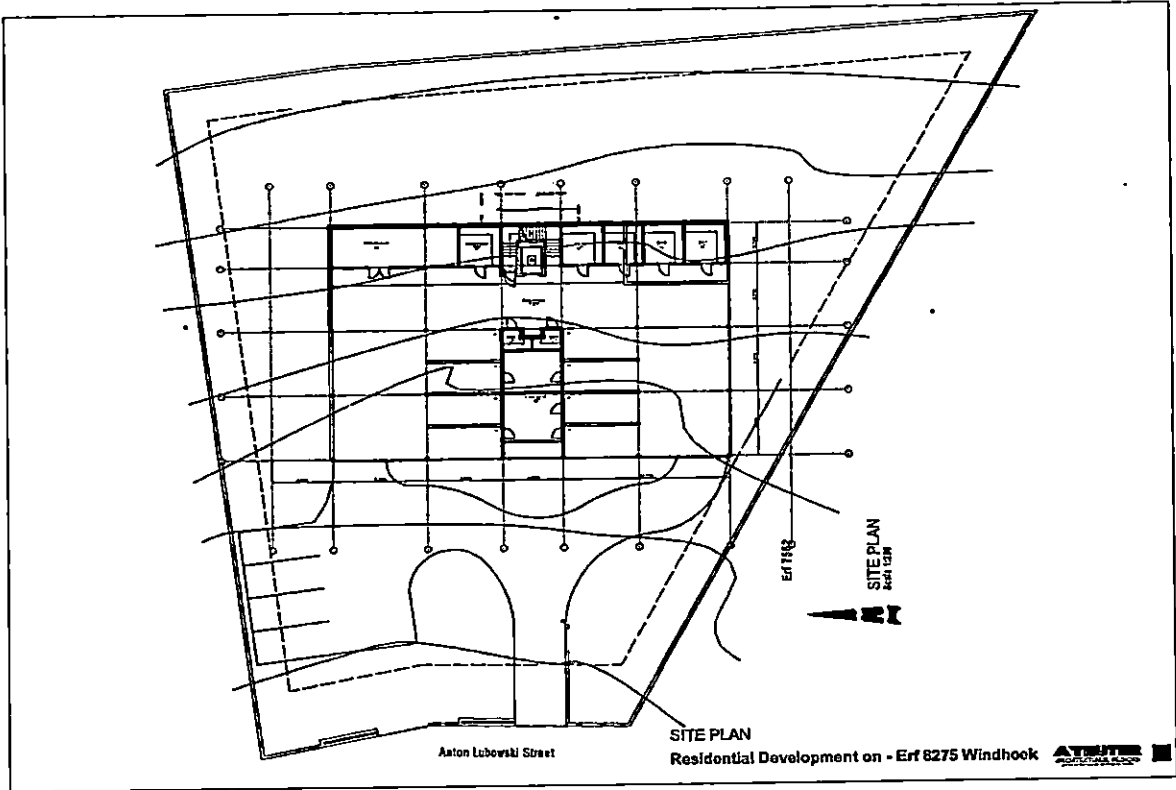


Figure 4: Site and basement plan – showing onsite and basement parking

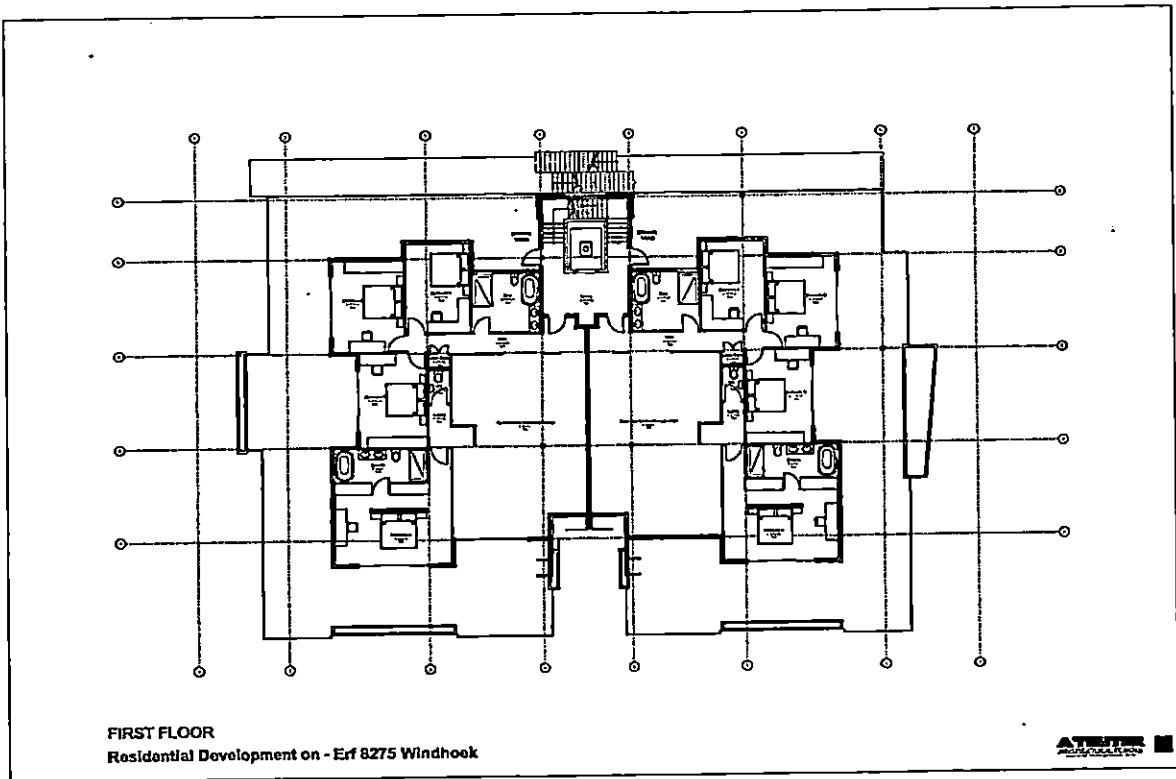


Figure 5: Plan of first floor – showing 2 residential units

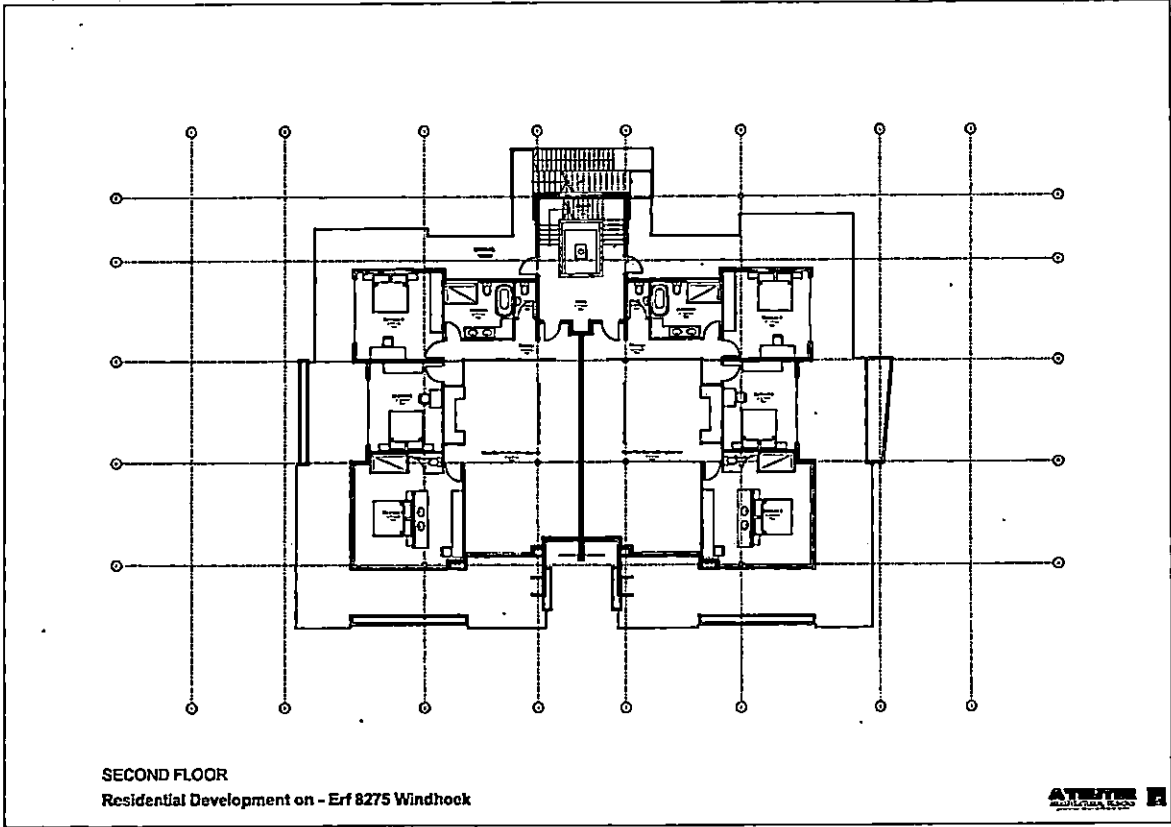


Figure 6: Plan of second floor – showing 2 residential units

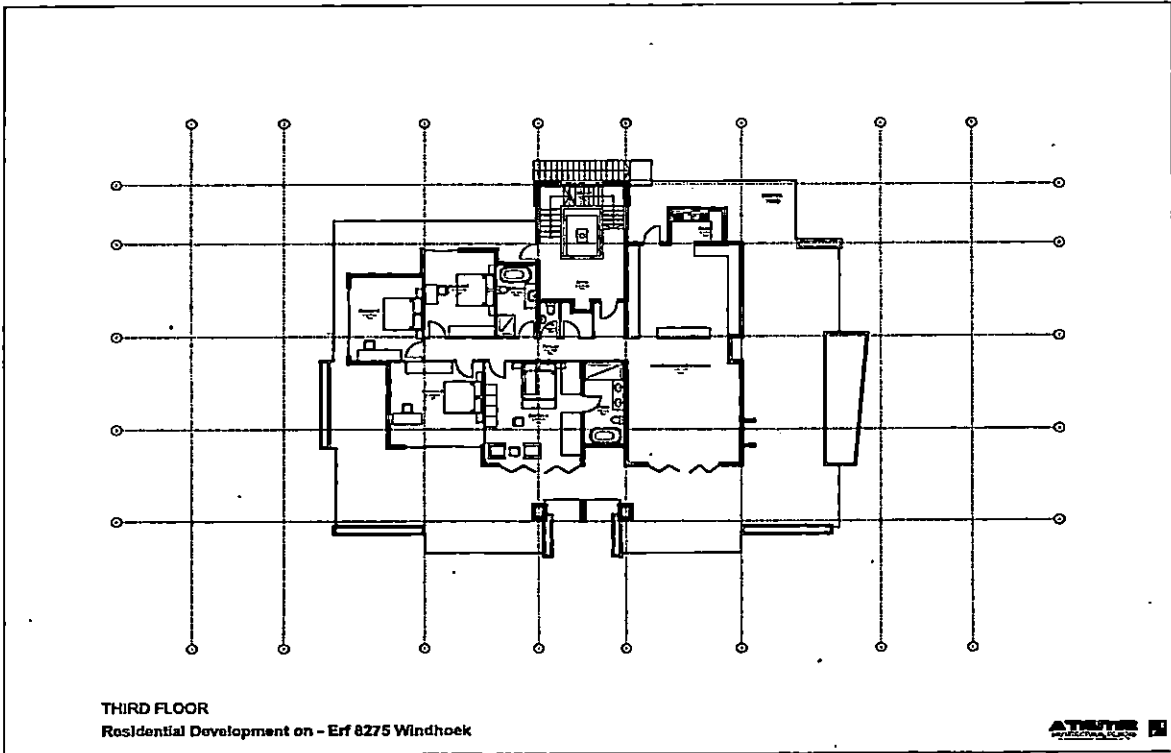


Figure 7: Plan of third floor – showing one residential unit.



Figure 8: 3D Architectural render of eastern side of the development

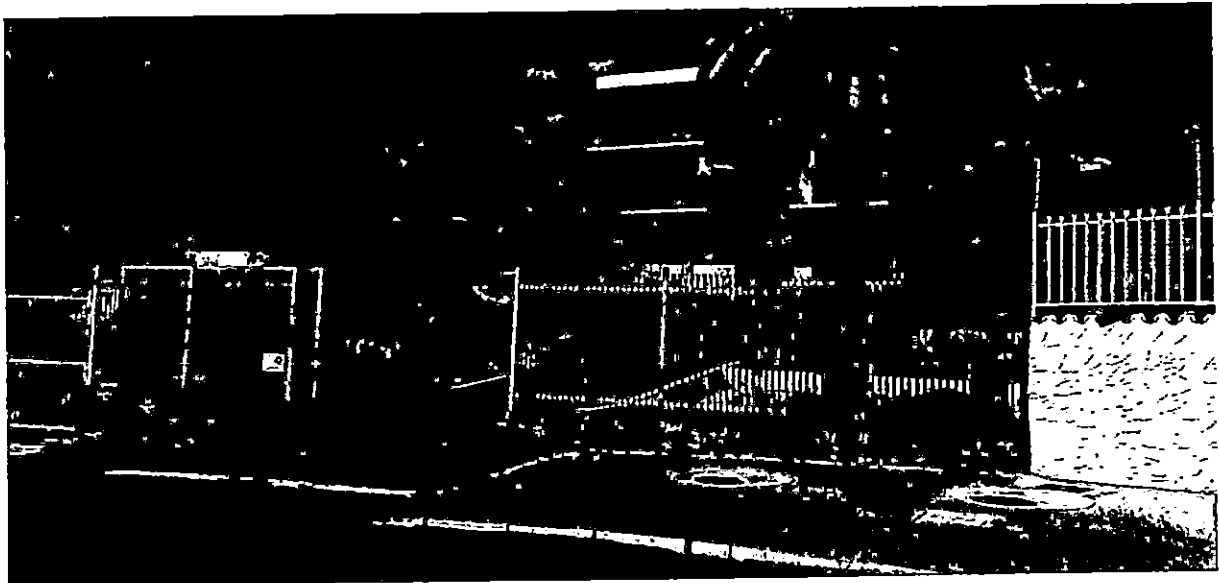


Figure 9: 3D Architectural render of the street front of the development.

The scale of the intended building fits in with the environment and current character of the neighbourhood. Although 5 dwelling units/apartments is intended, the appearance of the building is that of 1 large dwelling house.



Figure 10: 3D Architectural of the western side of the development with Erf 3365 (POS) in front

To be able to do the proposed development of 5 dwelling units (to be registered under sectional title) over 3 storeys (floors) Council's support for the following is required:

- The rezoning of Erf 8275, Windhoek from 'residential' with a density of 1 dwelling per Erf to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup>.
- Consent for the construction of a dwelling with a basement plus three floors to be used for residential units.

It is believed that the rezoning of Erf 8275 to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup> has merit, and that the development will not have a negative impact on the neighbourhood. The increase in density is motivated as follows:

Council's policy for development in this area

With the extension of the office policy area to include the area to the east of Robert Mugabe Avenue, Council per Resolution 392/10/2007 (paragraph 10) inter alia resolved:

*"That it be Council Policy that the rest of even not bordering Robert Mugabe Avenue of the 'Luxury Hill' area of Windhoek up to the boundary of Klein Windhoek remain a residential area for houses, flats and accommodation establishments such as hotels, and that **future higher residential densities be encouraged.**"* See extract of resolution below.

When considering the above policy, it was stated by the Municipality that:

*"What is most relevant for town planning is the role that the neighbourhood known as 'Luxury Hill' has to play in the future development of the City. It is extremely well situated for access to the City Centre. Change is inevitable. The City's town planners would like to see the neighbourhood being redeveloped for higher density accommodation such as townhouses and flats. This would make better use of the existing infrastructure and would create more opportunities for accommodation closer to places of work. With this understanding in mind, earlier applications to approve pensions and hotels have been supported."*

CR 392/10/2007 resolved that higher residential densities should be allowed.

- 10 **That it be Council Policy that the rest of even not bordering Robert Mugabe Avenue of the 'Luxury Hill' area of Windhoek up to the boundary of Klein Windhoek remain a residential area for houses, flats and accommodation establishments such as hotels, and that future higher residential densities be encouraged.**
- 11 **That this resolution pertaining to policies be brought to the attention of the public.**

#### **RESOLUTION 392/10/2007**

No indication was given as to what densities would be supported, but following this decision, several increases in density were already allowed by Council in this area e.g.:

- Erf 2623, No. 6 Heinitzburg Street, where Council per Resolution 170/06/2013 (paragraph 2) approved the increase in density to 1:500m<sup>2</sup>
- Erf 3353, Heinitzburg Street. The increase in density to 1:250m<sup>2</sup> was approved by Council per Resolution 348/09/2009
- Erf 5/169, Feste Street. Council approved the rezoning to 'general residential' with a density of 1:150m<sup>2</sup> per Resolution 110/104/2011

Based on Council's policy for this area, as well as previously approved applications, it is believed that the proposed increase in density is in line with the City's vision for future development of the Luxury Hill area.

#### Location between Windhoek office policy area and Klein Windhoek higher residential density policy area

The neighbourhood, in which Erf 8275 is located, lies between the demarcated Windhoek Office Policy Area and the Klein Windhoek higher residential density policy area which allows for a density of 1 dwelling per 500m<sup>2</sup>.

It's location in proximity of the CBD and the Klein Windhoek business node, which include major shopping centers such as Maerua Mall Complex, the Maerua Lifestyle Shopping Center and Hidas Shopping Centre makes the area ideal for higher residential densities.

More people living in the areas closer to the CBD and shopping centers will not only be convenient to the residents for shopping and employment but will also strengthen the economic base of businesses in these areas.

Different densities were already approved for the area by Council, ranging from 1:900m<sup>2</sup> to 1:150m<sup>2</sup> (e.g. Erf 5/169).

#### Erf characteristics

Erf 8275 is very large: 2678m<sup>2</sup> and only 1 dwelling was erected on the erf. This is a serious underutilization of the Erf with large areas of vacant space. Increasing the density of the Erf will allow to a more efficient use of land as well as of the bulk services in the area.

A special study was carried out by the owner to determine the impact of the rezoning on the municipal services. A copy of the report is attached to the application.

#### Capacity of municipal (bulk) services

*Lithon Project Consultants (Pty) Ltd was appointed by Mrs. Carola von Maltzahn to conduct an existing municipal water, sewer and electrical infrastructure assessment and evaluation report for Erf 8275 (House Ritter) in Luxury Hills, Windhoek. The purpose for the assessment is for the intended rezoning of the above-mentioned erf and thus required a capacity evaluation of the existing bulk services prior to rezoning. A copy of the Report is attached to this application.*

*The conclusion to this high-level investigation (paragraph 3 (page 6) of the Report) is as follows:*

- 1. The high-level assessment demonstrate that the sewer pipes have enough capacity to accommodate extra flows associated to rezoning of Erf 8275.*
- 2. It is recommended to conduct a survey to confirm the sewer as-built data provided by the City of Windhoek, prior to the detailed design phase.*
- 3. There are no foreseen issues related to water pressure in the pipeline as the pipes are large enough to cater for the additional units.*
- 4. City of Windhoek should be consulted during the design phase as the Overhead installed on this site is not captured on their system.*
- 5. Although the power supply to the site is adequate, the City of Windhoek must be informed from the onset how to best cater for an anticipated upgrade to the network.*

Paragraph 4 of the Report recommended that:

#### **Sewer**

*It is recommended that the sewer lines and manhole information is obtained as part of the topographical survey of the erf that would be required for the detailed design phase and thereby confirm the information provided by the City of Windhoek.*

#### **Electricity**

*It is recommended that the following should be adhered to meet the City of Windhoek electrical requirements:*

- 1. Should any electrical infrastructure on the sidewalk need to be relocated to accommodate a new access to the new consolidated erf, all costs involved be for the applicant's own account.*
- 2. Only one (1) service connection per consolidated erf be allowed from the municipal electrical network.*

3. *That for erven that are zoned 'general residential' , 'business', 'office', 'institutional' or 'industrial' 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 on site is to be provided by the applicant at his/her own cost to incorporate an additional substation; and also to determine the financial contribution to be made by the applicant towards the upgrade cost of the network.*
4. *That a Connection Charge may be payable by 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, alternatively the Electrical Engineer can assist the client in this regard.*

From this high-level evaluation of the bulk services, it seems that the proposed increase in density and development can be accommodated by the existing services pending the outcome of further consultation with the relevant COW Departments.

#### Other considerations

Other consideration supporting the rezoning of the Erf are:

- This area is one of the older areas of Windhoek where urban decay can be observed with some old dwellings in urgent need for upgrading. Replacing the dwelling will contribute to the renewal of character of this area.
- Council will earn additional income from betterment fee payable due to the rezoning to a higher density.
- City of Windhoek, especially in the area close to the CBD is in serious need of residential capacity. Retaining the second dwelling will preserve residential capacity in this area.
- The proposed rezoning will not have an impact on the existing neighborhood as the proposed development will be upmarket with high end finishes to align with the market values of the surrounding properties.
- No additional municipal supporting infrastructure is required as no additional electricity, sewer facilities, water supply or road facilities are required. The current structures are already fully serviced by the existing facilities.

Rezoning of Erf 8275, Windhoek to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup> can thus be supported in accordance with the above motivation and Council's Policies.

#### **4. Parking requirements**

It is the intention to demolish the existing dwelling and to put up a new structure as per the plans above and attached. The site and basement plan above (Figure 3) shows the basement parking and onsite parking bays to be created for the development. The garages and site parking will be accessed by a paved driveway from Anton Lubowski Street.



Onsite parking as per Council's requirements can thus be provided on the Erf.

#### **5. Advertising procedures and comments**

In accordance with the Urban and Regional Planning Act, 2018 (Act No 5 of 2018), notice of the application will be given to the prescribed persons as well as the public upon receipt of a complete application by Council in terms of section 105 (Section 107, subsection (1)).

Council will be copied on the documents used for the public participation as well as the feedback received.

#### **6. Conclusion**

Erf 8275, Windhoek is very large and not used efficiently. The building on Erf 8275, Windhoek is in dire need of upgrading and renovation. Rather than spending millions on improving the current building, the property can be used more effectively. A higher residential density will allow the construction of additional residential dwellings/units (5 in total) on the Erf contained in 1 structure.

It is not expected that support for the rezoning and ultimately the 5 residential units in one structure will negatively impact on the residential character of this neighbourhood as the proposed development will be luxurious and designed to fit in with residential character and natural ambiance of the area. Although the proposed increase in density is a significant increase from the existing density, it can still be considered a low to medium density category. The proposed rezoning is also in line with Council's vision for the future development to this area.

Council is therefore requested to support the application to rezone Erf 8275, Windhoek to 'general residential', with a density of 1 dwelling per 500m<sup>2</sup> and to grant consent for a residential development to include a basement for parking and three storeys/floors to be used for residential units.

#### **7. Application**

Application is herewith made for:

- 7.1** Rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from 'residential' with a density of 1 dwelling per Erf to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup>, and
- 7.2** Consent for a basement to be used for storage and parking of vehicles and 3 storeys/floors to be used for the development of 5 residential units.

## 8. Attachments

Attached 5 copies of the following documents

1	Application by Consultant or Owner of the Erf/ Portion/ Farm on the prescribed form.	Attached
2	A) Locality and Detailed Sketch Plan (Illustrating the whole boundary of the Local Authority area under which the application is made)	Attached
	B) Portion Number (s) or Erf number (s) from Surveyor General's Office	Not applicable
	C) Existing Zoning Plan/Zoning Certificate D) Intended Zoning Plan	Zoning Plans and Zoning Certificate attached
	E) Parking Layout	Not applicable
3	Conditions to be registered ( <i>if applicable</i> )	Not applicable
4	Special Power of Attorney including Revenue Stamps with relevant initials	Attached
5	Closure Certificate and Environmental Clearance Certificate ( <i>if applicable</i> )	Not applicable
6	Previous Board approvals (Townships Board or NAMPAB) ( <i>if applicable</i> )	Not applicable
7	Road Authority approval together with the sketch plan indicating the access point (s) ( <i>if applicable</i> )	Not applicable
8	A) Copy of Founding Statement (CC 1/2) ( <i>if registered in the name of Close Corporation</i> )	Not applicable
	B) Copy of Company Resolution ( <i>if registered in the name of a Company</i> )	Not applicable
9	Copy of Title Deed or Certificate of Registered Title	Title Deed T1536/2021 T1537/2021 T1538/2021 T2423/2019
10	Conditions of Establishment attached to all copies ( <i>if applicable</i> )	Not applicable
11	Copy of Erf diagram at time of application	Attached
12	Proof of Payment of CoW submission Fee	Attached
13	Credit Clearance Certificate	Attached
14	Existing infrastructure report	Attached

Based on the motivation and the supportive documents, it is trusted that Council will support the rezoning application. Please do not hesitate to contact our offices should you need any additional information concerning this application.

Kind regards



Dorette Opperman

71

MINISTRY OF URBAN AND RURAL DEVELOPMENT

NOTICE OF INTENTION TO APPLY FOR REZONING TO WHOM IT MAY CONCERN

Please take note that DU TO IT TOWN PLANNING (full names of applicant)

intends to apply to the local authority of City of Windhoek and of the Board\* to rezone ERB 8275 (erf number) No. 29

Anton Lubowski Street (street address) Windhoek

(township area or other area) for residential V/ERB to general res' 1:500

(details of the amendment concerned)

Please further take note that -

- (a) the plan of the erf or land lies for inspection at room ... of the offices of the authorised planning authority or other local authority or the Board;\*
(b) any person having objections to the rezoning concerned or who wants to comment, may in writing lodge such objections and comments, together with the grounds, with the authorised planning authority or other local authority or the Board\* ,and with the applicant within 14 days of the last publication of this notice.

The recommendation of the authorised planning authority or other local authority or Board\*, if any, and any conditions determined by it with regard to the rezoning concerned are as follows:

.....

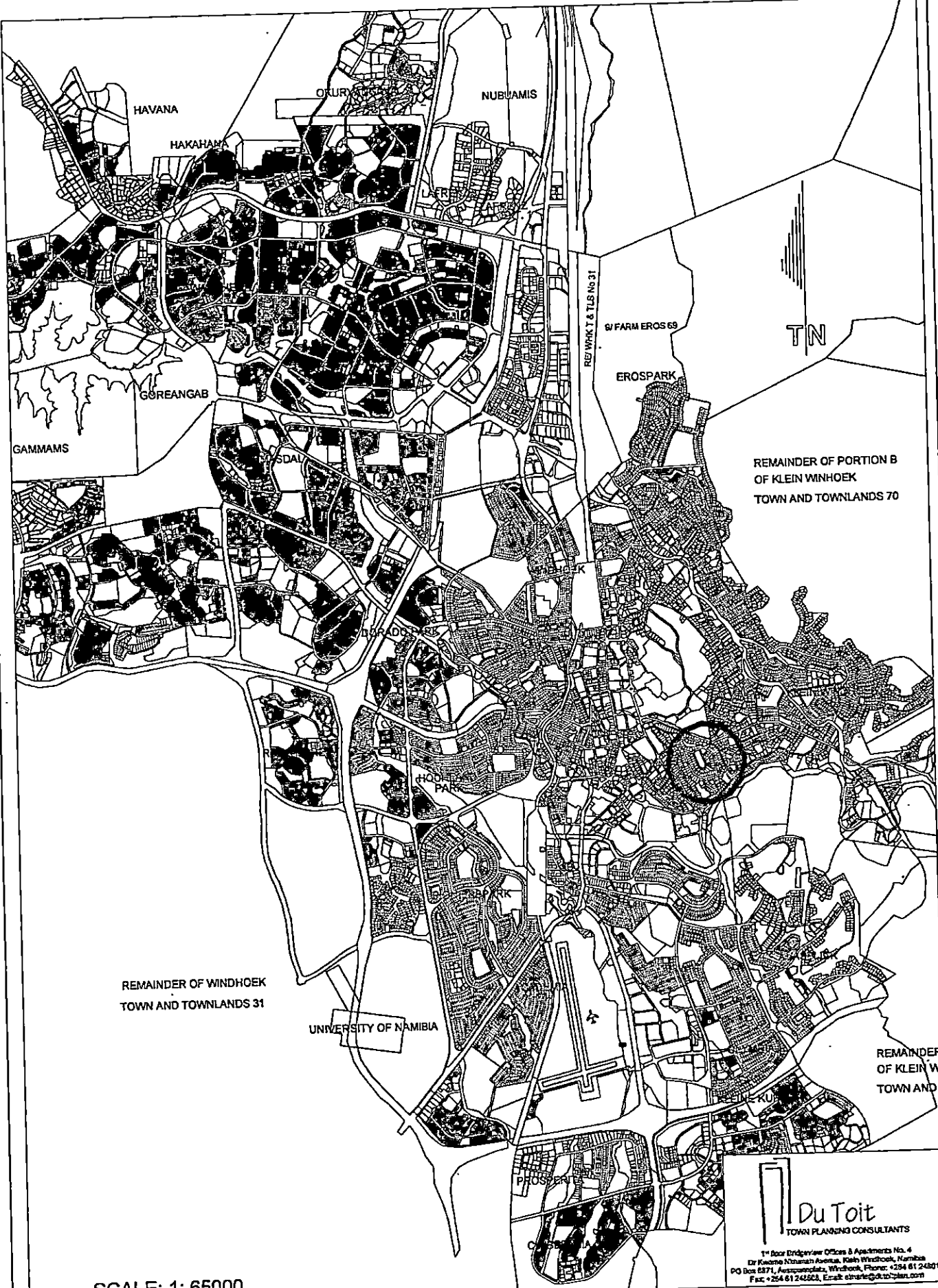
Signature of applicant

25/10/2022 Date

Address of applicant: 1st Floor, Bridgeview building, Dr. Kwame Nkrumah Avenue, Klein Windhoek

\* Delete whichever is not applicable.

# LOCALITY PLAN OF ERF ERF 8725, ANTON LUBOWSKI STREET, WINDHOEK



SCALE: 1: 65000

**Du Toit**  
TOWN PLANNING CONSULTANTS

1<sup>st</sup> floor Bridgeview Offices & Apartments No. 4  
Dr Kwame Ntsumah Avenue, Klein Windhoek, Namibia  
PO Box 8171, Aerodromplatz, Windhoek, Phone: +264 61 243010  
Fax: +264 61 242602, Email: dumarie@du-toit.com

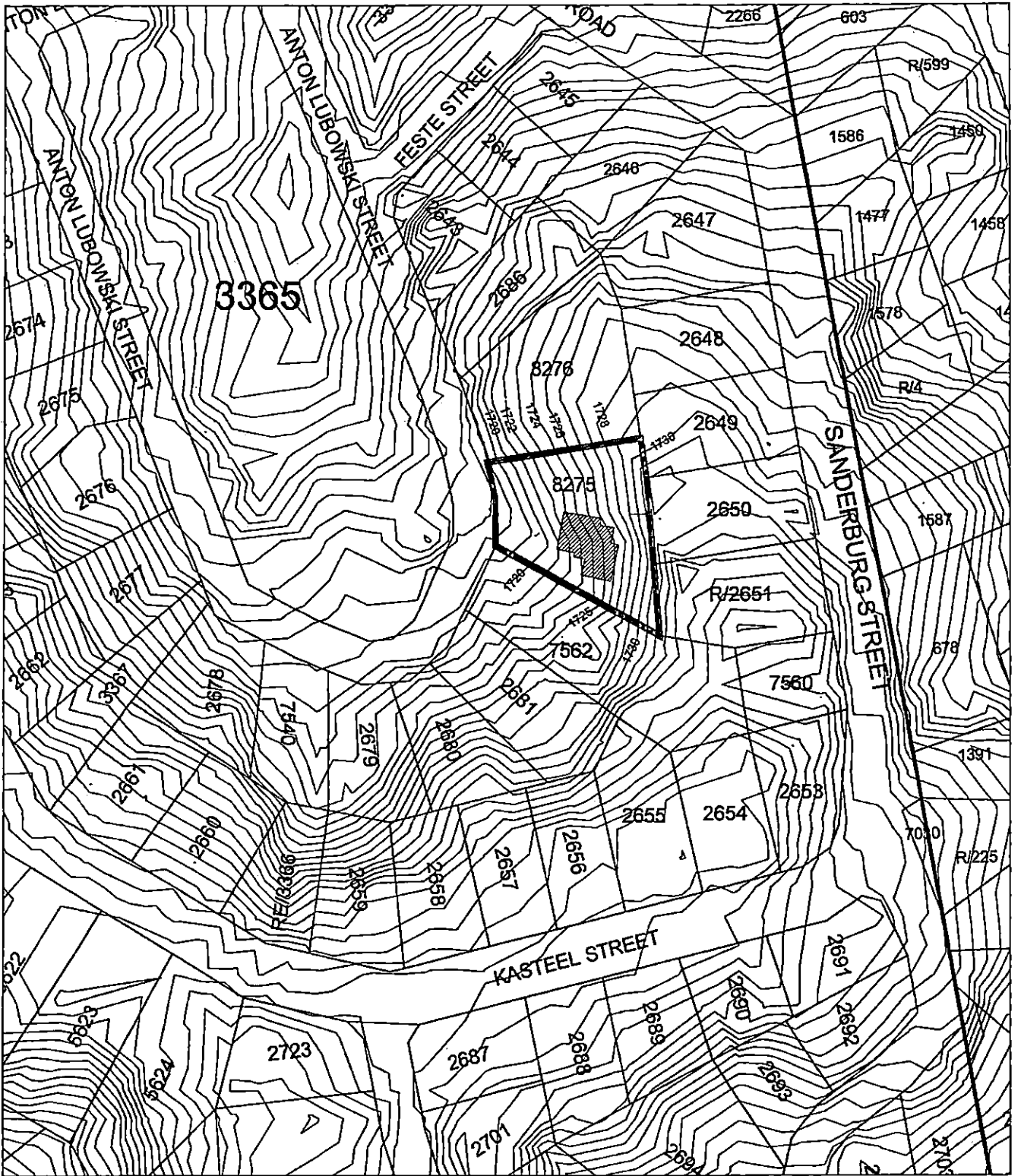


Scale: 1/5000  
 DATE: OCT.2022  
 PLAN NO. 8275WW



LOCALITY PLAN OF ERF 8275  
 ANTON LUBOWSKI STREET  
 WINDHOEK

1<sup>st</sup> Floor Bridgeview Offices & Apartments No. 4  
 Dr Kwame Nkrumah Avenue, Klara Windhoek, Namibia  
 PO Box 6871, Ausspanplatz, Windhoek, Phone: +264 61 246010  
 Fax: +264 61 246508, Email: elmarie@duitoitplan.com



EXISTING BUILDINGS

ERF 8275 = 2687m<sup>2</sup>

Scale: 1/2000

DATE: OCT.2022

PLAN NO. 8275WW /



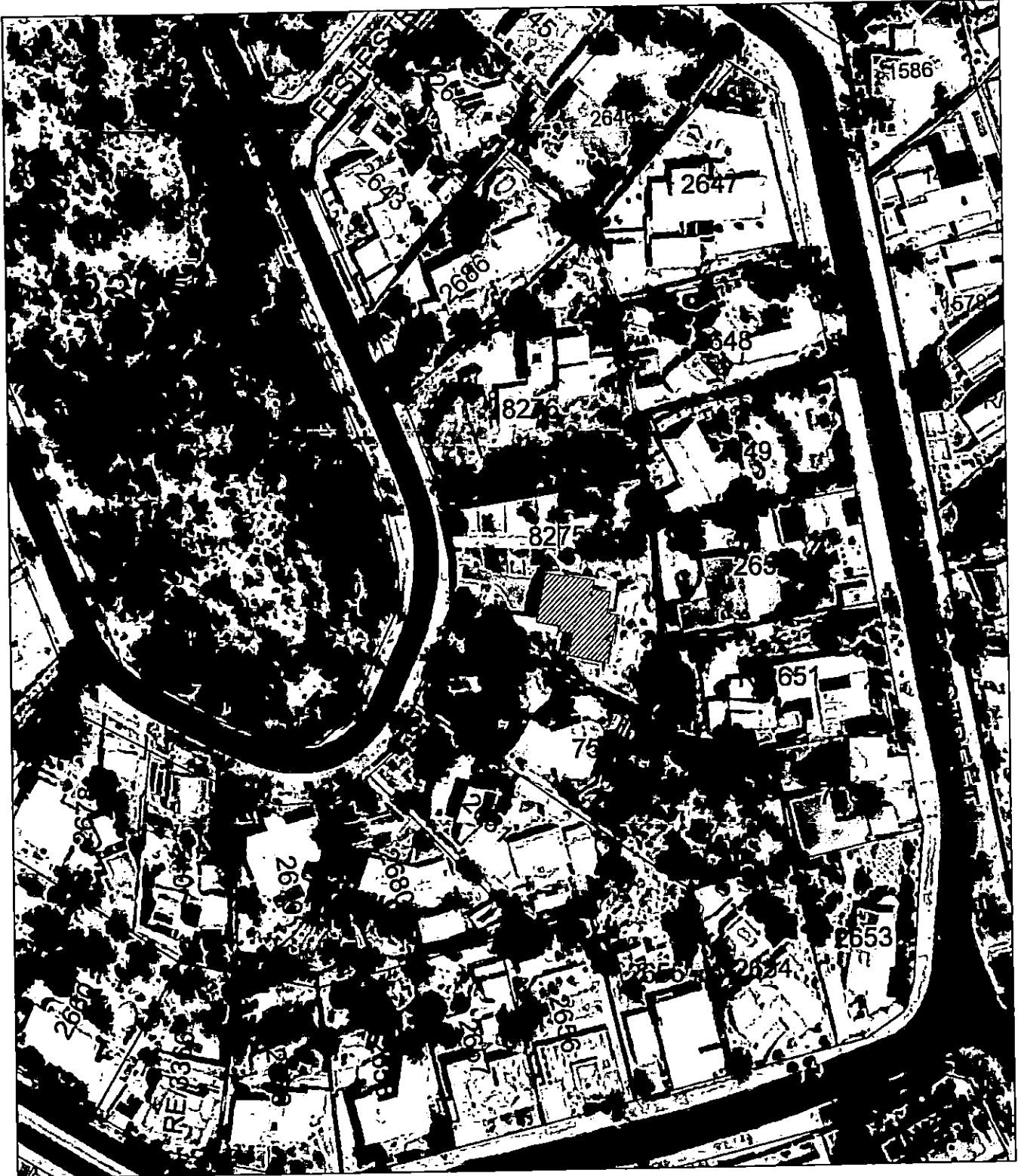
REZONING OF ERF 8275 WINDHOEK  
 FROM 'RESIDENTIAL' WITH A DENSITY  
 OF 1 / ERF TO 'GENERAL  
 RESIDENTIAL' WITH A DENSITY OF  
 1/500m<sup>2</sup>



**Du Toit**  
 TOWN PLANNING CONSULTANTS

1<sup>st</sup> floor Bridgeview Offices & Apartments No. 4  
 Dr Kwame Nkrumah Avenue, Klein Windhoek, Namibia  
 PO Box 6871, Ausspannplatz, Windhoek, Phone: +264 61 248010  
 Fax: +264 61 248608, Email: etmarie@duitoitplan.com

8275



EXISTING BUILDINGS

ERF 8275 = 2687m<sup>2</sup>

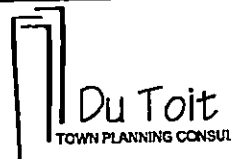
Scale: 1/1500

DATE: OCT.2022

PLAN NO. 8275WW



REZONING OF ERF 8275 WINDHOEK  
 FROM 'RESIDENTIAL' WITH A DENSITY  
 OF 1 / ERF TO 'GENERAL  
 RESIDENTIAL' WITH A DENSITY OF  
 1/500m<sup>2</sup>



1<sup>st</sup> floor Bridgeview Offices & Apartments No. 4  
 Dr Kwame Nkulunzhi Avenue, Klein Windhoek, Namibia  
 PO Box 837, Ausspannplatz, Windhoek, Phone: +264 61 248010  
 Fax: +264 61 248608, Email: etmarie@dutoitplan.com

**Town Planning Certificate No. 1:  
Town Planning Scheme Information**

76

Ref : \_\_\_\_\_

Enq : \_\_\_\_\_

Tel : \_\_\_\_\_

Applicants Address \_\_\_\_\_

Telephone Number : \_\_\_\_\_

**Sir / Madam**

**Erf No:** 8275

**Township :** WINDHOEK/WINDHOEK BLOCKS

**Street :** ANTON LUBOWSKI STR

In terms of the Windhoek Town Planning Scheme the following conditions apply to the above mentioned erf.

- |                  |                      |                   |
|------------------|----------------------|-------------------|
| 1. Use Zone :    | RESIDENTIAL          | Refer to Table B. |
| 2. Density :     | 1 DWELLING / ERF     | Refer to Table E. |
| 3. Bulk Factor : | 0 00                 | Refer to Table F. |
| 4. Coverage :    | 50 %                 | Refer to Table G. |
| 5. Erf Size :    | 2,687 m <sup>2</sup> |                   |
| 6. Parking :     | _____                |                   |

(The parking ratio should be confirmed with the Transportation Department for erven in the business zone, and for restaurants, grouped housing schemes, hotels, bed & breakfasts, resident occupations, places of amusement, social halls and churches)

7. Street Build Lines \_\_\_\_\_

8. Position Of Buildings : \_\_\_\_\_

9. Street Address : 29 ANTON LUBOWSKI STR \_\_\_\_\_

10. Flood Line : \_\_\_\_\_

11. Height Restriction : \_\_\_\_\_ Refer to Table J.

12. Street Reservation : \_\_\_\_\_

13. Other : \_\_\_\_\_

The TOWN PLANNING SCHEME and MAP are open for inspection on the passage wall of the 7th floor of the town house. The information provided herein must be verified by the applicant by inspection of the Scheme and Map.

Your attention is further directed to any condition which may be registered against your property in the title deeds. You may be required to furnish a certified copy of the title deeds conditions before any building plans are approved.





**ZONING LEGEND**

- |   |  |   |   |
|---|--|---|---|
|  RESIDENTIAL         |  BUSINESS |  PUBLIC OPEN SPACE |  SPECIAL   |
|  GENERAL RESIDENTIAL |  OFFICE   |  INSTITUTIONAL     |  MUNICIPAL |

**CURRENT ZONING OF ERF 8275**  
**ANTON LUBOWSKI STREET, WINDHOEK**

• ('RESIDENTIAL' WITH A DENSITY OF 1 / ERF)

DATE: OCT 2022

SCALE: 1/4000

PLAN NO. AMS



1<sup>st</sup> Floor Bridgeview Offices & Apartments No. 4  
 Dr Kuzma Kozumah Avenue, Kōsin Windhoek, Namibia  
 PO Box 6871, Ausspannplatz, Windhoek, Phone: 1264 61 248010  
 Fax: +264 61 248608, Email: [info@du-toitplan.com](mailto:info@du-toitplan.com)



**ZONING LEGEND**

- |                     |          |                   |           |
|---------------------|----------|-------------------|-----------|
| RESIDENTIAL         | BUSINESS | PUBLIC OPEN SPACE | SPECIAL   |
| GENERAL RESIDENTIAL | OFFICE   | INSTITUTIONAL     | MUNICIPAL |

REZONING OF ERF 8275 WINDHOEK FROM 'RESIDENTIAL' WITH A DENSITY OF 1 / ERF TO 'GENERAL RESIDENTIAL' WITH A DENSITY OF 1/500m<sup>2</sup>



DATE: OCT 2022

SCALE: 1/4000

PLAN NO. AMS



1<sup>st</sup> floor Bldgview Offices & Apartments No. 4  
 Dr Kwame Nkrumah Avenue, Klein Windhoek, Namibia  
 PO Box 6371, Ausspannplatz, Windhoek, Phone: 1264 61 248010  
 Fax: +264 61 248608, Email: dtm@duitoitplan.com

**SPECIAL POWER OF ATTORNEY**

I the undersigned

**Carola Anita von Maltzahn**

**the owner of Erf 8275, Windhoek**

do hereby nominate, constitute and appoint

**Du Toit Town Planning Consultants**

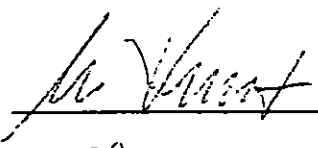

with power of Substitution, to be my lawful Agent in my name, place and stead, to make the necessary application to the Windhoek Municipality and the Ministry of Urban and Rural Development (Urban and Regional Planning Board) for:

- Rezoning of Erf 8275, Windhoek from 'residential' with a density of 1 dwelling per erf to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup>
- Consent for more than two storeys/floors on a residentially zoned erf.

at the cost of the applicant and generally for effecting the purpose aforesaid, to do or cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes I might or could do if personally present and acting herein – hereby ratifying, allowing and confirm all and whatsoever our said Agent shall lawfully do or cause to be done, by virtue of these present.

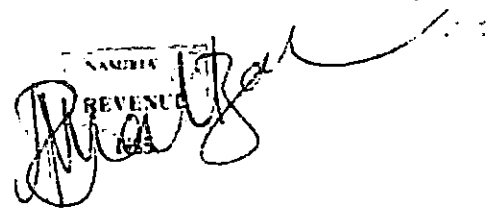
Signed at Windhoek this 13 day of October 2022, in the presence of the undersigned witnesses

**WITNESSES:**

1. 
2. 



**SUBSCRIBER**



CONVEYANCER  
LOUW T J A

STAMPED  
DUTY NO. 4 230-00

**LODGED BY:**

**T J A LOUW**  
THEUNISSEN, LOUW & PARTNERS  
Schutzen Haus, No. 1 Schutzen Street  
WINDHOEK

T 1536 / 2021

**DEED OF TRANSFER**

*Be it hereby made known:*

That **TOBIAS JOHANNES ADRIAN LOUW**

appeared before me, Registrar of Deeds at **WINDHOEK**

he, the said Appearer, being duly authorised thereto by a Power of Attorney granted to him by

**BIANCA ELKE RITTER**  
Identity number 681023 0039 6  
Married out of community of property



dated the 11<sup>th</sup> day of February 2021, and signed at Windhoek

Handwritten signatures and initials at the bottom of the page.

And the said Appearer declared that

His Principal had truly and legally sold on the 11 February 2021

and that he in his capacity aforesaid did, by these presents, cede and transfer, in full and free property, to and on behalf of

**CAROLA ANITA VON MALTZAHN**

**Identity number 670608 0008 5**

**Unmarried**

Her Heirs, Executors, Administrators or Assigns

**One Quarter (1/4) Undivided Share in and to**

**CERTAIN:**

Erf no. 275 Windhoek

**SITUATED:**

In the Municipality of Windhoek

**REGISTRATION DIVISION " K "**

**KHOMAS REGION**

**MEASURING:** 2687 (TWO SIX EIGHT SEVEN) Square metres

**FIRST** registered by Certificate of Consolidated Title no. T6199/2004 with Diagram no. A263/2003 relating thereto and held by Deed of Transfer no. T2423/2019

A. **SUBJECT** to the following conditions imposed in terms of Ordinance 18 of 1954 (See BC 22/2007), and created in Deed of Transfer no. T2423/2019, namely:

**IN FAVOUR OF THE LOCAL AUTHORITY**

- (a) The erf shall only be used or occupied for purposes which are in accordance with and the use or occupation of the erf shall at all times be subject to the provisions of the Windhoek Town Planning Scheme prepared and approved in terms of the Town Planning ordinance, 1954 (Ordinance 18 of 1954) as amended.
- (b) The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least four times the municipal valuation of the erf.

B. **FURTHER SUBJECT** to the following conditions contained in the last will and testament dated 5 April 2013 of the Late WALTRAUT ILSE RITTER, created in the Deed of Transfer no. T2423/2019, namely:

"6. It is an express condition to this testament that no benefit devolving upon any beneficiary under this my Last Will and Testament shall form part or constitute portion of any communal or joint estate or accrual system contract of any such beneficiary and shall also never be subject to the marital power of any husband or wife."

FOR INFORMATION ONLY


14.

Wherefore the Appearer, renouncing <sup>83</sup> the Right and Title which the said TRANSFEROR heretofore had to the premises, did, in consequence also acknowledge the said TRANSFEROR to be entirely dispossessed of, and disentitled to, the same, and that, by virtue of these presents, the said TRANSFEREE.

Her Heirs, Executors, Administrators, or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, The State, however, reserving its rights, and finally acknowledging the purchase price to the sum of N\$1 022 500,00



Signed at WINDHOEK, on 2021-03-24, together with the appearer, and confirmed with my seal of office.

FOR INFORMATION ONLY

  
Signature of appearer

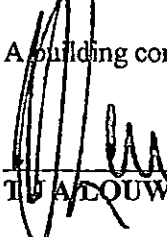


1. Transfer Duty Receipt No. 0200062223  
Issued at Windhoek  
on 09.03.2021 for  
N\$5 125,00

Checked 1.  

2. I, the undersigned, **TOBIAS JOHANNES ADRIAN LOUW**  
Conveyancer hereby certify in terms of Section 78 of Act 23/1992 that all rates, fees, charges and other moneys due to the local authority council in respect of any service, amenity or facility supplied to such property in terms of this Act, inclusive of any availability charge and minimum charge provided for in Section 30(1)(u) has been paid up to and including the date of registration hereof.

3. A building compliance certificate has been issued by the Local Authority.

  
T J A LOUW (CONVEYANCER)

\*Delete which is not applicable.

If necessary, insert a Registrar Clause etc. approved by the Registrar.

6. 

\_\_\_\_\_  
CONVEYANCER  
LOUW T J A

ORIGINAL  
STAMPED

DUTY NO. 11 230 - 00

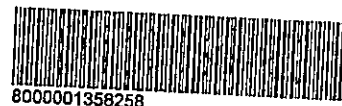
**LODGED BY:**

**T J A LOUW**  
THEUNISSEN, LOUW & PARTNERS  
Schutzen Haus, No. 1 Schutzen Street  
WINDHOEK

**FOR INFORMATION ONLY**  
**DEED OF TRANSFER**

1537 / 2021

*Be it hereby made known:*



That **TOBIAS JOHANNES ADRIAN LOUW**

appeared before me, Registrar of Deeds at **WINDHOEK**

he, the said Appearer, being duly authorised thereto by a Power of Attorney granted to him by

**ALMUT TANJA BOYE**  
Identity number 710831 0010 6  
Unmarried

dated the 11<sup>th</sup> day of February 2021, and signed at Windhoek

\_\_\_\_\_  
ke .  
\_\_\_\_\_



And the said Appearer declared that

His Principal had truly and legally sold on the 11 February 2021

and that he in his capacity aforesaid did, by these presents, cede and transfer, in full and free property, to and on behalf of

**CAROLA ANITA VON MALTZAHN**

Identity number 670608 0008 5

Unmarried

Her Heirs, Executors, Administrators or Assigns

**One Quarter (1/4) Undivided Share in and to**

**CERTAIN:** Erf no. 8275 Windhoek

**SITUATED:** In the Municipality of Windhoek

**REGISTRATION DIVISION "K"**

**KHOMAS REGION**

**MEASURING:** 2687 (TWO SIX EIGHT SEVEN) Square metres

**FIRST** registered by Certificate of Consolidated Title no. T6199/2004 with Diagram no. A263/2003 relating thereto and held by Deed of Transfer no. T2423/2019

**A. SUBJECT** to the following conditions imposed in terms of Ordinance 18 of 1954 (See BC 22/2007), and created in Deed of Transfer no. T2423/2019, namely:

**IN FAVOUR OF THE LOCAL AUTHORITY**

- (a) The erf shall only be used or occupied for purposes which are in accordance with and the use or occupation of the erf shall at all times be subject to the provisions of the Windhoek Town Planning Scheme prepared and approved in terms of the Town Planning ordinance, 1954 (Ordinance 18 of 1954) as amended.
- (b) The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least four times the municipal valuation of the erf.

14.

B. FURTHER SUBJECT to the following conditions contained in the last will and testament dated 5 April 2013 of the Late WALTRAUT ILSE RITTER, created in the Deed of Transfer no. T2423/2019, namely:

"6. It is an express condition to this testament that no benefit devolving upon any beneficiary under this my Last Will and Testament shall form part or constitute portion of any Communal or joint estate or accrual system contract of any such beneficiary and shall also never be subject to the marital power of any husband or wife."

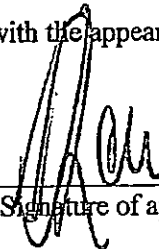
FOR INFORMATION ONLY

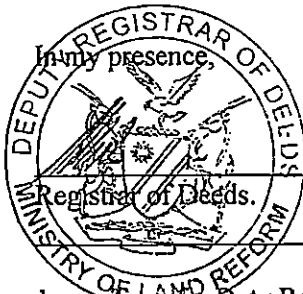


Wherefore the Appearer, renouncing <sup>87</sup> all the Right and Title which the said TRANSFEROR heretofore had to the premises, did, in consequence also acknowledge the said TRANSFEROR to be entirely dispossessed of, and disentitled to, the same, and that, by virtue of these presents, the said TRANSFEREE.

Her Heirs, Executors, Administrators, or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, The State, however, reserving its rights, and finally acknowledging the purchase price to the sum of N\$1 022 500,00



Signed at WINDHOEK, on 2021-03-24, together with the appearer, and confirmed with my seal of office.

  
Signature of appearer

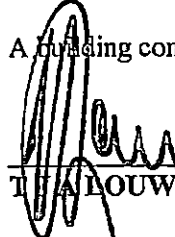


FOR INFORMATION ONLY

1. Transfer Duty Receipt No. 0200062221  
Issued at Windhoek  
on 09.03.2021 for  
N\$5 125,00


Checked 1.  2. 

2. I, the undersigned, **TOBIAS JOHANNES ADRIAN LOUW** Conveyancer hereby certify in terms of Section 78 of Act 23/1992 that all rates, fees, charges and other moneys due to the local authority council in respect of any service, amenity or facility supplied to such property in terms of this Act, inclusive of any availability charge and minimum charge provided for in Section 30(1)(u) has been paid up to and including the date of registration hereof.
3. A building compliance certificate has been issued by the Local Authority.

  
\_\_\_\_\_  
T. A. LOUW (CONVEYANCER)

\*Delete which is not applicable.

\_\_\_\_\_  
If necessary, insert a Registrar Clause etc. approved by the Registrar.



PREPARED BY ME:

CONVEYANCER  
LOUW T J A

988

STAMPED

DUTY NO. 4.230.00

**LODGED BY:**

T J A LOUW  
THEUNISSEN, LOUW & PARTNERS  
Schutzen Haus, No. 1 Schutzen Street  
WINDHOEK

T 1538- / 2021

**DEED OF TRANSFER**

*Be it hereby made known:*

**FOR INFORMATION ONLY**

That TOBIAS JOHANNES ADRIAN LOUW

appeared before me, Registrar of Deeds at WINDHOEK

he, the said Appearer, being duly authorised thereto by a Power of Attorney granted to him by



**ALFBERT WOLF OTTWALT RITTER**  
Identity number 761228 1010 7  
Married out of community of property

dated the 11<sup>th</sup> day of February 2021, and signed at Windhoek

Handwritten signature and scribbles at the bottom right of the page.

And the said Appearer declared that

89

His Principal had truly and legally sold on the 11 February 2021

and that he in his capacity aforesaid did, by these presents, cede and transfer, in full and free property, to and on behalf of

**CAROLA ANITA VON MALTZAHN**  
**Identity number 670608 0008 5**  
**Unmarried**

Her Heirs, Executors, Administrators or Assigns

**One Quarter (1/4) Undivided Share in and to**

**CERTAIN:** Erf no. 8275 Windhoek

**SITUATED:** In the Municipality of Windhoek

**REGISTRATION DIVISION " K "**

**KHOMAS REGION**

**MEASURING:** 2687 (TWO SIX EIGHT SEVEN) Square metres

**FIRST** registered by Certificate of Consolidated Title no. T6199/2004 with Diagram no. A263/2003 relating thereto and held by Deed of Transfer no. T2423/2019

**A. SUBJECT** to the following conditions imposed in terms of Ordinance 18 of 1954 (See BC 22/2007), and created in Deed of Transfer no. T2423/2019, namely:

**IN FAVOUR OF THE LOCAL AUTHORITY**

- (a) The erf shall only be used or occupied for purposes which are in accordance with and the use or occupation of the erf shall at all times be subject to the provisions of the Windhoek Town Planning Scheme prepared and approved in terms of the Town Planning ordinance, 1954 (Ordinance 18 of 1954) as amended.
- (b) The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least four times the municipal valuation of the erf.

FOR INFORMATION ONLY

|

*[Handwritten signature]*

13 90

B. FURTHER SUBJECT to the following conditions contained in the last will and testament dated 5 April 2013 of the Late WALTRAUT ILSE RITTER, created in the Deed of Transfer no. T2423/2019, namely:

"6. It is an express condition to this testament that no benefit devolving upon any beneficiary under this my Last Will and Testament shall form part or constitute portion of any communal or joint estate or accrual system contract of any such beneficiary and shall also never be subject to the marital power of any husband or wife."

FOR INFORMATION ONLY

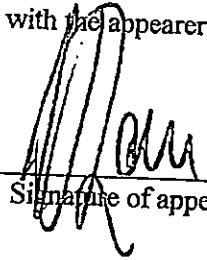
14  


Wherefore the Appearer, renouncing all the Right and Title which the said TRANSFEROR heretofore had to the premises, did, in consequence also acknowledge the said TRANSFEROR to be entirely dispossessed of, and disentitled to, the same, and that, by virtue of these presents, the said TRANSFEREE.

Her Heirs, Executors, Administrators, or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, The State, however, reserving its rights, and finally acknowledging the purchase price to the sum of N\$1 022 500,00



Signed at WINDHOEK, on 2021-03-25, together with the appearer, and confirmed with my seal of office.

