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CITY OF WINDHOEK

✉ 59, Windhoek ☎ +264 61 2902911

NOTICE is hereby given of the monthly meeting of the

MUNICIPAL COUNCIL OF WINDHOEK

to be held on **Thursday, 29 August 2024 at 17:30**, in the new Council Chambers, Windhoek.

.....

CHIEF EXECUTIVE OFFICER

ENQUIRIES:	Ms T Edward/mgo Ms M Garises	**REF:**	2024-08-29.ca
TELEPHONE:	2902597/2902557	**DATE:**	2024-08-22

INDEX

		PAGE
1	**OPENING BY PRAYER**	
2	**OFFICIAL ANNOUNCEMENTS, STATEMENTS AND COMMUNICATIONS BY THE MAYOR - COUNCIL MEMBER MS QO KAMATI**	
3	**APPLICATIONS FOR LEAVE OF ABSENCE**	
4	**DECLARATION OF INTEREST**	
5	**CONFIRMATION OF MINUTES**	
6	**PETITIONS**	
7	**MOTIONS**	
8	**ANSWERS TO QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN**	
9	**OUTSTANDING MATTERS ARISING FROM THE COUNCIL MEETING HELD ON 31 JULY 2024**	
9.1	ITEM 9.1 ITEM 10.3.13 - FNS.6 [HPH] APPLICATION TO PURCHASE A PORTION OF ERF 332, KLEINE KUPPE FOR CONSOLIDATION WITH ERF 1189, KLEINE KUPPE	2
10	**MINUTES OF MANAGEMENT COMMITTEE**	
10.1	**APPROVAL OF MINUTES (MC 14/2024)**	
10.1.1	GOV.1 [FCS] CONFIDENTIAL MATTER	24
10.1.2	GOV.2 [INF] STAFF MATTER	24
10.1.3	FNS.1 [UTP] APPLICATION FOR THE REZONING OF ERF 8350 (PORTION OF THE REMAINDER OF ERF 6755), WINDHOEK FROM 'UNDETERMINED' TO 'PRIVATE OPEN SPACE'; CONSENT IN TERMS OF TABLE B OF THE WINDHOEK ZONING SCHEME TO OPERATE A RESTAURANT AND BAR ON ERF 8350 (PORTION OF THE REMAINDER OF ERF 6755), WINDHOEK; AND INCLUSION OF THE REZONING IN THE NEXT ZONING SCHEME TO BE PREPARED FOR WINDHOEK	25

PAGE

10.1.4	FNS.2 [UTP] APPLICATION FOR THE SUBDIVISION OF PORTION 345 (A PORTION OF PORTION 65) OF THE FARM BRAKWATER NO. 48 INTO PORTIONS 550, 551, 552, 553, 554 AND THE REMAINDER; REZONING OF PORTIONS 551, 552, 553 AND THE REMAINDER (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO. 48 FROM 'RESIDENTIAL' WITH A DENSITY OF 1:5 HECTARE TO 'BUSINES'S WITH A BULK OF 0.5; REZONING OF PORTION 554 (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO. 48 FROM 'RESIDENTIAL' WITH A DENSITY OF 1:5 HECTARE TO 'INDUSTRIAL' WITH A BULK OF 0.5; AND CONSENT TO USE PORTION 554 (A PORTION OF PORTION 345 OF THE FARM BRAKWATER NO. 48) FOR THE PURPOSE OF A NOXIOUS INDUSTRY (BRICKMAKING)	35
10.1.5	FNS.3 [UTP] APPLICATION FOR THE REZONING OF ERF 6923, 171 NELSON MANDELA AVENUE, WINDHOEK FROM 'RESIDENTIAL' WITH A DENSITY OF 1:900 m² TO 'OFFICE' WITH A BULK OF 0.4 AND CONSENT FOR FREE RESIDENTIAL BULK	60
10.1.6	FNS.4 [HPH] APPLICATION TO PURCHASE A PORTION OF ERF 1993, OTJOMUISE EXTENSION 3 FOR CONSOLIDATION WITH ERF 1985, OTJOMUISE EXTENSION 3 FOR THE PURPOSE OF ACCESS THROUGH A PANHANDLE FORM	70
10.1.7	FNS.5 [HPH] APPLICATION TO PURCHASE A PORTION OF ERF 206, ROCKY CREST PROPER FOR CONSOLIDATION WITH ERF 128, ROCKY CREST PROPER	78

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[Municipal Council Agenda: 2024-08-29]

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

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[Municipal Council Agenda: 2024-08-29]

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

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[Municipal Council Agenda: 2024-08-29]

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

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[Municipal Council Agenda: 2024-08-29]

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

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[Municipal Council Agenda: 2024-08-29]

5 **CONFIRMATION OF MINUTES**
(3/2/1)

The minutes of the monthly meeting of the Municipal Council of Windhoek held on 31 July 2024 are submitted for confirmation.

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[Municipal Council Agenda: 2024-08-29]

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

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[Municipal Council Agenda: 2024-08-29]

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

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[Municipal Council Agenda: 2024-08-29]

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

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9 **OUTSTANDING MATTERS ARISING FROM THE COUNCIL MEETING HELD ON 31 JULY 2024**

[Municipal Council Agenda: 2024-08-29]

9.1 **ITEM 9.1 ITEM 10.3.13 - FNS.6 [HPH] APPLICATION TO PURCHASE A PORTION OF ERF 332, KLEINE KUPPE FOR CONSOLIDATION WITH ERF 1189, KLEINE KUPPE**
(L/332/KK)

Council at its meeting held on 31 July 2024 per Resolution 149/07/2024 *inter alia* resolved as follows:

1 That this matter stand over until the next Council meeting to be considered as a normal application, with the required documentation.

2 That the normal subdivision recommendations apply.

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

The item is herewith resubmitted.

Background

Council per Resolution 140/07/2024 *inter alia* resolved as follows:

1 That the discussion of this matter be suspended in terms of Rule 28 of the Standing Rules and/order until the next ordinary Council meeting scheduled to be held on 31 July 2024, for consideration, to enable Council Member Professor Job S Amupanda to consider various options available and have a site visit in order to make a meaningful contribution.

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

Introduction

The purpose of this item is to submit to the Municipal Council of Windhoek, an application from the owner of Erf 1189, Kleine Kuppe for the purchase of a portion of Erf 332, Kleine Kuppe for consolidation purposes.

Application

*** Ms Leonie Dunn submitted an application dated 15 January 2019, **attached as pages 1 - 3 to the agenda**, on behalf of Koinseb Property Number Seventy Nine CC, the owner of Erf 1189, Kleine Kuppe for the purchase of a portion of Erf 322, Kleine Kuppe for consolidation purposes.

*** While the item served at Council, the applicant submitted a revised application dated 3 July 2024, **attached as page 3(a) to the agenda**.

The item includes the investigation of additional portions to be offered for sale to adjacent erf owners for consolidation purposes.

The submission involves the following:

*** - Subdivision of Erf 332, Kleine Kuppe into Portion A (± 133 m² in extent), Portion B (± 125 m² in extent), Portion C (± 124 m² in extent), Portion D (± 234 m² in extent), Portion E (± 202 m² in extent), Portion F (± 121 m² in extent), Portion G (± 143 m² in extent), Portion H (± 130 m² in extent), Portion I (± 238 m² in extent), Portion J (± 241 m² in extent) and the Remainder, as indicated on Plan KK 332-1, **attached as page 4 to the agenda**;

- Closure of Portions A, B, C, D, E, F, G, H, I and J of Erf 332, Kleine Kuppe as 'public open space' in terms of section 50(1) of the Local Authorities Act, 1992 (Act 23 of 1992) (as amended);

- Consolidation of Portions A, B, C, D, E, F, G, H, I and J of Erf 332, Kleine Kuppe with adjacent Erven 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1189, 1190 and 1191, Kleine Kuppe Proper, correspondingly; and

*** - Sale of Portions A, B, C, D, E, F, G, G, I and J of Erf 332, Kleine Kuppe to the owners adjacent erven, correspondingly, as indicated on Plan KK 332-1, **attached as page 4 to the agenda.**

Ownership of Erf 1189 (a portion of Erf 233), Kleine Kuppe:

*** Erf 1189, Kleine Kuppe is owned by Koinseb Property Number Seventy Nine CC, Registration No. CC/2001/0595 as per Deed of Transfer No. T3119/2001, **attached as pages 5 - 11 to the agenda**.

*** Leonie Elleneeza Dunn is the sole member of Koinseb Property Number Seventy Nine CC as per the Amended Founding Statement, **attached as pages 12 - 19 to the agenda**. Ms Dunn is a Namibian citizen as indicated as per her passport, **attached as page 20 to the agenda**.

Strategic implications

*** This application is for a purchase of a portion of Erf 332, Kleine Kuppe which is zoned as 'public open space'. The application is in compliance with the Public Open Spaces Policy as contained in Council Resolution 251/07/2001, **attached as pages 21 - 24 to the agenda**.

*** The sale of public open spaces contributes to the Municipal Council of Windhoek's Vision: To be a Sustainable and Caring City by 2027. The revenue generated from the sale of public open spaces is used exclusively (unless with consent from the Municipal Council of Windhoek), for the development of public open spaces into attractive public spaces, e.g. family parks, walking trails, etc., as per Council Resolution 183/08/2021, **attached as pages 25 - 27 to the agenda**.

Financial implications

The expected revenue from the sale of Portion H (± 130 m² in extent) of Erf 332, Kleine Kuppe is as follows:

- Portion H - N$91 450.00 (rounded off) in total. Monthly rental amount N$762.08, should the applicant opt for a lease pending the finalisation of the sale.

The cost to the Municipal Council of Windhoek is N$4 000.00 per advertisement (Item 4000/20/1/10/20025).

Property description and locality

- Erf 1215, Kleine Kuppe, is ± 454 m² in extent, zoned 'residential' with a density of 1:250 m² and situated in Cape Cross Street;
- Erf 1216, Kleine Kuppe, is ± 438 m² in extent, zoned 'residential' with a density of 1:250 m² and situated in Cape Cross Street;
- Erf 1217, Kleine Kuppe, is ± 448 m² in extent, zoned 'residential' with a density of 1:250 m² and situated in Cape Cross Street;
- Erf 1218, Kleine Kuppe, is ± 389 m² in extent, zoned 'residential' with a density of 1:250 m² and situated in Cape Cross Street;
- Erf 1219, Kleine Kuppe, is ± 364 m² in extent, zoned 'residential' with a density of 1:250 m² and situated along Cape Cross Street;
- Erf 1220, Kleine Kuppe is zoned 'residential', is ± 369 m² in extent with a density of 1:250 m² and situated along Cape Cross Street;
- Erf 1221, Kleine Kuppe, is ± 383 m² in extent, zoned 'residential' with a density of 1:250 m² and situated along Cape Cross Street;
- Erf 1189, Kleine Kuppe, is ± 527 m² in extent, zoned 'residential' with a density of 1:250 m² and situated along Groenewald Street;
- Erf 1190, Kleine Kuppe, is ± 509 m² in extent, zoned 'residential' with a density of 1:250 m² and situated along Groenewald Street;
- Erf 1191, Kleine Kuppe, is ± 501 m² in extent, zoned 'residential' with a density of 1:250 m² and situated along Groenewald Street; and
- Erf 332, Kleine Kuppe, is ± 190 759 m² in size, zoned 'public open space' and is situated along Gamsa Street.

*** The location of the properties is indicated on the plan, **attached as page 4 to the agenda**.

Technical comments

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

Comments from the Strategic Executive: Electricity

- **Technical Support**

  There is in principle no objection to the application: 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 will 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: Infrastructure, Water and Technical Services

- **Engineering Services**

  - A main sewer line passes through Erf 332, Kleine Kuppe. The entire sewer line behind Erven 1215, 1216, 1217 and 1218, Kleine Kuppe, need to be relocated outside the boundaries of the consolidated erven to the satisfaction of the Strategic Executive: Infrastructure, Water and Technical Services.

- The owner/applicant should appoint a registered professional Engineer to design the sewer line and supervise the construction. The designs should be submitted to the Strategic Executive: Infrastructure, Water and Technical Services for approval prior to commencement of construction.

- All costs relating to the relocation are for the owners'/applicants' account.

- The Deed of Sale may only be signed after the relocation of the sewer line is done to the satisfaction of the Strategic Executive: Housing, Property Management and Human Settlement.

Erf 1218, Kleine Kuppe

- An existing sewer line should also be extended through the southern 3 metre building line of Portion D of Erf 332, Kleine Kuppe Proper. A 3 metre building line should be maintained on the northern boundary of the new consolidated erf.

Erf 1191, Kleine Kuppe

- A sewer line passes within the northern building line of the new consolidated erf. A 3 metre building line should be maintained near the northern boundary of the erf. Any further sewer requirements shall be for the applicant's account. Any additional requirements shall be for the applicant's account.

Erven 1219, 1220, 1221, 1189 and 1190, Kleine Kuppe

- No sewer line is affected. Any additional requirements shall be for the cost of the applicant.

- **Water**

There is no objection to the application: Provided:

- That it be noted that no water services is affected.

- That any further water requirements be for the applicant's account.

Comments from the Strategic Executive: Urban and Transport Planning

- **Urban Policy**

Erf 332, Kleine Kuppe Proper is zoned 'public open space'.

*** In view of the above, the Urban Policy Division has **no objection to the sale** of Portions A, B, C, D, E, F, G, H, I and J of Erf 332, Kleine Kuppe for consolidation with the adjacent erven as indicated on Plan KK 332-1, **attached as page 4 to the agenda**.

That the applicant apply to (at own costs) for the following in accordance with section 105(3) of the Urban and Regional Planning Act, 2018 (Act 5 of 2018):

*** • Subdivision of Erf 332, Kleine Kuppe into Portion A (± 133 m² in extent), Portion B (± 125 m² in extent), Portion C (± 124 m² in extent), Portion D (± 234 m² in extent), Portion E (± 202 m² in extent), Portion F (± 121 m² in extent), Portion G (± 143 m² in extent), Portion H (± 130 m² in extent), Portion I (± 238 m² in extent), Portion J (± 241 m² in extent) and the Remainder, as indicated on Plan KK 332-1, **attached as page 4 to the agenda**; and

*** • Consolidation of Portion A (± 133 m² in extent), Portion B (± 125 m² in extent), Portion C (± 124 m² in extent), Portion D (± 234 m² in extent), Portion E (± 202 m² in extent), Portion F (± 121 m² in extent), Portion G (± 143 m² in extent), Portion H (± 130 m² in extent), Portion I (± 238 m² in extent), Portion J (± 241 m² in extent) of Erf 332, Kleine Kuppe Proper with adjacent erven accordingly, as indicated on Plan KK 332-1, **attached as page 4 to the agenda**.

*** • The sizes of the additional portions are indicated on the plan, **attached as page 4 to the agenda**, and are as follows:

- Portion A (± 133 m² in extent) to be consolidated with Erf 1215, Kleine Kuppe;
- Portion B (± 125 m² in extent) to be consolidated with Erf 1216, Kleine Kuppe;
- Portion C (± 124 m² in extent) to be consolidated with Erf 1217, Kleine Kuppe;
- Portion D (± 234 m² in extent) to be consolidated with Erf 1218, Kleine Kuppe;
- Portion E (± 202 m² in extent) to be consolidated with Erf 1219, Kleine Kuppe;
- Portion F (± 121 m² in extent) to be consolidated with Erf 1220, Kleine Kuppe;
- Portion G (± 143 m² in extent) to be consolidated with Erf 1221, Kleine Kuppe;
- Portion H (± 130 m² in extent) to be consolidated with Erf 1189, Kleine Kuppe;
- Portion I (± 238 m² in extent) to be consolidated with Erf 1190, Kleine Kuppe; and

- Portion J (± 241 m² in extent) to be consolidated with Erf 1191, Kleine Kuppe.

The cost of the town planning procedures should be for the applicant's account.

*** The consolidations at the current density, being 1:250, will enhance the development potential of Erven 1215, 1216, 1217, 1218, 1219 and 1221 upon consolidation with their respective additional portions as on Plan KK 332-1, **attached as page 4 to the agenda.**

*** The development potential for Erven 1220, 1189, 1190 and 1191, Kleine Kuppe will not be enhanced upon consolidation with their respective additional portions, as indicated on Plan KK 332-1, **attached as page 4 to the agenda**.

The cost of the town planning procedures should be for the applicant's account. In terms of clause 5(3) of the Windhoek Town Planning Scheme, the subdivided portion will assume the same zoning and density of the adjacent erven upon consolidation.

*** The Urban Policy Division has no objection to the subdivision of a Portions A, B, C, D, E, F, G, H, I and J of Erf 332, Kleine Kuppe for consolidation purposes with the adjacent erven, as indicated on Plan KK 332-1, **attached as page 4 to the agenda**: Provided:

- That the use of the land and building(s) comply with the provisions of the Windhoek Town Planning Scheme.

***
- That Erf 332, Kleine Kuppe be subdivided into proposed Portion A (± 133 m² in extent), Portion B (± 125 m² in extent), Portion C (± 124 m² in extent), Portion D (± 234 m² in extent), Portion E (± 202 m² in extent), Portion F (± 121 m² in extent), Portion G (± 143 m² in extent), Portion H (± 130 m² in extent), Portion I (± 238 m² in extent), Portion J (± 241 m² in extent) and the Remainder as indicated on Subdivision Plan KK 332-1, **attached as page 4 to the agenda**, and the same plan be submitted to the Ministry of Urban and Rural Development.

- That the proposed Portions A, B, C, D, E, F, G, H, I and J be closed as 'public open space' in line with section 50(1)(c) of the Local Authorities Act, 1992 (Act 23 of 1992) (as amended).

- That the City prepare the closure notices for the applicant.

- That the applicant advertise the intended closure as per section 50(3) of the Local Authorities Act, 1992 (Act 23 of 1992) (as amended).

- That the applicant be responsible for the cadastral town planning applications to the Ministry of Urban and Rural Development.

- That the applicant submit copies of the approved erf diagrams to the Strategic Executive: Housing, Property Management and Human Settlement upon approval of the subdivision and consolidation.

- That the current conditions registered against Portions A, B, C, D, E, F, G, H, I and J of Erf 332, Kleine Kuppe, be replaced with the usual short standard conditions of the Municipality, including a minimum building value equal to four (4) times the municipal valuation of the erf.

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

Erf 1215, Kleine Kuppe

- Erf 332, Kleine Kuppe Proper, is a large erf, being a 'public open space';

- There is a major stormwater course flowing over Erf 332, Kleine Kuppe, flowing from the south into a northerly direction towards the stormwater inlet structure along the road edge of Sesriem Street from where it flows underneath Sesriem Street into a north westerly direction;

- The proposed Portion A (± 133 m² in extent) of Erf 332, Kleine Kuppe, has a downward slope from the southeast into a north westerly direction;

- The stormwater inlet structure on Erf 332, Kleine Kuppe, situated along the road edge of Sesriem Street, is ± 24 metre away from the north western corner of Erf 1215, Kleine Kuppe;

- There is no known or visible sign of any stormwater system over the proposed Portion A (± 133 m² in extent) of Erf 332, Kleine Kuppe, except for surface stormwater run-off; and

- Erf 1215, Kleine Kuppe has a downward slope from the southeast into a north westerly direction towards the stormwater course.

Erf 1216, Kleine Kuppe

- Both Erf 1216, Kleine Kuppe, and the proposed Portion B (± 125 m² in extent) of Erf 332, Kleine Kuppe have a general downward slope from the southeast towards the northwest;

- There is no stormwater system crossing either Erf 1216, Kleine Kuppe, or the proposed Portion B (± 125 m² in extent) of Erf 332, Kleine Kuppe Proper except for surface stormwater run-off; and

- It should however be noted that there is a stormwater course flowing along Erf 332, Kleine Kuppe, flowing ± 20 metre away and parallel to the southeastern boundary of Erf 1216, Kleine Kuppe, flowing from the south into a northerly direction towards a stormwater culvert underneath Sesriem Street.

Erf 1217, Kleine Kuppe

- Both Erf 1217, Kleine Kuppe, and the proposed Portion C (± 124 m² in extent) of Erf 332, Kleine Kuppe have a general downward slope from the southeast towards the northwest;

- There is no stormwater system crossing either Erf 1217, Kleine Kuppe, or the proposed Portion C (± 124 m² in extent) of Erf 332, Kleine Kuppe, except for surface stormwater run-off; and

- It should however be noted that there is a stormwater course flowing along Erf 332, Kleine Kuppe, flowing approximately 25.0 meters away and parallel to the southeastern boundary of Erf 1217, Kleine Kuppe, flowing from the south into a northerly direction towards a stormwater culvert underneath Sesriem Street.

Erf 1218, Kleine Kuppe

- Both Erf 1218, Kleine Kuppe, and the proposed Portion D (± 234 m² in extent) of Erf 332, Kleine Kuppe have a general downward slope from the southeast towards the northwest;

- There is no stormwater system crossing either Erf 1218, Kleine Kuppe, or the proposed Portion D (± 234 m² in extent) of Erf 332, Kleine Kuppe, except for surface stormwater run-off; and

- It should however be noted that there is a stormwater course flowing along Erf 332, Kleine Kuppe, flowing approximately 28.0 meters away and parallel to the southeastern boundary of Erf 1218, Kleine Kuppe flowing from the south into a northerly direction towards a stormwater culvert underneath Sesriem Street.

Erf 1219, Kleine Kuppe Proper

- Both Erf 1219, Kleine Kuppe, and the proposed Portion E (± 202 m² in extent) of Erf 332, Kleine Kuppe have a general downward slope from the south east towards the north east; and

- There is no stormwater system crossing Erf 1219, Kleine Kuppe or the proposed Portion E of Erf 332, Kleine Kuppe except for surface stormwater run-off.

Erf 1220, Kleine Kuppe Proper

- Both Erf 1220, Kleine Kuppe, and the proposed Portion F (± 121 m² in extent) of Erf 332, Kleine Kuppe have a general downward slope from the south east towards the north east; and

- There is no stormwater system crossing Erf 1220, Kleine Kuppe or the proposed Portion F of Erf 332, Kleine Kuppe except for surface stormwater run-off.

Erf 1221, Kleine Kuppe

- Both Erf 1221, Kleine Kuppe, and the proposed Portion G (± 143 m² in extent) of Erf 332, Kleine Kuppe have a general downward slope from the south east towards the north east; and

- There is no stormwater system crossing Erf 1221, Kleine Kuppe or the proposed Portion G of Erf 332, Kleine Kuppe except for surface stormwater run-off.

Erf 1189, Kleine Kuppe

A stormwater investigation was done, and the following is reported:

- Erf 1189, Kleine Kuppe Proper as well as the proposed Portion H (± 130 m² in extent) of Erf 332, Kleine Kuppe has a general downward slope from the south east towards the north east; and

- There is no stormwater system crossing Erf 1189, Kleine Kuppe or the proposed Portion H of Erf 332, Kleine Kuppe except for surface stormwater run-off.

Erf 1190, Kleine Kuppe

- Both Erf 1190, Kleine Kuppe and the proposed Portion I (± 238 m² in extent) of Erf 332, Kleine Kuppe have a general downward slope from the south east towards the north east; and

- There is no stormwater system crossing Erf 1190, Kleine Kuppe or the proposed Portion E of Erf 332, Kleine Kuppe except for surface stormwater run-off.

Erf 1191, Kleine Kuppe

- Both Erf 1191, Kleine Kuppe, and the proposed Portion J (± 241 m² in extent) of Erf 332, Kleine Kuppe have a general downward slope from the south east towards the north east; and

- There is no stormwater system crossing Erf 1191, Kleine Kuppe or the proposed Portion J of Erf 332, Kleine Kuppe except for surface stormwater run-off.

***

The Roads Planning, Design and Traffic Flow has no objection to the proposed sale of Portions A, B, C, D, E, F, G, H, I and J of Erf 332, Kleine Kuppe and consolidation with adjacent erven, as indicated on Plan KK 332-1, **attached as page 4 to the agenda**.

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

- **Traffic Flow**

There is no objection to the proposed sale of Portions A, B, C, D, E, F, G, H, I and J of Erf 332, Kleine Kuppe for consolidation with adjacent Erven 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1189, 1190 and 1191, Kleine Kuppe: Provided:

***

- That the consolidation of Erf 1215, Kleine Kuppe, with Portion A, Erf 1216, Kleine Kuppe with Portion B, Erf 1217, Kleine Kuppe with Portion C, Erf 1218, Kleine Kuppe with Portion D, Erf 1219, Kleine Kuppe Proper with Portion E and Erf 1221, Kleine Kuppe with Portion G, as indicated on Plan KK 332-1, **attached as page 4 to the agenda**, will enhance the development potential of the consolidated erven. Subsequently an Urban Arterial Account (UAA) contribution of N$55 531.90 is applicable for each consolidation.

***

- That the consolidation of Erf 1220, Kleine Kuppe with Portion F, Erf 1189, Kleine Kuppe with Portion H, Erf 1190, Kleine Kuppe with Portion I and Erf 1191, Kleine Kuppe with Portion J as indicated on Plan KK 332-1, **attached as page 4 to the agenda**, will not enhance the development potential of the consolidated erven. No Urban Arterial Account (UAA) contribution is applicable.

- That access not be obtained over the public open space.

- **Sustainable Development**

The application is supported: Provided:

- That the application be approved in accordance with the Public Open Policy of the Municipal Council of Windhoek.

Comments from the Strategic Executive: Economic Development and Community Services

- **Environmental Management**

There is no objection to the sale of Portions A, B, C, D, E, F, G, H, I and J of Erf 332, Kleine Kuppe. It should however be noted that Erf 332, Kleine Kuppe is zoned 'public open space'. The applicant should therefore obtain Environmental Clearance from the Health and Environmental Services Division of the Municipal Council of Windhoek once the application has been approved by the latter.

- **Parks**

There is no objection to the application.

Comments from the Strategic Executive: Housing, Property Management and Human Settlement

- **Valuations**

*** Portion A of Erf 332, Kleine Kuppe is ± 133 m² in extent and after consolidation with Erf 1215, Kleine Kuppe (± 454 m² in extent), the size of the newly consolidated erf will be ± 587 m² in extent. The development potential will be enhanced in terms of the density being 1:250 m². Hence, the value payable is N$1 407.00/m² or N$187 100.00 in total as per Council Resolution 276/08/2004, **attached as page 28 to the agenda**. The Valuation Certificate dated 28 February 2024 is **attached as page 29 to the agenda.**

*** Portion B of Erf 332, Kleine Kuppe is ± 125 m² in extent and after consolidation with Erf 1216, Kleine Kuppe (± 438 m² in extent), the size of the newly consolidated erf will be ± 563 m² in extent. The development potential will be enhanced in terms of the density being 1:250 m². Hence, the value payable is N$1 407.00/m² or N$175 900.00 in total as per Council Resolution 276/08/2004, **attached as page 28 to the agenda**. The Valuation Certificate dated 28 February 2024 is **attached as page 30 to the agenda**.

*** Portion C of Erf 332, Kleine Kuppe is ± 124 m² in extent and after consolidation with Erf 1217, Kleine Kuppe (± 448 m² in extent), the size of the newly consolidated erf will be ± 572 m² in extent. The development potential will be enhanced in terms of the density being 1:250 m². Hence, the value payable is N$1 407.00/m² or N$174 500.00 in total as per Council Resolution 276/08/2004, **attached as page 28 to the agenda**. The Valuation Certificate dated 28 February 2024 is **attached as page 31 to the agenda.**

*** Portion D of Erf 332, Kleine Kuppe is ± 234 m² in extent and after consolidation with Erf 1218, Kleine Kuppe (± 389 m² in extent), the size of the newly consolidated erf will be ± 623 m² in extent. The development potential will be enhanced in terms of the density being 1:250 m². Hence, the value payable is N$1 407.00/m² or N$329 200.00 in total as per Council Resolution 276/08/2004, **attached as page 28 to the agenda**. The Valuation Certificate dated 28 February 2024 is **attached as page 32 to the agenda.**

*** Portion E of Erf 332, Kleine Kuppe is ± 202 m² in extent and after consolidation with Erf 1219, Kleine Kuppe (± 364 m² in extent), the size of the newly consolidated erf will be ± 566 m² in extent. The development potential will be enhanced in terms of the density being 1:250 m². Hence, the value payable is N$1 407.00/m² or N$284 200.00 in total as per Council Resolution 276/08/2004, **attached as page 28 to the agenda**. The Valuation Certificate dated 28 February 2024 is **attached as page 33 to the agenda.**

*** Portion F of Erf 332, Kleine Kuppe is ± 121 m² in extent and after consolidation with Erf 1220, Kleine Kuppe Proper (± 369 m² in extent), the size of the newly consolidated erf will be ± 490 m² in extent. The development potential will not be enhanced in terms of the density being 1:250 m². Hence, the value payable is 50 % of N$1 407.00/m², being N$703.50/m² or N$85 000.00 (rounded off) in total as per Council Resolution 276/08/2004, **attached as page 28 to the agenda**. The

Valuation Certificate dated 28 February 2024 is **attached as page 34 to the agenda**.

*** Portion G of Erf 332, Kleine Kuppe is ± 143 m² in extent and after consolidation with Erf 1221, Kleine Kuppe (± 383 m² in extent), the size of the newly consolidated erf will be ± 526 m² in extent. The development potential will be enhanced in terms of the density being 1:250 m². Hence, the value payable is N$1 407.00/m² or N$201 200.00 in total as per Council Resolution 276/08/2004, **attached as page 28 to the agenda**. The Valuation Certificate dated 28 February 2024 is **attached as page 35 to the agenda.**

*** Portion H of Erf 332, Kleine Kuppe is ± 130 m² in extent and after consolidation with Erf 1189, Kleine Kuppe (± 527 m² in extent), the size of the newly consolidated erf will be ± 657 m² in extent. The development potential will not be enhanced in terms of the density being 1:250 m². Hence, the value payable is 50 % of N$1 407.00/m², being N$703.50/m² or N$91 450.00 in total as per Council Resolution 276/08/2004, **attached as page 28 to the agenda**. The Valuation Certificate dated 28 February 2024 is **attached as page 36 to the agenda**.

*** Portion I of Erf 332, Kleine Kuppe is ± 238 m² in extent and after consolidation with Erf 1190, Kleine Kuppe (± 509 m² in extent), the size of the newly consolidated erf will be ± 747 m² in extent. The development potential will not be enhanced in terms of the density being 1:250 m². Hence, the value payable is 50 % of N$1 407.00/m² being N$703.50/m² or N$167 000.00 (rounded off) in total as per Council Resolution 276/08/2004, **attached as page 28 to the agenda**. The Valuation Certificate dated 28 February 2024 is **attached as page 37 to the agenda**.

*** Portion J of Erf 332, Kleine Kuppe is ± 241 m² in extent and after consolidation with Erf 1191, Kleine Kuppe (± 501 m² in extent), the size of the newly consolidated erf will be ± 742 m² in extent. The development potential will not be enhanced in terms of the density being 1:250 m². Hence, the value payable is 50 % of N$1 407.00/m² being N$703.50/m² or N$167 00.00 (rounded off) in total as per Council Resolution 276/08/2004, **attached as page 28 to the agenda**. The Valuation Certificate dated 28 February 2024 is **attached as page 38 to the agenda**.

Should the applicants/owners of Erven 1215 to 1221, 1189, 1190 and 1191, Kleine Kuppe wish to take occupation of Portions A to J of Erf 332, Kleine Kuppe prior to the conclusion of the sale, the portions thereof could be leased to the applicants once the preliminary diagrams are available, pending the finalising of the sale, at a monthly rental calculated at 10 % of the purchase price divided by twelve (12), and should be further subjected to the annual escalations in line with the Namibia Inflation Rate.

The monthly rental is as follows:

- Portion A - N$1 559.17;

- Portion B - N$1 465.83;
- Portion C - N$1 454.16;
- Portion D - N$2 743.33;
- Portion E - N$2 368.33;
- Portion F - N$708.33;
- Portion G - N$1 676.67;
- Portion H - N$762.08;
- Portion I - N$1 391.67; and
- Portion J - N$1 412.92.

*** All funds generated from the sale of subdivisions of 'public open spaces' should be used exclusively (unless with consent from the Municipal Council of Windhoek), for the development of public open spaces into attractive public spaces, e.g. family parks, walking trails, etc. as per Council Resolution 183/08/2021, **attached as pages 25 - 27 to the agenda**.

- **Property Management**

  Having perused the comments from the technical departments, the Property Management Division supports the application. It is further worth noting that the Property Management Division has adopted an approach of investigating the possibility of selling portions of public open spaces to further adjacent erf owners, neighbouring an applicant who is interested in same. This approach is necessary to fast-track the entire process of selling additional portions and it is done in anticipation that owners of erven adjoining public open spaces will always have an interest in purchasing such portions as per the Policy.

