

ERF LIST – BUSINESS ERVEN

| NO. | ERF | TOWNSHIP | STREET | ZONING | DENSITY / BULK | SIZE M² | UPSET PRICE | CONDITIONS |
|------------|------------|-----------------|---------------------|------------------------|---------------------------|-------------------------------|--------------------|------------------------------------|
| 1 | 8358 | Windhoek | Ferry Street | Restricted Business | Bulk 2.0 | 635 | N\$ 474 000,00 | CR 126/05/2018 |
| 2 | 853 | Kleine Kuppe | Muisvoel Street | Business | Bulk 1.0 | 3455 | N\$ 3 214 000,00 | CR 157/07/2019 |
| 3 | 2335 | Otjomuise | Stockholm Street | Business | Bulk 1 | 698 | N\$ 1 012 100,00 | Electricity and Water available |

ERVEN CONDITIONS – COUNCIL RESOLUTIONS

1. ERF 8358 WINDHOEK

[Municipal Council Minutes: 2018-05-31]

**FNS.9 [HPH] WITHDRAWAL OF ALLOCATION
OF ERF 8358, WINDHOEK - M&Z LIMITED
(L/8358/WHK)**

On proposal by Councillor MJ Amadhila, it was

RESOLVED

- 1 That it be noted that attempts were made to finalise the sale of Erf 8358, Windhoek to M&Z Limited in terms of Council Resolution 261/09/2013, attached as pages 133 - 135 to the agenda.
- 2 That it be noted that in an e-mail communication made on 5 February 2018, attached as pages 139 - 142 to the agenda, M&Z Limited indicated that they are no longer interested to purchase Erf 8358, Windhoek.

- 3 That approval be granted to cancel the allocation of Erf 8358, Windhoek to M&Z Limited.
- 4 That Council Resolution 261/09/2013 be rescinded and that Erf 8358, Windhoek be placed on the City's list of available properties to be sold on tender.
- 5 That M&Z Limited be informed that the allocation of Erf 8358, Windhoek to them has been cancelled, in writing.
- 6 That approval be granted to the Strategic Executive: Housing, Property Management and Human Settlement to sell Erf 8358 ($\pm 636 \text{ m}^2$ in extent), Windhoek with a bulk of 2.0 by way of tender at an upset price of N\$474 000.00.
- 7 That it be noted that the following sales conditions are applicable to the sale of Erf 8358, Windhoek:
 - 7.1 That, should any electrical infrastructure on the sidewalk need to be relocated to accommodate a new access to the erf, all cost related thereto be for the applicant's account.
 - 7.2 That only one (1) service connection from the municipal electrical network and one (1) meter point be allowed to the erf.
 - 7.3 That should a service connection larger than 3 x 60 ampere be required, the applicant and/or their representatives contact the Strategic Executive: Electricity, well in advance, to determine whether the existing electrical network can handle the additional loading and also to determine the financial contribution to be made by the Developers towards the upgrading cost of the network.
 - 7.4 That a 3 metre servitude be surveyed and registered on the main sewer line.
 - 7.5 That the surveying and registration cost be for the applicant.
 - 7.6 That no structure be erected within 1.5 metre from the main sewer line.
 - 7.7 That surface stormwater run-off be accommodated according to clause 35 of the Windhoek Town Planning Scheme (see Info 35 of the Town Planning Scheme), stating:
 - 7.7.1 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 higher lying property to lower lying property is impeded or obstructed and through which any property is or may be endangered; or
- The flow of a natural watercourse (in which the local authority allow flood water to run-off, be discharged or to be canalised) is or can be changed, canalised or impeded.

- 7.7.2 That the maintenance of such stormwater pipe, channel or work be the responsibility of the owner of the concerned property.
- 7.8 That prior approval be obtained from the Strategic Executive: Housing, Property Management and Human Settlement if the accommodation of the stormwater on the erf is contemplated.
- 7.9 That engineering drawings on how the stormwater would be accommodated to the satisfaction of the Strategic Executive: Housing, Property Management and Human Settlement be submitted for approval simultaneously with the building plans.
- 7.10 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.
- 7.11 That no building plans be approved until the stormwater conditions are met.
- 7.12 That no access be allowed within 15 metres of the intersection of Ferry and Armstrong Streets measured from the intersecting kerbline.
- 8 That the resolution be implemented prior to confirmation of the minutes.