FOR INFORMATION ONLY

  
Signature of appearer

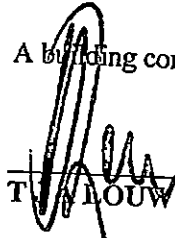


1. Transfer Duty Receipt No. 0200062222  
Issued at Windhoek  
on 09.03.2021 for  
N\$5 125,00

Checked 1.  2. 

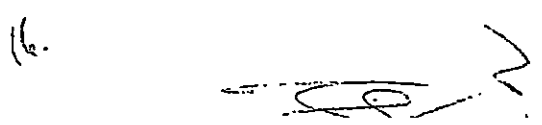
2. I, the undersigned, **TOBIAS JOHANNES ADRIAN LOUW** Conveyancer hereby certify in terms of Section 78 of Act 23/1992 that all rates, fees, charges and other moneys due to the local authority council in respect of any service, amenity or facility supplied to such property in terms of this Act, inclusive of any availability charge and minimum charge provided for in Section 30(1)(u) has been paid up to and including the date of registration hereof.

3. A building compliance certificate has been issued by the Local Authority.

  
T. LOUW (CONVEYANCER)

\*Delete which is not applicable.

If necessary, insert a Registrar Clause etc. approved by the Registrar.



ENDORSEMENT UNDER SECTION 68 (1)  
ACT 47/1937

1 no personal servitude *cancelation of life-long usufruct*

(condition) on page *3* has lapsed.

Application/authority *via bc 1385/2021*

W.T.S. EISEB

2021-03-24 REGISTRAR OF DEEDS.

ENDORSEMENT UNDER SECTION 68 (1)  
ACT 47/1937

1 no personal servitude

(condition) on page *2* has lapsed.

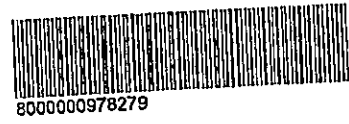
Application/authority *with 1/536/2021*

*consent filed with bc 887/2007*

W.T.S. EISEB

2021-03-24 REGISTRAR OF DEEDS.

FOR INFORMATION ONLY



# DEED OF TRANSFER

Be it hereby made known : 2423 / 2019

THAT JAMES MADDEN RADLOFF  
appeared before me, Registrar of Deeds  
at WINDHOEK

he, the said Appearer, being duly authorised thereto by a Power of Attorney granted to him by

THE EXECUTOR IN THE ESTATE OF THE LATE  
WALTRAUT ILSE RITTER

dated the 23<sup>RD</sup> day of NOVEMBER 2018, and signed  
at WINDHOEK

*[Signature]*



And the said Appearer declared that:

93

WHEREAS in terms of the Last Will and Testament dated 5 April 2013 of the Late **WALTRAUT ILSE RITTER** who died on 4 June 2018, the within-mentioned property was specially bequeathed to the within-mentioned transferees in equal shares subject to Clause 6 of the said Will hereinafter more fully set out

NOW THEREFORE the Appearer in his capacity aforesaid did, by these presents, cede and transfer, in full and free property, to and on behalf of

1. **CAROLA ANITA VON MALTZAHN**  
Identity Number 670608 0008 5  
Unmarried
2. **BIANCA ELKE RITTER**  
Identity Number 681023 0039 6  
Unmarried
3. **ALMUT TANJA BOYE**  
Identity Number 710831 0010 6  
Unmarried
4. **ALFBERT WOLF OTTWALT RITTER**  
Identity Number 761228 1010 7  
Married out of community of property

Their Heirs, Executors, Administrators or Assigns

CERTAIN Erf No. 8275 WINDHOEK

SITUATE in the Municipality of Windhoek  
Registration Division "K"  
KHOMAS Region

MEASURING 2687 (TWO SIX EIGHT SEVEN) square metres

FIRST REGISTERED and still held by Certificate of Consolidated Title No. 76699/2004 with Diagram No. A 263/2003 relating thereto

A. SUBJECT to the following conditions imposed in terms of Ordinance 18 of 1954 (See BC 22/2007), namely:

IN FAVOUR OF THE LOCAL AUTHORITY:

- (a) The erf shall only be used or occupied for purposes which are in accordance with and the use or occupation of the erf shall at all times be subject to the provisions of the Windhoek Town Planning Scheme prepared and approved in terms of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954) as amended.
- (b) The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least **four** times the municipal valuation of the erf.

*[Handwritten signatures]*

1994  
B. FURTHER SUBJECT to a life-long Right of Usufruct in favour of

**WOLF-RUDIGER HERBERT RITTER**  
**Identity Number 390410 0032 1**  
**Unmarried**

Created in Notarial Deed of Cession of Usufruct No. K 197 /2019 S

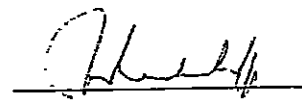
C. FURTHER SUBJECT to the following condition contained in the said Will, namely:-

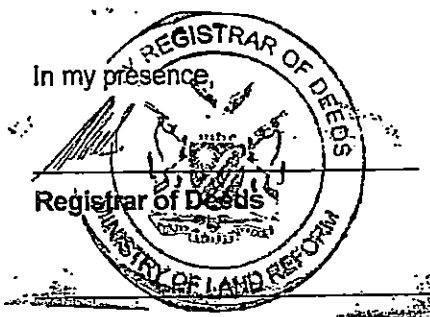
"6. It is an express condition to this testament that no benefit devolving upon any beneficiary under this my Last Will and Testament shall form part or constitute portion of any communal or joint estate or accrual system contract of any such beneficiary and shall also never be subject to the marital power of any husband or wife."

Wherefore the Appearer, renouncing all the Right and Title which the Estate of the **WALTRAUT ILSE RITTER** heretofore had to the premises, did, in consequence also acknowledge the said Estate to be entirely dispossessed of, and disentitled to, the same; and that, by virtue of these Presents, the said Transferees

Their Heirs, Executors, Administrators or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, The State, however, reserving its rights, and finally acknowledging that the property is valued in the First and Final Liquidation and Distribution Account at N\$4 650 000,00

Signed at **Windhoek**, on 2019 -04- 30, together with the appearer, and confirmed with my seal of office

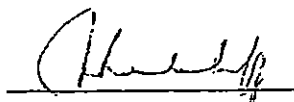
  
Signature of appearer



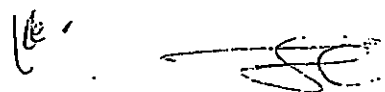
**FOR INFORMATION ONLY**

I, the undersigned **JAMES MADDEN RADLOFF**

Conveyancer, hereby certify in terms of Section 78 of Act 23/1992 that all rates leviable in terms of the said Act (as amended) in respect of the immovable property contained in this Deed and all the fees, charges and other moneys due to the local authority council in respect of any service, amenity or facility supplied to such property in terms of the said Act, inclusive of any availability charge and minimum charge provided for in section 30(1)(u) have been paid up to and including the date of registration thereof.



CONVEYANCER



one quarter (1/4) undivided share of P.E. Eise,

TRANSFERRED TO... C. A. VON MALTZAHN  
(unmarried)

No. T 1536 / 2021 Remainder

2021-03-24

W.T.S. EISEB

Registrar

one quarter (1/4) undivided share of A.T. Eyer

TRANSFERRED TO... C. A. VON MALTZAHN  
(unmarried)

No. T 1537 / 2021 Remainder

2021-03-24

W.T.S. EISEB

Registrar

one quarter 1/4 undivided share of A.W.O. Ritter

TRANSFERRED TO... C. A. VON MALTZAHN  
(unmarried)

No. T 1538 / 2021 Remainder

2021-03-24

W.T.S. EISEB

Registrar

APPROVED 12 JAN 2006

No. A263/2003

*Illuhese*

& SURVEYOR-GENERAL

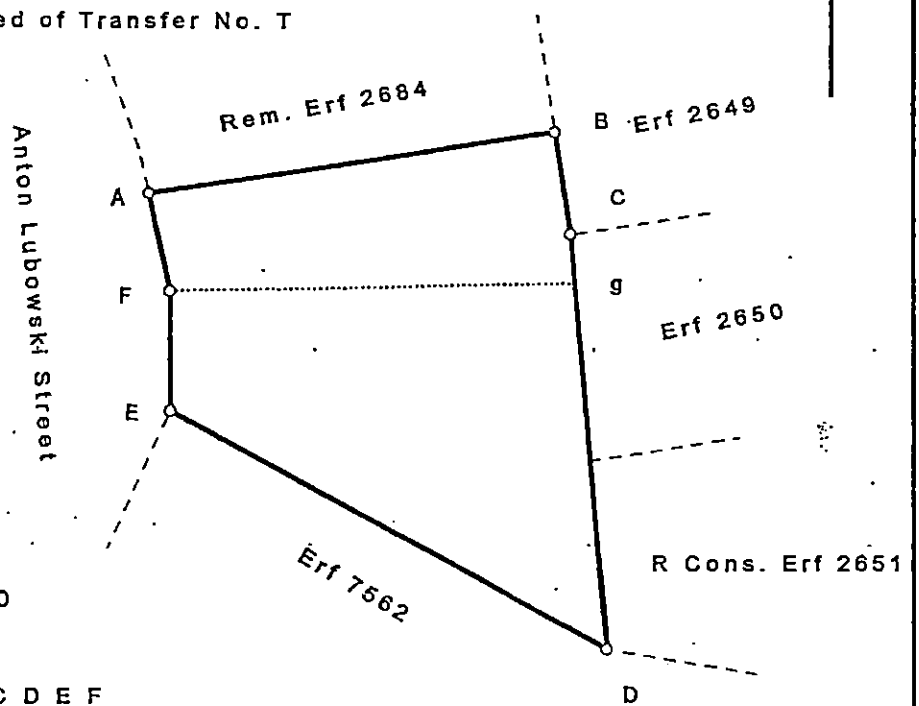
SIDES metres	ANGLES OF DIRECTIONS ° ' "	CO-ORDINATES SYSTEM 22/17		Designation		
		Y	X			
AB	55.15	261 27 40	A	- 10 000.50	+ 63 802.80	bo
BC	13.76	351 09 00	B	- 10 055.03	+ 63 794.61	rit
CD	54.82	354 58 00	C	- 10 057.15	+ 63 808.21	2649d
DE	66.38	88 54 20	D			
EF	15.84	167 37 40	E	- 10 003.43	+ 63 831.56	2683d
FA	13.23	167 37 40	F	- 10 003.33	+ 63 815.72	2683a
			△	- 11 071.26	+ 64 410.77	Hohe Whk
			△	- 9 548.43	+ 63 421.97	Win 7

**Beacon descriptions:**

- A hole in wall
- B, D, F 16mm iron peg
- C wall corner
- E iron peg in concrete

**Components:**

1. The figure FgDEF represents Erf 2683, vide General Plan K138 relating to C.R.T. 1018/1964.
2. The figure ABCgF represents Erf 8274, vide S.G. No. A262/2003 relating to Deed of Transfer No. T



Scale 1 : 1 000

The figure A B C D E F represents 2687 square metres of land, being

**ERF 8275** (comprising 1. and 2. above) **WINDHOEK**

Situate in the Municipality of Windhoek  
Registration Division K  
Namibia

*C P Jendrissek*

C P Jendrissek  
Land Surveyor

Compiled in May 2003

by me

This diagram is annexed to T6199/2004

dated 19.10.2004

Registrar of Deeds

The original diagrams are as stated above.

S.R. No. Compiled

General Plan

Noting Plan MG-5AC/W4

File No. WHK 52

# DEBT MANAGEMENT CREDIT CHECK FORM

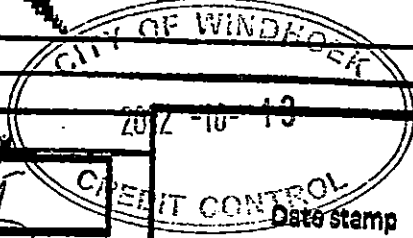
Surname Von Maltzahn First name(s) Carola Anita  
 Erf/Stand no 8275 Township Windhoek  
 If company or registered under CC N.a.  
 Namibian I. D / Passport no. 67060800085  
 Postal address 2687 Township of address Windhoek  
 Physical Residential or Business address 29 Anton Lubanski  
 Tel no \_\_\_\_\_ (H) \_\_\_\_\_ Cell 0811273148

## DEBT MANAGEMENT CREDIT CHECK

Service Accounts (MS)

Credit Control Officer Comments:

*Proceed*



Acc. Technician Credit Control

*[Signature]*

Signature Acc. Tech Credit Control

*[Signature]*

## LAND SALES

Comments:

*Approved*

Acc. Technician Land Sales

*[Signature]*  
Etamen

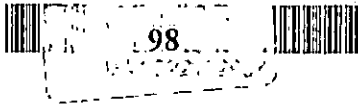
Signature Acc. Technician Land Sales

*[Signature]*  
Etambumbi



ACCOUNTANT LAND SALES: \_\_\_\_\_

# CITY OF MANY FACES



# CITY OF WINDHOEK

P O Box 59, WINDHOEK NAMIBIA  
Telephone No: (061) 290 2911

## TAX INVOICE

VAT Reg. Number 2646057-01-5



<b>Invoice Number</b> : INV2022192987	<b>Date Issued</b> : 2022/10/03
<b>Account Number</b> : N/A	<b>Vote Number</b> : 5000132050048
<b>Name</b> : DU TOIT TOWN PLANNING CONSULTANTS	<b>Reference Number</b> : 8275, WINDHOEK
<b>Address</b> : P O BOX 6871, AUSSPANNPLATZ	<b>System Reference</b> : INV336140
	<b>Issued By</b> : 17304 - HAIKONDA (D)
	<b>Contact Details</b> : +264 61 290 3517
<b>Description</b> : THE REZONING OF ERF 8275, WINDHOEK FROM 'RESIDENTIAL' WITH A DENSITY OF 1 PER ERF TO 'GENERAL RESIDENTIAL' WITH A DENSITY OF 1 DWELLING PER 500M2.	

### PAYMENT DUE

<b>Total Amount Excluding VAT</b>	: N\$ 3500.00
<b>Total VAT Amount</b>	: N\$ 525.00
<b>Total Amount Payable</b>	: N\$ 4025.00

### INVOICE DETAILS

**Department** : 5000 - URBAN & TRANSPORT PLANNING

<b>Tariff Code</b>	: N/A
<b>Tariff Description</b>	: N/A
<b>Quantity Provided</b>	: 1
<b>Unit Price</b>	: N\$ 3500.00
<b>Tariff Amount Excluding VAT</b>	: N\$ 3500.00
<b>Tariff VAT Amount</b>	: N\$ 525.00
<b>Tariff Total Amount</b>	: N\$ 4025.00
<b>Service Code</b>	: N/A

99



## Receipt



Transaction with transaction id 33129643 submitted  
successfully.

NAD **4,025.00**

CITY OF WINDHOEK

FIRST NATIONAL BANK NAMIBIA

62012146115

Transaction ID  
33129643

From  
DU TOIT

Date  
Oct 25, 2022

Payment Priority  
Normal

My Reference  
GOWAppFeeErf 8275 Whk

Their Reference  
8275 Whk Rezoning

### Disclaimer

Any confirmation of a transaction must not be constructed as a confirmation of credit into a beneficiary's account. Due to the nature of the internet, transactions may be subjected to interruption, transmission blockout, delayed transmission and incorrect data transmission.

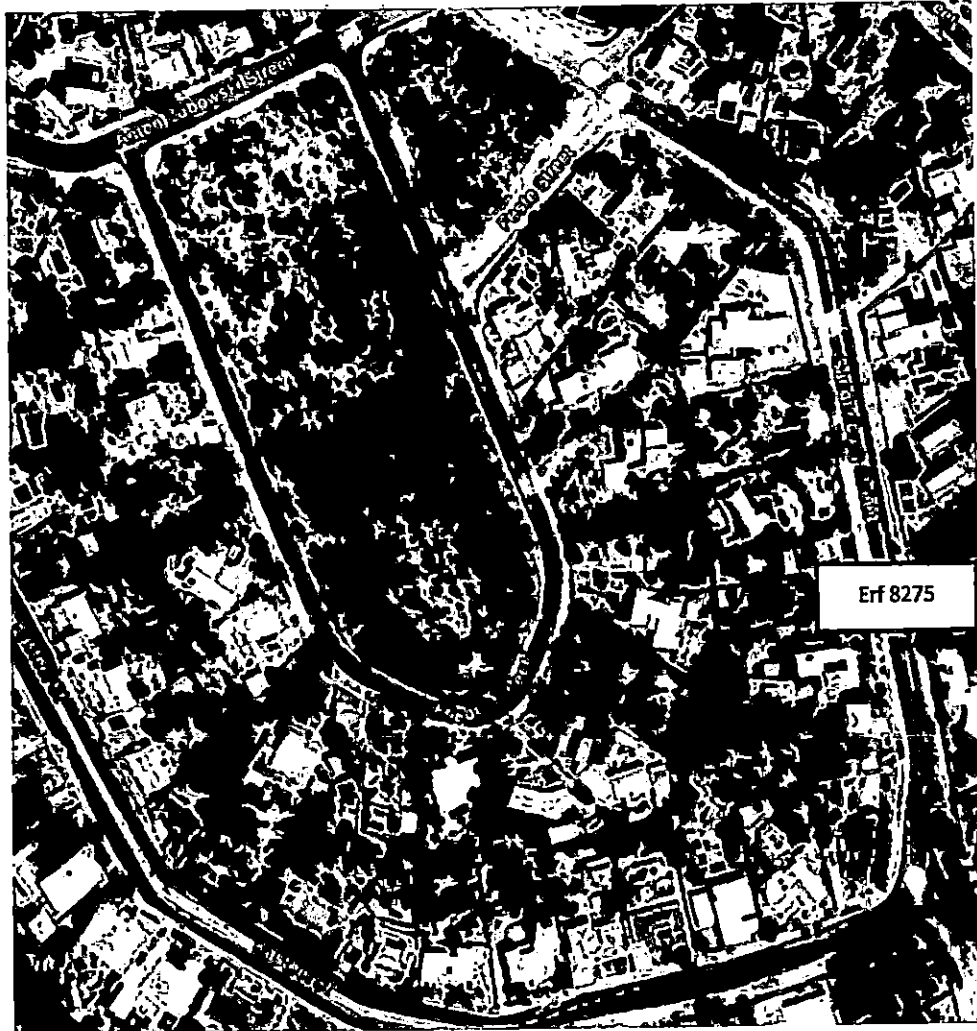
The Bank is not liable for malfunctions in communication facilities not within its control that may affect the accuracy of timeliness of messages and transactions you send.

All transactions are subject to our verification and our normal fraud checks.

1100

# Erf 8275 Development, Windhoek

## Existing Services Infrastructure Assessment Report



23 May 2022

Document Submitted by:



**Lithon Project Consultants**

- ✉ PO Box 40902, Ausspannplatz  
Windhoek, Namibia, 10017
- ☎ +264 61 250 278
- ✉ info@lithon.com
- 🌐 www.lithon.com





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## 1. Introduction

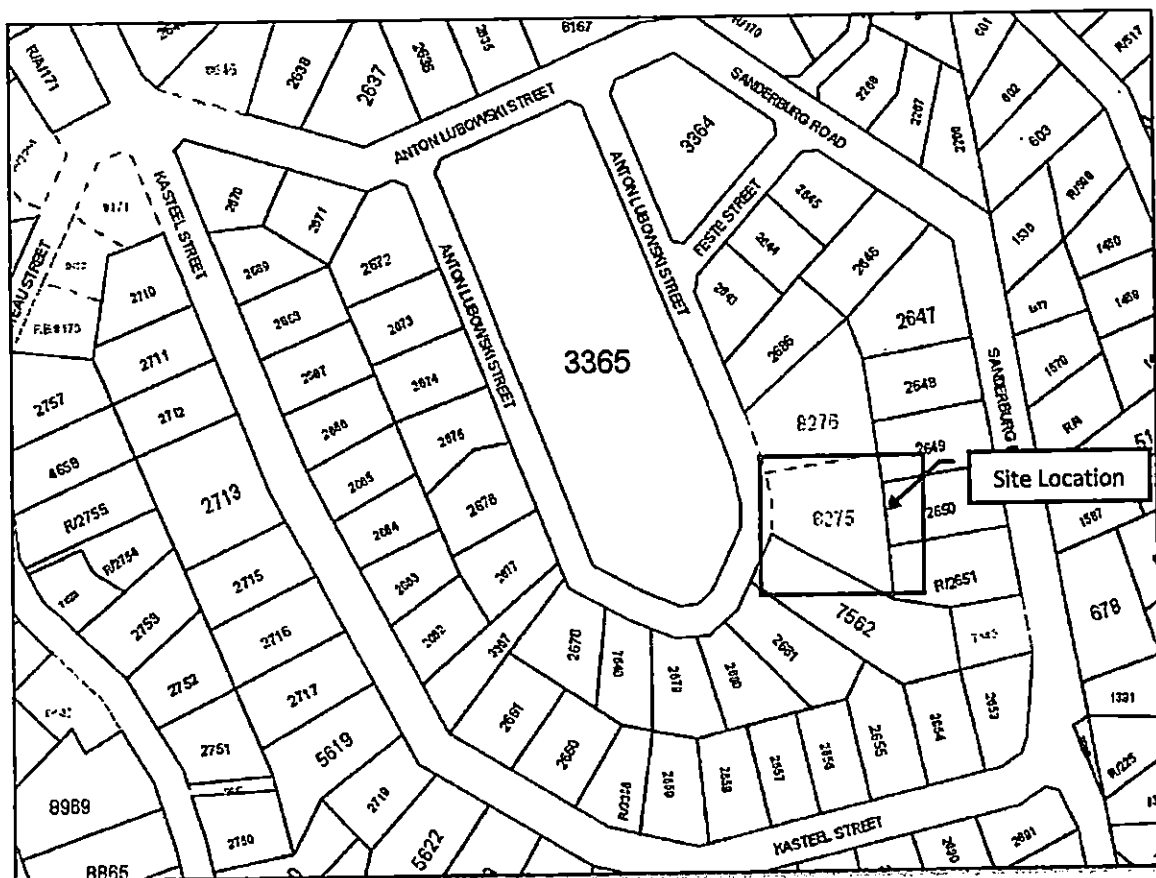
### 1.1 Project Background

*Lithon Project Consultants (Pty) Ltd* was appointed by **Mrs. Carola von Maltzahn** to conduct an existing municipal water, sewer and electrical infrastructure assessment and evaluation report for Erf 8275 (House Ritter) in Luxury Hills, Windhoek.

The purpose for the assessment is for the intended rezoning of the above-mentioned erf and thus required a capacity evaluation of the existing bulk services prior to rezoning.

### 1.2 Locality

Erf 8275 is situated in Anton Lubowski Street, Luxury Hills, Windhoek, between Sandenburg Road and Kasteel Street. **Figure 1. 1** displays a locality map of the site location.



**Figure 1. 1: Project Locality**

### 1.3 Scope of Work

The scope of work for this report is to analyse and assess the existing municipal sewer, water and electrical reticulation in the area and establish the available capacity of the services.

## 2. Existing Services Infrastructure

### 2.1 Sewer Reticulation

The information of the existing sewer layout was obtained from the City of Windhoek’s (CoW) GIS and confirmed by the Department of Infrastructure, Water and Technical Services at the City of Windhoek, who also provided us with manhole cover levels, manhole depths, pipe diameters and materials.

The above information supplied by CoW is sufficient for a high-level assessment of the existing sewer line, but it is recommended that, during the detailed design phase, to conduct a survey in order to confirm the information prior to the design phase and construction.

According to the available data there is a 150mm diameter Ewen (EW) gravity sewer line running along the development and is indicated in Figure 2. 1 below. The manhole information and calculated slopes are given in Table 2. 1 below.

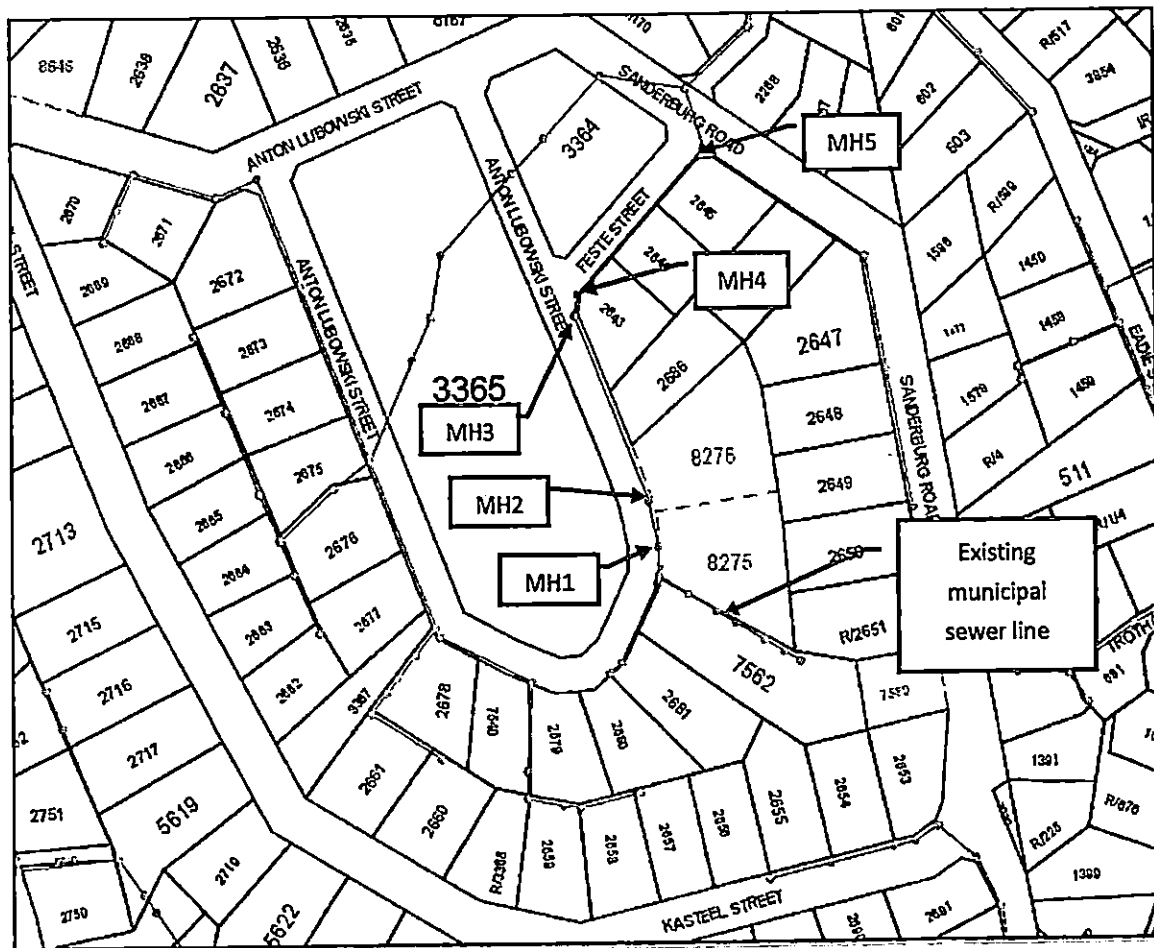


Figure 2. 1: Existing Sewer Infrastructure

Table 2. 1: Manhole Data as obtained from City of Windhoek

Manhole Name	Cover Level	Depth	Invert Level	Length	Slope (%)	Slope 1:	Pipe type
MH 1	1716,62	1,44	1715,18				
				19,75	0,911	109,722	150mm EW
MH 2	1715,86	0,86	1715,00				
				85,7	9,428	10,606	150mm EW
MH 3	1707,46	0,54	1706,92				
				9,31	10,204	9,800	150mm EW
MH 4	1706,79	0,82	1705,97				
				84,008	2,047	48,842	150mm EW
MH 5	1705,00	0,75	1704,25				

### Hydraulic Analysis

- The Neighbourhood Planning and Design Guide (CSIR New Redbook-2019) was used as basis to calculate the sewer flows.
- The plots were classified as high-income housing with an average annual daily water demand (AADD) of 1000 litre/plot/day.
- Unit sewage flow of 80% of average annual daily demand was used to determine the sewer flows, plus 15% infiltration and a peak factor of 2.5.
- The pipes' capacity for both current and estimated future flows, due to rezoning of Erf 8275, were calculated using Manning equations.
- The future flows were based on 4 additional units on the said erf. (Although 5 units are planned 1 units is already catered for by the existing dwelling on the erf).
- The analysis calculations are attached in Annexure A of this report.

### Results and Interpretation

The sewer flows analysis indicates that the pipes have sufficient capacity with the least (critical slope) being 15 litres/second at a velocity of 0.9m/s when 94% full (maximum flow in pipe), and capacity of 11.40 litre/second at  $\frac{2}{3}$  full (City of Windhoek requirement), also at 0.9m/s velocity. The current and future design flow (i.e., including 4 additional planned units) in these pipes will be approximately 1 litre/second while the pipe capacity is 15 litres/second.

It is therefore clear that the existing sewer reticulation has sufficient spare capacity to accommodate the additional flows associated with the PLANNED rezoning of Erf 8275.

## 2.2 Water Network

The information of the existing water layout was obtained from the City of Windhoek's GIS and confirmed by the Department of Infrastructure, Water and Technical Services at the City of Windhoek.

### Existing Water Line

- There is a 100mm diameter Asbestos cement pipe in the road reserve along the development and three (3) fire hydrates along the pipeline as shown in Figure 2. 2 below.

- b. There is no major land development in the area and no known water pressure issue in this pipeline.
- c. It is assumed that the pipeline is designed for fire flow requirements, and this should be enough to meet the hourly peak flow demands associated with the rezoning of Erf 8275 with the planned addition of 4 extra units having an AADD of 1000 litre/unit/day.

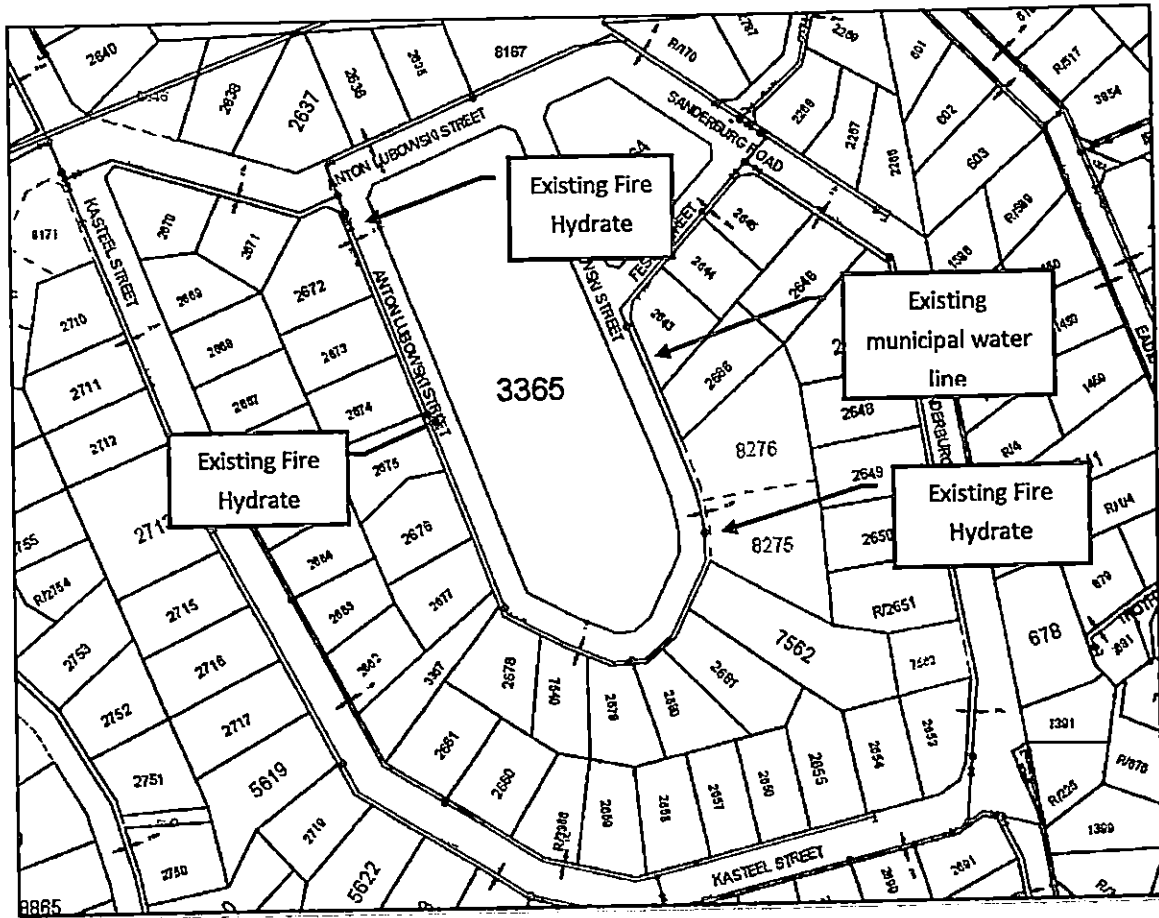


Figure 2. 2: Existing Water Infrastructure

### 2.3 Electrical Reticulation

The information of the existing Electrical Layout was obtained from the City of Windhoek Electrical Department.

#### Existing Electrical Supply/Network

- a. There is a 400kVA Minisub that is at the corner of Anton Lubowski Street that supplies the dwellings in the area as shown in Figure 2. 2below.
- b. Electrical supply to houses in this area is done via overhead. An upgrade to this network should match the existing installation and any deviation to that must be taken up with CoW (City of Windhoek).
- c. It should be noted that the Overhead reticulation to these dwellings is not captured on the City of Windhoek system.

Although the power supply to the site is adequate, the City of Windhoek must be informed from the onset how to best cater for an anticipated upgrade to the network.

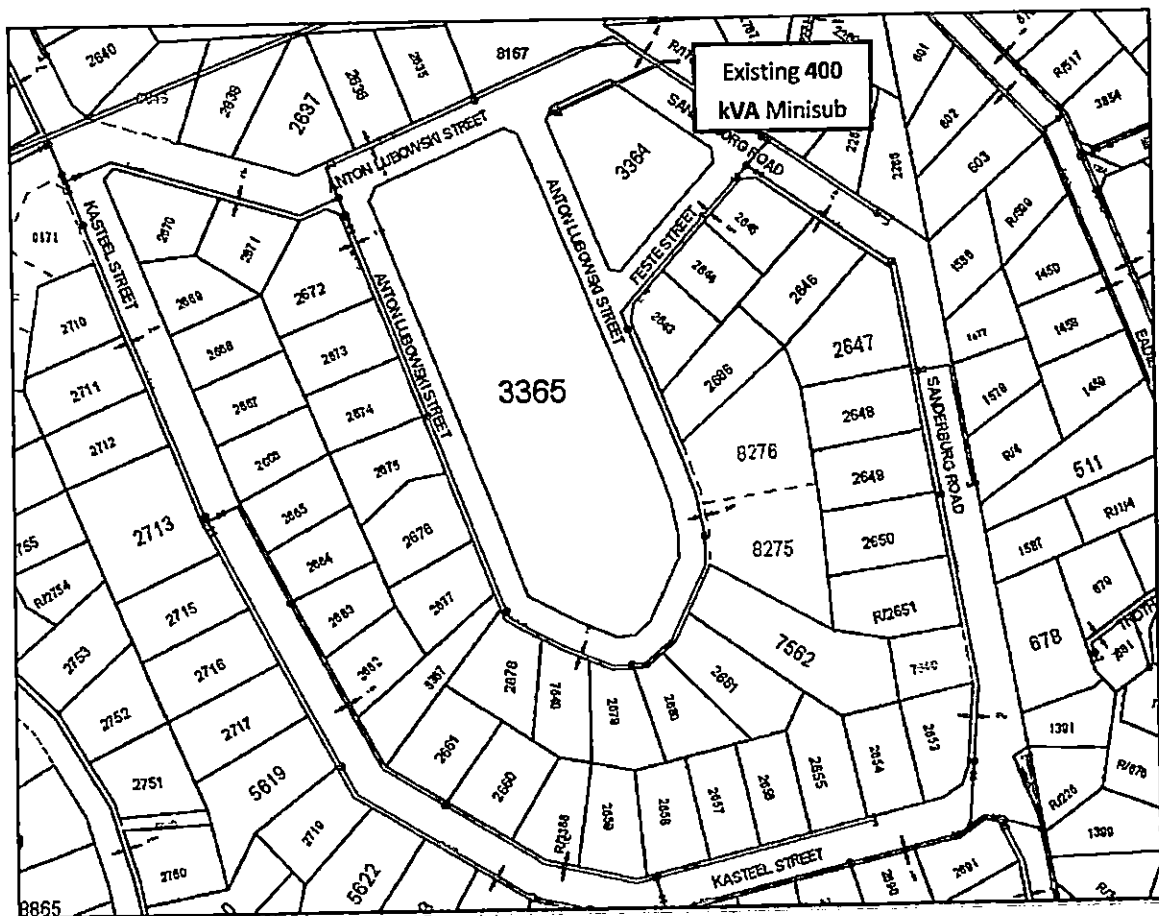


Figure 2. 3: Power Supply

### 3. Conclusion

---

From the above report the following final remarks can be articulated:

1. The high-level assessment demonstrate that the sewer pipes have enough capacity to accommodate extra flows associated to rezoning of Erf 8275.
2. It is recommended to conduct a survey to confirm the sewer as-built data provided by the City of Windhoek, prior to the detailed design phase.
3. There are no foreseen issues related to water pressure in the pipeline as the pipes are large enough to cater for the additional units.
4. City of Windhoek should be consulted during the design phase as the Overhead installed on this site is not captured on their system.
5. Although the power supply to the site is adequate, the City of Windhoek must be informed from the onset how to best cater for an anticipated upgrade to the network.

### 4. Recommendations

---

It is recommended that the sewer lines and manhole information is obtained as part of the topographical survey of the erf that would be required for the detailed design phase and thereby confirm the information provided by the City of Windhoek.

It is recommended that the following should be adhered to meet the City of Windhoek electrical requirements:

1. Should any electrical infrastructure on the sidewalk need to be relocated to accommodate a new access to the new consolidated erf, all costs involved be for the applicant's own account.
2. Only one (1) service connection per consolidated erf be allowed from the municipal electrical network.
3. That for erven that are zoned 'general residential', 'business', 'office', 'institutional' or 'industrial' 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 on site is to be provided by the applicant at his/her own cost to incorporate an additional substation; and also to determine the financial contribution to be made by the applicant towards the upgrade cost of the network.
4. That a Connection Charge may be payable by 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, alternatively the Electrical Engineer can assist the client in this regard.



**ANNEXURE A:**

---

**Sewer Flow Calculations**



P2811: RITTER DEVELOPMENT  
SEWER FLOWS CALCULATION

Erf Number	Zone Type	Income Class	Erf size m2	Average water demand/day	Sewer flow/day	Current Flows			Future Flows		
						Current Tot No. of units	Total (litre/day) by area	Total (litre/s) by area	Tot No. of units	Total (litre/day)	Total (litre/s)
2690	Single Residential	High Income	1 412	1000	800	1	800	0,00926	1	800	0,00926
2681	Single Residential	High Income	1 858	1000	800	1	800	0,00926	1	800	0,00926
7562	Single Residential	High Income	1 880	1000	800	1	800	0,00926	1	800	0,00926
8275	Single Residential	High Income	1 728	1000	800	1	800	0,00926	5	4000	0,04630
7560	Single Residential	High Income	1 292	1000	800	1	800	0,00926	1	800	0,00926
8/2651	Single Residential	High Income	2 882	1000	800	1	800	0,00926	1	800	0,00926
Total average daily sewage flow							4 800	0,055		8 000	0,093
Plus: 15% Infiltration							720	0,008		1 200	0,014
TOTAL INCL INFILTRATION							5 520	0,064		9 200	0,106
Peak Factor 2.5							13 800	0,160		23 000	0,266
8276	Single Residential	High Income	1 890	1	1000	800	800	0,00926	1	800	0,00926
2686	Single Residential	High Income	1 610	1	1000	800	800	0,00926	1	800	0,00926
Total average daily sewage flow							6 400	0,074		9 600	0,111
Plus: 15% Infiltration							960	0,011		1 440	0,017
TOTAL INCL INFILTRATION							7 360	0,085		11 040	0,128
Peak Factor 2.5							18 400	0,213		27 600	0,319
2643	Single Residential	High Income	1 301	1	1000	800	800	0,00926	1	800	0,00926
2644	Single Residential	High Income	1 155	1	1000	800	800	0,00926	1	800	0,00926
2645	Single Residential	High Income	1 287	1	1000	800	800	0,00926	1	800	0,00926
Total average daily sewage flow							8 600	0,102		11 000	0,139
Plus: 15% Infiltration							1 320	0,015		1 600	0,021
TOTAL INCL INFILTRATION							10 120	0,117		13 800	0,160
Peak Factor 2.5							25 300	0,293		34 500	0,399



# Market Watch Kleinadvertensies • Classifieds

**SPERTYE:** 13:00 TWEË WERKSDAE VOOR PLASING  
**DEADLINES:** 13:00 TWO WORKING DAYS PRIOR TO PLACEMENT  
 Geen advertensies sal telefonies aanvaar word nie.

**TEL:** 061 297 2175 **FAX:** 061 239 638  
**EMAIL:** classifieds@synergi.com.na  
 No advertisements will be accepted telephonically.

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004	Verloof
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009	Vakatures
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015	To huur gevra
016	To huur
017	Kommerseel te koop gevra
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019	Kommerseel te koop gevra
020	Kommerseel te koop
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### RATES & DEADLINES

To avoid disappointment of an advertisement not appearing on the date you wish, please check carefully Classified rates, notices and display order by 12:00, two working days prior to placing. A handling fee of 15% is payable on all notices received in writing by 12:00 two days before scheduled publication. No cancellations will be accepted if received after this deadline.

**RATES:**  
 (Monday - Friday)  
 Classified Section N\$65.45 for the first 200 words and N\$2.40 (15% Vat included) for every word thereafter. Display Section N\$100.00 per cell (15% Vat included).  
 Short notices N\$65.70 (15% Vat included) per cell.  
 Classified Section N\$65.70 (15% Vat included) per cell.  
 Sport Section N\$65.70 (15% Vat included) per cell.  
 Birth, engagement, marriages, deaths, to commence N\$65.70 (15% Vat included) per cell.  
 Legal Notices N\$65.70 (15% Vat included) for the first 200 words and N\$2.40 (15% Vat included) for every word thereafter.

### CONDITIONS OF ACCEPTANCE

Republiek reserves the right to withhold or cancel any advertisement unless it has been accepted. Republiek accepts no liability for failure to publish an advertisement received by telephone.

**ERRORS:**  
 Please report errors immediately. Republiek accepts no responsibility for more than one incorrect insertion of any advertisement if any cost beyond the cost of the space occupied by the faulty advertisement. No responsibility will be given due to small typographical errors which do not lessen the effectiveness of the advertisement. Republiek does not accept responsibility for misrepresentation in advertisements.

### BOOK & PAY FOR YOUR CLASSIFIED ADS ONLINE

Visit [classifieds.sun.co.za](http://classifieds.sun.co.za) to book in your ads and account and follow the easy steps to upload your classified ad.

**TODAY IS... WORLD OCCUPATIONAL DAY**

Occupational therapists work to improve the health and wellbeing by enabling people to participate in the everyday occupations of life. Occupational therapists can be needed to meet the specific and individual needs of students with disabilities. Call 061 297 2175 if they need to do at school.

### 009 Vakatures Vacancies

**MEGA SHADE** is looking for sewer men for an industrial septic job in Windhoek. Contact: 061-249097

**VACANCY AT ANGELS FUNERAL SERVICES:** Position: Gobabis Branch Manager. Duties and Responsibilities: Oversee the sales of the branch according to Target. Identify new business and sales opportunities, assist Client in the quotation and selling process, plan, schedule and coordinate burials and cremations, maintain stock of the branch, ensure adequate record keeping and control measures, implement internal operational processes and procedures, manage staff levels. Job Requirements: Excellent communication and sales skills, excellent operational and execution skills, at least 3 years' experience in a management position, funeral industry experience will be advantageous. Please send CV tocv@angels-namibia.com Closing date 4 November 2022 DM0202200406312

### 018 Bou en verf Construction

**SPECIALS, SPECIALS, SPECIALS!** Adriaan Oberholzer: Building & renovations. Specializes in roof sealing, painting, plumbing, building, paving, welding, etc. Call 081-4909420. DM0202200406319

### 016 To huur To Let

**EAGLE ROCK COMPLEX:** 2 bed room, 1 bathroom secure flat. Not pet friendly. Water and Electricity excluded. Rent N\$8500, deposit N\$8500 (payable in instalments). Available end of October. Contact: 081-2847960 DM0202200406329

**TO LET:** Moth Centre (Maeva Mall) - Upmarket 1 bedroom flat on first floor under roof parking N\$ 7,000 available December. Khomasdal Gladiator Court - Spacious 2 bedroom duplex flat Full bathroom Courtyard N\$ 7,000 available January. Contact: Annelize 0811285451 DM0202200406345

**NURKUMS HILLS PLOT,** 4 Staapkamer woonstel te huur. Skakel 081-2622267. DM0202200406320

**KLEIN WINDHOEK - VON RECKENBERGER STREET:** Garden flat: 2 bedroom, bathroom, separate toilet, open-plan kitchen and lounge, shade port. Rent N\$8 500 pm, 1 month's deposit. Call 081-1264900 DM0202200406327

### 022 Alarief to koop Goods for Sale

**DEMO UNITS GALORE** clearance sale, to accommodate new models all units used for shows and exhibitions. Kleinbaas boskos Mill electric N\$65000. Mini mixer electric N\$48000. Sakkie boskos Mill diesel key start stationary N\$48 000. 3 ton/hr mahangu thresher diesel, key start, mobile N\$118 000. 11ton Multi crop thresher mobile diesel, key start N\$75000. 081-2917214 081-2592745 DM0202200406329

**ELECTRICAL SPLIT BOX** N\$2000. Big wooden door N\$250 and aluminum window frames, cut pieces and glasses N\$2500. Contact: 081-6073374 DM0202200406347

### 022 Alarief to koop Goods for Sale

Verkoopbare Huse  
 Sitrusse en  
 houtse dwarsoor  
 Namibia  
 Ergegnote

**Kontak: 081 462 3700**

**JOE'S BEERHOUSE CAR BOOT SALE:** 29 October - It's the place to go & the prices are so low! Clothing only FROM 8h00-11h00 DM0202200406304

### 025 Motors Vehicles

**BUSES FOR SALE:** 2x Scania 45-seaters with air-cons. Offers will be accepted. Contact 081-2354803 or 061-210779. DM0202200406377

### 027 Huise te koop gevra Residential Prop. to Buy

**MUG REAL ESTATE CC** urgently needs houses to sell or let in all areas of Windhoek. Call Manfred at 081-2473803 DM0202200406326

### 028 Huise te koop Residential Prop. for Sale

**ON SHOW - SUNDAY 30 OCTOBER FROM 9AM to 3PM:** Price N\$170,000. Lock Up and Go for Sale in 24 Hour. Otjomuise Community Lifestyle Estate with 2 bedrooms, 1 bathroom, open plan kitchen/living area and parking. Contact Tressa 081 652 6572 for viewing. YellowSquare Property DM0202200406388

**FOR SALE - OTJOMUISE (MAIN-STAY COMPLEX):** renovated 2 bedroom ground floor unit Courtyard, carport N\$ 580,000 Annelize 0811285451 DM0202200406328

### 029 Bestigte Businesses

**AIRCON CONSTRUCTION & ELECTRICAL:** Electrical installations, geyser installations, painting and roof sealing. Call 081-2091378. DM0202200406300

### 034 Erwe te koop Erven for Sale

**NEW DEVELOPMENT:** 10 Minutes before Windhoek! Choose your plot and let's build your dream house for you. Prices range from N\$895 000 for 2 bedrooms, 1 bathroom. Pre-approved clients contact us: +264 814 639 417 DM0202200406399

**Market Watch**

To advertise call:  
**The Classifieds**  
 Tel: 061-297 2055

### 005 Regskenningsgewings Legal Notices

**REZONING OF THE REMAINDER OF ERF 103 (Nr 14 Dr David Kenneth Kaunda Street), KLEIN WINDHOEK FROM GENERAL RESIDENTIAL WITH A DENSITY OF 1 DWELLING PER 500m² TO OFFICE WITH A BULK OF 0.4 AND SUBSEQUENT CONSENT APPLICATIONS.** DU TOIT TOWN PLANNING CONSULTANTS, are applying on behalf of the owner of the Remainder of Erf 103, Nr 14 Dr David Kenneth Kaunda Street, Klein Windhoek, in terms of the stipulations of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), to the Windhoek City Council and the Urban and Regional Planning Board for:  
 \* Rezoning of Erf 103, Nr 14 Dr David Kenneth Kaunda Street/Klein Windhoek from General Residential with a density of 1:500m² to Office with a bulk of 0.4;  
 \* Consent in terms of Table B of the Windhoek Town Planning Scheme to use the erf for a "business building" for medical consulting rooms, a pharmacy and coffee shop;  
 \* Consent in terms of Section 23(1) of the Windhoek Town Planning Scheme and Council's Policy to allow for an additional floor area, which shall be for residential use;  
 \* Consent to use the erf in accordance with the new proposed zoning while the rezoning is formally being completed since the erf is located in an approved policy area.  
 Erf 103/Klein Windhoek is located on the corner of Chapman and Dr David Kenneth Kaunda Street within the new approved Klein Windhoek policy area. The erf is zoned "general residential with a density of 1:500m²" and is 2,539m² in extent. There are currently a main house and a flat on the property and there was previously consent for a Bed and Breakfast establishment on the erf for leaseable rooms. It is a corner erf and access are currently from Kenneth Kaunda Street. There is a slight downward slope towards Nelson Mandela. The owner will demolish the current buildings on the property to make way for the proposed office building, which will consist of a small medical consulting centre (for two doctors, a physician and a dentist), a pharmacy and small coffee shop on the property, with a residential component as part of the free residential bulk. Considering the size of the erf, an office building of 1015m² and a residential component of 507m² may be developed provided sufficient parking can be supplied. The intention is to have a basement parking area where about 40 parking bays can be provided. A small number will be provided on the sidewalk. All parking will be as per the City of Windhoek requirements. Further take notice that the locality plan of the site lies for inspection on the Town Planning Notice Board in the Customer Care Centre, Municipal Offices, Rev. Michael Scott Street, Windhoek and at the offices of Du Toit Town Planning, 4 Dr. Kwame Nkrumah Avenue, Klein Windhoek.

Any person objecting to the proposed use of land as set out above may lodge such objection together with the grounds thereof with the City Council (the Urban Planner-Town House, Fifth Floor, Room 516) and the applicant within 14 days of the last publication of this notice (final date for objections is 18 November 2022). Should you require additional information you are welcome to contact our office.

**Applicant:** DU TOIT TOWN PLANNING CONSULTANTS P O Box 6871 AUSSPANNPLATZ WINDHOEK Tel: 061-248010 Email: planner@du.toitplan.com DM0202200406354

### 005 Regskenningsgewings Legal Notices

**REZONING AND CONSENT: ERF 8275, NO. 29 ANTON LUBOWSKI STREET, WINDHOEK FROM "RESIDENTIAL" 1 DWELLING PER ERF TO "GENERAL RESIDENTIAL" WITH A DENSITY OF 1:500m².** DU TOIT TOWN PLANNING CONSULTANTS, are applying on behalf of the owner of Erf 8275, Anton Lubowski Street, Windhoek, in terms of the stipulations of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), to the Windhoek City Council and the Urban and Regional Planning Board for:  
 \* Rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from "residential" with a density of 1 dwelling per Erf to "general residential" with a density of 1 dwelling per 500m²;  
 \* Consent for a three storey building on a residentially zoned erf, Erf 8275, situated at No. 29, Avylin Lubowski Street, in "Luxury Hill" neighbourhood, measures 2687m² and is zoned "residential" with a density of 1 dwelling per Erf which means that only one residential dwelling is allowed on the erf. The current dwelling is old and in dire need for upgrading and/or replacement. The erf, due to its size of 2687m², is underutilized with large areas of vacant space.  
 The land is situated above street level with an upward slope to the back. The property takes access from Anton Lubowski Street.  
 It is the intention of the owner to demolish the existing dwelling and to replace it with modern dwelling units contained in one structure of 3 storeys. As the erf is sloping towards the street it is the intention to excavate the erf to provide for a basement with parking garages and storerooms as well as 3 additional floors for residential units above the basement level. The first and second floor will accommodate 2 residential units each with one residential unit on the third floor. The units will be luxury apartments ideal for people that prefer lock-up-and-go living units or have continental lifestyles and are only in residence in Namibia for some months.  
 To achieve this, Erf 8275 needs to be rezoned to "general residential" with a density of 1 dwelling per 500m² and consent requested for a three storey building on a residential zoned erf. It is not expected that the rezoning of the erf as proposed will impact negatively on the residential character of this neighbourhood as the proposed development will be of an upmarket nature, similar in standard to the surrounding dwellings and designed to fit in with residential character and natural ambience of the area. The steep topography allows for the intended design and low impact the new residential units will have on the neighbourhood. Further take notice that the locality plan of the site lies for inspection on the Town Planning Notice Board in the Customer Care Centre, Municipal Offices, Rev. Michael Scott Street, Windhoek and at the offices of Du Toit Town Planning, 4 Dr. Kwame Nkrumah Avenue, Klein Windhoek.

Any person objecting to the proposed use of land as set out above may lodge such objection together with the grounds thereof with the City Council (the Urban Planner-Town House, Fifth Floor, Room 516) and the applicant within 14 days of the last publication of this notice (final date for objections is 18 November 2022).

**Applicant:** DU TOIT TOWN PLANNING CONSULTANTS P O Box 6871 AUSSPANNPLATZ WINDHOEK Tel: 061-248010 Email: planner@du.toitplan.com DM0202200406354

### 005 Regskenningsgewings Legal Notices

**CONSENT TO USE THE REMAINDER OF ERF 526, KLEIN WINDHOEK FOR AN "END-OF-LIFE CANCER HOSPICE" DU TOIT TOWN PLANNING CONSULTANTS, are applying on behalf of the owner of the Remainder of Erf 526, No. 3 Jan Jonker Road, Klein Windhoek, in terms of the stipulations of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), to the Windhoek City Council and the Urban and Regional Planning Board for:  
 Consent in terms of Table B of the Windhoek Town Planning Scheme to use the Remainder of Erf 526, No. 3 Jan Jonker Road, Klein Windhoek, for institutional purposes for an end-of-life cancer hospice.  
 Erf 526, Klein Windhoek measures 1200m² and is zoned "residential" with a density of 1 dwelling per 900m². It is located along the eastern side of Jan Jonker Road, opposite St Paul's College, in the older area of Klein Windhoek. The Cancer Association of Namibia (CAN) is in the process to purchase Erf 526, Klein Windhoek in order to convert the dwelling in an end-of-life hospice for cancer patients. There is a great need for additional accommodation to take care of cancer patients and assist families and friends of cancer patients who reach the end of their life in fighting cancer. Since "institution" is listed consent use in Table B of the Windhoek Zoning Scheme under the "residential" zoning, the consent from City of Windhoek is required to accommodate and operate a hospice for end-of-life cancer patients on Erf 526, Klein Windhoek. The definition of "institution" makes provision for it to be a place where persons receive medical, charitable, or other care or treatment and related administrative activities and thus the intended hospice fit in the definition.  
 All parking will be provided onsite and in terms of the requirements of the City of Windhoek. Further take notice that the locality plan of the site lies for inspection on the Town Planning Notice Board in the Customer Care Centre, Municipal Offices, Rev. Michael Scott Street, Windhoek and at the offices of Du Toit Town Planning, 4 Dr. Kwame Nkrumah Avenue, Klein Windhoek.**

Any person objecting to the proposed use of land as set out above may lodge such objection together with the grounds thereof with the City Council (the Urban Planner-Town House, Fifth Floor, Room 516) and the applicant within 14 days of the last publication of this notice (final date for objections is 18 November 2022).

**Applicant:** DU TOIT TOWN PLANNING CONSULTANTS P O Box 6871 AUSSPANNPLATZ WINDHOEK Tel: 061-248010 Email: planner@du.toitplan.com DM0202200406354

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**Market Watch**

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**CLASSIFIEDS**

**Rates and Deadlines**

To avoid disappointment of an advertisement not appearing on the date you wish, please book timeously. Classifieds emails and notices 12:00, two working days prior to posting. Newsletters and alternatives 15:00, two days before date of publication in writing only.

Notice (VAT Inclusive)

Legal Notices R440.00  
 Last Line R440.00  
 Liquor License R440.00  
 Name Change R440.00  
 Birthdays from R220.00  
 Death Notices from R200.00  
 Testimonials from R200.00  
 Thank You Messages from R200.00

Terms and Conditions Apply.

**Green Earth**

**CALL FOR PUBLIC PARTICIPATION/COMMENTS ENVIRONMENTAL IMPACT ASSESSMENT AND ENVIRONMENTAL MANAGEMENT PLAN TO OBTAIN AN ENVIRONMENTAL CLEARANCE FOR THE CONSTRUCTION AND OPERATION OF TRANSMISSION FACILITIES ON THE REMAINDER OF FARM 775, GOBABIS, OMAHEKE REGION**

Green Earth Environmental Consultants have been appointed to attend to and complete an Environmental Impact Assessment and Environmental Management Plan (EMP) in order to obtain an Environmental Clearance Certificate as per the requirements of the Environmental Management Act (No. 7 of 2007) and the Environmental Impact Assessment Regulations (GN 30 in GG 4878 of 6 February 2012) for the proposed construction and operation of a container and breakbulk terminal and bulk terminal on a portion of the Remainder of Farm 775, Gobabis (the railway station), Omaheke Region.