Neighbours' consent

*** The favourable consent from the owners of Erven 1121 and 1190, Kleine Kuppe is **attached as page 39 to the agenda**. These are the immediate neighbours that would have been affected by the purchase of a portion of Erf 332, Kleine Kuppe by the owner of Erf 1189, Kleine Kuppe, as the initial applicant thereof. However, given the department's approach to rather investigate and recommend for sale portions to other adjacent erf owners, the owners of Erven 1221 and 1190, Kleine Kuppe are also expected to receive portions thereof for consolidation with their properties.

Site visit

*** A site visit was conducted on 26 January 2024 and no encroachment or illegal activities were detected. Photographs of the site is **attached as pages 40 - 41 to the agenda**.

Conclusion

Having presented the comments from the technical departments, the item is submitted for the Municipal Council of Windhoek's deliberation.

Management Committee, having considered the matter

RECOMMENDED

*** 1 That Erf 332, Kleine Kuppe subdivided into Portion A (± 133 m² in extent), Portion B (± 125 m² in extent), Portion C (± 24 m² in extent), Portion D (± 234 m² in extent), Portion E (± 202 m² in extent), Portion F (± 121 m² in extent), Portion G (± 143 m² in extent), Portion H (± 130 m² in extent), Portion I (± 238 m² in extent), Portion J (± 241 m² in extent) and the Remainder, as indicated on Plan KK 332-1, **attached as page 4 to the agenda**, be noted.

*** 1.1 That Portions A, B, C, D, E, F, G, H, I and J of Erf 332, Kleine Kuppe be sold to the owners of adjacent erven for consolidation with the respective erven, as indicated on Plan KK 332-1, **attached as page 4 to the agenda**, subject to the following:

1.2 That the applicant apply (at own costs) for the following in accordance with section 105(3) of the Urban and Regional Planning Act, 2018 (Act 5 of 2018):

*** 1.2.1 Subdivision of Erf 332, Kleine Kuppe into Portion A (± 133 m² in extent), Portion B (± 125 m² in extent), Portion C (± 124 m² in extent), Portion D (± 234 m² in extent), Portion E (± 202 m² in extent), Portion F (± 121 m² in extent), Portion G (± 143 m² in extent), Portion H (± 130 m² in extent), Portion I (± 238 m² in extent), Portion J (± 241 m² in extent) and the Remainder, as indicated on Plan KK 332-1, **attached as page 4 to the agenda**; and

*** 1.2.2 Consolidation of Portion A (± 133 m² in extent), Portion B (± 125 m² in extent), Portion C (± 124 m² in extent), Portion D (± 234 m² in extent), Portion E (± 202 m² in extent), Portion F (± 121 m² in extent), Portion G (± 143 m² in extent), Portion H (± 130 m² in extent), Portion I (± 238 m² in extent), Portion J (± 241 m² in extent) of Erf 332, Kleine Kuppe with adjacent erven accordingly, as indicated on Plan KK 332-1, **attached as page 4 to the agenda**.

1.3 That the applicant note that after the subdivision and consolidation application is submitted to the Municipal Council of Windhoek, the applicant will be required to consult with the adjacent neighbours in accordance with section 107 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018) and the Municipal Council of Windhoek's Public Consultation Policy of the proposed development regarding the aforesaid subdivision and consolidation and the applicant will further be required to furnish the Municipal Council of Windhoek with proof of neighbours' consultation.

1.4 That the Strategic Executive: Urban and Transport Planning be delegated to recommend or not to recommend the aforesaid contemplated town planning applications (subdivision and consolidation applications) to the Urban and Regional Planning Board in accordance with section 109 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018).

*** 1.5 That the applicant obtain the Municipal Council of Windhoek's support and the Minister of Urban and Rural Development's approval for the subdivision of Erf 332, Kleine Kuppe into the respective Portions A, B, C, D, E, F, G, H, I and J, as indicated on Plan KK 332-1, **attached as page 4 to the agenda**, in accordance with the Urban and Regional Planning Act, 2018 (Act 5 of 2018).

*** 1.6 That the Municipal Council of Windhoek grant approval for the permanent closure of the proposed Portions A, B, C, D, E, F, G, H, I and J of Erf 332, Kleine Kuppe, as indicated on Plan KK 332-1, **attached as page 4 to the agenda** as 'public open space' in accordance with the provisions of section 50 of the Local Authorities Act, 1992 (Act 23 of 1992) (as amended) subject to the following conditions:

1.6.1 That prior to the formal closure, the Municipal Council of Windhoek prepare the closure notices for the applicant.

1.6.2 That prior to the formal closure, the applicant advertise the intended permanent closure of Portions A, B, C, D, E, F, G, H, I and J of Erf 332, Kleine Kuppe in the Government Gazette and in at least two (2) newspapers circulating within the local authority area, in accordance with the provisions of section 50(3)(a) of the Local Authorities Act, 1992 (Act 23 of 1992) (as amended), send out letters to affected and interested persons (including neighbours) and place a notice of the intended closure on-site.

1.6.3 That the applicant note that the public and neighbours' consultation for the intended closure of the portion of the public open space can take place concurrently with the neighbours' consultation process of the subdivision and consolidation application(s).

1.7 That the City prepare the closure notice and that the owners/applicants of Erven 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1189, 1190 and 1191, Kleine Kuppe be responsible for inserting the notice in the media, placing a copy on-site and for distribution to affected neighbours and that proof of successful advertising be provided to the Strategic Executive: Housing, Property Management and Human Settlement before a sales agreement is signed.

2 That upon consolidation, Portions A, B, C, D, E, F, G, H, I and J of Erf 332, Kleine Kuppe assume the same zoning and density as the adjacent Erven 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1189, 1190 and 1191, Kleine Kuppe in terms of clause 5(3) of the Windhoek Town Planning Scheme.

3 That the applicants/owners of adjacent erven be responsible for the town planning and cadastral procedures, i.e. subdivision of the portions of Erf 332, Kleine Kuppe, consolidation of the portions with the adjacent erven, survey, and registration of the new consolidated erf, and all the costs involved.

4 That subject to the successful closure and implementation of all town planning and cadastral procedures and obtaining of an Environmental Management Clearance Certificate in terms of the Environmental Management Act, 2007 (Act 7 of 2007), that Portions A, B, C, D, E, F, G, H, I and J of Erf 332, Kleine Kuppe Proper, be sold, respectively, to the owners of the adjacent erven as follows:

*** 4.1 Portion A of Erf 332, Kleine Kuppe is ± 133 m² in extent and after consolidation with Erf 1215 (± 454 m² in extent), Kleine Kuppe Proper, the size of the newly consolidated erf will be ± 587 m² in extent. The development potential will be enhanced in terms of the density being 1:250 m². Hence, the value payable is N$1 407.00/m² or N$187 100.00 in total as per Council Resolution 276/08/2004, **attached as page 28 to the agenda**, with a subsequent Urban Arterial Account (UAA) contribution of N$55 531.90. The Valuation Certificate date 28 February 2024 is **attached as page 29 to the agenda**.

*** 4.2 Portion B of Erf 332, Kleine Kuppe is ± 125 m² in extent and after consolidation with Erf 1216 (± 438 m² in extent), Kleine Kuppe Proper, the size of the newly consolidated erf will be ± 563 m² in extent. The development potential will be enhanced in terms of the density being 1:250 m². Hence, the value payable is N$1 407.00/m² or N$175 900.00 in total as per Council Resolution 276/08/2004, **attached as page 28 to the agenda**, with a subsequent Urban Arterial Account (UAA) contribution of N$55 531.90. The Valuation Certificate dated 28 February 2024 is **attached as page 30 to the agenda**.

*** 4.3 Portion C of Erf 332, Kleine Kuppe is ± 124 m² in extent and after consolidation with Erf 1217 (± 448 m² in extent), Kleine Kuppe Proper, the size of the newly consolidated erf will be ± 572 m² in extent. The development potential will be enhanced in terms of the density being 1:250 m². Hence, the value payable is N$1 407.00/m² or N$174 500.00 in total as per Council Resolution 276/08/2004, **attached as page 28 to the agenda**, with a subsequent Urban Arterial Account (UAA) contribution of N$55 531.90. The Valuation Certificate dated 28 February 2024 is **attached as page 31 to the agenda**.

*** 4.4 Portion D of Erf 332, Kleine Kuppe is ± 234 m² in extent and after consolidation with Erf 1218 (± 389 m² in extent), Kleine Kuppe Proper, the size of the newly consolidated erf will be ± 623 m² in extent. The development potential will be enhanced in terms of the density being 1:250 m². Hence, the value payable is N$1 407.00/m² or N$329 200.00 in total as per Council Resolution 276/08/2004, **attached as page 28 to the agenda**, with a subsequent Urban Arterial Account (UAA) contribution of N$55 531.90. The Valuation Certificate dated 28 February 2024 is **attached as page 32 to the agenda**.

*** 4.5 Portion E of Erf 332, Kleine Kuppe, is ± 202 m² in extent and after consolidation with Erf 1219 (± 364 m² in extent), Kleine Kuppe Proper, the size of the newly consolidated erf will be ± 568 m² in extent. The development potential will be enhanced in terms of the density being 1:250 m². Hence, the value payable is N$1 407.00/m² or N$284 200.00 in total as per Council Resolution 276/08/2004, **attached as page 28 to the agenda**, with a subsequent Urban Arterial Account (UAA) contribution of N$55 531.90. The Valuation Certificate dated 28 February 2024 is **attached as page 33 to the agenda.**

*** 4.6 Portion F of Erf 332, Kleine Kuppe is ± 121 m² in extent and after consolidation with Erf 1220 (± 369 m² in extent), Kleine Kuppe Proper, the size of the newly consolidated erf will be ± 490 m² in extent. The development potential will not be enhanced in terms of the density being 1:250 m². Hence, the value payable is 50 % of N$1 407.00/m², being N$703.50/m² or N$85 123.50 in total as per Council Resolution 276/08/2004, **attached as page 28 to the agenda**. The Valuation Certificate dated 28 February 2024 is **attached as page 34 to the agenda**.

*** 4.7 Portion G of Erf 332, Kleine Kuppe is ± 143 m² in extent and after consolidation with Erf 1221 (± 383 m² in extent), Kleine Kuppe, the size of the newly consolidated erf will be ± 526 m² in extent. The development potential will be enhanced in terms of the density being 1:250 m². Hence, the value payable is N$1 407.00/m² or N$201 200.00 in total as per Council Resolution 276/08/2004, **attached as page 28 to the agenda**, with a subsequent Urban Arterial Account (UAA) contribution of N$55 531.90. The Valuation Certificate dated 28 February 2024 is **attached as page 35 to the agenda**.

*** 4.8 Portion H of Erf 332, Kleine Kuppe is ± 1 30 m² in extent and after consolidation with Erf 1189 (± 527 m² in extent), Kleine Kuppe Proper, the size of the newly consolidated erf will be ± 682 m² in extent. The development potential will not be enhanced in terms of the density being 1:250 m². Hence, the value payable is 50 % of N$1 407.00/m², being N$703.50/m² or N$91 450.00 (rounded off) in total as per Council Resolution 276/08/2004, **attached as page 28 to the agenda**. The Valuation Certificate dated 28 February 2024 is **attached as page 36 to the agenda**.

*** 4.9 Portion I of Erf 332, Kleine Kuppe is ± 238 m² in extent and after consolidation with Erf 1190 (± 509 m² in extent), Kleine Kuppe Proper, the size of the newly consolidated erf will be ± 747 m² in extent. The development potential will not be enhanced in terms of the density being 1:250 m². Hence, the value payable is 50 % of N$1 407.00/m² being N$703.50/m² or N$167 450.00 (rounded off) in total as per Council Resolution 276/08/2004, **attached as page 28 to the agenda**. The Valuation Certificate dated 28 February 2024 is **attached as page 37 to the agenda**.

*** 4.10 Portion J of Erf 332, Kleine Kuppe is ± 241 m² in extent and after consolidation with Erf 1191 (± 501 m² in extent), Kleine Kuppe Proper, the size of the newly consolidated erf will be ± 742 m² in extent. The development potential is not enhanced in terms of the density being 1:250 m². Hence, the value payable is 50 % of N$1 407.00/m² being N$703.50/m² or N$169 550.00 (rounded off) in total as per Council Resolution 276/08/2004, **attached as page 28 to the agenda**. The Valuation Certificate dated 28 February 2024 is **attached as page 38 to the agenda.**

4.11 That should the applicants/owners of Erven 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1189, 1190 and 1191, Kleine Kuppe wish to take occupation of Portions A to J of Erf 332, Kleine Kuppe, respectively, prior to the conclusion of the sale, that the portions be leased to the applicants once the preliminary diagrams are available, pending the finalisation of the sale, at a monthly rental calculated at 10 % of the purchase price divided by twelve (12), and should be further subjected to the annual escalations in line with the Namibia Inflation Rate.

4.11.1 That the monthly rental be as follows:

Portion	Amount (N$)
Portion A	1 559.17
Portion B	1 465.83
Portion C	1 454.16
Portion E	2 743.33
Portion F	709.36
Portion G	1 676.67
Portion H	762.08
Portion I	1 395.42
Portion J	1 412.92

5 That the sale of Portions A, B, C, D, F, G, H, I and J of Erf 332, Kleine Kuppe be subject to the following conditions:

*** 5.1 That Portions A, B, C, D, E, F, G, H, I and J of Erf 332, Kleine Kuppe be consolidated with adjacent Erven 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1189, 1190 and 1191, Kleine Kuppe, respectively, as indicated on Plan KK 332-1, **attached as page 4 to the agenda**, simultaneously with transfer.

5.2 That the existing conditions registered against Portions A, B, C, D, E, F, G, H, I and J of Erf 332 Kleine Kuppe be replaced by the standard conditions of the title including a minimum building value of 4 (four) times the municipal valuation be registered against the consolidated erven.

6 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:

6.1 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.

6.2 That the maintenance of such stormwater pipe, channel or work be the responsibility of the owner of the concerned property.

7 That the following be noted:

7.1 That only one (1) electrical service connection will be allowed from the municipal network to the consolidated erf.

7.2 That one (1) additional electrical meter can be applied for an approved flat, should it be required.

7.3 That should an upgrade of the electricity supply point be required, the applicant and/or his representative contact the Strategic Executive: Electricity, well in advance, to determine whether the existing network can handle the additional loading and to determine the size and cost for the upgraded supply point.

7.4 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.

7.5 That a connection charge will 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.

7.6 That a split prepayment meter shall be used in residential areas with payment levels lower than 80 % and all informal settlements.

7.7 That for 'general residential' developments without high rise buildings i.e. individual apartments, a split prepayment meter with a metering box located on the street/development erf boundary shall be used for each unit: Provided that it's technically possible otherwise a bulk meter shall be used.

8 That it further be noted:

8.1 That a main sewer line is passing through Erf 332, Kleine Kuppe and that the entire sewer line behind Erven 1215, 1216, 1217 and 1218, Kleine Kuppe, need to be relocated outside the boundaries of the consolidated erven, with the approval of and to the satisfaction of the Strategic Executive: Infrastructure, Water and Technical Services.

8.2 That the applicants/owners of Erven 1215, 1216, 1217 and 1218, Kleine Kuppe should appoint a registered professional Engineer to design the sewer line and supervise the construction. The designs should be submitted to the Strategic Executive: Infrastructure, Water and Technical Services for approval prior to commencement of construction.

8.3 That the applicants/owners of Erven 1215, 1216, 1217 and 1218, Kleine Kuppe should appoint a Contractor to be supervised by the appointed registered professional Engineer to do the construction of the sewer line with the approval of the Strategic Executive: Infrastructure, Water and Technical Services.

8.4 That all cost relating to the relocation are for the applicants' accounts.

8.5 That the Deed of Sale may only be signed after the relocation of the sewer line is done to the satisfaction of the Strategic Executive: Housing, Property Management and Human Settlement.

8.6 That an existing sewer line within the southern boundary of Erf 1218, Kleine Kuppe should also be extended through the southern 3 metre building line of Portion D of Erf 332, Kleine Kuppe, and a 3 metre building line should be maintained on the northern boundary of the new consolidated erf.

8.7 That a sewer line is passing within the northern building line of Erf 1191, Kleine Kuppe, and the new consolidated erf.

8.7.1 That a 3 metre building line should be maintained near the northern boundary of the erf.

8.7.2 That any further sewer requirements shall be for the applicant's account.

8.7.3 That any additional requirements shall be for the applicant's account.

8.8 That no sewer line is affected with regard to Erven 1219, 1220, 1221, 1189 and 1190, Kleine Kuppe.

8.8.1 That any additional requirements shall be for the applicant's account.

9 That the applicants/owners of adjacent erven:

9.1 Submit proof to the Chief Executive Officer (Strategic Executive: Housing, Property Management and Human Settlement) not later than six (6) months from the date of this Council Resolution that the proposed closure, subdivision and consolidation have been submitted to the Urban and Regional Planning Board for consideration.

9.2 Submit proof to the Chief Executive Officer (Strategic Executive: Housing, Property Management and Human Settlement) within sixty (60) days after the issuing of the Subdivision and Consolidation Certificate that a Surveyor has been appointed.

9.3 Submit draft erf diagrams to the Chief Executive Officer (Strategic Executive: Housing, Property Management and Human Settlement) within three (3) months after appointment of the Surveyor, indicating that the survey has been completed and that the diagrams have been submitted to the Surveyor General for approval.

9.4 Sign the Deed of Sale not later than ninety (90) days after the approval of the diagrams by the Surveyor General and having been requested to do so by the Chief Executive Officer (Strategic Executive: Housing, Property Management and Human Settlement) and pay the purchase price.

10 That should the applicants fail to comply with any of the conditions stipulated in this Council Resolution or fail to finalise the sale within eighteen (18) months of this Council Resolution that the sale be subject to the purchase price be revised by the Chief Executive Officer (Strategic Executive: Housing, Property Management and Human Settlement).

11 That the sale and lease of Portions A, B, C, D, E, F, G, H, I, and J of Erf 332, Kleine Kuppe be subject to Ministerial approval in terms of section 30(1)(t) of the Local Authorities Act, 1992 (Act 23 of 1992) (as amended).

12 That the intended sale and lease of Portions A, B, C, D, E, F, G, H, I, and J of Erf 332, Kleine Kuppe be advertised in terms of section 63(2) of the Local Authorities Act, 1992 (Act 23 of 1992) (as amended).

13 That the Chief Executive Officer (Corporate Legal Adviser) draft the Deed of Sale and Lease Agreement.

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

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10 MINUTES OF MANAGEMENT COMMITTEE

[Municipal Council Agenda: 2024-08-29]

10.1 APPROVAL OF MINUTES (MC 14/2024)

The minutes of the Management Committee meeting (MC 14/2024) held on 6 August 2024 was approved by the said Committee on 20 August 2024 and are submitted for notice with the exception of Items GOV.1, GOV.2, FNS.1, FNS.2, FNS.3, FNS.4 and FNS.5 which follow immediately hereunder for consideration.

It is

RECOMMENDED

That the minutes of the Management Committee meeting (MC 14/2024) held on 6 August 2024, be noted by its members, with the exception of Items GOV.1, GOV.2, FNS.1, FNS.2, FNS.3, FNS.4 and FNS.5.

[Municipal Council Agenda: 2024-08-29]

10.1.1 GOV.1 [FCS] CONFIDENTIAL MATTER
(5/9/2)

This matter, submitted to the Council Members under separate cover, is to be dealt with in terms of section 30(1)(v)(i) 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 - 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.

[Municipal Council Agenda: 2024-08-29]

10.1.2 GOV.2 [INF] STAFF MATTER
(16/1/2/3)

This matter, submitted to the Council Members 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.

10.1.3 FNS.1 [UTP] APPLICATION FOR THE REZONING OF ERF 8350 (PORTION OF THE REMAINDER OF ERF 6755), WINDHOEK FROM 'UNDETERMINED' TO 'PRIVATE OPEN SPACE'; CONSENT IN TERMS OF TABLE B OF THE WINDHOEK ZONING SCHEME TO OPERATE A RESTAURANT AND BAR ON ERF 8350 (PORTION OF THE REMAINDER OF ERF 6755), WINDHOEK; AND INCLUSION OF THE REZONING IN THE NEXT ZONING SCHEME TO BE PREPARED FOR WINDHOEK
(L/8350/W)

Application

An application was received from Stubenrauch Planning Consultants on behalf of the Namibia Jukskei Board, the registered owner of Erf 8350 (portion of the Remainder of Erf 6755), Windhoek for the following:

- Rezoning of Erf 8350 (portion of the Remainder of Erf 6755), Windhoek from 'undetermined' to 'private open space';

- Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of the Remainder of Erf 6755), Windhoek; and

- Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

The Power of Attorney is signed by Eric Strauss as the President of the Namibia Jukskei Board and a Resolution form the Namibia Jukskei Board is also attached to the application.

*** The full application, including the relevant correspondence/documentation is **attached as pages 42 - 74 and 75 - 106 respectively 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 8350 (portion of the Remainder of Erf 6755) is located in the neighbourhood of Olympia along Jason Hamutenya Ndadi Street in Windhoek.

Erf 8350 is ± 9474 m² in extent and zoned 'undetermined'.

*** Erf 8350 (portion of the Remainder of Erf 6755), Windhoek accommodates CrossFit Windhoek - a fitness centre which is currently operating on the subject erf under the consent of the Municipal Council of Windhoek as per Council Resolution 246/08/2022, **attached as pages 85 - 88 to the agenda**. Erf 8350 (portion of the Remainder of Erf 6755), Windhoek also accommodated the

Vintage Bar and Grill which has been operating on the erf for more than ten (10) years, as well as the Jukskei field.

Development intention

The Windhoek Zoning Scheme does not prescribe any primary land use activities on erven zoned 'undetermined' however, any land uses to be conducted on such erven should be approved by the Municipal Council of Windhoek in terms of Table B of the Windhoek Zoning Scheme.

The applicant wishes to ensure that the current operations on Erf 8350 (portion of the Remainder of Erf 6755), Windhoek adhere to the regulations of the Windhoek Zoning Scheme.

Considering that the main operations on the property are the Jukskei sporting activities under the management of the Namibia Jukskei Board, the property owners intend to formalise the existing sporting activities by aligning the zoning of Erf 8350 (portion of the Remainder of Erf 6755), Windhoek with the applicable zoning in terms of the Windhoek Zoning Scheme.

The Vintage Bar and Grill, an establishment which has been operating on Erf 8350 (portion of the Remainder of Erf 6755), Windhoek for over ten (10) years was in the process of renewing their Fitness Certificate in order to continue with their operations but were informed by the Municipal Council of Windhoek that the owners of Erf 8350 (portion of the Remainder of Erf 6755), Windhoek do not have Council's consent to operate such land use activities on the property as it is zoned for 'undetermined' purposes.

The Namibia Jukskei Board hereby seeks consent from the Municipal Council of Windhoek in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and Bar on Erf 8350 (portion of the Remainder of Erf 6755), Windhoek. The proposed consent use is a mere formalisation of an already existing situation on the ground and will help ensure the continuous operations of the establishment, further ensuring that the personnel employed by the establishment remain with their jobs and their livelihoods are maintained.

Advertisement

The public consultation process for the proposed development was completed as follows in line with the requirements of the Urban and Regional Planning Act, 2018 (Act 5 of 2018) as well as the Municipal Council of Windhoek's Public Consultation Policy:

*** - The proposed rezoning of Erf 8350, Eros was advertised in the New Era and Namibian newspapers on 8 and 15 April 2024, as per the advertisements, **attached as pages 107 - 110 to the agenda**;

*** - Notices of the proposed rezoning, **attached as page 111 to the agenda**, were 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 page 112 to the agenda**, were sent by certified mail to the neighbours/owners of Erven 6861, 6352, R/7531, 6351, 7185, 5062, 5063 and 7530, Windhoek; and

*** - A notice, **attached as pages 113 - 114 to the agenda**, was also published in Government Gazette No. 8346 of 15 April 2024.

The closing date was on 8 May 2024 and objections were received from the owners of Erven 5062, 6599, 5106, 5104, 5107, 42 Springbok Street and 5063, Windhoek.

Objection

The owners of Erven 5062, 6599, 5106, 5104, 5107, 42 Springbok Street and 5063, Windhoek listed the same list of objections. The objections are summarised as follows:

- Noise pollution and disturbances at night from cars, bikes, screaming children and drunk people. (i.e. Vintage Bar);
- Increased traffic generation at Frankie Fredericks Drive and Tennis Street;
- Bad smells from the restaurant kitchen, depending from what direction the wind is coming;
- Age of residents, mainly pensioners and families with small kids who have to go to school;
- Due to the riverbed behind our properties, the safety at night is not guaranteed anymore and all the efforts of our Suiderhof Neighbourhood Watch by building fences is null and void, as the criminals can now take the escape route through the restaurants parking area; and
- Loss of value to our properties.

*** The Consultant's response to the objections is **attached as pages 42 - 74 to the agenda**.

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**

  No input to make.

- **Roads Planning and Traffic Flow**

  Reference is made to our previous comments dated 23 May 2022 and subsequently an application received from Stubenrauch Planning Consultants dated 26 March 2024 regarding the above subject matter:

Erf 8350, Windhoek is located along Jason Hamutenya Ndadi Street, Windhoek, zoned 'undetermined' and is ± 9 491 m² in extent. Jason Hamutenya Ndadi Street is a collector road with low traffic volume and no traffic flow problems are currently experienced during peak hours. The proposed Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 will be generating approximately ninety five (95) additional trips to the current road network.

There is objection to the proposed rezoning of Erf 8350 (portion of the Remainder of Erf 6755), Windhoek from 'undetermined' to 'private open space' due to the following:

- The applicant is required to move the boundary fence to the erf boundary; and

- Construct the extension and end of the cul-de-sac within the road reserve. The applicant will be required to sign a Development Agreement to design and construct such extension of the road to municipal standard, where an Engineer or Engineering firm must be employed to design and supervise such work.

There is no objection to the proposed consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of the Remainder of Erf 6755), Windhoek: Provided:

- That the applicant move the boundary fence to the erf boundary.

- That the applicant construct the extension and end of the cul-de-sac within the road reserve. [The applicant will be required to sign a Development Agreement to design and construct such extension of the road to municipal standards, where an Engineer or Engineering firm must be employed to design and supervise such works.]

- That the above conditions be met within twelve (12) months from the date of the consent approval, failure which the Fitness Certificate for the uses will not be approved for renewal.

***

- That parking be provided as per the approved parking layout, date stamped 1 February 2022, **attached as page 93 to the agenda**.

There is no objection to the proposed Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

- **Roads and Stormwater**

A stormwater investigation was done, and the following is reported:

- Erf 8350, Windhoek has a general downward slope from the east into a westerly and south westerly direction;

- Erf 8350, Windhoek obtains access from Jukskei Street just north of the intersection of Jukskei Street into Jason Hamutenya Ndadi Street,

- It should be noted that the cadastral boundary of Jukskei Street is situated directly along the eastern boundary of Erf 8350 with the planned turning cul-de-sac of Jukskei Street just at the north eastern corner of Erf 8350, Van Rhijn Street, but that the current alinement of Jukskei Street deviates from the cadastral road reserve into Erf 8350;

- Except for surface stormwater run-off, there is no other stormwater system crossing Erf 8350, Windhoek.

- There is however a major tributary of the Arrebusch River that flows directly along the south western boundary of Erf 8350, flowing from the south into a north westerly and then westerly direction.

- There are some steep embankments along the most south western part of the most western corner of Erf 8350, Windhoek.

There is no objection to the proposed rezoning of Erf 8350, Windhoek: Provided:

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

- That the applicant appoint a registered professional Engineer to determine whether the south western boundary of Erf 8350, Windhoek require to be protected against any potential 50-year flood damage.

- That should a retaining structure or some form of embankment protection be required, a vertical retaining structure or embankment protection be considered, and that no angled retaining structure or embankment protection be considered.

- That the applicant appoint a registered professional Engineer to design a road within the actual road reserve of Jason Hamutenya Ndadi Street and Jukskei Street, including the required cul-de-sac, to municipal standards.

- That a Development Agreement be signed for any work to be done on municipal properties.

- That once a Development Agreement was signed, works be one to municipal standards.

- That cost and risk for any stormwater and roads related work be for the applicant.

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

- **Engineering Services**

The application can only be approved: Provided:

- That it be noted that municipal water lines are passing through the erf.
- That no permanent structures be allowed within 1.5 metres from the aforementioned municipal water lines.
- That any additional requirements with regard to water and sewer services brought on as a direct consequence of the rezoning and consent use or subsequent activities 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**

There is in principle no objection to the application submitted: Provided:

- That the Electrical Consultant or Contractor obtain approval for all related electrical drawings for electrification indicating connection to the grid of the City of Windhoek.
- 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.
- 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'.
- That it be noted that service connections may not be routed through any subdivided portion or Remainder.
- 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.

- That it be noted that a connection charge will 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.

- 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 is complying to Council's Metering Policy for the specific type of zoning.

Comments from the Strategic Executive: Economic Development and Community Services

- **Environmental Management**

  The applicant must comply with the Municipal Council of Windhoek Noise Control Regulations of 2006 and Sound Emission Policy of 2006 in terms of managing noise levels from the bar and restaurant.

Title Deed Conditions

Deed of Transfer T4574/2007 lists no restrictive conditions or servitudes registered against the erf.

Urban Policy evaluation

The erf is zoned 'undetermined' and the intended zoning is private open space to accommodate the Jukskei Board of Namibia's sport activities as well as a CrossFit Training Centre and a restaurant.

Erf 8350 is situated in an area which is generally regarded as the sporting precinct of the city in the neighbourhood of Olympia. It is surrounded by existing private open space uses (tennis and angling clubs) and public sport facilities (municipal and private swimming pools). There are also a number of restaurants in the area.

The Urban Policy Division agrees with the responses of the Consultant on the objections raised as the application is to formalise an existing situation and is therefore not expected to create additional negative impacts on the surrounding area.

Urban Planning Division response to objections

The response to the objections is as follows:

- Erf 8350, Windhoek is located in the sports precinct where noise from sports and recreational activities is unfortunately inevitable. Any noise generated from the activities can be mitigated through regulations imposed by the Municipal Council of Windhoek and City Police.

- The application seeks to formalise an existing situation on Erf 8350 and it is not anticipated that additional traffic will be generated. Frankie Fredericks Street is a collector road and is sufficiently designed capacity to carry high traffic volumes.

- Any bad smells can be reported to the Municipal Council of Windhoek and will be investigated and acted on.

- Erf 8350. Windhoek is located in the sports precinct where noise from sports and recreational activities is unfortunately inevitable. These activities mainly take place during weekends.

- The riverbed in question is not located within the boundaries of Erf 8350. The erf and parking area will be fenced in.

- The loss of property value is a subjective opinion and not substantiated.

The objections are not supported.

Betterment fee

The betterment fee will be 75 % due to the illegal operation of the Vintage Bar and Grill.

Conclusion

The rezoning of Erf 8350, Windhoek from 'undetermined' to 'private open space' as well as consent of a restaurant is recommended for approval.

Management Committee, after due consideration

RECOMMENED

1 That the rezoning of Erf 8350, Windhoek from 'undetermined' to 'private open space', be 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).

2 That consent for a restaurant on Erf 8350, Windhoek be approved in terms of Table B of the Windhoek Zoning Scheme.

3 That the applicant take note that all consent uses granted will only come into effect after parking has been provided on-site to the satisfaction of the Strategic Executive: Urban and Transport Planning.

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) and the fence over the public street portion up to the actual boundary has been relocated to the satisfaction of the Strategic Executive: Urban and Transport Planning.

*** 7 That the Title Deed Conditions in Deed of Transfer T 4574/2007, **attached as pages 99 - 102 to the agenda**, remain in place.

*** 8 That parking be provided as per the parking layout, date stamped 1 February 2022, **attached as page 93 to the agenda**, being as follows:

8.1 For the restaurant: One (1) parking bay for every three (3) seats; and

8.2 For the remaining private open space: Seven (7) parking bays for every 100 m² floor area.

9 That the applicant note that the public street may no longer be enclosed, and the fence and gate should be relocated, which in turn might impact the parking layout, as per paragraph 8 above.

10 That the applicant take note of the option to upgrade the street and turning circle on their cost in lieu of paying the betterment fee and verify their option in writing.

10.1 That should the applicant opt to upgrade the street and turning circle in lieu of the betterment fee, that the upgrade be further discussed to allow the signing of a Development Agreement, confirming standards, timeframes and procedures, being to the satisfaction of the Strategic Executive: Urban and Transport Planning.

11 That the applicant appoint a registered professional Engineer to determine whether the western boundary of the proposed Erf 8350, Windhoek require to be protected against any potential flood damage.

12 That surface stormwater run-off be accommodated according to clause 35 of the Windhoek Town Planning Scheme, stating:

12.1 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.