RESOLUTION 126/05/2018

2. ERF 853 KLEINE KUPPE

[Municipal Council Minutes: 2019-07-25]

**FNS.3 [HPH] VARIOUS APPLICATIONS TO
PURCHASE ERF 853, CORNER OF MOWE
AND SOSSUSVLEI STREETS, KLEINE KUPPE
(L/853/KK)**

On proposal by Councillor Ms AK Ashilelo, it was

RESOLVED

- 1 That the applications from Dr Martin C Blair, Ya Negumbo Properties CC, Tuli Pamwe Consortium and the Windhoek Gymnasium Private School, be noted.
- 1.1 That the applications as per paragraph 1 above, not be supported and that the applicants be informed of this Council Resolution, in writing.
- 1.2 That the applicants be informed that erven for business and general residential use which are suitable for their intended development are sold by way of the tender method of sale.
- 2 That Erf 853, Kleine Kuppe be sold by way of the tender method of sale at an upset purchase price of N\$3 214 000.00 (market related price), as determined by the Strategic Executive: Housing, Property Management and Human Settlement.
- 3 That Erf 853, Kleine Kuppe be rezoned from ‘undetermined’ to ‘business’ with a bulk of 1.0 and that the successful Bidder be responsible for the rezoning and costs related thereto.
- 3.1 That consent be granted for the use of Erf 853, Kleine Kuppe for ‘business’ zoning with a bulk of 1.0, pending the finalisation of the rezoning process.
- 4 That Erf 853, Kleine Kuppe be sold subject to the following conditions:
 - 4.1 That surface stormwater run-off be accommodated according to clause 35 of the Windhoek Town Planning Scheme, stating:

- 4.1.1 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.
- 4.1.2 That the maintenance of such stormwater pipe, channel or work be the responsibility of the owner of the concerned property.
- 4.2 That parking be provided according to the Town Planning Scheme.
- 4.3 That access be to the satisfaction of the Strategic Executive: Urban and Transport Planning.
- 4.4 That no access be allowed over the stormwater catch pit.
- 4.5 That no access be allowed less than 15 metres from the intersecting kerb line.
- 4.6 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.
- 4.7 That only one (1) service connection per erf be allowed from the municipal electrical network.
- 4.8 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'.
- 4.9 That for erven that are 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 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.
- 4.10 That on-site parking be provided parking be to the satisfaction of the Strategic Executive: Urban and Transport Planning.

- 4.1.1 That access, internal circulation, pedestrian movements, and parking be to the satisfaction of the Strategic Executive: Urban and Transport Planning.
- 5 That all required parking be provided for on-site.
- 5.1 That one (1) parking bay be provided per 33 m² of the utilized bulk for business purposes.
- 5.2 That the applicant at own cost conduct a Traffic Impact Assessment (TIA) of the entire school premises for approval being to the satisfaction of the Strategic Executive: Urban and Transport Planning before submitting any building plans.
- 5.3 That the applicant be responsible for any recommended upgrading as highlighted in the Traffic Impact Assessment (TIA).
- 5.4 That access, internal circulation, pedestrian movements, scholar safety and stacking be to the satisfaction of the Strategic Executive: Urban and Transport Planning.
- 5.5 That an Urban Arterial Account (UAA) contribution of N\$538 435.29 be applicable for ‘business’ zoning to be transferred to Item 5010/05/2/05/1032.
- 6 That the standard reverting clause and restrictive resale condition be registered against the Title Deed in favour of Council.
- 7 That the intended sale of Erf 853, Kleine Kuppe be advertised in terms of section 63(2) of the Local Authorities Act (Act 23 of 1992) (as amended).
- 8 That Ministerial approval to sell Erf 853, Kleine Kuppe be obtained from the Minister of Urban and Rural Development in terms of section 30(1)(t) of the Local Authorities Act, 1992 (Act 23 of 1992) (as amended).
- 9 That the Chief Executive Officer (Corporate Legal Adviser) draft the Sales Agreement.
- 10 That the resolution be implemented prior to confirmation of the minutes.

RESOLUTION 157/07/2019

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