**NOTICE OF INTENTION TO APPLY FOR REZONING**

Please take note that Ashnovative Planning Consultant, in terms of the Urban and Regional Act, Act No 5 of 2018, intends to apply to the Omuthiya Town Council and the Urban and Regional Planning Board on behalf of the registrable owner of Erf 2135 Omuthiya, Extension 8 to rezone Erf 2135 Omuthiya, Extension 8 from 'Residential' to 'General Residential' with a density of 1 per 100 m<sup>2</sup>. Erf 2135 Omuthiya, Extension 8 is zoned 'Residential' in terms of the Omuthiya Zoning (Town Planning) Scheme and measures 1,025 m<sup>2</sup> in size. The owner intends to construct flats on the subject of once the erf is rezoned.

**REZONING AND CONSENT: ERF 8275, NO. 29 ANTON LUBOWSKI STREET, WINDHOEK FROM 'RESIDENTIAL' TO 'GENERAL RESIDENTIAL' WITH A DENSITY OF 1 DWELLING PER 500M<sup>2</sup>**

DU TOIT TOWN PLANNING CONSULTANTS, are applying on behalf of the owner of Erf 8275, Anton Lubowski Street, Windhoek, in terms of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), to the Windhoek City Council and the Urban and Regional Planning Board for:

- Rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from 'residential' with a density of 1 dwelling per 500m<sup>2</sup> to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup>
- Consent for a three storey building on a residentially zoned erf.

**REZONING OF THE REMAINDER OF ERF 103 (Nr 14 Dr David Kenneth Kaunda Street), KLEIN WINDHOEK FROM GENERAL RESIDENTIAL WITH A DENSITY OF 1 DWELLING PER 500M<sup>2</sup> TO OFFICE WITH A BULK OF 0.4 AND SUBSEQUENT CONSENT APPLICATIONS.**

DU TOIT TOWN PLANNING CONSULTANTS, are applying on behalf of the owner of the Remainder of Erf 103, No. 14 Dr David Kenneth Kaunda Street, Klein Windhoek, in terms of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), to the Windhoek City Council and the Urban and Regional Planning Board for:

- Consent in terms of Table B of the Windhoek Town Planning Scheme to use the erf for a 'business building' for medical consulting rooms, a pharmacy and coffee shop;
- Consent in terms of Section 23(1) of the Windhoek Town Planning Scheme and Council's Policy to allow for an additional floor area, which shall be for residential use;
- Consent to use the erf in accordance with the new proposed zoning while the rezoning is formally being completed since the erf is located in an approved policy area.

**CONSENT TO USE THE REMAINDER OF ERF 526, KLEIN WINDHOEK FROM 'INSTITUTIONAL PURPOSES FOR AN 'END-OF-LIFE CANCER HOSPICE' TO DU TOIT TOWN PLANNING CONSULTANTS, are applying on behalf of the owner of the Remainder of Erf 526, No. 3 Jan Jonker Road, Klein Windhoek, in terms of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), to the Windhoek City Council and the Urban and Regional Planning Board for:**

- Consent in terms of Table B of the Windhoek Town Planning Scheme to use the erf for 'general residential' with a density of 1 dwelling per 700m<sup>2</sup>
- Consent to use the erf in accordance with the new zoning and density while the rezoning is formally being completed as the increase in density is only one category higher which is in line with Council's Policy.

**REZONING OF ERF 740, OLOF PALME STREET, EROSPARK FROM 'RESIDENTIAL' TO 'GENERAL RESIDENTIAL' WITH A DENSITY OF 1:700M<sup>2</sup>**

DU TOIT TOWN PLANNING CONSULTANTS, are applying on behalf of the owners of Erf 740, 1608 Olof Palme Street, Erorspark, in terms of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), to the Windhoek City Council and the Urban and Regional Planning Board for:

- Rezoning of Erf 740, No. 1608 Olof Palme Street, Erorspark from 'residential' with a density of 1 dwelling per 900m<sup>2</sup> to 'general residential' with a density of 1 dwelling per 700m<sup>2</sup>
- Consent to use the erf in accordance with the new zoning and density while the rezoning is formally being completed as the increase in density is only one category higher which is in line with Council's Policy.

**REPUBLIC OF NAMIBIA**  
**MINISTRY OF INDUSTRIALIZATION AND TRADE, LIQUOR ACT, 1998**  
**NOTICE OF APPLICATION TO A COMMITTEE IN TERMS OF THE LIQUOR ACT, 1998**  
 (Regulations 14, 28 & 33)

Notice is given that an application in terms of the Liquor Act, 1998, particulars of which appear below, will be made to the Regional Liquor Licensing Commission, Region: OMAHEKE

1. Name and postal address of applicant: ISAK INTUWOLWISHO SHANGHAI
2. Name of business or proposed business to which application relates: EKOMEKE LOUNGE AND GRILL
3. Address/location of premises to which application relates: ERF 104 (PORTION OF OFR 223) NAM NUDUMA DRIVE, TSWANE
4. Nature and details of application: SPECIAL LIQUOR LICENCE
5. Date of the court with whom application will be lodged: TSWANE MAGISTRATE COURT
6. Date on which application will be heard: 17 OCTOBER 2022
7. Date of meeting of Committee at which application will be heard: 17 DECEMBER 2022

Any objection or written submission in terms of section 28 of the Act in relation to the application must be sent or delivered to the Secretary of the Committee at the Secretary's office less than 21 days before the date of the meeting of the Committee at which the application will be heard.

**REPUBLIC OF NAMIBIA**  
**MINISTRY OF INDUSTRIALIZATION AND TRADE, LIQUOR ACT, 1998**  
**NOTICE OF APPLICATION TO A COMMITTEE IN TERMS OF THE LIQUOR ACT, 1998**  
 (Regulations 14, 28 & 33)

Notice is given that an application in terms of the Liquor Act, 1998, particulars of which appear below, will be made to the Regional Liquor Licensing Commission, Region: OMAHEKE

1. Name and postal address of applicant: MEGIEA SIKEMANIA, P O BOX 7211, OSHANAATI
2. Name of business or proposed business to which application relates: ACCESS LOUNGE
3. Address/location of premises to which application relates: OSHANAATI
4. Nature and details of application: SPECIAL LIQUOR LICENCE
5. Date on which application will be lodged: 17-09 OCTOBER 2022
6. Date on which application will be heard: 17 OCTOBER 2022
7. Date of meeting of Committee at which application will be heard: 17 NOVEMBER 2022

Any objection or written submission in terms of section 28 of the Act in relation to the application must be sent or delivered to the Secretary of the Committee at the Secretary's office less than 21 days before the date of the meeting of the Committee at which the application will be heard.

**Ashnovative**

Ashnovative Planning Consultant  
 P.O. Box 81553, Olympia, Windhoek  
[ashnovative@gmail.com](mailto:ashnovative@gmail.com)

**REPUBLIC OF NAMIBIA**  
**MINISTRY OF INDUSTRIALIZATION AND TRADE, LIQUOR ACT, 1998**  
**NOTICE OF APPLICATION TO A COMMITTEE IN TERMS OF THE LIQUOR ACT, 1998**  
 (Regulations 14, 28 & 33)

Notice is given that an application in terms of the Liquor Act, 1998, particulars of which appear below, will be made to the Regional Liquor Licensing Commission, Region: OMAHEKE

1. Name and postal address of applicant: ASHNOVATIVE
2. Name of business or proposed business to which application relates: WEST AFRICA
3. Address/location of premises to which application relates: OMAHEKE REGIONAL OFFICE, UDLONGOKANDI
4. Nature and details of application: SPECIAL LIQUOR LICENCE
5. Date of the court with whom application will be lodged: OMAHEKE MAGISTRATE COURT
6. Date on which application will be heard: 14 DECEMBER 2022
7. Date of meeting of Committee at which application will be heard: 14 DECEMBER 2022

Any objection or written submission in terms of section 28 of the Act in relation to the application must be sent or delivered to the Secretary of the Committee at the Secretary's office less than 21 days before the date of the meeting of the Committee at which the application will be heard.

**REPUBLIC OF NAMIBIA**  
**MINISTRY OF INDUSTRIALIZATION AND TRADE, LIQUOR ACT, 1998**  
**NOTICE OF APPLICATION TO A COMMITTEE IN TERMS OF THE LIQUOR ACT, 1998**  
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1. Name and postal address of applicant: ASHNOVATIVE
2. Name of business or proposed business to which application relates: WEST AFRICA
3. Address/location of premises to which application relates: OMAHEKE REGIONAL OFFICE, UDLONGOKANDI
4. Nature and details of application: SPECIAL LIQUOR LICENCE
5. Date of the court with whom application will be lodged: OMAHEKE MAGISTRATE COURT
6. Date on which application will be heard: 14 DECEMBER 2022
7. Date of meeting of Committee at which application will be heard: 14 DECEMBER 2022

Any objection or written submission in terms of section 28 of the Act in relation to the application must be sent or delivered to the Secretary of the Committee at the Secretary's office less than 21 days before the date of the meeting of the Committee at which the application will be heard.

**REPUBLIC OF NAMIBIA**  
**MINISTRY OF INDUSTRIALIZATION AND TRADE, LIQUOR ACT, 1998**  
**NOTICE OF APPLICATION TO A COMMITTEE IN TERMS OF THE LIQUOR ACT, 1998**  
 (Regulations 14, 28 & 33)

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3. Address/location of premises to which application relates: OSHANAATI
4. Nature and details of application: SPECIAL LIQUOR LICENCE
5. Date on which application will be lodged: 17-09 OCTOBER 2022
6. Date on which application will be heard: 17 OCTOBER 2022
7. Date of meeting of Committee at which application will be heard: 17 NOVEMBER 2022

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**New Strip!**

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**CONTACT**

**061-248010**

**DU TOIT TOWN PLANNING CONSULTANTS**

P O Box 6871

AUSSPANPLATZ WINDHOEK

Tel: 061-248010

Email: [planner1@duitoitplan.com](mailto:planner1@duitoitplan.com)

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023 Diere 023 Animals
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025 Motore 025 Vehicles
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028 Huise te koop 028 Residential Prop. for Sale
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031 Plase te koop 031 Farms for Sale
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033 Erven te koop gevra 033 Erven Wanted to Buy
034 Erven te koop 034 Erven for Sale
035 Regskennisgewings 035 Legal Notices

000 Bekrotings gevra Employment Wanted
RUTH (22) is op soek na werk in bejaardetehuis of versorgings-werk om gestremde persone. Skakel 081-2520434. 061202200406481

009 Vakatures Vacancies
OCCUPATIONAL THERAPIST needed to work in a podiatric practice in Windhoek. Qualifications: B.Occ degree with more than 10 years clinical experience and experience in practice management. Send CV to bebenbergmarieze@gmail.com. 061202200406480

FARM SUPERVISOR NEEDED, to join our team on a newly established farm, Blue Berries Namibia, to oversee and supervise farm operations such as full production and other agricultural activities. Requirements: Matric. Willingness to work in a start-up environment. Experience in Agriculture. E-mail Application to: helle@namibiaberries.com. 061202200406483

PROJECT MANAGER at Weihai Construction Group Namibia: 12 Years work experience. Must be able to plan, procure, execute, complete a project and control the construction site independently. Subcontractor techniques detail check and quality control. Must be able to read architectural drawings. Qualification: Bachelor or above in Civil Engineering, project management or related major. Forward CV to weihainamibia@gmail.com. 061202200406470

028 Huise te koop Residential Prop. for Sale
ON SHOW - SUNDAY, 6 NOVEMBER FROM 9AM TO 3PM : Price N\$70,000. 100k-110k and Go for Sale in 24 Hours Ojamaise Community Lifestyle Estate with 2 bedrooms, 1 bathroom, open plan kitchen/living area and parking. Contact Trestia: 081-652 6572 for viewing. YellowSquare Properties. 061202200406474

029 OUTENIQUA COURT COMPLEX Spacious 1 bed room unit for sale in Windhoek Central/ Eros for N\$12 million, negotiable with open plan living area, bathroom, single garage and courtyard. Contact: 081-1405670. 061202200406479

035 Regskennisgewings Legal Notices
CALL FOR PUBLIC PARTICIPATION/COMMENTS: ENVIRONMENTAL IMPACT ASSESSMENT AND ENVIRONMENTAL MANAGEMENT PLAN TO OBTAIN AN ENVIRONMENTAL CLEARANCE FOR THE CONSTRUCTION AND OPERATION OF TRANS SHIPMENT FACILITIES ON THE REMAINDER OF FARM 775, GOBABIS, OMAHEKE REGION. Green Earth Environmental Consultants have been appointed to attend to and complete an Environmental Impact Assessment and Environmental Management Plan (EIMP) in order to obtain an Environmental Clearance Certificate as per the requirements of the Environmental Management Act (No. 7 of 2007) and the Environmental Impact Assessment Regulations (GN 30 in GG 4878 of 6 February 2012) for the proposed construction and operation of a container and breakbulk terminal and bulk terminal on a portion of the Remainder of Farm 775, Gobabis (the railway station), Omaheke Region. Name of proponent: Sea Rail Botswana(Pty) Ltd. Project location and description: It is the intention of the proponent to develop a container and breakbulk terminal as well as a bulk terminal on the Remainder Farm 775, Gobabis (the site of the railway station in Gobabis). The container and breakbulk terminal will handle, store, and trans ship breakbulk and containerized cargo at the facility from rail to road and vice versa. A bulk terminal will also be developed and operated to receive coal from road trucks which will be stockpiled and loaded into rail wagons to be taken to the Port of Walvis Bay to be shipped to international customers. A locality plan of the site is available at the offices of Green Earth Environmental Consultants at Bridgeview Offices, No. 4 Dr. Kwame Ntsumah Avenue, Klein Windhoek. Interested and affected parties are hereby invited to register in terms of the assessment process to give input, comments, and opinions regarding the proposed project. A public meeting will be held only if there is enough public interest. Only I&APs that registered will be notified of the possible public meeting to be held. The last date for comments and/or registration is 17 November 2022. Contact details for registration and further information: Green Earth Environmental Consultants. Contact Persons: Charlie Du Toit/Carlen van der Walt. Tel: 081273145. E-mail: carlen@greeneearthnamibia.com. 061202200406487

013 Bou en verf Construction
SPECIALS, SPECIALS, SPECIALS! Adriaan Oberholzer: Building & renovations. Specializes in roofing, painting, plastering, building, painting, welding, etc. Call 081-4909420. 061202200406310

016 To huur To Let
AVIS VILLAGE COMPLEX 3 Bedroom unit to rent in Avis Village Complex, 2 bathrooms, lounge, dining room area, toilet and backyard, 2 carports. Rent N\$9 000 per month plus deposit. Water included, electricity excluded. Contact: 081-1405670 Ockert. 061202200406480

KLEIN WINDHOEK one bedroom bachelor flat, eclectic building style. N\$4 500 W&E included, for single person, couples negotiable, no kids or pets. Contact: 081-2721129. 061202200406482

HUBUAMIS HILLS PLOT, 4 Slaapkamer woonstel te huur. Skakel 081-2672267. 061202200406480

TO LET OJOMHISE (MAIN-STAY COMPLEX): Newly renovated 2 bedroom ground floor unit. Courtyard, carpet N\$5 700 Annuler: 081-1285451. 061202200406441

025 Motore Vehicles
CITI GOLF WANTED: I am looking for a person selling a CITI GOLF 3 Car "Body" or even if it's a full Car, but it has a multi-function engine or the engine is not operating properly/dead engine. I will freely accept it. The Body must be in good condition and owner must possess Registered Halls papers. Contact details: 081-6724380, Heskla or Sammel 081-4639065. 061202200406497

036 Regskennisgewings Legal Notices
REZONING OF THE REMAINDER OF ERV 103 (Nr 14 Dr David Kenneth Kaunda Street), KLEIN WINDHOEK FROM GENERAL RESIDENTIAL WITH A DENSITY OF 1 DWELLING PER 500M² TO OFFICE WITH A BULK OF 0.4 AND SUBSEQUENT CONSENT AFFILIATIONS. DU TOIT TOWN PLANNING CONSULTANTS, are applying on behalf of the owner of the Remainder of Erv 103, No. 14 Dr David Kenneth Kaunda Street, Klein Windhoek, in terms of the stipulations of the Urban and Regional Planning Act, 2018 (Act No 5 of 2018), to the Windhoek City Council and the Urban and Regional Planning Board for: \* Reasoning of the Remainder of Erv 103 (Nr 14 David Kenneth Kaunda Street) Klein Windhoek from General Residential with a density of 1500m² to Office with a bulk of 0.4; \* Consent in terms of Table B of the Windhoek Town Planning Scheme to use the erf for a "business building" for medical consulting rooms, a pharmacy and coffee shop; \* Consent in terms of Section 23(1) of the Windhoek Town Planning Scheme and Council's Policy to allow for an additional residential use, which shall be for residential use; \* Consent to use the erf in accordance with the new proposed zoning while the reasoning is formally being completed since the erf is located in an approved policy area. Erv Re/103 Klein Windhoek is located on the corner of Chapman and Dr David Kenneth Kaunda Street within the new approved Klein Windhoek policy area. The erf is zoned "general residential with a density of 1500m² and is 2,539m² in extent. There are currently a main house and a flat on the property and there was previously consent for a Bed and Breakfast establishment on the erf for leaseable rooms. It is a corner erf and access are currently from Kenneth Kaunda Street. There is a slight downward slope towards Nelson Mandela. The owner will demolish the current buildings on the property to make way for the new proposed office building, which will consist of a small medical consulting centre for two doctors, 1 optician and a dentist, a pharmacy and small coffee shop on the property, with a residential component as part of the free residential bulk. Considering the size of the erf, an office building of 1015m² and a residential component of 507m² may be developed provided sufficient parking can be supplied. The intention is to have a basement parking area where about 40 parking bays can be provided. A small number will be provided on the sidewalk. All parking will be as per the City of Windhoek requirements. Further take notice that the locality plan of the site lies for inspection on the Town Planning Notice Board in the Customs Care Centre, Municipal Offices, Rev. Michael Scott Street, Windhoek and at the offices of Du Toit Town Planning, 4 Dr. Kwame Ntsumah Avenue, Klein Windhoek. Any person objecting to the proposed use of land as set out above may lodge such objection together with the grounds thereof with the City Council (the Urban Planner-Town House, Fifth Floor, Room 516) and the applicant within 14 days of the last publication of this notice (final date for objections is 18 November 2022). Should you require additional information you are welcome to contact our office. Applicants: DU TOIT TOWN PLANNING CONSULTANTS PO Box 6671 AUSTSPANNPLATZ WINDHOEK Tel: 061-248010 Email: planner1@duoitplan.com. 061202200406454

Elvire Els
11/01/1946 - 12/10/2022
Levensherdenkingsdien: Vrydag 4/11/2022 om 15:00 vooraf die NG Kerk Swakopmund.
Vir navrae kontak: Elmarthe Maatz 081 243 0211

In Suidelike Herinnering
Louisa Maria Reid
Oas mama
Ouma wies.
Suster en vriendin
sonopkoms: 27/08/1955
Hemel toe: 19/10/2022
Kerkdiens 05/11/2022 10:00
NG Kerk Suidairhof
Teroordstelling: Windhoek Begrafploos
Wynand 0817134500
Jantina 0812532321
Hy laas ongetroude in groen wêreld op watersweg rus in herfde - Psalm 137:1

Gella Hunt
\*23 Mei 1959
128 Oktober 2022
In die ouderdom van 63 jaar
Inwoner van Windhoek.
Levensherdenking sal plaasvind op Vrydag, 4 November 2022 om 10:00 vanuit die Pionierspark Kapel. Sy word oorleef deur 1 seun, 1 dogter & kleinkinders, familie en vriende.

Januarie 20, 1961 - Oktober 26, 2022
Gieljam Visser
Vir navrae kontak: 081-248010

RATES & DEADLINES
To send classified ads as advertised and not appearing on the date you wish, please book. Classifieds are published weekly on Friday. A deadline for advertising is 13:00 on the day before publication. No cancellations will be accepted if received after this deadline.
CONDITIONS OF ACCEPTANCE
Republiek reserves the right to withhold or cancel any advertisement order that has been accepted. Republiek accepts no liability for failure to publish an advertisement received by telephone.
ERRORS
Please report errors immediately. Republiek accepts no responsibility for more than one incorrect insertion of any advertisement at any cost beyond the cost of the space occupied by the faulty advertisement. No publication will be given due to small typographical errors which do not affect the advertisement. Republiek does not accept responsibility for misrepresentation in advertisements.

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Visit www.classifieds.com.na to book your ads online and pay for them before they go to print. Your classified ads.

TODAY IS... HISTORY OF FOUNTAIN PEH DAY
The truth used for writing has gone through some creative changes throughout history to begin with and that's good to read. A lot of papers need to be on the steps of creation or bits of charcoal used to mark words on pieces of bark that is a lot of work. Eventually it was created by various types of plant matter, usually, and eventually from a mixture of oak galls. It's regarded as a new tool, and that was really the dip and pen. A lot of time heavily proved with a consistency on how to draw up the ink and how to get it to paper.









11730

A dense collage of various documents and forms is displayed. The documents include:

- Applications and Notices:** Several forms with titles such as "APPLICATION", "MISDC NOTICE", and "CITY OF WILSON".
- Forms and Tables:** A prominent document at the bottom center features a grid of 12 small icons arranged in two rows of six. Above this grid is a header that reads "COUNCIL 2022".
- Handwritten and Printed Text:** The word "NOTICE" is printed on a document in the center. The text "COUNCIL 2022" is also visible at the bottom edge of the collage.
- Other Documents:** Various other forms with headers like "PUBLIC NOTICE" and "MISDC NOTICE" are scattered throughout the arrangement.

**0371**

UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
SALT LAKE COUNTY, UTAH

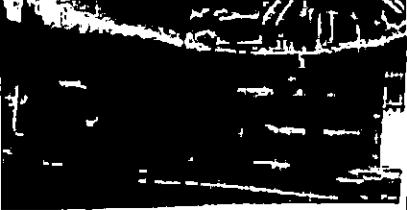
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The 1000-acre area within the boundary of the 1000-acre area is hereby set aside for the purpose of being added to the Salt Lake County Park System. The area is shown on the map attached to this notice.

1. That the 1000-acre area is hereby set aside for the purpose of being added to the Salt Lake County Park System.
2. That the 1000-acre area is hereby set aside for the purpose of being added to the Salt Lake County Park System.
3. That the 1000-acre area is hereby set aside for the purpose of being added to the Salt Lake County Park System.

BY ORDER OF THE DIRECTOR OF THE BUREAU OF LAND MANAGEMENT:

10/15/78





13719



1<sup>st</sup> floor Bridgeview Offices & Apartments, No. 4 Dr Kwame Nkrumah Avenue, Klein Windhoek, Namibia  
 PO Box 6871, Ausspannplatz, Windhoek, Phone: +264 61 248010, Fax: +264 61 248608, Mobile: +264 81 281 0838, Email: elmarle@dutoitplan.com

Enquiries: D Opperman  
 Tel: +264 81 835 2021  
 Ref: Erf Re/103KW

The Windhoek City Council  
 P O Box 59  
 WINDHOEK

Dear Ms Stella

17 October 2022

ERF OWNERS AND ADDRESSES: Erf 8275, No. 29 Anton Lubowski Street, Windhoek

Good Day, Ma'am

Could you kindly provide me with the names and addresses (and phone numbers/email addresses where available) of the owners of the following properties, please:

ERF NO	NAME & ADDRESS	TEL/EMAIL
8276 W Anton Lubowski Street	Ulrike & Urs Böhlke FRIEDEN ST ERF 2685 CC UBO@IWAY.NA	081 2124347
2649 W Sanderburg Street	Paul - 081 233 5000 paul.swart.nam@gmail.com Leon - Paul 081 374 0400 L SWART	(08) 223914
2650 W Sanderburg Street	Margot MARGOT.ACKERMANN1213@gmail.com ST Ackermann ANNAWI PROPERTY CC	0811421912
Re/2651 W Sanderburg Street	3 ERDEG@WEB.DE stephan.drayer@regulig.com TLP INVESTMENTS NO 11 (PTY) LTD	0811290543
7562 W Anton Lubowski Street	G GOEBEL GUDRUMMEDICA@GMAIL.COM	0811241403
3365 W Anton Lubowski Street	CITY OF WINDHOEK	

Thank you  
 Dorette Opperman



1<sup>st</sup> floor Bridgeview Offices & Apartments, No. 4 Dr Kwame Nkrumah Avenue, Klein Windhoek, Namibia  
PO Box 6871, Ausspannplatz, Windhoek, Phone: +264 61 248010, Fax: +264 61 248608, Mobile: +264 81 281 0836, Email: elmarie@dutoitplan.com

Enquiries: D Opperman  
Tel: +264 81 835 2021  
Ref: Erf 8275W\_Letters

G Goebel  
Erf 7562, Windhoek

Per email : [gudrunmedica@gmail.com](mailto:gudrunmedica@gmail.com)

21 November 2022

Dear Sir/Madam

**REZONING AND CONSENT: ERF 8275, NO. 29 ANTON LUBOWSKI STREET, WINDHOEK FROM 'RESIDENTIAL' 1 DWELLING PER ERF TO 'GENERAL RESIDENTIAL' WITH A DENSITY OF 1:500m<sup>2</sup>**

DU TOIT TOWN PLANNING CONSULTANTS, are applying on behalf of the owner of Erf 8275, Anton Lubowski Street, Windhoek, in terms of the stipulations of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), to the Windhoek City Council and the Urban and Regional Planning Board for:

- Rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from 'residential' with a density of 1 dwelling per Erf to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup>
- Consent for a three storey building on a residentially zoned erf.

In terms of the new Urban and Regional Planning Act, 2018 (Act 5 of 2018) and the Windhoek Town Planning Scheme, you as the owner of a neighbouring erf are hereby granted the opportunity to comment on the proposal. We kindly request that you provide us with your comments no later than **7 December 2022**.

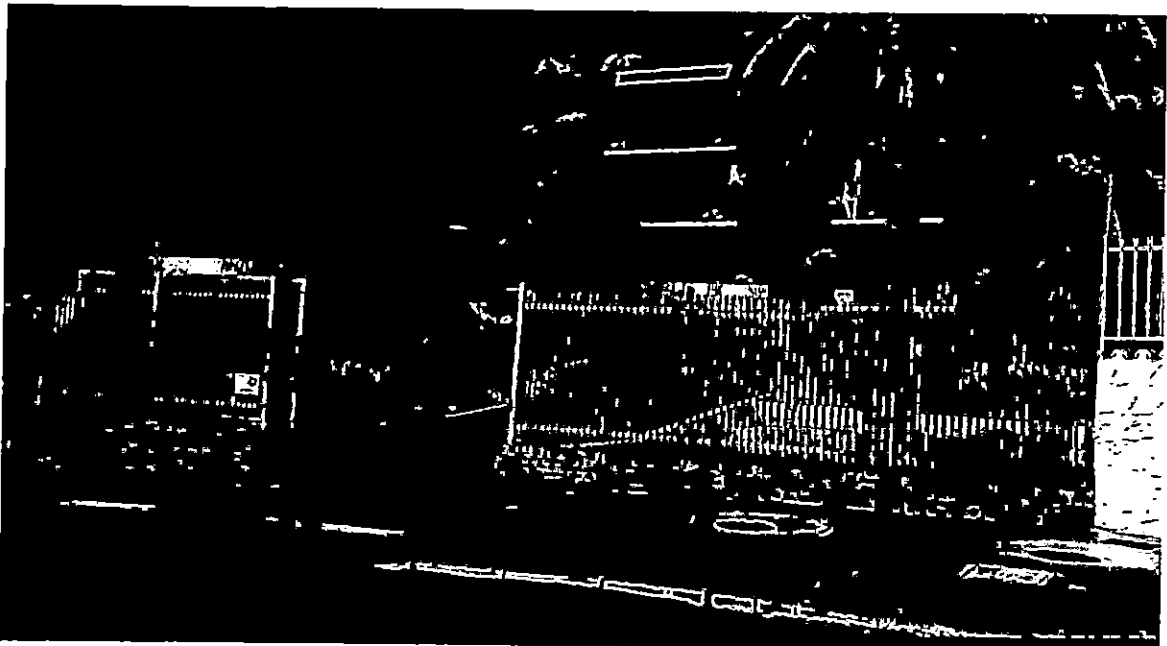
Erf 8275, situated at No. 29, Anton Lubowski Street, in 'Luxury Hill' neighbourhood measures 2687m<sup>2</sup> and is zoned "residential" with a density of 1 dwelling per Erf which means that only one residential dwelling is allowed on the erf. The current dwelling is old and in dire need for upgrading and or replacement largely due to the mica soil that is predominant on the Erf.

The land is situated above street level with an upward slope to the back. The property takes access from Anton Lubowski Street.

**Intention :** It is the intention of the owner to demolish the existing dwelling and to replace it with 5 modern dwelling units contained in one structure of 3 storeys. The soil conditions on Erf 8275 have over the years caused some walls to become unstable. Instead of renovating and demolishing only partially, a new, properly designed building, combined with the necessary stabilising of the soil, would be built.

As the erf is sloping towards the street it is the intention to excavate the erf to provide for a basement with parking garages and storerooms as well as 3 additional floors for residential units above the basement level. The first and second floor will accommodate 2 residential units each with one residential unit on the third floor. The units will be luxury apartments ideal for people that prefer lock-up-and-go living units or have continental lifestyles and are only in residence in Namibia for some months.

To achieve this, Erf 8275 needs to be rezoned to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup> and consent requested for a three storey building on a residential zoned erf. It is not expected that the rezoning the Erf as proposed will impact negatively on the residential character of this neighbourhood as the proposed development will be of an upmarket nature, similar in standard to the surrounding dwellings and designed to fit in with residential character and natural ambiance of the area. The steep topography allows for the intended design and low impact the new residential units will have on the neighbourhood, as illustrated in the 3D rendering pictures below.



*Figure 1 : 3D Architect Render from Anton Lubowski Street*

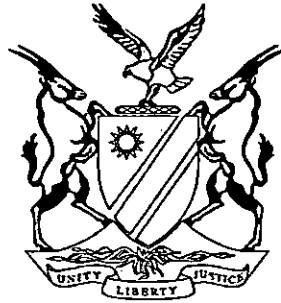


*Figure 2 : 3D Architect Render from eastern boundary of Erf 8275*

In light of the above, your comments on the intended application will be highly appreciated. Kindly note that should we not receive any comments by the closing date of 7 December 2022, we would assume you do not have any objection.

Kind regards

Dorette Opperman



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

N\$20.80

WINDHOEK - 1 November 2022

No. 7943

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## Government Notices

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### MINISTRY OF AGRICULTURE, WATER AND LAND REFORM

No. 338

2022

#### INVITATION TO NOMINATE FOR APPOINTMENT AS MEMBERS OF NAMIBIAN COUNCIL OF PROPERTY VALUERS PROFESSION: PROPERTY VALUERS PROFESSION ACT, 2012

In terms of section 3 of the Property Valuers Profession Act, 2012 (Act No.7 of 2012) I invite -

- (a) any voluntary associations and any persons who are not members of any voluntary association to nominate three professional valuers, at least two of whom actively practice in the property valuation profession;
- (b) any interested, voluntary association or body to nominate a member of the public with expertise in property matters; and
- (c) the Minister of Justice to nominate a person with expertise in the law,

for appointment, pursuant to subsection (1)(a), (c) and (d) of that section respectively, as members of the Namibian Council for Property Valuers Profession within 30 days of publication of this notice in the *Gazette*.

**C. SCHLETTWEIN**  
MINISTRY OF AGRICULTURE,  
WATER AND LAND REFORM

Windhoek, 6 October 2022

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The locality plan of the site lies for inspection on the Town Planning Notice Board in the Customer Care Centre, Municipal Offices, Rev. Michael Scott Street, Windhoek and at the offices of Du Toit Town Planning, 4 Dr. Kwame Nkrumah Avenue, Klein Windhoek.

Any person objecting to the proposed use of land as set out above may lodge such objection together with the grounds thereof with the City Council (the Urban Planner-Town House, Fifth Floor, Room 516) and the applicant within 14 days of the last publication of this notice (**final date for objections is 15 November 2022**).

Should you require additional information you are welcome to contact our office.

**Applicant: Du Toit Town Planning Consultants**  
P.O. Box 6871  
Ausspannplatz  
Windhoek  
Tel: 061-248 010  
Email: [planner1@dutoitplan.com](mailto:planner1@dutoitplan.com)

No. 621

2022

**REZONING AND CONSENT OF ERF 8275,  
NO. 29 ANTON LUBOWSKI STREET, WINDHOEK**

**Du Toit Town Planning Consultants**, are applying on behalf of the owner of Erf 8275, Anton Lubowski Street, Windhoek, in terms of the stipulations of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), to the Windhoek City Council and the Urban and Regional Planning Board for:

- **Rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from 'residential' with a density of 1 dwelling per Erf to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup>; and**
- **Consent for a three storey building on a residential zoned erf.**

Erf 8275, situated at No. 29, Anton Lubowski Street, in 'Luxury Hill' neighbourhood measures 2687m<sup>2</sup> and is zoned "residential" with a density of 1 dwelling per Erf which means that only one residential dwelling is allowed on the erf. The current dwelling is old and in dire need for upgrading and or replacement. The erf, due to its size of 2687m<sup>2</sup>, is underutilized with large areas of vacant space.

The land is situated above street level with an upward slope to the back. The property takes access from Anton Lubowski Street.

It is thus the intention of the owner to demolish the existing dwelling and to replace it with 5 modern dwelling units contained in one structure of 3 storeys. As the erf is sloping towards the street it is the intention to excavate the erf to provide for a basement with parking garages and storerooms as well as 3 additional floors for residential units above the basement level. The first and second floor will accommodate 2 residential units each with one residential unit on the third floor. The units will be luxury apartments ideal for people that prefer lock-up-and-go living units or have continental lifestyles and are only in residence in Namibia for some months.

To achieve this, Erf 8275 needs to be rezoned to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup> and consent requested for a three storey building on a residential zoned erf. It is not expected that the rezoning of the Erf as proposed will impact negatively on the residential character of this neighbourhood as the proposed development will be of an upmarket nature, similar in standard to the surrounding dwellings and designed to fit in with residential character and natural

ambiance of the area. The steep topography allows for the intended design and low impact the new residential units will have on the neighbourhood.

The locality plan of the site lies for inspection on the Town Planning Notice Board in the Customer Care Centre, Municipal Offices, Rev. Michael Scott Street, Windhoek and at the offices of Du Toit Town Planning, 4 Dr. Kwame Nkrumah Avenue, Klein Windhoek.

Any person objecting to the proposed use of land as set out above may lodge such objection together with the grounds thereof with the City Council (the Urban Planner-Town House, Fifth Floor, Room 516) and the applicant within 14 days of the last publication of this notice (final date for objections is 15 November 2022).

Should you require additional information you are welcome to contact our office.

**Applicant: Du Toit Town Planning Consultants**  
P.O. Box 6871  
Ausspannplatz  
Windhoek  
Tel: 061-248 010  
Email: [planner1@dutoitplan.com](mailto:planner1@dutoitplan.com)

No. 622

2022

#### REZONING OF ERF 1186, OSHAKATI EXTENSION 3

Notice is hereby given in terms of Section 10(1) of the Regulations relating to the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), that Hilaria Kevanhu under the supervision of Geraldine van Rooi in line with Section 16(4), with Namibia Town and Regional Planners Act, 1996 (Act No. 9 of 1996), intends to apply on behalf of the registered owner of Erf 1186, Oshakati Extension 3 for the:

- **Rezoning of Erf 1186, Oshakati Extension 3 from “Single Residential” with a density of 1/900 to “Accommodation”; and**
- **Consent to operate holiday accommodation establishment and to commence with the proposed development whilst rezoning is ongoing.**

The rezoning of Erf 1186, Oshakati Extension 3 as well as the consent use sought would increase the development potential of the erf by ensuring the erf is more efficiently utilized and that mono-functionality of the surrounding neighbourhood is countered.

A similar notice of the intent to rezone, have been posted on site, the newspapers as well as on the Notice Board of the Oshakati Town Council. The consultation with neighbouring erf owners duly has been put in motion too.

Any person objecting to the proposed rezoning as set out above may lodge such objection together with the grounds thereof with the Chief Executive Officer, Oshakati Town Council, Private Bag 5530, Oshakati and/or the applicant in writing within 14 working days of the publication of this notice. The last date for comments/ objections is thus **25 November 2022**.

**Applicant: Hilaria Kevanhu/ GB van Rooi**  
P.O. Box 793  
Swakopmund  
Mobile: +264 81 323 6024  
E-mail: [@htskevanhu@gmail.com](mailto:@htskevanhu@gmail.com)/[gb\\_vanrooi@yahoo.co.uk](mailto:gb_vanrooi@yahoo.co.uk)



1<sup>st</sup> floor Bridgeview Offices & Apartments, No. 4 Dr Kwame Nkrumah Avenue, Klein Windhoek, Namibia  
PO Box 6871, Ausspannplatz, Windhoek, Phone: +264 61 248010, Fax: +264 61 248608, Mobile: +264 81 281 0836, Email: elmarie@dutoitplan.com

Enquiries: D Opperman  
Tel: +264 81 835 2021  
Ref: 8275W\_objectio

Strategic Executive  
Department of Urban and Transport Planning  
Windhoek City Council  
P O Box 59  
WINDHOEK

12 June 2023

For Attention: Ms K. Asino

Dear Ms. Asino

**SUMMARY AND RESPONSE TO OBJECTIONS : REZONING OF ERF 8275, NO. 29 ANTON LUBOWSKI STREET, WINDHOEK FROM 'RESIDENTIAL' WITH A DENSITY OF 1/ERF TO 'GENERAL RESIDENTIAL' WITH A DENSITY OF 1:500 AND CONSENT FOR MORE THAN 2 STOREYS.**

As per our application submitted 25 October 2023, please find below a summary of the objections received as well as response in red text where applicable.

Notices appeared in the newspapers of 27 October 2022 and 3 November 2022 and the Government Gazette of 1 November 2022. The closing date for the notices were 15 November 2023.

The letters to the neighbours were sent per email on 21 November 2022 with the closing date of 7 December 2022.

All the proof of notices and communications with the neighbours are attached.

Due to the objections received, we had further consultations with the owner and architects to discuss whether the application should change or to what extent the objections can be addressed.

It was resolved that the application will remain as is and the objections were addressed, where applicable below. Our response is in black text below the *red italic text*.

## 1. Objections

### 1.1 Design:

- Renders gave wrong impression.

The renders were provided to give an impression of the concept the owner intends to develop. It is however not of the final drawings yet.

- Height of proposed building not clear. Height estimated to be  $\pm 14,5\text{m}$  and  $3,5\text{m}$  higher than existing building. Height impact on Erf 2650 (Ackermann) and Number of storeys above ground level or only excavated against the slope? Described as three storeys but is it effectively 4 storeys?

*The Judgement on a Court Case of 2013 was submitted by B vd Merwe (owner of Erf 2681 – not an adjacent neighbour). CoW lost the case. Issue was on what constitute as ground level and interpretation of basement floor in Town Planning Scheme.*

As a result of this Court Case being included in the objection on the proposed height of the building and what constitute as a basement level, the Architects were asked to provide us with a report on the height of the building when a basement floor as per regulations are provided. The contours were surveyed by Strydom & Associates Land Surveyors and based on this information, the report and more exact height was determined.

From this report it is clear that the intention was to properly determine natural ground level and to design the basement as such that it will comply with the definitions in the Windhoek Zoning Scheme as well as the building regulations of what natural ground level is and what a basement is. It will not just be excavated against the slope. There will thus then be 3 storeys and a basement.

The lowest contour level is  $1716,75\text{m}$  while the highest one is  $1731\text{m}$  – a total incline of  $14,25\text{m}$ .

As per Figure 2 of the report, the natural ground level is  $1,4\text{m}$  above the basement floor finish level. The building would then be  $14,885\text{m}$  tall of which the top  $1,235\text{m}$  (E-F) is roof space for the penthouse.

Compared to the contours, the building would basically be on the same height as the highest contour (a difference of  $60\text{cm}$ ), and still somewhat lower than the level of the pool on Erf 2650, Windhoek. The contour survey plan is also attached.

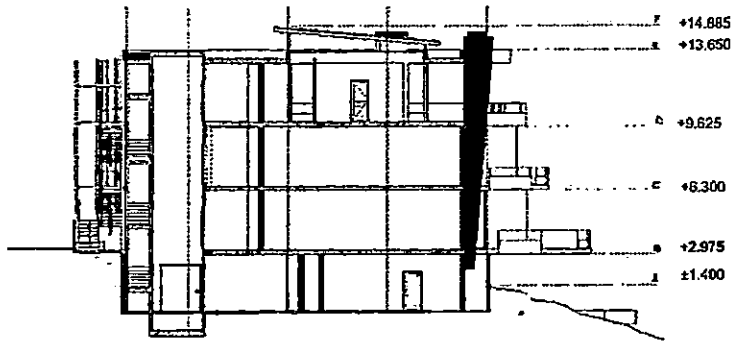


Figure 2 Site Section indicating (A-F) All distances are with respect to the basement floor level.

Figure 1 : Height of proposed new dwelling

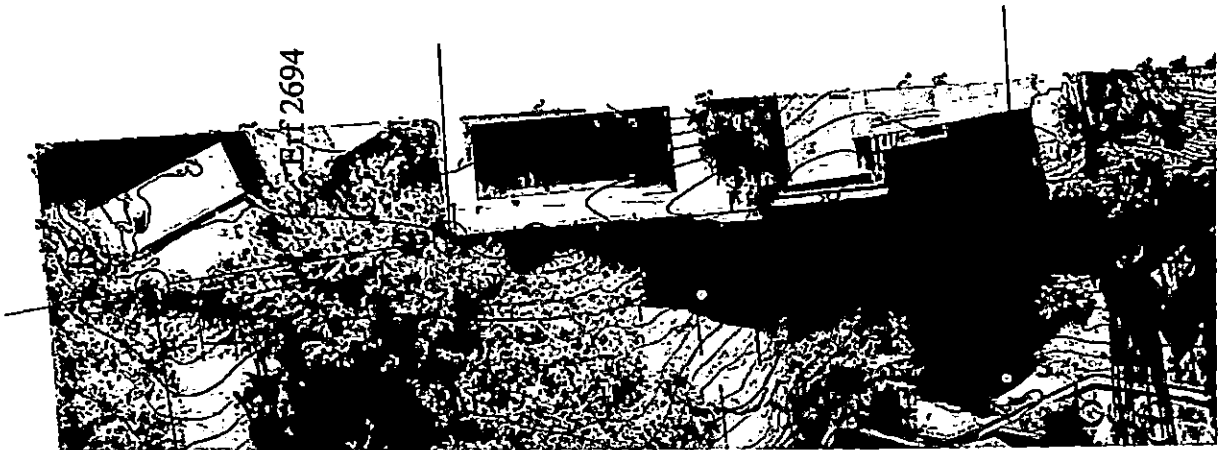


Figure 2 : Contours along eastern boundary of Erf 8275W and Erf 2650W

- **Influence of excavation on surrounding properties**

Should there be any influence on the surrounding properties as a result of the excavation, it would have to be addressed in the design/building plans and subsequent approval of it. The retaining wall for the basement parking alone, require the inputs of structural engineers. It is thus doubtful that this would negatively affect the surrounding properties. Already the construction of the pool on Erf 2650, Windhoek to the east of Erf 8275, within the building line has caused the owner of Erf 8275 to make some reinforcements.

- **North facing units to compromise privacy on 8276 (Böhlke) as well as 7562 (Goebels)**

The owner has taken notice of this. The proposed building will be built well within the building lines of Erf 8275W and the exact position of the new building is not yet determined. For privacy purposes, multi-storey residential buildings have setbacks from the third floor.

## 1.2 Increase in density:

- **Density increase is too much.**

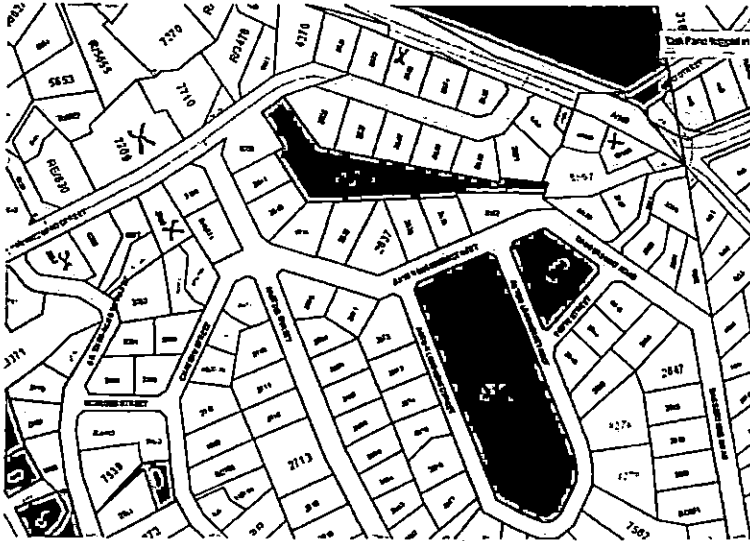
The density increase is two categories higher and thus 'outside' normal Council Policy where rezoning application to one density category higher is generally more acceptable.

However, there is an existing Council Resolution from 2007 where it was resolved that the rest of the erven not bordering Robert Mugabe Avenue of the 'Luxury Hill' area up to the border of Klein Windhoek remain residential but that future higher residential densities be encouraged.

The resolution is attached for easy reference again. CR 392/10/2007

The Policy/Council Resolution does not give any indication as to what densities would be supported, but following this decision, several increases in density were already allowed by Council in this area e.g.:

- Erf 2623, No. 6 Heinitzburg Street, where Council per Resolution 170/06/2013 (paragraph 2) approved the increase in density to 1:500m<sup>2</sup>
- Erf 3353, Heinitzburg Street. The increase in density to 1:250m<sup>2</sup> was approved by Council per Resolution 348/09/2009
- Erf 5/169, Feste Street. Council approved the rezoning to 'general residential' with a density of 1:150m<sup>2</sup> per Resolution 110/104/2011



Due to the application being outside normal Council Policy, an Engineers Report were attached to the application to discuss the impact of the proposed rezoning on the neighbourhood.

- Further high density/high-rise development encouraged if rezoning approved. The area is part of a Council Resolution where higher densities can be considered. Our urban areas need to densify as it is good planning practices. The erven are generally large and not developed to full potential due to the density being 1 dwelling per erf.

- Negative influence on current character and reason why living in Luxury Hill; destroy the sense of place

The proposed residential building on Erf 8275, Windhoek will be architecturally designed and of high quality at great costs. The objection that it will have a negative influence on the character is subjective and cannot be proved. The current dwelling on the property is such that it will have to be demolished – it cannot be renovated as there are structural challenges. It is thus possible that even with a standard residential dwelling, a building can be built that does not 'fit' in with the objector's perspective of the character of the area.

- Increase number of service providers will affect security of area  
This objection is subjective.

- Increased traffic, light pollution, less security, noise

This cannot be proven. Five luxury apartments (not suitable for families) are not necessarily more intrusive than a large family residence where for example a family of 4 or larger live. If there is a family of 4 living there, with adult children for instance, there will most likely also be 4/5 vehicles; the same as should the occupants of the 5 apartments all be resident at the same time and all have at least one vehicle.

- Value of properties and influence on potential tenants such as embassies who chose the area for the quiet character.

This cannot be proven. The building will be of very high standard and aimed at retired buyers that wish to have a lock-up-and-go. The owner of Erf 8275, Windhoek will spend millions of dollars on the proposed building, and its finishes. As mentioned in paragraph 1, there would also need to be expensive groundwork done as well as the excavation for the basement parking. It is unlikely that the value of the adjacent properties will be negatively affected.

### 1.3 General:

- There are other areas that are more applicable

The owner of Erf 8275, Windhoek (as all the other property owners/objectors) is allowed to initiate a project/development for their properties to better the value of their assets as long as it is within the regulations of the Windhoek Zoning Scheme and the other municipal requirements. Such an objection is not valid.

- Non-permanent residents a problem – security issues for neighbours.

How would that be a security issue for the neighbours? It is very unlikely that residents of all the apartments would be away at once. This can also happen with a single residential dwelling if the owners decide to go on a long holiday or have continental lifestyles. If the owner decides to sell the property, the neighbours also does not have any control over the habits of the new owners.

- Property can transfer to Air BnB or Boutique Hotel

Operating a boutique Hotel cannot be done without the necessary rezoning/consent from Council. Registering as an Air BnB is also not as simple.

- Negative impact on the park and wildlife there

That is only applicable to the construction period. Should the owner of Erf 8275, Windhoek decides to just demolish the residence and built a new one or sell the erf and the new owner builds a new residence (which is allowed without any special permissions except building plan approval), there would also be impact on the wildlife of the Open Space Erf 3365, Windhoek.

- Investment/rezoning will not enhance the attractiveness of the neighbourhood. Will affect larger area than adjacent neighbours.

Subjective objection.



- Management of units not clear

A Sectional Title Scheme will be registered and there will thus be a Body Corporate which will oversee the management of the complex. The owner has indicated that since one of the units will remain her property, she also wishes to have a caretaker that will permanently live on the property. The management of the units is unfortunately something that cannot be prescribed in much detail at application level and can thus not be considered a valid objection.

## 2. Conclusion

The immediate neighbours rallied a lot of other property owners in the vicinity to object to the proposed rezoning. The owner of Erf 8275, Windhoek has contacted her neighbours to discuss her intention and submitted proposed plans to explain best what the intention is before their submission of the objections.

The dwelling on Erf 8275, Windhoek is in such a condition that it is not financially viable to renovate it. For this reason, the owner wants to enhance the potential of her asset by increasing the density to construct a residential building with 5 apartments to cater specifically for retired people that wish to have a lock-up-and-go.

The owner of Erf 8275, Windhoek also made extra effort to do a contour survey to determine exact heights and ensure that the basement is built within the requirements of the Zoning Scheme and the building regulations. An Engineering report was also included in the application to give details on the capacity of the infrastructure.

It is thus clear that the owner's intentions are to better the value and appearance of her property, with a well-designed, stylish and luxury building. Although the intended building and application is not hundred percent in line with current Council Policy, the application has merit (it is within an identified area of higher residential densities), and the Engineering Report and additional contour survey was provided to support this.

Based on this, Council is requested to not support the objections. Please do not hesitate to contact me should you require any further information.

Kind regards



**Dorette Opperman**

### Attachments:

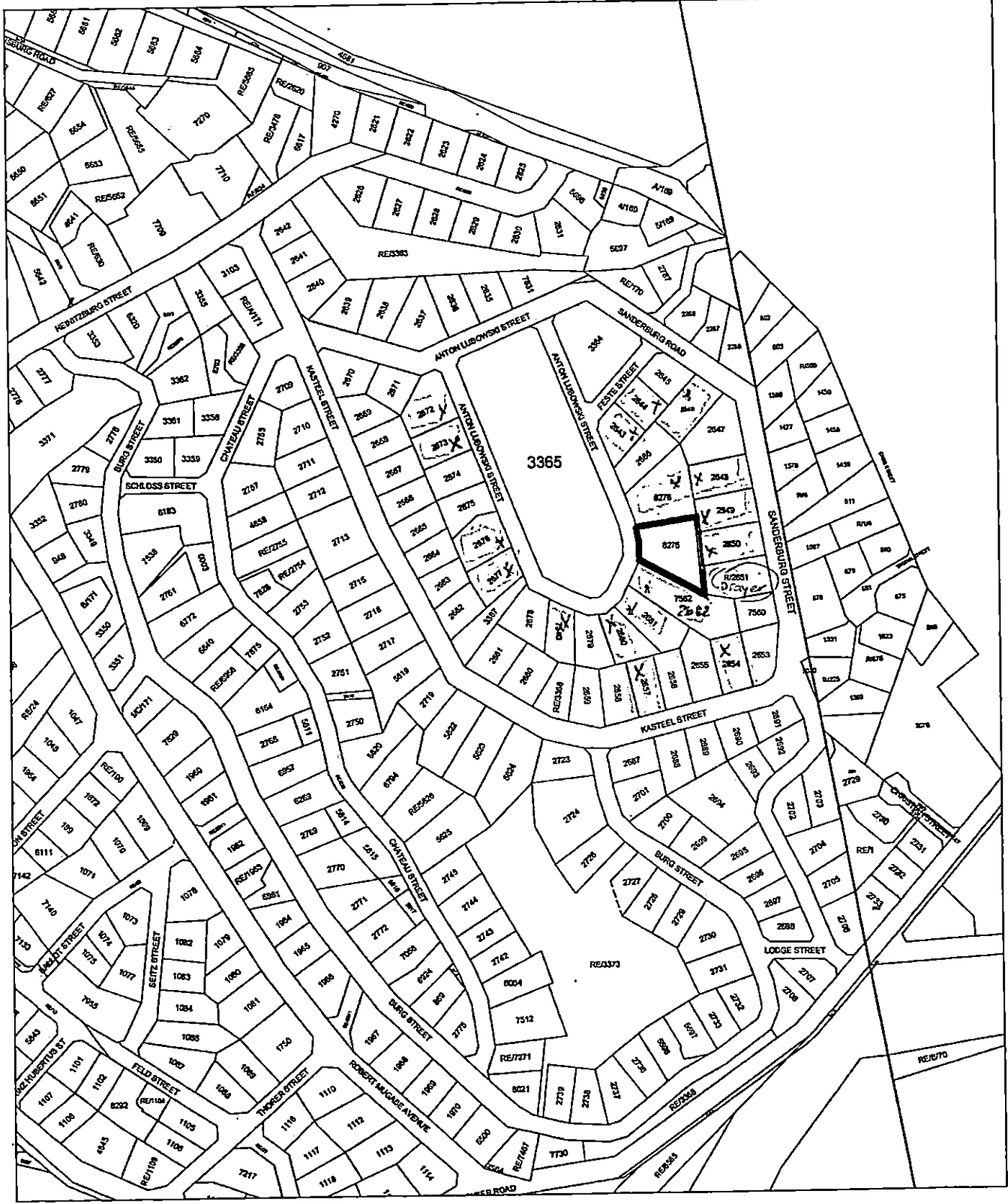
- Proof of notification of the rezoning in newspapers, on site and to the neighbours
- List of objectors and completed forms + Appeal Judgement of Case No. SA48/2012
- Report from Andre Truter Architectural Designs
- Contour survey plan
- CR 392/10/2007 – resolution re increase in density

Erf 8275W\_Neighbours objections received

	Erf Number	Street address	Name	Telephone	Email
Forms submitted	2646	16 Sanderburg Street	M Hoffmann	812588216	<a href="mailto:mkh.hoffmann@iway.na">mkh.hoffmann@iway.na</a>
	8276	Anton Lubowski Street	Ulrike A Böhlke	812124347	<a href="mailto:ubo@iway.na">ubo@iway.na</a>
	2680	35 Anton Lubowski Street	Chris Koch	812407343	<a href="mailto:dr.martina.koch@gmail.com">dr.martina.koch@gmail.com</a>
	2676	47 Anton Lubowski Street	Nicole Maske	813377848	<a href="mailto:nicole.hopker@gmail.com">nicole.hopker@gmail.com</a>
	2650	24 Sanderburg Street	ST Ackermann	811421972	<a href="mailto:sackermann@nm.na">sackermann@nm.na</a> / <a href="mailto:margotackermann@outlook.com">margotackermann@outlook.com</a>
	2648	Sanderburg Street	Caren Fischer	812482705	<a href="mailto:carmein@iway.na">carmein@iway.na</a>
	2644	Feste Street	H Hopker	812436565	<a href="mailto:h.hopker@gmail.com">h.hopker@gmail.com</a>
	2643	Cnr Feste & Anton Lubowski Street	H C Schafer	811444001	<a href="mailto:eschafer@afol.com.na">eschafer@afol.com.na</a>
	2677	Anton Lubowski Street	E & R Jagau	811245270	<a href="mailto:jagau.namibia@gmail.com">jagau.namibia@gmail.com</a>
	2672	Anton Lubowski Street	U Ritter	061 220100	<a href="mailto:info@intersave-na.com">info@intersave-na.com</a>
	7562	31 Anton Lubowski Street	G Goebel (old erf 2682)	811241403	<a href="mailto:gudrunmedica@gmail.com">gudrunmedica@gmail.com</a>
	2681	33 Anton Lubowksi Street	B J van der Merwe	811270472	<a href="mailto:benvdm@gmail.com">benvdm@gmail.com</a>
other neighbours : Petition list	2657	10 Kasteel Street	R Berger		
		29A Sanderburg Street	F Weinrebe		
	2654	4 Kasteel Street	P Lucke		
	2649	19 Sanderburg Street	L S L Swart		
	2673	53 Anton Lubowski Street	P Wilhelm		
	7540	39 Anton Lubowski Street	A van Wyk		
		Kasteel Street	W Meyer		
		Kasteel Street	R Falk		
	Kasteel Street	B vd Merwe			

134

135



Scale: 1/5000

DATE: OCT.2022

PLAN NO. 8275VVV



LOCALITY PLAN OF ERF 8275  
 ANTON LUBOWSKI STREET  
 WINDHOEK



Du Toit  
 TOWN PLANNING CONSULTANTS

1<sup>st</sup> floor Bridgeview Offices & Apartments No. 4  
 Dr Kwame Nkrumah Avenue, Klein Windhoek, Namibia  
 PO Box 6871, Ausspannplatz, Windhoek, Phone: +264 61 248010  
 Fax: +264 61 248508, Email: elmarie@duitoitplan.com

Apply to the relevant authority for the following residential development: ERF 8275, No. 29 Anton Lubowski Street, Winchoek Street

Signature

Date

07/17/2022

objection

Please see attached lettering all the reasons for objection

If objecting, please state the reasons:

- Consent for a three storey building on a residentially zoned erf.
- Rezoning of erf 8275, no. 29 Anton Lubowski Street, Winchoek Street from 'residential with a density of 1 dwelling per erf to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup>

Do object



Do not object



(Please indicated with 'x' in appropriate box)

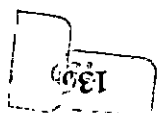
I, the owner of erf 2681, Anton Lubowski Street/Sandenburg Street

Telephone: 011 2192 1777 Email: antoni@antoni.co.za

Street: Anton Lubowski Street

Address: 29 Anton Lubowski Street

Name: Antoni Lubowski  
Residential and consent: erf 8275, no. 29 Anton Lubowski Street, Winchoek Street from 'residential with a density of 1 dwelling per erf to 'general residential' with a density of 1500m<sup>2</sup>



1300

## REASONS FOR OBJECTING TO THE REZONING OF ERF 8275 AS SUGGESTED AND REFUSAL OF CONSENT FOR A FOUR STOREY BUILDING

### REZONING:

When considering the question of rezoning of an erf one must take into consideration various aspects.