12.2 That the maintenance of such stormwater pipe, channel or work be the responsibility of the owner of the concerned property.

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

14 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.

15 That only one (1) service connection from the municipal electrical network be allowed to the erf.

16 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.

17 That it be noted that a connection charge will 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.

18 That the applicant comply with the Municipal Council of Windhoek's Noise Control Regulations of 2006 and Sound Emission Policy of 2006 in terms of managing noise levels from the bar and restaurant.

19 That the applicant acknowledge receipt of this Delegated Authority and accept the conditions in writing, within twenty eight (28) days from receipt of this letter.

20 That it be noted 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.

20.1 That the 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.

21 That the resolution be implemented prior to confirmation of the minutes to allow for prompt feedback to the applicant.

10.1.4 FNS.2 [UTP] APPLICATION FOR THE SUBDIVISION OF PORTION 345 (A PORTION OF PORTION 65) OF THE FARM BRAKWATER NO. 48 INTO PORTIONS 550, 551, 552, 553, 554 AND THE REMAINDER; REZONING OF PORTIONS 551, 552, 553 AND THE REMAINDER (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO. 48 FROM 'RESIDENTIAL' WITH A DENSITY OF 1:5 HECTARE TO 'BUSINES'S WITH A BULK OF 0.5; REZONING OF PORTION 554 (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO. 48 FROM 'RESIDENTIAL' WITH A DENSITY OF 1:5 HECTARE TO 'INDUSTRIAL' WITH A BULK OF 0.5; AND CONSENT TO USE PORTION 554 (A PORTION OF PORTION 345 OF THE FARM BRAKWATER NO. 48) FOR THE PURPOSE OF A NOXIOUS INDUSTRY (BRICKMAKING)
(L/345/65/48/BW)

Application

An application was received from Plan Africa Planning Consulting CC, on behalf of the owner of the erf, Graciana Pereira Do Amaral Gourgel for the following:

- Subdivision of Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48 into Portions 550, 551, 552, 553, 554 and the Remainder;

- Rezoning of Portions 551, 552, 553 and the Remainder (a portion of Portion 345) of the farm Brakwater No. 48 from 'residential' with a density of 1:5 hectare to' business' with a bulk of 0.5;

- Rezoning of Portion 554 (a portion of Portion 345) of the Farm Brakwater No. 48) from 'residential' with a density of 1:5 hectare to 'industrial' with a bulk of 0.5;

- Reservation of Portion 550 (a portion of Portion 345) of the Farm Brakwater No. 48 as street;

- Consent to use Portion 554 (a portion of Portion 345 of the Farm Brakwater No. 48) for the purpose of a noxious industry (brickmaking).

The Power of Attorney was signed by the owner.

*** The full application, including the relevant correspondence/documentation is **attached as pages 115 - 164 to the agenda.**

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

Background

*** The aforesaid application was resolved as per Council Resolution 28/02/2024, **attached as pages 165 - 172 to the agenda**. However, the applicant lodged an appeal against paragraph 3 of Council Resolution 28/02/2024, with the Minister of Urban and Rural Development (the Minister) in accordance with sections 110 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018).

Paragraph 3 of the Council Resolution 28/02/2024 *inter alia* stipulates as follows:

3 *That the rezoning of Portion 554 (a portion of Portion 345 of Portion 65) of the Farm Brakwater No. 48 from 'residential' with a density of 1:5 hectare to 'industrial' with a bulk of 0.5,* ***not be recommended*** *for approval to the Urban and Regional Planning Board in accordance with section 109(2)(b) of the Urban and Regional Planning Act, 2018 (Act 5 of 2018), but instead be rezoned to 'business' with a bulk of 0.5, and subsequently, the consent to use Portion 554 (a portion of Portion 345 of the Farm Brakwater No. 48) for the purpose of a noxious industry (brickmaking), not be granted, due to the following:*

3.1 *The 'industrial' zoning allows for various land uses that are not compatible with residential land uses;*

3.2 *Portion 345 of the Farm Brakwater No. 48 is situated in Policy Area D, the Industrial Periphery, as per the Brakwater Land Use Guidelines approved in terms of Council Resolutions 496/10/93, 41/2/2002 and 363/10/2008, of which the development objective is for the establishment of '**light** industrial' developments, which are equivalent to the 'restricted business' zoning;*

3.3 *Noxious industrial buildings or activities (brickmaking) are prohibited land uses on the 'restricted business' zoning and can only be permitted upon producing the certificate from the Medical Officer of Health in consultation with the Inspector of Factories; and*

3.4 *The applicant has not submitted a certificate by the Medical Officer of Health, in consultation with the Inspector of factories, certifying that the process to be used in the conduct of any of the said industry will eliminate nuisance or danger to health in neighbouring premises arising from:*

- *Vapour or effluvia;*
- *Liquid waste matters discharged from the premises, and if land treatment of such matters is proposed, the nature, slope and area of the land and its position in relation to buildings used for human habitation, streams or water courses; and*
- *Solid waste matters.*

3.5 *That it be noted that the applicant has not submitted an Environmental Management Clearance Certificate for the brickmaking plant in support of the application for the rezoning of Portion 554 (a portion of Portion 345 of Portion 65) of the Farm Brakwater No. 48.*

*** The Minister of Urban and Rural Development per letter dated 21 June 2024, **attached as page 173 to the agenda**, referred the appeal back to the Municipal Council for re-evaluation of the application in light of an Environmental Management Clearance Certificate, **attached as page 174 to the agenda**, which was received from the applicant on 13 May 2024.

Portion information

Portion 345 of the Farm Brakwater No. 48 was created as a result of the subdivision of Portion 65 of the Farm Brakwater No. 48. The portion is ± 5.3264 hectare in extent and is zoned 'residential' with a density of 1:50 000.

The portion is located north of the city adjacent to the B1 National Road and interchange. The portion is relatively flat with a minor stormwater course bisecting the portion from the south to north.

The surrounding area is characterised by mix land use, industrial, business and residential on large portions of land but is fairly underdeveloped. Some of the portions are vacant.

Development intention

The owner of Portion 345 of the Farm Brakwater No. 48 desires to subdivide the portion into Portions 550 to 554 and the Remainder as illustrated as follows:

Portion	Size (m²)	Proposed zoning/land reservation
550	3 757	Reserved for street
551	10 001	Business 0.5
552	10 001	Business 0.5
553	10 001	Business 0.5
554	9 777	Industrial 0.5 for brick making
Remainder	9 726	Business 0.5
Total	**53 263**	

The subdivision will allow for each portion to be developed individually for different town planning purposes as allowed under the Windhoek Zoning Scheme.

Applicant's motivation

Portion 345 of the Farm Brakwater No. 48 is located in Council's Industrial Periphery Policy area.

The proposed Portion 554 is currently being used for brick making activities. The portion is bordered by the Brakwater Service Road (346/65/48) on its southern boundary, intersecting with the B1 National Road, 300 metre to the east.

The brick making factory already operational. The Windhoek Zoning Scheme does not allow brickmaking in a business zone; hence, a rezoning to industrial is required.

Advertisement

The public consultation process for the proposed development was completed as follows in line with the requirements of the Urban and Regional Planning Act, 2018 (Act 5 of 2018) as well as the Municipal Council of Windhoek's Public Consultation Policy:

*** - The application was advertised in The Market Watch (Republikein, Namibian Sun and Allgemeine Zeitung) on 23 and 30 August 2023, as per the advertisements, **attached as pages 175 - 176 to the agenda**;

*** - A notice, **attached as page 177 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 were sent to the neighbours/owners of Portions 64/H/48, R/65/48 and R/88/54/48; and

*** - A notice, **attached as pages 178 - 179 to the agenda**, was also published in Government Gazette No. 8203 of 1 September 2023.

*** The closing date for objections and comments was on 19 September 2023 and objections, **attached as pages 180 - 188 to the agenda**, were received.

Objections

The objections received are summarised as follows:

1 Objection from GC Craig and D Gibson, Plot 45 Brakwater

- *Surrounding areas are residential and business land use and might be adversely affected by noxious industry; and*

- *No Environmental Impact Assessment (EIA) and pollution and noise are likely to cause unacceptable disturbance and health hazards and should not be permitted.*

2 Objection from Du Toit Town Planning Consultants on behalf of Stephan and Sabine Hock of Immanuel Wilderness Lodge, Plot 146/142/48

- *Notice not according to the prescribed City of Windhoek Policy;*

- *Suitability of Portion 554 for industrial and noxious industry is very controversial;*

- *Immanuel Wilderness Lodge has suffered losses due to guests shortening their stay as a result of noise and dust from the brickmaking facility;*

- *D1491 Road has not been designed to carry heavy industrial traffic;*

- *Portion 345 falls within Zone D which encourages light industrial activities, however according to the guidelines the best future use would be restricted business which does not allow any noxious industry;*

- *Brick making is a water intensive activity. Confirm if the activity is sustainable under current municipality policies; and*

- *According to the information, no Environmental Management Clearance Certificate for the rezoning/creation of roads/activities has been obtained.*

3 Objection from Inger Preis

- *Brakwater under threat of eventually becoming an industrial rubbish dump;*

- *Council Resolution 281/09/2013 states that the 'industrial' zoning be removed from the Brakwater Policy Zones and replaced with 'restricted business';*

- *The City of Windhoek and any Developer have to adhere to the wishes of the majority of the residents and they cannot just make decisions which will have a serious impact on the residents who live in the area;*

- *Request to see the Environmental Impact study which will allow a noxious industry;*

- *Contamination of underground water, destruction of indigenous trees, noise pollution, and increase in numbers of unskilled and underpaid workers is a recipe which will destroy Brakwater; and*

- *In many cases where there are non-residents operating in a vulnerable rural area and using public transport to commute, there is the inevitable increase in crime, mostly poaching and theft.*

*** [Council Resolution 281/09/2013 is **attached as page 189 to the agenda**, for ease of reference.]

4 Objection from Brakwater Ratepayers Organisation

- *The Farm Brakwater No. 48 is 5.3264 hectare in extent, is untrue and misleading;*

- *If the subdivision was not already finalized, how were the existing portion numbers allocated?*

- *The Brakwater Development Guidelines of 2002 are not part of the Windhoek Town Planning Scheme, as stated in the public notice. These are only guideline, and not enforceable;*

- *Council Resolution 281/09/2013 prohibits any industrial zoning in the Greater Brakwater Area only restricted business.*
- *Table B of the Windhoek Town Planning Scheme prohibits noxious industries*
- *Zone D of the Brakwater Policy Guidelines does not allow industrial or noxious activities*
- *Negative impacts on neighbours during the past.*
- *Letters of complaint were submitted to the City of Windhoek on 28 March 2023 and activities were only reduced on 24 May 2023.*
- *The applicant needs to show how the zoning/consent use will benefit the community.*
- *Each individual neighbour has to be notified.*
- *All interested and affected parties must be given an opportunity to comment and object.*

*** The answer from the Developer with regard to the objections received, is **attached as pages 190 - 196 to the agenda**.

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 application.

- **Roads Planning and Traffic Flow**

  The roads within the larger Brakwater area are still undeveloped and the collector road system is also not yet finalised. Most properties obtain their accesses through registered Right of Way Servitudes. The traffic volumes are similarly low in this area as it is characterised mainly by large portions of farmland.

  There is no objection to the proposed subdivision of Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48 into Portions 550, 551, 552, 553, 554 and the Remainder: Provided:

*** • That the applicant take note that the property is affected by the arterial road running along the western boundaries and that such portion should be subdivided as per Plan No. PDT/345/65/48/BW, **attached as page 197 to the agenda**, inclusive of a splay, which portion differs from Portion 550 as per applicant's plan. [The applicant is to submit a revised subdivision plan being to the satisfaction of the Strategic Executive: Urban and Transport Planning.]

- That the proposed 15 metre wide right of way servitude be changed to a 20 metre wide servitude and be extended opposite the existing proposed collector road to create one (1) intersection. [The applicant to conduct a preliminary layout to verify that a proper intersection can be provided to accommodate a 90 degree bend, to ensure the servitude facilitates same. In addition a turning circle (cul-de-sac) of a minimum of 28 metre diametre must be added at the end. The applicant to incorporate above in the revised subdivision plan.]

There is no objection to the proposed rezoning of Portions 551 to 554 and the Remainder from 'residential' with a density of 5 hectare to 'business' with a bulk of 0.5: Provided:

- That the above access concerns be clarified first.

- That the parking requirements for 'business' be as follows:

  - Retail building > 1 000 m²: Five (5) parking bays per 100 m² plus a loading area;

  - Business ≤ 1 000 m²: Three (3) parking bays per 100 m² plus a loading area.

  - A minimum of one (1) parking bay per equal or less than three (3) bedroom units or a minimum of two (2) parking bays per equal or more than four (4) bedrooms units be provided on-site.

- **Roads and Stormwater**

A stormwater investigation was done, and the following is reported:

- There is a major stormwater course flowing from the southeast, flowing across the proposed Portions 553 and 552 of Portion 345 of Farm Brakwater No. 48, flowing into a north westerly direction.

- There is a stormwater course flowing from the southwest, flowing across the proposed portions, i.e. Portions 551 and 552 of Portion 345 of Farm Brakwater No. 48, flowing towards the major stormwater course as referred to above.

- There is a stormwater course flowing from the west, flowing across the proposed Portions 550, 551 and 552, flowing towards the major stormwater course as referred to above.

- There are various other stormwater courses forming on and flowing across the proposed Portions 554 and the Remainder of Portion 345 of Farm Brakwater no. 48, flowing towards the major stormwater course referred to above.

There is no objection to the proposed, subdivision of Portion 345 (a portion of Portion 65) of the Farm Brakwater no. 48 into Portion 550, 551, 552, 553, 554 and the rezoning of Portions 551, 552, 553 and the Remainder (a portion of Portion 345) of the Farm Brakwater No. 48, from 'residential' with a density of 1:5 hectare to 'business' with a bulk of 0.5, and the rezoning of Portion 554 (a portion of Portion 345) of the Farm Brakwater No. 48) from 'residential' with a density of 1:5 hectare to 'industrial' with a bulk of 0.5 and consent use: Provided:

- That the applicant appoint a registered professional Engineer to compile a detailed 50-year flood report of the major and other stormwater course at own cost and risk.

- That the applicant applies the conditions as stipulated in the detailed 50-year flood report.

- That the applicant accept the outcome of the detailed 50-year flood report, and if allowed by the flood report, appoint a registered professional Engineer to submit detailed Engineering plans as to how the proposed Portions 550 to 554 and the Remainder of Portion 345 of Farm Brakwater No. 48 are to be protected against any potential flood damage.

- That no adjacent or opposite property be negatively affected by the proposed development along any river.

- That no development be allowed within the 50-year flood level of any river or stormwater course.

- That no development be allowed onto or over any stormwater system or structure.

- That any stormwater crossing be accommodative of at least a 50-year flood.

- 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).

- That the detailed 50-year flood study be conducted and submitted to the Strategic Executive: Urban and Transport Planning for municipal consideration prior to the submission of the rezoning application to the Ministry of Urban and Rural Development.

- That roads and stormwater be planned, designed, and constructed to municipal standard.

- That access and right of way servitudes be according to the conditions as stipulated by the Strategic Executive: Urban and Transport Planning.

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

- **Engineering Services**

There is no objection to the proposed application: Provided:

- That it be noted that no existing bulk water and sewer services are available for Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48.

- That it be noted that the Municipal Council of Windhoek conducted a Bulk Water and Sewer Reticulation Master Plan for the entire Brakwater area, and the bulk services requirements anticipated for the area is specified in the said document.

- That the supply of bulk water and sanitation/sewerage services should if feasible for the applicant, be executed in-line with the bulk services framework established for the entire area.

*** - That it be noted that no new wet industries are permitted within the Windhoek municipal area as per Council Resolution 114/05/2013, **attached as pages 161 - 163 to the agenda**, with specific reference to paragraph 2.3 and 5.3.

- That it be noted that the following definitions of wet industry are accepted for the evaluation of investment proposals as per Council Resolution 114/05/2013:

  - Water is a major production factor in the manufacturing process;

  - The industry requires more than an upper limit of 100 m^3 per day of source water for any industrial erf that exceeds 10 hectare in size;

  - The industry requires more than 10 m^3 per day in source water, per hectare or part thereof, on any industrial erf smaller than 10 hectare;

  - The industry produces industrial effluent;

  - The industry has a process water/domestic water ratio exceeding 20:1;

  - The industry will suffer production losses if process water, inclusive of recycled water, is unavailable for any period exceeding fourty eight (48) hours; and

  - If, under critical conditions, the sustained reduction of process water by 50 %, will lead to closure of the industry.

- That all cost for the provision of bulk and internal services be for the applicant's account, including the cost of bulk infrastructure upstream and downstream from the erf.

- That all new water and sewer infrastructure requirements comply with the standard conditions to large subdivisions in respect of services, and that these requirements can be obtain from the Strategic Executive: Infrastructure, Water and Technical Services.

- That the applicant appoint a registered professional Engineer to design the water supply and sewer reticulations to the applicable municipal standards and subject to approval by the Strategic Executive: Infrastructure, Water and Technical Services, before construction commence.

- That the applicant provide its own water storage for the erf with a storage capacity of 48 hours.

- That it be noted that the Municipal Council of Windhoek will not be held responsible for the provision of water if the groundwater supply deteriorate in case of boreholes.

- That the applicant appoint a registered professional Engineer to propose an acceptable waste water disposal system: Provided:

  - That no pollution of the ground water occur.

  - That there be no health risks to the users and surrounding residents.

  - That the possibility to re-use the purified effluent be addressed.

  - That the final effluent at all times comply with applicable legislation.

- That the sewer system and proposed treatment of waste water be submitted to the Strategic Executive: Infrastructure, Water and Technical Services for approval.

  - That the issuing of the Waste Water Discharge Permit be subject to the adherence of all conditions pertaining to such permit.

- That only full waterborne waste systems be utilised and all Windhoek's service standards apply.

- That the final effluent from any treatment facilities comply with the Special Discharge Standards as prescribed by the Directorate of Water Affairs.

- That the operation and maintenance of all water and sewer infrastructure be the responsibility of the applicant.

- That the design criteria are to be in accordance with the *'Guidelines for human settlement, planning and design'* as published by the Council of Scientific and Industrial Research (CSIR), available on-line at http://www.csir.co.za/Built_environment/RedBook/.

Additional comments after the Environmental Management Clearance Certificate was submitted

After the Environmental Management Clearance Certificate and Environmental Impact Assessment (EIA) Report, inclusive of the Environmental Management Plan (EMP) were received, such documents were circulated to the Department of Infrastructure, Water and Technical Services, whereby the Engineering Services Division provided the following comments on 3 June 2024:

- *This memorandum serves to confirm that the Environmental Impact Assessment (EIA) dated September 2023, submitted by Environ Clim Consulting Services, indicates that the water demand for Portion 554, which has a total area of approximately 9 777 m², is estimated to be 5 000 litres per month (0.167 m³ per day).*

- *Wet industries are inter alia specified in Council Resolution 114/05/2013 as follows: 'The industry requires more than 10 m³ per day in source water, per hectare or part thereof, on any industrial erf smaller than 10 hectares'.*

  The estimated water demand is indicated as 0.167 m³ per day, which is less than the 10 m³ specified for wet industries. Therefore, the business can be classified as a dry industry and can be approved accordingly.

*** A letter from the Environmental Commissioner dated 8 April 2024 is **attached as pages 198 - 203 to the agenda**.

Comments from the Strategic Executive: Electricity

- **Technical Support**

  There is no objection to the application submitted but the Municipal Council of Windhoek do not have an electricity network in Brakwater area. The client is therefore to approach NamPower for the provision of electrical services.

  The Municipal Council of Windhoek is to take over the Brakwater network in the near future. Therefore, the network should be designed and installed as per the Municipal Council of Windhoek's guidelines and standards.

The following need to be considered:

- That only one (1) service connection from the municipal electrical network be allowed per erf.

- That for erven that are zoned 'general residential', the number of allowed meter points is as per the density.

- That for erven that are zoned 'general residential' 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.

- That it be noted that a connection charge will 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.

- 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 comply to the Municipal Council of Windhoek's Metering Policy for the specific type of zoning.

Comments from the Strategic Executive: Economic Development and Community Services

- **Health and Environmental Management Services**

The rezoning (including consent use) of land from residential use to industrial or commercial use and the creation of public roads is a listed activity in the Environmental Management Act, 2007 (Act 7 of 2007) and must obtain Environmental Clearance (or where applicable an exemption letter from the Municipal Council of Windhoek) before the activity is undertaken.

- **Revised comments after the Environmental Management Clearance Certificate was submitted**

  After the Environmental Management Clearance Certificate and Environmental Impact Assessment (EIA) Report, inclusive of the Environmental Management Plan (EMP) were received, such documents were circulated to the Department of Economic Development and Community Services, whereby the Health and Environmental Management Services Division provided the following comments on 8 July 2024:

  - There is no objection to the application.
  - The submitted copies of the issued Environmental Management Clearance Certificate and approved Environmental Management Plan (EMP) by the Office of the Environmental Commissioner permitting the establishment and operation of the brick manufacturing facility at Portion 345 of the Farm Brakwater No. 48, was noted.
  - Monitoring and auditing of the operation will be conducted to ensure compliance with the Environmental Management Plan (EMP) and in the event negative environmental aspects are identified, corrective interventions will be instituted accordingly against the applicant.

Urban Policy evaluation

Portion 345 Brakwater is situated in Policy Area D, the Industrial Periphery as per the Brakwater Land Use Guidelines in terms of Council Resolutions 496/10/93, 41/2/2002 and 363/10/2008. Policy Area D is *inter alia* described as follows:

- Zone D fall within the flatter northern part of the study area and is highly suitable for urban development. The area is characterized by a relatively flat landscape and is drained by the Klein Windhoek River. Existing land use includes low density housing and a number of light industrial activities.

- The Draft Windhoek Urban Structure Plan proposes that the area (indicated as BW Development Zone C) be earmarked for industrial purposes.

Zone D: The Industrial Periphery	
Development objectives	- Mixed development area for low income residential and light industrial purposes; - Commercial nodes can develop at strategic places to serve residents; - Encourage light industrial activities; - Discourage informal settlement; and - Encourage high density housing.
Dominant land use	- Residential and industrial.
Development intensity	- Average residential density of 1:300 m²; - Higher densities possible to provide housing to labourers; - Plots along the national road and the district road can have higher intensity development; and - For commercial development, a maximum bulk of 1.0 to be allowed.
Subdivisions	- Minimum plot size: 300 m².

Zone D: The Industrial Periphery	
Primary use	- Dwelling houses; - Industrial buildings; and - Business buildings.
Consent uses	- Agricultural; - Residential buildings; - Places of public worship; - Places of instruction; - Social halls; - Institutions; - Special Buildings; - Pensions; and - Resident occupations.
Prohibited uses	- Other uses not under primary and consent uses
Infrastructure	- New development to indicate how sewer, water and electricity will be provided; - Provision of services the responsibility of the Developer; - Services to be provided to municipal standards; and - When subdividing, access should be provided to individual plots from roads maintained by the Municipal Council of Windhoek.
Rezoning	Can be supported to: - Higher density residential; - General residential; - Business; - Office; and - Institutional. Proof of advertisements in two (2) local newspapers and comments from affected plot owners need to be provided on application for the rezoning.
Conservation	- Conserve water courses; and - Prevent dumping and pollution of river beds.

*** However, Council Resolution 114/05/2013, **attached as pages 161 - 163 to the agenda**, determined that no water intensive (wet industries) will be allowed in Windhoek due to a water low surplus concern in the Von Bach supply system at the time and that there are no waste water treatment facilities in Brakwater. A wet industry was defined as follows:

- Water is a major production factor in the manufacturing process;
- The industry requires more than an upper limit of 100 m^3/day of source water for any industrial erf that exceeds 10 hectare in size;
- The industry requires more than 10 m^3/day in source water, per hectare or part thereof, on any industrial erf smaller than 10 hectare;
- The industry produces industrial effluent;
- The industry has a process water/domestic water ratio exceeding 20:1;
- The industry will suffer production losses if process water, inclusive of recycled water, is unavailable for any period exceeding forty-eight (48) hours; and
- If, under critical conditions, the sustained reduction of process water by 50 %, will lead to closure of the industry.

*** As a result, Council Resolution 281/09/2013, **attached as page 189 to the agenda**, replaced the **'industrial'** zoning with the **'restricted business'** zoning in 2013 to address the potential threat of certain industrial activities to the Swakoppoort Dam from waste water pollution due to the absence of waste water treatment facilities in Brakwater.

The Windhoek Zoning Scheme makes provision for the use of ***'restricted business'*** zoned erven for noxious industrial but only upon producing a certificate certifying that the process to be used in the conduct of the noxious industry will eliminate nuisance or danger to health in neighbouring premises; as elaborated by the following definition of *noxious industrial building*:

Noxious industrial building *means a building designed and/or used for the purpose of carrying on any noxious or offensive trade or occupation and, without prejudice to the generality of the foregoing, includes the following:*

*..., **bricks** and lime works, metallurgical works, reduction and reprocessing works or any other works... Provided that upon production of a certificate... that the process to be used in the conduct of any of the said industries or factories listed above will eliminate nuisance or danger to health in neighbouring premises arising from:*

(a) vapour or effluvia;

(b) liquid waste matters discharged from the premises, and if land treatment of such matters is proposed, the nature, slope and area of the land and its position in relation to buildings used for human habitation, streams or water courses;

(c) solid waste matters;

the Council may consent to the erection and use of buildings for such industries in use Zone V Table B.

Use Zone V of Table B of the Windhoek Zoning Scheme is 'restricted business'

Use zone (1)	Primary uses (2)	Consent uses (3)	Prohibited uses (4)
V Restricted business	Business buildings	Other uses not under columns 2 and 4	Noxious industrial buildings

Based on the above, it is clear that although the brick manufacturing is a noxious industrial use, it can be permitted under the 'restricted business' zoning, provided that a certification such as the Environmental Management Clearance Certificate is provided and that the activity is not considered as a wet industry.

The Engineering Services Division has confirmed that the business can be classified as a dry industry and can be approved accordingly.

Additionally, the Health and Environment Services Division has confirmed that in light of the Environmental Management Clearance Certificate issued, the said division will conduct monitoring and auditing of the Operation to ensure compliance with the Environmental Management Plan (EMP) and in the event negative environmental aspects are identified, corrective interventions will be instituted accordingly against the applicant.

Based on the preceding clarifications, industrial activities that are not classified as wet industries and meet the provisions of the *noxious industrial building* definition in the Windhoek Zoning Scheme can still be accommodated in Brakwater Zone D.

There is limited land in the Windhoek area available for industrial uses and the Brakwater Area between the new B1 and the Brakwater Service Road (D1491) is optimally located for industrial land use activities. The Brakwater Development Guidelines have been in place since 1995 and have been accommodated as such, which would account for the number of industrial and restricted business uses in this Zone D.

Response to the objections received

In accordance with section 65(a) of the Urban and Regional Planning Act, 2018 (Act 5 of 2018), the grounds of objections were evaluated and the Urban Policy Division's responses are outlined by the proceeding sections:

- **No Environmental Impact Assessment (EIA) conducted and no Environmental Management Clearance Certificate issued**

  At the time the application was advertised for public and neighbours' inputs, there was no Environmental Impact Assessment (EIA) conducted and no Environmental Management Clearance Certificate was indeed issued. However, after the Municipal Council of Windhoek decided not to approve the rezoning of the subject portion to 'industrial' (for the purposes of brick manufacturing) and after the appeal was lodged with the Minister of Urban and Rural Development, the applicant completed the Environmental Impact Assessment (EIA) and the Environmental Management Clearance Certificate has since been issued by the Environmental Commissioner.

- **Noise pollution**

  According to the environmental studies some noise pollution is likely to occur. However, the Environmental Management Plan (EMP) confirms that noise issues can be addressed by either using a bricks manufacturing machinery with low noise emission; or fitting silencers on bricks manufacturing machine exhaust.

- **Dust pollution**

  Dust pollution is also one of the potential impacts that have been identified in the environmental report. However, the Environmental Management Plan (EMP) stipulates that this can be mitigated through covering or regular water spraying of sand heaps and interlocking the site which has become a condition in the Environmental Management Plan (EMP) and will be monitored.

- **Industrial Traffic**

  The Roads Planning and Traffic Flow Section has confirmed that traffic volumes are low in this area as it is characterised mainly by large portions of farmland.

  Furthermore, the applicant is required to change the proposed 15 metre wide right of way servitude to a 20 metre wide servitude, which must further extend opposite the existing proposed collector road to create a proper intersection. The applicant is also required to introduce a turning circle (cul-de-sac) of minimum 28 metre diametre.

- **Water intensive activity and ground water pollution**

  The Engineering Services Division has confirmed that wet industries are specified in Council Resolution 114/05/2013 as an industry that *requires more than 10 m^3/day in source water, per hectare. The estimated water demand is indicated as 0.167 m^3/day, which is less than the 10 m^3 specified for wet industries*. Consequently, the brick manufacturing can be classified as a dry industry.

  Contamination of underground water is addressed by the Environmental Management Plan (EMP) that makes provisions for mitigation measures to prevent the potential leakages of oils and lubricants.

- **Allocation of portion numbers prior to approval**

  The Urban and Regional Planning Board (the Board) requires applicants to obtain portions numbers before the subdivision application is submitted to the Board. It is for this reason that all proposed portions to be created from Portion 345 of the Farm Brakwater No. 48 are allocated portions numbers (being Portions 550 to 554) prior to the approval of the subdivision.

- **Compliance with Brakwater Development Guidelines and Zoning Scheme**

  Portion 345 Brakwater is located in Policy Area D (the Industrial Periphery) as per the Brakwater Land Use Guidelines, which makes provision for the establishment of light industrial developments.

  However, Council Resolution 281/09/2013 substituted the 'industrial' zoning with the 'restricted business' zoning in 2013 due to the absence of waste water treatment facilities in Brakwater.

  The 'restricted business' zoning allows noxious industrial developments upon producing a certificate certifying that the development will pose no nuisance or danger to health on neighbouring premises. The Environmental Management Clearance Certificate has now been issued by the Environmental Commissioner.

- **Compatibility of land uses**

  Surrounding portions of land are not purely residential but of mixed-use nature. However, the 'industrial' zoning cannot be recommended for approval. As a result, the 'restricted business' zoning is recommended as such zoning may co-exist with 'residential' zoning, provided that no environmental impacts from the development.

  Given that the Environmental Management Clearance Certificate is issued and the Environmental Management Plan (EMP) is in place, the aforesaid zonings can co-existing subject to compliance with the Environmental Management Plan's (EMPs) mitigations.

- **Potential increase in crime**

  Crime has not been identified by the Environmental Impact Assessment (EIA) as a matter of concern. The concern raised is unsubstantiated and appears to be based on presuppositions.

- **Inadequate public and neighbours' consultation**

  All the required general public and specific consultation as prescribed by the Municipal Council of Windhoek's Public Consultation Policy and the Urban and Regional Planning Act, 2018 (Act 5 of 2018), was duly performed.

- **Benefits to the community**

  The development will benefit the residents of Windhoek through employment generation. The development is also a source of revenue in terms of rates and taxes.

- **Past negative impacts**

  The Environmental Management Plan (EMP) has outlined mitigation measures to address past and future impacts associated with the proposed rezoning. The applicant will be penalised for the illegal land uses (that are being legalised) on Portion 554 of the Farm Brakwater No. 48.

- **Misleading portion size**

  According to the Deed of Transfer No. T 6103/2012, Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48 is 5.3264 hectare in extent and therefore confirmed as correct.

Betterment and endowment fees

The applicant will be liable to pay 75 % betterment fees (due to on and off illegal land uses that are being legalised) on Portion 554 of the Farm Brakwater No. 48; and 40 % betterment fees for Portions 551 to 553 and the Remainder of Portion 345 of the Farm Brakwater No. 48.

The applicant will also be required to pay 9 % endowment fees for Portions 551 to 554 of the Farm Brakwater No. 48, in accordance with sections 59, 65, 66 and 90 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018).

Conclusion

The portion falls within Zone D of the Brakwater Policy Guidelines which was earmarked for Industrial activities. The area is optimally located with regards to access and a nearby labour force.

*** All issues with regards to Council Resolutions 114/05/2013 and 281/09/2013, **attached as pages 161 - 163 and 189 respectively to the agenda**, regarding the industrial zoning and wet industries in Windhoek, have been addressed.

The objections have been addressed sufficiently.

In conclusion the application can be recommended for approval in light of the submission of the Environmental Management Clearance Certificate and confirmation that the land use is not a wet industry.

Management Committee, after due consideration

RECOMMENDED

That Council Resolution 28/02/2024 be rescinded in its entirety and replaced to *inter alia* read as follows:

1 *That the subdivision of Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48 into Portions 550 (± 3 757 m² in extent), 551 (± 10 001 m² in extent), 552 (± 10 001 m² in extent), 553 (± 10 001 m² in extent), 554 (± 9 777 m² in extent) and the Remainder (± 9 726 m² in extent) be 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).*

2 *That the rezoning of Portions 551, 552, 553 and the Remainder of Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48 from 'residential' with a density of 1:5 hectare to 'business' with a bulk of 0.5, be 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).*

3 *That the rezoning of Portion 554 (a portion of Portion 345 of Portion 65) of the Farm Brakwater No. 48 from 'residential' with a density of 1:5 hectare to 'industrial' with a bulk of 0.5, not be recommended for approval to the Urban and Regional Planning Board in accordance with section 109(2)(b) of the Urban and Regional Planning Act, 2018 (Act 5 of 2018), due to the following:*

3.1 *The 'industrial' zoning allows for various land uses that are not compatible with residential land uses; and*

3.2 *Portion 345 of the Farm Brakwater No. 48 is situated in Policy Area D, the Industrial Periphery, as per the Brakwater Land Use Guidelines approved in terms of Council Resolutions 496/10/93, 41/02/2002 and 363/10/2008, of which the development objective is for the establishment of '**light** industrial' developments.*

4 *That the rezoning of Portion 554 (a portion of Portion 345 of Portion 65) of the Farm Brakwater No. 48 from 'residential' with a density of 1:5 hectare to 'restricted business' with a bulk of 0.5, be 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).*

5 *That consent be granted for the erection and use of buildings for noxious industrial buildings (brickmaking) in Use Zone V as per Table B of the Windhoek Zoning Scheme, subject to the following conditions:*

5.1 *That the consent use only come into effect after the rezoning of Portion 554 (a portion of Portion 345 of Portion 65) of the Farm Brakwater No. 48 has been approved and promulgated by the Minister of Urban and Rural Development (the Minister) in the Government Gazette.*

5.2 *That the consent use lapse on the date of expiry of the Environmental Management Clearance Certificate No. 2401407), being 8 April 2027.*

5.3 *That should the applicant wish to continue with the consent use for a brick manufacturing, the applicant be required to reapply for the consent use application and comply with the full consent use application requirements (including but not limited to undertaking public and neighbours consultation, submission of a valid Environmental Management Clearance Certificate and revised Environmental Management Plan).*

6 *That Portion 550 (a portion of Portion 345 of Portion 65) of the Farm Brakwater No. 48 be reserved for the local authority as 'street'.*

7 *That in terms of clause 33(1) of the Windhoek Zoning Scheme where upon the subdivision of an erf, land is given off for a street or for some other public purpose, the area of such land may, with the consent of the Council, be calculated as part of the area of the subdivision for the purpose of Tables E, F and G of the Windhoek Zoning Scheme.*

*** 8 *That the description of the servitude of electrical powerline in favour of the Municipal Council of Windhoek in paragraphs A and B of Title Deed No. T6103/2012 and Diagram No. A644/2005, **attached as pages 141 - 144 and 204 respectively to the agenda**, as well as the standard short conditions be retained for the Remainder of Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48*

9 *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).*

10 *That the applicant obtain an invoice for the betterment fee (compensation) from the Strategic Executive: Urban and Transport.*

11 *That the following be noted by the applicant:*

11.1 *That the application will only be submitted to the Urban and Regional Planning Board upon payment of the betterment fee (compensation).*

11.2 *That an endowment fee is payable in terms of sections 65, 66 and 90 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018), prior to the registration and transfer of Portions 551 to 554 (portions of Portion 345 of Portion 65) of the Farm Brakwater No. 48.*

*** *11.3* *That the applicant take note that the portion is affected by the arterial road running along the western boundaries and that such portion, Portion 550 (a portion of Portion 345 of Portion 65) of the Farm Brakwater No. 48, should be subdivided as per Plan No. PDT/345/65/48/BW,* ***attached as page 197 to the agenda****, and be alienated to the Municipal Council of Windhoek in lieu of endowment and/or betterment fees as part of the submission to the Urban and Regional Planning Board.*

12 *That the proposed 15 metre wide right of way servitude be 20 metre wide and be created opposite the existing proposed collector road to create one intersection.*

12.1 *That such a road end in a turning circle (cul-de-sac) of minimum 28 metre diametre as part of the submission to the Urban and Regional Planning Board.*

13 *That the parking requirements for 'industrial use' on restricted business zoning be as follows:*

13.1 *Warehouse > 1 000 m²: One (1) parking bay per 100 m² plus a loading area; and*

13.2 *Warehouse ≤ 1 000 m² and all other uses: One and a half (1.5) parking bay per 100 m² plus a loading area.*

14 *That a minimum of one (1) parking bay per equal or less than three (3) bedroom units or a minimum of two (2) parking bays per equal or more than four (4) bedrooms units be provided on-site.*

15 *That the consent use only come into effect after meeting parking requirements on-site, being to the satisfaction of the Strategic Executive: Urban and Transport Planning.*

16 *That the applicant appoints a registered professional Engineer to compile a detailed 50-year flood report of the major and other stormwater course at own cost and risk.*

17 *That the applicant apply the conditions as stipulated in the detailed 50-year flood report.*

18 *That the applicant accept the outcome of the detailed 50-year flood report, and if allowed by the flood report, appoint a registered professional Engineer to submit detailed Engineering plans as to how the proposed Portions 550 to 554 and the Remainder of Portion 345 of Farm Brakwater No. 48 are to be protected against any potential flood damage.*

19 *That no adjacent or opposite property be negatively affected by the proposed development along any river.*

20 *That no development be allowed within the 50-year flood level of any river or stormwater course.*

21 *That no development be allowed onto or over any stormwater system or structure.*

22 *That any stormwater crossing be accommodative of at least a 50-year flood.*

23 *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:*

23.1 *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.*

23.2 *That the maintenance of such stormwater pipe, channel or work be the responsibility of the owner of the concerned property.*

23.3 *That prior approval be obtained from the Strategic Executive: Urban and Transport Planning if the accommodation of the stormwater on the erf is contemplated.*

23.4 *That Engineering drawings on how the stormwater would be accommodated with the approval of the Strategic Executive: Urban and Transport Planning, be submitted for approval simultaneously with the building plans.*

23.5 *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.*

23.6 *That no building plans be approved until the stormwater conditions are met.*

24 *That the detail 50-year flood study be conducted and submitted to the Strategic Executive: Urban and Transport Planning for municipal consideration prior to the submission of the rezoning application to the Urban and Regional Planning Board.*

25 *That the roads and stormwater be planned, designed and constructed to municipal standard.*

26 *That access and right of way servitudes be according to the conditions as stipulated by the Strategic Executive: Urban and Transport Planning.*

27 *That it be noted that no existing bulk water and sewer services are available for Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48.*

28 *That it be noted that the Municipal Council of Windhoek conducted a Bulk Water and Sewer Reticulation Master Plan for the entire Brakwater area during 2010, and the bulk services requirements anticipated for the area is specified in the said document.*

29 *That the supply of bulk water and sanitation/sewerage services, if feasible for the applicant, be executed in-line with the bulk services framework established for the entire area.*

*** 30 *That it be noted that no new wet industries are permitted within the Windhoek municipal area as per Council Resolution 114/05/2013,* ***attached as pages 161 - 163 to the agenda****, with specific reference to paragraphs 2.3 and 5.3.*

31 *That it be noted that the following definitions of wet industry are accepted for the evaluation of investment proposals as per Council Resolution 114/05/2013:*

31.1 *Water is a major production factor in the manufacturing process;*

31.2 *The industry requires more than an upper limit of 100 m^3/day of source water for any industrial erf that exceeds 10 hectare in size;*

31.3 *The industry requires more than 10 m^3/day in source water, per hectare or part thereof, on any industrial erf smaller than 10 hectare;*

31.4 *The industry produces industrial effluent;*

31.5 *The industry has a process water/domestic water ratio exceeding 20:1;*

31.6 *The industry will suffer production losses if process water, inclusive of recycled water, is unavailable for any period exceeding forty-eight (48) hours; and*

31.7 *If, under critical conditions, the sustained reduction of process water by 50 %, will lead to closure of the industry.*

32 *That it be noted that the brick manufacturing industry as applied for can be classified as a dry industry due to the following:*

32.1 *The Environmental Impact Assessment (EIA) dated September 2023, submitted by Environ Clim Consulting Services, indicates that the water demand for Portion 554 of the Farm Brakwater No. 48, which has a total area of ± 9 777 m², is estimated to be 5 000 litres per month (0.167 m³/day); and*

32.2 *Wet industries are specified in Council Resolution 114/05/2013 as follows: The industry requires more than 10m³ per day in source water, per hectare or part thereof, on any industrial erf smaller than 10 hectares. The estimated water demand is indicated as 0.167m³ per day, which is less than the 10 m³ specified for wet industries.*

33 *That all cost for the provision of bulk and internal services be borne by the applicant, including the cost of bulk infrastructure upstream and downstream from the erf.*

34 *That all new water and sewer infrastructure requirements have to comply with the standard conditions to large subdivisions in respect of services, and that these requirements can be obtain from the Strategic Executive: Infrastructure, Water and Technical Services.*

35 *That the applicant appoint a registered professional Engineer to design the water supply and sewer reticulations to the applicable municipal standards and subject to approval by the Strategic Executive: Urban and Transport Planning, before construction commence.*

36 *That the applicant provide its own water storage for the portion with a storage capacity of 48 hours.*

37 *That it be noted that the Municipal Council of Windhoek will not be held responsible for the provision of water if the groundwater supply deteriorates in case of boreholes.*

38 *That the applicant appoint a registered professional Engineer to propose an acceptable waste water disposal system: Provided:*

38.1 *That no pollution of the ground water occur.*

38.2 *That there be no health risks to the users and surrounding residents.*

38.3 *That the possibility to re-use the purified effluent be addressed.*

38.4 *That the final effluent at all times comply with applicable legislation.*

39 *That the sewer system and proposed treatment of waste water be submitted to the* Strategic Executive: Infrastructure, Water and Technical Services *for approval.*

39.1 *That the issuing of the Waste Water Discharge Permit be subject to the adherence of all conditions pertaining to such permit.*

40 *That only full waterborne waste systems be utilised and all Windhoek service standards apply.*

41 *That the final effluent from any treatment facilities shall comply with the Special Discharge Standards as prescribed by the Directorate of Water Affairs.*

42 *That the operation and maintenance of all water and sewer infrastructure shall be the responsibility of the applicant.*

43 *That the design criteria are to be in accordance with the 'Guidelines for human settlement, planning and design' as published by the Council of Scientific and Industrial Research (CSIR), available on-line at http://www.csir.co.za/Built_environment/RedBook/.*

44 *That only one (1) service connection from the municipal electrical network be allowed per erf.*

45 *That for erven that are zoned 'general residential', the number of allowed meter points be as per the density.*

46 *That for erven that are zoned 'general residential' 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.*

47 *That it be noted that a connection charge will 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.*

48 *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 comply to the Municipal Council of Windhoek's Metering Policy for the specific type of zoning.*

49 *That it be noted that an Environmental Impact Assessment (EIA) report inclusive of the Environmental Management Plan (EMP) as well as the Environmental Management Clearance Certificate issued by the Environmental Commissioner have been submitted to the Municipal Council of Windhoek.*

50 That the applicant comply with the Environmental Management Plan (EMP), regularly revise the Environmental Management Plan (EMP) and ensure that the Environmental Management Clearance Certificate is valid at all times pursuant to provisions of the Environmental Management Act, 2007 (Act 7 of 2007).

51 That the applicant and Objectors be informed of the Council Resolution.

52 That the applicant accept the conditions of this Council Resolution in writing.

53 That it be noted 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.

53.1 That the 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.

54 That the resolution be implemented prior to confirmation of the minutes to allow for prompt feedback to the applicant and Objectors.

[Municipal Council Agenda: 2024-08-29]

10.1.5 FNS.3 [UTP] APPLICATION FOR THE REZONING OF ERF 6923, 171 NELSON MANDELA AVENUE, WINDHOEK FROM 'RESIDENTIAL' WITH A DENSITY OF 1:900 m² TO 'OFFICE' WITH A BULK OF 0.4 AND CONSENT FOR FREE RESIDENTIAL BULK
(L/6923/W)

Application

An application was received from WINPLAN Town & Regional Planning Consultants, on behalf of the owners of the Erf 6923, Windhoek, Paulina's Properties CC, CC/2000/0988 which is owned by Jacobus Barkhuizen and Nicholas Smit for the following:

- Rezoning of Erf 6923, 171 Nelson Mandela Avenue, Windhoek from 'residential' with a density of 1:900 m² to 'office' with a bulk of 0.4; and

- Consent for free residential bulk.

The Deed of Transfer No. T4066/2016 lists Pauline's Properties CC as the owner of Erf 6923, Windhoek and the Power of Attorney has been provided.

*** The full application, including the relevant correspondence/documentation is **attached as <u>pages 205 - 250</u> 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 6923, Windhoek is zoned 'residential' with a density of 1:900 m² and is ± 1 099 m² in extent. The erf is located on Nelson Mandela Avenue. There is a dwelling unit on the erf and part of it is being used for a legal office. Consent for the Resident Occupation (Administrative Office) was granted on 4 November 2009, **attached as page 251 to the agenda**, but it was not renewed. Furthermore, a Fitness Certificate for the office is issued and will expire on 11 August 2024.

*** The erf is located within the policy areas (precincts) approved as per paragraph 13 of the Council Resolution 273/11/2023, **attached as pages 252 - 254 to the agenda**.

Development intention

The intention of the owners is to rezone to 'office', so that they can utilise the entire erf for offices and residential purposes (through the free residential bulk).

Advertisement

The public consultation process for the proposed development was completed as follows in line with the requirements of the Urban and Regional Planning Act, 2018 (Act 5 of 2018) as well as the Municipal Council of Windhoek's Public Consultation Policy:

*** - The proposed rezoning was advertised in the the Republikein newspaper on 5 and 12 March 2024 and in The Namibian newspaper on 7 and 14 March 2024, as per the advertisements, **attached as pages 255 - 258 to the agenda**;

*** - Notices of the proposed rezoning, **attached as pages 259 - 260 to the agenda**, were 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 261 to the agenda**, were sent by certified mail to the neighbours/owners of Erven 1778, R/1956, A/36, 2031 and 2085, Windhoek; and

*** - A notice, **attached as page 262 to the agenda**, was also published in Government Gazette No. 8329 of 15 March 2024.

The closing date for comments and objections was 12 April 2024 and no objections were received.

*** A letter from WINPLAN Town & Regional Planning Consultants dated 15 April 2024, confirming adherence to the procedures of the application, is **attached as pages 263 - 265 to the agenda**.

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**

  Erf 6923 falls under the Office Policy. However, this erf is affected by the future road widening planning of Nelson Mandela Avenue extension from the east to the planned link with Harvey Street in the west. The northern eastern ring route of this extension crosses through Erf 6923. The starting date of this road widening project is still unknown; therefore, it is advisable that other alternatives can be explored to address this matter to the benefits of both parties. Therefore, instead of supporting the rezoning, the Council may grant consent for the applicant to utilize the erf or office purposes.

  It is therefore recommended that the applicant be given consent to use a space of Erf 6923, for office purposes until such a time that the construction of the road widening could be materialized: Provided:

  - That no construction take place on portions that will be affected or likely to be affected by the future road widening.
  - That any future development on the erf firstly be discussed with Strategic Executive: Urban and Transport Planning for guidance prior to the actual construction take place.
  - That should the applicant ignore or fail to comply with such conditions, then the proposed consent to use a space of Erf 6923, Windhoek for office purposes be withdrawn.

  The rezoning application is not supported but rather a consent use be granted.

- **Roads Planning and Traffic Flow**

  The application dated 23 February 2024 received from WINPLAN Town & Regional Planning Consultants regarding the above has reference.

  Erf 6923, Windhoek is situated on Nelson Mandela Avenue from which access is gained. Nelson Mandela Avenue is an arterial street with high traffic volumes. The rezoning will generate approximately fifteen (15) additional trips to the current road network during peak hours, which is considered insignificant. Erf 6923, Windhoek is overwhelmingly affected by the arterial upgrading of Nelson Mandela Avenue, passing the erf right in the middle.

There is objection to the proposed Rezoning of erf 6923 (a portion of Erf 1956), Windhoek (171 Nelson Mandela Avenue) from 'residential' with a density of 1:900 m² to 'office' with a bulk of 0.4; due to the following:

***

- The erf is located within future planned road alignments and erf is gaining access from an arterial road. Such rezoning can only be supported on condition the erf has an alternative access. The portion affected by the future planning of Nelson Mandela Avenue is 725 m² (refer to the proposed Subdivision Plan PDT/6923/W, **attached as page 266 to the agenda**, which is 66 % of the entire erf. [Hence it is recommended that the entire erf be alienated to Council.

However, a consent use will be supported for Erf 6923 (a portion of Erf 1956), Windhoek (171 Nelson Mandela Avenue) to use the existing buildings for 'office' purposes: Provided:

- That parking be provided as per attached approved parking layout dated 24 January 2024, where one (1) parking bay is provided per 25 m² floor area.

- That such consent use be supported until such time that the Municipal Council of Windhoek require the property for extension of Nelson Mandela Avenue.

- That consent use only come into effect after meeting parking requirements to the satisfaction of the Strategic Executive: Urban and Transport Planning.

There is objection to the proposed consent for free residential bulk on Erf 6923 (a portion of Erf 1956), Windhoek; due to the following:

- Rezoning to 'office' with a bulk of 0.4 not supported, hence free residential bulk is consequentially not supported.

- **Roads and Stormwater**

The application dated February 2024 for the rezoning of Erf 6923, Windhoek from 'residential' with a density of 1:900 m² to 'office' with a bulk of 0.4 and free residential bulk, refers.

A stormwater investigation was done, and the following is reported:

- Erf 6923, Windhoek has a downward slope from the south west into a north easterly direction;

- Erf 6923, Windhoek is situated along Nelson Mandela Avenue;

- The future road upgrade of Nelson Mandela Avenue passes straight through the middle of Erf 6923 Windhoek; and

- There is no stormwater system or structure crossing Erf 6923, Windhoek, except for surface stormwater run-off.

This division therefore does not support the proposed rezoning of Erf 6923, Windhoek from 'residential' with a density of 1:900 m² to 'office' with a bulk of 0.4 and free residential bulk.

The proposed rezoning of Erf 6923, Windhoek from residential with a density of 1:900 m² to office with a bulk of 0.4 and free residential bulk, will however Be supported: provided:

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

- That the municipal sidewalk remain to be to the required municipal sidewalk profile.

- That should parking be required along the sidewalk, a walking width of at least 2 metre wide be provided along the edge of the sidewalk.

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

- **Engineering Services**

An application dated 23 February 2024 regarding the above subject matter, refers.

The property does not have access to a direct municipal sewer connection as it is connected to a private combined sewer system. In order to approve the application, the erf will no longer be permitted to utilize the private combined sewer system and must instead connect directly to the nearest available municipal sewer system.

The applicant is advised that the consideration of the intended rezoning will be subject to the submission and approval of an Engineering Design for sewer provision as stipulated by the Strategic Executive: Infrastructure, Water and Technical Services: Provided:

- That the applicant appoint a registered professional Engineer to design a municipal sewer connection for the property.

- That the appointed Engineer submit the sewer design to the Strategic Executive: Infrastructure, Water and Technical Services, for approval prior to commencing any construction work.

- That after obtaining approval of the sewer design, the applicant appoint a Contractor to construct the sewer line.

- That the construction work be supervised by a registered professional Engineer.

- That all costs associated with the municipal sewer connection be borne by the applicant.

- That the applicant submit a sewer design to the Strategic Executive: Infrastructure, Water and Technical Services for approval before submitting to the Urban and Regional Planning Board.

- That a Fitness Certificate only be issued after the applicant has provided a municipal sewer connection to the property.

- That no building plans be approved until a municipal sewer connection is installed by the applicant and taken over by the Municipal Council of Windhoek as per approved designs.

- That the free residential bulk is limited to 50 % of the allowable bulk of 0.4.

- That the total number of residential units not exceed four (4) units.

- That any additional requirements for 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**

There is in principle no objection to the application rezoning of Erf 6923, Nelson Mandela Avenue, from 'residential' with a density of 1:900 m² to 'office', with a bulk of 0.4 and consent for free residential bulk on Erf 6923: 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 to 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 will 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.

Strategic Executive: Economic Development and Community Services

- **Environmental Management**

The rezoning of Erf 6923, Windhoek from 'residential' to 'office' is supported and the applicant will be required to comply with the following upon the Municipal Council of Windhoek granting approval: Provided:

- That the applicant obtain an environmental clearance exemption from the Department of Economic Development and Community Services for the rezoning from 'residential' to 'office' (commercial use) in a built-up environment.

Urban Policy evaluation

Erf 6923, Windhoek is zoned 'residential' with a density of 1:900 m² and the intended zoning is 'office' with a bulk of 0.4. The 'office' zoning has the following primary and consent uses allowed under the Windhoek Zoning Scheme:

Use zone (1)	Primary uses (2)	Consent uses (3)	Prohibited uses (4)
XII Office	Office	Dwelling units, residential buildings, institutions, places of public worship, business buildings, hotels, restaurants	Other uses not under columns 2 and 3

The 'office' and 'residential' land uses applied for are primary and consent uses as per the preceding table (extract of Table B o the Windhoek Zoning Scheme).

*** Erf 6923, Windhoek is located within the policy areas (precincts) approved as per paragraph 13 of Council Resolution 273/11/2023, **attached as pages 252 - 254 to the agenda**.

There are 'office', 'business', 'general residential' and 'institutional' zonings already existing in the surrounding area. Hence, there will not be a major change of character of the area if an additional Erf 6923, Windhoek is rezoned to 'office'.

The Sustainable Development Division and Traffic Flow Section indicate that the erf will be affected by the future expansion of Nelson Mandela Avenue. Therefore, a rezoning cannot be considered but rather a consent for 'office'. The erf also gains access from an arterial road and for it to be rezoned to 'office', it would require an alternative access.

According to the Strategic Executive: Infrastructure, Water and Technical Services, Erf 6923, Windhoek does not have access to a direct municipal sewer connection as it is connected to a private combined sewer system. The erf will no longer be permitted to utilise the private combined sewer system and must instead connect directly to the nearest available municipal sewer system. Therefore, approved sewer must be constructed before the consent use comes into effect. Furthermore, based on water and sewer requirements, the residential units are limited to a maximum of four (4) units.

The applicant will be required obtain an environmental clearance exception from the Strategic Executive: Economic Development and Community Services before the office consent comes into effect.

The Title Deed contains the standard municipal conditions and thus does not affect the proposed uses.

Betterment fee

No betterment fee is payable for consent uses.

Conclusion

The rezoning of Erf 6923, 171 Nelson Mandela Avenue, Windhoek from 'residential' with a density of 1:900 m² to 'office' with a bulk of 0.4 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, 2018 (Act 5 of 2018) due to the proposed expansion of Nelson Mandela Avenue.

However, consent to use Erf 6923, Windhoek for an office with a bulk of 0.4 can be considered favourably as per clause 11(1) of the Windhoek Zoning Scheme.

Furthermore, consent for free residential bulk is supported, but limited to 50 % of allowable bulk (266.6 m² in extent) and to a maximum of four (4) residential units.

The applicant will need to obtain an environmental clearance exemption from the Strategic Executive: Economic Development and Community Services.

Management Committee, after due consideration

RECOMMENDED

1 That the rezoning of Erf 6923, 171 Nelson Mandela Avenue, Windhoek from 'residential' with a density of 1:900 m² to 'office' with a bulk of 0.4, not be recommended for approval to the Urban and Regional Planning Board in accordance with section 109(2)(b) of the Urban and Regional Planning Act, 2018 (Act 5 of 2018), because the erf is located within the area for future expansion of Nelson Mandela Avenue.

2 That consent to use Erf 6923, Windhoek for an 'office' with a bulk of 0.4, is granted as per clause 11(1) of the Windhoek Zoning Scheme.

3 That in terms of clause 22(1) of the Windhoek Zoning Scheme, consent for free residential bulk be granted, but limited to 50 % of allowable bulk (219.8 m² in extent) and to a maximum of four (4) residential units.

4 That the office consent use be valid until such time Council requires Erf 6923, Windhoek for the road expansion.

5 That the office consent use only come into effect after meeting parking requirements to the satisfaction of the Strategic Executive: Urban and Transport Planning, after obtaining an environmental clearance exemption from the Department of Economic Development and Community Services and after construction of the sewer line.

*** 6 That the parking requirement for office to be provided be one (1) parking bay per 25 m² floor area and must be provided as per the parking layout dated 24 January 2024, **attached as page 219 to the agenda**.

7 That surface stormwater run-off be accommodated according to clause 35 of the Windhoek Town Planning Scheme, stating:

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 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.

7.2 That the maintenance of such stormwater pipe, channel or work be the responsibility of the owner of the concerned property.

8 That the municipal sidewalk remain to be as per the required municipal sidewalk profile.

9 That should parking be required along the sidewalk, a walking width of at least 2 metre wide be provided along the edge of the sidewalk.

10 That the applicant note that the erf do not have access to a direct municipal sewer connection as it is connected to a private combined sewer system and erven being used for offices are not permitted to utilise the private combined sewer system and must instead connect directly to the nearest available municipal sewer system.

11 That the applicant appoint a registered professional Engineer to design a municipal sewer connection for the property.

12 That the appointed Engineer submit the sewer design to the Strategic Executive: Infrastructure, Water and Technical Services, for approval prior to the commencement of the office consent and prior to commencing any construction work.

13 That the applicant appoint a Contractor to construct the sewer line.

14 That the construction work be supervised by a registered professional Engineer.

15 That all costs associated with the municipal sewer connection be for the applicant's account.

16 That a Fitness Certificate only be issued after the applicant has provided a municipal sewer connection to the property.

17 That no building plans be approved until a municipal sewer connection is installed by the applicant and taken over by the Municipal Council of Windhoek as per approved designs.

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

19 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.

20 That only one (1) service connection from the municipal electrical network will be allowed to erf.

21 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.

22 That it be noted that a connection charge will 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.

23 That no construction take place on the portion of Erf 6923, Windhoek that will be affected or likely to be affected by the future Nelson Mandela Avenue road widening.

24 That any future development on Erf 6923, Windhoek be discussed with the Strategic Executive: Urban and Transport Planning for guidance prior to the issuing of any building permit and before any construction takes place on the subject erf.

25 That should the applicant ignore or fail to comply with the conditions set out above, the proposed consent to use for office may be withdrawn.

26 That it be noted 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.

26.1 That the 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.

27 That the applicant accept the conditions of this Council Resolution, in writing.

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

[Municipal Council Agenda: 2024-08-29]

10.1.6 FNS.4 [HPH] APPLICATION TO PURCHASE A PORTION OF ERF 1993, OTJOMUISE EXTENSION 3 FOR CONSOLIDATION WITH ERF 1985, OTJOMUISE EXTENSION 3 FOR THE PURPOSE OF ACCESS THROUGH A PANHANDLE FORM
(L/1993/OTJ) (L/1985/OTJ)

Introduction

The purpose of this item is to submit the application received from Cecilia De Oliveira and Florentina De Oliveira to purchase a portion of Erf 1993, Otjomuise Extension 3 for consolidation with Erf 1985, Otjomuise Extension 3 for the purpose of access in a form of a panhandle and to seek Council's approval thereof.

Application

*** An application dated 9 May 2022, **attached as page 267 to the agenda**, was received from the owners of Erf 1985, Otjomuise Extension 3, to purchase a portion of Erf 1993, Otjomuise Extension 3 for consolidation with Erf 1985, Otjomuise Extension 3 for the creation of pan-handle for access purposes. Cecilia De Oliveira and Florentina De Oliveira are Namibian Citizens as evidenced by the Identity Document (ID), **attached as page 268 to the agenda**. Cecilia De Oliveira is the owner of Erf 1985, Otjomuise Extension 3 as evidenced by Title Deed No. T767/2014, **attached as pages 269 - 270 to the agenda**.

The application is was necessitated by a steep embankment along Reykjavik Street in front of Erf 1985, Otjomuise, which makes it impossible to access the erf through Reykjavik Street.

Property description and locality

Erf 1993, Otjomuise Extension 3 is ± 3 951 m² in extent is zoned 'residential' with a density of 1:300 m² and is situated in Kitchener Street.

Erf 1985, Otjomuise Extension 3 is zoned 'residential', is ± 377 m² in extent with a density of 1:300 m² and is situated in Reykjavik Street. Erf 1985, Otjomuise Extension 3 has a retaining wall structure, which prevents access from Reykjavik Street onto Erf 1985, Otjomuise Extension 3. Hence, this application.

*** The erven are indicated on the plan, **attached as page 271 to the agenda**.

Technical comments

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

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

- **Bulk Water and Waste Water; and Engineering Services**

  The application is supported. Any additional requirements with regard to water/sewer services, brought on as a direct consequence of the consolidation and subsequent activities will 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**

  There is no objection to the application submitted: 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.
  - 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'.

- 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.

Comments from the Strategic Executive: Economic Development and Community Services

- **Environmental Management**

There is no objection to the application for a portion of Erf 1993, Otjomuise Extension 3 for consolidation with Erf 1985, Otjomuise Extension 3 for the purposes of access through a proposed panhandle.

- **Parks**

There is no objection for the consolidation of a 4 metre portion of Erf 1993, Otjomuise Extension 3 with Erf 1985, Otjomuise Extension 3, and owner of Erf 1992 to give consent to the panhandle application.

Comments from the Strategic Executive: Urban and Transport Planning

- **Urban Planning**

The application to purchase a portion of residential Erf 1993, Otjomuise Extension 3 is supported, subject to the comments from the Strategic Executive: Infrastructure, Water and Technical Services as well as the Sustainable Development Division: Provided:

- That the use of the land and building(s) comply with the provisions of the Windhoek Town Planning Scheme.

*** • That Erf 1993, Otjomuise Extension 3 be subdivided into proposed Portion A and Remainder as indicated on Subdivision Plan OTJO.1985, **attached as page 272 to the agenda**. The same plan must be submitted to the Municipal Council of Windhoek for submission to the Ministry of Urban and Rural Development;

- That the applicant be responsible for all the land use and cadastral town planning advertisements and applications to the Municipal Council of Windhoek.

- That the applicant submit copies of the approved erf diagrams to the Strategic Executive: Urban and Transport Planning upon approval of the subdivision and consolidation.

- That the current conditions registered against Portion A of Erf 1993, Otjomuise Extension 3 be replaced with the usual short standard conditions of the Municipal Council of Windhoek, including a minimum building value as stipulated in clause 39 of the Windhoek Town Planning Scheme.

- **Sustainable Development**

There is no objection to the application. However, further investigation should be encouraged to determine the ownership of the property and their respective consent to relinquish a portion of land sought for the construction of a panhandle.

- **Roads Planning and Traffic Flow**

There is no objection to the proposed subdivision of Erf 1993, Otjomuise Extension 3 into Portion A (± 199 m² in extent) and the Remainder and subsequent consolidation of Portion A with Erf 1985 Otjomuise Extension 3: Provided:

- That the panhandle width be 5 metre.

- That an Urban Arterial Account (UAA) contribution of N$11 244.00 be applicable to be paid into Item 5010/05/2/05/1032.

- **Road and Stormwater Design**

A stormwater investigation was done and the following is reported:

- Erf 1985, Otjomuise Extension 3 has a general downward slope from the northwest towards the southeast;

- The north eastern part of the proposed Portion A of Erf 1993, Otjomuise Extension 3 adjacent to Erf 1985, Otjomuise Extension 3 has a general downward slope from the northwest towards the southeast;

- The southwestern part of the proposed Portion A of Erf 1993, Otjomuise Extension 3 adjacent to Erf 1992, Otjomuise Extension 3 has a general downward slope from the northeast towards the southwest;

- There is no stormwater system crossing either Erf 1985, Otjomuise Extension 3 or the proposed Portion A of Erf 1993, Otjomuise Extension 3 except for surface stormwater run-off; and

- That it however be noted that there is no information or detail provided of the retaining structure preventing access from Reykjavik Street.

There is no objection to the proposed purchase of a portion of Erf 1993, Otjomuise Extension 3 and consolidation with Erf 1985, Reykjavik Street Otjomuise Extension 3: Provided:

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

Comments from the Strategic Executive: Housing, Property Management and Human Settlement

- **Valuations**

*** Portion A of Erf 1993, Otjomuise Extension 3 is ± 199 m² in extent and after consolidation with Erf 1985, Otjomuise Extension 3 the size of the consolidated erf would be ± 576 m² in total. The development potential is not enhanced in terms of the density being 1:300 m². Hence, the value payable at N$36 100.00 which is 50 % of the total purchase price of N$72 200.00 in total in terms of Council Resolution 276/08/2004 (Policy), **attached as page 273 to the agenda**, and as determined by the Strategic Executive: Housing, Property Management and Human Settlement (Manager: Valuation Services) as per the Valuation Certificate dated 5 July 2024, **attached as page 274 to the agenda**.