The first issue to consider is the current zoning and the intention behind the zoning. Why would the vast majority of the area be zoned as if it was not the intention of the Municipality of Windhoek and the Windhoek Town Planning Scheme.

The reason why the vast majority of the properties were zoned as 'residential' with a density on 1 dwelling per erf was to create a safe, spacious and harmonious residential suburb. This is a suburb where kids still play in the streets, residents form walking and jogging groups and where each owner's property is a sanctuary. This intention is evident through the Municipal Council of Windhoek's decision in establishing the Anton Lubowski Park.

Secondly, rezoning of this erf will definitely have a real, not only potential, negative impact on all the residents of the area in that there will be a potential addition of four extra families to the street. This will cause an increase in traffic on the roads putting the safety of our children and pets at an increased risk. The security risk will also increase, not only during the construction period but also thereafter. Furthermore, with the increase in the amount of dwellings on the erf and addition of extra people comes the increase of foot traffic in the forms of the increase in domestic and garden workers to the area as well as the increase of service and utility providers.

The additional people will also put extra strain on the existing utilities and sewage systems will can also cause further future problems.

Thirdly, the current owner currently resides in Germany and has no regard for the impact of the proposed rezoning on the current residents and merely wants to increase the possible income she can generate out of the property and merely considers the financial gain she stands to obtain.

There has also been no reassurances to the current residents as to how the property will be managed and what rules will be set for tenants and how it will be enforced.

### **THREE STOREY BUILDING:**

When considering the issue of the multiple storeys and the information provided to us it is evident that the plans are for a garage basement storey and 3 additional residential floors, this is 4 storeys in total. This must be considered in light of the Supreme Court Judgement under case SA 48/2012, Council of the Municipality of Windhoek and 2 others vs Giselind Maria Helga Roland and 3 others where the same facts were before the court. I attach the Judgement hereto and I strongly urge you to read this Judgement before a decision is made in respect of the application at hand. Should the application be approved we reserve our rights to appeal the decision and should the need arise to take the matter under review in the High Court of Namibia and throughout relying on the principles enshrined in the above mentioned case.

Needless to say, should the multiple storeys be approved it will have an extremely negative impact on our privacy as the additional floors will give the residents a direct view into our family rooms and entertainment area. It will also negatively affect the aesthetic views of the current neighbourhood.

BJ van der Merwe

0811270472

33 Anton Lubowski street

Ulrike (081 212 4347) + Urs (081 127 5005)

REZONING AND CONSENT: ERF 8275, NO. 29 ANTON LUBOWSKI STREET, WINDHOEK FROM 'RESIDENTIAL' 1 DWELLING PER ERF TO 'GENERAL RESIDENTIAL' WITH A DENSITY OF 1:500m<sup>2</sup>

Name: HOFFMANN M

Address: Box 5531 Windhoek  
16 SANDERBURG STR.

Telephone: +264 81 358 8214 Email: meh.hoffmann@urz.na

I, the owner of Erf 2646, Anton Lubowski Street/Sanderburg Street

(Please indicated with "x" in appropriate box)

Do not object

Do Object

- Rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from 'residential' with a density of 1 dwelling per Erf to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup>
- Consent for a three storey building on a residentially zoned erf.

If objecting, please state the reasons:

- Misleading photographic images not reproducing actual width and height of proposed building.
- Excavation of erven might destabilize surrounding neighboring erven and subsequently the buildings on these properties.
- relaxing of the density and allowing more than 2 storeys will set a precedent for further and future high-rise development and thus negating the current residential character of Luxury Hill suburb
- Increasing the number of service providers to service the higher number of residents will have a negative effect on the security of the area
- Increased traffic
- The requested rezoning will undermine the reason why people have been investing in this area

M. Hoffmann  
Signature

6/10/2022  
Date

Kindly take note that comments should reach our office by 7 December 2022  
You can return the form to the following email address: [parryc1@isipost.na](mailto:parryc1@isipost.na)

REZONING AND CONSENT: ERF 8275, NO. 29 ANTON LUBOWSKI STREET, WINDHOEK FROM 'RESIDENTIAL' 1 DWELLING PER ERF TO 'GENERAL RESIDENTIAL' WITH A DENSITY OF 1:500m<sup>2</sup>

Name: ULRIKE A. BÖHLKE

Address: 25 ANTON LUBOWSKI STR  
WINDHOEK

Telephone: 081224347 Email: ubo@iway.na

I, the owner of Erf 8276, Anton Lubowski Street/Sanderburg Street

(Please indicated with "x" in appropriate box)

Do not object

Do Object

- Rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from 'residential' with a density of 1 dwelling per Erf to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup>
- Consent for a three storey building on a residentially zoned erf.

If objecting, please state the reasons:

see attached annexure

.....

.....

.....

.....

.....

M. a. Böhlke  
Signature

06-12-2022  
Date

Kindly take note that comments should reach our office by 7 December 2022  
You can return the form to the following email address: [planner1@dutoitplan.com](mailto:planner1@dutoitplan.com)



25 Anton Lubowski Street (ERF 8276)

6 December 2022

ANNEXURE TO REZONING AND CONSENT FORM OF ERF 8275 ANTON LUBOWSKY STREET WINDHOEK FROM 'RESIDENTIAL' 1 DWELLING PER ERF TO 'GENERAL RESIDENTIAL' WITH A DENSITY OF 1:500m<sup>2</sup>

When we bought our house back in 1996 everybody were telling us that it was by far overpriced considering the value of the house and size of erf we were buying. Yet we were willing to pay the higher price because of the peace, low density and tranquillity of the Anton Lubowski street and the adjacent park that was named after the Swapo legacy Mr Anton Lubowski to preserve his memory. The surrounding areas and the Anton Lubowski Park with his historic background needs to be treated with respect and care. As a harmonious community we try to keep the whole area and park clean and in shape.

Ever since we have moved into this area we have not one day regretted our investment made and our decision to live in this street / Luxury Hill area living in a harmonious, secure, private, quiet neighbourhood with low density housing, low traffic allowing the use of the street for sport activities and walking, etc.

A high density development like it is planed on our neighbouring erf in the midst of Luxury Hill will have only negative effects specific within the Anton Lubowski street as well as the wider Luxury Hill area. It will allow others to engage in similar developments for their own financial gain. This will drastically change the positive qualities of an old well-established area leading to a anonymous community, higher traffic and sound levels, more light pollution during the night, less security, etc. as well as reduce the value of our properties.

We are of the opinion that it is not fair for a person not even permanently staying in this country / town to engage in such an development leaving the rest of the community alone with the negative impact it will have.

The north facing flats of the newly planned development on our neighbouring erf will give full insight into our erf compromising on our privacy and also security. To protect us against this the only choice would be construct a wall so high that it will be very costly and unsightly to all parties.

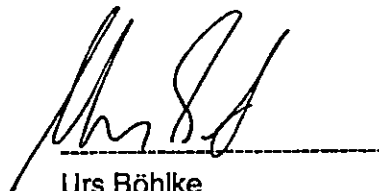
As there are other areas in Windhoek where a 4 storey, five flat building is in line with existing municipal building regulations we would propose to the applicant to rather make use of these areas zoned as per the applicants requirements and to the keep the Anton Lubowski street to what it has been planed for by the town planers.

We furthermore would like to mention that the illustrations received are not realistic and the drawings with no sections provided are incomplete.

Yours faithfully



Ulrike A Böhlke  
Frieden Street Erf 2685 CC



Urs Böhlke

REZONING AND CONSENT: ERF 8275, NO. 29 ANTON LUBOWSKI STREET, WINDHOEK FROM  
'RESIDENTIAL' 1 DWELLING PER ERF TO 'GENERAL RESIDENTIAL' WITH A DENSITY OF 1:500m<sup>2</sup>

Name: CHSH KOCH

Address: 35 ANTON LUBOWSKI STR.

WINDHOEK

Telephone: 0812407343 Email: dr.martina.koch@gmail.com

I, the owner of Erf 2680, Anton Lubowski Street/Sanderburg Street

(Please indicated with "x" in appropriate box)

Do not object

Do Object

- Rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from 'residential' with a density of 1 dwelling per Erf to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup>
- Consent for a three storey building on a residentially zoned erf.

If objecting, please state the reasons:

- 1.) Reason for rezoning would be the construction of a 3-story building which is currently not permitted in the area.
- 2.) The value of the surrounding properties will decline.
- 3.) More traffic, more service providers, more anonymity would mean less safety in the area.
- 4.) Increase of pollution and noise.

Gillob B

Signature

5.12.2022

Date

Kindly take note that comments should reach our office by 7 December 2022  
You can return the form to the following email address: [planner1@duitoitplan.com](mailto:planner1@duitoitplan.com)

REZONING AND CONSENT: ERF 8275, NO. 29 ANTON LUBOWSKI STREET, WINDHOEK FROM 'RESIDENTIAL' 1 DWELLING PER ERF TO 'GENERAL RESIDENTIAL' WITH A DENSITY OF 1:500m<sup>2</sup>

Name: NICOLE MASKE

Address: 47 ANTON LUBOWSKI ST

LUXURY HILL

Telephone 081 337 7848 Email: nicole.hopker@gmail.com

I, the owner of Erf 2676, Anton Lubowski Street/Sanderburg Street

(Please indicated with "x" in appropriate box)

Do not object

Do Object

- Rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from 'residential' with a density of 1 dwelling per Erf to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup>
- Consent for a three storey building on a residentially zoned erf.

If objecting, please state the reasons:

Luxury Hill is a quiet and private neighbourhood and its residents have paid significant sums of money to buy their homes on this basis. The proposed development threatens to significantly devalue all of these investments by increasing the residential density, creating increased noise and traffic and creating a precedent that will further exacerbate the issue. I do object to this development.

M Maske  
Signature

6/12/2022  
Date

REZONING AND CONSENT: ERF 8275, NO. 29 ANTON LUBOWSKI STREET, WINDHOEK FROM 'RESIDENTIAL' 1 DWELLING PER ERF TO 'GENERAL RESIDENTIAL' WITH A DENSITY OF 1:500m<sup>2</sup>

Name: Stephanns T Ackermann

Address: 24 Sanderburg str

Er 2650

Telephone: 0811421972

Email: sackermann@un.na / margotackermann@atlat.com

I, the owner of Erf 2650, Anton Lubowski Street/Sanderburg Street

(Please indicated with "x" in appropriate box)

Do not object

Do Object

- Rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from 'residential' with a density of 1 dwelling per Erf to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup>
- Consent for a three storey building on a residentially zoned erf.

If objecting, please state the reasons:

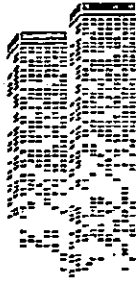
Please see attached

.....  
.....  
.....  
.....

[Signature]  
Signature

06 Decem Ser 20 22  
Date

Kindly take note that comments should reach our office by 7 December 2022  
You can return the form to the following email address: [planner1@dutoitojan.com](mailto:planner1@dutoitojan.com)



**URBAN  
DYNAMICS**  
town and regional planners

145

Our Ref: 1264  
Your Ref: Erf 8275W letters  
Date: 5 December 2022

**D OPPERMAN  
DU TOIT TOWN PLANNING CONSULTANTS  
P.O. Box 6871  
AUSSPANPLATZ  
WINDHOEK  
NAMIBIA**

Attention: Me D Opperman

Dear Madam

**REZONING AND CONSENT; ERF 8275, NO.29 ANTON LUBOWSKI STREET,  
WINDHOEK, FROM "RESIDENTIAL" WITH A DENSITY OF ONE DWELLING PER ERF  
TO "GENERAL RESIDENTIAL" WITH A DENSITY OF 1:500M<sup>2</sup> AND CONSENT FOR A  
THREE STOREY BUILDING ON A RESIDENTIALLY ZONED ERF.**

## **1 INTRODUCTION**

Reference is made to your letter dated 21 November 2022, addressed to the owners of erf 2650, No. <sup>21</sup>~~28~~ Sanderburg Street, Windhoek, wherein notice is given of the intention to apply to the City of Windhoek for the above-mentioned re-zoning and consent.

Urban Dynamics Africa (Pty) Ltd herein acts on behalf of the owners of erf 2650 and on their behalf objects against the re-zoning and height increase proposed for erf 8275, Anton Lubowski Street.

## **2 CONTEXT**

### **2.1 Character and Density of the Area**

Erf 8275, is situated at no 29, Anton Lubowski Street in "Luxury Hill". As the informal name of the area suggests, it is an upper-end high quality residential area with large erven. The density of the area is almost exclusively set at one dwelling per erf, irrespective of the relatively large erf sizes. Figure 1 overleaf provides the density detail for the area and clearly shows that the current density is almost exclusively one dwelling per erf with **only one erf in the area** seemingly having a density of one dwelling in 500m<sup>2</sup>.

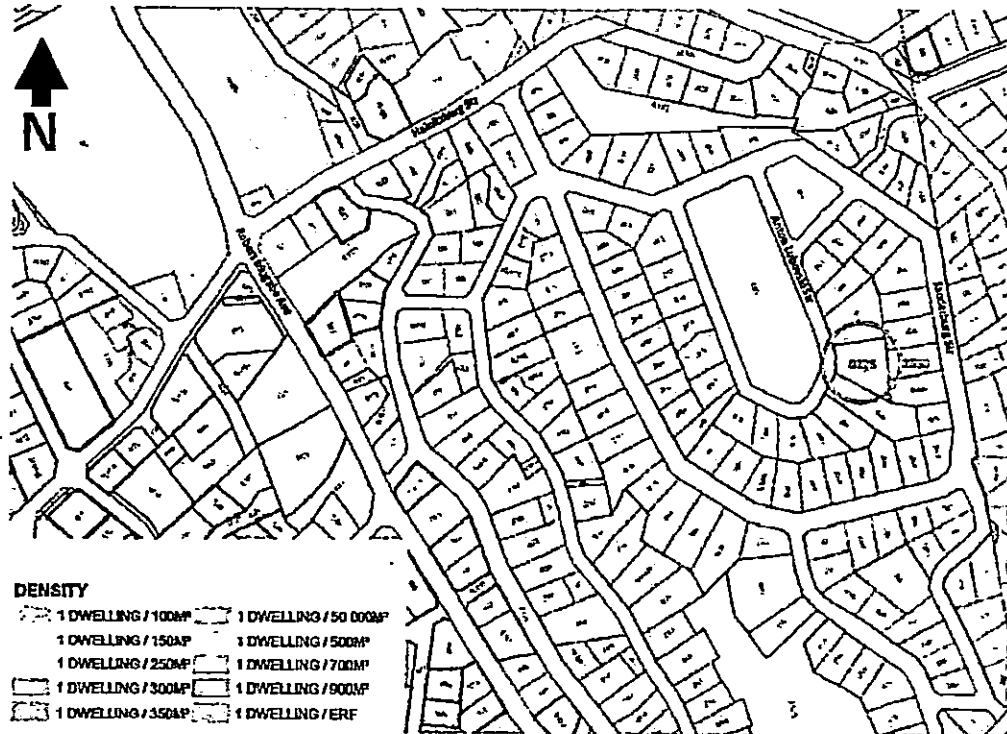
The character of the area is therefore a quiet low-density neighbourhood with little traffic as a result of the low density and it has a resultant high mean property value,

Tel: +264 61 240 300 | Fax: +264 61 240 309 | Email: info@udanam.com  
www.udanam.com  
Madiba's Corner, 45 Nelson Mandela Ave, Klein Windhoek, Windhoek  
PO Box 20837, Windhoek, Namibia, 9000

DIRECTORS: JB OPPERMAN (MANAGING DIRECTOR) B(TRP) | EA SIMON M(TRP)

since these are sought-after characteristics in the higher end of the residential property market.

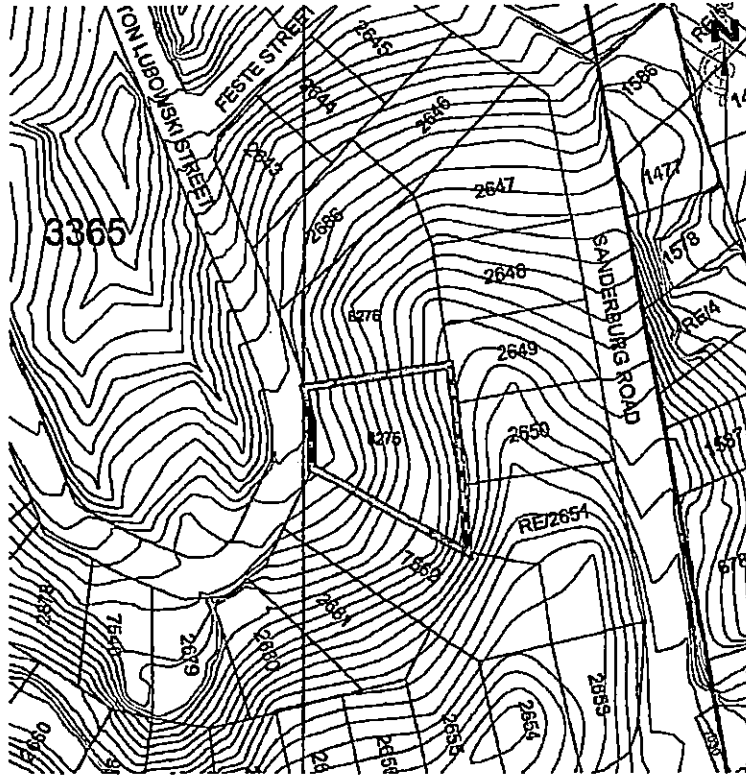
**Figure 1: Density Zonings in the "Luxury Hill" Area.**



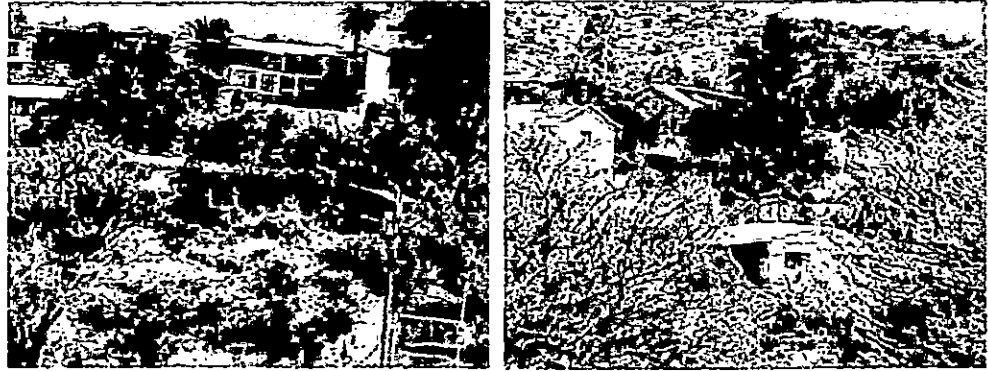
At the same time, the area is characterised by steep slopes and a "sense of place" that can be described as "open vistas" affording a variety of views over the surrounding residential area, mountains and open spaces.

Figure 2 overleaf provides a clear indication of the topography of the area. Of importance here is that the difference in height between the street level on Anton Lubowski Str (from where erf 8275 gets access) and the western boundary of erf 2650 is about 11 meters. This affords beautiful western views on the opposite slope and over the public open space below. Plate 1 overleaf further shows the synergy between the houses accessed from Sanderburg/Kasteel Street and those accessed from Anton Lubowski Street. The Sanderburg/Kasteel Street houses are all higher than the Anton Lubowski accessed houses, thereby affording all houses built against the slope open views, despite the fact that most of the houses accessed from Anton Lubowski Street are of double storey configuration.

**Figure 2: Topography of the Area.**



**Plate 1: View of the houses on the slope between Sanderburg/Kasteel Street and Anton Lubowski Streets**



The second image in plate 1 actually shows the current double storey house on erf 8275 and illustrates how the houses accessed from the two streets respect the views and sense of place of the area.

## 2.2 Building Heights

Clause 21 (3) of the Windhoek Town Planning Scheme states that "No dwelling unit or residential building may be erected in excess of two storeys on land zoned "residential" without Council Approval; Council shall, in considering the application, have regard to the impact, real or potential, of the additional storeys on the neighbouring property".

This clause clearly recognises and acknowledges that buildings in excess of two storeys in residential areas may have a detrimental effect on neighbouring properties.

## 2.3 Policy Frameworks

There are currently three policy "frameworks" that should be considered as important in evaluating this application.

- **The first** is to be found in the provisions of the Town Planning Scheme with respect to building heights as contained in 2.2 above, which clearly acknowledges the potential impacts of buildings in residential areas that are too high on the neighbouring residential properties.
- **The second** is found in Council's general densification policy whereby Council made its intent clear to support increases in density by one density category more dense in the low density areas of the city.
- **The third** is found in resolution 392/10/2007 wherein the following policy was stated. "That it be Council Policy that the rest of erven not bordering Robert Mugabe Avenue of the "Luxury Hill" area of Windhoek, up to the boundary of Klein Windhoek remain a residential area for houses, flats and accommodation establishments such as hotels, and that future higher residential densities be encouraged".

## 3 ASSESSMENT OF POTENTIAL IMPACT ON ERF 2650 AND SURROUNDS

### 3.1 Impacts on the Character of the Area.

As has been argued before, and as is evident from the policy statements of the COW, the area is luxurious, has a particular sense of place and should remain a residential area for houses, flats and accommodation establishments. The COW clearly has policy intentions to support densification of the area. However, in terms of the general densification policy, a one density category more dense is supported. The 2007 policy decision does not specify the extent of densification and decisions should therefore be guided by the general densification policy.

The current density of the area surrounding erf 8275 is one dwelling per erf. The new zoning and density applied for translates to a density which is three density categories more dense than the current density. The **cumulative impact** of allowing such densification on the area



will undoubtedly destroy its sense of place and forever change its character. (Important is to note that approval of the application will create a precedent that, over time, will result in the cumulative impact alluded to above; allowing this one will make it very difficult for the COW not to approve similar applications in future.)

### 3.2 Building Height

The applicant effectively asks for a four storey building. What can be seen from the 3D Architect render provided in the notification letter is that the so-called basement is not excavated to below street level, but simply excavated against the slope, thereby causing the building to effectively have four storeys. In the absence of concept plans, it is estimated that this will result in a building with a total height of about 14.5m (3m per storey and 2.5m for the roof). Again judging from the Architect's render, the driveway seems to be more or less at street level.

If these assumptions are correct, the proposed building will protrude about 3.5m above the finished floor level of the existing house on erf 2650. This will decimate the view and sense of place of the property on erf 2650 and will without a doubt have a negative impact on the value of that property.

## 4 OBJECTION

Having considered the Intention of the applicant, Urban Dynamics Africa (Pty) Ltd on behalf of the owners of erf 2650, herewith **strongly objects** against the intended re-zoning and consent for a four storey building on the following grounds:

- It is acknowledged that the COW wishes to encourage higher residential densities in this area, as is the case for the rest of the low density suburbs of the City. However, this intention is limited to one density category more dense.
- Given the character and sense of place of the "Luxury Hill" area, the proposed re-zoning from the current density of "one dwelling per erf" to a density of "one dwelling per 500m<sup>2</sup>" is simply excessive and can never be construed as responsible densification, or in line with Council's policy.
- If allowed, this will create a precedent that will over time lead to the destruction of the sense of place and residential quality of the entire area.
- This is further exacerbated by the bulk and height of the intended building, which will have a major impact not only on the amenity of erf 2650 where its best views will be blocked, but also by the neighbouring properties that will partially lose its privacy.
- The estimated building height will take away one of the key features of the property on erf 2650 namely its open vistas to the west.

- Irresponsible densification as suggested by this application, will without a doubt, lead to a reduction in the value of the property on erf 2650 and on the use and quality of life currently experienced by its owners and occupants.

Sincere regards.

---

**Ernst Simon**

**Director: Urban Dynamics Africa (Pty) Ltd**

cc. Mr Hugo Rust  
City of Windhoek  
P O Box 59  
Windhoek

REZONING AND CONSENT: ERF 8275, NO. 29 ANTON LUBOWSKI STREET, WINDHOEK FROM 'RESIDENTIAL' 1 DWELLING PER ERF TO 'GENERAL RESIDENTIAL' WITH A DENSITY OF 1:500m<sup>2</sup>

Name: Caren Fischer

Address: Po Box 11701

Windhoek

Telephone: 081 248 2705 Email: carmein@iway.na

I, the owner of Erf 2648, Anton Lubowski Street/Sanderburg Street

(Please indicated with "x" in appropriate box)

Do not object

Do Object

- Rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from 'residential' with a density of 1 dwelling per Erf to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup>
- Consent for a three storey building on a residentially zoned erf.

If objecting, please state the reasons:

• if one is allowed to build flats, others will follow and the current neighborhood will change; no longer for the reason we bought it. Quiet, low residence, low traffic

• the rezoning will have an impact on potential tenants, such as embassies, who choose this area for its quiet, security, little traffic.

Caren Fischer  
Signature

4/12/2022

Date

REZONING AND CONSENT: ERF 8275, NO. 29 ANTON LUBOWSKI STREET, WINDHOEK FROM 'RESIDENTIAL' 1 DWELLING PER ERF TO 'GENERAL RESIDENTIAL' WITH A DENSITY OF 1:500m<sup>2</sup>

Name: H. HOPKER

Address: BOX 11024

KLEIN WINDHOEK

Telephone: 0812436565 Email: h.hopker@gmail.com

I, the owner of Erf 2644, Anton Lubowski Street/Sanderburg Street

(Please Indicated with "x" in appropriate box)

Do not object

Do Object

- Rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from 'residential' with a density of 1 dwelling per Erf to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup>
- Consent for a three storey building on a residentially zoned erf.

If objecting, please state the reasons:

.....

.....

.....

.....

.....

[Signature]  
Signature

6/12/2022  
Date

Kindly take note that comments should reach our office by 7 December 2022  
You can return the form to the following email address: [planner1@dutoitplan.com](mailto:planner1@dutoitplan.com)

OBJECTION TO REZONING AND DEVELOPMENT OF ERF 8275, NO 29 ANTON LUBOWSKI STREET  
WINDHOEK

page 1

I, Henry Hopker, am currently not a direct neighbor to Erf 8275, but have been a resident of the Luxury Hill neighborhood with some interruptions since I lived here as a child with my parents in the 1960's. My wife and I chose to move here in the 1980's to raise our children in this neighbourhood. Our daughter and her husband have chosen to live in Luxury Hill to raise their young family in the area as well.

We did so for a very good reason.

Luxury Hill is an area that has a very stable, safe and calm feel, partly because of the low density. The residents in the neighbourhood live here permanently and care about the neighbourhood and their neighbours. They are involved with the neighborhood and contribute to cleanliness, safety and security and a community spirit.

It is one of the oldest neighbourhoods in Windhoek and has maintained this feel partly because the owners of the area have stayed within the prescribed building regulations of the area and thereby respected each other's rights.

(One of these norms is building regulations, and in this case it is about building height and density.)

When you bought in this area you always knew that 2 storeys were the maximum height of the houses. This maintained the residential feel of the area and put a limit on the intrusion that a neighbour could have on your view and privacy. It also ensured a limit on the traffic in the neighbourhood. You could do long term planning to maintain and protect these rights and had to accept what your neighbours did within these boundaries. No house in the area has been built to allow for the invasion of privacy of a 4 storey neighbour.

If 4 storey buildings, ie garages, plus three residential stories, are allowed, these accepted norms will be jeopardized: the privacy and views of direct and indirect neighbors will be affected, the security of the neighbourhood will be affected because of increased vehicle and pedestrian traffic.

We must accept that if this precedent is allowed it will open the floodgates for others to follow suit, so this objection must be seen in the broader sense.

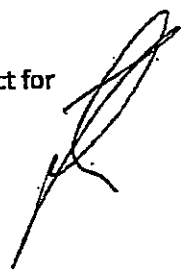
It is not about one single rezoning but about the eventual reshaping of the character of the whole suburb. Visualize a whole row of 4 storey buildings lining Kasteel street on the top of the hill. Being an old area there are a lot of old houses littered throughout that developers will snatch up to convert into high density complexes.

It will be the beginning of the end of the feel that current owners bought into.

The end of low traffic volumes.

The end of peace and quiet.

Every single house in the area could all of a sudden be surrounded by high rise structures that obstruct view, rob privacy, cause unjustified noise, alter security risks and general loss of respect for each other and for Anton Lubowski Park.



The applicant clearly advocates a CONTINENTAL LIFESTYLE. She upfront makes it clear that she does not want to live here all the time but just use the area created by others for her nomadic lifestyle and the nomadic lifestyles of her four tenants. She shows no respect for the lifestyle and values of her neighbours, old and young. Her parents lived in this area for many decades and were respected and involved members of the community. That is what a residential area needs for a sense of wellbeing.

There are good reasons why cities are created with clearly defined areas that serve different purposes such as retail, commercial, upmarket residential and high density residential and they usually do not mix well.

There are other areas in Windhoek in which high density and multi-storey houses are allowed. There is no pressing need to allow it in Luxury Hill. It would be much more respectful for the applicant to go and enjoy the continental lifestyle in an area where it fits in with the existing regulations.

I would also like to point out that the consent form is misleading. Anyone that does not object actually does not object to a 3 storey building when in fact a 4 storey building is envisaged.

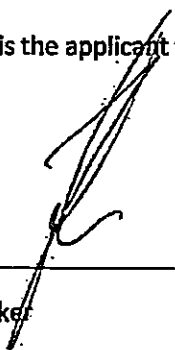
It also states in the application that the tenant feels that the house is too old and small and does not suit her needs. Any house can be renovated and enlarged in some way to fulfill these needs to some extent. What is being applied for has nothing to do with these needs. It is in reality a huge sectional title development for capital gain and should be recognized as such and therefore rejected. It is an application done under false pretenses.

It also seems that the photo that was photo shopped into the photo of the existing house is totally misleading. The planned house is shown at probably only half the actual size it is going to be and therefore is also a totally misleading application and should therefore be rejected.

It clearly indicates that the applicant does not approach the community with open cards .

What else is the applicant trying to hide ?

Sincerely



---

Henry Hopker

REZONING AND CONSENT: ERF 8275, NO. 29 ANTON LUBOWSKI STREET, WINDHOEK FROM 'RESIDENTIAL' 1 DWELLING PER ERF TO 'GENERAL RESIDENTIAL' WITH A DENSITY OF 1:500m<sup>2</sup>

Name: Purecam (Pty) Ltd (H.C Schaper Sole Shareholder)

Address: PO Box 20415

Windhoek

Telephone: 0811 444 001 Email: eschaper@afol.com.na

I, the owner of Erf 2643, Anton Lubowski Street/Sanderburg Street - Corner of Anton Lubowski & Fricke Street.

(Please indicated with "x" in appropriate box)

Do not object
  Do Object

- Rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from 'residential' with a density of 1 dwelling per Erf to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup>
- Consent for a three storey building on a residentially zoned erf.

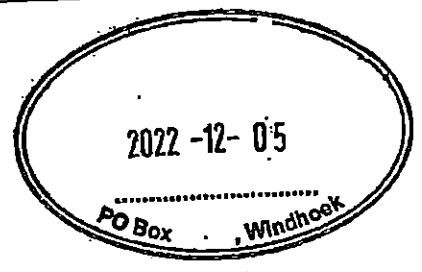
If objecting, please state the reasons:

I wish to object to the Development as explained  
in my letter in the name of H.C Schaper, Sole Shareholder  
and attached.

[Signature]  
 Signature

5/12/2022  
 Date

Kindly take note that comments should reach our office by 7 December 2022  
 You can return the form to the following email address: [planner1@dutalplan.com](mailto:planner1@dutalplan.com)



15639

**HC (Callie) Schäfer**

**ERF 2643**  
**Cnr Anton Lubowski / Feste Street**  
**PO Box 20415,**  
**Windhoek, Namibia.**

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**Tel: +264 (0)61 223 679**  
**Cell: +264 (0)81 1444 001**

---

**E-mail: cschafer@afol.com.na**  
**callie.schafer@africaonline.com.na**  
**Skype: carlschafer2**

**5 December 2022**

**TO WHOM IT MAY CONCERN**

**SUBMISSION OF OBJECTION BY HOUSE OWNER, HC SCHÄFER TO THE PROPOSED DEVELOPMENT - APPLICATION OF REZONING AND CONSENT: ERF 8275. No 29 ANTON LUBOWSKI STREET, WINDHOEK**

Dear Sir/Madam

I refer to the notice as prepared by DU TOIT TOWN PLANNING CONSULTANTS and displayed on the fence of Erf 8275 dated 21 November 2022, covering the allocation for:

- Rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from 'residential' with a density of 1 dwelling per Erf to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup>.
- Seek consent for a \*four storey building on a residentially zoned erf:
- Erf 8275, situated at No. 29, Anton Lubowski Street, in 'Luxury Hill' neighbourhood measures 2,687m<sup>2</sup> and is zoned "residential" with a density of 1 dwelling per Erf which means that only one residential dwelling is allowed on the erf.

\*In terms of the site plan it includes a basement that counts for a storey and unlike the notice referring incorrectly to a 3-storey development it should be for a 4-storey building.

**1. Provision of law:**

- i) In terms of the new Urban and Regional Planning Act, 2018 (Act 5 of 2018) and the Windhoek Town Planning Scheme, the owner of property in the direct neighbourhood are granted opportunity to comment on the proposal.
- ii) Closing date was stated as 7<sup>th</sup> and later extended to the 9<sup>th</sup> December 2022.

**2. Intention of developer:**

It is indicated that the developer and the owner wish to erect 5 modern dwelling units contained in one structure of 3 storeys for the dwelling units onto the parking basement storey and thus 4 storeys in total.

Storey 1: Includes the basement providing for for storage, parking and escalator = 8 vehicles.

Storey 2: Includes 2 dwelling units with 3 bedrooms each = 6 in total

Storey 3: Includes 2 dwelling units with 3 bedrooms each = 6 in total

Storey 4: - Includes 1 dwelling unit with 4 bedrooms = 4 in total

Total = 16 double bedrooms





### 3. RISK:

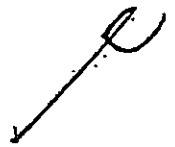
Property can easily be transferred to an Airbnb or a Boutique Hotel.

### 4. BASE OF MY OBJECTION:

As reflected in the required form to be completed and provided by the Town Planner I confirm my objection to the development. This will be covered in detail in this letter as an addendum to the form.

1. Allow me to confirm my highest regard and greatest respect for the family Ritter and the current owner Ms. Carola van Maltzahn who are occupying the property over many years since probably late fifties or early in 1960 I would guess.
2. The area has a very low exchange of ownership of houses and when I bought my house in 1992 on Corner of Anton Lubowski Street & Feste Street (next to Anton Lubowski Street No 23 – two houses from No 29) I was only the second owner of the house that was built in 1961.
  - The first person that came to welcome me was Mr. Wolf Ritter, the late father of the current owner Ms. Carola van Maltzahn who already stayed at No 29 back then.
  - Thereafter Mr. Wolf Ritter as the reputable Toyota/Hino pioneer in Namibia since 1975 visited all residents in the area regularly and Wolf handed us each year our Ritters Garage calendar for the next year as a Christmas gift.
3. Wolf Ritter also acted as caretaker over the area and cleaned the circle or designated area for a botanic garden personally on a weekly basis. He patrolled the area and guarded over the safety and good keeping of all residents over all the years.
  - This continued till 2011 when he fell ill after a stroke.
4. **As to the risks the development hold for the area my objection is submitted in good faith with my intentions based on principle of the potential consequences it holds for Anton Lubowski/Feste streets and the Luxury Hill area with no personal agenda.**
5. The application does not conform to the intention of the Council and their "Local Development Plan" which clearly indicates that the area is considered as "residential" with a density of "1 dwelling per Erf" only.
6. If I knew that the area around the circle (Anton Lubowski Street) will change from "1 dwelling per erf" to 1:500 I would probably would not have bought. I assume that new buyers, should the rezoning be approved now will also be discouraged from buying around the "circle". Anton Lubowski Street & Feste Street will become another busy street in another busy neighbourhood and the properties will devalue.
7. This will deprive the house owners and "visitors" (walkers/joggers/strollers) that will strip the area for their peace, tranquility, safety, to mention a few.

### THE MATERIAL CONSIDERATIONS OF OBJECTIONS ARE:

1. The intent of the Council in setting the zoning in terms of the local development plan was surely to allow for a housing development around the park as the inner circle of Anton Lubowski & Feste Street that was first zoned as an "open area" and later changed by City of Windhoek and zoned for a "botanical garden".
    - A Botanic Garden is a nature reserve and strives to protect and promote the sustainable utilisation of the Namibian flora and small wild animals.
- 

- It is created as a dedicated area for protection of these animals and flora and that allow for visits, walking paths, areas to rest, sit, read for residents and visitors to relax and enjoy the silence and nature right in middle of Windhoek.
- 2. This without doubt is what was intended to serve as a potential tourist attraction and recreational for the locals in the area!
- 3. Confirming the intent of setting a designated area for Botanical Garden all house developments in Anton Lubowski/Feste streets were all zoned and set as "one dwelling per erf" in spite of erfs that vary from 1,250 square meter 2,800 square meter.
  - the immediate streets outside the Anton Lubowski/Feste Street circle around the Botanical Garden are all 1:900.
- 4. Over the years the area has developed in a "silent circle" popular for joggers, strollers, mother with toddlers walking or bicycles or in prams and other taking their dogs for a walk.
  - It is used and visited by many older people visiting to stroll the area and take walk abouts around the circle as part of their daily exercise, for medical care and for health rehabilitation purposes.
  - It is further also used by people with disability using the area to stroll with a walking stick or in a wheelchair.
- 5. It's simply ideal for - Walking, Birdwatching, Photography and Relaxation.
- 6. It were these reasons why I resolved back in 1991 to buy my house as the "culture" matched our family's lifestyle with all the others in the neighbourhood enjoying the same environment.
- 7. The circle area/garden is the home to a variety of mammals, birds, reptiles and insects and has developed into a bird sanctuary and a wide range of 30 + wild bird species with large groups of guinea fowls, "pheasants", "meerkats", 'rock Hyrax, waddle tails, and many others.
- 8. Many of the residents have over the years shaped the circle by cleaning areas of the "garden" and created water ponds, feeding the wild birds and during drought years this has saved the birds and wild life.
  - The guinea fowls and pheasants have become tame and come up to a meter from you with cars waiting that they cross the street before driving on.

**My objection is based on the fact that the proposed development will:**

- 1) be contrary to the town planning zoning policy or other laws of the City of Windhoek Council;
- 2) not be keeping with the context of the original allocation of the zoning or scale of the area;
- 3) have a negative impact on a conservation area and intent of zoning the area into a Botanical Garden;
- 4) have a negative impact on the amenity of the other property(ties), e.g. become just another busy street and losing all leisure and casual activities enjoyed by the residents and the visitors using the area on a daily basis;
- 5) be of a different zoning from "one per property" of all other properties to "1:500 residential; and soon the area will attract property developers with more and more applications for re-zoning from others will follow;
- 6) with a 1:500 layout or density be inappropriate for the area;

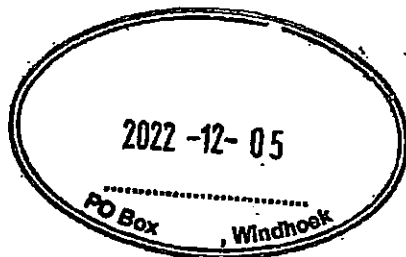


- 7) cause traffic congestion, access or safety problems in the street;
- 8) be similar to other rejected developments in the area for B&B's and multi accommodation developments;
- 9) create a precedent making it difficult to object to similar proposals following;
- 10) have a negative impact on the value of existing properties;
- 11) adversely impact on the culture of the area and that of developing a Botanical Garden.  
i.e. impact on environment and the conservation area of a green belt and a natural environment that developed;
- 12) result in loss of amenities that the green spaces, recreational grounds offer the residents and the community;

**In conclusion I object to this proposal because the development of Anton Lubowski No 29 will impact on the current character of the immediate area. The use of the "circle" that was created over 60+ years ago and that is regularly used by local residents and visiting public from other areas for exercise and recreation. As noted in my submission the area has been recognized by its zoning (providing for the botanical garden and residential development of "one property per erf") that contributed to the promotion of a greenspace environment or site. This should be protected at all costs and allowing the proposed re-zoning will threaten and or change this quickly. The development does not comply with the current zone provision of "one property per erf" and changing that will bring in additional traffic into Anton Lubowski Street that will change the physical activity of the locals, wild animals and birds over a short period of time. This will remove a key outdoor open space used regularly for physical recreation and providing a safe environment as anticipated when the area was zoned for hosting a "Botanical Garden".**

Signed at Windhoek on this 5th day of December.2022

  
HC Schäfer



1603

REZONING AND CONSENT: ERF 8275, NO. 29 ANTON LUBOWSKI STREET, WINDHOEK FROM 'RESIDENTIAL' 1 DWELLING PER ERF TO 'GENERAL RESIDENTIAL' WITH A DENSITY OF 1:500m<sup>2</sup>

Name: ELKE and REINER JAGAU

Address: Box 6018  
WINDHOEK

Telephone 081245270 Email: jagau.namibia@gnet16.com

I, the owner of Erf 2677..., Anton Lubowski Street/Sanderburg Street

(Please indicated with "x" in appropriate box)

<input type="checkbox"/>	Do <u>not</u> object	<input checked="" type="checkbox"/>	Do Object
--------------------------	----------------------	-------------------------------------	-----------

- Rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from 'residential' with a density of 1 dwelling per Erf to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup>
- Consent for a three storey building on a residentially zoned erf.

If objecting, please state the reasons:

pls refer to attached sheet. (Annexure A)

.....

.....

.....

.....

Reiner Jagau

Signature

06/12/2022

Date

Kindly take note that comments should reach our office by 7 December 2022  
 You can return the form to the following email address: [planner1@dutoitplan.com](mailto:planner1@dutoitplan.com)

*Annexure 14*  
Elke and Reiner Jagau  
Erf 2677 Anton Lubowsky Street  
Telephone 081 124-5270  
Email: jagau.namibia@gmail.com

Your Ref:

Our Ref: Consent request Erf 8275

Enquiries: Reiner and Elke Jagau

Date: 5 December 2022

Delivered by Hand

Dear Madam/Sir

**REZONING APPLICATION OF ERF 8275 ANTON LUBOWSKY STREET WINDHOEK FROM RESIDENTIAL 1 DWELLING PER ERF TO GENERAL RESIDENTIAL WITH A DENSITY OF 1:500m<sup>3</sup>**

The letter from Du Toit Town Planning Consultants representing the owner dated 21 November 2022 refers.

As indicated on the Consent form provided, I do object to the development for the following reasons:

1. Increased traffic in a residential area with a very low traffic density;
2. A precedent that will be created in a quiet residential area. People have invested in the area due to its prevailing privacy and low traffic density;
3. There is a reason the zoning is what it is. Changing it to a much higher density will open doors for others to follow suit, thereby changing the character of the area forever. Once approved, any future owner's in the area who intend to convert their zoning density cannot be rejected anymore, and this will apply not only to Anton Lubowsky and Sanderburg residents, but to Luxury Hill in totality.
4. The investment envisaged is purely for monetary gain of the owner, and will not enhance the areas attractiveness nor will the other owners profit from such an investment whatsoever;
5. It is acknowledged that a view is a privilege and not a right, but this is more applicable to individual developments and the direct neighbours effected. Here the development will affect a complete area encompassing Anton Lubowsky Street residents;
6. A 3-story building is currently not permitted in a residential area, and this ruling should not be changed, as again an approval will open up opportunities for others to follow suit;

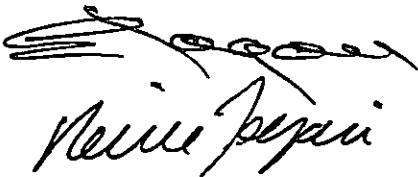
7. Direct neighbours may have to incur additional investments to ensure that views into their houses are minimized. This may be difficult and costly, especially from a neighbouring 3-story building;
8. A lockup and go motivation have been provided. The next step will be a B&B facility or just renting the flats on a short-term basis. From past experience at the coast such an action will attract people that have no responsibility on their actions for the area and its people and can therefore not be held accountable and could result in excessive noise and other nuisance factors impossible to control. Again the action to rent these units out on a short-term basis is simply for monetary gain only and not to improve the area.

Some further points I would like to raise:

- a. I personally think that the letter motivating the development is not addressing the negative impacts such a development will have. Any application should actually address this, but in same vain describe how their design will minimise this.
- b. Lastly, such a development affects not only the immediate residents only, but all other residents on Luxury Hill. This is clear from rezoning in the lower Burg now Dr Theo-Ben Gurirab Street and how the character was changed in totality. Being immediate to the Robert Mugabe Avenue does provide some motivation why it was originally allowed, but this argument cannot be applied to developments in Anton Lubowsky Street. Again, I must state that this becomes a principal decision and will determine the future outlook on Luxury Hill. Therefore, an official request for consent should actually be addressed to neighbouring street residential owners as well.

I am open to discuss my objection in person if so requested.

Yours faithfully



Elke and Reiner Jagau  
Co-Owners of Erf 2677



Scale: 1/5000

DATE: OCT.2022

PLAN NO. 8275WW



**LOCALITY PLAN OF ERF 8275  
ANTON LUBOWSKI STREET**

**WINDHOEK**



**Du Toit**  
TOWN PLANNING CONSULTANTS

1<sup>st</sup> floor Bridgeview Offices & Apartments No. 4  
Dr Kwame Nkrumah Avenue, Klein Windhoek, Namibia  
PO Box 887 1, Ausspannplatz, Windhoek. Phone: +264 61 243010  
Fax: +264 61 243603, Email: etmarc@du-toit.com

REZONING AND CONSENT: ERF 8275, NO. 29 ANTON LUBOWSKI STREET, WINDHOEK FROM 'RESIDENTIAL' 1 DWELLING PER ERF TO 'GENERAL RESIDENTIAL' WITH A DENSITY OF 1:500m<sup>2</sup>

Name: U. RITTER

Address: P.O. Box 75  
Windhoek

Telephone: 220100 Email: info@intersane-na.com

I, the owner of Erf 2672, Anton Lubowski Street/Sanderburg Street

(Please indicated with "X" in appropriate box)

<input type="checkbox"/>	Do <u>not</u> object	<input checked="" type="checkbox"/>	Do Object
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- Rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from 'residential' with a density of 1 dwelling per Erf to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup>
- Consent for a three storey building on a residentially zoned erf.

If objecting, please state the reasons:

- requested rezoning will create a precedent to change the character of Luxury Hill area, thus influencing negatively the reason why people invested.

- higher housing density will cause higher traffic in area

*UR*  
Signature

06-12-2022  
Date



REZONING AND CONSENT: ERF 8275, NO. 29 ANTON LUBOWSKI STREET, WINDHOEK FROM 'RESIDENTIAL' 1 DWELLING PER ERF TO 'GENERAL RESIDENTIAL' WITH A DENSITY OF 1:500m<sup>2</sup>

Name: GOEBEL Gudrun

Address: ANTON LUBOWSKI STR 31

WINDHOEK

Telephone: 0811241403

Email: gudrunmedica@gmail.com

I, the owner of Erf 2682, Anton Lubowski Street/Sanderburg Street

(Please Indicated with "x" in appropriate box)

Do not object

Do Object

- Rezoning of Erf 8275, No. 29 Anton Lubowski Street, Windhoek from 'residential' with a density of 1 dwelling per Erf to 'general residential' with a density of 1 dwelling per 500m<sup>2</sup>
- Consent for a three storey building on a residentially zoned erf.

If objecting, please state the reasons:

.....

.....

.....

.....

.....

[Signature]  
Signature

3.12.2022  
Date

Kindly take note that comments should reach our office by 9 December 2022  
You can return the form to the following email address: [planner1@ditoitolan.com](mailto:planner1@ditoitolan.com)

**OBJECTION TO REZONING AND DEVELOPMENT OF ERF 8275, NO. 29 ANTON LUBOWSKI STREET,  
WINDHOEK**

My property shares a boundary wall with ERF 8275 and I stand to suffer the most prejudice to my right to privacy and security by this proposed development. As a natural born resident of Namibia and a resident of my property for over 50 years, I cannot overstate how strongly I am opposed to this development, which undermines the intention of the original town planners who purposefully and with intent made sure that my neighbourhood was zoned residential and restricting one dwelling to each ERF. My home is a place of sanctuary and security, and at my advanced age the negative psychological impact of a loss of privacy and security will be profound.

To summarise my objections:

- Loss of privacy due to height of structure which will allow residents a direct view into my lounge, bedrooms and pool area.
- Loss of privacy due to increased noise and activity from a higher concentration of people due to re-zoning.
- Degradation of security due to an increase in service providers to service a higher density of residents.
- Degradation of security due to tenants who are likely to occupy units when owners are not resident – these could be short-term holiday tenants, who have no vested interest in the neighbourhood and are transitory.
- Decrease in the value of my property because of high-density development bordering my property, which will be unattractive to many buyers.
- A rezoning will encourage other property owners who are no longer resident in Namibia, or who intend to depart, to turn their properties into high density investments for their exclusive material benefit, at the expense of the spiritual and emotional wellbeing of long-term residents.



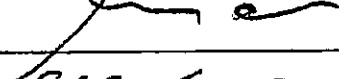

*G. Goebel*

G. GOEBEL

3.12.2022

## Petition to Oppose Rezoning of Erf 8275, No. 29 Anton Lubowski Street

<b>Petition summary and background</b>	ERF 8275, NO. 29 ANTON LUBOWSKI STREET ("the Property") seeks consent to rezone the Property from 'residential' with a density of 1 dwelling per Erf to 'general residential' with a density of 1 dwelling per 500 square metres.
<b>Action petitioned for</b>	We, the undersigned, are concerned residents of Anton Lubowski Street, who urge our municipality to act now to prevent the rezoning of the Property from a density of 1 dwelling per Erf, to a density of 1 dwelling per 500 square metres, for the reasons stated in the objections lodged by the residents bordering the Property. We hereby confirm our solidarity with those immediately affected and acknowledge that if rezoning permission is granted, it will allow other owners to embark upon the same process, negatively affecting our safety, security, privacy and the value of our properties.

Printed Name	Signature	Address	Comment	Date
R. Burger		10 Van Swick Str	ERF 2657	10/12/22
Ferris Weinreb		2911 SANDERBURG		03/12/22
Ph. Lucke		Westerl 4	ERF 2654	08/12/22
ESE Swart	ESE Swart	19 Sanderburgstr	2649	3/12/22
P. Wilhelm	P. Wilhelm	53 Anton Lubowski Str.	ERF 2673	4/12/22
A van Wyk		39 Anton Lubowski	ERF 7540	5/12/22

16713

City of Windhoek

03/12/2022

We the property owners of Luxury Hill Windhoek do not want apartment blocks to be erected within our unique and exclusive residential area, as it would automatically devalue our property, increase traffic and subsequent noise to this area. we wish to retain our peace and tranquility that we have enjoyed ever since its inception in 1960.



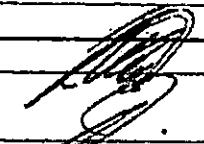
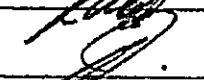



R. Berger

Kasteel Str. 10

Windhoek

## Petition to Oppose Rezoning of Erf 8275, No. 29 Anton Lubowski Street

<b>Petition summary and background</b>	ERF 8275, NO. 29 ANTON LUBOWSKI STREET ("the Property") seeks consent to rezone the Property from 'residential' with a density of 1 dwelling per Erf to 'general residential' with a density of 1 dwelling per 500 square metres.
<b>Action petitioned for</b>	We, the undersigned, are concerned residents of Anton Lubowski Street, who urge our municipality to act now to prevent the rezoning of the Property from a density of 1 dwelling per Erf, to a density of 1 dwelling per 500 square metres, for the reasons stated in the objections lodged by the residents bordering the Property. We hereby confirm our solidarity with those immediately affected and acknowledge that if rezoning permission is granted, it will allow other owners to embark upon the same process, negatively affecting our safety, security, privacy and the value of our properties.

Printed Name	Signature	Address	Comment	Date
R. BURGER		10 Van Streek Str		10/12/22
W. MEYER		WATER STR.		3/12/22
R. Falk		Kaschelstr		3/12/22
B. U. D. WELME		1 Caschel Street		5/12/22
Hose Rauhut		Anton Lubowski 53		5/12/22

169/2



**REPORTABLE**  
**CASE NO.: SA 48/2012**

**IN THE SUPREME COURT OF NAMIBIA**

In the matter between:

**CHAIRPERSON, COUNCIL OF THE MUNICIPALITY OF  
WINDHOEK**

**First Appellant**

**COUNCIL OF THE MUNICIPALITY OF WINDHOEK**

**Second Appellant**

**TATENDA MAWIRE**

**Third Appellant**

and

**GISELIND MARIA HELGA ROLAND**

**First Respondent**

**FRAUKE JUTTA RENATE RECHHOLTZ**

**Second Respondent**

**JOBRA (PTY) LTD**

**Third Respondent**

**MINISTER OF REGIONAL AND LOCAL  
GOVERNMENT, HOUSING AND RURAL  
DEVELOPMENT**

**Fourth Respondent**

**Coram:** STRYDOM AJA, CHOMBA AJA and O'REGAN AJA

**Heard:** 4 July 2013

**Delivered:** 15 November 2013

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**APPEAL JUDGMENT**

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O'REGAN AJA (STRYDOM AJA and CHOMBA AJA concurring):

[1] This is an appeal against an order of the High Court reviewing and setting aside a decision to approve building plans taken by the Windhoek Municipality. In early 2010, Dr Mawire (the third appellant) submitted building plans for the approval of a residential building on land he owned in the suburb of Ludwigsdorf in Windhoek. On 12 April 2010 the plans were approved by the Chairperson of the Council of the Municipality of Windhoek (the first appellant) and the Council of the Municipality of Windhoek (the second appellant). These two appellants are referred to jointly as 'the Council'.

[2] Dr Mawire's land is on a steep slope and is bordered by roads on three boundaries while the fourth boundary abuts a small river. The approved building plans provided for a residential building with three separate levels and building commenced during May 2010. Because Dr Mawire's land is bordered by roads, it has no abutting neighbours. However, there are residential properties situated directly across the road from the land, and the three respondents in this appeal are the owners of four of those properties. The first respondent, Dr Roland, owns two erven roughly to the west of Dr Mawire's property. She lives on one of these with her husband, and rents out the second to a tenant. The second respondent, Ms Rechholtz, owns and lives in a property to the south-west, while the third Respondent, Jobro (Pty) Ltd, owns a property situated to the south-east of Dr

Mawire's land. Although the third respondent is a company, its sole director is Dr Jordaan, whose home is situated on the property.

[3] Dr Mawire's property, and the properties owned by the three respondents in Ludwigsdorf all fall within the reach of the Windhoek Town Planning Scheme (the Scheme).<sup>1</sup> Accordingly residential buildings must comply with the specifications provided in that scheme, unless a departure is authorised by the Council.

[4] During May 2011, Dr Roland's husband, Mr P Roland, noticed that the building under construction on Dr Mawire's erf appeared to 'be bulky and potentially contravening the applicable building regulations'. Accordingly, he visited the offices of the Council and inspected the building plans that had been approved for the site. He found that the building plans provided for a three-storey building, with a further portion with a fourth floor and that the stipulated building lines had apparently been transgressed on three of the four boundaries. Mr Roland immediately met with the Chief Building Inspector of the Council to raise his queries concerning the plans, but although the Inspector promised to revert to him by 30 May 2011, he did not do so. On 31 May, Mr Roland wrote to the Chief Executive Officer of the Council who did not respond, so he wrote a further letter on 6 June in which he stated that unless construction was halted on the site, he would instruct his legal representatives to apply for an interdict restraining the construction of the building until the question whether it had been lawfully approved had been determined. No response was received.

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<sup>1</sup> The Town Planning Scheme was approved by Proclamation No 16 on 1 July 1976 in terms of s 16(1) of the Town Planning Ordinance No 18 of 1954.



### Proceedings in the High Court

[5] On 10 June 2011, the three respondents approached the High Court on an urgent basis seeking an order interdicting the construction works pending the determination of an application to review and set aside the approval of the building plans. After hearing argument, on 23 June 2011, the High Court granted an interim interdict restraining construction beyond the first two floors, pending the determination of the review proceedings. Thereafter, the proceedings to review the decision continued.

[6] Between the grant of the interim interdict on 23 June 2011 and the hearing of the review application on 14 March 2012, the Council placed a notice in *The Namibian* newspaper on 11 August 2011 which stated that the third appellant 'had applied to the City of Windhoek for the erection of a two-storey residential building with a basement'. The advertisement continued:

'Note should be taken that the City approved the plans as a two-storey building, while some residents are of the opinion that it is a three-storey building. The City Council therefore based on the objections raised intends to reconsider the application.'

The notice continued by stating that the plans were open for inspection, and that any person objecting to the proposed building should lodge an objection in writing within fourteen days of the publication of the notice.