Should the owners of Erf 1985, Otjomuise Extension 3 wish to take occupation of Portion A (± 199 m²) of Erf 1993, Otjomuise Extension 3 prior to the conclusion of the sale, it could be leased to the applicants once the preliminary consolidation diagram is available, pending the finalising of the sale, at a monthly rental of N$300.83.

The rental was calculated at 10 % of the purchase price divided by twelve (12), and should be further subjected to the annual escalation in line with the Namibia Inflation Rate.

No permanent structures should be constructed on Portion A (± 199 m² in extent) of Erf 1993, Otjomuise Extension 3 during the lease period.

- **Property Management**

There is no objection to the subdivision of Erf 1993, Otjomuise Extension 3 into Portion A (± 199 m² in extent) and the Remainder of Erf 1993, Otjomuise Extension 3 and the sale of Portion A (± 199 m² in extent) to the owner of Erf 1985, Otjomuise Extension 3 for consolidation in order to make access provision in a form of panhandle to the referred.

It is further proposed that after the finalisation of the subdivision process the Remainder of Erf 1993, Otjomuise be sold on tender at a purchase price to be determined by the Strategic Executive: Housing, Property Management and Human Settlement.

Site inspection

*** A site visit was conducted on 15 July 2024 by the Strategic Executive: Housing, Property Management and Human Settlement (Property Management Division) and it was discovered that the applied portion is free of occupation as indicated on the photographs, **attached as pages 275 - 276 to the agenda.**

Neighbours' consent

*** The favourable consent of the adjacent owner of Erven 1986 and 1992, Otjomuise Extension 3 is, **attached as pages 277 - 278 to the agenda.**

Conclusion

Given the above, this matter is herewith submitted to the Municipal Council of Windhoek for its consideration and deliberations whilst it is proposed that the application for a portion of Erf 1993, Otjomuise Extension 3 for consolidation in order to create access in a form of a panhandle to the erf in reference be approved. It is further proposed that the Remainder of Erf 1993, Otjomuise be sold on tender, following the finalisation of the subdivision process.

Management Committee, after due consideration

RECOMMENDED

1 That the application received from the owners of Erf 1985, Otjomuise Extension 3, be noted.

*** 2 That Erf 1993, Otjomuise Extension 3 be subdivided into Portion A (± 199 m² in extent) and the Remainder as indicated on Subdivision Plan OTJO.1985, **attached as page 272 to the agenda.**

3 That approval be granted to sell Portion A (± 199 m² in extent) of Erf 1993, Otjomuise Extension 3 to the owner of Erf 1985, Otjomuise Extension 3 for consolidation purposes.

4 That Portion A (± 199 m² in extent) of Erf 1993, Otjomuise Extension 3 be consolidated with Erf 1985, Otjomuise Extension 3 simultaneously with the transfer.

5 That the applicant/owner of Erf 1985, Otjomuise Extension 3 be responsible for the town planning and cadastral procedures, i.e. subdivision, consolidation, survey and registration of the newly consolidated erf and all costs involved.

*** 6 That after the successful completion of the town planning and cadastral procedures, that Portion A (± 199 m² in extent) of Erf 1993, Otjomuise Extension 3 be sold to the owner of Erf 1985, Otjomuise Extension 3 for consolidation purposes at half the market price being N$36 100.00 which is 50 % of the total price N$72 200.00 given that the development potential is not enhanced, in terms of Council Resolution 276/08/2004 and as per the Valuation Certificate dated 5 July 2024, **attached as page 274 to the agenda.**

7 That the sale of Portion A (± 199 m² in extent) of Erf 1993, Otjomuise Extension 3 be subject to the following conditions:

7.1 That the panhandle width be 5 metre only.

7.2 That surface stormwater run-off be accommodated according to clause 35 of the Windhoek Town Planning Scheme, stating:

7.2.1 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.

7.2.2 That the maintenance of such stormwater pipe, channel or work be the responsibility of the owner of the concerned property.

7.3 That should any municipal electrical infrastructure be relocated, dismantled or replaced as per request received from the applicant, all costs related thereto be for the applicant's account.

7.4 That only one (1) service connection from the municipal electrical network be allowed per erf.

7.5 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.

7.6 That access only be obtained directly from Kitchener Street.

7.7 That the use of the land and building(s) comply with the provisions of the Windhoek Town Planning Scheme.

7.8 That the current conditions registered against Portion A (± 199 m² in extent) of Erf 1993, Otjomuise Extension 3 be replaced with the usual short standard conditions of the Municipal Council of Windhoek, including a minimum building value as stipulated in clause 39 of the Windhoek Town Planning Scheme.

8 That the applicant/owner of Erf 1985, Otjomuise Extension 3:

8.1 Submit proof to the Strategic Executive: Housing, Property Management and Human Settlement not later than six (6) months from the date of this Council Resolution that the subdivision and consolidation have been submitted to the Urban and Regional Planning Board for consideration.

8.2 Submit proof to the Strategic Executive: Housing, Property Management and Human Settlement within sixty (60) days after the issuing of the Subdivision and Consolidation Certificate that a Surveyor has been appointed.

8.3 Submit draft erf diagrams to the Strategic Executive: Housing, Property Management and Human Settlement within three (3) months after appointment of the Surveyor, indicating that the survey has been completed and that the diagrams have been submitted to the Surveyor General for approval.

8.4 Sign the Deed of Sale not later than sixty (60) days after the approval of the diagrams by the Surveyor General and having been requested to do so by the Strategic Executive: Housing, Property Management and Human Settlement and pay the purchase price.

9 That should the applicants fail to comply with any of the conditions in this Council Resolution or fail to finalise the sale within eighteen (18) months from the date of this Council Resolution, that the allocation of Portions A (± 199 m² in extent) of the Remainder of Erf 1993, Otjomuise Extension 3 to the owner of Erf 1985, Otjomuise Extension 3 beyond the eighteen (18) months be subject to the price escalation to be determined by the Strategic Executive: Housing, Property Management and Human Settlement.

10 That should the applicant wish to take occupation of Portion A (± 199 m² in extent) of Erf 1993, Otjomuise Extension 3 prior to the conclusion of the sale thereof, that Portion A (± 199 m² in extent) of Erf 1993, Otjomuise Extension 3 be leased to the applicant once the preliminary diagrams are available, pending the sale, at a monthly rental of N$300.83, further subject to the annual escalation in line with the Namibia Inflation Rate.

11 That the sale/lease of Portion A (± 199 m² in extent) of the Remainder of Erf 1993, Otjomuise Extension 3 be advertised in terms of section 63(2)(a)(b) of the Local Authorities Act, 1992 (Act 23 of 1992) (as amended).

12 That the sale/lease of Portion A (± 199 m² in extent) of the Remainder of Erf 1993, Otjomuise Extension 3 be subject to Ministerial approval in terms of section 30(1)(t)(i) of the Local Authorities Act, 1992 (Act 23 of 1992) (as amended).

13 That the Chief Executive Officer (Corporate Legal Adviser) draft the Deed of Sale.

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

Financial implications

Service rendered	**Funds required (N$)**	**Funds available**
Advertisement cost	4 000.00	Item 4000/20/1/10/0025

Service rendered	Funds required (N$)	Funds available
Urban Arterial Account (UAA) contribution	11 244.00	To be paid into Item 5010/05/2/05/1032

[Municipal Council Agenda: 2024-08-29]

10.1.7 **FNS.5 [HPH] APPLICATION TO PURCHASE A PORTION OF ERF 206, ROCKY CREST PROPER FOR CONSOLIDATION WITH ERF 128, ROCKY CREST PROPER**
(L/128/RC) (L/206/RC)

Introduction

The purpose of this item is to submit to the Municipal Council of Windhoek the application received from the owner of Erf 128, Rocky Crest Proper for the purchase of a portion of Erf 206, Rocky Crest Proper for consolidation purposes.

Application

*** An application dated 15 October 2020, **attached as pages 279 - 280 to the agenda**, was received from Mr AT Zambwe, the owner of Erf 128, Rocky Crest Proper to purchase a portion of Erf 206, Rocky Crest Proper for consolidation with Erf 128, Rocky Crest Proper. Deed of Transfer No. T5767/2020 in which the ownership of Erf 128, Rocky Crest Proper is confirmed is **attached as pages 281 - 285 to the agenda**. Mr Zambwe's Identity Document (ID) is **attached as page 286 to the agenda**.

It is worth noting that the Public Open Spaces Policy is not applicable to this application as Erf 206, Rocky Crest from where the portion is required is zoned 'residential'.

The application involves the following:

- Subdivision of Erf 206, Rocky Crest Proper into Portion A (±88 m² in extent) and the Remainder;

- Consolidation of Portion A (± 88 m² in extent) of Erf 206, Rocky Crest Proper with Erf 128, Rocky Crest Proper.

- Sale of Portion A (±88 m² in extent) of Erf 206, Rocky Crest Proper to the owner of Erf 128, Rocky Crest Proper.

Property description and locality

Erf 128, Rocky Crest Proper is ± 549 m² in extent, zoned 'residential' with a density of 1:500 m² and located along Ichaboe Street.

Erf 206, Rocky Crest Proper is ± 456 m² in extent, zoned 'residential' with a density of 1:500 m² and located along Ichaboe Street.

*** The locality of the properties is indicated on the plan, **attached as page 287 to the agenda**.

Technical comments

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

Comments from the Strategic Executive: Electricity

- **Technical Support**

  There is in principle no objection to the application submitted to purchase a portion of Erf 206, Rocky Crest Proper for consolidation with Erf 128, Rocky Crest Proper: 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.
  - 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 will 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.
  - That a split prepayment meter be used in residential areas with payment levels lower than 80 % and all informal settlements.
  - That for 'general residential' developments without high rise buildings i.e. individual apartments, a split prepayment meter for each unit be used with a metering box located on the street/ development erf boundary: Provided that its technically possible, otherwise a bulk meter shall be used.

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

- **Engineering Services**

  There is no objection to the sale of a 3 metre portion of Erf 206, Rocky Crest Proper for consolidation with Erf 128, Rocky Crest Proper: Provided:

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

Comments from the Strategic Executive: Urban and Transport Planning

- **Urban Planning**

  Erf 206, Rocky Crest Proper is zoned 'residential' with a density of 1:500 m² and is ± 456 m² in extent. Erf 128, Rocky Crest Proper is ± 549 m² in extent and is zoned 'residential' with a density of 1:500 m² and is situated along Ichaboe Street.

  The proposed subdivision of Erf 206, Rocky Crest Proper will result in the remaining erf (Remainder) being way too less than the permissible density.

  In view of the above, there is no objection to the sale of a Portion A (± 88 m² in extent) (a portion of Erf 206, Rocky Crest Proper): Provided:

  - That the applicant submit an application to the Municipal Council of Windhoek for the following:

    - Subdivision of Erf 206, Rocky Crest Proper into Portion A (± 88 m² in extent) and Remainder; and

    - Consolidation of Portion A (± 88 m² in extent) of Erf 206, Rocky Crest with Erf 128, Rocky Crest in accordance with the Urban and Regional Planning, 2018 (Act 5 of 2018).

  - That the land and buildings comply with the provisions of the Windhoek Zoning (Town Planning) Scheme.

- **Traffic Flow**

  There is no objection to the sale of a portion of Erf 206, Rocky Crest Proper for consolidation with Erf 128, Rocky Crest Proper: Provided:

  - That it be noted that no Urban Arterial Account (UAA) contribution is applicable.

- **Stormwater**

A stormwater investigation was done and the following is reported:

- Erf 128, Rocky Crest Proper has a general downward slope from the west towards the east;
- There is no stormwater system crossing Erf 128, Rocky Crest Proper, except for surface stormwater run-off;
- There is a stormwater outlet structure discharging stormwater from a culvert underneath Ichaboe Street onto the central western part of Erf 206, Rocky Crest Proper from where it flows along the central part of Erf 206, Rocky Crest Proper, flowing ± 8 metre away and parallel to the south eastern boundary of Erf 128, Rocky Crest Proper, flowing into a north easterly direction.

There is no objection to the proposed purchase of Portion A (± 88 m² in extent) of Erf 206, Rocky Crest Proper and consolidation with Erf 128, Rocky Crest Proper: Provided:

- That the proposed Portion A (± 88 m² in extent) of Erf 206, Rocky Crest Proper be no more than 3 metre wide measured parallel from the south eastern boundary of Erf 128, Rocky Crest Proper.
- That surface stormwater run-off be accommodated according to clause 35 of the Windhoek Town Planning Scheme.
- That the applicant appoint a registered professional Engineer at his/her own cost and risk, to determine if the south eastern boundary of the proposed Portion A (± 88 m² in extent) of Erf 206, Rocky Crest Proper require protection against any potential flood damage.

Comments from the Strategic Executive: Economic Development and Community Services

- **Environmental Management**

There is no objection to the sale of a portion of Erf 206, Rocky Crest Proper: Provided:

- That no activities taking place on the premises constitute as public health nuisance.

- **Parks**

There is no objection to the sale of a portion of Erf 206, Rocky Crest Proper for consolidation with Erf 128, Rocky Cres Proper.

Comments from the Strategic Executive: Housing, Property Management and Human Settlement

- **Valuations**

*** Portion A of Erf 206, Rocky Crest Proper is ± 88 m² in extent and after consolidation with Erf 128, Rocky Crest Proper the size of the newly consolidated erf will be ± 637 m² in extent. The development potential will not be enhanced in terms of the density being 1:500 m². Hence, the value payable is 50 % of N$1 294.00/m², being N$647.00 or N$56 900.00 in total (rounded off) as per Council Resolution 276/08/2004, **attached as page 288 to the agenda**.

*** Should the owner of Erf 128, Rocky Crest Proper wish to take occupation of Portion A prior to the conclusion of the sale, it could be leased to the applicant once the preliminary diagrams are available, pending the finalising of the sale, at a monthly rental of N$474.17. The rental was calculated at 10 % of the purchase price divided by twelve (12), and should be further subject to the annual escalation in line with the Namibia Inflation Rate. The Valuation Certificate dated 6 March 2024 is **attached as page 289 to the agenda**.

- **Property Management**

Although Erf 206, Rocky Crest is zoned 'residential', it is proposed that the subdivision and sale of a portion of Erf 206, Rocky Crest Proper be supported, more so informed by the comments from the Stormwater Division. A site visit revealed that Erf 206, Rocky Crest Proper slopes to Erf 129, Rocky Crest Proper and that a stormwater catch pit and a sewer line is located on the erf which limits the development potential of the property, hence the recommendations.

It should further be noted that although the applicant's request is for a portion of 3 metre to 5 metre wide, due to stormwater challenges only a portion of 3 metre wide is allowed.

The Property Management Division supports the application based on the limitations stated above.

Neighbours' consent

No neighbour is affected by the application.

Site visit

*** A site visit was conducted on 26 January 2024. No encroachment of other illegal activities were detected. Photographs of the erven are **attached as pages 290 - 292 to the agenda**.

Conclusion

Having presented the above comments, the Strategic Executive: Housing, Property Management and Human Settlement presents the application for the Municipal Council of Windhoek's deliberation.

Management Committee, after due consideration

RECOMMENDED

*** 1 That Erf 206, Rocky Crest Proper be subdivided into proposed Portion A (± 88 m²) in extent) and Remainder as indicated on Subdivision Plan RC 128, **attached as page 287 to the agenda.**

2 That Portion A (±88 m² in extent) of Erf 206, Rocky Crest Proper be consolidated with Erf 128, Rocky Crest Proper.

3 That Portion A (± 88 m² in extent) of Erf 206, Rocky Crest Proper be no more than 3 metre wide measured parallel from the south eastern boundary of Erf 128, Rocky Crest Proper.

4 That the use of the land and building(s) comply with the provisions of the Windhoek Town Planning Scheme.

5 That the subdivision plan be submitted to the Ministry of Urban and Rural Development.

6 That the usual short standard conditions of the Municipal Council of Windhoek, including a minimum building value as stipulated in clause 39 of the Windhoek Town Planning Scheme, be registered against the consolidated erf.

7 That the applicant be responsible for all the town planning and cadastral procedures in respect to the sale of Portion A (± 88 m² in extent) of Erf 206, Rocky Crest Proper.

*** 8 That, subject to the successful implementation of all town planning and cadastral procedures, that Portion A (± 88 m² in extent) of Erf 206, Rocky Crest Proper be sold to the owner of Erf 128, Rocky Crest Proper at an upset price of 50 % of N$1 294.00/m², being N$647.00/m² or N$56 900.00 (rounded off) in total, as per the Valuation Certificate dated 6 March 2024, **attached as page 289 to the agenda.**

9 That should the owner of Erf 128, Rocky Crest Proper wish to take occupation of Portion A prior to the conclusion of the sale, it could be leased to the applicant once the preliminary diagrams are available, pending the finalising of the sale, at a monthly rental of N$474.17. The rental was calculated at 10 % of the purchase price divided by twelve (12), and should be further subject to annual escalation in line with the Namibia Inflation Rate.

10 That the applicant/owner of Erf 128, Rocky Crest Proper appoints a registered professional Engineer at his/her own cost and risk, to determine if the south eastern boundary of the proposed Portion A (± 88 m² in extent) of Erf 206, Rocky Crest Proper require protection against any potential flood damage.

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 and sewer services be for the applicant's account, subject to approval by the Strategic Executive: Infrastructure, Water and Technical Services.

13 That the following be noted:

13.1 That only one (1) electrical service connection will be allowed from the municipal network to the consolidated erf.

13.2 That one (1) additional electrical meter can be applied for an approved flat, should it be required.

13.3 That should an upgrade of the electricity supply point be required, the applicant and/or his representative contact the Strategic Executive: Electricity, well in advance, to determine whether the existing network can handle the additional loading and to determine the size and cost for the upgraded supply point.

14 That the applicant/owner of Erf 128, Rocky Crest Proper:

14.1 Submit proof to the Strategic Executive: Housing, Property Management and Human Settlement not later than six (6) months from the date this Council Resolution is adopted, that the proposed subdivision and consolidation have been submitted to the Urban and Regional Planning Board for consideration.

14.2 Submit proof to the Strategic Executive: Housing, Property Management and Human Settlement within sixty (60) days after the issuing of the Subdivision Certificate that a Surveyor has been appointed.

14.3 Submit draft erf diagrams to the Strategic Executive: Housing, Property Management and Human Settlement within three (3) months after appointment of the Surveyor, indicating that the survey has been completed and that the diagrams have been submitted to the Surveyor General for approval.

14.4 Sign the Deed of Sale not later than ninety (90) days after having been requested to do so by the Strategic Executive: Housing, Property Management and Human Settlement and pay the purchase price.

15 That should the applicant fail to finalise the sale within eighteen (18) months from the date of the Council Resolution, the allocation of Portion A (± 88 m² in extent) of Erf 206, Rocky Crest Proper to the owner of Erf 128, Rocky Crest Proper beyond the eighteen (18) months, be subject to a revised price to be determined by the Strategic Executive: Housing, Property Management and Human Settlement.

16 That the sale/lease of Portion A (± 88 m² in extent) of Erf 206, Rocky Crest Proper, be advertised in terms of section 63(2)(a)(b) of the Local Authorities Act, 1992 (Act 23 of 1992) (as amended).

17 That the sale/lease of Portion A (± 88 m² in extent) of Erf 206, Rocky Crest Proper be subject to Ministerial approval in terms of section 30(1)(t)(i) of the Local Authorities Act, 1992 (Act 23 of 1992) (as amended).

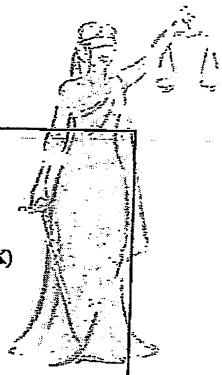
18 That the Chief Executive Officer (Corporate Legal Adviser) draft the Deed of Sale.

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

Financial implications

Service rendered	**Funds required (N$)**	**Funds available**
Advertisement cost	4 000.00	Item 4000/20/1/10/0025

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LEONIE ELLENEEZA DUNN

LEGAL PRACTITIONER

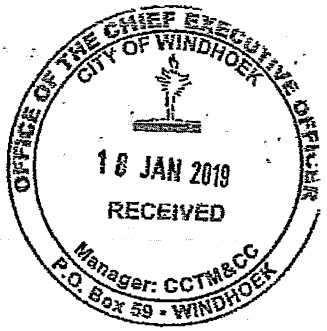
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My Ref : Erf1189 Exp // CoW



15 January 2019

The Chief Executive Officer
City of Windhoek
Windhoek

Dear Sir

APPLICATION TO EXTEND BOUNDARY WALL WITH 15 METRES

The above matter bears reference.

The main purpose of this letter is to formally apply for permission to extend my back boundary wall with an additional 15 (fifteen) metres, into the field area bordering the backside of my property.

I am the owner of Erf 1189, House No. 8, Grunewaldt Street, Kleinne Kuppe which is registered in a Close Corporation, and have been the owner of such for the past 8+ years. Additionally, am I a single mother with two minor children under the age of 15 years who reside with me on a permanent basis. I am also the Director of the Republic of Namibia's Financial Intelligence Centre,

responsible for combatting Money Laundering, Terrorist Financing and Proliferation of Weapons of Mass Destruction on behalf of the country.

The nature of the work I am conducting on behalf of the country and the continuous burglaries at my property (the latest being on 25 December 2018 – see G4S report enclosed), necessitated me, on recommendation of the Bank of Namibia's Protection Services (see enclosed letter of support), to take the necessary measures to strengthen the security at my house and to enable as much distraction for unwanted entrants to the property, to ensure the safety of myself and my minor children.

In lieu of the above, the City of Windhoek and its Council is herewith most humbly requested to avail me with the required permission to extend my backside boundary wall with an additional 15 meters in length and 15 metres in width or with any other allowable metres the City of Windhoek deem appropriate, to enable me to:

a) erect a boundary wall which meets security expectations and which will significantly contribute in keeping myself and my family safe;

b) erect obstacles to potential intruders which will delay them in their efforts to enter my residence, thereby availing me with sufficient opportunity to contact the Namibian Police, City Police, the Bank of Namibia Protection Services and the Kleinne Kuppe Neigbhourhood Watch.

The field area at the backside of my house, which field area borders Sesriem and Ombika Streets, have not been designated for any development opportunities by the City of Windhoek and have been vacant ever since the establishment of the Kleinne Kuppe residential area. As such, any allocation of an additional 15 metres of land in both length and width to me, should neither hamper nor interfere with any future residential development objectives of the City of Windhoek in the Kleinne Kuppe area.

Given the:

a) extreme urgency with which security measures must be improved at my property;

b) the very dangerous work myself, as Head of the Financial Inteligence Centre is conducting on behalf of the country; and

c) for the safety of my family,

I look forward in receiving feedback from you at your earliest convenience.

Yours sincerely,



.....

Leonie E. Dunn
Director: Financial Intelligence Centre
Republic of Namibia

Leonie Elleneeza Dunn
P.O. Box 35375
Windhoek
Namibia

03 July 2024

Property Management Division
City of Windhoek
P.O. Box 59
Windhoek
Namibia

Attention: Ms. Simpson

APPLICATION TO PURCHASE A PORTION OF ERF 332, KLEINE KUPPE FOR CONSOLIDATION WIH ERF 1189, KLEINE KUPPE

Dear Madam

This letter serves to inform your good office of my interest in a portion of ERF 332 which extends behind ERF 1189 situated on Grunewaldt Street, Kleine Kuppe.

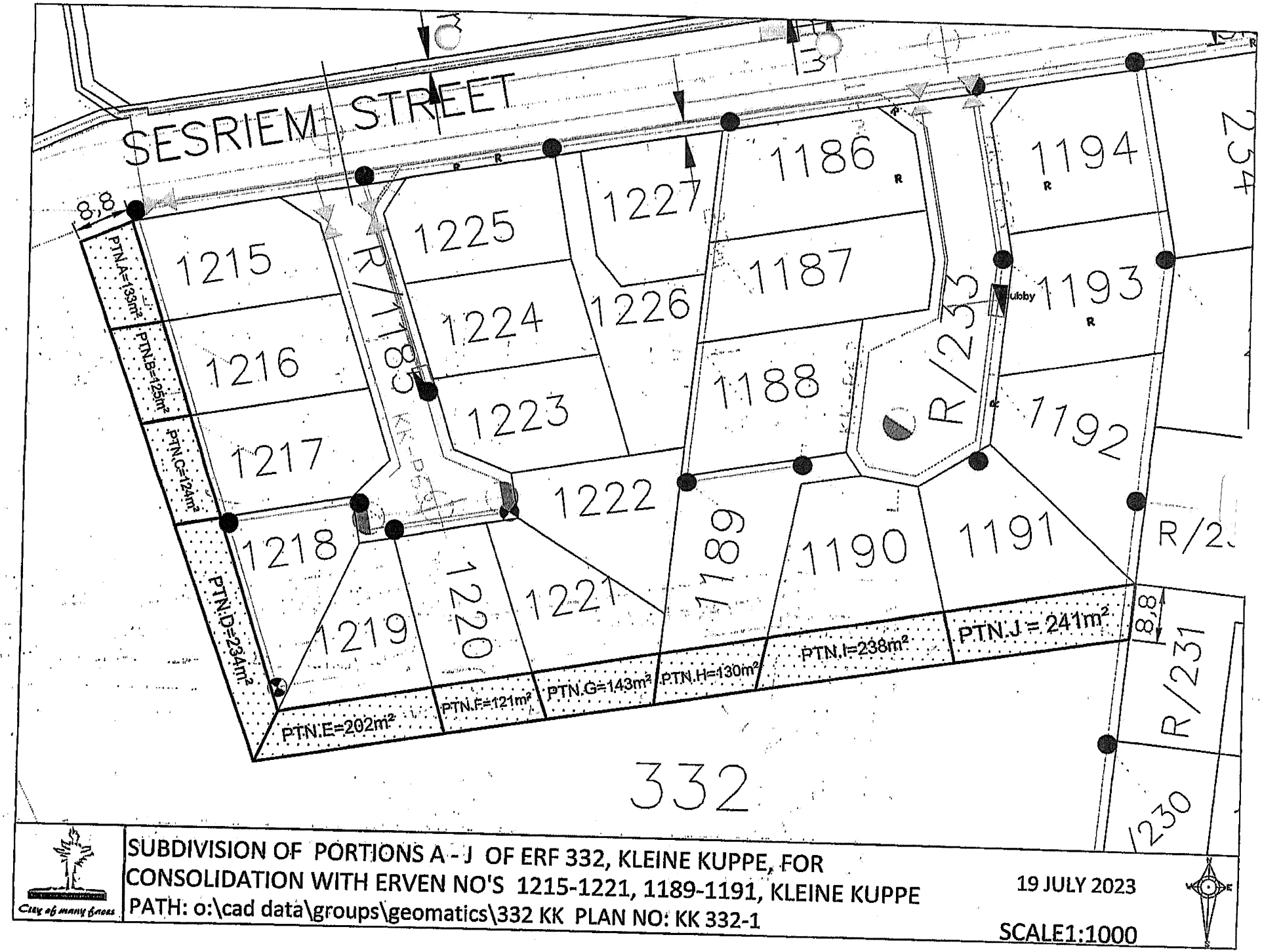
I, Leonie Elleneeza Dunn, hereby confirm that I am the current owner of ERF 1189, which is registered in Koinseb Property Number Seventy-Nine CC, Registration Number CC/2001/0595, and would like to request approval from your office so that a portion of ERF 332 can be consolidated into ERF 1189.

I understand that there might be financial implications associated with the consolidation, hence I request that I am notified of any developments in this regard.

I look forward to your favorable response.

Yours sincerely,

Leonie Elleneeza Dunn
Leonieedunn@gmail.com
+264 81 127 7015



City of many faces

SUBDIVISION OF PORTIONS A - J OF ERF 332, KLEINE KUPPE, FOR CONSOLIDATION WITH ERVEN NO'S 1215-1221, 1189-1191, KLEINE KUPPE

PATH: o:\cad data\groups\geomatics\332 KK PLAN NO: KK 332-1

19 JULY 2023

SCALE1:1000

ORIGINAL STAMPED. | 5

PREPARED BY ME:

CONVEYANCER
LOUW T J A

DUTY Exempt
FEES N$ 50-00

19 MAR 2002
MORTGAGED (No. B 3080 /2002)
for N$ 583 847-00 (with preference for
an amount not exceeding N$ 116 769-00)

19 NOV 2003
DEEDS OFFICE
WINDHOEK
REGISTRAR OF DEEDS.
Deputy
W. D. ELSEB
Registrar of Deeds

BC 4852 /2003

LODGED BY:
T J A LOUW
THEUNISSEN, LOUW & PARTNERS
4th Floor, Nimrod Building
Kasino Street, WINDHOEK

FOR ENDORSEMENTS SEE PAGE 6

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DEED OF PARTITION TRANSFER

T 3117 /2

(In terms of section 26 of the Deeds Registries Act (Act 47 of 1937)

8000000258336

Be it hereby made known:

DEPUTY

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

ZENOBIA BEATRIX BARRY
BA Law, LLB
Commissioner of Oaths EX Officio
Legal Practitioner: High & Supreme Court of Namibia
Deputy Director: Financial Intelligence Centre
Republic of Namibia
No. 71, Robert Mugabe Avenue
P.O. Box 2882, Windhoek
Namibia

1. **KOINSEB PROPERTY NUMBER SIXTY CLOSE CORPORATION**
Registration Number CC/2001/0513

2. **KOINSEB PROPERTY NUMBER SIXTY ONE CLOSE CORPORATION**
Registration Number CC/2001/0514

3. **KOINSEB PROPERTY NUMBER SIXTY TWO CLOSE CORPORATION**
Registration Number CC/2001/0515

4. **KOINSEB PROPERTY NUMBER SIXTY THREE CLOSE CORPORATION**
Registration Number CC/2001/0516

5. **KOINSEB PROPERTY NUMBER SIXTY FOUR CLOSE CORPORATION**
Registration Number CC/2001/0561

6. **KOINSEB PROPERTY NUMBER SIXTY FIVE CLOSE CORPORATION**
Registration Number CC/2001/0562

7. **KOINSEB PROPERTY NUMBER SIXTY SIX CLOSE CORPORATION**
Registration Number CC/2001/0563

8. KOINSEB PROPERTY N[illegible] SIXTY SEVEN CLOSE CORPORATION
Registration Number CC/2[illegible]

9. KOINSEB PROPERTY NUMBER SIXTY EIGHT CLOSE CORPORATION
Registration Number CC/2001/0502

10. KOINSEB PROPERTY NUMBER SIXTY NINE CLOSE CORPORATION
Registration Number CC/2001/0517

11. KOINSEB PROPERTY NUMBER SEVENTY CLOSE CORPORATION
Registration Number CC/2001/0501

12. KOINSEB PROPERTY NUMBER SEVENTY ONE CLOSE CORPORATION
Registration Number CC/2001/0499

13. KOINSEB PROPERTY NUMBER SEVENTY TWO CLOSE CORPORATION
Registration Number CC/2001/0500

14. KOINSEB PROPERTY NUMBER SEVENTY THREE CLOSE CORPORATION
Registration Number CC/2001/0537

15. KOINSEB PROPERTY NUMBER SEVENTY FOUR CLOSE CORPORATION
Registration Number CC/2001/0538

16. KOINSEB PROPERTY NUMBER SEVENTY FIVE CLOSE CORPORATION
Registration Number CC/2001/0539

17. KOINSEB PROPERTY NUMBER SEVENTY SIX CLOSE CORPORATION
Registration Number CC/2001/0540

18. KOINSEB PROPERTY NUMBER SEVENTY SEVEN CLOSE CORPORATION
Registration Number CC/2001/0625

19. KOINSEB PROPERTY NUMBER SEVENTY EIGHT CLOSE CORPORATION
Registration Number CC/2001/0594

20. KOINSEB PROPERTY NUMBER SEVENTY NINE CLOSE CORPORATION
Registration Number CC/2001/0595

21. KOINSEB PROPERTY NUMBER EIGHTY CLOSE CORPORATION
Registration Number CC/2001/0586

22. KOINSEB PROPERTY NUMBER EIGHTY ONE CLOSE CORPORATION
Registration Number CC/2001/0587

23. KOINSEB PROPERTY NUMBER EIGHTY TWO CLOSE CORPORATION
Registration Number CC/2001/0647

24. KOINSEB PROPERTY NUMBER EIGHTY THREE CLOSE CORPORATION
Registration Number CC/2001/0622

25. KOINSEB PROPERTY NUMBER EIGHTY FOUR CLOSE CORPORATION
Registration Number CC/2001/0623

26. KOINSEB PROPERTY NUMBER EIGHTY FIVE CLOSE CORPORATION
Registration Number CC/2001/0624

dated the 12th day of April 2001, and signed at Windhoek

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ZENOBIA BEATRIX BARRY
B.A. Law, LL.B.
Commissioner of Oaths Ex Officio
Legal Practitioner: High & Supreme Court of Namibia
Deputy Director: Financial Intelligence Centre
Republic of Namibia
No. 71, Robert Mugabe Avenue
P.O. Box 2882, Windhoek
Namibia

And the said Appearer declared ____ s his said principals heretofor held and possessed in joint ownership the following property:

CERTAIN	Erf no. 233 KLEINE KUPPE
SITUATE	In the Municipality of Windhoek
	Registration Division "K"
MEASURING	11,987 (ONE ONE, NINE EIGHT SEVEN) ~~Square metres~~ hectares
HELD	Deed of Transfer to be registered

and whereas the said joint owners have agreed to partition the said land by subdividing same according to their respective interests therein and receiving transfer in severalty of such subdivided portions.

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Now, therefore, the said appearer, in his capacity aforesaid and in pursuance of the above in part recited agreement, declared that he did by these presents, cede and transfer in full and free property unto and on behalf of the said

KOINSEB PROPERTY NUMBER SEVENTY NINE CLOSE CORPORATION
Registration Number CC/2001/0595

Its Successors in Title or Assigns

ZENOBIA BEATRIX BARRY
B.A. Law, LL.B.
Commissioner of Oaths Ex Officio
Legal Practitioner: High & Supreme Court of Namibia
Deputy Director: Financial Intelligence Centre
Republic of Namibia
No. 71, Robert Mugabe Avenue
P.O. Box 2882, Windhoek
Namibia

CERTAIN:	Erf no. 1189 (a Portion of Erf 233) KLEINE KUPPE
SITUATE:	In the Municipality of WINDHOEK
REGISTRATION DIVISION " K "	
MEASURING:	527 (FIVE TWO SEVEN) Square metres
	as indicated on annexed diagram no. A 489/2000 and

HELD BY Deed of Transfer no. T 3114 /2001

SUBJECT to the following conditions imposed in terms of Government Notice no. 191/1995, and created in the said Deed of Transfer no. T 3113 /2001, namely:

IN FAVOUR OF THE MUNICIPAL COUNCIL OF WINDHOEK

1. The erf is subject to the reservation for the Municipal Council of Windhoek of the right of access and use without compensation of the area 3 metres parallel with any boundary of such erf, for the construction and maintenance of Municipal Services in respect of water, sewerage, drainage, electricity and gas, which right includes the right to place on such erf temporarily any material that may be excavated during such operation on the erf or any adjacent erf.

2. 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 by the Municipal Council of Windhoek.

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12/6/2009

ZENOBIA BEATRIX BARRY
B.A Law, LL.B
Commissioner of Oaths Ex Officio
Legal Practitioner: High & Supreme Court of Namibia
Deputy Director: Financial Intelligence Centre
Republic of Namibia
No. 71, Robert Mugabe Avenue
P.O. Box 2882, Windhoek
Namibia

Wherefore the Appearer, renoun[illegible] the Right and Title his principals heretofore jointly had to the premises, on behalf as aforesaid, did, in consequence also acknowledge his said principals with the exception of the above transferee to be entirely dispossessed of, and disentitled to the land hereby transferred and that, by virtue of these presents, the said KOINSEB PROPERTY NUMBER SEVENTY NINE CLOSE CORPORATION, Registration Number CC/2001/0595;

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 his remaining principals to have received as a consideration transfer on this day of their respective portion in the landed property partitioned as aforementioned.

Signed at WINDHOEK, on 15 JUN 2001, together with the appearer, and confirmed with my seal of office.

Signature of appearer

In my presence,

Registrar of Deeds

DEPUTY

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ZENOBIA BEATRIX BARRY
B.Iuris, LL.B
Commissioner of Oaths Ex Officio
Legal Practitioner: High & Supreme Court of Namibia
Deputy Director: Financial Intelligence Centre
Republic of Namibia
No. 71, Robert Mugabe Avenue
P.O. Box 2882, Windhoek
Namibia

1. Transfer Duty Receipt No. 109018010
Transfer Duty Exemption Certificate
Issued at Windhoek
on 19.4.01 for
N$ nil

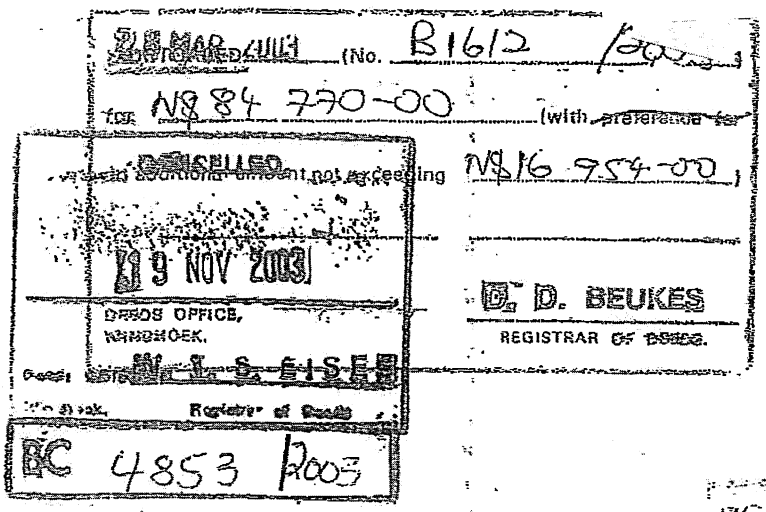
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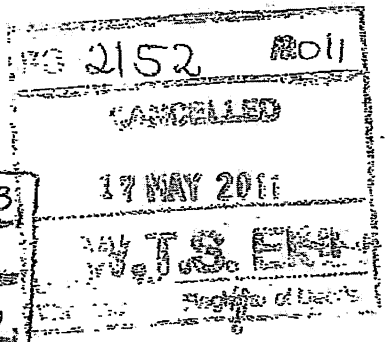
2. I, the undersigned, **TOBIAS JOHANNES ADRIAN LOUW** hereby certify in terms of Section 78 of Act 23/1992 that all rates, fees or charges leviable in respect of the immovable property contained in this Deed have been paid up to and including the date of registration thereof.

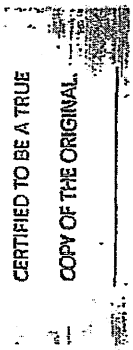
T J A LOUW (CONVEYANCER)

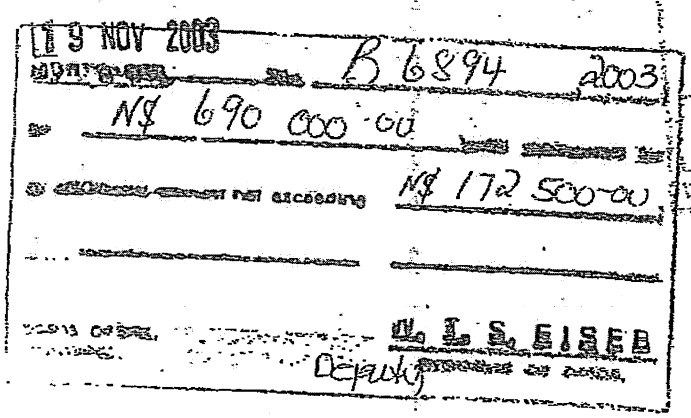
*Delete which is not applicable

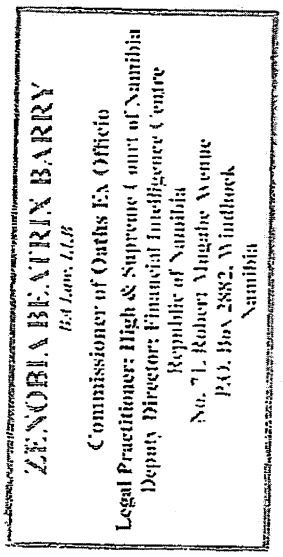
If necessary, insert a Registrator Clause etc. approved by the Registrar.

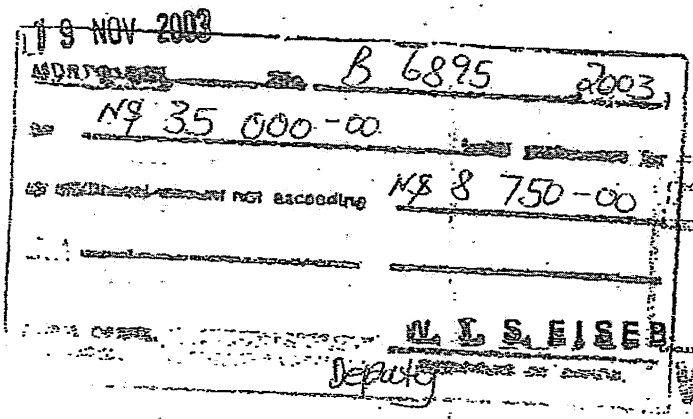


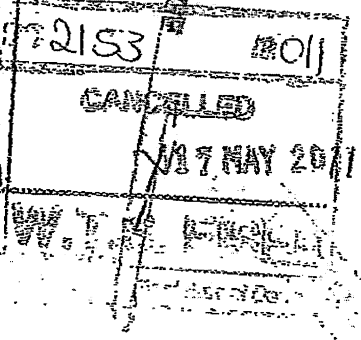




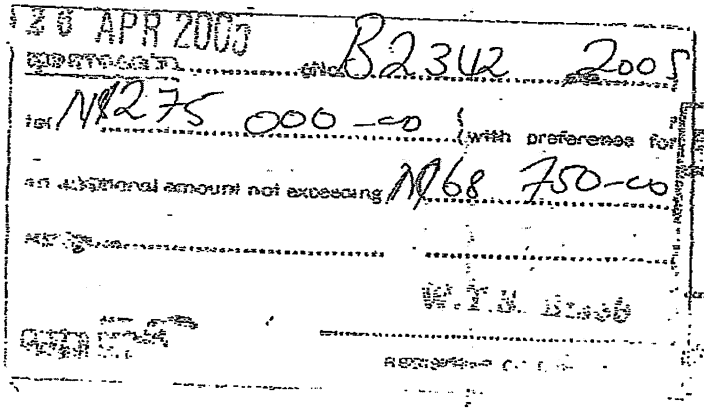


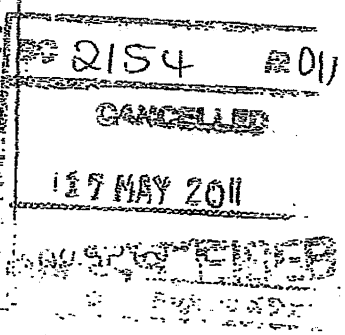






SEE ENDORSEMENTS





6 NOV 2008
MORTGAGED ... NO. B 7179 2008
for N$ 66 000 -00 (with preference for
an additional amount not exceeding N$ 16 500-00)
DEEDS OFFICE WINDHOEK
W.T.S. Eiseb
REGISTRAR OF DEEDS

2155 2011
CANCELLED
17 MAY 2011
W.T.S. EISEB
Registrar of Deeds

30 MAY 2008
MORTGAGED ... (No. B 2084 /2008)
for N$ 350 000 - 00 (with preference for
an additional amount not exceeding N$ 70 000 -00
DEEDS OFFICE,
W.T.S. EISEB
REGISTRAR OF DEEDS.

2156 2011
17 MAY 2011
W.T.S. EISEB
Registrar of Deeds

17 MAY 2011
MORTGAGED ... (No. B 2576 /2011)
for N$ 1908 000 -00 (with preferences for
additional amount not exceeding N$ 477 000-00
W.T.S. EISEB
REGISTRAR OF DEEDS.

B 483 /2015
CANCELLED
11 FEB 2015
Office of the Registrar of Deeds
Windhoek

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12/6/2014

11 FEB 2015
MORTGAGED ... (No. B 482 /2015)
for N$ 2 500 000 -00
DEEDS OFFICE WINDHOEK
Hk Malumani
REGISTRAR OF DEEDS

ZENOBIA BEATRIX BARRY
B.Luris, LL.B
Commissioner of Oaths EX Officio
Legal Practitioner: High & Supreme Court of Namibia
Deputy Director: Financial Intelligence Centre
Republic of Namibia
No. 71, Robert Mugabe Avenue
P.O. Box 2882, Windhoek
Namibia

RE
CLOSE C 1988
(Section 1 , 27, 29, 47 and 60)
(Regulations 3 and 12)

Client CC 2

MINISTRY OF TRADE AND INDUSTRY
28 -01- 2015
REGISTRAR OF COMPANIES CLOSE CORPORATIONS PATENTS

Amended Founding Statement

Before filling in the form, first see notes on page 2.

REGISTRATION NUMBER OF CORPORATION	DATE OF RECEIPT
CC/2001/0595	

PART A

		Dates of commencement of change
Full name of corporation*	Kainseb Property Number Seventy Nine CC*	
Previous name of corporation (if applicable)*	N/A	*
Literal translation of name (if applicable)*	N/A	*
Description of principal business*	To manufacture, distribute, produce, construct, trade, import and market all commodities, to render services and invest in property, shares, securities and/or equities of any kind. 2015-02-09	*
Date of end of financial year*	End of February each year	*

PART B

Postal address*	P.O. Box 20198 Windhoek Namibia	*
Address of registered office (not post office box)*	No. 136 Jan Jonker Street, Windhoek Namibia	*
Name and address of accounting officer*	Hamilton & Partners P.O. Box 20198 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

Membership/Practice No. 1/98

ZENOBIA BEATRIX BARRY
Commissioner of Oaths Ex Officio
Legal Practitioner: High & Supreme Court of Namibia
Deputy Director: Financial Intelligence Centre
Republic of Namibia
No. 71, Robert Mugabe Avenue
P.O. Box 2882, Windhoek
Namibia

See note 2 on page 2

Reproduced under Government Authority Registrar of Close Corporations Reference 1/2/3/5

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2/11/2019

NOTES

1. Form CC2 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. Change(s) effective from date of registration or upon a later date mentioned.
3. Where a person signs on behalf of a member, a power of attorney must be attached.
4. 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,
5. If no identity document has been issued, a written statement to this effect must be attached.
6. Particulars which do not change should also be furnished.
7. No fee is payable in respect of any changes in particulars under Part B and C.
8. New members must personally sign the form.
9. Form CC 2 which does not comply with the requirements of the Act, regulations of these notes, will be rejected.
10. Particulars to be furnished under Part C.
    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 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).

ZENOBIA BEATRIX BARRY
BA Law, LLB
Commissioner of Oaths Ex Officio
Legal Practitioner: High & Supreme Court of Namibia
Deputy Director: Financial Intelligence Centre
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P.O. Box 2882, Windhoek
Namibia

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12/6/2019

CC 2

NAME OF CORPORATION Kolnsey Property Number Seventy Nine CC

REGISTRATION NUMBER	CC / 2001 / 0595

PART C

		Date of Change
MEMBERS	1 (one)	
Full names and surname	Leonie Elleneeza Dunn	
Identity number or date of birth (i)	Year 74 Month 10 Day 24 — 00109	
Registration number (ii)		
Percentage of interest	100% (hundred percent)	
Particulars of contribution	N$50-00	2015-02-09
Residential address	Section 5, Alassio Court, Suiderhof, Windhoek, Namibia	2015-02-09
Postal address	P.O. Box 35375, Windhoek, Namibia	2015-02-09
Signature of member or representative		
Full names and surname		
Identity number or date of birth (i)	Year Month Day	
Registration number		
Percentage of interest		
Particulars of contribution		
Residential address		
Postal address		
Signature of member or representative		

ZENOBIA BEATRIX BARRY
B.A Law, LL.B
~~Commissioner of Oaths (ex Officio)~~
Legal Practitioner: High & Supreme Court of Namibia
Deputy Director: Financial Intelligence Centre
Republic of Namibia
No. 71, Robert Mugabe Avenue
~~P.O. Box 2882, Windhoek~~
Namibia

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21/1/2019

Witness Signature	
Full names	Zenobia Beatrix Barry
Residential address	153 Jesmen Street, Reinhe Kuppe, Windhoek
Business address	71 Robert Mugabe Avenue, Windhoek
Postal address	P.O. Box 28827, Windhoek
Date of signature	20/01/2015

CC 2

NAME OF CORPORATION CC/2001/05 Kinseb Property Number Seventy Nine CC

REGISTRATION NUMBER	CC/2001/0595

PART C

	Date of Change
MEMBERS	
Full names and surname	
Identity number or date of birth (i) Year Month Day	
Registration number (ii)	
Percentage of interest	
Particulars of contribution	
Residential address	
Postal address	
Signature of member or representative	

ZENOBIA BEATRIX BARRY
B.Proc. LL.B
Commissioner of Oaths Ex Officio
Legal Practitioner, High & Supreme Court of Namibia
Deputy Director: Financial Intelligence Centre
No. 71, Robert Mugabe Avenue
P.O. Box 2882, Windhoek
Namibia

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12/6/2019

Full names and surname	
Identity number or date of birth (i) Year Month Day	
Registration number (ii)	
Percentage of interest	
Particulars of contribution	
Residential address	
Postal address	
Signature of member or representative	

Witness Signature
Full names Zenobia Beatrix Barry
Date of signature 20/01/2015
Residential address 153 Jethro Street, Klein Kuppe, Windhoek
Business address 71 Robert Mugabe Avenue, Windhoek
Postal address P.O. Box 2882, Windhoek

CC 2

NAME OF CORPORATION Kainseb Property Number Seventy Nine CC

REGISTRATION NUMBER	CC/2001/0595

PART C

MEMBERS	Date of Change
Full names and surname	
Identity number or date of birth (i) Year Month Day	
Registration number (ii)	
Percentage of interest	
Particulars of contribution	
Residential address	
Postal address	
Signature of member or representative	

LEYOBA BEATRIX BARRY
B.Iuris, LLB
Commissioner of Oaths Ex Officio
Legal Practitioner: High & Supreme Court of Namibia
Deputy Director: Financial Intelligence Centre
Republic of Namibia
No. 71, Robert Mugabe Avenue
P.O. Box 2882, Windhoek
Namibia

CERTIFIED TO BE A TRUE COPY OF THE ORIGINAL
12/1/2019

Full names and surname	
Identity number or date of birth (i) Year Month Day	
Registration number (ii)	
Percentage of interest	
Particulars of contribution	
Residential address	
Postal address	
Signature of member or representative	

Witness Signature _____ Date of signature 20/01/2015

Full names Zenobia Beatrix Barry

Residential address 153 Sesnem Street, Kleinne Kuppe, Windhoek

Business address 71 Robert Mugabe Avenue, Windhoek

Postal address P.O. Box 2882, Windhoek

NAME OF CORPORATION Kainsey Property Number Seventy Nine CC

CC 2

REGISTRATION NUMBER	CC/2001/0595

PART C

MEMBERS	Date of Change
Full names and surname	
Identity number or date of birth (i) Year Month Day	
Registration number (ii)	
Percentage of interest	
Particulars of contribution	
Residential address	
Postal address	
Signature of member or representative	
Full names and surname	
Identity number or date of birth (i) Year Month Day	
Registration number (ii)	
Percentage of interest	
Particulars of contribution	
Residential address	
Postal address	
Signature of member or representative	

ZEVOBIA BEATRIX BARRY
B.A Law, LL.B
Commissioner of Oaths Ex Officio
Commissioner: High & Supreme Court of Namibia
Deputy Director: Financial Intelligence Centre
Republic of Namibia
No. 71, Robert Mugabe Avenue
P.O. Box 2882, Windhoek
Namibia

CERTIFIED TO BE A TRUE COPY OF THE ORIGINAL.

12/01/2015

Witness Signature Barry

Full names Zevobia Beatrix Barry

Date of signature 20/01/2015

Residential address 153 Jerman Street, Kleinne Kappe, Windhoek

Business address 71 Robert Mugabe Avenue, Windhoek

Postal address P.O. Box 2882, Windhoek

NAME OF CORPORATION Koinseb Property Number Seventy Nine CC

CC 2

REGISTRATION NUMBER	CC/2001/0595

PART C

MEMBERS

Date of Change

Full names and surname

Identity number or date of birth (i) Year Month Day

Registration number (ii)

Percentage of interest

Particulars of contribution

Residential address

Postal address

Signature of member or representative

ZEVOBIA BEATRIX BARRY
B.A Hons, LL.B
Legal Practitioner: High & Supreme Court of Namibia
Deputy Director: Financial Intelligence Centre
No. 71 Robert Mugabe Avenue
P.O. Box 2882, Windhoek
Namibia

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12/6/2019

Full names and surname

Identity number or date of birth (i) Year Month Day

Registration number (ii)

Percentage of interest

Particulars of contribution

Residential address

Postal address

Signature of member or representative

Witness Signature

Full names Zevobia Beatrix Barry

Date of signature 20/01/2015

Residential address 153 Fesnen Street, Kleine Kuppe, Windhoek

Business address 71 Robert Mugabe Avenue, Windhoek

Postal address P.O. Box 2882, Windhoek

CC 2

NAME OF CORPORATION Kaineb Property Number Seventy Nine CC

REGISTRATION NUMBER	CC/2001/0595

MEMBERS WHO CEASE TO BE MEMBERS

Full name and surname of member	Identity number	Signature
Kethlhopilwe Dihawa	7 1 0 7 0 7	Mr. Dihawa's full and further particulars are unknown as he has left Namibia more than 5 years ago, without making any contact. The divorce was granted through edictal citation as the court and Sheriff could also not trace Mr. Dihawa in Botswana.
		2015 02- 09

Membership ceases on the date of registration of the Amended Founding Statement

Witness Signature

Full names Zenobia Beatrix Barry

Date of signature 20/01/2015

Residential address 153 Jesmien Street, Kleine Kuppe, Windhoek

Business address 71 Robert Mugabe Avenue, Windhoek

Postal address P.O. Box 2882, Windhoek.

FOR OFFICE USE

Amended Founding Statement registered

Registrar of Close Corporations

09/02/2015

Date

Data Processing

Classification

Recorded

Initials and date

MINISTRY OF TRADE AND INDUSTRY

20 JAN 2015

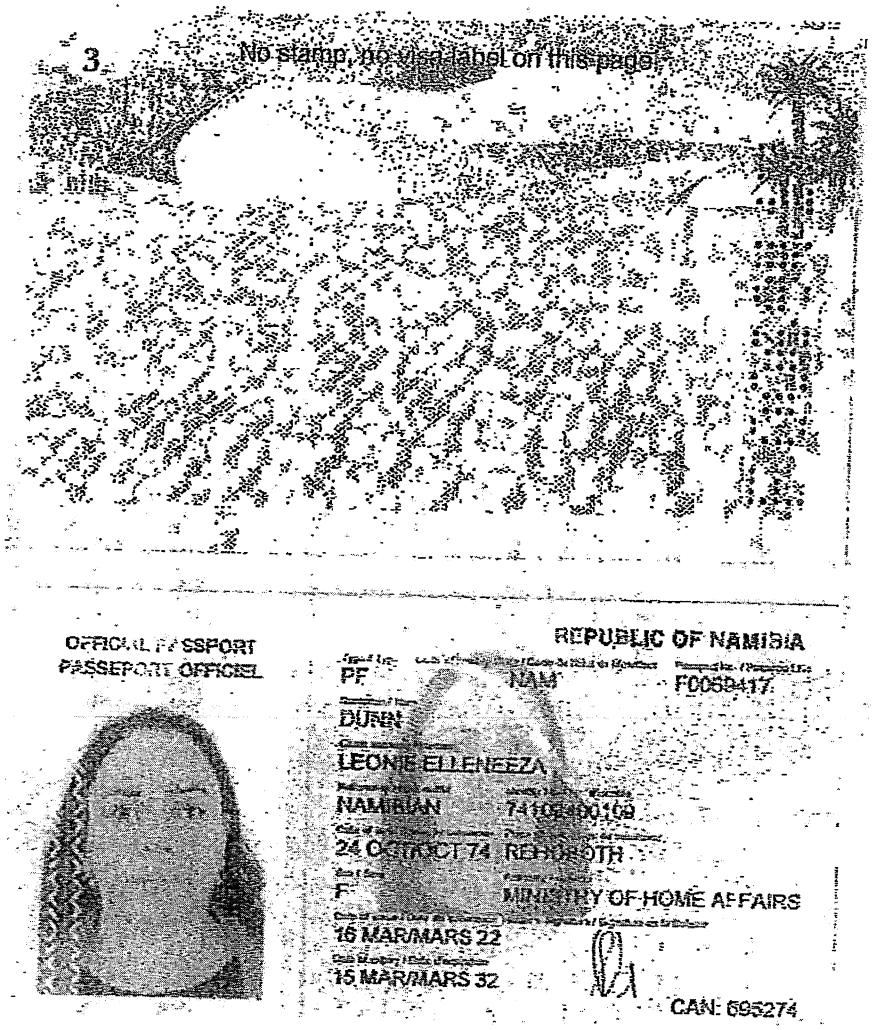
NAMIBIA REVENUE N$20

NAMIBIA REVENUE N$10

N$ 30,00

CERTIFIED TO BE A TRUE COPY OF THE ORIGINAL.

ZENOBIA BEATRIX BARRY
B.A Law, LL.B
Commissioner of Oaths Ex Officio
Legal Practitioner: High & Supreme Court of Namibia
Deputy Director: Financial Intelligence Centre
Republic of Namibia
No. 71, Robert Mugabe Avenue
P.O. Box 2882, Windhoek
Namibia



Certified as a True Copy of the Original Document
20th day of 02 20 23

Julia Inamusheefha Mukapuli
Commissioner of Oaths
Admitted Legal Practitioner
Republic of Namibia
Bank of Namibia
71 Robert Mugabe Avenue

[Municipal Council Minutes: 2001-07-25]

8.3.28 **UPG.1 [PLA] POLICY FOR THE DISTRIBUTION AND FUTURE USAGE OF PUBLIC OPEN SPACE IN WINDHOEK**
(3/1/P) (16/15/1)

On proposal by Councillor Dr B von Finckenstein, it was

RESOLVED

1 That the 'Policy for the Distribution and Future Usage of Public Open Space in Windhoek', its appendices and the plan 'Parks in Windhoek 2000' be adopted as policy documents.

2 That urban development within Windhoek, by the public or private sector, be guided, inter alia, by the general principles contained in the Policy.

3 That the usage of open spaces as set out in the appendices be approved and that the recommended facilities accompanying the designation and as set out in chapter 5 of this policy be adopted as minimum targets for parks and recreational development.

4 That the approved usage and designated facilities be used to assist annual budgeting for further development commensurate with the designated role of the open space.

5 That based on the principle that people should not have to walk for longer than ten minutes to get to a local facility such as a park, the size and distance criteria set out in chapter 6 be adopted as design guidelines for new townships.

6 That the City recognise its heritage of fragile eco-systems identified in the report comprising river courses, dams, mountains, hilltops and steep valleys, and other natural features and is determined that they be subject to environmental conservation measures and that opportunities be pursued for sensitive recreational development and eco-tourism so as to maintain a balance between conservation and recreational open spaces.

7 That special protection be provided for drainage areas by way of a buffer 'infiltration area' extending to a recognised distance from the riverbeds so that absorptive soil sponge next to the riverbank can be retained to facilitate seepage of water into the groundwater reserves, for maintaining riverine ecological systems, and also to act as a bio-filter, cleaning water before it is deposited into the riverbed.

8 That the following guidelines be used for assessing applications for portions of public open space:

8.1 A watercourse including an 'infiltration area' not be permanently closed, other than with a servitude to prevent building within the infiltration area, or be used other than as park, a garden or a recreational area.

8.2 The 'infiltration area' be assessed preferably by a hydrogeological study to be carried out as part of an environmental impact study to assess groundwater vulnerability and to fix the boundaries for subdivision of developable erven along watercourses and other identified areas of groundwater vulnerability, or where this is not feasible then by the following criteria:

- Adoption of the 1:100 year flood line where this is available, or
- Imposition of a 5 metre wide infiltration area between the seasonally active bed of a watercourse which is further than 500 metre or more from its bounding watershed, and the nearest structures.

8.3 The physical occurrence of a watercourse be defined as being the outer edge of the seasonally active (gravel) bed or the identifiable banks of a watercourse.

8.4 The protection afforded by an infiltration area be applicable for a watercourse should it be 500 metre or more from its bounding watershed or should special topographical or flow conditions warrant earlier recognition.

8.5 No area within a 1 in 50 year flood line be built upon or used for any purpose other than as park, a garden or a recreational area.

8.6 Minor watercourses (drainage channels) be consolidated with adjacent properties provided that any 'infiltration area' of the watercourse is reserved by a servitude free of structures or impermeable surfacing.

8.7 That no land designated for a City, suburban or neighbourhood park be diminished in any way unless a park development plan exist which indicate clearly that some portion of the land not be used by the community and represent waste land.

8.8 That in all cases where application is made for rezoning, consent use, or subdivision in the vicinity of a watercourse for non residential activities which pose a threat of polluting the watercourse, and in all cases where such a development lie within 10 metre of a watercourse, a hydrogeological study be carried out:

- To assess groundwater vulnerability,
- To recommend conditions for the development and
- To fix the boundaries for any subdivision of developable erven along watercourses and other identified areas of groundwater vulnerability.

8.9 That where application is made for rezoning, consent use, or subdivision in the vicinity of a watercourse full details of the proposed activities be supplied so as to enable the City to assess the groundwater vulnerability.

8.10 That in other cases not involving watercourses or designated parks, 10 metre wide portions of land be acquired for consolidation with adjacent erven provided that:

- The extent of land taken would not undermine the value of the open space to the community;
- Extraction of a portion will not damage or inhibit access of the public to the open space;
- Only one 10 metre wide portion may be acquired with no subsequent extraction (small variations from the 10 metre may be permitted to accommodate local features);
- Neighbours and other affected parties have no valid objection;
- The new usage would not damage any scenic views of the hillside or any valuable natural features, and
- Services are not adversely affected.

9 That, as opportunity arises, every remaining open space be considered in respect of its full extent for closure, partial closure or retention and that no recommendations be made on the basis of a partial investigation only.

10 That the criteria set out above and in the Policy be used in the design of new settlements and that specially attractive or sensitive natural features and areas of scenic beauty be incorporated for their protection into future open spaces as far as is reasonably possible.

11 That for all townships proclaimed since 1980, except for additional strips of land along the edges of steep hillsides (approximately 10 metre wide), where application is supported by affected adjacent erf owners, no further small scale diminution of open spaces be supported.

12 That for townships proclaimed before 1980, namely Katutura and Extensions 1 to 13, Khomasdal and Extensions 1 to 3, Windhoek residential townships, Klein Windhoek and Extensions 1 to 3, Erospark, Academia, Olympia and Pionierspark, except for approximately 10 metre wide strips along the edges of steep hillsides, where application is supported by affected adjacent erf owners, applications be handled in terms of paragraphs 8 and 9 and further small scale diminution only be allowed where such diminution has already commenced.

13 That the above rules not be interpreted to bar the City from totally closing an open space which serve only as a drainage channel and by piping the stormwater flow, to make the land available for urban use or where the area is to be physically closed or fenced off for security purposes at the request of adjacent erf owners.

14 That in all new township development a hydrogeological study be carried out as part of any environmental impact analysis or feasibility study to assess groundwater vulnerability and to fix the boundaries for subdivision of

developable erven along watercourses and other identified areas of groundwater vulnerability.

15 That the public be reminded that in terms of Council Resolution 55/02/93 of 24 February 1993 which has been incorporated into this Policy, it consider the allocation of portions of public open spaces for local community development of community facilities with or without a community centre as part of Citizen-City partnership initiatives.

16 That the City see the establishment of common goals in the conservation and utilisation of open spaces in the City as a critical factors in promoting social upliftment and improving the living conditions of its citizens.

RESOLUTION 251/07/2001 [POLICY]

[Municipal Council Minutes: 2021-08-31(25)]

4.1.3 **FNS.1 [HPH] APPLICATION TO PURCHASE A PORTION OF ERF 878, CIMBEBASIA FOR CONSOLIDATION WITH ERF 792, CIMBEBASIA EXTENSION 2**
(13/2/1/1)

On proposal by Councillor Ms N Larandja, it was

RESOLVED

1 That Erf 878, Cimbebasia Extension 2, be subdivided into Portion A (± 94 m² in extent) and the Remainder, as indicated on Plan CIM 792-1, attached as page 138 to the agenda.

2 That Portion A of Erf 878, Cimbebasia Extension 2, be closed as public open space in terms of section 50(1)(c) of the Local Authorities Act, 1992 (Act 23 of 1992) (as amended).

2.1 That the City prepare the closure notice and that the owner of Erf 792, Cimbebasia Extension 2, be responsible for inserting the notice in the media, placing a copy on-site and for distribution to affected neighbours and that proof of successful advertising be provided to the Strategic Executive: Housing, Property Management and Human Settlement before a Sales Agreement is signed.