[7] The respondents wrote to the Council's legal representatives observing that the statement by the Council in the notice was misleading, as the High Court had

*prima facie* concluded that the building plans were for a three-storey building, and arguably in contempt of the interim interdict that had been granted by the High Court. The respondents asked for information as to who had made the decision to reconsider the third appellant's building plans, when the decision was taken and in terms of what statutory authority it was taken. No response was received.

[8] Instead, on 30 November 2011, the matter was placed before Council for resolution. The Council adopted a resolution which 'supported' the development on third appellant's erf; 'condoned' the approval granted for the building plans; approved the relaxation of the building lines and the height of the building 'as they pose no danger, threat or negative effect on the adjacent neighbours and those across the street'; noted that Clause 21(3) of the Scheme was not applicable to the development; and stated that aggrieved objectors could lodge an appeal to the Ministry of Regional and Local Government, Housing and Rural Development within 28 days of being notified of the resolution.

[9] In an affidavit lodged by the Council, a Town Planning Officer deposing on behalf of the Council stated that the advertisement was placed '*ex abundante cautela*' and not in order to undermine the order of the High Court. 'The advertisements were placed', it was said, '... to assess whether there are other potential litigants that may either join the applicants or initiate their own legal action'.

[10] The review application was heard in the High Court on 14 March 2012. Although initially in their founding papers, the three respondents had identified

several bases as grounds for their application to review and set aside the decision to approve the building plans, during the course of proceedings in the High Court, the dispute between the parties narrowed to one question - whether the approval for the construction of a third level in the building plans was lawful. In asserting that it was not, the respondents rely on Clause 21(3) of the Scheme which provides that:

'... no dwelling unit or residential building may be erected in excess of two storeys on land zoned "residential" without Council approval. Council shall, in considering the application, have regard to the impact, real or potential of the additional storeys on the neighbouring property.'

[11] The appellants asserted that the respondents were incorrect to rely upon Clause 21(3) because properly understood the building is not in excess of two storeys. For this assertion, they referred to a definition of 'basement storey' or 'cellar' contained in Reg 29B(1)(a) of the Municipality of Windhoek Building Regulations.<sup>2</sup> That definition provides that –

'(a) "basement storey" or "cellar" shall mean any storey of a building which is under the ground storey.'

Regulation 29B(1)(c) in turn provides that:

' "a ground storey" shall mean that storey at a building to which there is an entrance from outside on or near the level of the ground, and where there are two storeys then the lower of the two: Provided that no storey of which the upper

<sup>2</sup> These regulations were promulgated by Government Notice 57 of 1969, and published in *Official Gazette* No 2992 of 28 April 1969.

1,2 metres

surface of the floor is more than four feet below the level of the adjoining pavement, shall be deemed to be a ground storey.'

[12] The judge in the High Court decided that it was difficult to apply the proviso contained in Reg 29B(1)(c) to the building under contemplation in this case, as given that the building is being built on a steep slope, and because the land upon which it is being built is bounded by three different roads, the lowest storey of the building is sometimes well below the adjoining pavement, and at other times not. He concluded that in order to address this anomaly he should read the word 'any' into the proviso so that the proviso should be deemed to read:

'Provided that no storey of which the upper surface of the floor is more than four feet below the level of [any] adjoining pavement, shall be deemed to be a ground storey.'

[13] If the proviso were so worded, the High Court concluded, then the lowest level would not be a basement, because at some points it is less than four feet below ground level and would therefore merely constitute a storey of the building, in which case the building would be in excess of two storeys in conflict with the provisions of Clause 21(3) of the Scheme. Alternatively, even if the proviso were found not to have application, so the High Court continued in its reasoning, then, in any event, the lowest level of the building was a storey of the building and again the building plans would not be in compliance with Clause 21(3) of the Scheme. Accordingly, the High Court judge concluded that the building plans were in conflict with Clause 21(3) of the Scheme. The High Court judge also dismissed the submission by the Council that the applicants (respondents in this Court) had

not exhausted their remedies before approaching court, as well as the argument made by the third respondent (the third appellant here) that there had been an unreasonable delay in the institution of the application.

[14] Accordingly, on 31 July 2012, the High Court handed down its judgment reviewing and setting aside the building plans on the basis that the building consisted of more than two storeys. The Council was ordered to pay the applicants' costs.

#### Appeal

[15] The first and second appellants noted an appeal to this Court against the judgment and order of the High Court on 13 August 2012, and the third appellant noted an appeal against the judgment on 30 August 2012.

#### Late filing of the appeal record and reinstatement of the appeal

[16] In terms of rule 5(5)(b) of the Rules of the Supreme Court, the appeal record should have been lodged on or before 31 October 2012 but instead it was lodged on 1 November 2012. It was accordingly one day late with the consequence that the appeal was deemed to have been withdrawn. The first and second appellants launched an application for condonation for the late filing of the appeal record and for the reinstatement of the appeal. In the affidavit attached to the applications, the first and second appellants' legal practitioner explained the reasons for the late filing of the record. He stated that after the transcribers had prepared the record, certain errors in the record were identified and it was returned to the transcribers to correct. The transcribers only returned the corrected record

on 1 November 2012, and the legal practitioners had immediately lodged it. The three respondents did not oppose the applications for condonation for late filing of the record and reinstatement of the appeal. A full explanation for the failure to comply with the rules was provided in the application for condonation, which was launched in a timely fashion. The record was filed only one day late, and its late filing occasioned no prejudice to the respondents or the court. Accordingly the relief sought in the two applications was granted by this Court at the hearing on 4 July 2013.

First and second appellants' submissions on appeal

[17] First and second appellants argued that the High Court erred for the following reasons.

- (a) The High Court adopted an incorrect approach to the interpretation of Reg 29B(1) of the Building Regulations, particularly insofar as it purported to read the word 'any' into the proviso to Reg 29B(1)(c). In purporting to read the word 'any' into the proviso, the Court had violated the constitutional scheme, which does not afford courts legislative powers.
- (b) The High Court erred in not accepting that Reg 29B(6) of the Building Regulations which provides that '[i]n any dispute in connection with the provision of the ground level, the decision of Council shall be conclusive' was of application to this case. If the Court had correctly applied Reg 29B(6), it would have concluded that

the legislature had conferred the power to determine the 'ground storey' upon the Council, and not on the courts, and that accordingly the building plans could not be set aside on the basis that they authorised a building in excess of two storeys.

- (c) The Council correctly categorised the lowest storey of the building as a 'basement' within the meaning of Reg 29B(1)(c) and accordingly the building plans were not inconsistent with Clause 21(3) of the Scheme.
- (d) The High Court erred in concluding that the applicants (the three respondents before this Court) did not need to exhaust the remedies provided in the Scheme, in particular, the appeal provided for in Clause 51 of the Scheme;
- (e) As to costs, the High Court had erred in ordering costs on the basis of one instructing and two instructed counsel, as only one instructed counsel had appeared in the matter on behalf of the applicants in the High Court.

Third appellant's submissions on appeal

[18] On behalf of the third appellant the following three arguments were made:

- (a) that the High Court erred in that the application should have been dismissed on the basis that they failed to bring the review application within a reasonable time;
- (b) that the High Court should not have set aside the decision in light of the later decision of the Council dated 30 November 2011; and
- (c) that Clause 21(3) of the Scheme did not apply to the construction of Dr Mawire's house.

Respondents' submissions on appeal

[19] On behalf of the respondents the following submissions were made:

- (a) The Scheme does not define 'storey', 'ground storey' or 'basement'. Accordingly, these words should be accorded their ordinary meaning. There is no reason to incorporate the definitions contained in the Building Regulations into the Scheme. If the ordinary meaning is attributed to the words in Clause 21(3) of the Scheme, there is a prohibition on the construction of a building in excess of two storeys, unless the Council takes into account the factors specified in Clause 21(3). Accordingly, the plans were approved in breach of the Clause.
- (b) Regulation 29B(1) has no application to the facts of this case as it is a discrete rule regulating 'coverage' and not height restrictions. Moreover, Reg 29B stipulates that its definition of terms applies only



to Reg 29B, and not even to the Building Regulations generally, so it can have no application to Clause 21(3) of the Scheme.

- (c) Regulation 29B(6) has no application to this case as it provides that a decision of the Council shall be conclusive in respect of a dispute as to 'the position of the ground level'. The position of the ground is not in dispute in this case.
- (d) The respondents were not afforded an opportunity to be heard before the decision was taken.
- (e) The respondents did not delay unreasonably in launching the review proceedings.
- (f) The decision of the Council of 30 November 2011 cannot cure any defect in the earlier decision to approve the building plans.
- (g) It was not necessary for the respondents to appeal the decision to approve the building plans in terms of Clause 51 of the Scheme. That Clause is not designed to create a remedy for people in the position of the respondents.

#### Issues on appeal

[20] The following issues arise for decision:

- (a) Were the respondents obliged to lodge an appeal in terms of Clause 51 of the Scheme before approaching the High Court for relief?
- (b) Did the respondents delay unreasonably before instituting proceedings in the High Court?
- (c) Did Clause 21(3), properly construed in the statutory framework, apply to the building plans in issue in this case and, if so, was the decision to approve the plans inconsistent with that provision?
- (d) What is the relevance, if any, of Reg 29B(6) to the approval of the building plans?
- (e) Did the Council's decision of 30 November 2011 cure any defect in the earlier decision to approve the building plans?

[21] Before turning to a consideration of these issues, it will be helpful to briefly set out the legal framework that governs the approval of building plans and then briefly describe the process for the approval of the plans by the Council.

#### The role of Town Planning Schemes

[22] As mentioned above, the Scheme is a town planning scheme approved by Proc No 16 on 1 July 1976 in terms of s 16(1) of the Town Planning Ord No 18 of 1954 (the Ordinance). Section 1 of the Ordinance provides that –

'Every town planning scheme shall have for its general purpose a co-ordinated and harmonious development of the local authority area . . . to which it relates . . . in such a way as will most effectively tend to promote health, safety, order, amenity, convenience and general welfare, as well as efficiency and economy in the process of development and the improvement of communications.'

[23] Section 1 thus makes clear that town planning schemes adopted in terms of the Ordinance are aimed at the harmonious development of an area. The Ordinance provides that a town planning scheme shall define the area to which it applies<sup>3</sup> and specify the authority responsible for its enforcement,<sup>4</sup> which authority is under a duty to observe and enforce the scheme.<sup>5</sup> The Scheme at issue in this case stipulates that the Municipal Council of Windhoek shall be the authority responsible for enforcing the Scheme.<sup>6</sup>

[24] A town planning scheme thus protects the interests of the inhabitants of the area to which they apply.<sup>7</sup> The effect of a town planning scheme is that inhabitants have both obligations and rights that flow from it. On the one hand, they are obliged to comply with the scheme, unless they obtain authorisation to depart from it; and on the other they are entitled to expect and demand compliance with the scheme both by their municipality and by their surrounding neighbours. As noted in the previous paragraphs, the purpose of a town planning scheme, and the benefits of compliance with it, extend beyond the financial interests landowners may have in the value of their properties. A town planning scheme determines a

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<sup>3</sup> Section 18(1) of the Ordinance.

<sup>4</sup> Id.

<sup>5</sup> Section 28 of the Ordinance.

<sup>6</sup> Clause 4 of the Scheme.

<sup>7</sup> See s 1 of the Ordinance, cited above para 24. And see, for South African authority to this effect, *BEF (Pty) Ltd v Cape Town Municipality and Others* 1983 (2) SA 387 (C) at 401B-E cited with approval in *JDJ Properties v Umngeni Local Municipality* 2013 (2) SA 395 (SCA) at para 29.

wide range of matters that may not have ascertainable financial value, including, safety, health, amenities and convenience, all of which affect those who live or work in an area.<sup>8</sup>

Third appellant's application for the approval of building plans

[25] As mentioned above, the third appellant made application to the Council for the approval of building plans in terms of Reg 6 of the Municipality of Windhoek Building Regulations.<sup>9</sup> The deponent to first and second appellant's answering affidavit was a Town Planning Officer in the Planning Division of the Municipality of Windhoek who was responsible for the inspection of the building plans lodged by the third appellant. According to the Town Planning Officer, the process of the approval of building plans requires the consideration and approval of the plans by several departments within the municipality including the Health Department, the Roads Construction Division, the Water and Sewerage Division, the Town Planning Division, the Architecture Section and the Fire Brigade. The plans are therefore circulated to each of these departments for approval.

[26] The question whether a set of building plans is consistent with the Scheme is considered by the Town Planning Department. In this case, the Town Planning Officer took the view that although the building lines proposed in the plans were not consistent with the Scheme, as there were no abutting neighbours, the building lines could be relaxed without notification to neighbours. As to the question of the

<sup>8</sup> For similar remarks, see *BEF (Pty) Ltd v Cape Town Municipality and Others*, cited in the previous note, at 401B-E.

<sup>9</sup> The Building Regulations were promulgated by the Administrator in terms of s 243(3) of the Municipal Ordinance, 1963 and published in GN 57/1969, published in *Official Gazette* 2992 of 28 April 1969.

number of storeys of the building, the Town Planning Officer was of the view that the building plans were not in conflict with Clause 21(3) of the Scheme, because although the proposed building consisted of three floors, one floor was a basement within the meaning of Reg 29B of the Building Regulations, 'and not regarded as a storey'. He considered the building thus to be a two-storey building. Accordingly, the Council approved the building plans.

[27] I turn now to consider the five legal issues that arise.

#### Exhaustion of internal remedies

[28] First and second appellants argued that the respondents should first have exhausted the internal appeal provided for in Clause 51 of the Scheme before launching these proceedings. Clause 51 of the Scheme provides that:

(1) Any person who is aggrieved by a decision of the Council in terms of an application made under this Scheme, may appeal to the Competent Authority.

(2) If the decision is one which the Council is required to give upon application or upon the submission by any person of plans or proposals, an appeal shall, in addition, lie against a refusal of the Council to give, or unreasonable delay on its part in giving a decision, as if it were an appeal against a decision of the Council.

(3) Written notice of an appeal shall be given to the Competent Authority and to the Council. If the appeal is against a decision of the Council, the notice shall be given within twenty eight (28) days from the date of service on the appellant of the notice of the council's decision.

(4) The Competent Authority may, on the application of any person desiring to appeal, extend by not more than twenty eight (28) days the time for making the

appeal specified in the last preceding paragraph, whether or not the time specified for making the appeal has expired.'

[29] First and second appellants relied on the decision of this Court in *Namibian Competition Commission and Another v Wal-Mart Stores Incorporated*.<sup>10</sup> In that case, the Court noted that 'the question whether an applicant will be required to exhaust internal remedies before approaching a court for relief, turns on the interpretation of the relevant statute...'.<sup>11</sup> A crucial consideration is whether the internal remedy provided for in the relevant statute will provide 'effective redress'.<sup>12</sup>

[30] The question that arises for consideration here, therefore, is whether Clause 51 of the Scheme would have provided effective redress to the respondents. To decide that issue, it is necessary to consider carefully the redress provided by Clause 51. First, it is clear from the language of Clause 51 that an appeal lies only against a decision taken by the Council in terms of an application *made under the Scheme*. Although it was not traversed in argument before the Court, upon reflection, no decision appears to have been made by the Council in relation to an application made *under the Scheme*. As mentioned above, the building plans submitted by the third appellant were submitted for approval in terms of Reg 6 of the Building Regulations, not in terms of the Scheme. In considering whether the plans should be approved, the Town Planning Officer did consider whether the plans were in conflict with the Scheme,

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<sup>10</sup> 2012 (1) NR 69 (SC).

<sup>11</sup> *Id.* At para 45. See also *National Union of Namibian Workers v Naholo* 2006 (2) NR 659 (HC) at paras 50 – 62.

<sup>12</sup> *Id.* at para 47.

but at least insofar as the remaining issue on appeal is concerned, the approval of the number of storeys of the proposed building, the Officer concluded that Clause 21(3) of the Scheme was not applicable, because the building comprised a basement and two storeys, and was not in conflict with Clause 21(3). Given that no application had been made in terms of the Scheme, it is not apparent that an appeal under Clause 51 would be available.

[31] Even if this is not so, and properly construed the application for the approval of building plans by the third appellant did constitute an application to the Council *under the Scheme*, the question would be whether Clause 51 was available to the respondents. Although it may well be that the respondents were aggrieved by the decision to approve the plans, it is not clear that Clause 51 is available to them: They were neither applicants for approval, nor objectors to the approval, and had not been informed of the application. In considering the provision for an appeal against a decision of a local authority in legislation not crafted in identical terms to Clause 51, South African courts have determined that the provision for an internal appeal is available only to those who have made a planning application that has been unsuccessful.<sup>13</sup> In supporting this conclusion, Lewis AJA in *City of Cape Town v Reader and Others*<sup>14</sup> reasoned: '[h]ow can a person not party to the application procedure itself appeal against the decision that results?' Similarly, Plasket AJA in the later decision of *JDJ Properties v Umngeni Local Municipality*, held that the essence of an appeal is a 'rehearing (whether wide or narrow)' of the issues relevant to the earlier decision –

<sup>13</sup> See *Walele v City of Cape Town and Others* 2008 (6) SA 129 (CC) at para 19; *City of Cape Town v Reader and Others* 2009 (1) SA 555 (SCA) at paras 30 – 32; *JDJ Properties v Umngeni Local Municipality* 2013 (2) SA 395 (SCA) at para 40.

<sup>14</sup> *Id.* at para 30.

'Implicit in this is that the rehearing is at the instance of an unsuccessful participant in a process. Persons in the position of the appellants cannot be described as unsuccessful participants in the process at first instance and do not even have the right to be notified of the decision.'<sup>15</sup>

[32] Further consideration of the language of Clause 51 lends support to the interpretation that it is available only to an aggrieved applicant. Clause 51(2) provides that an appeal will lie 'against a refusal of the Council to give, or unreasonable delay' on the part of the Council in giving the decision. This rule seems directed at a disgruntled applicant who is awaiting a decision, rather than a person who may be aggrieved by the outcome of an application. Clause 51(3) also seems to contemplate appeals only by aggrieved applicants in that it provides that an appeal must be lodged within 28 days 'from the date of service on the appellant'. This provision contemplates that an 'appellant' under Clause 51 will have received notice from the Council of the decision. Yet, as counsel for first and second appellants rightly conceded in oral argument, there is no provision in the Scheme for the service of decisions in respect of building plans on anyone other than the person seeking approval of the plans. Clause 51(3) is a strong indication that the only person who may be appellant in terms of Clause 51 is a person on whom a decision of the Council is served, and not other persons who may be dissatisfied or aggrieved by the decision but who are not applicants, and not served with a copy of the decision.

[33] For these reasons, it must be concluded that Clause 51 is not designed to provide an appeal to a neighbour who is dissatisfied by the outcome of a decision under the Scheme. Instead, Clause 51 is designed to provide an appeal to applicants for decisions under the Scheme who are aggrieved by the decision that has been taken, or by the failure of the Council to take a decision. Given this conclusion, it must be concluded that Clause 51 would not have provided the

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<sup>15</sup> Cited above n 13 at para 43.



respondents with effective redress, and accordingly the argument of appellants that the respondents had failed to exhaust available internal remedies must be rejected.

#### Unreasonable Delay

[34] The next question that arises is whether respondents delayed unreasonably in launching their application for review. It is common cause that the building plans were approved during 2010; that respondents were not notified of the application for approval of the building plans; that building commenced in May 2010 and continued until February 2011 at which stage two floors had been constructed; and that there was then a pause in construction work until May 2011 when construction commenced again. It was argued on behalf of third appellant that respondents delayed unreasonably in bringing their review because by February 2011 it should have been clear to the respondents, and particularly Mr Roland, who is a civil engineer, that a third storey was 'at the very least' a possibility.

[35] Respondents dispute this assertion. They state that as owners of land within the ambit of the Scheme, they have an expectation that the City will not approve building plans that are inconsistent with the Scheme. When the building commenced in May 2010 they had no intimation that that the building would not be in compliance with the Scheme. They assert that they only became aware during May 2011 that a third storey of the building, in breach of the Scheme, was under construction. At that stage, Mr Roland went to the City to inspect the plans and discovered that indeed the building plans did provide for a three-storey building.

The respondents state that they took steps immediately to request the Council to halt construction of the building while the question whether the plans had been lawfully passed could be resolved. When that request was not granted, they instituted these proceedings as a matter of urgency on 10 June 2011.

[36] It was argued on behalf of the respondents that the issue of unreasonable delay was interlocutory and not subject to appeal. In making this submission, counsel relied on the decision of this Court in *Minister of Mines and Energy v Black Range Mining (Pty) Ltd*.<sup>16</sup> That case was concerned with a cross-appeal against an application to strike out portions of affidavits filed in the matter. The Court held that generally no appeal lies against orders that are not final in effect, in being definitive of the rights of the parties.<sup>17</sup> Strydom AJA, on behalf of the Court, held that, although in some circumstances a striking out order may have final effect, the striking out order that was the subject of the cross-appeal did not have any final effect and so the cross-appeal was struck from the roll.

[37] Unlike the question whether an applicant has shown urgency sufficient to have a matter heard on urgent basis, the question whether an applicant has delayed unreasonably in launching review proceedings is not an interlocutory issue. It is well established in the jurisprudence of this Court that an appeal will not ordinarily lie from a decision by the High Court that a matter is not urgent.<sup>18</sup> A

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<sup>16</sup> 2011 (1) NR 31 (SC) at para 63.

<sup>17</sup> *Id.*

<sup>18</sup> See *Aussenkehr Farms (Pty) Ltd and Another v Minister of Mines and Energy and Another* 2005 NR 21 (SC) at 53; *Namib Plains Farming and Tourism CC v Valencia Uranium (Pty) Ltd and Others* 2011 (2) NR 469 (SC) at para 41; *Shetu Trading CC v Chair, Tender Board of Namibia and Others*, as yet unreported decision of this Court dated 4 November 2011 at paras 17 and 34; *Cargo*

decision that an application is not urgent results in the application being struck from the urgent roll but it is ordinarily not final in effect.<sup>19</sup> The consequence is not the dismissal of the application, as the applicant is entitled to enrol the application either in the ordinary course and not by way of urgency, or again by way of urgency if circumstances change so as to render a decision urgent after all.

[38] The question whether there has been unreasonable delay in bringing a review is a different question and is ordinarily relevant only to applications for judicial review. It is not an interlocutory matter, but a substantive issue that may determine the rights of the parties. As stated by this Court in *Keya*:

'The reason for requiring applicants not to delay unreasonably in instituting judicial review can be succinctly stated. It is in the public interest that both citizens and government may act on the basis that administrative decisions are lawful and final in effect. It undermines the public interest if a litigant is permitted to delay unreasonably in challenging an administration decision upon which government and other citizens may have acted. If a litigant delays unreasonably in challenging administrative action, that delay will often cause prejudice to the administrative official or agency concerned and also to other members of the public.'<sup>20</sup>

[39] Deciding whether there has been unreasonable delay involves two enquiries: was the time taken by the litigant to institute proceedings unreasonable? And if it is decided that the time was unreasonable, the question is whether the Court should in the exercise of its discretion grant condonation for the

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*Dynamics Pharmaceuticals (Pty) Ltd v Minister of Health and Social Services and Another*, as yet unreported decision of this Court dated 12 September 2012 at para 25.

<sup>19</sup> See *Cargo Dynamics Pharmaceuticals, id.*, at para 25; *Shetu Trading, id.*, at para 34.

<sup>20</sup> *Keya v Chief of Defence Force and Others*, as yet unreported decision of this Court dated 19 March 2013, at para 22.

unreasonable delay.<sup>21</sup> Here the Respondents instituted proceedings on 10 June, at most just over a month from when they first noticed that the building was going to exceed two storeys. It is true that before May 2011, respondents had noted that the building was transgressing the building lines provided for in the Scheme, but it is clear that the respondents were not particularly concerned about the relaxation of the building lines. Their main concern as neighbours is, they say, the fact that the building is going to be a three-storey building in breach of the Scheme.

[40] Respondents were entitled to expect that the Scheme would be observed. As mentioned above, a town planning scheme both imposes obligations upon landowners, and confers rights and expectations upon them. Landowners may not use their land in a manner inconsistent with the scheme, but may also expect that their neighbours will be similarly burdened with a duty of compliance with the scheme. When construction commences in the area of a town planning scheme, a landowner is thus entitled to assume, unless he or she has been notified otherwise, that the building will comply with the terms of the scheme.

[41] Once a neighbour takes the view, however, that a building under construction is not consistent with the relevant town planning scheme, there is an obligation to act promptly to investigate by approaching the Council to examine the building plans. If, as happened in this case, a neighbour takes the view that the plans have not been passed in accordance with the relevant scheme, the neighbour must then act quickly to seek to halt the construction, pending a determination of a dispute about any decision to approve building plans that are in

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<sup>21</sup> Id. at para 21.

conflict with the relevant scheme. All this the respondents did. Upon noticing the fact that the building appeared to be in excess of three storeys, the respondents approached the Council to inspect the plans. And then, after deciding that the plans were not consistent with the Scheme, took steps to halt the construction pending a decision on the lawfulness of the decision to approve the plans.

[42] It was argued on behalf of third appellant that because Mr Roland, the husband of the first respondent is a civil engineer, he should have realised earlier that the building under construction would not be in compliance with the Scheme. This argument cannot be accepted. As explained above, respondents were entitled to assume that the building under construction would be in compliance with the Scheme. Although in February 2011 when the construction work halted temporarily, there were pillars in place that to an informed eye may have suggested a third floor was under construction, that was not indisputably the case. Even the third appellant, in written argument, formulated it no higher than: 'Respondents saw that columns were projecting upwards from the roof slab of the second storey raising, at the very least, the possibility to a person in the position of [Mr Roland] that a further floor was intended'. A litigant is not obliged to act just upon 'a possibility' that there may be a breach of the Scheme.

[43] Accordingly, the argument made by third appellant that respondents delayed unreasonably in launching their review application is not accepted.

Did Clause 21(3), properly construed in the statutory framework, apply to the building plans in issue in this case and, if so, was the decision to approve the plans inconsistent with that provision?

[44] As mentioned above, Clause 21(3) of the Scheme provides:

'...no dwelling unit or residential building may be erected in excess of two storeys on land zoned "residential" without council approval. Council shall, in considering the application, have regard to the impact real or potential of the additional storeys on the neighbouring property.'

[45] It is also common cause that the building in question has three floors. Yet, when the Town Planning Officer had to consider whether the building was in breach of Clause 21(3), he concluded it was not because although the proposed building consisted of three floors, one floor was a basement 'and not regarded as a storey'. He thus considered the building to be a two-storey building not in conflict with Clause 21(3).

[46] In reaching this decision, the Officer relied upon the provisions of Reg 29B(1) of the Building Regulations which provides as follows:

'In this regulation, unless the context otherwise indicates –

- (a) 'basement storey' or 'cellar' shall mean any storey of a building which is under the ground storey.
- (b) ...
- (c) "a ground storey" shall mean that storey of a building to which there is an entrance from outside on or near the level of the ground, and where there are two storeys then the lower of the two: Provided that no storey of which

the upper surface of the floor is more than four feet below the level of the adjoining pavement, shall be deemed to be a ground storey.'

[47] Regulation 29B regulates the permitted 'coverage' of a building, the amount of the erf which may be covered by building.<sup>22</sup> Regulation 29B(2) states that the Council shall refuse permission for the erection of any building that covers more than 50% of the relevant erf and Reg 29B(3) provides that a basement storey or cellar may cover the total area of an erf in certain specified circumstances. Regulation 29B is not concerned with the number of storeys that a building may have and its definitions are expressly limited to application in the context of Reg 29B.<sup>23</sup> There is nothing in the Scheme that suggests that its provisions and, in particular, Clause 21(3) of the Scheme, should be interpreted in the light of the Building Regulations, or in the light of the definitions contained in Reg 29B of those regulations.

[48] Clause 21(3) is formulated in clear terms: no building of more than two storeys may be erected on land zoned 'residential' without Council approval which may only be given after Council has considered certain specified criteria. The building in question here clearly had more than two storeys and undisputedly falls within an area zoned 'residential'. The meaning of Clause 21(3) is unambiguous and the building plans here were in breach of it. Indeed when the Town Planning Officer completed the form approving the building he had to identify the number of storeys that were planned, and he noted that there were three, not two. When this was questioned by respondents, his response was that the lowest storey on the

<sup>22</sup> Regulation 29B(1)(b) defines 'coverage' to mean 'the total percentage of the area of an erf that may be covered by buildings in accordance with subregulation (2)'.  
<sup>23</sup> See the introductory words of Regulation 29B(1) set out in paragraph [48].

plans was a basement storey within the meaning of Reg 29B, but he did not provide any explanation as to why Reg 29B of the Building Regulations had any relevance to the interpretation of the clear terms of the Scheme.

[49] From what has been set out above, it is clear that Clause 21(3) of the Scheme makes plain that no building may be built in an area zoned 'residential' with more than two storeys, unless the building is pertinently approved by the Council within the meaning of Clause 21(3) after having regard 'to the impact real or potential of the additional storeys on the neighbouring property'. The building in question here consists of more than two storeys, yet Council's attention was not pertinently drawn to this fact, and the considerations stipulated in Clause 21(3) were not considered by Council before giving approval to the building plans.

[50] The question that now arises is whether, given that the Council erred in its construction of Clause 21(3), it is appropriate for that decision to be set aside on review. The error lay in the Town Planning Officer's assertion that addressing the question posed by Clause 21(3) – whether a building comprised more than two storeys – required him to apply the definitions in Reg 29B of the Building Regulations.

[51] The question whether an error of law is reviewable has been a contested and vexed one, not only in southern Africa but also throughout the Commonwealth.<sup>24</sup> In South Africa it was considered for many years that an error of law would not render a decision reviewable unless the error went to the

<sup>24</sup> For the leading South African case, see *Hira and Another v Booysen and Another* 1992 (4) SA 69 (A), and in particular, the comprehensive historical account by Corbett CJ at 83G–94 A.



jurisdiction of the administrator.<sup>25</sup> That changed in *Hira and Another v Booysen and Another*, where Corbett CJ adopted a different more nuanced approach.<sup>26</sup> But that approach, too, has to some extent been overtaken by constitutional developments in both South Africa and Namibia.<sup>27</sup>

[52] In determining the circumstances in which an error of law will render a decision reviewable, the starting point in Namibia must now be Art 18 of the Constitution which provides that –

'Administrative bodies and administrative officials shall act fairly and reasonably and comply with the requirements imposed upon such bodies and officials by common law and any relevant legislation, and persons aggrieved by the exercise of such acts and decisions shall have the right to seek redress before a competent Court or Tribunal.'

[53] Article 18 imposes an obligation upon administrative officials to comply with the requirements of relevant legislation. Material non-compliance with governing legislation will thus often ground a cause of action for an aggrieved person. When courts consider such review applications, however, they must acknowledge that legislative provisions are often capable of bearing more than one meaning. In deciding whether a meaning adopted by an administrative official or body that has interpreted a legislative provision, is the proper meaning of the provision, a court should take into account the following considerations: (a) the text and context of

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<sup>25</sup> See, for example, *Johannesburg City Council v Chesterfield House (Pty) Ltd* 1952 (3) SA 809 (A). See also the helpful discussion in Hoexter *Administrative Law in South Africa* (Juta, 2007) at 252 – 258.

<sup>26</sup> *Id.* At 93 A – 94 A.

<sup>27</sup> See s 33 of the South African Constitution and the commentary thereon in Hoexter, cited above n 25, at pp 258 – 260.

the legislative provision, (b) its range of possible meanings, (c) the materiality of the interpretation of the provision to the decision taken and to the interests of the aggrieved applicant, (d) the nature of the administrative power conferred upon the decision-maker, (e) the nature and character of the decision-maker, and (f) whether the legislative scheme implies that respect should be paid to the interpretation adopted by the administrative decision-maker.

[54] In this case, the relevant legislative text is Clause 21(3). Its language is relatively clear. It provides that in an area zoned 'residential', a building may not have more than two storeys unless the Council authorises additional storeys after considering certain stipulated criteria. The Council is the administrative body tasked with the implementation of the Clause 21(3) and the Scheme generally. In this case, the Town Planning Officer, and consequently the Council, interpreted Clause 21(3) (as described above) in a manner not consistent with its language, by reliance on a definition in a different set of Regulations that expressly curtailed the application of that definition to the clause within which it appeared.

[55] A court will ordinarily pay respect to the interpretation of legislative provisions by experienced and skilled town planners in their field of expertise but there are limits to the respect that will be paid. A town planning scheme creates rights and obligations in landowners in the area of the scheme and landowners are entitled to expect that the ordinary language of the scheme will be implemented by the officials responsible for its implementation. The meaning attached to Clause 21(3) by the Council is so at odds with the ordinary meaning of the provision that it would not be appropriate for a court to respect that interpretation. Accordingly it

cannot be accepted. Respondents' submissions that Clause 21(3) was of application to the third appellant's building plans must be upheld, and the consequence is that the building plans were not passed consistently with the requirements of Clause 21(3).

[56] In this regard, one more comment should be added. It was submitted on behalf of first and second appellants that the High Court erred in purporting to 'read in' the word 'any' to Reg 29B(1)(c) of the Building Regulations. It is clear from what has gone before that Reg 29B(1)(c) should not have been relied upon at all in order to determine whether the building plans in question were consistent with Clause 21(3) of the Scheme. Accordingly, the High Court erred in its assumption that Regulation 29B did govern the meaning of Clause 21(3).

[57] A significant portion of the submissions made on behalf of first and second appellants related to the important consideration that should be afforded to the doctrine of separation of powers when a court uses the technique of 'reading in'. In this regard, it is important to note that the phrase 'reading in' is used to describe both an approach to statutory interpretation and a form of constitutional remedy. The issue of 'reading in' arises in the context of statutory interpretation, when a court interpreting a legislative provision concludes that it is necessary in order 'to realise the ostensible legislative intention or to make the Act workable'<sup>28</sup> to imply words into a legislative provision that it does not contain.<sup>29</sup> The issue of 'reading in' arises in the context of remedy, when a court, in order to address an issue of

<sup>28</sup> See *Palvie v Motale Bus Service (Pty) Ltd* 1993 (4) SA 742 (A) at 749C.

<sup>29</sup> See *Bernstein & Others v Bester & Others* NNO 1996 (2) SA 751 (CC) at para 105; *Rennie NO v Gordon & Another* NNO 1988 (1) SA 1 (A) at 22E-F.

constitutional invalidity, orders that words are to be read into a legislative provision to render the constitutional provision consistent with the constitutional framework with the minimum of judicial interference.<sup>30</sup> As a remedy, 'reading in' is similar to severance<sup>31</sup> and requires an express order of the Court. Whether 'reading in' is used as a tool of interpretation or as a constitutional remedy, a court should take care to avoid usurping the legitimate role of the Legislature.<sup>32</sup> Given that Reg 29B of the Building Regulations was not relevant at all to the proper interpretation of Clause 21(3) of the Scheme, nothing further need be said on this score.

What is the relevance, if any, of Reg 29B(6) to the approval of the building plans?

[58] First and second appellants also argued that Reg 29B(6) of the Building Regulations was of application to this case. Regulation 29B(6) provides that:

'In any dispute in connection with the position of the ground level the decision of the Council shall be decisive.'

[59] It was argued that Reg 29B(6) affords the Council the final say in the determination of what constitutes a ground level, and that a court should accordingly defer to the Council on this question. Regulation 29B(6), however, like Reg 29B(1), is concerned with the question of the 'coverage' of a building. Reg

<sup>30</sup> For a comprehensive analysis, see the decision of South Africa's Constitutional Court in *National Coalition for Gay and Lesbian Equality and Others v Minister of Home Affairs and Others* 2000 (2) SA 1 (CC) at paras 62 – 76.

<sup>31</sup> As Ackermann J reasoned in *National Coalition for Gay and Lesbian Equality and Others v Minister of Home Affairs and Others*, id. 'there is in principle no difference between a court rendering a statutory provision constitutional by removing the offending part by actual or notional severance, or by reading words in to a statutory provision.' (at para 67)

<sup>32</sup> See the full discussion in *National Coalition for Gay and Lesbian Equality and Others v Minister of Home Affairs and Others*, cited above n 30, at paras 62 – 76.

29B provides rules for determining the 'coverage' of a building, and one of the determining considerations is the 'ground level' on any erf. The dispute in this case does not concern 'coverage', nor does it concern the 'ground level' of the erf, it concerns the question of the permissible number of storeys of a building. Whatever the precise import of Reg 29B(6), therefore, it cannot materially affect the proper interpretation of Clause 21(3) of the Scheme and the question whether the building plans lodged by the third appellant in this case were consistent with Clause 21(3). The Scheme does not import the definitions or provisions of the Building Regulations, which accordingly cannot be used to determine the meaning of Clause 21(3). This argument of the first and second appellants accordingly cannot be accepted.

Did the Council decision of 30 November 2011 cure any defect in the earlier decision to approve the building plans?

[60] As set out above at paras 8 – 11, after the High Court had granted an interim interdict restraining the continuation of the construction of the building on third appellant's erf, but before the review application had been argued, the Council placed an advertisement in a newspaper calling attention to the Council's approval of the third appellant's building plans. The advertisement stated that the City intended to 'reconsider' the application, stated that the plans were open for inspection, and called upon anyone who objected to the building to lodge an objection in writing within fourteen days of the publication of the advertisement.

[61] On 30 November 2011, the Council adopted a resolution that 'supported' the development, 'condoned' the approval of the building plans, and approved the

height of the building as posing no danger, threat or negative effect to the adjacent neighbours and those across the street. The Council resolution also stated that Clause 21(3) of the Scheme was not applicable to the relevant building and stated that aggrieved objectors could lodge an appeal to the Ministry of Regional and Local Government, Housing and Rural Development within 28 days of being notified of the resolution.

[62] Although first and second appellants did not suggest that this 'reconsideration' by Council was sufficient to address any defects in the original decision, it was argued on behalf of third appellant that this 'reconsideration' did indeed address any earlier defect. In this regard, it should be noted that the 'reconsideration', like the earlier decision of the Council in approving the plans, was mistakenly based on the conclusion that the building plans related to a building containing only two storeys, and that, therefore, Clause 21(3) had no application to the building plans in question. It is clear from what has gone before that the 'reconsideration' by Council was thus vitiated by the same error of law that had marred the earlier decision to approve the building plans.

[63] Perhaps of greater concern, however, is the fact that Council chose to 'reconsider' the matter when an application was pending before the High Court in which it was a respondent, without informing the respondents who were the applicants in the High Court. Respondents argued that in doing so first and second appellants acted in contempt of court. That may be overstating the case, but it is not necessary to decide that question now. All that need be said is that the

Council could not seek to condone its earlier decision, at the very least, without affording the respondents an opportunity to be heard. Moreover, given that the earlier decision to approve the building plans was invalid because it was based on the mistaken view that Clause 21(3) of the Scheme was not applicable to third appellant's building because that building comprised only two storeys and not three, that decision could not subsequently be 'condoned' or 'approved' without the fundamental error on which it was based being corrected. Third appellant's argument that the 'reconsideration' by Council of its approval of the building plan cured the defects of the earlier decision must be rejected.

[64] Given that none of the arguments raised by appellants have been successful, it follows that the appeal must fail.

#### Costs

[65] The appeal has failed. Nevertheless, as counsel for third appellant submitted, third appellant has been 'the innocent party' in these proceedings. He has proceeded with the construction of a building on the basis of the purported approval of building plans by the Council. Yet, it is now clear that those building plans were in conflict with the provisions of the Scheme. Accordingly, it would not be just and equitable to order the third appellant to pay the costs of the appeal. This approach is consistent with the approach adopted in the High Court. In the circumstances, the first and second appellants should be ordered to pay the costs of the respondents, both in this Court and the High Court, such costs to include the costs of one instructed and one instructing counsel. In this regard, it should be

noted that the High Court appears to have erred in making a costs order which stated that the first and second appellants (respondents in the High Court) should pay the respondents (applicants in the High Court) costs on the basis of two instructed and one instructing counsel. Respondents employed only one instructed and one instructing counsel, both in the High Court and this Court. This error is corrected in the order this Court makes.

Order

[66] The following order is made:

1. The appeal is dismissed.
2. The costs order made by the High Court is set aside.
3. The first and second appellants are ordered to pay the costs of the respondents in the High Court and on appeal, such costs to include the costs of one instructed and one instructing counsel.

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**O'REGAN AJA**



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**STRYDOM AJA**

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**CHOMBA AJA**

**APPEARANCES**

**FIRST AND SECOND APPELLANT:** D Ntsebeza SC (with him D Khama)  
Instructed by Sibeya & Partners

**THIRD APPELLANT:** N Marcus  
Instructed by Nixon Marcus Public Law  
Chambers

**FIRST, SECOND AND THIRD  
RESPONDENTS:** A W Corbett  
Instructed by Fisher, Quarmby Pfeifer

REPORT ON PROPOSED DEVELOPMENT ON ERF 8275, ANTON LUBOWSKI STREET



Following on the findings of Du Toit Town Planners, ATAD resolved to modify the building's elevation and site soil/landscaping in relation to the natural terrain of the site in order to permit the parking to be considered as basement and reduce the number of floors permissible by City of Windhoek Town Planning Scheme as a triple storey structure by ensuring the natural ground level is 1.4metres above the basement floor finish floor level.

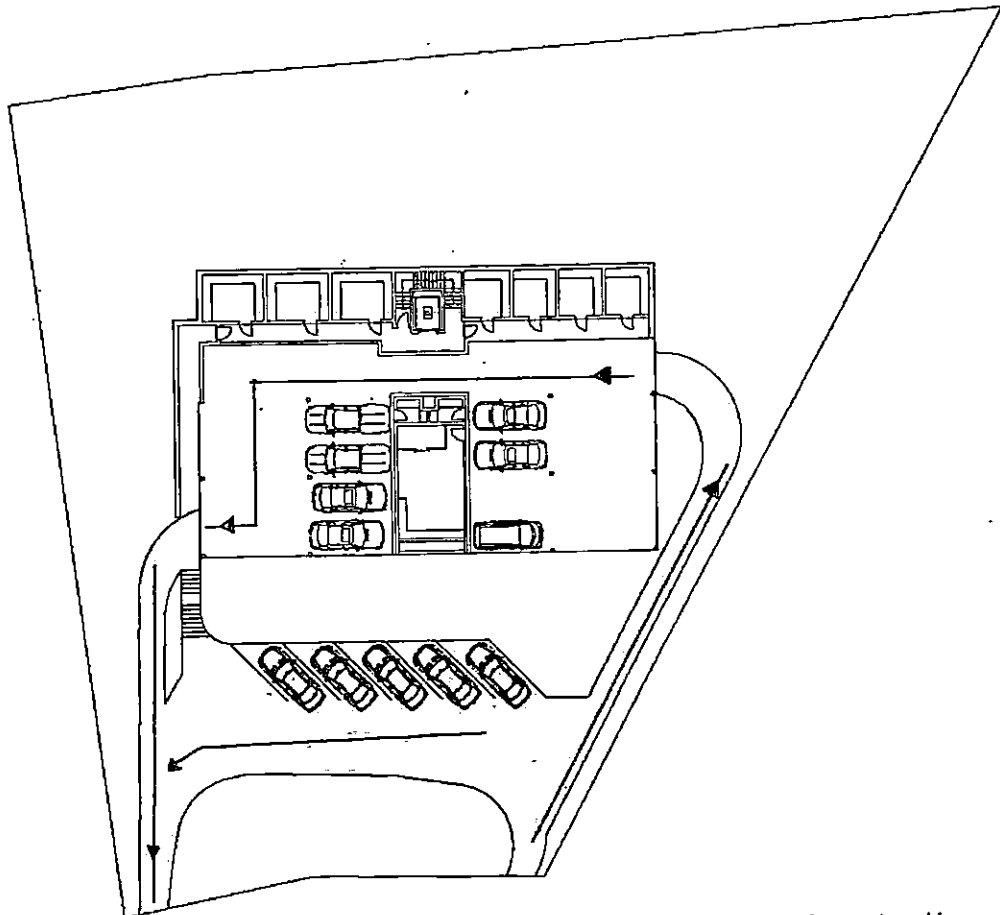


Figure 1 Showing the site, layout, basement layout of the proposed structure & guest parking

It has been proposed that the guest parking will be a secured area off street and access to the building on foot will be via walk way on the left flank of the proposed development.

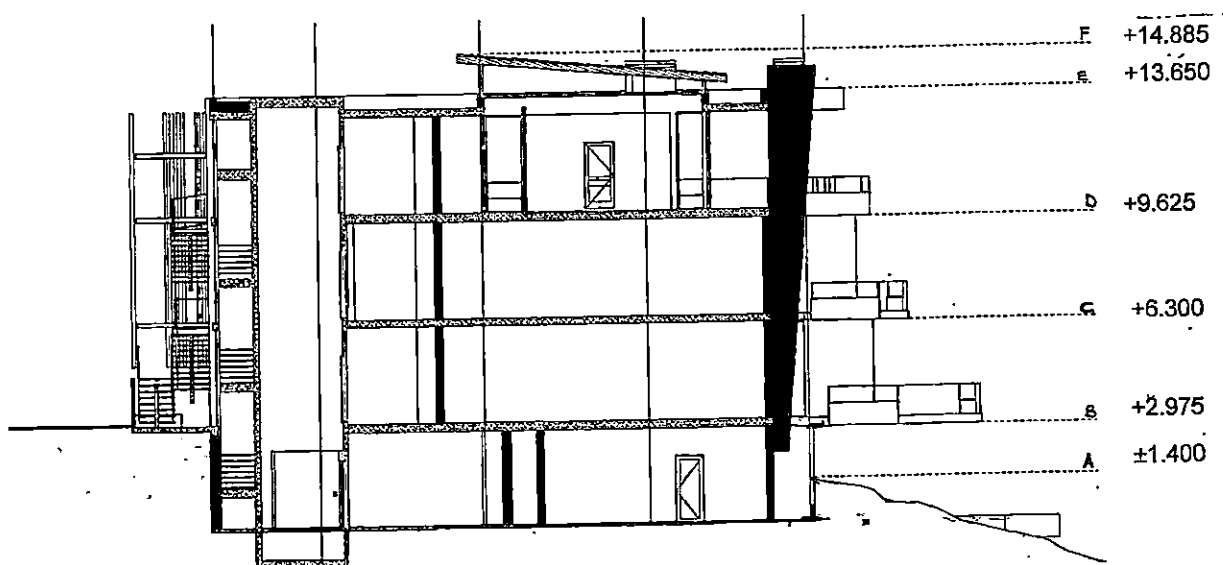


Figure 2 Site Section indicating (A-F) all distances are with respect to the basement floor level.



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Figure 3 Showing access to the building from the right flank of the structure.

The proposed structure will have relatively low height retaining walls on the right flank of the structure to allow for access to the farthest end of the basement parking as an entry point.



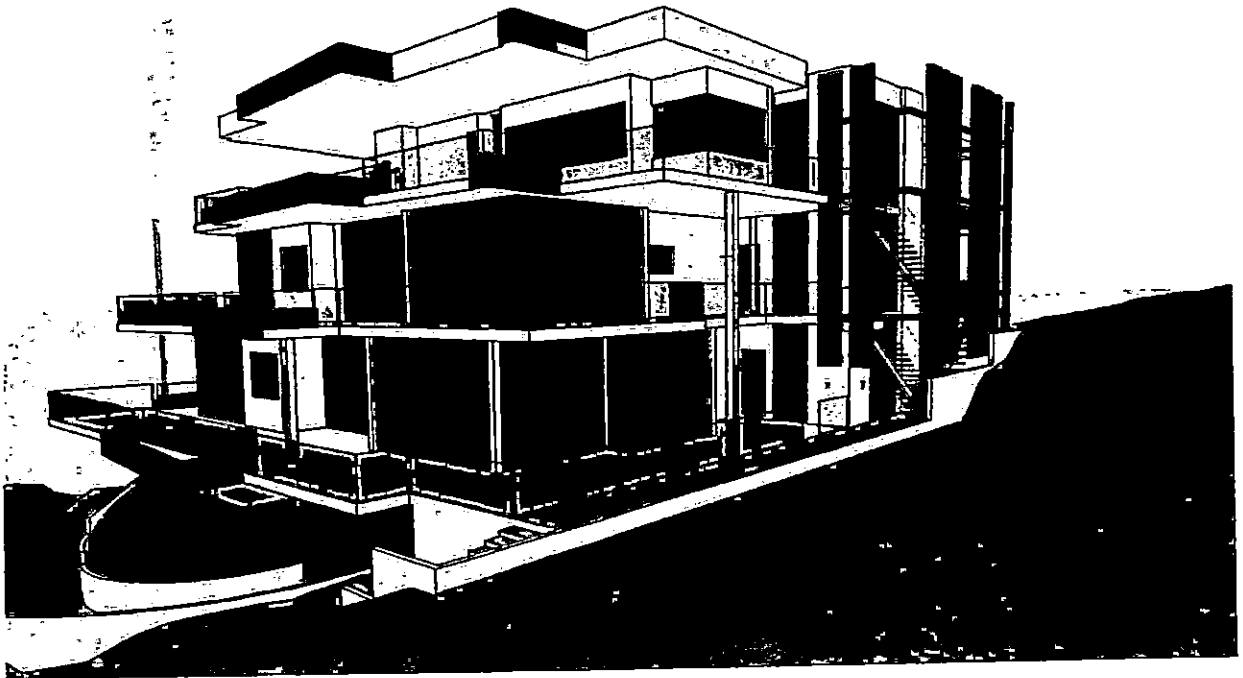
Figure 4 Showing exit route from the structure leading onto driveway.

The building will also have low height retaining walls on the left flank of the structure to allow for access to the foremost end of the basement parking as an exit point.



*Figure 5 View of the proposed development from the street.*

The structure will only have the upper half of the basement parking level visible as the rest will be under a 1.4 metre berm against a retaining wall.



*Figure 6 Rear view of the proposed development.*

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END OF REPORT

STRYDOM & ASSOCIATES

Land Surveyors

P.O. Box 40716

Ausspannplatz

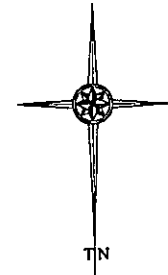
Windhoek

Tel.: (061) 260 380 / 256 033

Fax.: (061) 269 178

E-mail: herman@sasurv.com

Cell: 081 127 1320



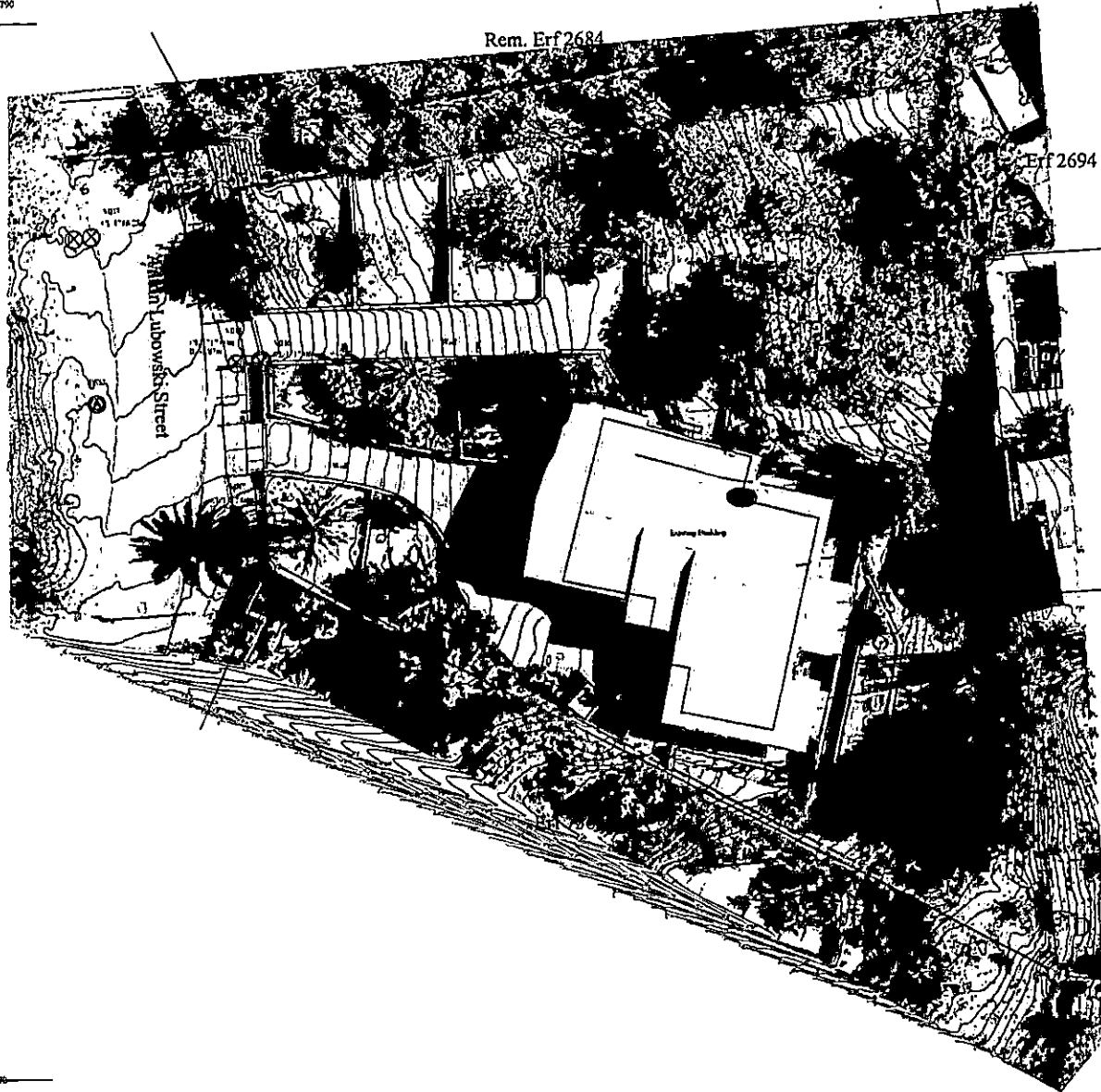
2103

Benchmark List (LO22/17)			
12mm Round Iron peg in concrete			
Name	Y	X	Z
BM7	-9 990.876	+63 818.836	1716.859m
BM8	-10 057.178	+63 812.161	1713.148m

Spot Height at Garage Level	1720.75m
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Surveyed	F.Nangula
Drawn	F.Nangula
Date	February 2023
Scale	1 : 250(A2)
Drawing No.	WHK_8275



N +63 790

N +63 790

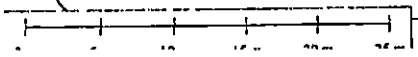
0866-1

Y -10 800

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Y -10 800



- 14 That the use of unsafe water from the river be discontinued and that only semi-purified water from the municipal connection be allowed for irrigation.

**RESOLUTION 391/10/2007**

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[Municipal Council Minutes: 2007-10-31]

8.4.13

**BRB.14 [PLA] REZONING OF ERF 1968,  
8 AND 9 ROBERT MUGABE AVENUE  
AND BURG STREET, WINDHOEK  
FROM 'RESIDENTIAL' WITH A  
DENSITY OF 1:900 m<sup>2</sup> TO 'OFFICE'  
WITH A BULK OF 0.4  
(L/1968/W)**

On proposal by Councillor Dr B von Finckenstein, it was

**RESOLVED**

- 1 That the application to rezone Erf 1968, Windhoek from 'residential' to 'office' with a bulk of 0.4 be supported subject to the following conditions:
  - 1.1 That the owners of Erven 1968 and 7730, Windhoek agree in writing to pay a betterment fees of N\$136 950.00 and N\$78 000.00 respectively, subject to Ministerial approval, prior to the incorporation of the rezoning in an Amendment Scheme and submission for approval of the Namibia Planning and Advisory Board (NAMPAB).
  - 1.2 That a deposit equivalent to the proposed betterment fee be paid to the City.
- 2 That the betterment fee as per paragraphs 1.1 and 1.2 above be paid into Suspense Account 9045/01/50310 created by the Strategic Executive: Finance for this purpose or in event of refusal of the Amendment Scheme or the rezoning, the deposit be refunded.
- 3 That once a betterment fee has been determined by the Minister of Regional and Local Government, Housing and Rural Development, this amount be taken from the suspense account and any excess be repaid to the applicant-owner.
- 4 That the applicant take note that neither the payment of the deposits or the consent use, should create the expectation or would bind the Minister of Regional and Local Government, Housing and Rural Development to consider and approve the Amendment Scheme and that provisions of the Town Planning Ordinance 18 of 1954 still apply.

- 5 That a parking layout showing four (4) parking bays per 100 m<sup>2</sup>, including a traffic circulation plan, be submitted for approval by the Strategic Executive: Transportation prior to incorporation in an Amendment Scheme and be constructed prior to any office activities commencing.
- 6 That the applicant take note that a portion of the private access road (the right-of-way servitude) lie within the flood area.
- 7 That only access for the rezoned Erf 7730, Windhoek be obtained from Burg Street and no access be obtained from Jan Jonker Road.
- 8 That the present boundary of the Office Development Policy area along Robert Mugabe Avenue in the south parallel to Burg Street be extended to all erven bordering only Robert Mugabe Avenue.
- 9 That access for all this erven when being rezoned be restricted to Burg Street.

DEVELOPMENT AREA	CHANGE IN LAND USE RIGHT
<p>1 Erven in the 'office' zone area:</p> <p>That all erven abutting on to Robert Mugabe Avenue on its eastern side between its intersection with Sam Nujoma Drive and Jan Jonker Road as well as Erven 2776, 2777, 2778, 2779, 2780, 3349, R/7467 and 7730.</p>	<p>Erven with the land use rights provided by the zoning 'residential' or 'general residential' but excluding erven reserved in this Scheme for new streets and widening of existing streets, to land use rights provided by the zoning 'office' with a bulk of 0.4.</p>

- \* 10 That it be Council Policy that the rest of erven not bordering Robert Mugabe Avenue of the 'Luxury Hill' area of Windhoek up to the boundary of Klein Windhoek remain a residential area for houses, flats and accommodation establishments such as hotels, and that future higher residential densities be encouraged.
- 11 That this resolution pertaining to policies be brought to the attention of the public.