3 That the applicant be responsible for the town planning and cadastral procedures, being subdivision into Portion A of Erf 878, Cimbebasia Extension 2, consolidation of Portion A of Erf 878, Cimbebasia with Erf 792, Cimbebasia Extension 2, survey and registration of the new consolidated erf, and the costs involved.

4 That, subject to the successful closure and implementation of all town planning and cadastral procedures and obtaining of an Environmental Management Clearance Certificate, Portion A of Erf 878, Cimbebasia (± 94 m² in extent) be sold to the owner of Erf 792, Cimbebasia Extension 2, at an upset price of N$645.00/m² being 50 % of N$1 290.00 or N$61 000.00 in total, as indicated on the Valuation Certificate dated 23 June 2021, attached as page 139 to the agenda, as determined by the Strategic Executive: Housing, Property Management and Human Settlement.

4.1 That henceforth, all funds generated from the sale of resulting from the subdivision of public open spaces be used exclusively (unless with consent of Council), for the development of public open spaces into attractive public spaces, e.g., family parks, walking trails, etc.

4.2 That the Strategic Executive: Finance and Customer Services create a dedicated account where proceeds of land sales resulting from the subdivision of public open spaces will be deposited.

4.3 That a report on the utilisation of these funds (how it was dispensed), be provided at the next Management Committee/Council meeting.

5 That the applicant appoint a registered professional Engineer at its own cost to determine whether the western and south western boundaries of the proposed Portion A of Erf 878, Cimbebasia Extension 2 require protection against any potential flood damage.

6 That the sale of Portion A of Erf 878, Cimbebasia be subject to the following conditions:

6.1 That Portion A of Erf 878, Cimbebasia Extension 2 be consolidated with Erf 792, Cimbebasia Extension 2, simultaneously with transfer.

6.2 That Portion A of Erf 878, Cimbebasia assume the same zoning as the abutting Erf 792, Cimbebasia Extension 2, being 'residential' with a density of 1:250 m², in terms of clause 5(3) of the Windhoek Town Planning Scheme.

6.3 That the existing conditions registered against Portion A of Erf 878, Cimbebasia Extension 2 be replaced by the standard conditions of the title including a minimum building value equal to four (4) times the municipal valuation be registered against the consolidated erven.

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

6.4.1 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.

6.4.2 That the maintenance of such stormwater pipe, channel or work be the responsibility of the owner of the concerned property.

6.5 That a condition for the resale of this property be included in the Title Deed of the erf, whereby transfer to a third party only take place with approval of the City of Windhoek. [Approval will only be granted after the Strategic Executive: Urban and Transport Planning has certified that the stormwater has been accommodated satisfactorily.]

7 That only one (1) electrical service connection be allowed from the municipal network to the consolidated erf.

8 That it be noted that one (1) additional electrical meter can be applied for an approved flat, should it be required.

9 That should an upgrade of the electricity supply point be required, the applicant and/or his representative contact the Strategic Executive: Electricity, well in advance, to determine whether the existing network can handle the additional loading and to determine the size and cost for the upgraded supply point.

10 That the applicant:

10.1 Submit proof to the Strategic Executive: Housing, Property Management and Human Settlement not later than six (6) months from the date of this Council Resolution that the

Environmental Management Clearance Certificate has been obtained and the proposed closure, subdivision and consolidation have been submitted to the Urban and Regional Planning Board for consideration.

10.2 Submit proof to the Strategic Executive: Housing, Property Management and Human Settlement within sixty (60) days after the issuing of the Subdivision and Consolidation Certificate that a Surveyor has been appointed.

10.3 Submit draft erf diagrams to the Strategic Executive: Housing, Property Management and Human Settlement within three (3) months after appointment of the Surveyor, indicating that the survey has been completed and that the diagrams have been submitted to the Surveyor General for approval.

10.4 Sign the Deed of Sale not later than sixty (60) days after having been requested to do so by the Strategic Executive: Housing, Property Management and Human Settlement and pay the purchase price.

11 That should the applicant fail to comply with any of the conditions stipulated in this Council Resolution, or fail to finalise the sale within eighteen (18) months from the date of this Council Resolution, that the allocation of Portion A of Erf 878, Cimbebasia Extension 2 to the owner of Erf 792, Cimbebasia Extension 2, beyond the eighteen (18) months be subject to a price escalation to be determined by the Strategic Executive: Housing, Property Management and Human Settlement.

12 That should the applicant/owner wish to take occupation of Portion A of Erf 878, Cimbebasia Extension 2 prior to the sale of Portion A of Erf 878, Cimbebasia Extension 2, same be leased to the applicant once the preliminary diagrams are available, pending the sale, at a monthly rental of N$508.33, further subject to annual escalation in line with the Namibia Inflation Rate.

13 That the sale and lease of Portion A of Erf 878, Cimbebasia Extension 2 are subject to Ministerial approval in terms of section 30(1)(t) of the Local Authorities Act, 1992 (Act 23 of 1992) (as amended).

14 That the intended sale and lease of Portion A of Erf 878, Cimbebasia Extension 2 (± 94 m² in extent), be advertised in terms of section 63(2) of the Local Authorities Act, 1992 (Act 23 of 1992) (as amended).

15 That the Acting Chief Executive Officer (Corporate Legal Adviser) draft the Deed of Sale.

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

Financial implications

Service rendered	Funds required (N$)	Funds available
Advertisements costs	4 000,00	Item 4000/20/1/10/0025

RESOLUTION 183/08/2021

[Municipal Council Minutes: 2004-08-25]

8.3.4 **BRB.2 [PLA] CALCULATION OF PURCHASE PRICE – ADDITIONAL LAND SALES**
(16/15/2/2/1)

[redacted]

On proposal by Councillor Dr B von Finckenstein, it was

RESOLVED

That Council Resolution 405/08/95 be rescinded and replaced by the following:

1 That portions of open spaces, which are big enough to enhance the potential of the property with which the portion is to be consolidated, be valued at the full market-related price as determined by the Strategic Executive: Planning, Urbanisation and Environment.

2 That portions of open spaces which can be used as separate erven, with separate access and which are fully serviced, be valued at the full market-related price as determined by the Strategic Executive: Planning, Urbanisation and Environment.

3 That portions of open spaces which are too small to enhance the potential of the erf with which the portion is to be consolidated, be valued at 50 % of the market value as determined by the Strategic Executive: Planning, Urbanisation and Environment.

4 That, where fully market-related prices is payable, the costs incurred for the closure, town planning and cadastral procedures (as calculated by the Strategic Executive: Planning, Urbanisation and Environment) be deducted from the eventual purchase price: Provided that the eventual purchase price not be less than 50 % of the market-related price as determined by the Strategic Executive: Planning, Urbanisation and Environment.

5 That additional land being sold at a subsidised price for consolidation with the adjacent 'institutional' zoned properties not be allowed to deduct the costs mentioned in paragraph 4.

6 That the policy on the deduction of costs where full market-related purchase prices are payable also be made applicable to all outstanding sales subject to the conditions of the original resolution.

RESOLUTION 276/08/2004 [POLICY]

VALUATION CERTIFICATE

DIVISION: VALUATION SERVICES

DATE OF VALUATION: 28/02/2024

Erf No.:	332	**Suburb:**	Kleine Kuppe	**Street name:**	Gamsa
Erf size:	190 759 m²	**Zoning:**	Public Open Space	**Density:**	

Required portion size: 133 m²

Current use of the portion under consideration: Vacant

Acquisition purpose: To be sold for consolidation with Erf 1215 Kleine Kuppe

Current vacant land going price/ m²	N$ 1 407	
Size of the portion Required	133 m²	
Estimated market Value	N$ 187 100.00	

Sales from 2021 tender in Kleine Kuppe produced an average purchace price of N$ 1358.00, consequently we are of the opinion that going rate for vacant land be adjusted from N$ 1 699.00 to N$ 1 407.00 as reflected by the sale. Considering the above, a rate of 1 407/ m², is advised. Hence the portion required shall be valued at the aforementioned price.

Valued by: Kaulikufwa Hendjala **Date:** 28/02/2024

VALUATION CERTIFICATE

DIVISION: VALUATION SERVICES

DATE OF VALUATION: 28/02/2024

Erf No.:	332	Suburb:	Kleine Kuppe	Street name:	Gamsa
Erf size:	190 759 m²	Zoning:	Public Open Space	Density:	

Required portion size: 125 m²

Current use of the portion under consideration: Vacant

Acquisition purpose: To be sold for consolidation with Erf 1216 Kleine Kuppe

Current vacant land going price/ m²	N$ 1 407	
Size of the portion Required	125 m²	
Estimated market Value	N$ 175 900.00	

Sales from 2021 tender in Kleine Kuppe produced an average purchace price of N$ 1358.00, consequently we are of the opinion that going rate for vacant land be adjusted from N$ 1 699.00 to N$ 1 407.00 as reflected by the sale. Considering the above, a rate of 1 407/ m², is advised. Hence the portion required shall be valued at the aforementioned price.

Valued by: Kahlikufwa Hendjala Date: 28/02/2024

VALUATION CERTIFICATE

DIVISION: VALUATION SERVICES

DATE OF VALUATION: 28/02/2024

Erf No.:	332	**Suburb:**	Kleine Kuppe	**Street name:**	Gamsa
Erf size:	190 759 m²	**Zoning:**	Public Open Space	**Density:**	

Required portion size: 124 m²

Current use of the portion under consideration: Vacant

Acquisition purpose: To be sold for consolidation with Erf 1217 Kleine Kuppe

Current vacant land going price/ m²	**N$ 1 407**	
Size of the portion Required	**124 m²**	
Estimated market Value	**N$ 174 500.00**	

Sales from 2021 tender in Kleine Kuppe produced an average purchace price of N$ 1358.00, consequently we are of the opinion that going rate for vacant land be adjusted from N$ 1 699.00 to N$ 1 407.00 as reflected by the sale. Considering the above, a rate of 1 407/ m², is advised. Hence the portion required shall be valued at the aforementioned price.

Valued by: Kaulikufwa Hendjala **Date:** 28/02/2024

VALUATION CERTIFICATE

DIVISION: VALUATION SERVICES

DATE OF VALUATION: 28/02/2024

Erf No.:	332	**Suburb:**	Kleine Kuppe	**Street name:**	Gamsa
Erf size:	190 759 m²	**Zoning:**	Public Open Space	**Density:**	

Required portion size: 234 m²

Current use of the portion under consideration: Vacant

Acquisition purpose: To be sold for consolidation with Erf 1218 Kleine Kuppe

Current vacant land going price/ m²	N$ 1 407	
Size of the portion Required	234 m²	
Estimated market Value	N$ 329 200.00	

Sales from 2021 tender in Kleine Kuppe produced an average purchace price of N$ 1358.00, consequently we are of the opinion that going rate for vacant land be adjusted from N$ 1 699.00 to N$ 1 407.00 as reflected by the sale. Considering the above, a rate of 1 407/ m², is advised. Hence the portion required shall be valued at the aforementioned price.

.....

Valued by: Kaulikufwa Hendjala **Date:** 28/02/2024

VALUATION CERTIFICATE

DIVISION: VALUATION SERVICES

DATE OF VALUATION: 28/02/2024

Erf No.:	332	**Suburb:**	Kleine Kuppe	**Street name:**	Gamsa
Erf size:	190 759 m²	**Zoning:**	Public Open Space	**Density:**	

Required portion size: 202 m²

Current use of the portion under consideration: Vacant

Acquisition purpose: To be sold for consolidation with Erf 1219 Kleine Kuppe

Current vacant land going price/ m²	N$ 1 407	
Size of the portion Required	202 m²	
Estimated market Value	N$ 284 200.00	

Sales from 2021 tender in Kleine Kuppe produced an average purchace price of N$ 1358.00, consequently we are of the opinion that going rate for vacant land be adjusted from N$ 1 699.00 to N$ 1 407.00 as reflected by the sale. Considering the above, a rate of 1 407/ m², is advised. Hence the portion required shall be valued at the aforementioned price.

.....

Valued by: Kaulikufwa Hendjala **Date:** 28/02/2024

VALUATION CERTIFICATE

DIVISION: VALUATION SERVICES

DATE OF VALUATION: 28/02/2024

Erf No.:	332	**Suburb:**	Kleine Kuppe	**Street name:**	Gamsa
Erf size:	190 759 m²	**Zoning:**	Public Open Space	**Density:**	

Required portion size: 121 m²

Current use of the portion under consideration: Vacant

Acquisition purpose: To be sold for consolidation with Erf 1220 Kleine Kuppe

Current vacant land going price/ m²	N$ 1 407	
Size of the portion Required	121 m²	
Estimated market Value	N$ 176 400.00	

Sales from 2021 tender in Kleine Kuppe produced an average purchace price of N$ 1358.00, consequently we are of the opinion that going rate for vacant land be adjusted from N$ 1 699.00 to N$ 1 407.00 as reflected by the sale. Considering the above, a rate of 1 407/ m², is advised. Hence the portion required shall be valued at the aforementioned price.

.....

Valued by: Kaulikufwa Hendjala **Date:** 28/02/2024

VALUATION CERTIFICATE

DIVISION: VALUATION SERVICES

DATE OF VALUATION: 28/02/2024

Erf No.: 332 **Suburb:** Kleine Kuppe **Street name:** Gamsa

Erf size: 190 759 m² **Zoning:** Public Open Space **Density:**

Required portion size: 143 m²

Current use of the portion under consideration: Vacant

Acquisition purpose: To be sold for consolidation with Erf 1221 Kleine Kuppe

Current vacant land going price/ m²	N$ 1 407	
Size of the portion Required	143 m²	
Estimated market Value	N$ 201 200.00	

Sales from 2021 tender in Kleine Kuppe produced an average purchace price of N$ 1358.00, consequently we are of the opinion that going rate for vacant land be adjusted from N$ 1 699.00 to N$ 1 407.00 as reflected by the sale. Considering the above, a rate of 1 407/ m², is advised. Hence the portion required shall be valued at the aforementioned price.

Valued by: Kaulikufwa Hendjala **Date:** 28/02/2024

VALUATION CERTIFICATE

DIVISION: VALUATION SERVICES

DATE OF VALUATION: 28/02/2024

Erf No.:	332	**Suburb:**	Kleine Kuppe	**Street name:**	Gamsa
Erf size:	190 759 m²	**Zoning:**	Public Open Space	**Density:**	

Required portion size: 130 m²

Current use of the portion under consideration: Vacant

Acquisition purpose: To be sold for consolidation with Erf 1189 Kleine Kuppe

Current vacant land going price/ m²	N$ 1 407	
Size of the portion Required	130 m²	
Estimated market Value	N$ 182 900.00	

Sales from 2021 tender in Kleine Kuppe produced an average purchace price of N$ 1358.00, consequently we are of the opinion that going rate for vacant land be adjusted from N$ 1 699.00 to N$ 1 407.00 as reflected by the sale. Considering the above, a rate of 1 407/ m², is advised. Hence the portion required shall be valued at the aforementioned price.

.....

Valued by: Kaulikufwa Hendjala **Date:** 28/02/2024

VALUATION CERTIFICATE

DIVISION: VALUATION SERVICES

DATE OF VALUATION: 28/02/2024

Erf No.:	332	**Suburb:**	Kleine Kuppe	**Street name:**	Gamsa
Erf size:	190 759 m²	**Zoning:**	Public Open Space	**Density:**	

Required portion size: 238 m²

Current use of the portion under consideration: Vacant

Acquisition purpose: To be sold for consolidation with Erf 1190 Kleine Kuppe

Current vacant land going price/ m²	N$ 1 407	
Size of the portion Required	238 m²	
Estimated market Value	N$ 334 900.00	

Sales from 2021 tender in Kleine Kuppe produced an average purchace price of N$ 1358.00, consequently we are of the opinion that going rate for vacant land be adjusted from N$ 1 699.00 to N$ 1 407.00 as reflected by the sale. Considering the above, a rate of 1 407/ m², is advised. Hence the portion required shall be valued at the aforementioned price.

.....

Valued by: Kaulikufwa Hendjala **Date:** 28/02/2024

VALUATION CERTIFICATE

DIVISION: VALUATION SERVICES

DATE OF VALUATION: 28/02/2024

Erf No.: 332 **Suburb:** Kleine Kuppe **Street name:** Gamsa

Erf size: 190 759 m² **Zoning:** Public Open Space **Density:**

Required portion size: 241 m²

Current use of the portion under consideration: Vacant

Acquisition purpose: To be sold for consolidation with Erf 1191 Kleine Kuppe

Current vacant land going price/ m²	**N$ 1 407**	
Size of the portion Required	**241 m²**	
Estimated market Value	**N$ 339 100.00**	

Sales from 2021 tender in Kleine Kuppe produced an average purchace price of N$ 1358.00, consequently we are of the opinion that going rate for vacant land be adjusted from N$ 1 699.00 to N$ 1 407.00 as reflected by the sale. Considering the above, a rate of 1 407/ m², is advised. Hence the portion required shall be valued at the aforementioned price.

.....

Valued by: Kamlikufwa Hendjala **Date:** 28/02/2024

The City of Windhoek

Manager: Property Management

Date:.....

Dear Sir/Madam

NEIGHBOURS' CONSENT

SALE OF A PORTION OF ERF 332, KLEINE KUPPE EXTENSION 1 TO THE OWNER OF ERF 1189, KLEINE KUPPE EXTENSION 1 FOR CONSOLIDATION PURPOSES

I/WE, MICHAEL KNOTT & HARRIET KNOTT;

IDENTIFICATION NUMBER(S) 7702221057 9 & 8312210027, THE OWNER(S) OF **ERF 1190, KLEINE KUPPE EXTENSION 1**, OBJECT/DOES NOT OBJECT TO THE INTENDED SALE. (Delete what does not apply).

(SIGN) (SIGN)

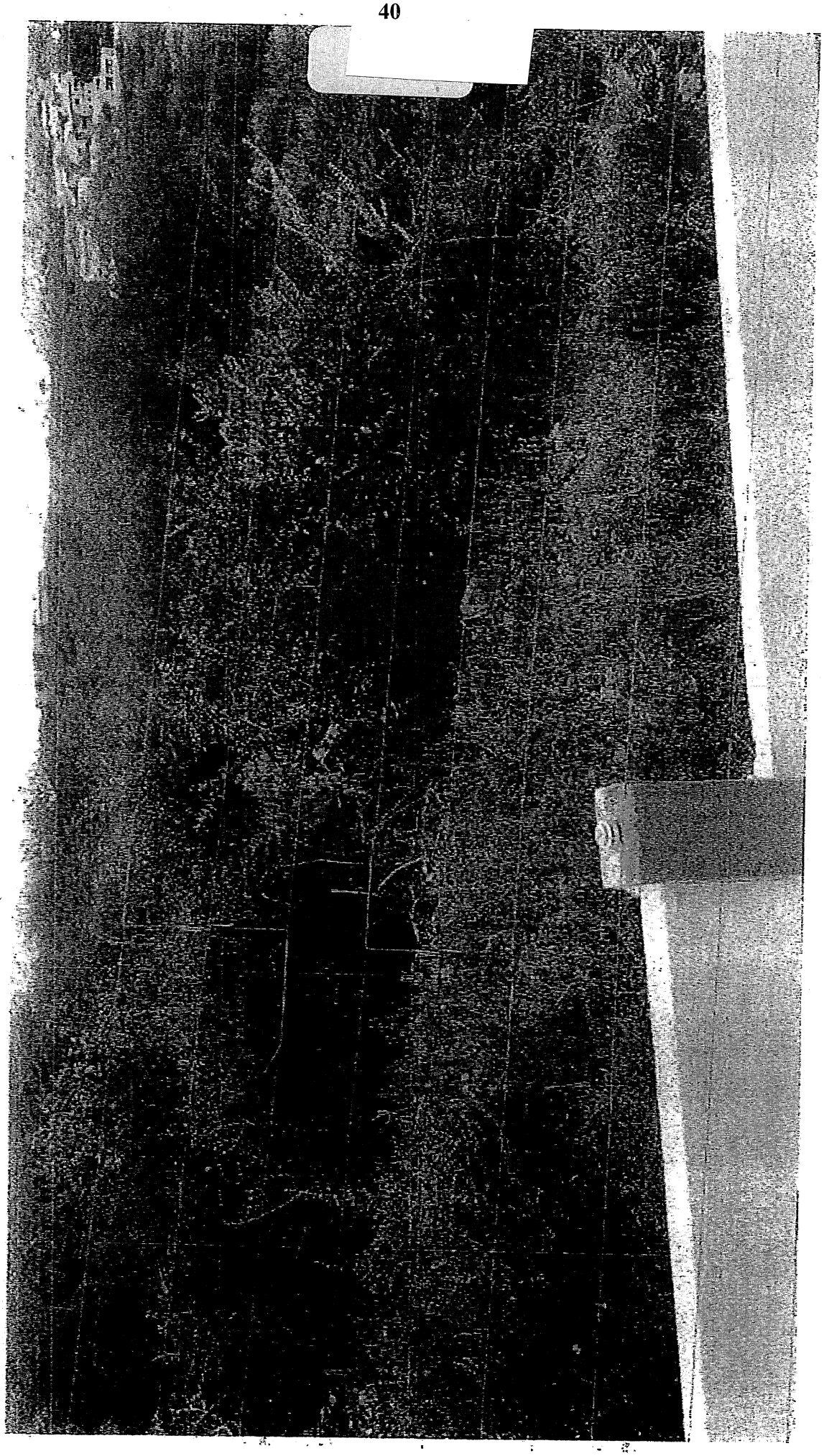
DATE 14/02/2023

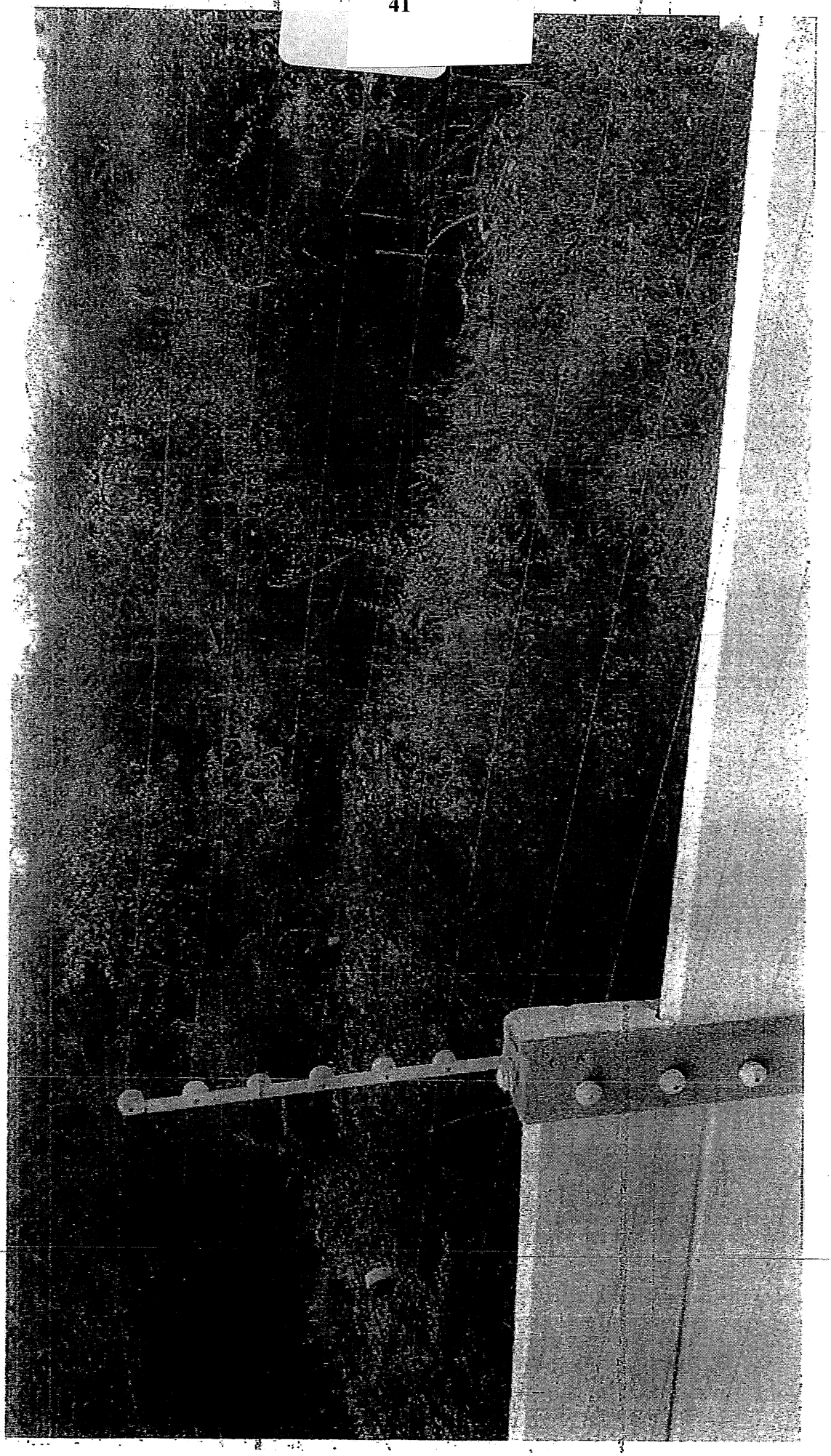
I/WE, H.J.P. Hough ; E.E. Hough;

IDENTIFICATION NUMBER(S) 6307145 00047 , 6206030 0304, THE OWNER(S) OF **ERF 1221, KLEINE KUPPE EXTENSION 1** , OBJECT/DOES NOT OBJECT TO THE INTENDED SALE. (Delete what does not apply).

(SIGN) (SIGN)

DATE 19/2/2023





Stubenrauch
Planning Consultants Reg. No. 95/00909 **TOWN AND REGIONAL PLANNERS**

Reg. No. 95/00909
Feld Str. 45
PO Box 41404
Windhoek
Namibia

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Fax: +264 61 252157
gunther@spc.com.na
www.spc.com.na

Our Ref: W/24017
Enquiries: Demetilie Amupolo

21 May 2024

The Chief Executive Officer
City of Windhoek
PO Box 59
Windhoek

Dear Mr Matyayi,

ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK – NAMIBIA JUKSKEI BOARD

a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

1. INTRODUCTION

In a submission dated 26 March 2024, **Stubenrauch Planning Consultants cc** on behalf of the Namibia Jukskei Board, the registered owner of Erf 8350 (portion of Erf RE/6755), Windhoek applied to the City of Windhoek for the following:

a) **Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";**
b) **Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;**
c) **Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.**

In accordance with Sections 99 or 107 of the Urban and Regional Planning Act 5 of 2018 as well as the City of Windhoek Public Consultation Policy for Proposed Development, our office was formally instructed by the City of Windhoek to give notification of the subject rezoning and consent application to the general public and to prescribed persons, in a prescribed manner.

2. NOTIFICATION

Notification of the subject rezoning and consent use was conducted in the following manner:

- Notices were placed in the Namibian and New Era newspapers of the **08th** and **15th April 2024;**
- A notice was placed in the Government Gazette on 15th April 2024;
- Letters were sent to the surrounding property owners via registered mail;

- A notice was placed on site on Erf 8350, Windhoek as well as on the notice board of the City of Windhoek Head Office.

This application notification was to allow the general public the opportunity to view the subject application as submitted to Council and to comment or object against the proposed development for a period of 14 working days.

A summary of the responses received is outlined in **Table 1** below.

Erf Number	Owner	Feedback
Erf 6861, Windhoek	R. P. Putter	No Response
Erf 5062, Windhoek	ESH Properties cc	Objection lodged
Erf 7530, Windhoek	Namibia Tennis Association	No Response
Erf 6352, Windhoek	Joint Hockey and Cricket City	No Response
Erf 7185, Windhoek	Benguella Angling Club	No Response
Erf 6351, Windhoek	Joint Hockey and Cricket City	No Response
Erf 5063, Windhoek	W. Peter	Objection lodged

3. OBJECTIONS RECEIVED

By the time the notification procedure closed on 08th May 2024, our office had received some objections against the proposed rezoning and consent use from the affected persons. The objections and our response/evaluation are as outlined in **Table 2** below.

Table 2: Evaluation of the objections received

	OBJECTION	EVALUATION / RESPONSES
1.	Noise pollution and disturbances at night from cars, bikes, screaming children and drunk people. (i.e Vintage Bar)	The noise generated from the activities can be mitigated through regulations (e.g operating hours) to be imposed by the City of Windhoek on the activities being operated on Erf 8350 (portion of Erf RE/6755), Windhoek.
2.	Increased traffic generation at Frankie Fredericks Drive and Tennis Street.	It should be noted that the subject application seeks to formalise an already existing situation on Erf 8350 (portion of Erf RE/6755), Windhoek. Thus, it is not anticipated that additional traffic will be generated once the current activities on Erf 8350 (portion of Erf RE/6755), Windhoek

		have been formalised. Additionally, Dr Frankie Fredericks Street has proven over time to have adequate capacity to carry high traffic volumes.
3.	Bad smells from the restaurant kitchen, depending from what direction the wind is coming.	It should be noted that primary purpose of a restaurant is to sell various types of cooked meals to their patrons. Considering that the there are other restaurants in the vicinity, the bad smell cannot be solely attributed to the kitchen of the restaurant on Erf 8350 (portion of Erf RE/6755), Windhoek, further considering that the direction in which the wind blows is not within human control. Therefore, the City of Windhoek may impose the necessary restrictions to ensure that the activities on the subject property are conducted in a sustainable and acceptable manner.
4.	Age of residents, mainly pensioners and families with small kids who have to go to school.	It should be noted that Erf 8350 (portion of Erf RE/6755), Windhoek is located on the edge of the sports precinct where noise from sports recreational activities as a result of the cheering from the spectators is unfortunately inevitable. To help minimise any possible conflicts with the tranquillity of the neighbourhood, the City of Windhoek and the relevant authorities may impose restrictions on the operating hours of the restaurant establishment.
5.	Due to the riverbed behind our properties, the safety at night is not guaranteed anymore and all the efforts of our Suiderhof Neighbourhood Watch by building fences is null and void, as the criminals can now take the escape route through the restaurants parking area.	It should be noted that the owners of Erf 8350 (portion of Erf RE/6755), Windhoek have no mandate to control the activities outside of their property boundaries, and the riverbed in question is not locate within the boundaries of Erf 8350 (portion of Erf RE/6755), Windhoek.

		However, the active operation of the restaurant can help increase street surveillance as the owners, workers and patrons of the restaurant can help monitor any suspicious activities in the area and report to the relevant authorities for improved safety within the neighbourhood.
6.	Loss of value to our properties	Erf 8350 (portion of Erf RE/6755), Windhoek is located in what can be referred to as an existing sports precinct of Olympia and is surrounded by the majority of erven zoned for "Private Open Space" in accordance with the Windhoek Zoning Scheme and are operating almost similar land use activities as those currently being conducted on the subject erf *(sports activities with consent for restaurant and bar)*. Considering that the current primary use on the subject erf is sporting activities, it is therefore the intention of our client to align the zoning of Erf 8350 (portion of Erf RE/6755), Windhoek with the applicable zoning which will enable them to exercise their full rights on the property, in accordance with the regulations of the Windhoek Zoning Scheme.

Taking into consideration the objections received, the Municipal Council of Windhoek should investigate the concerns raised by the neighbours and conduct a hearing with all the affected parties; then decide on the way forward.

4. RECOMMENDATION

According to Section 108 of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) and Section 14 of the Regulations relating to the Urban and Regional Planning Act, 2018, the Local Authority must within 14 days of notification about the objection, decide whether to hold a hearing or simply overrule the objection.

Should the local authority decide to hold a hearing, it must determine the date, place and time for the hearing and the Chief Executive Officer of the local authority must give notification in writing, with reasonable time of notice to the applicant and the objector. The hearing is to be used as a platform at which the objector will state their case, which will be used by the local authority to make their decision

regarding the proposed rezoning and consent use application on Erf 8350 (portion of Erf RE/6755), Windhoek.

Should the City of Windhoek decide to overrule the objection and recommend the application for Council approval and submission to the Urban and Regional Planning Board (URPB), the Chief Executive Officer must in terms of Section 109 (4) of the Urban and Regional Planning Act of 2018 (Act No. 5 of 2018) inform the objectors in writing about the decision taken by Council with regards to the application. Should the objector not be satisfied with Council's decision, they have a right to appeal to the Minister of Urban and Rural Development in terms of Section 110 of the Urban and Regional Planning Act of 2018 (Act No. 5 of 2018). The appeal should be submitted within a period of 21 working days from the date the objector is notified about Council's decision to appeal.

Kindly take note that our office will require a copy of the letters sent to the objectors as well as the Resolution and Minutes of the hearing as these must be submitted together with the application to the Urban and Regional Planning Board.