#### RESOLUTION 392/10/2007

[Municipal Council Minutes: 2007-10-31]

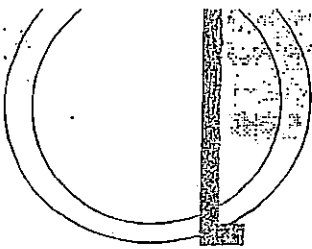
#### 8.4.14 HRD.1 [CEO] COUNCIL RECESS – 2007/2008 (3/2/1)

On proposal by Councillor Dr B von Finckenstein, it was

#### RESOLVED

- 1 That Council go into recess from Monday, 3 December 2007, until Sunday, 20 January 2008 and that the first Management Committee meeting be held on Monday, 21 January 2008 with the first Council meeting scheduled for Wednesday, 30 January 2008.





**LEGAL PRACTITIONER, NOTARY AND CONVEYANCER**

PO Box 20455 WINDHOEK

75 Schlettwein Street Pionierspark

Phone: +264 61 243770

Fax: +264 61 226277

E-mail: jdekok@iway.na

JDK21.004.Erf 2797KW

8 September 2021

The acting Chief Executive Officer

City of Windhoek

PO Box 59

WINDHOEK

Att Mr P van Rensburg and Ms S Simpson

Dear Sir

**RE-APPLICATION TO PURCHASE OR LEASE/WAYLEAVE A PORTION OF ERF  
RE/17/KW AND RELATED MATTERS L/RE/17/KW**

My client Paulannic CC/97/739 is the registered owner of Erf 2797, Stein Street, Klein Windhoek. The sole member is Mr S Joubert. I refer to previous correspondence dated 8 February 2021, 4 March and 26 July 2021, e-mails relating to the above and the e-mail reply of Mr Mosimane to the same, requesting layout plans in support of the application.

We hereby wish to express our appreciation that the Council may be willing to consider and accommodate my clients request as set out hereunder.

The background to this request is set out in the letter of 8 February 2021, but could be summarised as follows:

- 1 My client leased Erf R/17 Klein Windhoek for close to twenty years. At the insistence of Council egress from Erf 2797, Klein Windhoek had to take place over the leased area due to the dangerous access conditions in Stein Street.
- 2 The rental for the lease of R/17 Klein Windhoek was billed until February 2021, whilst confusion existed as to the status and extend of the area to be occupied by my client under a revised lease, when the adjacent owner with approval of Council started construction of the parking area on the land, which change was not clarified.
- 3 My client approached the adjacent owner and met with their architect to align their developments. Through such mediation the Parties agreed that Erf 2797, Klein Windhoek would continue to have egress from the same across Erf RE/17/KW and that the existing structures on R/17KW will continue to remain and be incorporated in the development. Havi Properties subsequently submitted a revised layout to the Council, which reflected the requirements of all parties' needs and which allowed for the continued accommodation and incorporation of the existing

Partner : JS de Kock B Juris LLB University of Free State Dipl TC UNISA

structures of my Client's tenants <sup>214</sup> of a small portion  $\pm 111\text{m}^2$ . As is evident from the approved plan, the parking layout as well as the existing structures of my client and the Council's approval thereof. Unfortunately the cold room of the tenant can nowhere else be accommodated and a removal would mean that the business will have to close down. In fact the adjacent erf owner submitted its approval and support of the structures to remain, if the Council approved the application.

4. The approved plan and photos of the improvements were attached to the application of 8 February 2021. Unfortunately, it seems on the face of it that certain miscommunications occurred and the rental amount was not revised to the smaller area occupied and a revised lease was also not provided, hence my client formally re-applied for the portion occupied by him, which formed part and has been incorporated in the final approved and constructed parking layout. Hence this revised application.

5. My Client is hereby applying to be allowed to either-

- (a) enter into a wayleave agreement with Council for the  $\pm 111\text{m}^2$  occupied by the existing parking structures and cool room as per the approved plan, or
- (b) obtain a servitude in favour of the adjacent Erf 2797, Klein Windhoek, to be allowed to accommodate the use of these, or
- (c) enter into a formal lease with Council to continue the use of the already approved area of  $111\text{m}^2$ , as reflected on the approved plan attached hereto; or
- (d) Purchase the small portion of  $\pm 111\text{m}^2$  (used by its tenants and not needed for the parking area from Council) at an agreed price and,
  - i. at his costs, to close this part of open space used as parking area,
  - ii. subdivide Erf RE/17/KW to accommodate the  $111\text{m}^2$  portion so used as per the attached subdivision plan,
  - iii. consolidate or notarially link same with his property, and
  - iv. Allow a right of way to egress from the adjacent Erf 2797, Klein Windhoek across the Remainder of Erf 17 Klein Windhoek (already existing) and a right of way to access and use the two parking spaces from the Remainder of Erf 17 Klein Windhoek (already existing).

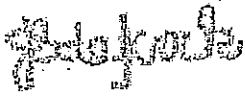
(The latter being the long term solution and preferred option); or

(e) That the:-

- a. rental agreement be amended, the lease amount be recalculated to the  $111\text{m}^2$  area occupied retrospectively to November 2017 and not for the whole area, and
- b. interest levied be corrected and not be levied.

Your attendance is much appreciated.

Yours truly;

A handwritten signature in dark ink, appearing to read 'JS de Kock', with some stylized flourishes.

JS de Kock

Legal Practitioner

8.1.6

**BRB.3 [PLA] APPLICATION TO PURCHASE  
ERF R/17, KLEIN WINDHOEK FOR  
CONSOLIDATION WITH ERF 2797,  
KLEIN WINDHOEK  
(L/R/17/KW)**

On proposal by Councillor M Shiikwa, it was

**RESOLVED**

- 1 That the application from Mr S Joubert be turned down.
- 2 That three (3) months' written notice be given to Mr S Joubert for the cancellation of the Lease Agreement, prior to the advertisement of the tender.
- 3 That Erven 1758 and 1759, Arians Road, Klein Windhoek be rezoned from 'residential' to 'office' with a bulk of 0.5.
- 4 That approval be given to sell Erven 1758 and 1759, Klein Windhoek on tender at an upset price of N\$1 436 300.00 and N\$1 385 200.00 respectively, as determined by the Strategic Executive: Urban Planning and Property Management.
- 5 That the Strategic Executive: Urban Planning and Property Management proceed with the tender procedures while the rezoning is being finalised.
- 6 That the income derived from the sale be used for the development of the parking on Erf R/17, Klein Windhoek.
- 7 That the Chief Executive Officer (Corporate Legal Adviser) draft the Tender Conditions and Deed of Sale.

**RESOLUTION 354/10/2012**

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8.3.4

**BRB.4 [PLA] APPEAL AGAINST THE ADMINISTRATION  
IN RESPECT OF ERF R/17, KLEIN WINDHOEK  
AND RE-APPLYING TO PURCHASE PORTIONS  
OR THE WHOLE OF THE REMAINDER OF  
ERF 17, KLEIN WINDHOEK  
(L/R/17/KW)**

On proposal by Councillor MJ Amadhila, it was

**RESOLVED**

- 1 That the appeal from Mr Sam Joubert, through Jana De Kock Legal Practitioner, Notary and Conveyancer, be noted and not be supported.
- 2 That the application from Lim Investments CC, be noted and not be supported.
- 3 That Council uphold its decision to develop Erf R/17, Klein Windhoek as per Council Resolution 354/10/2012, attached as page 244 to the agenda.
- 4 That the applicants, Mr Sam Joubert, through Jana De Kock Legal Practitioner, Notary and Conveyancer, and Lim Investments CC, be informed of this Council Resolution, in writing.
- 5 That it be noted that portions of the development on Erf 2797, Klein Windhoek appears to encroach onto the road reserve of Stein Street.
- 13 That it be noted that portions of the development on Erf 2797, Klein Windhoek appears to encroach onto Erf R/17, Klein Windhoek.
- 14 That the encroachment onto Erf R/17, Klein Windhoek and on the road reserve of Stein Street be investigated and resolved with the applicant.
- 15 That no future applications be entertained for the purchase of Erf R/17, Klein Windhoek.
- 16 That the Strategic Executive: Urban Planning and Property Management obtain the guidelines and requirements for the development of the public parking on Erf R/17, Klein Windhoek.
- 17 That the Strategic Executive: Urban Planning and Property Management put out on tender the construction of the parking on Erf R/17, Klein Windhoek, once the encroachments onto Erf R/17, Klein Windhoek have been addressed.
- 18 That the funds for the construction of the parking on Erf R/17, Klein Windhoek be obtained from the sale of Erven 1758 and Erf 1759, Klein Windhoek.
- 19 That the resolution be implemented prior to confirmation of the minutes.

**RESOLUTION 52/03/2017**

---

# & Human Settlement

✉ 59

80 Independence Avenue

WINDHOEK, NAMIBIA

218

218

Tel: (+264) 61 290 2170 • www.cityofwindhoek.org.na

ENQ: GO Mosimane  
DATE: 14 December 2018

PHONE: 290-3307  
REF: L/RE/17/KW

Mr. S Joubert  
P O Box 90371  
Klein Windhoek  
WINDHOEK

Dear Mr. Joubert

**RE: CANCELLATION OF LEASE AGREEMENT IN RESPECT OF ERF RE/17, KLEIN WINDHOEK**

Reference is made to the lease agreement as well as Council Resolutions 354/10/2012 and 52/03/2017 with regard to Erf RE17/, Klein Windhoek. The resolutions are hereto attached for easy reference.

Kindly take note that the City, in line with the two above-mentioned resolutions, is in the process to develop the subject property into a public parking. Accordingly, with the provision of paragraph 2 of Council Resolution 354/10/2012, you are herewith given a period of three (3) months cancellation notice on your lease agreement in respect of the subject property. You are requested to vacate the property on or before the 9<sup>th</sup> March 2019, of which an inspection will be conducted on the latter date. You are also requested to remove your structures on the subject property in order to pave way for the development of the parking.

Further to the above, the City's investigation has revealed that your buildings on Erf 2797, Klein Windhoek are encroaching on portions of the subject property as well as encroaching on the portion of Stein Street. It is on this note that you are urged, as a matter of urgency, to rectify the encroachment by demolishing the encroaching portion of your buildings onto Council land. Nevertheless, the Strategic Executive: Infrastructure, Water and Technical Services (Building Control Section) has been instructed to enforce the building regulations in rectifying your encroachment.

Trusting that you find the above in order.

Yours sincerely,



Mr. DA Negonga

ACTING MANAGER: PROPERTY MANAGEMENT

Cc Mr Lucas Thomas

Project Manager: Special Projects

All official correspondence must be addressed to the Chief Executive Officer

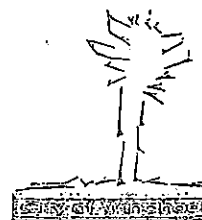
# & Human Settlement

☒ 59

80 Independence Avenue

WINDHOEK, NAMIBIA

219



Tel: (+264) 61 290 2170 • www.cityofwindhoek.org.na

ENQ: GO Mosimane

EMAIL: [mos@windhoekcc.org.na](mailto:mos@windhoekcc.org.na)

DATE: 10 October 2019

PHONE: 290 3307

FAX: 290 3349

REF: LAR17\KW

Mr S Joubert  
P O Box 90371  
Klein Windhoek  
WINDHOEK

Dear Mr Joubert

**RE: CANCELLATION OF LEASE AGREEMENT AND VACATION OF ERF R/17,  
KLEIN WINDHOEK**

Reference is made to the City's letter dated 14 December 2018, your letter dated as well as to your recent visit at the City's offices in July 2019.

You appealed that the City consider giving you a portion of approximately 100 m<sup>2</sup> in extent on the subject property in order to accommodate the cooling room. Firstly, the City reiterates that it needs the entire Erf R/17, Klein Windhoek in order to meet its design of the parking development. Should any portion, including the one you proposed to lease for a further period, be cut off from the parking development on Erf R/17, Klein Windhoek, it would make the design impractical. The City herewith points out to you that the cooling rooms you have constructed on the subject property are contravening the building regulations and the relevant department would take it up directly with you.

It is against the above that the City regrets to inform you to vacate the property within 14 days as any delay would hamper the much needed development. You are as well reminded to settle the outstanding rental arrears in order to avoid any legal route, for collection.

Trust that you find the above in order.

Yours faithfully,

Mrs. S Simpson

**ACTING STRATEGIC EXECUTIVE: HOUSING PROPERTY MANAGEMENT &  
HUMAN SETTLEMENT**

*Cc Acting Manager: Building Control  
Chief Engineer: Planning, Design and Traffic Flow*

*Mr Shinana  
Mr H Lisse*

---

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

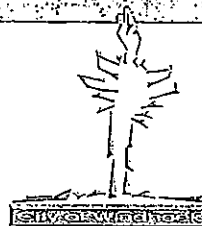
# MEMORANDUM

220<sup>B</sup>

TO: B NGAIRORUE  
CORPORATE LEGAL ADVISOR

19 May 2020

FROM: S SIMPSON  
MANAGER: PROPERTY  
MANAGEMENT



REF: L/RE/17/KW

ENQ: GO MOSIMANE  
SENIOR PROPERTY ADMINISTRATOR:  
LEASEHOLDS & SETTLEMENTS

Dear Mr B Ngairorue

RE: TERMINATION OF LEASE AGREEMENT: ERF RE/17 KLEIN  
WINDHOEK (MR S JOUBERT)

## BACKGROUND

The City in its letters dated 14 December 2018 and 10 October 2019, *attached for easy reference*, gave notice of termination to the lessee. The due date to vacate the subject property was before the end of October 2019 and yet they are still in occupation. The property is needed for the construction of the parking, as resolved per resolution 354/10/2012.

It is against this background that your office is requested to secure a court order.

Regards,

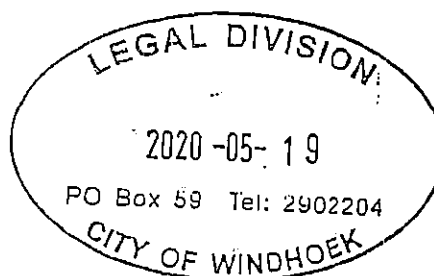
Trusting that you find the above in order.

Regards,

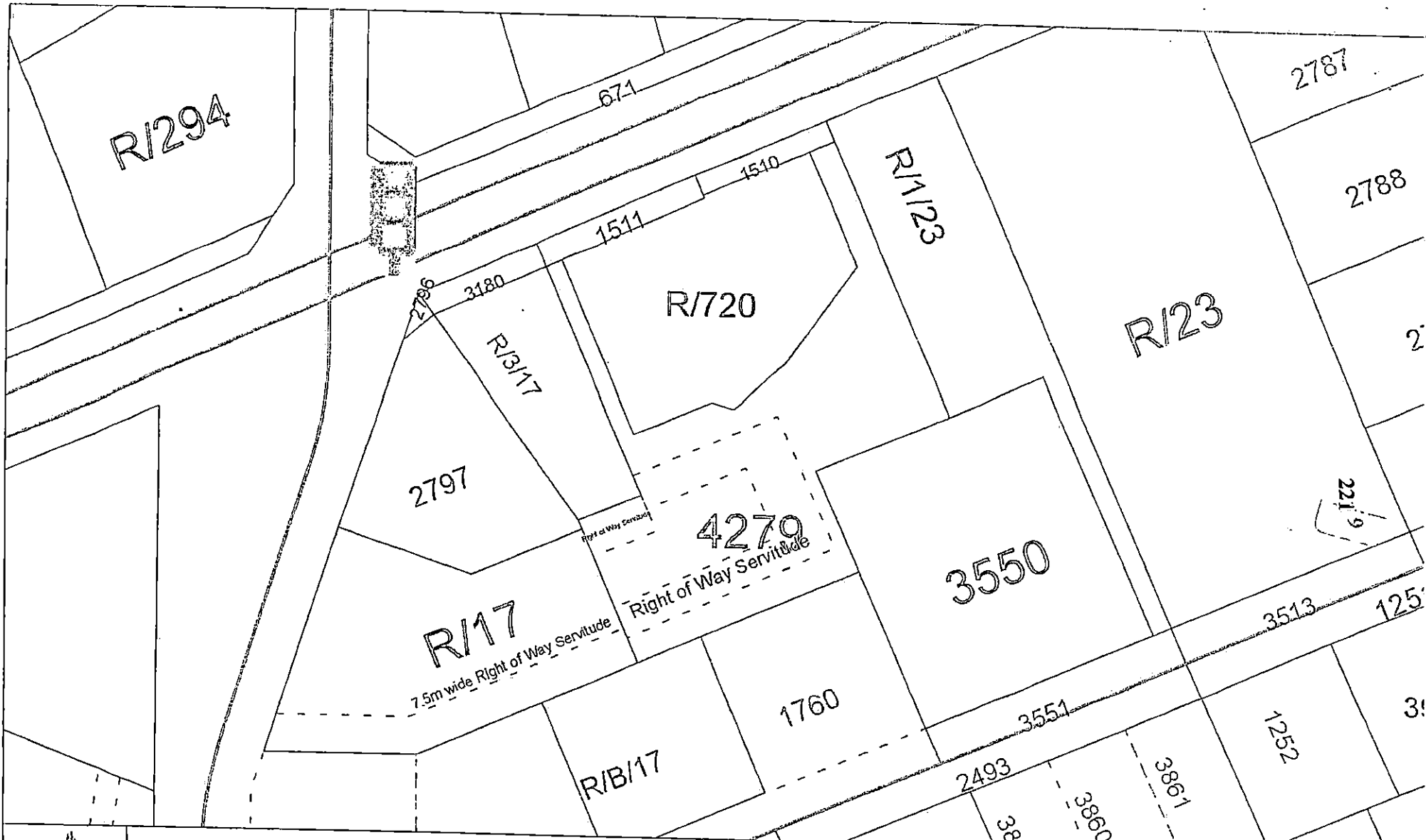
Mrs. S Simpson  
MANAGER: PROPERTY MANAGEMENT

19/05/2020

DATE







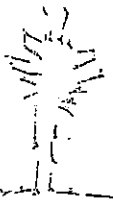
**NOTES**

Compiled by:

Date: 30/9/2022



While due care has been taken by the Publisher in compiling this map, no responsibility will be accepted by the City of Windhoek for errors or omissions. The Publisher, excludes all warranties, and disclaims any responsibility to any person for loss or damage suffered from any use of this map.

Enq: Mr H Rust  
Tel: 290 – 2378Ref: L/720/KW  
Date: 24 October 2019PlanAfrica Planning Consultant  
P O Box 4114  
Windhoek

Dear sir

Subdivision of Erf 720 Klein Windhoek and consent for free residential bulk on new Erf

Your application dated October 2017 for the subdivision of Erf 720 Klein Windhoek, refers.

In accordance with the delegation of authority applicable to the subdivision of erven and the granting of consent for free residential bulk as resolved per Council Resolution No. 283/11/2017 and Council Resolution No. 410/11/2012 in line with Council Resolution 167/6/2011 the application is subject to the following conditions:

1. That Erf 720 Klein Windhoek be subdivided into one portion ( $\pm 3089\text{m}^2$ ) and the Remainder ( $\pm 1866\text{m}^2$ ) as indicated on Subdivision Plan date stamped 30 August 2018. The same plan must be submitted to the Townships Board.
2. That consent for free residential bulk be approved to a maximum of 50% of the existing business bulk of 1.0 for the exclusive use of permanent residential purposes on proposed Portion A.
3. That the owner agrees in writing to pay an endowment fee of 7,5% of the value of the additional portion which is created by the subdivision to the City of Windhoek in accordance with the stipulations of Section 19 of the Townships and Division of Land Ordinance (ordnance 11 of 1963).
4. That the Registrar of Deeds be requested no to register any new portion unless confirmation has been received from the City of Windhoek that the endowment has been paid in full.
5. That no Building Plans be approved unless the required endowment has been paid in full.

- 22/11
6. That should any municipal electrical infrastructure on the sidewalk or portion applied for need to be relocated to accommodate a new access to the Erf or as a result of an oversight from our side, all cost related thereto will be for the applicant's account.
  7. That only one service connection from the municipal electrical network will be allowed per Erf.
  8. That for Erven that is zoned "General Residential", "Business", "Office", "Institutional" or "Industrial" and a service connection larger than 3 x 60 Amp is required, the applicant and/or his/her electrical engineering representative must contact the SEE 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; and also to determine the financial contribution to be made by the applicant towards the upgrade cost of the network
  9. A registered electrical contractor is to be appointed to investigate the service connection to each newly created Erf from the existing East end Substation and make sure that the supply cables do not crisscross over erven and ensure that each Erf is supplied separately from the municipal network.
  10. That any further water or sewer infrastructural requirements due to the subdivision of Erf 720 Klein Windhoek will be for the cost of the applicant and subject to the approval of the Strategic Executive Infrastructure Water and Technical Services.
  11. 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:
    - 11.1 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.
    - 11.2. That prior approval must be obtained from the Chief Engineer: Planning, Design & Traffic Flow if the accommodation of the stormwater on the erf is contemplated.

- 11.3. That Engineering drawings <sup>22/12/12</sup> of 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.
- 11.3. 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.
- 11.4. That no building plan will be approved until the above stormwater conditions are met.
- 11.5. That roads and stormwater be planned and constructed to Municipal detail.
12. That the applicant at his cost register a 7.5 metre wide right of way servitude over Erf R/17, Klein Windhoek in favour of Erf 720, Klein Windhoek to grant access from Stein Street, subject to the following:
13. That the applicant design and construct the public parking over Erf R/17, Klein Windhoek at its own cost for the exchange of registering the right of way servitude.
14. That the parking constructed on Erf R/17, Klein Windhoek remain public parking and not be reserved for exclusive use.
15. That a Memorandum of Agreement/Development Agreement be signed between Council and the Developer to construct the public parking on Erf R/17, Klein Windhoek at the Developer's cost.
16. That as an explicit condition of the Development Agreement, the Developer shall gain no additional rights, other than the right of way access, over the Council property, Erf R/17, Klein Windhoek, now or in future.
17. That detailed plans for the development of the public parking be submitted for consideration and approval to the Strategic Executive: Urban and Transport Planning, prior to implementation.
18. That the applicant acknowledges receipt of this Delegated Authority approval and accepts the conditions thereof in writing.

Yours faithfully

  
Pierre van Rensburg

 STRATEGIC EXECUTIVE

VALUATION CERTIFICATE  
 DIVISION: VALUATION SERVICES  
 DATE OF VALUATION: 19/07/2023



Erf No.: Re 17      Suburb: Klein Windhoek      Street name: Stein  
 Erf size: 2286 m<sup>2</sup>      Zoning: Residential      Density: n/a  
 Required portion size: 111 m<sup>2</sup>  
 Current use of the portion under consideration: vacant  
 Acquisition purpose: To be sold for consolidation with Erf 2175 Klein Windhoek

Current vacant land going price/ m <sup>2</sup>	N\$1 703	
Size of the portion Required	111 m <sup>2</sup>	
Estimated market Value	N\$ 189 000	

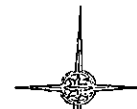
Erf 3793 Klein Windhoek in the table below was sold for N\$606.60/m<sup>2</sup> in 2007. To bring the price per square meter achieved in 2007 up to what could be today's market related price the above price per square meter was escalated using market inflation rate from 2007 to 2022. After escalation a price of N\$1 703/ m<sup>2</sup> was produced. Consequently the subject should be valued at N\$1 703 /m<sup>2</sup>

Erf No.	Erf/Portion size	Purchase price	N\$/m <sup>2</sup>	Escalated N\$/m <sup>2</sup>	Date
3793 KW	1393 m <sup>2</sup>	N\$ 845,000	N\$606.60	N\$1 703	10/05/2007

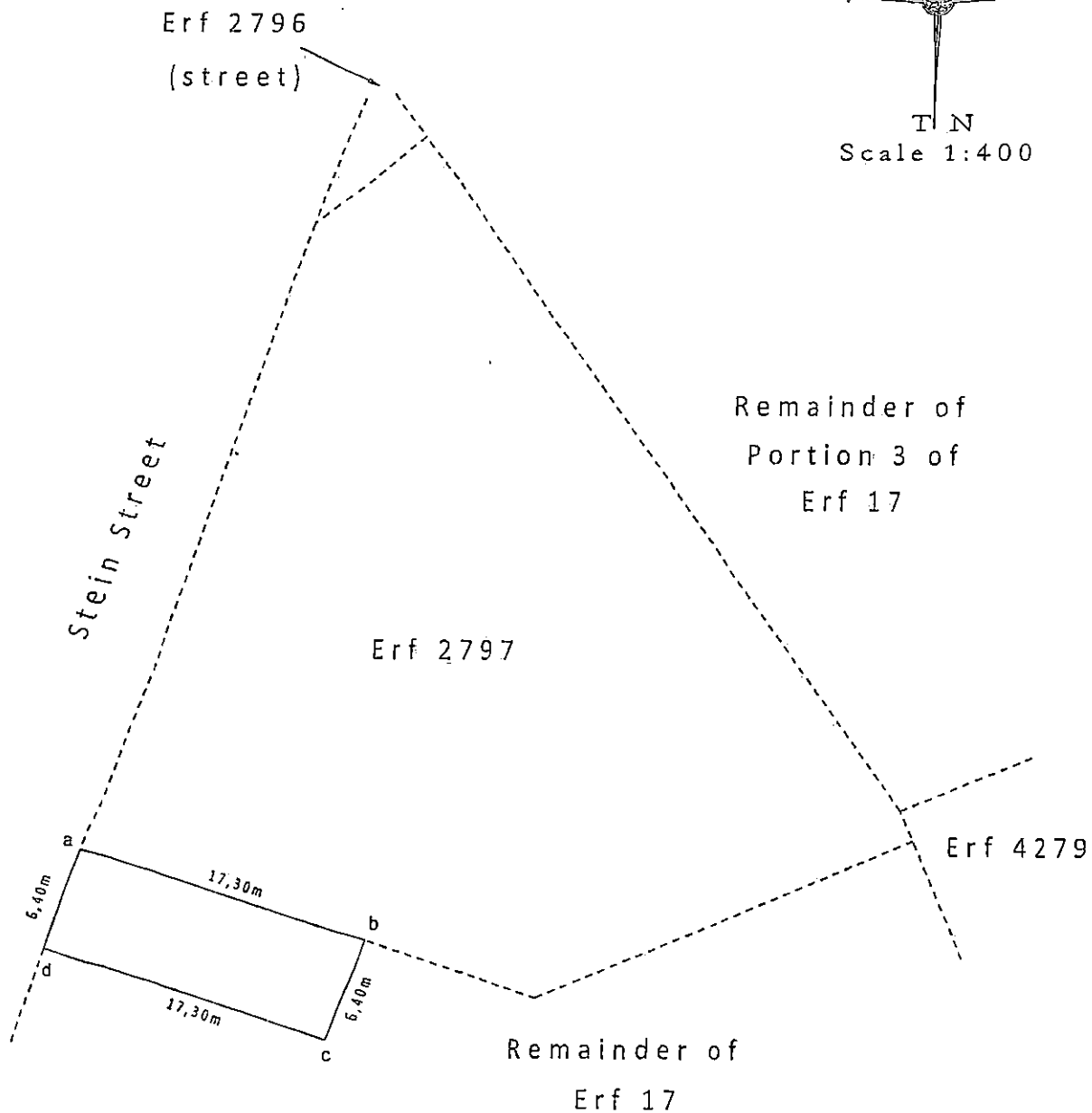
Valued by: *A. Hendjala*  
 Kaulikufwa Hendjala      Date: 19/07/2023

SUBDIVISION SKETCH

226.13



T N  
Scale 1:400



Notes:

1. The figure a-b-c-d represents the proposed area to be subdivided.
2. The area of the figure a-b-c-d is 111m<sup>2</sup>.

Strydom & Associates  
Land Surveyors  
P.O. BOX 40716  
Ausspannplatz  
Windhoek  
Namibia

CLIENT: Mr Sammy Joubert

DRAWN BY: Norman

DATE: 07 September 2021

SCALE: 1:400

Year	Initial rental	Initial size	Size Difference	New size	% difference in size	Adjusted rental NS	Adjusted annual rental	
Nov 2017-Jan 2018	2,346.76	2246	2135.28	110.72	4.93%	115.7	1,388.34	
Feb 2018-Jan2019	2,468.79	2246	2135.28	110.72	4.93%	121.71	1,460.54	
Feb2019-Jan2020	2,607.04	2246	2135.28	110.72	4.93%	128.53	1,542.32	
Feb2020-Jan2021	2,672.22	2246	2135.28	110.72	4.93%	131.74	1,580.89	
Feb2021-Jan2022	2,731.01	2246	2135.28	110.72	4.93%	134.64	1,615.67	227
Feb2022-Jan2023	2,842.98	2246	2135.28	110.72	4.93%	140.16	1,681.91	
							9,269.66	
Nov 2017-Jan 2018	2,346.76	2246	2135.28	110.72	4.93%	115.7		
Feb 2018-Jan2019	2,468.79	2246	2135.28	110.72	4.93%	121.71		
Feb2019-Jan2020	2,607.04	2246	2135.28	110.72	4.93%	128.53		
Feb2020-Jan2021	2,672.22	2246	2135.28	110.72	4.93%	131.74		
Feb2021-Jan2022	2,731.01	2246	2135.28	110.72	4.93%	134.64		
Feb2022-Jan2023	2,842.98	2246	2135.28	110.72	4.93%	140.16		



Andimba Toivo Ya Toivo Street,  
Southern Square, Windhoek,  
+264 81 1225788,  
P O Box Box 70523, Khomasdal

Enq: Mr. F. Negumbo

Date: 26 April 2023

The Chief Executive Officer  
Department of Urban & Transport Planning  
City of Windhoek  
P O Box 59  
WINDHOEK  
Attention: Manager: Urban Policy

Dear Madam,

**RE: REZONING OF ERF 3347, ISTANBUL STREET NO. 10, OTJOMUISE FROM 'RESIDENTIAL' WITH A DENSITY OF 1:300M<sup>2</sup> TO 'BUSINESS' WITH A BULK OF 0.4 AND CONSENT TO USE ERF 3347, ISTANBUL STREET, OTJOMUISE IN ACCORDANCE WITH THE PROPOSED ZONING AND BULK WHILE REZONING IS BEING COMPLETED**

M & N Planning and Property Development cc is acting on behalf of owner of Erf 3347, Otjomuise to in terms of Section 105 (2) of the Urban & Regional Planning Act, 2018 (Act No. 5 of 2018) apply to City of Windhoek and Urban & Regional Planning Board for;

- rezoning of Erf 3347, Istanbul Street, Otjomuise from 'residential' with a density of 1:300m<sup>2</sup> to 'business' with a bulk of 0.4 in terms section 105 (1) of the Urban & Regional Planning Act, 2018 (Act No. 5 of 2018)
- consent to use Erf 3347, Istanbul Street, Otjomuise in accordance with the proposed zoning and bulk while rezoning is being completed.



The Power of Attorney is attached for your perusal.

#### **1. Erf information**

Erf 3347 is situated at a corner of Instabul and Calcutta Streets, Otjomuise and zoned 'residential' and is approximately 313m<sup>2</sup> in extent. There is an existing structure which is being renovated to accommodate the proposed activity and terrain is relatively flat

#### **2. Services**

The Erf is fully serviced with all Municipal services.

#### **3. Development proposal & consent**

The intention of the owner is to convert the existing dwelling into a Groceries Shop, however, for the proposed development to be realized, a rezoning from 'residential' to 'business' is required, hence this submission.

#### **4. Motivation**

The intention of the owner is to convert the existing dwelling into a Groceries Shop, however, for the proposed development to be realized, a rezoning from 'residential' with a density of 1:300m<sup>2</sup> to 'business' with a bulk of 0.4 is required, hence this submission. The Erf in question is partially developed and currently going under renovation.

Otjomuise neighborhood is characterized by mostly residential Erven with few Institutional and business Erven. Just few meters away from Erf 3347, Erf 3381 is zoned "business", Erf 3380 is zoned "Municipal" and Erf 3371 is zoned "institutional".

Erf 3347, Otjomuise is located farthest to the west of the existing shopping center and residents of this area find it difficult to access shops for their daily needs especially during late hours as there are no shops in the neighborhood, hence the proposed shop in this area would be a relieve in this regard.

Otjomuise is in need of upgrading with additional local investments. It is a Council objective to stimulate economic activity that can result in favorable social repercussions throughout the City but especially in the north-western suburbs. The rezoning of Erf 3347, Otjomuise and its accompanying development for a Groceries Shop is one of many small but potent opportunities for Council to see its objectives achieved.

Planning theory suggests that the needs and preferences of the people change over time, this would mean changes in land use (e.g. rezoning to high density) in order to accommodate the needs and preference of the people.

It is our considered view that the rezoning of Erf 3347, Otjomuise from 'residential' with a density of 1:300m<sup>2</sup> to 'business' with a bulk of 0.4 will not have any detrimental impact on the environment and neighbouring properties.

## **5. Registered conditions**

The existing conditions registered against Erf 3347, Otjomuise among others stipulates that the Erf shall be used for residential purposes only. It is for this reason that the existing conditions be cancelled and replaced with the minimum Municipal conditions.

## **6. Application**

Application is hereby made for;

- the rezoning of Erf 3347, Otjomuise from 'residential' with a density of 1:300m<sup>2</sup> to 'business' with a bulk of 0.4 in terms Section 105 (1) of the Urban & Regional Planning Act, 2018 (Act No. 5 of 2018)
- consent to use Erf 3347, Otjomuise in accordance with a proposed zoning and bulk while the rezoning is in process.

## 7. Attachments

- *Motivation*
- *Title Deed*
- *Power of Attorney*
- *Locality, Current and proposed zoning Plans*
- *Clearance Certificate*
- *Proof of Payment- Submission fee*

Trust that this application will favorably be considered and should you need further information regarding this application, kindly contact us at the +264 851225788.

Yours sincerely,



---

Brownny N Mutrifa (PR number 39)

2320

### CURRENT ZONING MAP

ERF 3347 OTJ

**LEGEND**

- Business
- Cemetery
- Garage
- General Residential
- Government
- Industrial
- Institutional
- Municipal
- Office
- Private Open Space
- Public Open Space
- Residential
- Restricted Business
- Special
- Street
- Transport & Communication
- Undetermined



T/N

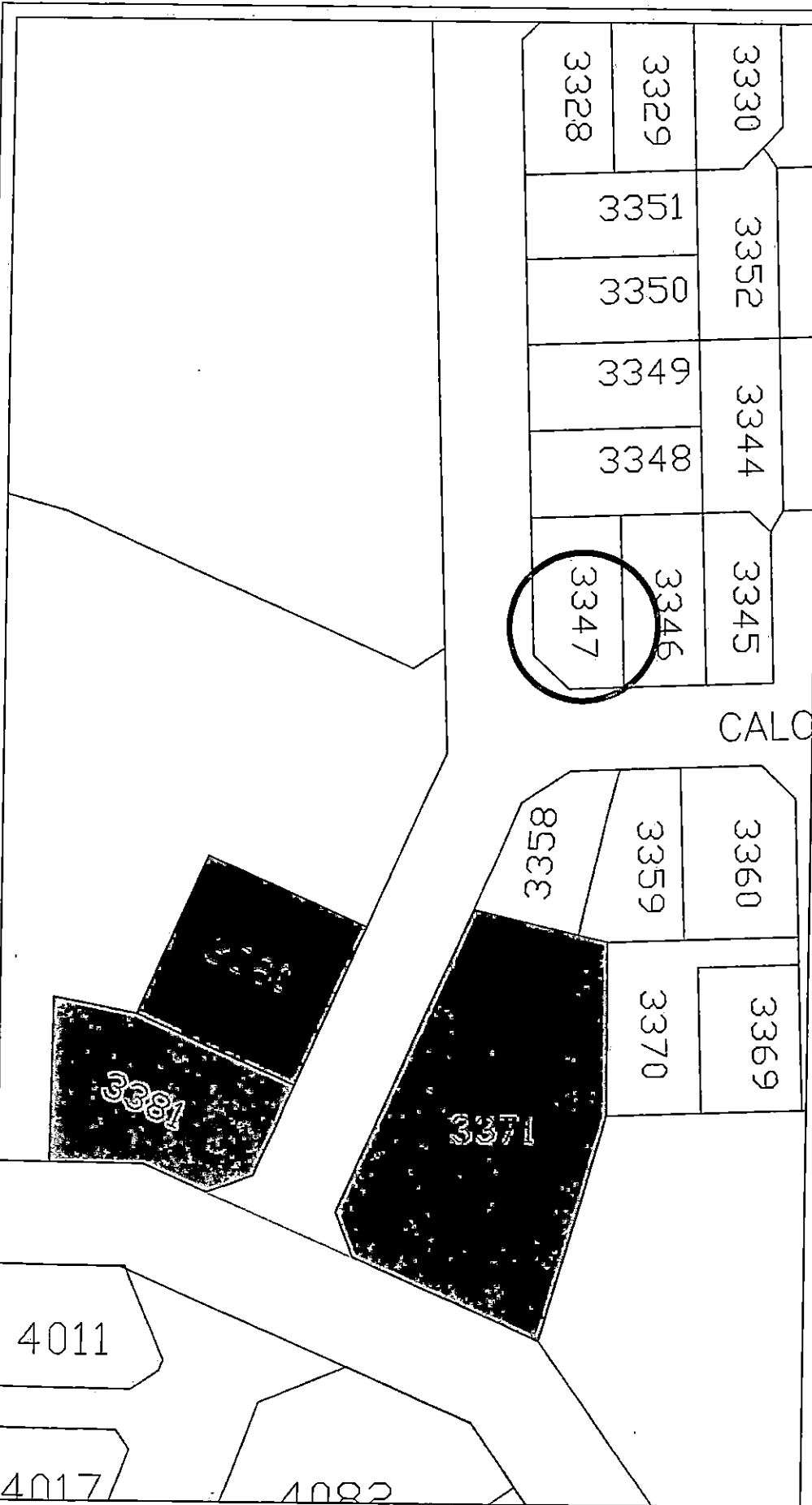
DATE: 22 FEB 2023

Scale: 1:1000



M&N Planning and Property Development CC  
 (Town & Regional Planners)  
 51 Julius Nyerere Street  
 Southern Industrial Area  
 PO Box 70523, Khomasdal

















Cell: +264 811225788  
 Tell: +264 61 219596



# PROPOSED ZONING MAP

ERF 3347 OTJ

**LEGEND**

-  Business
-  Cemetery
-  Garage
-  General Residential
-  Government
-  Industrial
-  Institutional
-  Municipal
-  Office
-  Private Open Space
-  Public Open Space
-  Residential
-  Restricted Business
-  Special Street
-  Transport & Communication
-  Undetermined



DATE: 04 MArch 2023

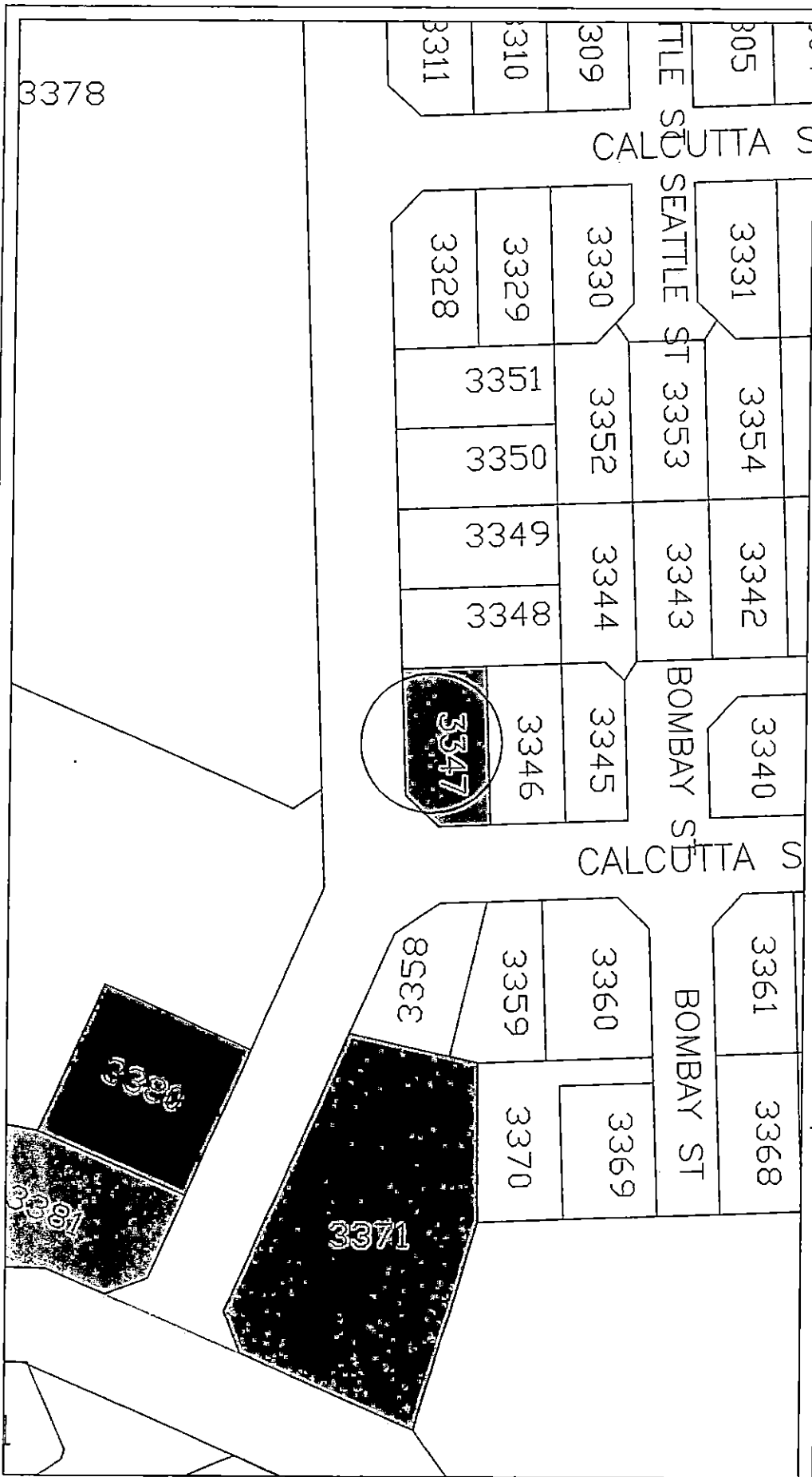
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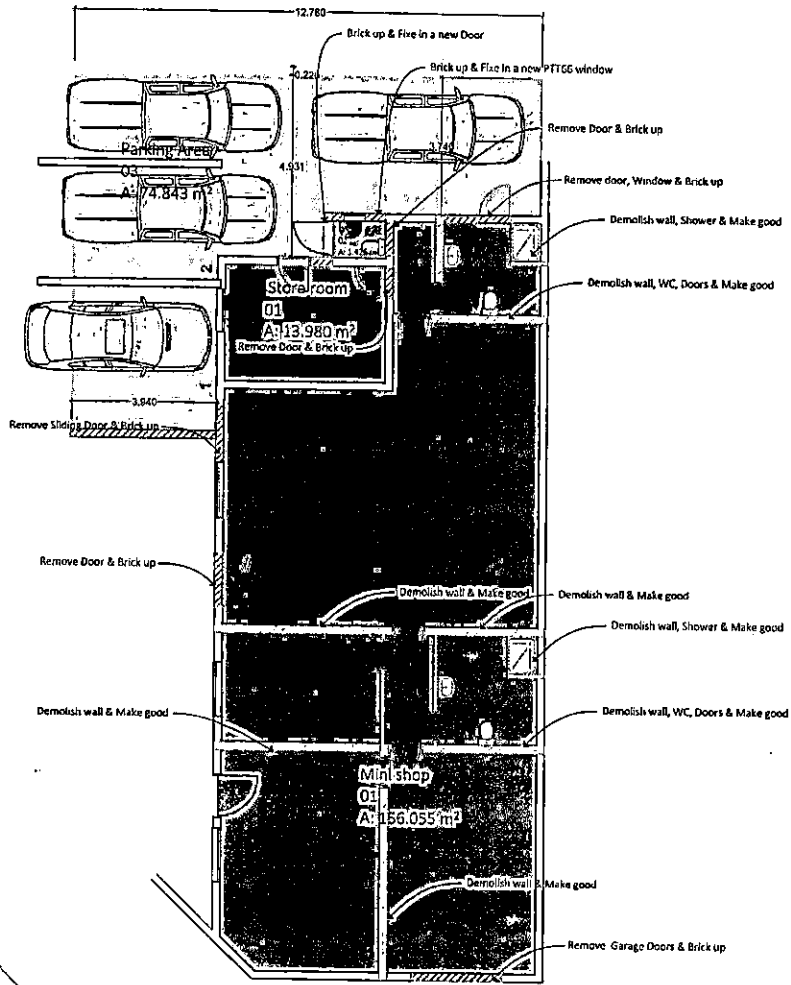


M&N Planning and Property  
Development CC  
(Town & Regional Planners)

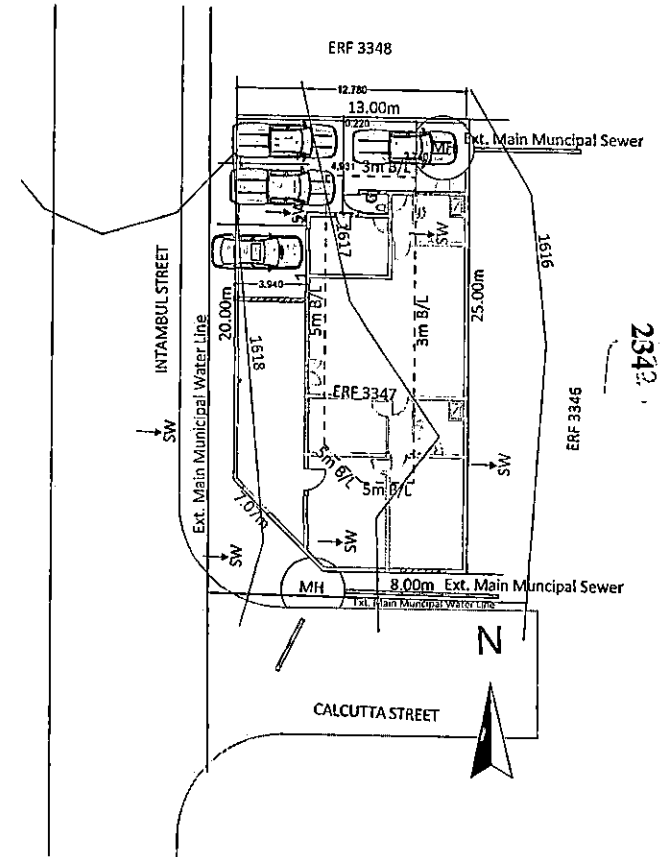
51 Julius Nyerere Street  
Southern Industrial Area  
PO Box 70523, Khomasdal

Cell: +264 851225788  
Tell: +264 61



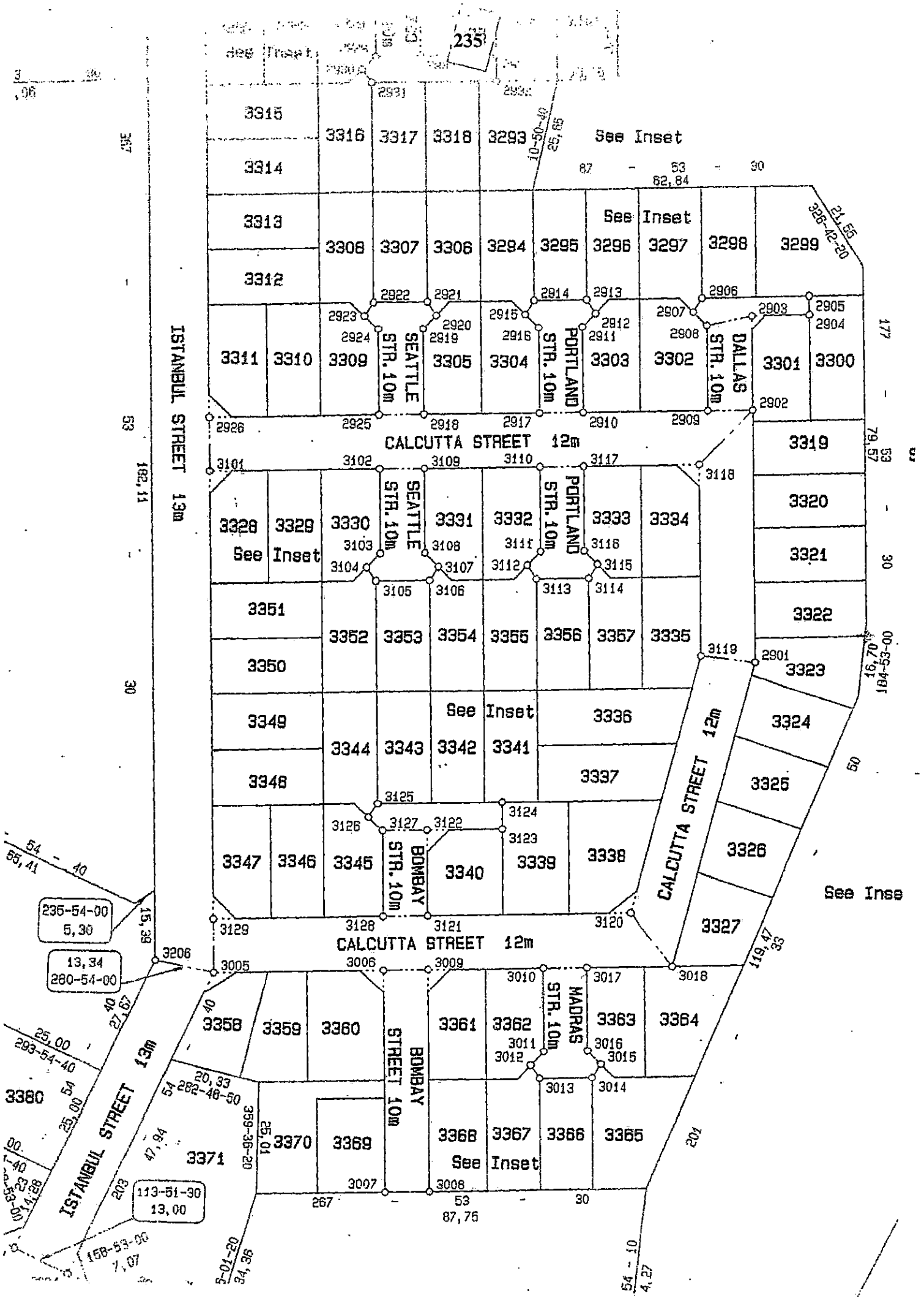


Changed Floor Plan



Site Plan 1:200





**IN FAVOUR OF THE LOCAL AUTHORITY**

The following conditions shall be registered in favour of the local authority against the title deed of the Erf:

- a) The erf must only be used or occupied for purposes which are in accordance with, and the use or occupation of the erf shall at all times be subject to, the provisions of the Windhoek Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act (Act 5 of 2018).
- b) The building value of the main building, excluding the outbuildings to be erected on the erf shall be at least **four** times the prevailing valuation of the erf.





**"SPECIAL POWER OF ATTORNEY"**

I, the undersigned, ALI DHARANI in my capacity as Managing Member of GROW MORE TRADING KHOMAS CLOSE CORPORATION, the registered owner of Erf 3347, Otjomuise do hereby nominate, constitute and appoint,

**M & N PLANNING AND PROPERTY DEVELOPMENT CC**

with power of Substitution, to be my lawful Agent in my name, place and stead, to make the necessary application to the City of Windhoek and Urban & Regional Planning Board, Ministry of Urban and Rural Development for the:

- REZONING OF ERF 3347, ISTANBUL STREET, OTJOMUISE FROM 'RESIDENTIAL' TO 'BUSINESS' WITH A BULK OF 0.4
- CONSENT TO USE ERF 3347, ISTANBUL STREET, OTJOMUISE IN ACCORDANCE WITH THE PROPOSED ZONING AND BULK WHILE REZONING IS BEING COMPLETED

at the cost of the applicant and generally for effecting the purposes aforesaid, to do or cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes I might or could do if personally present and acting herein – hereby ratifying, allowing and confirm all and whatsoever my said Agent shall lawfully do, or cause to be done, by virtue of these present.

SIGNED at OSLAKATI... this 26... day of March 2023 in the presence of the undersigned witnesses.

WITNESSES:

1.

2.

SUBSCRIBER

# **FOUNDING STATEMENT (CC1)**

**OF**

## **Grow More Trading Khomas Close Corporation**

Prepared by:

**NORTH ACCOUNTING SERVICES CC**

PO Box 1926

Tsumeb

Namibia

Tel: 067-222642

[info@northaccounting.com.na](mailto:info@northaccounting.com.na)



239

Postal Address  
P.O. Box 25772  
Business Address  
11 Delius Street,  
Windhoek West  
Windhoek, NA

Fax +264 886 270 71  
+264 886 289 08  
Cell +264 81 122 4200  
Email Address  
info@mawila.com.na

27 June 2022

The Registrar of Close Corporations  
Business and Intellectual Property Authority  
P. O. Box 185  
Windhoek  
Namibia

Dear Sir/Madam

**CONSENT TO ACT AS ACCOUNTING OFFICER**

This letter serves as confirmation that I the undersigned herewith accept in terms of Section 59(1) of the Close Corporation Act 1988, to act as Accounting Officer of the Close Corporation to be registered under the name of:

**GROW MORE TRADING KHOMAS CLOSE CORPORATION.**

My practice number in Namibia is 20803, Institute of Chartered Accountants of Namibia ('ICAN').

Yours faithfully

Mawila Registered Accountants & Auditors  
Per: Immanuel Awene  
Partner



BUSINESS AND INTELLECTUAL PROPERTY AUTHORITY - BIPA

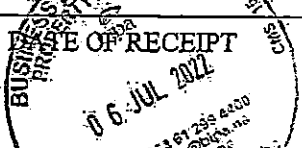
CLOSE CORPORATIONS ACT, 1988  
(Sections 12, 13, 14, 24, 27, 29, 47 and 60)  
(Regulations 2, 3 and 13)



CC1

### Founding Statement

Before filling in the form, first see notes on page 2.

REGISTRATION NUMBER OF CORPORATION  <i>CC 202205647</i>	
---	---

Full name of corporation Grow More Trading Khomas Close Corporation

Literal translation of name (if applicable) N/A

Shortened form of name (if applicable) N/A

Description of principal business General dealer, wholesale, retail trading, selling of alcohol beverages, hardware and all related activities.

Date of end of financial year Last day of February each year

Postal address P O Box 1926, Tsumeb, Namibia

Address of registered office (not post office box) 1495 Sam Nujoma Avenue, Tsumeb, Namibia

Email address: info@northaccounting.com.na

Name and address of accounting officer Mawila Registered Accountants & Auditors

P O Box 25772, Windhoek, Namibia

1397 Ondangaura Street, Windhoek, Namibia

(Attach written consent to appointment)

Full name of association or body of which accounting officer is a member Institute of Chartered Accountants of Namibia (ICAN)

Membership/Practice No. 20803

Signature of Accounting Officer *Mawila*

**NOTES**

1. Form CC 1 must be written in block capitals or be typewritten, lithographed or printed in legible characters with deep permanent black ink, and lodged in triplicate.
2. Where a person signs on behalf of a member, a power of attorney must be attached.
3. Minor children and other persons under legal disability must be assisted by their parents, guardians or representatives, as the case may be, and the capacity must be stated.
4. If no identity document has been issued, a written statement to this effect must be attached.
5. Form CC 1 which does not comply with the requirements of the Act, regulations or these notes, will be rejected.
6. Particulars to be furnished under the heading "MEMBERS".
  - (a) Full names and surname. (if juristic person, mention name and capacity and if trustee, also mention name and particulars of testamentary trust).
  - (b) Identity number ((i) if no identity document has been issued, state date of birth and see par. 4 above.) ((ii) If juristic person, mention registration number).
  - (c) Size of interest expressed as a percentage.
  - (d) Particulars of interest and fair value thereof.
  - (e) Residential address
  - (f) Postal address.
  - (g) Signature of member or representative (where applicable).

NAME OF CORPORATION Grow More Trading Khomas Close Corporation

REGISTRATION NUMBER CC 202205647

PART C

MEMBERS One

Full names and surname Ali Dharani

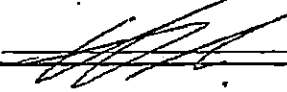
		Year	Month	Day										
Identity number or date of birth	(i)	7	4	0	5	1	6	1	0	3	4	9		
Registration number	(ii)													

Percentage of interest 100% Particulars of contribution NS 100-00

Residential address Hanover House 2596, Ongwediva, Namibia

Postal address P O Box 2010, Oshakati, Namibia

Email address: ali@raniandgroup.com

Signature of member or representative 

Full names and surname \_\_\_\_\_

		Year	Month	Day										
Identity number or date of birth	(i)													
Registration number	(ii)													

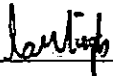
Percentage of interest \_\_\_\_\_ Particulars of contribution \_\_\_\_\_

Residential address \_\_\_\_\_

Postal address \_\_\_\_\_

Email address: \_\_\_\_\_

Signature of member or representative \_\_\_\_\_

Witness Signature 

Date of signature 27/06/2022

Full names Charles William Voigts

Residential address 1495 Sam Nujoma Drive, Tsumeb, Namibia

Business address 1495 Sam Nujoma Drive, Tsumeb, Namibia

Postal address P O Box 1926, Tsumeb, Namibia

Email address: info@northaccounting.com.na

NAME OF CORPORATION Grow More Trading Khomas Close Corporation

REGISTRATION NUMBER

CC 202205647

PART C

MEMBERS

Full names and surname \_\_\_\_\_

		Year	Month	Day										
Identity number or date of birth	(i)													
Registration number	(ii)													

Percentage of interest \_\_\_\_\_ Particulars of contribution \_\_\_\_\_

Residential address \_\_\_\_\_

Postal address \_\_\_\_\_

Email address: \_\_\_\_\_

Signature of member or representative \_\_\_\_\_

Full names and surname \_\_\_\_\_

		Year	Month	Day										
Identity number or date of birth	(i)													
Registration number	(ii)													

Percentage of interest \_\_\_\_\_ Particulars of contribution \_\_\_\_\_

Residential address \_\_\_\_\_

Postal address \_\_\_\_\_

Email address: \_\_\_\_\_

Signature of member or representative \_\_\_\_\_

Witness Signature \_\_\_\_\_ Date of signature \_\_\_\_\_

Full names \_\_\_\_\_

Residential address \_\_\_\_\_

Business address \_\_\_\_\_

Postal address \_\_\_\_\_

Email address: \_\_\_\_\_

NAME OF CORPORATION Grow More Trading Khomas Close Corporation

REGISTRATION NUMBER CC 702205647

PART C

MEMBERS

Full names and surname \_\_\_\_\_

	Year	Month	Day														
Identity number or date of birth (i)																	
Registration number (ii)																	

Percentage of interest \_\_\_\_\_ Particulars of contribution \_\_\_\_\_

Residential address \_\_\_\_\_

Postal address \_\_\_\_\_

Email Address: \_\_\_\_\_

Signature of member or representative \_\_\_\_\_

Full names and surname \_\_\_\_\_

	Year	Month	Day													
Identity number or date of birth (i)																
Registration number (ii)																

Percentage of interest \_\_\_\_\_ Particulars of contribution \_\_\_\_\_

Residential address \_\_\_\_\_

Postal address \_\_\_\_\_

Email address \_\_\_\_\_

Signature of member or representative \_\_\_\_\_

Witness Signature \_\_\_\_\_ Date of signature \_\_\_\_\_

Full names \_\_\_\_\_

Residential address \_\_\_\_\_

Business address \_\_\_\_\_

Postal address \_\_\_\_\_

Email Address: \_\_\_\_\_



NAME OF CORPORATION 2453 Grow More Trading Khomas Close Corporation

REGISTRATION NUMBER CC/02205647

PART C

MEMBERS

Full names and surname \_\_\_\_\_

		Year	Month	Day										
Identity number or date of birth	(i)													
Registration number	(ii)													

Percentage of interest \_\_\_\_\_ Particulars of contribution \_\_\_\_\_

Residential address \_\_\_\_\_

Postal address \_\_\_\_\_

Email Address \_\_\_\_\_

Signature of member or representative \_\_\_\_\_

Full names and surname \_\_\_\_\_

		Year	Month	Day										
Identity number or date of birth	(i)													
Registration number	(ii)													

Percentage of interest \_\_\_\_\_ Particulars of contribution \_\_\_\_\_

Residential address \_\_\_\_\_

Postal address \_\_\_\_\_

Email address \_\_\_\_\_

Signature of member or representative \_\_\_\_\_

Witness Signature \_\_\_\_\_ Date of signature \_\_\_\_\_

Full names \_\_\_\_\_

Residential address \_\_\_\_\_

Business address \_\_\_\_\_

Postal address \_\_\_\_\_

Email address \_\_\_\_\_

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NAME OF CORPORATION Grow More Trading Khomas Close Corporation

REGISTRATION NUMBER CC 202205647

PART C

MEMBERS

Full names and surname \_\_\_\_\_

		Year	Month	Day										
Identity number or date of birth	(i)													
Registration number	(ii)													

Percentage of interest \_\_\_\_\_ Particulars of contribution \_\_\_\_\_

Residential address \_\_\_\_\_

Postal address \_\_\_\_\_

Email address \_\_\_\_\_

Signature of member or representative \_\_\_\_\_

Full names and surname \_\_\_\_\_

		Year	Month	Day										
Identity number or date of birth	(i)													
Registration number	(ii)													

Percentage of interest \_\_\_\_\_ Particulars of contribution \_\_\_\_\_

Residential address \_\_\_\_\_

Postal address \_\_\_\_\_

Email address \_\_\_\_\_

Signature of member or representative \_\_\_\_\_

Witness Signature \_\_\_\_\_ Date of signature \_\_\_\_\_

Full names \_\_\_\_\_

Residential address \_\_\_\_\_

Business address \_\_\_\_\_

Postal address \_\_\_\_\_

Email address \_\_\_\_\_

2475

REPUBLIC OF NAMIBIA  
 BUSINESS AND INTELLECTUAL PROPERTY AUTHORITY - BIPA  
 CLOSE CORPORATIONS ACT, 1988  
 (Section 13, 14, 27 and 60)  
 (Regulations 3, 10 and 13)

(To be lodged in triplicate together with the Founding Statement)

### Certificate of Incorporation

REGISTRATION NUMBER OF CORPORATION	
CC /	702 205647

This is to certify that the Founding Statement (CC 1) of  
**Grow More Trading Khomas Close Corporation**

Has been registered and the above-named close corporation was this day incorporated in terms of the Close Corporation Act, 1988

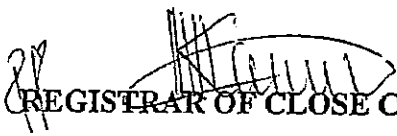
\* The above-named corporation has been converted from a company:

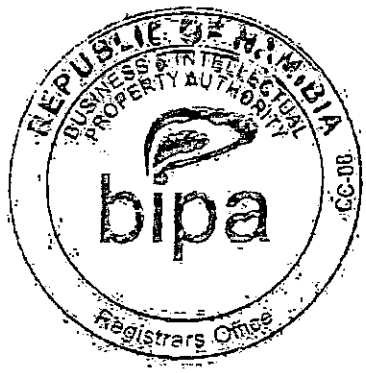
\_\_\_\_\_

\_\_\_\_\_ (Reg. No. \_\_\_\_\_)

Signed at Windhoek this 17 Day of July

Two Thousand and Twenty Two

  
 REGISTRAR OF CLOSE CORPORATIONS



\* (Delete if not applicable)

NAME OF CORPORATION Grow More Trading Khomas Close Corporation

REGISTRATION NUMBER CC202205647

The above-named corporation has been converted from company!

Reg. No. \_\_\_\_\_ )

**FOR OFFICE USE**

Founding Statement registered

[Signature]  
Registrar of Close Corporations

12.07.2022  
Date

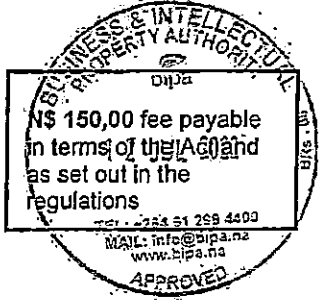
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Data Processing \_\_\_\_\_

Classification \_\_\_\_\_

Recorded \_\_\_\_\_

Signature and date \_\_\_\_\_

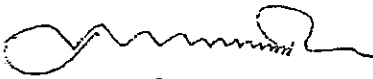


**MEMBER / WITNESS CONTACT DETAILS**  
 (PLEASE ATTACH A COPY OF ID / PASSPORT FOR EACH MEMBER AS WELL AS THE WITNESS)

1. Name (Witness)	Charles William Voigts
2. Land-line number of applicant (if any);	+264 67 222 642
3. Mobile number;	+264 81 129 0840
4. Fax Number;	+264 67 222 641
5. E-mail Address;	Charles @northaccounting.com.na
1. Name	Ali Dharani
2. Land-line number of applicant (if any);	+264 65 222 296
3. Mobile number;	+264 81 777 7786
4. Fax Number;	+264 65 222 539
5. E-mail Address;	ali@ranilandgroup.com
1. Name	
2. Land-line number of applicant (if any);	
3. Mobile number;	
4. Fax Number;	
5. E-mail Address;	
1. Name	
2. Land-line number of applicant (if any);	
3. Mobile number;	
4. Fax Number;	
5. E-mail Address;	
1. Name	
2. Land-line number of applicant (if any);	
3. Mobile number;	
4. Fax Number;	
5. E-mail Address;	
1. Name	
2. Land-line number of applicant (if any);	
3. Mobile number;	
4. Fax Number;	
5. E-mail Address;	

250

ORIGINAL  
STAMPED  
DUTY No 18 000.00

Prepared by me,  
  
Conveyancer,  
VAN DEN BERG, LT

DR WEDER, KAUTA & HOVEKA INC  
ATTORNEYS, NOTARIES AND CONVEYANCERS  
3RD FLOOR, WKH HOUSE  
JAN JONKER ROAD  
P O BOX 864 / 822 WINDHOEK

T 1483 / 2023

# DEED OF TRANSFER

**BE IT HEREBY MADE KNOWN**

THAT LIANA THERESA VAN DEN BERG

appeared before me, the Registrar of Deeds at WINDHOEK, he/she the said Appearer,  
being duly authorised thereto by a Power of Attorney granted to him/her by

**JASON TSHININGAYAMWE UUSHONA**  
Identity Number 810114 1003 6

Married, which marriage does not have the legal consequences of a marriage in  
community of property by virtue of the provisions of Proclamation 15 of 1928

dated the 16<sup>th</sup> day of FEBRUARY 2023 and signed at WINDHOEK

DR WEDER, KAUTA & HOVEKA INC  
ATTORNEYS  
AUSSPANPLATZ, WINDHOEK

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AND THAT APPEARER DECLARED THAT the said Principal had on 16 February 2023 sold, and that he/she in his/her capacity aforesaid, did by these presents, cede and transfer, in full and free property to and on behalf of

**GROW MORE TRADING KHOMAS CLOSE CORPORATION**  
Company Number CC/2022/05647

its successors in title or assigns

**CERTAIN** : ERF NO. 3347 OTJOMUISE (EXTENSION NO. 8)

**SITUATE** : IN THE MUNICIPALITY OF WINDHOEK  
REGISTRATION DIVISION "K"  
KHOMAS REGION

**MEASURING** : 313 (THREE HUNDRED AND THIRTEEN) SQUARE METRES

**FIRST TRANSFERRED** by Deed of Transfer No. T 7918/2021 with General Plan SG No. A 606/2000, relating thereto and

**HELD BY** : Deed of Transfer No. T **1482** /2023

A. **SUBJECT** to the following conditions imposed in terms of the Urban and Regional Planning Act, 2018 (Act 5 of 2018), and created in Deed of Transfer No. T **1482** /2023, namely:-

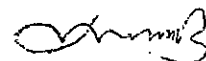
**IN FAVOUR OF THE LOCAL AUTHORITY:**

(a) The erf must only be used or occupied for purposes which are in accordance with, and the use or occupation of the erf shall at all times be subject to, the provisions of the Windhoek Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act (Act 5 of 2018).

(b) The building value of the main building, excluding the outbuildings to be erected on the erf shall be at least **four** times the prevailing valuation of the erf.

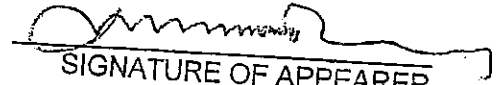
B. **FURTHER SUBJECT** to the reservation by the Municipal Council of Windhoek of the right of access and use without compensation of the area 3 metres parallel with any boundary for the construction and maintenance of Municipal Services in respect of water, sewerage, drainage, electricity and gas. This will also include the right to place such erf temporarily any materials that may be excavated or used during such operations on the erf or any adjacent erf and created in the said Deed of Transfer No. T 7918/2021.

DR WEDER, KAUTA & HOVEKA INC  
ATTORNEYS  
AUSSPANNPLATZ, WINDHOEK



WHEREFORE the Appearer, renouncing all the Right and Title which the said TRANSFEROR heretofore had to the premises, did, in consequence, also acknowledge him to be entirely dispossessed of and disentitled to the same, and that, by virtue of these Presents, the said TRANSFEREE, its successors in title or assigns now is and henceforth shall be entitled thereto, conformably to local custom, the State, however, reserving its Rights, and finally acknowledging the purchase price amounting to the sum of **N\$1 500 000.00 (ONE MILLION FIVE HUNDRED THOUSAND NAMIBIA DOLLARS)**


SIGNED AT WINDHOEK on 30 MAR 2023 together with the Appearer, and confirmed with my Seal of Office

  
SIGNATURE OF APPEARER



- In my presence,
- Transfer duty receipt No. 0200125718 issued by the Namibia Revenue Agency at WINDHOEK on 22 March 2023 For N\$ 180 000.00  
(Checked 1. MD-bukey 2. ttt)

- I the undersigned, VAN DEN BERG, LT, hereby certify in terms of Section 78 of Act 23/1992 ("The Act"), that
  - all rates leviable in respect of the immovable property contained in this Deed, and all the fees, charges and other moneys due to the local authority council in respect of any service, amenity or facility supplies to such property in terms of the Act, inclusive of any availability charge and minimum charge provided for in Section 30(1)(u) of the Act, have been paid up to and including the date of registration hereof; and
  - a building compliance certificate by the Local Authority has been issued

  
CONVEYANCER  
VAN DEN BERG, LT



**Town Planning Certificate No. 1:  
Town Planning Scheme Information**

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Ref : \_\_\_\_\_

Enq : \_\_\_\_\_

Tel : \_\_\_\_\_

Applicants Address \_\_\_\_\_

Telephone Number : \_\_\_\_\_

Sir / Madam

Erf No: 3347

Township : OTJOMUISE

Street : ISTANBUL STR

In terms of the Windhoek Town Planning Scheme the following conditions apply to the above mentioned erf.

- |                  |                                |                   |
|------------------|--------------------------------|-------------------|
| 1. Use Zone :    | RESIDENTIAL                    | Refer to Table B. |
| 2. Density :     | 1 DWELLING / 300M <sup>2</sup> | Refer to Table E. |
| 3. Bulk Factor : | 0 00                           | Refer to Table F. |
| 4. Coverage :    | 50 %                           | Refer to Table G. |
| 5. Erf Size :    | 313 m <sup>2</sup>             |                   |
| 6. Parking :     | _____                          |                   |

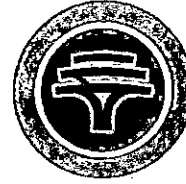
(The parking ratio should be confirmed with the Transportation Department for erven in the business zone, and for restaurants, grouped housing schemes, hotels, bed & breakfasts, resident occupations, places of amusement, social halls and churches)

7. Street Build Lines \_\_\_\_\_
8. Position Of Buildings : \_\_\_\_\_
9. Street Address : 10 ISTANBUL STR
10. Flood Line : \_\_\_\_\_
11. Height Restriction : \_\_\_\_\_ Refer to Table J.
12. Street Reservation : \_\_\_\_\_
13. Other : \_\_\_\_\_

The TOWN PLANNING SCHEME and MAP are open for inspection on the passage wall of the 7th floor of the town house. The information provided herein must be verified by the applicant by inspection of the Scheme and Map.

Your attention is further directed to any condition which may be registered against your property in the title deeds. You may be required to furnish a certified copy of the title deeds conditions before any building plans are approved.

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**FNB**

## **NOTIFICATION OF PAYMENT**

To Whom It May Concern:

First National Bank Namibia hereby confirms that the following payment instruction has been received:

---

Date Actioned	: 2023/03/22
Time Actioned	: 11:57:31
Trace ID	: NAM0ZVWQ3NLB

### **Payer Details**

Payment From	: M And N Planning & Prop Dev Cc
Cur/Amount	: NAD4,025.00

### **Payee Details**

Recipient/Account No	: . . 146115
Name	: Cow
Bank	: First National Bank
BIC Code	: FIRNNANX
Reference	: Erf 3347 Otj
Reason for payment	: CREDITOR PAYMENT

**END OF NOTIFICATION**

---

To authenticate this Payment Notification, please visit the First National Bank of Namibia Limited website at [fnbnamibia.com.na](http://fnbnamibia.com.na), select the "Verify Payments" link and follow the on-screen instructions.

Our customer (the payer) has requested First National Bank of Namibia Limited to send this notification of payment to you. Should you have any queries regarding the contents of this notice, please contact the payer. First National Bank of Namibia Limited does not guarantee or warrant the accuracy and integrity of the information and data transmitted electronically and we accept no liability whatsoever for any loss, expense, claim or damage, whether direct, indirect or consequential, arising from the transmission of the information and data.

---

Board of Directors: Il Zaamwani-Kamwi (Chairperson), J Coetzee, OLP Capelao, C Dempsey\*\* (Chief Executive), P Grüttemeyer, CLR Haikali, JH Hausiku, IN Nashandi, E Tjipuka \*\*South African with Namibian Permanent Residence  
Company Secretary: N Makemba

**First National Bank** of Namibia Limited, Reg. No. 2002/0180.

2553

CREDIT CHECK LIST



Surname ..... Full Names .....

Erf no. 3347 ..... Township Oromuse .....

Company/ cc GROW-MORE TRADING KHAMAS CC .....

Namibian Id. ....

Postal Address 2010, OS HAKATI .....

Physical residential or Business address ERF 4411, OS HAKATI EAST .....

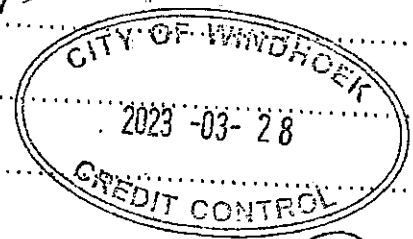
Telephone (B) ..... (H) .....

Mobile no. ....

FINANCE DEPARTMENT CREDIT CHECK

Service Accounts (MS)

Comments: No errors .....

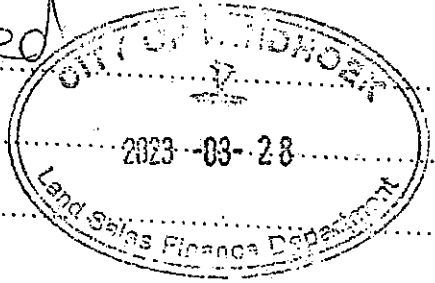


Accounting Technician Credit Control h. Luuti Signature [Signature] .....

Date: .....

LAND SALES

Comments: Approved .....



Accounting Technician Credit Control STAMEN Signature [Signature] .....

Date: .....

Accountant Credit Control ..... Date: .....

# MEMORANDUM

256

TO: Urban Policy

Date: 05 October 2023

FROM: Health and Environment Services



Ref: ERF 3347 OTJ

**SUBJECT: REZONING OF ERF 3347, ISTANBUL STREET NO. 10, OTJOMUISE FROM 'RESIDENTIAL' WITH A DENSITY OF 1:300M<sup>2</sup> TO 'BUSINESS' WITH A BULK OF 0.4 AND CONSENT TO USE ERF 3347, ISTANBUL STREET, OTJOMUISE.**

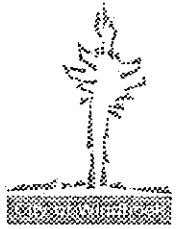
The above subject matter has reference:

The Division has no objection to the application. The applicant will be issued with an Environmental Clearance Exemption (by the Department of Economic Development and Community Services) for rezoning from residential to business in a built up environment, upon the application being approved by Council.

Regards,

257  
**MEMORANDUM**

<b>TO:</b> Mrs R. Kwenani	<b>DATE:</b> 16 June 2023
<b>FROM:</b> Chief Engineer Roads and Storm Water Planning, Design & Traffic Flow	<b>REF:</b> L/3347/OTJ



**SUBJECT: REZONING OF ERF 3347, ISTANBUL STREET NO. 10, OTJOMUISE FROM 'RESIDENTIAL' WITH A DENSITY OF 1:300M<sup>2</sup> TO 'BUSINESS' WITH A BULK OF 0.4 AND CONSENT TO USE ERF 3347, IN ACCORDANCE WITH THE PROPOSED ZONING AND BULK WHILE REZONING IS IN PROCESS.**

The application dated 26 April 2023, for the proposed, rezoning of Erf 3347, Istanbul Street no. 10, Otjomuise from 'Residential' with a Density of 1:300m<sup>2</sup> to 'Business' with a bulk of 0.4 and Consent to use Erf 3347, in accordance with the proposed zoning and bulk while rezoning is in process, refers.

A storm water investigation was done, and the following is reported:

1. Erf 3347 has a general downward slope from the west into an easterly direction.
2. There is no visible stormwater course or system flowing across the proposed Erf 3347, except for surface stormwater run-off.
3. Access to the proposed Erf 3347, is appears to be obtained from Instabul Street.

This Division has no objection to the proposed, rezoning of Erf 3347, Istanbul Street no. 10, Otjomuise from 'Residential' with a Density of 1:300m<sup>2</sup> to 'Business' with a bulk of 0.4 and Consent to use Erf 3347, in accordance with the proposed zoning and bulk while rezoning is in process, provided:

1. 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:
  - (1) 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 -
    - (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.

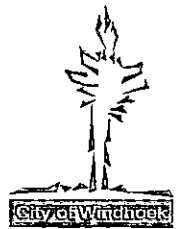
.....  
SECTION ENGINEER: DESIGN  
CJ VAN DER MERWE

# MEMORANDUM

TO: Ms. R. Kwenani

DATE: 06 June 2023

FROM: ELE: Engineering Services REF: 3347/OTJ  
Division



**SUBJECT:** the REZONING OF ERF 3347, ISTANBUL STREET NO.10, OTJOMUISE FROM RESIDENTIAL WITH A DENSITY OF 1:300 TO BUSINESS WITH A BULK OF 0.4 AND CONSENT TO USE ERF 3347 WITH THE PROPOSED ZONING WHILE THE REZONING IS BEING PROCESSED

The SEE has in principle no objection to the application submitted for the application above.

- The electrical consultant or contractor to obtain approval for all related electrical drawings for electrification indicating connection to the grid of CoW.

General comments:

- *Should any municipal electrical infrastructure need to be relocated, dismantled or replaced as per request received from the applicant, all cost related thereto will be for the applicant's account.*
- *Only one (1) service connection from the municipal electrical network will be allowed per Erf.*
- *Only one additional meter point will be allowed for an approved flat on erven that is zoned "Single Residential". For more meter points, the Erf must be rezoned to "General Residential".*
- *For Erven that is zoned "General Residential", "Business", "Office", "Institutional" or "Industrial" and a service connection larger than 3 x 60 Amp is required, the applicant and/or his/her electrical engineering representative must 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; and also to determine the financial contribution to be made by the applicant towards the upgrade cost of the network.*
- **Kindly 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"**

- For Erven that are rezoned<sup>259</sup> to “General Residential”, “Business”, “Office”, “Institutional” or “Industrial”, the applicant/owner or his/her registered electrical contractor must contact the SE: Electricity to determine ***whether the existing metering installation complies to Council’s Metering Policy for the specific type of zoning.***

.....  
VH NAMGONGO

CHIEF ENGINEER – ENGINEERING SERVICES, ELECTRICITY  
DEPARTMENT

# MEMORANDUM

## SUBJECT:

- 1. REZONING OF ERF 3347, ISTANBUL STREET, OTJOMUISE FROM 'RESIDENTIAL' WITH A DENSITY OF 1:300M<sup>2</sup> TO 'BUSINESS' WITH A BULK OF 0.4 IN TERMS SECTION 105 (1) OF THE URBAN & REGIONAL PLANNING ACT, 2018 (ACT NO. 5 OF 2018)**
- 2. CONSENT TO USE ERF 3347, ISTANBUL STREET, OTJOMUISE IN ACCORDANCE WITH THE PROPOSED ZONING AND BULK WHILE REZONING IS BEING COMPLETED.**

CIRCULATION	DATE	COMMENTS	SIGNATURES
Technical enquiries: T. IYAMBULA	02/10/2023	Tel: 290 2914	
Section Engineer	.../.../2023		
Chief Engineer	.../.../2023		



**TO:** Urban Planning  
R Kwenani

**DATE:** 02 October 2023

**FROM:** Section Engineer: Transport Planning

**REF:** L/3347/OTJ



## REVISED COMMENTS

### ROADS PLANNING & TRAFFIC FLOW COMMENTS:

Reference is made to our comments dated 27 June 2023 and subsequently a revised parking layout dated 29 September 2023 regarding the above subject matter:

Erf 3347 is located at the corner of Istanbul and Calcutta Street in Otjomuise, zoned 'residential' 1:300 and is approximately 313m<sup>2</sup> in extent. Rocky Crest, next to the Otjomuise. Istanbul and Calcutta are both local streets and no high traffic volumes experienced during peak hours. Rezoning Erf 3347 OTJ from "residential" to "Business" with a bulk of 0.4 will be generating approximately 3 additional trips to the current road network.

1. This Division has no objections to the proposed rezoning of Erf 3347, Istanbul Street, Otjomuise from 'residential' with a density of 1:300m<sup>2</sup> to 'business' with a bulk of 0.4 in terms section 105 (1) of the Urban & Regional Planning Act, 2018 (Act No. 5 of 2018); provided:

1.1 That minimum 1 parking bay per 33m<sup>2</sup> of utilised bulk be provided for on-site.

1.2 No access will be allowed 20 meters from the intersection, measured from the intersecting kerbs

2. This This Division has no further objections to the proposed consent to use Erf 3347, Istanbul Street, Otjomuise in accordance with the proposed zoning and bulk while rezoning is being completed; provided that:

2.1 The parking layout submitted is not in line with Municipal requirements

a. Parking No. 2 – 5 are encroaching on the sidewalk. Such parking is subjected to a lease agreement with Council. In addition, such parking must be constructed in accordance to the City of Windhoek's Non-Motorised Transport Strategy requirements, as per approved Drawing No. A.03.2, dated 29 September 2023. The sidewalk lease application must be submitted for approval through the Property Management Division on the following conditions:

- Minimum two (2) meters must be retained for pedestrian movement.
- Parking must be properly constructed with kerb stones making distinction between parking and pedestrian movement.

- 262
- Council reserves the right to cancel the lease/ parking space should such land be needed for Council services.
  - That Council is not held liable to reinstate any parking or compensate the owner for any improvements should the lease/ parking be terminated.
  - That the owner remains responsible to provide any shortfall of parking onsite or any other area approved by Council should the lease be cancelled / terminated.

3. That consent use shall only come into effect after meeting parking requirements on-site, being to the satisfaction of the SE: Urban and Transport Planning.

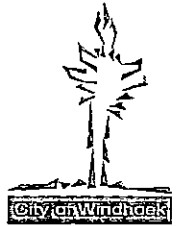
# MEMORANDUM

TO: Mrs. R. Kwenani

DATE: 05 June 2023

FROM: INF: Engineering Services Division

REF: L/3347/OTJ



**SUBJECT: REZONING OF ERF 3347, ISTANBUL STREET NO. 10, OTJOMUISE FROM 'RESIDENTIAL' WITH A DENSITY OF 1:300M<sup>2</sup> TO 'BUSINESS' WITH A BULK OF 0.4**

**CONSENT TO USE ERF 3347, ISTANBUL STREET, OTJOMUISE IN ACCORDANCE WITH THE PROPOSED ZONING AND BULK WHILE REZONING IS BEING COMPLETED**

The application dated 26 April 2023 regarding the above subject matter, refers.

The application can only be approved under the following conditions:

1. That any additional requirements with regard to water and sewer services brought on as a direct consequence of the rezoning, consent use or subsequent activities will be for the cost of the applicant, subject to approval by the Strategic Executive: Infrastructure, Water and Technical Services.

.....  
SECTION ENGINEER  
OC Archer

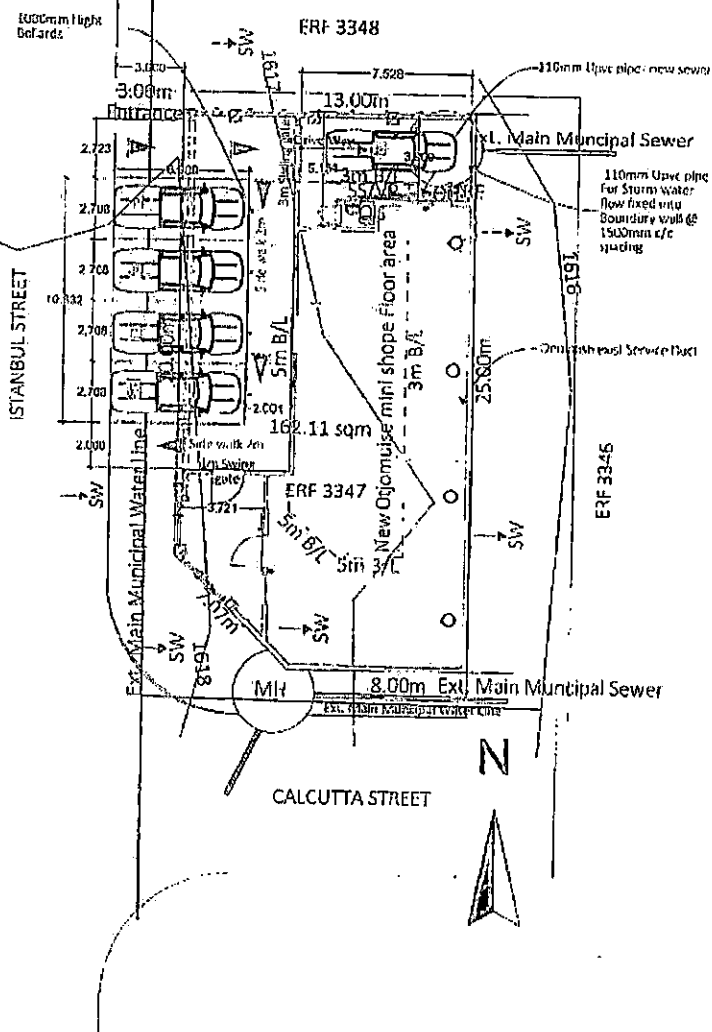
264

Yours faithfully

.....

MN Shiimi  
Transport Planning  
\*2508

265



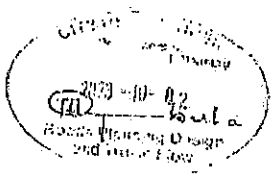
Parking Layout for: Rezoning of Erf 3347

1:200

Zone Category	Measured Area	Parking space Minimum Number of parking space to be provided	Provided parking space
New Commercial Use (not area)	162.11	1 per 85 square of floor area	162.11 (new parking) = 186.6sqm for 162.11 sqm floor area of J247 0.91multiple

Parking space

1:2



Client:  
Glenmore Trading Khomas cc  
P.O. box 90037, Windhoek  
muniplilling@yahoo.com  
+264 81 483 0600

Company Title  
**MAPS**  
Municipal Engineering & Planning Services

**Parking Layout for: Rezoning of**  
Erf 3347, Istanbul Street, Otjomuise  
Windhoek,  
Namibia,  
From 'residential' with a density of 1:3000<sup>2</sup> to  
'business' with a bulk of 0.4

Drawing Name  
**Parking Layout for: Rezoning**  
**of Erf 3347, Parking space**

Drawing Status  
**Approval**

Drawn by  
Thomas Nangenja Email:  
maps.architect@gmail.com Contact: +264 81  
445 6363

Checked by  
Mr. Thomas

Drawing Scale  
**1:200, 1:2**

Drawing No  
**A.03.2**

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**VACANCY**

**METALLIC AUTO REPAIRS AND BODY WORKS CC**

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Auto Electrician x1

**Duties:**

- Installing new vehicle wiring systems
- Installing and troubleshooting immobilizer and alarm
- Programming of car keys and coding
- Coding of gear boxes
- Repairing of automotive parts

**Minimum requirements:**

- Recognized trade certificate as a qualified auto electrician
- 5 (Five) years working experience as an auto electrician
- Code B Driver license or better is a must have
- Effective communication skills
- Traceable references

Email: metallicautorepairs@gmail.com

A complete CV and copy of qualifications should be sent as one pdf attachment

Closing date 28 July 2023

### VACANCY: OSHAKATI OPTOMETRIST

- At least 2 years related experience
- Good interpersonal skills
- Languages: English
- Preference will be given to Namibia Citizens
- Must be able to start ASAP

Closing date: 20 July 2023

Email CV's to: loana@mivision.com.na

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 Email: timwaen@gmail.com

## Notices

**TAKE NOTICE** that Messrs. M & N Planning & Property Development Co (Town and Regional Planners) on behalf of owner of Erf 3347, Istanbul Street No.10, Otjomuise has applied to the Windhoek Municipal Council and Intends applying to the Urban & Regional Planning Board in terms of the stipulations of the Urban & Regional Planning Act, 2018 (Act No. 5 of 2018) for:

- re-zoning of Erf 3347, Istanbul Street No.10, Otjomuise from 'residential' with a density of '1:300m<sup>2</sup>' to 'business' with a bulk of 0.4
- consent to use Erf 3347, Istanbul Street No.10, Otjomuise in accordance with the proposed zoning and bulk while rezoning is being completed.

Erf 3347, Istanbul Street No. 10, Otjomuise is zoned 'residential' with a density of '1:300m<sup>2</sup>' and is approximately 312m<sup>2</sup> in extent. The proposed rezoning to 'business' with a bulk of 0.4 will allow the owner to use Erf 3347, Otjomuise for business (Retailer Shop) purposes. The number of vehicles for which parking must be provided on-site will be provided in accordance with the Windhoek Town Planning Scheme.

Further take notice that the plan of the Erf lies open for inspection on the Town Planning Board in the Customer Care Centre, Main Municipal Offices, Rav. Michael Scott Street, Windhoek and with applicant. Further take notice that any person objecting to the proposed use of the land as set out above may lodge such objection together with the grounds thereof, with the City of Windhoek, Urban Policy Division and with the applicant in writing. Last day for objections is the 08<sup>th</sup> August 2023.

**Applicant:**  
 M & N Planning & Property Development Co  
 Town and Regional Planners  
 P O Box 70523, Khomasdal  
 Mobile: +264 851225788  
 Email Address: mnplanningconsulting@gmail.com

**REPUBLIC OF NAMIBIA**  
**MINISTRY OF INDUSTRIALISATION AND TRADE, LIQUOR ACT, 1998 NOTICE OF APPLICATION TO A COMMITTEE IN TERMS OF THE LIQUOR ACT, 1998**

(Regulations 14, 28 & 33)

Notice is given that an application in terms of the Liquor Act, 1998, particulars of which appear below, will be made to the Regional Liquor Licensing Committee, Region: KAVANGO EAST

- Name and postal address of applicant.
- Name of business or proposed Business to which applicant relates
- Address/Location of premises to which Application relates: NDAMA UN-SURVEY LOCATION
- Nature and details of application: GROCERY LIQUOR LICENSE
- Class of the court with whom Application will be lodged: RUNDU MAGISTRATE
- Date on which application will be Lodged: 02 AUGUST 2023
- Date of meeting of Committee at which application will be heard: 13 SEPTEMBER 2023

Any objection or written submission in terms of section 28 of the Act in relation to the applicant must be sent or delivered to the Secretary of the Committee to reach the Secretary not less than 21 days before the date of the meeting of the Committee at which the application will be heard.

## Notices

**TAKE NOTICE** that Messrs. M & N Planning & Property Development Co (Town and Regional Planners) has applied to the Katima Mulilo Town Council and Intends applying to the Urban & Regional Planning Board for the following:

- re-zoning of Erven 8822, Extension 34 from 'general business' to 'residential' with a density of '1:300m<sup>2</sup>' for subsequent subdivision of Erf 8822 into 5 Portions and Remainder
- re-zoning of Erven 8828, Extension 34 from 'general residential' to 'residential' with a density of '1:300m<sup>2</sup>' for subsequent subdivision of Erf 8828 into 11 Portions and Remainder
- consolidation of Erf 8823 & 8629 Extension 34 into Portion A and re-zoning of Portion A from 'general residential' to 'residential' with a density of '1:300m<sup>2</sup>' for subsequent subdivision of Portion A into 7 Portions and Remainder
- re-zoning of Erf 8827, Extension 34 from 'general business' to 'undetermined'
- consolidation of Erf 8761 & 8762 Extension 34 into Portion B and re-zoning of Portion B from 'general residential' to 'residential' for subsequent subdivision of Portion B into 7 Portions and Remainder
- re-zoning of Erf 9402, 9404 & 9603, from 'general residential' to 'residential' with a density of '1:300m<sup>2</sup>' Ext. 36, Katima Mulilo for subsequent subdivision
- re-zoning of Erf 9427 & 9435 from 'institutional' to 'residential' Ext. 36, Katima Mulilo for subsequent subdivision
- consolidation of Erf 9321-9331, 9333-9341, 9344-9401, 9403-9411 into Erf X, Ext. 36, Katima Mulilo and re-zoning of Erf X from 'residential' to 'general business.'
- re-zoning of Erf 9332 & 9342, from 'general residential' to 'general business' with a bulk of 2 Ext. 36, Katima Mulilo and consolidation of Erf 9332 & 9342 with Erf X

The number of vehicles for which parking must be provided on-site will be provided in accordance with the Katima Mulilo Town Planning Scheme. Please take notice that the application, plans and its supporting documents lies for inspection during normal office hours at the Katima Mulilo Town Council (Town Planning Office) and Applicant.

Further take notice that any person objecting to the proposed use of the land as set out above may lodge such objections together with the grounds thereof, with the Chief Executive Officer of the Katima Mulilo Town Council and with the applicant in writing within 14 days of the last publication of this notice.

**Applicant:**  
 Messrs. M and N Planning & Property Development Co  
 Town and Regional Planners  
 P O Box 70523, Khomasdal  
 Mobile: +264 851225788  
 Email Address: mnplanningconsulting@gmail.com

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## Notices

**NOTICE OF ENVIRONMENTAL SCOPING ASSESSMENT (ESA) FOR:**  
**THE PROPOSED EXPLORATION ACTIVITIES ON THE EXCLUSIVE PROSPECTING LICENCES (EPL) No. 8937, LOCATED SOUTH OF USAKOS, ERONGO REGION.**

Under the Environmental Management Act No. 7 of 2007 and its 2012 EIA Regulations, the proposed prospecting and exploration activities on EPLs 8937 require an Environmental Clearance Certificate (ECC) from the Department of Environmental Affairs and Forestry (DEAF) before commencement.

The public is hereby notified that an application for an ECC will be submitted to the Environmental Commissioner.

**Brief Project Description:** The environmental scoping process will identify potential positive and negative impacts of the proposed exploration activities on EPL 8937. The target commodities on the EPL are Base & Rare Metals, Dimensional Stones, Precious Metals, and Industrial minerals.

**Proponent:** Halo Mbaka Jr Shikongo Environmental Consultant: Excel Dynamic Solutions (Pty) Ltd

Members of the public are invited to register as Interested and Affected Parties in order to comment/raise concerns or receive further information on the Environmental Assessment process.

Public Consultation meeting details will be communicated with all the registered I&APs. Registration requests should be forwarded to Excel Dynamic Solutions (Pty) Ltd on the contact details below, before or on 4 August 2023.

Contact: Ms. Allilipinge  
 Email: public@edsnamibia.com  
 Tel: +264 61 259 530

**NOTICE OF ENVIRONMENTAL SCOPING ASSESSMENT (ESA) FOR:**  
**OPERATION OF CHARCOAL REPACKING OPERATION AT OTJIWARONGO, OTJIZONDJUPA REGION.**

Under the Environmental Management Act No. 7 of 2007 and its 2012 EIA Regulations, the proposed prospecting and exploration activities on EPL 9160 require an Environmental Clearance Certificate (ECC) from the Department of Environmental Affairs and Forestry (DEAF) before commencement.

The public is hereby notified that an application for an ECC will be submitted to the Environmental Commissioner.

**Project Description:** The environmental scoping process will identify the impacts of the proposed charcoal repacking operation at Otjivarongo. The operation will involve re-sizing and packaging of charcoal.

**Proponent:** KRAR AGRICULTURE NAMIBIA PTY LTD

**Environmental Consultant:** Excel Dynamic Solutions (Pty) Ltd

Members of the public are invited to register as Interested and Affected Parties in order to comment/raise concerns or receive further information on the Environmental Assessment process.

Public Consultation meeting details will be communicated with all the registered I&APs. Registration requests should be forwarded to Excel Dynamic Solutions (Pty) Ltd on the contact details below, before or on 04 August 2023.

Contact: Rosa Mtsheni / Titus Shuuya  
 Email: public@edsnamibia.com  
 Tel: +264 61 259 530

## Notices

**NOTICE OF ENVIRONMENTAL SCOPING ASSESSMENT (ESA) FOR THE PROPOSED EXPLORATION ACTIVITIES ON EXCLUSIVE PROSPECTING LICENCE (EPL) No. 7958 LOCATED NORTH OF KLEIN AUB, HARDAP REGION**

Under the Environmental Management Act No. 7 of 2007 and its 2012 Environmental Management Assessment (EIA) Regulations, the public is hereby notified that an application for an Environmental Clearance Certificate (ECC) will be submitted to the Environmental Commissioner. The proposed project is a listed activity that cannot be undertaken without an ECC from the Department of Environmental Affairs and Forestry (DEAF).

**Project Type & Location:** The proposed prospecting & exploration of Base & Rare Metals, and Precious Metals on EPL No. 7958. The 4735,0556 hectares (ha) EPL is located about 6 km North of Klein Aub, Hardap Region.

**Proponent:** Unique Capital Investment (Pty) Ltd  
**Environmental Consultant:** Excel Dynamic Solutions (Pty) Ltd

All Interested and Affected Parties (I&APs) are hereby invited to register and submit comments in writing on or before 04 August 2023. Registration and Background Information Document (BID) for the proposed project can be requested from the email address below. The public meeting date will be communicated with the registered I&APs.

Contact: Mr. Mandume Leonard  
 Email: public@edsnamibia.com / mleonard@edsnamibia.com  
 Tel: +264 (0) 61 259 530

**PUBLIC NOTICE ENVIRONMENTAL IMPACT ASSESSMENT**

Take notice that Stubenrauch Planning Consultants (Town and Regional Planners and Environmental Consultants) on behalf of Outapi Town Council (the proponent), the registered owner of Erf 1089, Outapi Extension 4 hereby gives notice to all potentially Interested and Affected Parties (I&APs) that an application will be made to the Environmental Commissioner in terms of the Environmental Management Act (No 7 of 2007) and the Environmental Impact Assessment Regulations (GN 30 of 6 February 2012) for the following:

- Permanent Closure of Erf 1089, Outapi Extension 4 as a Public Open Space
- Re-zoning of Erf 1089, Outapi Extension 4 from "Public Open Space" to "Residential";
- Subdivision of Erf 1089, Outapi Extension 4 into Erf A/1089, B/1089, C/1089 and the Remainder.

**PROJECT LOCATION:** Outapi, Omusati Region

The Proponent: Outapi Town Council  
 Environmental Assessment Practitioner (EAP): Stubenrauch Planning Consultants (SPC)

**REGISTRATION OF I&APs AND SUBMISSION OF COMMENTS:**  
 In line with Namibia's Environmental Management Act (No. 7 of 2007) and EIA Regulations (GN 30 of 6 February 2012), all I&APs are hereby invited to register with the applicant to obtain further information.

Further take notice that any person having objections and/or comments to the proposed application as depicted above, may lodge such objection/comment in writing with the Chief Executive Officer of the Outapi Town Council and with the applicant (SPC) in writing via Email: bronwynn@spc.com.na ; Tel: 061 25 11 89 on or before 1 August 2023.

## Notices

### PUBLIC NOTICE ENVIRONMENTAL IMPACT ASSESSMENT

Stubenrauch Planning Consultants (SPC) hereby give notice to all potentially Interested and Affected Parties (I&APs) that an application will be made to the Environmental Commissioner in terms of the Environmental Management Act (No 7 of 2007) and the Environmental Impact Assessment Regulations (GN 30 of 6 February 2012) for the following:

**PROJECT DETAILS:**

- Establishment of the Flexible Land Tenure Schemes in Ombili and Bonya Informal Settlements in Helao Nafidi, Ohangwena Region.
- Creation of block erena and streets within the Flexible Land Tenure Scheme Boundaries of Bonya & Ombili Informal Settlements.
- Provision of associated bulk services.

**The Proponent:** Helao Nafidi Town Council  
**Environmental Assessment Practitioner (EAP):** Stubenrauch Planning Consultants (SPC)

The proponent intends to establish the Flexible Land Tenure Schemes for the following identified areas in Helao Nafidi Town:

- Bonya Informal Settlement
- Ombili Informal Settlement

**REGISTRATION OF I&APs AND SUBMISSION OF COMMENTS:**  
 In line with Namibia's Environmental Management Act (No. 7 of 2007) and EIA regulations (GN 30 of 6 February 2012), all I&APs are hereby invited to register and submit their comments, concerns, or questions in writing on or before Tuesday, 01 August 2023.

Email: bronwynn@spc.com.na  
 Tel: 061 25 11 89  
 Our Ref: Helao-FLTS

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CONTACT US: 061 259 530

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GENERAL

## Notice

**NOTICE OF APPLICATION IN TERMS OF THE GAMING AND ENTERTAINMENT CONTROL ACT, 2018 (ACT NO. 13 OF 2018) SECTION 45 (2) (a) (i) FOR GAMBLING HOUSE LICENSE**

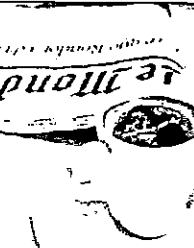
Notice is hereby given of the application for a gambling house license of which the details are given below. Any person who wishes to object to the application in terms of Regulation 17 may submit his/her objection in the prescribed manner to the Board not later than 21 days after the publication of this notice.

Name of applicant: Mibwenge Maseka Ndala

Type of license: Gambling House

Name of retail liquor business in which gambling will be conducted: Beer Garden

Physical address of premises to which the application applies: Erf 143, Boma, Katima Mulilo



**TAKE NOTICE** that Messrs. M & N Planning & Property Development Cc (Town and Regional Planners) on behalf of owner of Erf 3347, Istanbul Street No.10, Ojombaise has applied to the Windhoek Municipal Council and intends applying to the Urban & Regional Planning Board in terms of the stipulations of the Urban & Regional Planning Act, 2018 (Act No. 5 of 2018) for:

- rezoning of Erf 3347, Istanbul Street No. 10, Ojombaise from 'residential' with a density of 1:300m<sup>2</sup> to 'business' with a bulk of 0.4
- consent to use Erf 3347, Istanbul Street No.10, Ojombaise in accordance with the proposed zoning and bulk while rezoning is being completed.

Erf 3347, Istanbul Street No. 10, Ojombaise is zoned 'residential' with a density of 1:300m<sup>2</sup> and is approximately 313m<sup>2</sup> in extent. The proposed rezoning to 'business' with a bulk of 0.4 will allow the owner to use Erf 3347, Ojombaise for business (Retailer/Shop) purposes. The number of vehicles for which parking must be provided on-site will be provided in accordance with the Windhoek Town Planning Scheme. Further take notice that the plan of the Erf lies for inspection on the Town Planning notice board in the Customer Care Centre, Main Municipal Offices, Rev. Michael Scott Street, Windhoek and with applicant. Further take notice that any person objecting to the proposed use of the land as set out above may lodge such objection together with the grounds thereof, with the City of Windhoek, Urban Policy Division and with the applicant in writing. Last day for objections is the 08<sup>th</sup> August 2023.

Applicant: M & N Planning & Property Development Cc  
Town and Regional Planners  
P O Box 70523, Khomasdal  
Mobile: +264 851225788  
Email Address: mnplanningconsulting@gmail.com

**REPUBLIC OF NAMIBIA  
MINISTRY OF INDUSTRIALISATION  
AND TRADE, LIQUOR ACT, 1993  
NOTICE OF APPLICATION TO A COMMITTEE IN TERMS OF THE LIQUOR ACT, 1993**  
(regulations 14, 26 & 33)

Notice is given that an application in terms of the Liquor Act, 1993, particulars of which appear below, will be made to the Regional Liquor Licensing Committee, Region: OSHIKOTO

1. Name and postal address of applicant, ALLBET SPORTS BETTING CC, P O BOX 548, WINDHOEK, NAMIBIA

2. Name of business or proposed Business to which applicant relates ALLBET SPORTS BETTING OJUMBAISE

3. Address/Location of premises to which Application relates: ERF 207102A, EXTENSION 1, MAIN ROAD, OJUMBAISE

4. Nature and details of application: SPECIAL LIQUOR LICENSE

5. Clerk of the court with whom Application will be lodged: CLERK OF THE MAGISTRATE COURT, TSUMEB DISTRICT

6. Date on which application will be Lodged: 01-02 AUGUST 2023

7. Date of meeting of Committee at which application will be heard: 11 SEPTEMBER 2023

Any objection or written submission in terms of section 28 of the Act in relation to the applicant must be sent or delivered to the Secretary of the Committee to reach the Secretary not less than 21 days before the date of the meeting of the Committee at which the application will be heard.

**NOTICE OF APPLICATION IN TERMS OF THE GAMING AND ENTERTAINMENT CONTROL ACT, 2018 (ACT NO. 13 OF 2018) SECTION 45 (2) (a) (i) FOR BOOKMAKER LICENSE**

Notice is hereby given of the application for a bookmaker license of which the details are given below. Any person who wishes to object to the application in terms of Regulation 17 may submit his/her objection in the prescribed manner to the Board not later than 21 days after the publication of this notice.

Name of applicant: Toplen Gaming Services CC

Type of license: Bookmaker License

Name of retail liquor business in which gambling will be conducted: Oshikango-Exclusive

Physical address of premises to which the application applies: Erf 105 Oshikango

**NOTICE OF APPLICATION IN TERMS OF THE GAMING AND ENTERTAINMENT CONTROL ACT, 2018 (ACT NO. 13 OF 2018) SECTION 45 (2) (a) (i) FOR BOOKMAKER LICENSE**

Notice is hereby given of the application for a bookmaker license of which the details are given below. Any person who wishes to object to the application in terms of Regulation 17 may submit his/her objection in the prescribed manner to the Board not later than 21 days after the publication of this notice.

Name of applicant: Toplen Gaming Services CC

Type of license: Bookmaker License

Name of retail liquor business in which gambling will be conducted: Okatana Service Station

Physical address of premises to which the application applies: Erf 331 Oshakati West

**NOTICE OF APPLICATION IN TERMS OF THE GAMING AND ENTERTAINMENT CONTROL ACT, 2018 (ACT NO. 13 OF 2018) SECTION 45 (2) (a) (i) FOR BOOKMAKER LICENSE**

Notice is hereby given of the application for a bookmaker license of which the details are given below. Any person who wishes to object to the application in terms of Regulation 17 may submit his/her objection in the prescribed manner to the Board not later than 21 days after the publication of this notice.

Name of applicant: Toplen Gaming Services CC

Type of license: Bookmaker License

Name of retail liquor business in which gambling will be conducted: Edjenge

Physical address of premises to which the application applies: Erf 411 Outapi

**NOTICE OF APPLICATION IN TERMS OF THE GAMING AND ENTERTAINMENT CONTROL ACT, 2018 (ACT NO. 13 OF 2018) SECTION 45 (2) (a) (i) FOR SHEBENI GAMBLING LICENSE**

Notice is hereby given of the application for shebeni gambling license of which the details are given below. Any person who wishes to object to the application in terms of regulation 17 may submit his/her objection in the prescribed manner to the Board not later than 21 days after the publication of this notice.

Name of applicant: Sam Haluppe

Type of license: Shebeni Gambling License

Name of retail liquor business in which gambling will be conducted: Makii Bar No. 1

Physical address of premises to which the application applies: Erf 710 Hufambwa Street, Mondesa Swakopmund

**TAKE NOTICE** that Messrs. M & N Planning & Property Development Cc (Town and Regional Planners) has applied to the Katima Mulilo Town Council and intends applying to the Urban & Regional Planning Board for the following:

- rezoning of Erven 8822, Extension 34 from 'general business' to 'residential' with a density of 1:300m<sup>2</sup> for subsequent subdivision of Erf 8822 into 5 Portions and Remainder
- rezoning of Erven 8828, Extension 34 from 'general residential' to 'residential' with a density of 1:300m<sup>2</sup> for subsequent subdivision of Erf 8828 into 11 Portions and Remainder
- consolidation of Erf 8628 & 8629 Extension 34 into Portion A and rezoning of Portion A from 'general residential' to 'residential' with a density of 1:300m<sup>2</sup> for subsequent subdivision of Portion A into 7 Portions and Remainder
- rezoning of Erf 8827, Extension 34 from 'general business' to 'undetermined'
- consolidation of Erf 8781 & 8782 Extension 34 into Portion B and rezoning of Portion B from 'general residential' to 'residential' for subsequent subdivision of Portion B into 7 Portions and Remainder
- rezoning of Erf 9422, 9424 & 9603, from 'general residential' to 'residential' with a density of 1:300m<sup>2</sup> Ext. 36, Katima Mulilo for subsequent subdivision
- rezoning of Erf 9427 & 9435 from 'institutional' to 'residential' Ext. 26, Katima Mulilo with a density of 1:300m<sup>2</sup> for subsequent subdivision
- consolidation of Erf 9321-9331, 9333-9341, 9344-9401, 9403-9411 into Erf X, Ext. 36, Katima Mulilo and rezoning of Erf X from 'residential' to 'general business.'
- rezoning of Erf 9332 & 9342, from 'general residential' to 'general business' with a bulk of 0.2, 36, Katima Mulilo and consolidate Erf 9332 & 9342 with Erf X

The number of vehicles for which parking must be provided on-site will be provided in accordance with the Katima Mulilo Town Planning Scheme. Please take notice that the application, plans and its supporting documents lies for inspection during normal office hours at the Katima Mulilo Town Council (Town Planning Office) and Applicant. Further take notice that any person objecting to the proposed use of the land as set out above may lodge such objection together with the grounds thereof, with the Chief Executive Officer of the Katima Mulilo Town Council and with the applicant in writing within 14 days of the last publication of this notice.

Applicant: Messrs. M & N Planning & Property Development Cc  
Town and Regional Planners  
P O Box 70524, Khomasdal  
Mobile: +264 851225788  
Email Address: mnplanningconsulting@gmail.com

**NOTICE OF ENVIRONMENTAL SCOPING ASSESSMENT (ESA) FOR: OPERATION OF CHARGOAL REPACKING OPERATION AT OTJINARONGO, OTJONZONDJUPA REGION.**

Under the Environmental Management Act No. 7 of 2007 and its 2012 EIA Regulations, the proposed prospecting and exploration activities on EPL 9180 require an Environmental Clearance Certificate (ECC) from the Department of Environmental Affairs and Forestry (DEAF) before commencement. The public is hereby notified that an application for an ECC will be submitted to the Environmental Commissioner. Project Description: The environmental scoping process will identify potential positive and negative impacts of the proposed operation. Registration requests should be forwarded to Excel Dynamic Solutions (Pty) Ltd on the contact details below, before or on 04 August 2023.

Contact: Ms. All Tipping  
Email: public@excelsolutions.com  
Tel: +264 61 259 530

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**NOTICE OF ENVIRONMENTAL SCOPING ASSESSMENT (ESA) FOR: THE PROPOSED EXPLORATION ACTIVITIES ON THE EXCLUSIVE PROSPECTING LICENCES (EPL) NO. 8357, LOCATED SOUTH OF USAKOS, ERONGO REGION.**

Under the Environmental Management Act No. 7 of 2007 and its 2012 EIA Regulations, the proposed prospecting and exploration activities on EPLs 8357 require an Environmental Clearance Certificate (ECC) from the Department of Environmental Affairs and Forestry (DEAF) before commencement. The public is hereby notified that an application for an ECC will be submitted to the Environmental Commissioner. Brief Project Description: The environmental scoping process will identify potential positive and negative impacts of the proposed exploration activities on EPL 8357. The target commodities on the EPL are Base & Rare Metals, Dimensional Stones, Precious Metals, and Industrial Minerals. Proponent: Haifo Mbaka Jr Shikongo Environmental Consultant: Excel Dynamic Solutions (Pty) Ltd

Members of the public are invited to register as Interested and Affected Parties in order to comment/raise concerns or receive further information on the Environmental Assessment process. Public Consultation meeting details will be communicated with all the registered I&APs. Registration requests should be forwarded to Excel Dynamic Solutions (Pty) Ltd on the contact details below, before or on 04 August 2023.

Contact: Ms. All Tipping  
Email: public@excelsolutions.com  
Tel: +264 61 259 530

**PUBLIC NOTICE ENVIRONMENTAL IMPACT ASSESSMENT**

Take notice that Stubbenrauch Planning Consultants (Town and Regional Planners and Environmental Consultants) on behalf of Outapi Town Council (the proponent), the registered owner of Erf 1089, Outapi Extension 4 hereby gives notice to all potentially interested and affected Parties (I&APs) that an application will be made to the Environmental Commissioner in terms of the Environmental Management Act (No 7 of 2007) and the Environmental Impact Assessment Regulations (GN 30 of 6 February 2012) for the following:

**PROJECT DETAILS:**

- Permanent Closure of Erf 1089, Outapi Extension 4 as a Public Open Space;
- Rezoning of Erf 1089, Outapi Extension 4 from 'Public Open Space' to 'Residential';
- Subdivision of Erf 1089, Outapi Extension 4 into Erf A/1089, B/1089, C/1089 and the Remainder.

**PROJECT LOCATION:** Outapi, Omusati Region  
The Proponent: Outapi Town Council  
Environmental Assessment Practitioner (EAAP): Stubbenrauch Planning Consultants (SPC)  
**REGISTRATION OF I&APs AND SUBMISSION OF COMMENTS:** In line with Namibia's Environmental Management Act (No. 7 of 2007) and EIA Regulations (GN 30 of February 2012), all I&APs are hereby invited to register with the applicant to obtain further information. Further take notice that any person having objections and/or comments to the proposed application as depicted above, may lodge such objection/comment in writing with the Chief Executive Officer of the Outapi Town Council and with the applicant (SPC) in writing via Email: bromwynn@spc.com.na; Tel: 061 25 11 89 on or before 1 August 2023.

**Excel Dynamic Solutions (Pty) Ltd**

**Excel Dynamic Solutions (Pty) Ltd**

**Excel Dynamic Solutions (Pty) Ltd**

**Stubbenrauch Planning Consultants**

**SPC**

**Stubbenrauch Planning Consultants**

**NOTICE OF ENVIRONMENTAL SCOPING ASSESSMENT (ESA) FOR THE PROPOSED EXPLORATION ACTIVITIES ON EXCLUSIVE PROSPECTING LICENCE (EPL) NO. 7958 LOCATED NORTH OF KLEIN AUB, HARDAP REGION**

Under the Environmental Management Act No. 7 of 2007 and its 2012 Environmental Management Assessment (EIA) Regulations, the public is hereby notified that an application for an Environmental Clearance Certificate (ECC) will be submitted to the Environmental Commissioner. The proposed project is a listed activity that cannot be undertaken without an ECC from the Department of Environmental Affairs and Forestry (DEAF).

**Project Type & Location:** The proposed prospecting & exploration of Base & Rare Metals, and Precious Metals on EPL No. 7958. The 4735.0558 hectares (ha) EPL is located about 6 km North of Klein Aub, Hardap Region.

**Proponent:** Unique Capital Investment (Pty) Ltd  
**Environmental Consultant:** Excel Dynamic Solutions (Pty) Ltd  
**All Interested and Affected Parties (I&APs) are hereby invited to register and submit comments in writing on or before 04 August 2023.** Registration and Background Information Document (BID) for the proposed project can be requested from the email address below. The public meeting data will be communicated with the registered I&APs.

Contact: Ms. Marlene Leonard  
Email: public@excelsolutions.com  
Tel: +264 (0) 61 259 530

Registration requests should be forwarded to Excel Dynamic Solutions (Pty) Ltd on the contact details below, before or on 04 August 2023.

Contact: Ms. All Tipping  
Email: public@excelsolutions.com  
Tel: +264 61 259 530

**PUBLIC NOTICE ENVIRONMENTAL IMPACT ASSESSMENT**

Take notice that Stubbenrauch Planning Consultants (Town and Regional Planners and Environmental Consultants) on behalf of Outapi Town Council (the proponent), the registered owner of Erf 1089, Outapi Extension 4 hereby gives notice to all potentially interested and affected Parties (I&APs) that an application will be made to the Environmental Commissioner in terms of the Environmental Management Act (No 7 of 2007) and the Environmental Impact Assessment Regulations (GN 30 of 6 February 2012) for the following:

**PROJECT DETAILS:**

- Permanent Closure of Erf 1089, Outapi Extension 4 as a Public Open Space;
- Rezoning of Erf 1089, Outapi Extension 4 from 'Public Open Space' to 'Residential';
- Subdivision of Erf 1089, Outapi Extension 4 into Erf A/1089, B/1089, C/1089 and the Remainder.

**PROJECT LOCATION:** Outapi, Omusati Region  
The Proponent: Outapi Town Council  
Environmental Assessment Practitioner (EAAP): Stubbenrauch Planning Consultants (SPC)  
**REGISTRATION OF I&APs AND SUBMISSION OF COMMENTS:** In line with Namibia's Environmental Management Act (No. 7 of 2007) and EIA Regulations (GN 30 of February 2012), all I&APs are hereby invited to register with the applicant to obtain further information. Further take notice that any person having objections and/or comments to the proposed application as depicted above, may lodge such objection/comment in writing with the Chief Executive Officer of the Outapi Town Council and with the applicant (SPC) in writing via Email: bromwynn@spc.com.na; Tel: 061 25 11 89 on or before 1 August 2023.

**Excel Dynamic Solutions (Pty) Ltd**

**Excel Dynamic Solutions (Pty) Ltd**

**Excel Dynamic Solutions (Pty) Ltd**

**Stubbenrauch Planning Consultants**

**SPC**

**Stubbenrauch Planning Consultants**

Take notice that Stubbenrauch Planning Consultants cc has applied to the City of Windhoek for the following: **CONSENT IN TERMS OF TABLE C OF THE WINDHOEK ZONING SCHEME TO OPERATE A 'BUSINESS BUILDING' IN THE FORM OF A MEDICAL DENTAL PRACTICE AND GRAPHIC DESIGN STUDIO ON ERF 929, WINDHOEK**

Erf 929 is situated in the neighbourhood of Windhoek/Windhoek blocks at the corner of Silemon Shikungulid Street and Schuster Street, and according to the Windhoek Zoning Scheme, Erf 929, Windhoek is zoned for 'Office' purposes with a bulk of 0.4. The subject property measures 1263m<sup>2</sup> in extent. The purpose of the application as set out above, is to formalise the existing dental practice and graphic design studio on Erf 929, Windhoek. Please take note that the application, locality map and its supporting documents lie open for inspection during normal office hours at the City of Windhoek (Town Planning Office) and SPC Office, 45 Feld Street, Windhoek. Further take note that any person objecting to the proposed application as depicted above may lodge such objection together with their grounds thereof, with the Acting Chief Executive Officer of the City of Windhoek and the applicant (SPC) in writing on or before Friday, 25 August 2023.

Applicant: Stubbenrauch Planning Consultants  
P O Box 41404  
Windhoek  
office@spc.com.na  
Tel: (061) 251189  
Our Ref: W/21042  
The Acting Chief Executive Officer of the City of Windhoek  
P O Box 59  
Windhoek

**Stubbenrauch Planning Consultants**

**SPC**

**Stubbenrauch Planning Consultants**

Stubbenrauch Planning Consultants cc on behalf of the owner of Erf 1187, Rundu Extension 3, in terms of the Urban and Regional Planning Act of 2018 hereby inform you that we have applied to the Rundu Town Council and intend on applying to the Urban and Regional Planning Board (URPB) for the following:

- Rezoning of Erf 1187, Rundu Extension 3 from 'Residential' to 'Office' to allow for the practice of Medical Consulting Rooms.

Erf 1187 is located in the neighbourhood of Rundu Extension 3 and measures 1910m<sup>2</sup> in extent. The subject of is currently zoned for 'Residential' purposes in accordance with the Rundu Zoning Scheme. The purpose of the subject application is to allow our clients to establish Medical Consulting Rooms within Rundu Extension 3, which will increase the health facilities within Rundu. A copy of the application, maps and its accompanying documents are available for inspection during normal office hours at the Rundu Town Council and SPC Office, 45 Feld Street, Windhoek. Further take notice that any person objecting to the proposed change in land use as set out above may lodge such objection/comments together with their grounds thereof, with the Rundu Town Council and the applicant (SPC) in writing before Friday, 25 August 2023 (14 days after the last publication of this notice).

Applicant: Stubbenrauch Planning Consultants cc  
P O Box 41404  
Windhoek  
Tel: (061) 25 1189  
Our Ref: W/23026  
The Chief Executive Officer of Rundu Town Council  
Private Bag 2126  
Rundu

**Stubbenrauch Planning Consultants**

**SPC**

**Stubbenrauch Planning Consultants**

**Stubbenrauch Planning Consultants**

**SPC**

**Stubbenrauch Planning Consultants**





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situated on Erf 810, Okongo Extension 2 and Okongo Extension 4 situated on Farm No. 1282 of Okongo Township No. 894 that the applications are lying open for inspection at the Office of the Ministry of Urban and Rural Development Division: Planning, 2nd Floor, Room No. 230, GFM Office Park in Windhoek, the Office of the Surveyor-General in Windhoek and at the Office of the Chief Regional Officer, Village Council of Okongo. Any person who wishes to object to the application or who desires to be heard in the matter, may give personal evidence or submit written evidence to the Urban and Regional Planning Board, Private Bag 19289, Windhoek. Provided that such written evidence shall reach the Secretary of the Urban and Regional Planning Board not later than 15 August 2023 before 12:00.

IN THE HIGH COURT OF NAMIBIA (Main Division - Windhoek). CASE NO: HC-MD-CIV-ACT-CON-2020/02293 IN THE MATTER BETWEEN: FIRST NATIONAL BANK OF NAMIBIA LIMITED EXECUTION CREDITOR, and MARILDO RODRIGUES DE MOURA 1st EXECUTION DEBTOR ZANDILE DE ALMEIDA 2nd EXECUTION DEBTOR NOTICE OF SALE IN EXECUTION - IMMOVABLE PROPERTY IN EXECUTION OF COURT ORDER OF THE HIGH COURT OF NAMIBIA, given on 08th of SEPTEMBER 2022, in the above-mentioned case, a judicial sale by public auction will be held on the 11th of AUGUST 2023 at 14:00 at ERF NO. 8 SECTION 12, BLACKY, TJINGAETE HILLS, VEDDERSDAL, OKAHANDJA of the following: A unit consisting of a) Section No. 12 as shown and more fully described on Sectional Plan No. SS.62/2014 in the development scheme known as BLACKY, TJINGAETE HILL, in respect of the land building or buildings, situate at Erf No. 8 Veddorsdal, in the Municipality of Okahandja, Registration Division "J", Grijpsvlei Region, of which the floor area, according to the said Sectional Plan is 61,63 (Sixty three) square meters in extent, and b) An undivided share in the common property in the development scheme, apportioned in that section in accordance with the participation quota as enforced on that Sectional Plan. HELD under Sectional Deed of Transfer, No. ST 1776/2016 and SUBJECT to the conditions contained therein. Subject to the conditions therein contained, CONDITIONS OF SALE: 1.A refundable deposit of N\$5,000.00 is payable by either cash or Er into the auctioneer's trust account in order to participate in this auction. 2. The Purchaser shall pay a deposit of TEN PERCENT. of the purchase price IN CASH ON THE DAY OF SALE, the balance against transfer to be secured by a bank or building society guarantee. 3. The complete conditions of sale may be inspected at the office of the Deputy Sheriff, Okahandja (Tel no: 0818578430) and at the Plaintiff's Attorneys office at the undermentioned address. DATE at WINDHOEK this day of JUNE 2023. ANGULAGO, INCORPORATED PER: KAUNAPAWA ANGULA Legal Practitioner for Judgment Creditor Plaintiff 11 SCHUSTER STREET WINDHOEK (Tel: 061 203 0340) CLAO230003060

LIQUOR ACT, 1989 NOTICE OF APPLICATION TO A COMMITTEE IN TERMS OF THE LIQUOR ACT, 1989 (regulations 14, 28, & 34 Notice is given that an application in terms of the Liquor Act, 1989, particulars of which appear below, will be made to the Regional Liquor Licensing Committee, Region 1, Name and postal address of applicant: JOHAN BOTHA P.O. BOX 318, KEETMANSHOOP. Name of business or proposed business to which application relates: HALF-WAY ENTERTAINMENT. Address/location of premises to which application relates: ERF. NO. 1351, 47th AVENUE, NOORDHOEK KEETMANSHOOP. Nature and details of application: APPLICATION FOR SPECIAL LIQUOR LICENSE 6. Clerk of the Court with whom application will be lodged: KEETMANSHOOP 6. Date on which application will be lodged: 02 AUGUST 2023. 7. Date of meeting of Committee at which application will be heard: 13 SEPTEMBER 2023. Any objections or written submission in terms of section 28 of the Act in relation to the application, must be sent, or delivered to the Secretary of the Committee, to reach the Secretary not less than 21 days before the date of the meeting of the Committee, at which the application will be heard. CLAO230003049

Legal

IN THE HIGH COURT OF NAMIBIA, CASE NO. HC-MD-CIV-ACT-CON-2020/04976. In the matter between: STANDARD BANK NAMIBIA LTD Plaintiff and RONNY RICHARD SHIGWEDHA Defendant. NOTICE OF SALE IN EXECUTION OF IMMOVABLE PROPERTY. In Execution of a Judgment of the above Honourable Court in the above mentioned suit, a sale will be held on TUESDAY, the 8TH of AUGUST 2023 at 09:00 at ERF 2748, ONDANGWA (EXTENSION NO. 9), ONDANGWA CERTAIN ERF 2748, ONDANGWA (EXTENSION NO. 9). SITUATE IN the TOWN OF ONDANGWA, OSANHA REGION, REGISTRARIAL DIVISION "A", MEASURING 584 (FIVE SIX EIGHT) SQUARE METRES HELD BY Registered Sectional Title No. T1227/2018 SUBJECT to all the conditions contained therein. ALLEGED IMPROVEMENTS. DESCRIPTION of the following improvements are on the property (although nothing in this respect is guaranteed). The building comprising of: 1. X OPEN PLAN KITCHEN. 1. X LOUNGE 2. X BEDROOMS 2X BATHROOM. HALF BUILD FLAT 1. The property shall be sold by the Deputy Sheriff of ONDANGWA subject to the Conditions of Sale that may be inspected at the Offices of the Deputy Sheriff. In the highest bidder on the auction and furthermore subject to approval by the relevant claimant. 2. The sale is subject to the provisions of the High Court Act No. 18 of 1990, as amended, and the property will be sold "voetstoots" according to the existing title deed. 3. 10% of the purchase price to be paid in cash on the date of the sale, the balance to be paid against transfer, to be secured by a Bank or Building Society, or other acceptable guarantee to be furnished to the Deputy Sheriff within 14 (fourteen) days after the date of Sale. 4. The full Conditions of Sale will be read out by the Deputy Sheriff on the day of the sale, but may be inspected at any time prior to the sale at the offices of the Deputy Sheriff or at the offices of the Plaintiff's attorneys. DATED at WINDHOEK this day of JUNE 2023. ENGLING STRITZER & PARTNERS Attorneys for Plaintiff, 12 LOVE STREET, WINDHOEK EY/12/0575. CLAO230002801

CASE NO: HC-MD-CIV-ACT-CON-2018/02563 IN THE HIGH COURT OF NAMIBIA in the matter between: FIRST NATIONAL BANK OF NAMIBIA LTD PLAINTIFF and DONALD KATJUANJO DEFENDANT. NOTICE OF SALE IN EXECUTION OF IMMOVABLE PROPERTY. Pursuant to a Judgment of the above Honourable Court, granted on 08 FEBRUARY 2019, the following immovable property will be sold without reserve and voetstoots by the Deputy Sheriff of the District of WINDHOEK on the 7TH day of AUGUST, 2023 at 09:00 at ERF. NO. 185, NO. 5, OKARINDU STREET, WANANEDA, WINDHOEK, REPUBLIC OF NAMIBIA. CERTAIN ERF NO. 185, NO. 5, OKARINDU STREET, WANANEDA SITUATED IN the Municipality of WINDHOEK REGISTRARIAL DIVISION "K" MEASURING: 749 (SEVEN FOUR NINE) Square Metres CONSISTING OF PRIMARY DWELLING 3 x Bedrooms; 1 x Lounge; 1 x Kitchen; 1 x Dining Room; 1 x WC; 1 x Shower; 1 x Out Garage. The "Conditions of Sale in Execution" will be for inspection at the office of the Deputy Sheriff at WINDHOEK and at the Head Office of Plaintiff at WINDHOEK and Plaintiff's Attorneys, Fisher, Quarmby & Pfeiffer LEGAL PRACTITIONER FOR PLAINTIFF c/o Robert Mugaba & Thorer Streets entrance on Burg Street P O Box 37 WINDHOEK AAH/jz/53085 CLAO230002126

NOTICE Take note that Stubenrauch Planning Consultants cc has applied to the City of Windhoek for the following: CONSENT IN TERMS OF TABLE B OF THE WINDHOEK ZONING SCHEME TO OPERATE A "BUSINESS BUILDING" IN THE FORM OF A MEDICAL/DENTAL PRACTICE AND GRAPHIC DESIGN STUDIO ON ERF 929, WINDHOEK. Erf 929 is situated in the neighbourhood of Windhoek, Windhoek, Blocks at the corner of Simeon Shingambini Street and Schuster Street, and according to the Windhoek Zoning Scheme, Erf 929, Windhoek is zoned for "Office" purposes with a bulk of 0.4. The subject property measures 1263m2 in extent. The purpose of the application as set out above, is to formalise the existing dental practice and graphic design studio on Erf 929, Windhoek. Please take note that

the application, locality map and its supporting documents (a) open for inspection during normal office hours at the City of Windhoek (Town Planning office) and SPC Office, 45 Feld Street, Windhoek. Further take note that any person objecting to the proposed application, as set out above, may lodge such objection, together with their grounds thereof, with the Acting Chief Executive Officer of the City of Windhoek and the applicant (SPC) in writing on or before Friday, 25 August 2023, at 15:00. Applicant: Stubenrauch Planning Consultants PO Box 41404 Windhoek Tel: (061) 251189 Our Ref: W/21042 The Acting Chief Executive Officer City of Windhoek PO Box 59 Windhoek clao230002976

Legal

NOTICE Stubenrauch Planning Consultants cc on behalf of the owner of Erf 1187, Rundu Extension 3, in terms of the Urban and Regional Planning Act of 2018 herewith inform you that we have applied to the Rundu Town Council and intend on applying to the Urban and Regional Planning Board (URPB) for the following: Rezoning of Erf. 1187, Rundu Extension 3 from "Residential" to "Office" to allow for the practice of Medical Consulting Rooms. Erf. 1187 is located in the neighbourhood of Rundu Extension 3 and measures 1910m2 in extent. The subject erf is currently zoned for "Residential" purposes. In accordance with the Rundu Zoning Scheme. The purpose of the subject application is to allow our client to establish Medical Consulting Rooms within Rundu Extension 3, which will increase the health facilities within Rundu. A copy of the application, maps and its accompanying documents are available for inspection during normal office hours at the Rundu Town Council and SPC Office, 45, Feld Street, Windhoek. Further take note that any person objecting to the proposed change in land use as set out above may lodge such objection/comments together with their grounds thereof, with the Rundu Town Council and the applicant (SPC) in writing before the Friday, 25 August 2023 (14 days after the last publication of this notice). Applicant: Stubenrauch Planning Consultants cc P.O. Box 41404 Windhoek Tel: (061) 251189 Our Ref: W/23026 The Chief Executive Officer Rundu Town Council Private Bag 2128 Rundu clao230002949

PUBLIC NOTICE ENVIRONMENTAL IMPACT ASSESSMENT Take note that Stubenrauch Planning Consultants (Town and Regional Planners and Environmental Consultants) on behalf of Outapi Town Council (the proponent), the registered owner of Erf 1089, Outapi Extension 4 hereby gives notice of all potentially interested and affected Parties (SAP) that an application will be made to the Environmental Commissioner in terms of the Environmental Management Act (No. 7 of 2007) and the Environmental Impact Assessment Regulations (GN 30 of 8 February 2012), for the following: PROJECT DETAILS: Permanent Closure of Erf 1089, Outapi Extension 4 as a Public Open Space; Rezoning of Erf. 1089, Outapi Extension 4 from "Public Open Space" to Residential; Subdivision of Erf. 1089, Outapi Extension 4 into Erf A/1089, B/1089, C/1089 and the Remainder. PROJECT LOCATION: Outapi, Omusati Region. The Proponent: Outapi Town Council Environmental Assessment Practitioner (EAP): Stubenrauch Planning Consultants (SPC) REGISTRATION OF I&APs AND SUBMISSION OF COMMENTS: In line with Namibia's Environmental Management Act (No. 7 of 2007) and EIA regulations (GN 30 of 8 February 2012), all I&APs are hereby invited to register with the applicant to obtain further information. Further take note that any person having objections and/or comments to the proposed application, as depicted above, may lodge such objection/comment in writing with the Chief Executive Officer of the Outapi Town Council and with the applicant (SPC) in writing via Email: brownwyn@spc.com.na; Tel: 061 25 11 89 on or before 1 August 2023. clao230002917

# Namibia battle hard at Fistball worlds

• SHEEFENI NIKODEMUS

NAMIBIA have taken heart from their two losing performances at the 16th Fistball Men's World Championship in Sinsheim, Germany, so far. On Saturday, they went down 3-0 to World Champions Germany in their first match of the tournament. While the scoreline suggests it was a walk in the park for the hosts, it was anything but, says Helmo Minz, Fistball Association of Namibia media officer.

"Our fighting was on point. It was very good. The guys were in top shape. We lost the match 3-0 but, with the strong supporters that we have here, we showed a strong performance, we fascinated spectators," Minz told Desert Radio yesterday. "So, all in all, it was a good start to the tournament. We knew it was always going to be difficult to score a point [against Germany]. But nonetheless, I think we can be proud of ourselves to have played such an opening encounter."

Yesterday, Namibia played Italy, and lost 3-0 in what the International Fistball Association (IFA) described as "a captivating performance", which ended in the Europeans' favour. The Azzurri won two of the three sets in overtime. Namibia put up a passionate fight but could not reward themselves with a set win. "Every set was closely fought for. And, in every set we had a chance to win the set, it's a bit of a shame we didn't do so, because, even in the last set, we were four points ahead and gave it away," Minz said. "Italy is also much stronger than we are actually. Our tactics worked very well, the fact that we were always in the game and in reach of winning a set. Italy had to fight for this. It was a tough one."

There will be another match against the first [team] in Group D. We shall see if we can stay in the top eight. The United States of America presently leads Group D and are likely to be Namibia's next opponents. "As I said, we're in good spirits and the motivation is high. There are no injuries until now, so let's hope it stays that way," said Minz. The matches will be played in four preliminary groups. The top eight nations from the last World Championship were divided into groups A and B. The first and second-placed teams from groups A and B will qualify directly for the quarter-finals. While the first and second-placed teams in Groups A and B, qualify directly for the quarter-finals, the first and second-placed teams in Groups C and D play with the third and fourth-placed teams in Groups A and B to qualify for the quarter-finals. The losers of the quarter-final qualifiers and the other teams in Groups C and D will then compete in the so-called President's Cup and play out ninth to 16th place among themselves. The other teams will battle it out for the title.

### Schedule Today

**Fifa Women's World Cup**  
Switzerland v Norway 10h00


**Football Pre-Season**  
PSG v Al-Nassr 13h00

### Tomorrow

**Fifa Women's World Cup**  
Spain v Zambia 09h30  
Canada v Rep Ireland 14h00

### Results

**Fifa Women's World Cup**  
Brazil 4 - 0 Panama  
Germany 6 - 0 Morocco  
Italy 1 - 0 Argentina



**MINISTRY OF HEALTH AND SOCIAL SERVICES**

### VACANCIES

Pharmaceutical Supply Chain Operation

Inventory Management and Warehousing Resource Management

Warehouse Manager (Administration Officer) Grace 10

Central Medical Store & Outapi Medical Store

Windhoek Outapi

Duration 12 months

N\$176 895 per annum

N\$ 750 per annum

N\$ 14 520 per annum

The warehouse and ensure that the handling of Pharmaceuticals and Clinical Supplies are handled according to SOP.

- Ensure that stock out, damaged, expiring stock and fast items moving inventories are reported to the Pharmacists as well as at discrepancies within picking slip documented.
- Maintain an excellent working environment based on teamwork, integrity, hardwork and high level of commitment.
- Assist in the implementation of Warehouse's SOP and ensure that they are adhered to during all performing of all inventory management and warehousing activities
- Ensuring the proper handling of stock and preventing the loss of stock due to theft, damage, and expiry.

**Closing date: 4th August 2023**

Preference will be given to Namibian citizens and designated persons as prescribed by the Namibian Affirmative Action Act. Interested candidates should forward their resumes and relevant, recently certified documents to: [vacancies@wshw.nam](mailto:vacancies@wshw.nam)

All foreign qualifications must be submitted together with the evaluation of qualifications by the Namibia Qualification Authority (NQA). Management reserves the right to use additional relevant information as criteria for shortlisting. Only shortlisted applicants will be contacted; should you not receive feedback after two weeks of the closing date, please take note that your application was unsuccessful.

# Classifieds

270



Tel: +264-61-279 632 / 279 646 • Fax: +264-61-22 9206 • email: classifieds@namibian.com.na

DEADLINE: 12H00: 2 WORKING DAYS PRIOR TO PLACEMENT

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**Business & Finance**

**Opportunities**

DO YOU WANT TO EARN CASH? Park your car and get up to 15K of it back each month for a month. No limit on days in, no limit on days out. Just the cost. Ask us now! 061 4067618 or text 071 211 1111

CLAO230002472

**Employment**

**Offered**

Nihil Amin Trading Co. Looking for a Purchase Manager responsible for developing and securing purchasing strategies, leading teams to reduce expenses, negotiating deals and managing vendors. Send CV's to: [unaminal@unaminal.com](mailto:unaminal@unaminal.com)

CLAO230002918

Genova Investment Co. looking for a Consultant Agent. Must be fluent in English, French, and few languages. Send CV's to: [genovainvest@genova.com](mailto:genovainvest@genova.com)

CLAO230002936

**Hospitality**

**Hospitality**

HOCHLAND GUESTHOUSE: Clean & spacious. 400m<sup>2</sup> of air-conditioned, charming pool, DSH, WiFi, ensuite, hot-tubs, sauna, parking, lovely environment for local functions. 0811 23100

CLAO230002772

**Housing & Property**

**For Rent**

Rosky Crest, 2 Bedroom, 2 Bathrooms, 2 Living Areas, 2 Kitchens, 2 Bathrooms, 2 Bedrooms, Garage, Kitchen and Laundry. R\$5 500.00

Rosky Crest, 3 Bedroom, house with big main bedroom, area through garage. 1500.000. Also 0811 23100

CLAO230002821

**Goods**

**For Sale**

Price: R\$ 52'000 (Include Cost of Transport from Witik). Call: 081 23 79458. CLAO230002817

**Notices**

**Legal**

CASE NO. HC-MD-CIV-ACT-CON-2021/04146 IN THE HIGH COURT OF NAMIBIA in the matter between: STANDARD BANK NAMIBIA LIMITED Plaintiff and AMANUELE ROBERTS CC 1st Defendant DAVID LEE ROBERTS 2nd Defendant ANDREAS FILLIPUS DE WILBERS 3rd Defendant FREDERICK JACOBUS MOLLER GEY VON PITTIUS 4th Defendant CRAIG DONALD MILNE 5th Defendant MATTHIAS MANUEL DOMINIC AMANDUS ROTTCHER 6th Defendant CINDY ROBERTS 7th Defendant NOTICE OF SALE IN EXECUTION in execution of a Judgment of the above Honourable Court dated 27 April 2022 in the above action, a sale will be held by the Deputy Sheriff, SWAKOPMUND, at Erf No. 753 (A Portion of Erf 306), SWAKOPMUND, on the 27th July 2023, at 10H00, of the portion of the mentioned property CERTAIN Erf No. 753 (A Portion of Erf 306) Swakopmund SITUATED in the Municipality of Swakopmund Registration Division: "G", Eronga Region, MEASURING: 1967, (Erga Nona Sex Saven) Square Metres. IMPROVEMENTS: MAIN BUILDING: 24 x Guest Units, 24 x En. suite, 2 x Dormitory, 2 x Bathrooms, 1 x Reception, 1 x Office, 1 x Dining Room, 1 x Jacuzzi, 1 x Kitchen, 1 x Pool, 1 x Storeroom, 1 x Sauna. OUTBUILDING: 1 x Pantry. TERMS 10% of the purchase price and the auctioneer's commission must be paid on the date of the sale. The further terms and conditions of the sale will be read prior to the auction

**Notices**

**Legal**

and is for inspection at the office of the Deputy Sheriff, SWAKOPMUND, and at the offices of the execution creditor's attorneys, DATED at WINDHOEK this 13TH day of JUNE 2023, DR WEDER KAUTA & HOEVENA INC., Legal Practitioner, for Plaintiff and WIKI House Jan. Junker Road WINDHOEK [P/LK/pg/MAT71695]

clao230002574

**IN THE HIGH COURT OF NAMIBIA (Main Division - Windhoek) CASE NO. HC-MD-CIV-ACT-CON-2022/04740** In the matter between: STANDARD BANK NAMIBIA LIMITED EXECUTION CREDITOR and RUAN SMITH EXECUTION DEBTOR. NOTICE OF SALE IN EXECUTION - IMMOVABLE PROPERTY IN EXECUTION OF COURT ORDER OF THE HIGH COURT OF NAMIBIA, given on 10th of MARCH 2023, and in pursuance of EXECUTION ISSUED on the 13th of MARCH 2023, in the above-mentioned case, a judicial sale by public auction will be held on the 28TH of JULY 2023, at 10H00, at Erf No. 3179, C/O. Hoogenhout & Pieter, Grand Street, Okahandja, of the following: CERTAIN Erf No. 3179 OKAHANDJA SITUATED IN THE TOWN OF OKAHANDJA REGISTRATION DIVISION "J", OTJOZONDJUPA REGION MEASURING: 1283 (ONE TWO EIGHT, THREE) square metres HELD BY DEED OF TRANSFER NO. T. 834/2011. SUBJECT TO ALL THE CONDITIONS CONTAINED THEREIN. (Hereinafter referred to as the "mortgaged property") CONDITIONS OF SALE: 1. The property shall be sold by the Deputy Sheriff, OKAHANDJA, on 28th of JULY 2023, at 10H00. 2. The Purchaser shall pay a deposit of TEN PERCENT. of the purchase price IN CASH ON THE DAY OF SALE, the balance against the goods to be secured by a bank or building society mortgage. 3. The transfer will be sold "vested". 4. The complete conditions of sale may be inspected at the office of the Deputy Sheriff, Okahandja. (Tel: 0814178900), and at the Plaintiff's, Attorneys' office at the undermentioned address. DATED AT WINDHOEK THIS... day of JUNE 2023 ANGULO JACOBO, JUDICIORATED Legal Practitioner for Judgement Creditor/Plaintiff, Unit 112 E/F Block C Mauna Park, Centaurus Street WINDHOEK Ref. DEB1968/NIP CLAO230002418

**NOTICE**

Taka, notice that Messrs. M & N Planning & Property Development Co. (Town and Regional Planners) has applied to the Katima Mulilo Town Council and intends applying to the Urban & Regional Planning Board for the following:

- rezoning of Erven 8822, Extension 34, from "general business" to "residential" with a density of 1:300m<sup>2</sup> for subsequent subdivision of Erf 8922 into 5 Portions and Remainder;
- rezoning of Erven 8828, Extension 34, from "general residential" to "residential" with a density of 1:300m<sup>2</sup> for subsequent subdivision of Erf 8928 into 11 Portions and Remainder;
- consolidation of Erf 8828 & 8829 Extension 34 into Portion A and rezoning of Portion A from "general residential" to "residential" with a density of 1:300m<sup>2</sup> for subsequent subdivision of Portion A into 7 Portions and Remainder;
- consolidation of Erf 8791 & 8782 Extension 34 into Portion B and rezoning of Portion B from "general residential" to "residential" for subsequent subdivision of Portion B into 7 Portions and Remainder;
- rezoning of Erf 9427 & 9435 from "institutional" to "residential" Ext. 36, Katima Mulilo with a density of 1:300m<sup>2</sup> for subsequent subdivision;
- rezoning of Erf 9427 & 9435 from "institutional" to "residential" Ext. 36, Katima Mulilo with a density of 1:300m<sup>2</sup> for subsequent subdivision;
- consolidation of Erf 9321-9331, 9333-9341, 9343-9401, 9403-9411 into Erf X, Ext. 36, Katima Mulilo and rezoning of Erf X from "residential" to "general business";
- rezoning of Erf 9332 & 9342, from "general residential" to "general business" with a bulk of 2 Ext. 36, Katima Mulilo and consolidate Erf 9332 & 9342 with Erf X.

The number of vehicles for which parking will be provided on-site will be provided in accordance with the Katima Mulilo Town Planning

**Notices**

**Legal**

Scheme. Please take notice that the application, plan and its supporting documents lies for inspection during normal office hours, at the Katima Mulilo Town Council (Town Planning Office) and Applicant. Further take notice that any person objecting to the proposed use of the land as set out above may lodge such objection together with the grounds thereof, with the Chief Executive Officer of the Katima Mulilo Town Council and with the applicant in writing, within 14 days of the last publication of this notice.

Applicant: Messrs. M and N Planning & Property Development Co. Town and Regional Planners P.O. Box 70523, Khomasdal Mobile: +264 851225788 Email Address: [mnpplanningconsulting@gmail.com](mailto:mnpplanningconsulting@gmail.com)

**NOTICE**

Taka, notice that Messrs. M and N Planning & Property Development Co. (Town and Regional Planners) has applied to the Katima Mulilo Municipal Council and intends applying to the Urban & Regional Planning Board in terms of the stipulations of the Urban & Regional Planning Act, 2018 (Act No. 5 of 2018) for the following:

- rezoning of Erf 3347, Istanbul Street No. 10, Otjomuise from "residential" with a density of 1:300m<sup>2</sup> to "business" with a bulk of 0.4;
- consent to use Erf 3347, Istanbul Street No. 10, Otjomuise in accordance with the proposed zoning and bulk while rezoning is being completed; Erf 3347, Istanbul Street No. 10, Otjomuise is zoned "residential" with a density of 1:300m<sup>2</sup> and is approximately 313m<sup>2</sup> in extent. The proposed rezoning to "business" with a bulk of 0.4 will allow the owner to use Erf 3347, Otjomuise for business (Retailer Shop) purposes. The number of vehicles for which parking will be provided on-site will be provided in accordance with the Windhoek Town Planning Scheme. Further take notice that the plan of the Erf lies for inspection on the Town Planning notice board in the Customer Care Centre, Main Municipal Offices, Erf 1, Main Street, Windhoek and with the applicant, further take notice that any person objecting to the proposed use of the land as set out above may lodge such objection together with the grounds thereof, with the City of Windhoek, Urban Policy Division and with the applicant in writing. Last day for objections is the 08th August 2023.

Applicant: M & N Planning & Property Development Co. Town and Regional Planners P.O. Box 70523, Khomasdal Mobile: +264 851225788 Email Address: [mnpplanningconsulting@gmail.com](mailto:mnpplanningconsulting@gmail.com)

CLAO230002950

**NOTICE OF ENVIRONMENTAL SCOPING ASSESSMENT (ESA) FOR THE PROPOSED EXPLORATION ACTIVITIES ON EXCLUSIVE PROSPECTING LICENCE (EPL) NO. 7988 LOCATED NORTH OF KLEIN AUB, HARDAP REGION** Under the Environmental Management Act No. 7 of 2007 and the Assessment (EIA) Regulations, the public is hereby notified that an application for an Environmental Clearance Certificate (ECC) will be submitted to the Environmental Commissioner. The proposed project is a listed activity that cannot be undertaken without an ECC from the Department of Environmental Affairs and Forestry (DEAF). Project Type & Location: The proposed prospecting & exploration of Base & Rare Metals, and Precious Metals, on EPL No. 7988. The 4735,9556 hectares (ha) EPL is located about 8 km North of Klein Aub, Hardap Region. Proponent: Unique Capital Investment (Pty) Ltd Environmental Consultant: Excel Dynamic Solutions (Pty) Ltd All interested and Affected Parties (I&APs) are hereby invited to register and submit comments in writing to the proponent on or before 04 August 2023. Registration and Background Information Document (SID) for the proposed project can be requested from the email address below. The public meeting date will be communicated with the registered I&APs. Contact: Mr. Manjume Leonard Email: [public@ednsamibia.com](mailto:public@ednsamibia.com) / [leonard@ednsamibia.com](mailto:leonard@ednsamibia.com) Tel: +264 (0) 81 259 530

**NOTICE OF ENVIRONMENTAL**

**Notices**

**Legal**

SCOPING ASSESSMENT (ESA) FOR OPERATION OF CHARCOAL REPACKING OPERATION AT OTJIWARONGO, OTJOZONDJUPA REGION, Under the Environmental Management Act No. 7 of 2007 and its 2012 EIA Regulations, the proposed prospecting and exploration activities on EPL 8148 require an Environmental Clearance Certificate (ECC) from the Department of Environmental Affairs and Forestry (DEAF) before commencement. The public is hereby notified that an application for an ECC will be submitted to the Environmental Commissioner. Project Description: The environmental scoping process will identify the impacts of the proposed charcoal repacking operation at Otjiwarongo. The operation will involve restocking and packaging of charcoal. Proponent: KRAR AGRICULTURE NAMIBIA PTY LTD Environmental Consultant: Excel Dynamic Solutions (Pty) Ltd Members of the public are invited to register as interested and affected parties in order to comment/raise concerns or receive further information on the project. Public Consultation meeting details will be communicated with all the registered I&APs. Registration requests should be forwarded to Excel Dynamic Solutions (Pty) Ltd on the contact details below, before or on 04 August 2023. Contact: Rose Mutlil 1, Tilus, Shautya Email: [public@ednsamibia.com](mailto:public@ednsamibia.com). Tel: +264 61 259 530

**NOTICE OF ENVIRONMENTAL SCOPING ASSESSMENT (ESA) FOR THE PROPOSED EXPLORATION ACTIVITIES ON EXCLUSIVE PROSPECTING LICENCES (EPL) NO. 9367, LOCATED SOUTH OF USAKOS, ERONGO REGION** Under the Environmental Management Act No. 7 of 2007 and its 2012 EIA Regulations, the proposed prospecting and exploration activities on EPLs 8357 require an Environmental Clearance Certificate (ECC) from the Department of Environmental Affairs and Forestry (DEAF) before commencement. The public is hereby notified that an application for an ECC will be submitted to the Environmental Commissioner. Brief Project Description: The environmental scoping process will identify potential positive and negative impacts of the proposed exploration activities on EPL 8357. The target commodities on the EPL are Base & Rare Metals, Diamond, Stones, Precious Metals, and Industrial Minerals. Proponent: Halo Mbaka Jr Shilongo Environmental Consultant: Excel Dynamic Solutions (Pty) Ltd Members of the public are invited to register as interested and affected parties in order to comment/raise concerns or receive further information on the Environmental Assessment process. Public Consultation meeting details will be communicated with all the registered I&APs. Registration requests should be forwarded to Excel Dynamic Solutions (Pty) Ltd on the contact details below, before or on 4 August 2023. Contact: Ms. Allijonge Email: [public@ednsamibia.com](mailto:public@ednsamibia.com). Tel: +264 61 259 530

CLAO230002934

**Notices**

**Legal**

**PUBLIC NOTICE ENVIRONMENTAL IMPACT ASSESSMENT** Take notice that Stubenrauch Planning Consultants (Town and Regional Planners and Environmental Consultants) on behalf of Outapi Town Council (the proponent), the registered owner of Erf 1069, Outapi Extension 4, hereby gives notice to all potentially interested and Affected Parties (I&APs) that an application will be made to the Environmental Commissioner in terms of the Environmental Management Act (No. 7 of 2007) and the Environmental Impact Assessment Regulations (GN 30 of 8 February 2012) for the following: PROJECT DETAILS: • Permanent Closure of Erf 1069, Outapi Extension 4 as a Public Open Space; • Rezoning of Erf 1069, Outapi Extension 4 from "Public Open Space" to Residential; • Subdivision of Erf 1069, Outapi Extension 4 into Erf A/1069, B/1069, C/1069 and the Remainder. PROJECT LOCATION: Outapi, Otjara Region. The Proponent: Outapi Town Council Environmental Assessment Practitioner (EAP): Stubenrauch Planning Consultants (SPC) REGISTRATION OF I&APs AND SUBMISSION OF COMMENTS: In line with Namibia's Environmental Management Act (No. 7 of 2007) and EIA regulations (GN 30 of 8 February 2012), all I&APs are hereby invited to register with the applicant to obtain further information. Further take notice that any person having objections and/or comments to the proposed application as depicted above, may lodge such objection/comment in writing with the Chief Executive Officer of the Outapi Town Council and with the applicant (SPC) in writing via Email: [bronwynn@spc.com.na](mailto:bronwynn@spc.com.na); Tel: 061 25 11 89 on or before 1 August 2023. CLAO230002917

**LEGAL NOTICES**

**CONSENT NOTICE** Take notice that Mrs Emily A. Kamati the legal owner of Erf No 9573, Onawa Location, Okahandja intend to apply to the Okahandja Town Council operates consent use: Shop on an Informal residential zoned of The intention is to set a Mini market & Bar, on Erf 9573. Further take notice that any person objecting to the erection, proposed use of the land as set out above may lodge such objection together with the grounds thereof, with the Okahandja Town Council and with the applicant in writing within fourteen (14) good days of the last date of the publication 17 July 2023. Emily A. Kamati, P. O BOX 7071, Walvis Bay, Mobile: +264 81 2129608 +264 81 1421499 CLAO230002953

**PUBLIC NOTICE ENVIRONMENTAL IMPACT ASSESSMENT**

Stubenrauch Planning Consultants (SPC) hereby give notice to all potentially interested and Affected Parties (I&APs) that an application will be made to the Environmental Commissioner in terms of the Environmental Management Act (No. 7 of 2007) and the Environmental Impact Assessment Regulations (GN 30 of 8 February 2012) for the following: PROJECT DETAILS: (a) Establishment of the Flexible Land Tenure Schemes in Ombili and Bonya Informal Settlements in Helao Nafidi, Ohangwena Region. (b) Creation of block erven and streets within the Flexible Land Tenure Scheme Boundaries of Bonya & Ombili Informal Settlements. (c) Provision of associated bulk services. The Proponent: Helao Nafidi Town Council Environmental Assessment Practitioner (EAP): Stubenrauch Planning Consultants (SPC) The proponent intends to establish the Flexible Land Tenure Schemes for the following identified areas in Helao Nafidi Town: • Bonya Informal Settlement and Ombili Informal Settlement REGISTRATION OF I&APs AND SUBMISSION OF COMMENTS: In line with Namibia's Environmental Management Act (No. 7 of 2007) and EIA regulations (GN 30 of 8 February 2012), all I&APs are hereby invited to register and submit their comments, concerns, or questions in writing on or before Tuesday, 01 August 2023. Email: [bronwynn@spc.com.na](mailto:bronwynn@spc.com.na) Tel: 061 25 11 89 Our Ref: Helao-FLTS

CLAO230002912

**Notices**

**Legal**

**REQUEST FOR PROPOSALS**

**Description & Reference**

PROVISION OF DATA ANALYTICS CONSULTANCY SERVICES

RFP EON NUMBER: B01/RFP No.12/2023

**Terms of Reference**

Available on request at [info@ednsamibia.com](mailto:info@ednsamibia.com)

**Closing Date**

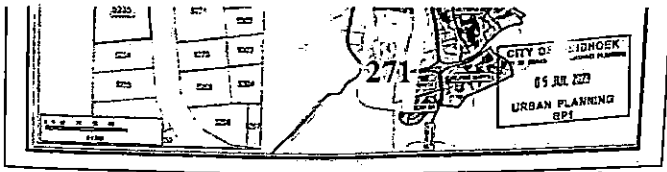
Friday, 4 August 2023 @ 12:00 midday, Namibian Time (No late submissions will be accepted)

Bank of Namibia

Debra Matangwe Tel: 061 25 33 225 Email: [Debra.Matangwe@ednsamibia.com](mailto:Debra.Matangwe@ednsamibia.com)

CLAO230002934

**DISCLAIMER** ALL PRODUCTS AND SERVICES ADVERTISED ARE SOLELY THE RESPONSIBILITY OF THE ADVERTISER. THE NAMIBIAN DOES NOT VALIDATE OR ENDORSE THE CLAIMS MADE BY ANY ADVERTISER. THE ONUS LIES WITH POTENTIAL CUSTOMERS TO EVALUATE THE AUTHORITY OF SUCH PRODUCTS OR SERVICES.



**NOTICE**

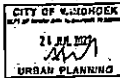
Take notice that Messrs. M and N Planning & Property Development Co (Town and Regional Planners) on behalf of owner of Erf 3347, Istanbul Street No.10, Opposite Bus stop located to the Windhoek Municipality Council and grounds applying to the Urban & Regional Planning Board in terms of the provisions of the Urban & Regional Planning Act, 2018 (Act No. 8 of 2018) for:

- rezoning of Erf 3347, Istanbul Street No.10, Opposite from residential with a density of 1:3000<sup>m</sup> to 'business' with a bulk of 0.4
- consent to use Erf 3347, Istanbul Street No.10, Opposite in accordance with the proposed zoning and bulk with rezoning to being completed.

Erf 3347, Istanbul Street No. 10, Opposite is zoned 'residential with a density of 1:3000<sup>m</sup> and to approximately 310<sup>m</sup> in extent. The proposed rezoning to 'business' with a bulk of 0.4 will allow the owner to use Erf 3347, Opposite for business (Retailer/Enjoy) purposes. The number of vehicles for which parking must be provided on-site will be provided in accordance with the Windhoek Town Planning Scheme.

Further take notice that the plan of the Erf lies for inspection on the Town Planning notice board in the Customer Care Centre, East Harbord Office, Ray, Market Road, Windhoek and with applicant. Further take notice that any person objecting to the proposed use of the land as set out above may lodge such objection together with the grounds thereof, with the City of Windhoek, Urban Policy Division and with the applicant in writing. Last day for objections is the 05 August 2023.

**Applicant:**  
M & N Planning & Property Development Co  
Town and Regional Planners  
P O Box 70023, Khomasdal  
Mobile: +264 851225762  
Email Address: [mnplanning@mnplanning.com](mailto:mnplanning@mnplanning.com)



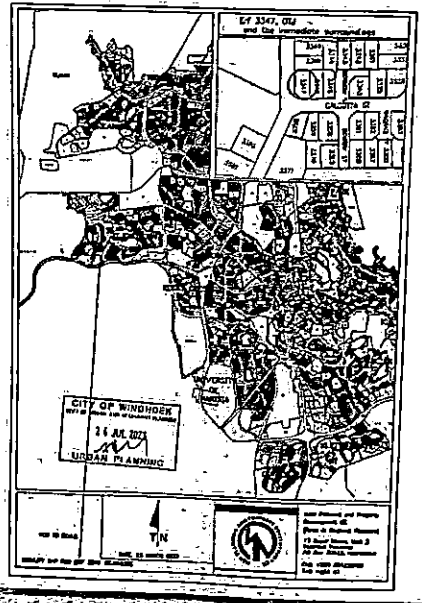
**STANDARD NOTICE THREE**

Notice is hereby issued that the City of Windhoek intends to issue a three-storey residential building permit for a three-storey residential building on Erf 3347, Istanbul Street No. 10, Opposite.

The proposed developments will be residential building to be used solely for the purpose of a Customer Care Centre, City of Windhoek.

Any person objecting to the proposed developments together with the grounds thereof, must lodge such objection together with the grounds thereof, with the City of Windhoek, Urban Policy Division and with the applicant in writing within 14 (fourteen) days of the date of publication of this notice.

Linda Tshepo  
0812753022



**TOYA URBAN PLANNING NOTICE OF INTENTION TO A**

TO WHOM IT MAY CONCERN

Please take note that TOYA URBAN PLANNING COI

intends to apply to the local authority of CITY OF WINDHOEK to a KLEIN WINDHOEK (township) in terms of Section 105(1)(a) of the 2018) for the:

**REZONING OF ERF 813(A PORTION OF ERF 424), NO. 15 JO 'RESIDENTIAL' WITH A DENSITY OF 1:900<sup>m</sup> TO 'GENERAL BUSINESS' IN TERMS OF THE NEW ZONING SCHEME.**

Details of the amendment concerned is full

Erf No	Size (m <sup>2</sup> )	Street Address	Township	City
813 (Portion of Erf 424)	1146	John Ludaing Street	Klein Windhoek	Windhoek

Purpose of Rezoning: It is the intention of the registered owner of Erf 813 to rezone the property to 'General Business' in order to accommodate the most appropriate rezoning because it can accommodate the rezoning permitted by the City of Windhoek high-density policy provided in accordance with Table D of the Windhoek Zoning Scheme.

Special Consent Required: Consent, in terms of Table B of the Windhoek Zoning Scheme, in line with the proposed zoning, whilst the rezoning is being completed.

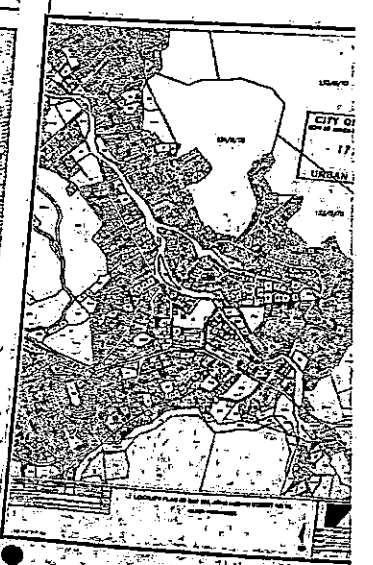
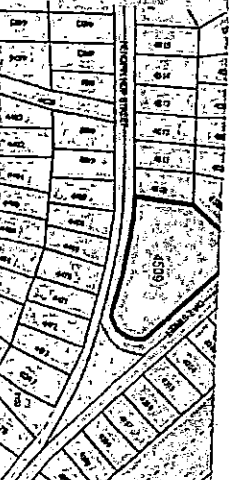
Please further take note that:

- (a) the plan of the Erf or land lies for inspection at Town Planning Office, Windhoek.
- (b) any person having objection to the rezoning concerned or who has objections and comments together with the grounds, with the City of Windhoek, Urban Policy Division and with the applicant in writing, together with the grounds thereof, must lodge such objection together with the grounds thereof, with the City of Windhoek, Urban Policy Division and with the applicant in writing, within 14 days of the last publication of this notice on 14 August 2023.

Signature of applicant: *[Signature]*

Address of applicant:  
Toya Urban Planning Consultants  
P.O. Box 99294, Windhoek  
Mr. Simon Shingum Cell: 081 3099039  
Email: [simonshingum@toya.co.na](mailto:simonshingum@toya.co.na)  
Mr. Tobias Newey Cell: 081 124232  
Email: [tobiasnewey@toya.co.na](mailto:tobiasnewey@toya.co.na)

CITY OF WINDHOEK  
17 JUL 2023  
URBAN PLANNING



**REZONING NOTICE**

Notice is hereby issued that the City of Windhoek intends to issue a rezoning notice for a portion of Erf 424, No. 15 Jo 'Residential' with a density of 1:900<sup>m</sup> to 'General Business' in terms of the new zoning scheme.



**NOTICE OF REZONING AND CONSOLIDATION**

Notice is hereby issued that the City of Windhoek intends to issue a rezoning notice for a portion of Erf 424, No. 15 Jo 'Residential' with a density of 1:900<sup>m</sup> to 'General Business' in terms of the new zoning scheme.



**City of  
Windhoek**  
Department of Urban and Transport Planning  
Urban Policy Division

Applicant: M & N Planning Consultants Cc  
Erf No.: 3347 OTJOMUISE  
Tel. No.: 0851225788

### NEIGHBOUR CONSENT FORM

Consultant Reference: Erf 3347/OTJ

Grow More Trading Khomas Close Corporation  
Erf 3347  
OTJOMUISE

Dear Dr/Sir/Madam

- rezoning of Erf 3347, Istanbul Street No.10, Otjomuise from 'residential' with a density of 1:300m<sup>2</sup> to 'business' with a bulk of 0.4

Herewith do I / we,

S. AMBUBA

the owner/s of: Erf 3346, Otjomuise, declare that I/ we have (please indicate an X in the appropriate box):

**no objection** to the rezoning of Erf 3347, Istanbul Street No.10, Otjomuise from 'residential' with a density of 1:300m<sup>2</sup> to 'business' with a bulk of 0.4 in order to put up a Retail Shop.

**objection** to the rezoning of Erf 3347, Istanbul Street No.10, Otjomuise from 'residential' with a density of 1:300m<sup>2</sup> to 'business' with a bulk of 0.4 in order to put up a Retail Shop.

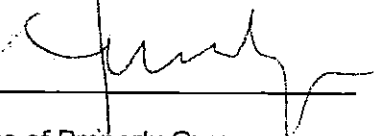
If objecting, please indicate the reasons for doing so:

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Should this form not be returned to our office within 14 days from the date of receipt, we will assume that there are no objections against the intended development. Please email to: [mnplanningconsulting@gmail.com](mailto:mnplanningconsulting@gmail.com) or call us for collection.

Signed at: OTJOMUI SE on this 24 day of July 2023.

  
\_\_\_\_\_  
Signature of Property Owner

2753

**City of  
Windhoek**  
Department of Urban and Transport Planning  
Urban Policy Division

Applicant M & N Planning Consultants Cc  
Erf No.: 3347 OTJOMUISE  
Tel. No.: 0851225788

**NEIGHBOUR CONSENT FORM**

Consultant Reference: Erf 3347/OTJ

Grow More Trading Khomas Close Corporation  
Erf 3347  
OTJOMUISE

Dear Dr/Sir/Madam

- **REZONING OF ERF 3347, ISTANBUL STREET NO.10, OTJOMUISE FROM 'RESIDENTIAL' WITH A DENSITY OF 1:300M<sup>2</sup> TO 'BUSINESS' WITH A BULK OF 0.4**

Herewith do I / we,

~~Kshindobo~~ Nchinelao Shindobo

the owner/s of: Erf 3348, Otjomuise, declare that I/ we have *(please indicate an X in the appropriate box)*:

**no objection to the rezoning of Erf 3347, Istanbul Street No.10, Otjomuise from 'residential' with a density of 1:300m<sup>2</sup> to 'business' with a bulk of 0.4 in order to put up a Retail Shop.**

**objection to the rezoning of Erf 3347, Istanbul Street No.10, Otjomuise from 'residential' with a density of 1:300m<sup>2</sup> to 'business' with a bulk of 0.4 in order to put up a Retail Shop.**

If objecting, please indicate the reasons for doing so:

Should this form not be returned to our office within 14 days from the date of receipt, we will assume that there are no objections against the intended development. Please email to:

[mnplanningconsulting@gmail.com](mailto:mnplanningconsulting@gmail.com).

Signed at: windhoek on this 29<sup>th</sup> day of July 2023.

~~Kshindobo~~  
Signature of Property Owner



**City of  
Windhoek**  
Department of Urban and Transport Planning  
Urban Policy Division

Applicant: M.&N Planning Consultants Cc  
Erf No.: 3347 OTJOMUISE  
Tel. No.: 0851225788

## NEIGHBOUR CONSENT FORM

Consultant Reference: Erf 3347/OTJ

Grow More Trading Khomas Close Corporation  
Erf 3347  
OTJOMUISE

Dear Dr/Sir/Madam

- rezoning of Erf 3347, Istanbul Street No.10, Otjomuise from 'residential' with a density of 1:300m<sup>2</sup> to 'business' with a bulk of 0.4

Herewith do I / we,

L. M. K. N. BATHIMBEWASHA

the owner/s of: Erf ~~3359~~ 3347 Otjomuise, declare that I/ we have (please indicate an X in the appropriate box):

**no objection** to the rezoning of Erf 3347, Istanbul Street No.10, Otjomuise from 'residential' with a density of 1:300m<sup>2</sup> to 'business' with a bulk of 0.4 in order to put up a Retail Shop.

**objection** to the rezoning of Erf 3347, Istanbul Street No.10, Otjomuise from 'residential' with a density of 1:300m<sup>2</sup> to 'business' with a bulk of 0.4 in order to put up a Retail Shop.

If objecting, please indicate the reasons for doing so:

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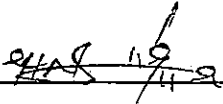


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Should this form not be returned to our office within 14 days from the date of receipt, we will assume that there are no objections against the intended development. Please email to: [mnplanningconsulting@gmail.com](mailto:mnplanningconsulting@gmail.com) or call us for collection.

Signed at: WINDHOEK on this 27<sup>th</sup> day of July 2023.

  
\_\_\_\_\_

Signature of Property Owner



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

N\$31.20

WINDHOEK - 1 September 2023

No. 8203

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**Plan Africa Consulting CC**  
**Town and Regional Planners**  
**P.O. Box 4114**  
**8 Delius Street, Windhoek-West)**  
**Tel: (061) 212096; Cell: 081-271 6189**  
**Fax: (061) 213051**  
**Email: [pafrika@mweb.com.na](mailto:pafrika@mweb.com.na)**

No. 537

2023

**REZONING OF ERF 3347, ISTANBUL STREET NO. 10, OTJOMUISE**

**Messrs. M and N Planning & Property Development CC (Town and Regional Planners)** on behalf of owner of Erf 3347, Istanbul Street No. 10, Otjomuise has applied to the Windhoek Municipal Council and intends applying to the Urban and Regional Planning Board in terms of the stipulations of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) for:

- **Rezoning of Erf 3347, Istanbul Street No. 10, Otjomuise from ‘residential’ with a density of 1:300m<sup>2</sup> to ‘business’ with a bulk of 0.4; and**
- **Consent to use Erf 3347, Istanbul Street No. 10, Otjomuise in accordance with the proposed zoning and bulk while rezoning is being completed.**

Erf 3347, Istanbul Street No. 10, Otjomuise is zoned ‘residential’ with a density of 1:300m<sup>2</sup> and is approximately 313m<sup>2</sup> in extent. The proposed rezoning to “business” with a bulk of 0.4 will allow the owner to use Erf 3347, Otjomuise for business (Retailer Shop) purposes. The number of vehicles for which parking must be provided on-site will be provided in accordance with the Windhoek Town Planning Scheme.

The plan of the erf lies for inspection on the Town Planning Notice Board in the Customer Care Centre, Main Municipal Offices, Rev. Michael Scott Street, Windhoek and with applicant.

Any person objecting to the proposed use of the land as set out above may lodge such objection together with the grounds thereof, with the City of Windhoek, Urban Policy Division and with the applicant in writing. Last day for objections is **14 September 2023**.

**Applicant: M & N Planning & Property Development CC**  
**Town and Regional Planners**  
**P.O. Box 70523, Khomasdal**  
**Mobile: +264 85 122 5788**  
**Email address: [mnplanningconsulting@gmail.com](mailto:mnplanningconsulting@gmail.com)**

No. 538

2023

**REZONING OF ERF 274, PAUL SWART STREET, LUIPERDHEUWEL EXTENSION 2**

**Plan Africa Consulting CC, Town and Regional Planners**, on behalf of the owner of the respective erf, intends to apply to the Municipality of Grootfontein for:

- **Rezoning of Erf 274, Paul Swart Street, Luiperdheuvel Extension 2 from ‘Residential 1’ with a density of 1:600 to ‘General Residential 3’ with a density of 1:100; and**