Further take note that according to Section 15 of the Regulations relating to the Urban and Regional Planning Act, 2018, a Local Authority must make a recommendation on an application within 30 working days after conducting a hearing.

5. CONCLUSION

It should be noted that Erf 8350 (portion of Erf RE/6755), Windhoek is situated in an area where most properties are zoned "Private Open Space" and are used for sports and recreational activities, which is what the subject erf is also used for. Therefore, the proposed rezoning and consent use is not expected to cause any changes to the existing character of the neighbourhood, but it will rather formally blend in with the surrounding land use activities.

While we understand the concerns of the objectors, it is obvious that their objections are of self-centred interests and are limiting the owners of Erf 8350 (portion of Erf RE/6755), Windhoek to exercise their full property rights as permitted by the Windhoek Zoning Scheme.

Therefore, the following is recommended:

a) That the objections submitted are to be turned down and that the rezoning and consent is approved;
b) That the application be recommended for submission and approval of the Urban and Regional Planning Board (URPB).

6. ANNEXURES

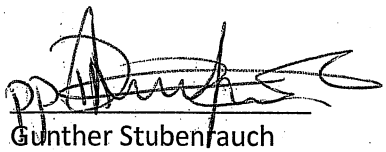
Kindly find attached the following documentation:

- Newspaper Notices
- Government Gazette Notice
- Images of the notices onsite and on the Municipal Notice Board

- Proof of Registered Mail
- Letters to surrounding neighbours
- Objections received

Should you need any assistance from our office in this regard, do not hesitate to contact us.

Yours Sincerely



Gunther Stubenrauch

Stubenrauch
Planning Consultants Reg. No. 95/00909 TOWN AND REGIONAL PLANNERS

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Our Ref: W/24017
Enquiries: Demetilie Amupolo

05 April 2024

The Owner of Erf 7530, Windhoek
Namibia Tennis Association
PO Box 479
Windhoek

Dear Sir/Madam,

ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK – NAMIBIA JUKSKEI BOARD

a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

This letter serves to inform you in terms of the Urban and Regional Planning Act of 2018 and in terms of the City of Windhoek Public Consultation Policy for Proposed Development, that **Stubenrauch Planning Consultants cc** has been appointed by the Namibia Jukskei Board, the registered owner of Erf 8350 (portion of Erf RE/6755), Windhoek to apply on their behalf to the Windhoek Municipal Council and to the Urban and Regional Planning Board (URPB) for the above mentioned town planning procedures.

Erf 8350 (portion of Erf RE/6755) is located in the neighbourhood of Olympia, along Jason Hamutenya Ndadi Street in Windhoek and it is zoned "Undetermined" in terms of the Windhoek Zoning Scheme. Erf 8350 (portion of Erf RE/6755) measures approximately 9,474m² in extent and it currently accommodates CrossFit Windhoek - a fitness centre, the Vintage Bar and Grill as well as the Jukskei field.

The purpose of the application as set out above is to formalise the existing sporting activities by aligning the zoning of Erf 8350 (portion of Erf RE/6755), Windhoek with the applicable zoning in terms of the Windhoek Zoning Scheme, and further seek consent from the Municipal Council of Windhoek to operate a restaurant and bar on the property, which will enable the existing restaurant and bar to renew their Fitness Certificate.

It should be noted that parking for the development on the property has been provided in line with the parking requirements as stipulated in the Windhoek Zoning Scheme.

As an immediate neighbour of Erf 8350 (portion of Erf RE/6755), Windhoek, you are hereby notified of the proposed application as set out above.

Stubenrauch
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www.spc.com.na

Our Ref: W/24017
Enquiries: Demetilie Amupolo

05 April 2024

The Owner of Erf 6352, Windhoek
Joint Hockey and Cricket City
PO Box 487
City Kiosk

Dear Sir/Madam,

ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK – NAMIBIA JUKSKEI BOARD

a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
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It should be noted that parking for the development on the property has been provided in line with the parking requirements as stipulated in the Windhoek Zoning Scheme.

As an immediate neighbour of Erf 8350 (portion of Erf RE/6755), Windhoek, you are hereby notified of the proposed application as set out above.

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gunther@spc.com.na
www.spc.com.na

Our Ref: W/24017
Enquiries: Demetilie Amupolo

05 April 2024

The Owner of Erf 7185, Windhoek
Benguela Angling Club
PO Box 5466
Ausspannplatz

Dear Sir/Madam,

ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK – NAMIBIA JUKSKEI BOARD

a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
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Our Ref: W/24017
Enquiries: Demetilie Amupolo

05 April 2024

The Owner of Erf 6351, Windhoek
Joint Hockey and Cricket City
P O Box 25799
City Kiosk

Dear Sir/Madam,

ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK – NAMIBIA JUKSKEI BOARD

a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
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Our Ref: W/24017
Enquiries: Demetilie Amupolo

05 April 2024

The Owner of Erf 5063, Windhoek
W. Peter
P O Box 2545
Windhoek

Dear Mr Peter,

ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK – NAMIBIA JUKSKEI BOARD

a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
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Our Ref: W/24017
Enquiries: Demetilie Amupolo

05 April 2024

The Owner of Erf 6861, Windhoek
RP Putter
PO Box 2189
Windhoek

Dear Mr Putter,

ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK – NAMIBIA JUKSKEI BOARD

a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
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Our Ref: W/24017
Enquiries: Demetilie Amupolo

05 April 2024

The Owner of Erf RE/7531, Windhoek
City of Windhoek
P O Box 59
Windhoek

Dear Mr Matyayi,

ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK – NAMIBIA JUKSKEI BOARD

a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
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Our Ref: W/24017
Enquiries: Demetilie Amupolo

05 April 2024

The Owner of Erf 5062, Windhoek
ESH Properties cc
PO Box 1992
Windhoek

Dear Sir/Madam,

ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK – NAMIBIA JUKSKEI BOARD

a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

This letter serves to inform you in terms of the Urban and Regional Planning Act of 2018 and in terms of the City of Windhoek Public Consultation Policy for Proposed Development, that **Stubenrauch Planning Consultants cc** has been appointed by the Namibia Jukskei Board, the registered owner of Erf 8350 (portion of Erf RE/6755), Windhoek to apply on their behalf to the Windhoek Municipal Council and to the Urban and Regional Planning Board (URPB) for the above mentioned town planning procedures.

Erf 8350 (portion of Erf RE/6755) is located in the neighbourhood of Olympia, along Jason Hamutenya Ndadi Street in Windhoek and it is zoned "Undetermined" in terms of the Windhoek Zoning Scheme. Erf 8350 (portion of Erf RE/6755) measures approximately 9,474m² in extent and it currently accommodates CrossFit Windhoek - a fitness centre, the Vintage Bar and Grill as well as the Jukskei field.

The purpose of the application as set out above is to formalise the existing sporting activities by aligning the zoning of Erf 8350 (portion of Erf RE/6755), Windhoek with the applicable zoning in terms of the Windhoek Zoning Scheme, and further seek consent from the Municipal Council of Windhoek to operate a restaurant and bar on the property, which will enable the existing restaurant and bar to renew their Fitness Certificate.

It should be noted that parking for the development on the property has been provided in line with the parking requirements as stipulated in the Windhoek Zoning Scheme.

As an immediate neighbour of Erf 8350 (portion of Erf RE/6755), Windhoek, you are hereby notified of the proposed application as set out above.

Kindly take note that any person commenting or objecting to the proposed application as set out above may lodge such comment or objection together with their grounds thereof, with the Chief Executive Officer of the City of Windhoek and the applicant (SPC) in writing on or before **Wednesday, 08 May 2024.**

Please be so kind and complete the attached comment form for return to our office by **Wednesday, 08 May 2024.** Please note that even if you do not have any comment or reservation against the intended application, **you are requested to kindly return the completed form to our office.**

Should the consent form not be returned to our office by Wednesday, 08 May 2024, we will assume there are no objections against the proposed development.

A copy of the locality and rezoning maps are attached to this letter for your easy reference.

Should you require any additional information in this regard or would further like to discuss this matter with us please do not hesitate to contact our office.

Yours faithfully

Günther Stubenrauch

Our Ref.: W/24017

Name:.....
Tell:.....
Cell:.....
Fax:.....
Email:.....
Date ...../...../ 2024
(please fill in your personal details above)

Stubenrauch Planning Consultants cc
PO Box 41404
Windhoek
Email: office3@spc.com.na

Dear Sir / Madam

ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK – NAMIBIA JUKSKEI BOARD

a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

Herewith do I / we (please print) .....

the owner/s of .....

declare that I / we (please indicate an X in the appropriate box):

Do Not object against the:

☐ a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";

☐ b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;

☐ c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

Do object against the

☐ a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";

☐ b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;

☐ c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

If objecting, please indicate the reasons for doing so:

.....

.....

.....

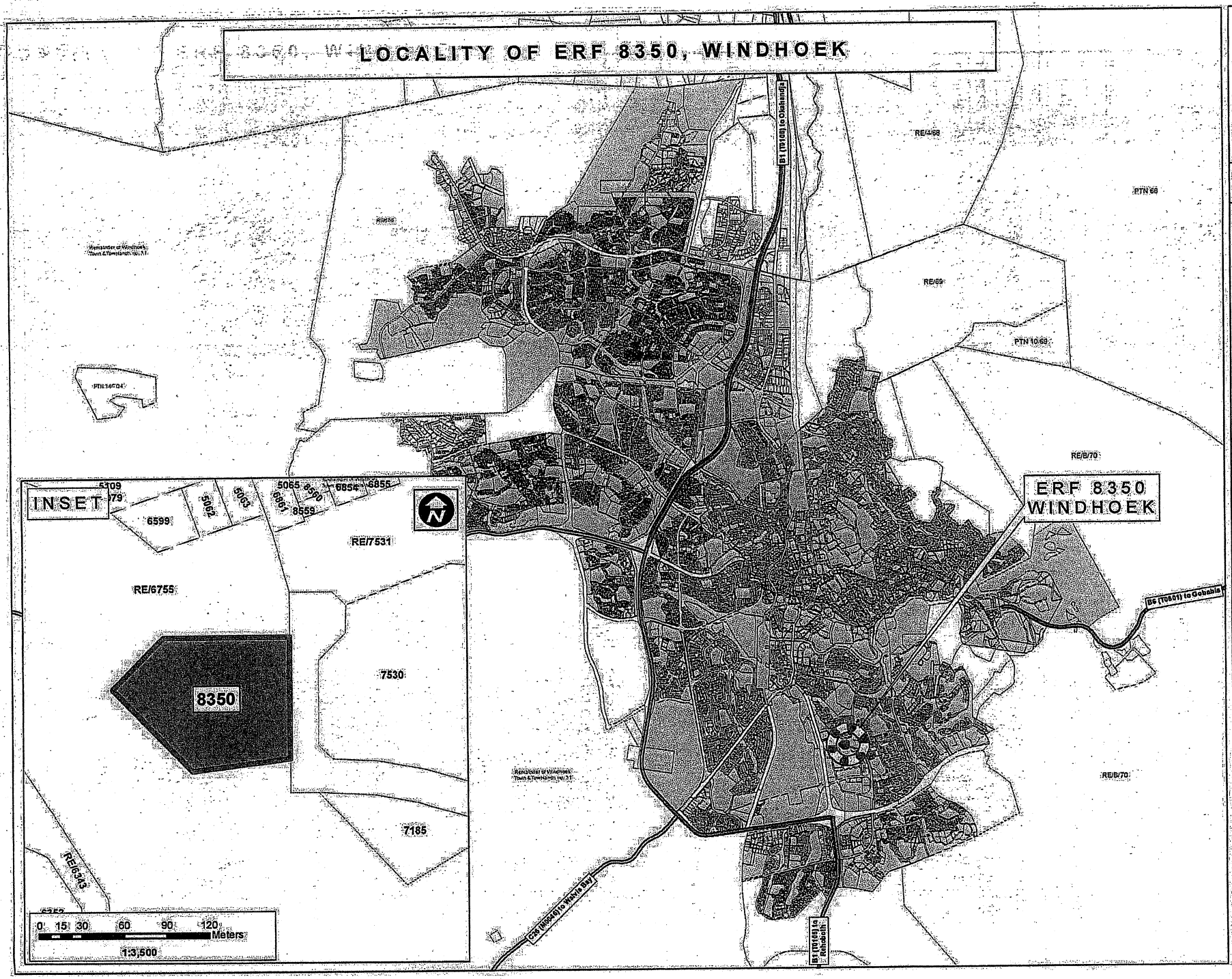
Please note that even if you do not have any objection or reservation against the intended application, you are requested to kindly return the completed form to our office. Should this form not be returned to our office by **Wednesday, 08 May 2024**, we will assume there are no objections against above-mentioned development.

Signed at: ..... on this ..... day of ..... 2024.

.....
Signature of Property Owner

.....
Witness

LOCALITY OF ERF 8350, WINDHOEK



CITY OF WINDHOEK

WINDHOEK

Legend

- Erf 8350
- Cadastral Boundary
- Extension Boundary
- Trunk Road
- Main Road

58

NOTE:
All measurements & sizes given are approximate.
No Residential erf shall be smaller than 300m² in size.

SIGNATURE DATE

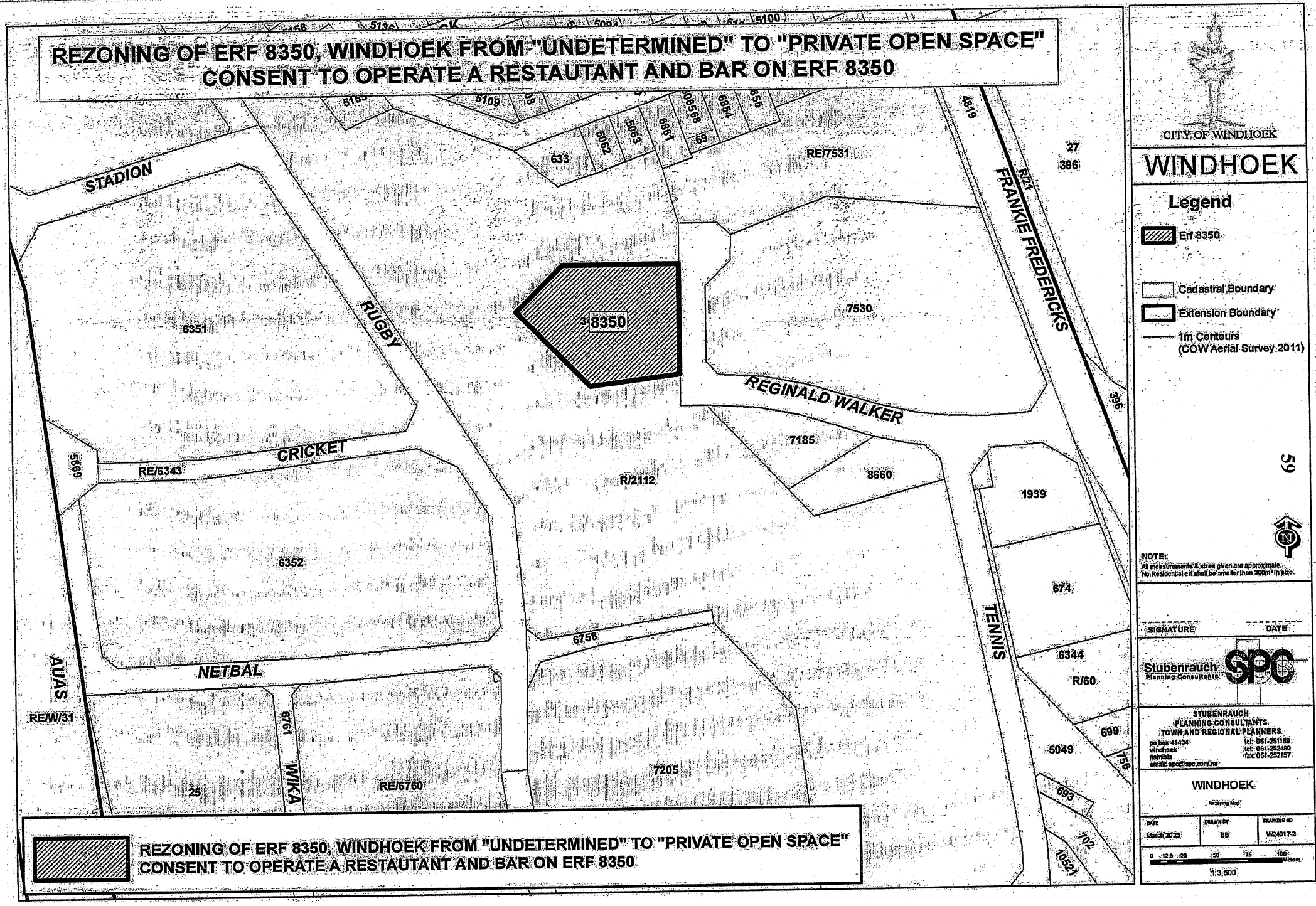
Stubenrauch Planning Consultants SPC

STUBENRAUCH
PLANNING CONSULTANTS
TOWN AND REGIONAL PLANNERS
po box 41404 tel: 061-251189
windhoek tel: 061-253400
namibia fax: 061-252157
email: spc@spc.com.na

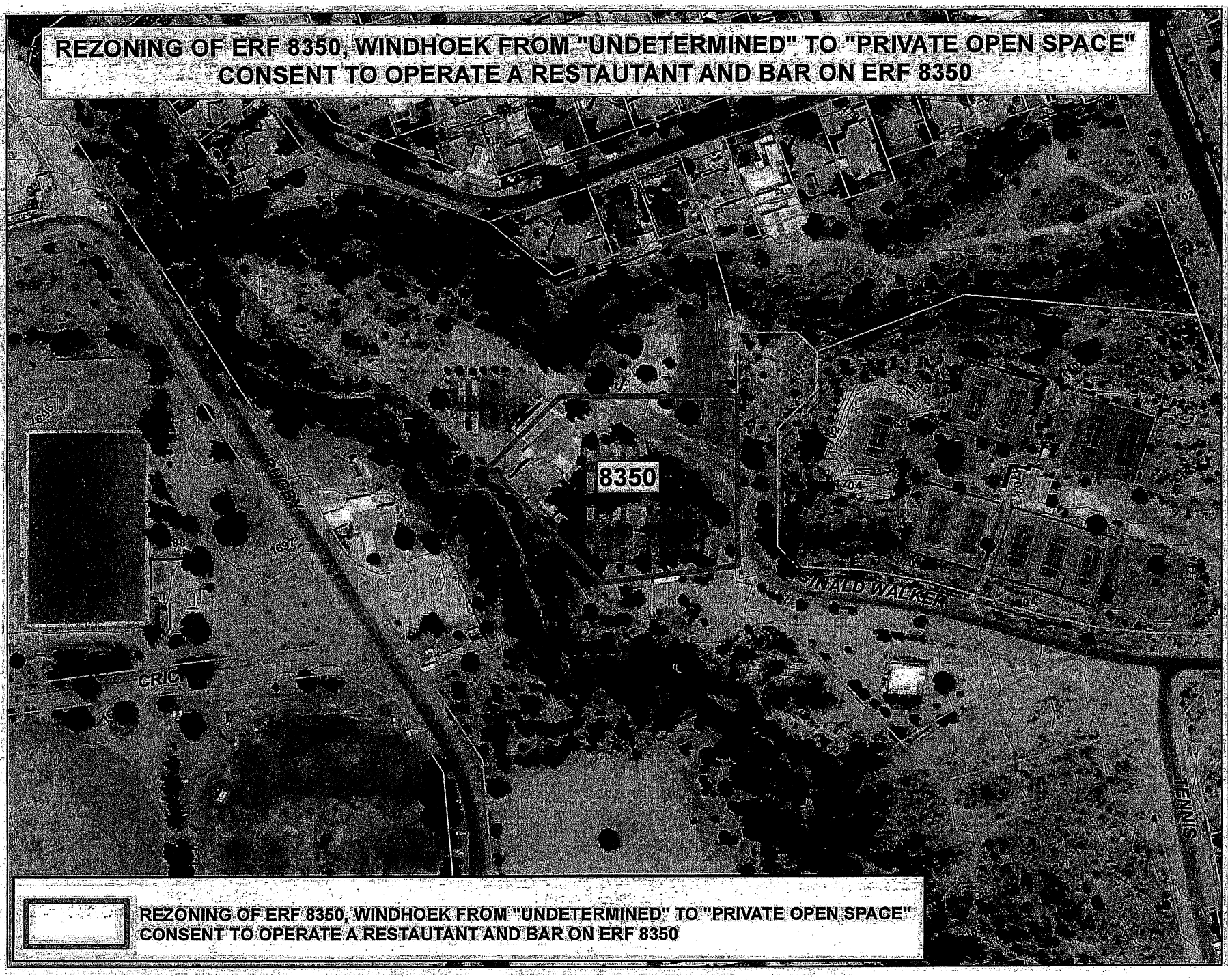
WINDHOEK
LOCALITY MAP

DATE	DRAWN BY	DRAWING NO
March 2024	BB	W24017-1

0 375 750 1,500 2,250 3,000 Meters
1:100,000


REZONING OF ERF 8350, WINDHOEK FROM "UNDETERMINED" TO "PRIVATE OPEN SPACE"
CONSENT TO OPERATE A RESTAUTANT AND BAR ON ERF 8350
STADION
RUGBY
CRICKET
NETBAL
AUAS
WIKA
FRANKIE FREDERICKS
REGINALD WALKER
TENNIS
8350
6351
6352
RE/6343
RE/W/31
6761
25
RE/6760
6758
7205
R/2112
7185
8660
7530
RE/7531
633
5062
5063
6861
69
6854
855
5109
5155
4519
R21
27
396
1939
674
6344
R/60
699
5049
756
693
702
10521
5869
59
CITY OF WINDHOEK
WINDHOEK
Legend
Erf 8350
Cadastral Boundary
Extension Boundary
1m Contours
(COW Aerial Survey 2011)
NOTE:
All measurements & sizes given are approximate.
No Residential erf shall be smaller than 300m² in size.
SIGNATURE
DATE
Stubenrauch Planning Consultants
STUBENRAUCH
PLANNING CONSULTANTS
TOWN AND REGIONAL PLANNERS
po box 41404
windhoek
namibia
email: spc@spc.com.na
tel: 061-251169
tel: 061-252400
fax: 061-252157
WINDHOEK
Rezoning Map
DATE
March 2023
DRAWN BY
BB
DRAWING NO
W24017-2
0 12.5 25 50 75 100 Meters
1:3,500
REZONING OF ERF 8350, WINDHOEK FROM "UNDETERMINED" TO "PRIVATE OPEN SPACE"
CONSENT TO OPERATE A RESTAUTANT AND BAR ON ERF 8350

REZONING OF ERF 8350, WINDHOEK FROM "UNDETERMINED" TO "PRIVATE OPEN SPACE"
CONSENT TO OPERATE A RESTAUTANT AND BAR ON ERF 8350



CITY OF WINDHOEK

WINDHOEK

Legend

- Erf 8350
- Cadastral Boundary
- Extension Boundary
- 1m Contours (COW Aerial Survey 2011)

09

NOTE:
All measurements & sizes given are approximate.
No Residential erf shall be smaller than 300m² in size.

SIGNATURE DATE

Stubenrauch Planning Consultants SPC

STUBENRAUCH
PLANNING CONSULTANTS
TOWN AND REGIONAL PLANNERS
po box 41404 tel: 061-251189
windhoek, tel: 061-252460
namibia fax: 061-252157
email: spc@spc.com.na

WINDHOEK

Rezoning Map

DATE	DRAWN BY	DRAWING NO
March 2024	BB	W24017-3

0 10 20 40 60 80 Meters

1:2,500

REZONING OF ERF 8350, WINDHOEK FROM "UNDETERMINED" TO "PRIVATE OPEN SPACE"
CONSENT TO OPERATE A RESTAUTANT AND BAR ON ERF 8350

Our Ref.: W/24017

Name: Heike Baumann
Tell: 061 - 251562
Cell: +264 811240254
Fax:
Email: uhbaumann@iway.na
Date 05 / 05 / 2024
(please fill in your personal details above)

Stubenrauch Planning Consultants cc
PO Box 41404
Windhoek
Email: office3@spc.com.na

Dear Sir / Madam

ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK – NAMIBIA JUKSKEI BOARD

a) **Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";**
b) **Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;**
c) **Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.**

Herewith do I / we (please print) Heike and Uwe Baumann
the owner/s of uhproperties cc
declare that I / we (please indicate an X in the appropriate box):

Do Not object against the:

☐ a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
☐ b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
☐ c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

Do object against the

☑ a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
☑ b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
☐ c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

If objecting, please indicate the reasons for doing so:

See attached letter of objection

Please note that even if you do not have any objection or reservation against the intended application, you are requested to kindly return the completed form to our office. Should this form not be returned to our office by **Wednesday, 08 May 2024**, we will assume there are no objections against above-mentioned development.

Signed at: Windhoek on this 5th day of May 2024.

H. Baumann
Signature of Property Owner

Witness

Windhoek, 05.05.2024

OBJECTION AGAINST THE REZONING OF ERF 8350 (portion of Erf RE/6755) TO OPERATE A BAR AND RESTAURANT:

The proposed restaurant with bar will cause the following problems to our area:

1.) Noise and disturbance at night from cars, bikes, screaming children and drunk people. (i.e. Vintage Bar).

2.) Increased traffic generation at Frankie Fredericks Drive and Tennis Street.

3.) Bad smells from the restaurant kitchen, depending from what direction the wind is coming.

4.) Age of residents, mainly pensioners and families with small kids who have to go to school.

5.) Due to the Riverbed behind our properties, the safety at night is not guaranteed anymore and all the efforts of the Suiderhof Neighbourhood Watch by building fences is null and void, as the criminals can now take the escape route through the restaurants parking area.

6.) Loss of value to our properties.

ERF NO.: 5062

Our Ref.: W/24017

63

Name: M E Schoeman
Tell:
Cell: 081 280 9097
Fax:
Email: Eschoem5@gmail.com
Date 06 / 05 / 2024
(please fill in your personal details above)

Stubenrauch Planning Consultants cc
PO Box 41404
Windhoek
Email: office3@spc.com.na

Dear Sir / Madam

ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK – NAMIBIA JUKSKEI BOARD

a) **Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";**
b) **Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;**
c) **Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.**

Herewith do I / we (please print) Mathilda E Schoeman
the owner/s of Erf 6599
declare that I / we (please indicate an X in the appropriate box):

Do Not object against the:

☐ a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
☐ b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
☐ c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

Do object against the

☒ a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
☒ b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
☒ c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

If objecting, please indicate the reasons for doing so:

Too close to my dwelling, as it is the noise coming from the present set-up is very disturbing.

Please note that even if you do not have any objection or reservation against the intended application, you are requested to kindly return the completed form to our office. Should this form not be returned to our office by **Wednesday, 08 May 2024**, we will assume there are no objections against above-mentioned development.

Signed at: Windhoek on this 5 day of May 2024.

Signature of Property Owner

Witness

0Windhoek, 05.05.2024

OBJECTION AGAINST THE REZONING OF ERF 8350 (portion of Erf RE/6755) TO OPERATE A BAR AND RESTAURANT:

The proposed restaurant with bar will cause the following problems to our area:

1.) Noise pollution and disturbance at night from cars, bikes, screaming children and drunk people. (i.e. Vintage Bar).

2.) Increased traffic generation at Frankie Fredericks Drive and Tennis Street.

3.) Bad smells from the restaurant kitchen, depending from what direction the wind is coming.

4.) Age of residents, mainly pensioners and families with small kids who have to go to school.

5.) Due to the Riverbed behind our properties, the safety at night is not guaranteed anymore and all the efforts of the Suiderhof Neighbourhood Watch by building fences is null and void, as the criminals can now take the escape route through the restaurants parking area.

6.) Loss of value to our properties.

07/5/2024

Sable str 1

ERF NO.: 6599

W/24017

65

Name: Jacobus Fourie.
Tel: 081 271 7388
Cell:
Fax:
Email: jacofourie1966@gmail.com
Date 05/05/2024
(please fill in your personal details above)

Stubenrauch Planning Consultants cc
PO Box 41404
Windhoek
Email: office3@spc.com.na

Dear Sir / Madam

ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK – NAMIBIA JUKSKEI BOARD

a) **Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";**
b) **Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;**
c) **Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.**

Herewith do I / we (please print) Jacobus Fourie
the owner/s of Erf 5116
declare that I / we (please indicate an X in the appropriate box):

Do Not object against the:

- [ ] a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
- [ ] b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
- [ ] c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

Do object against the

- [X] a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
- [X] b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
- [X] c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

objecting, please indicate the reasons for doing so:
see attached

Please note that even if you do not have any objection or reservation against the intended application, you are requested to kindly return the completed form to our office. Should this form not be returned to our office by **Wednesday, 08 May 2024**, we will assume there are no objections against above-mentioned development.

Signed at: Windhoek on this 5 day of May 2024.

Signature of Property Owner

5116

In Pty

Witness

0Windhoek, 05.05.2024

OBJECTION AGAINST THE REZONING OF ERF 8350 (portion of Erf RE/6755) TO OPERATE A BAR AND RESTAURANT:

The proposed restaurant with bar will cause the following problems to our area:

1.) Noise pollution and disturbance at night from cars, bikes, screaming children and drunk people. (i.e. Vintage Bar).

2.) Increased traffic generation at Frankie Fredericks Drive and Tennis Street.

3.) Bad smells from the restaurant kitchen, depending from what direction the wind is coming.

4.) Age of residents, mainly pensioners and families with small kids who have to go to school.

5.) Due to the Riverbed behind our properties, the safety at night is not guaranteed anymore and all the efforts of the Suiderhof Neighbourhood Watch by building fences is null and void, as the criminals can now take the escape route through the restaurants parking area.

6.) Loss of value to our properties.

ERF NO.: 5106

Our Ref.: W/24017

67

Name: R. Laue
Tell:
Cell: 0814230563
Fax:
Email: nellievisse5@gmail.com
Date 5/5/2024
(please fill in your personal details above)

Stubenrauch Planning Consultants cc
PO Box 41404
Windhoek
Email: office3@spc.com.na

Dear Sir / Madam

ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK – NAMIBIA JUKSKEI BOARD

a) **Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";**
b) **Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;**
c) **Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.**

Herewith do I / we (please print) Renelle Laue
the owner/s of erf 5104
declare that I / we (please indicate an X in the appropriate box):

Do Not object against the:

☐ a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
☐ b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
☐ c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

Do object against the

☒ a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
☒ b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
☒ c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

If objecting, please indicate the reasons for doing so:
see attached

Please note that even if you do not have any objection or reservation against the intended application, you are requested to kindly return the completed form to our office. Should this form not be returned to our office by **Wednesday, 08 May 2024**, we will assume there are no objections against above-mentioned development.

Signed at: Windhoek on this 5 day of May 2024.

Signature of Property Owner

U. Peters
Witness

0Windhoek, 05.05.2024

OBJECTION AGAINST THE REZONING OF ERF 8350 (portion of Erf RE/6755) TO OPERATE A BAR AND RESTAURANT:

The proposed restaurant with bar will cause the following problems to our area:

1.) Noise pollution and disturbance at night from cars, bikes, screaming children and drunk people. (i.e. Vintage Bar).

2.) Increased traffic generation at Frankie Fredericks Drive and Tennis Street.

3.) Bad smells from the restaurant kitchen, depending from what direction the wind is coming.

4.) Age of residents, mainly pensioners and families with small kids who have to go to school.

5.) Due to the Riverbed behind our properties, the safety at night is not guaranteed anymore and all the efforts of the Suiderhof Neighbourhood Watch by building fences is null and void, as the criminals can now take the escape route through the restaurants parking area.

6.) Loss of value to our properties.

ERF NO.: 5104 RE

Our Ref.: W/24017

69

Name: Geraldine Kanyinga
Tell: /
Cell: 0813783883
Fax: /
Email: Geraldine.Kanyinga@hotmail.com
Date 05 / 05 / 2024
(please fill in your personal details above)

Stubenrauch Planning Consultants cc
PO Box 41404
Windhoek
Email: office3@spc.com.na

Dear Sir / Madam

ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK – NAMIBIA JUKSKEI BOARD

a) **Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";**
b) **Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;**
c) **Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.**

Herewith do I / we (please print) Geraldine kanyinga
the owner/s of erf 5107
declare that I / we (please indicate an X in the appropriate box):

Do Not object against the:

☐ a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
☐ b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
☐ c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

Do object against the

☒ a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
☒ b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
☒ c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

If objecting, please indicate the reasons for doing so:
See attached

Please note that even if you do not have any objection or reservation against the intended application, you are requested to kindly return the completed form to our office. Should this form not be returned to our office by **Wednesday, 08 May 2024**, we will assume there are no objections against above-mentioned development.

Signed at: Windhoek on this 5 day of May 2024.

Signature of Property Owner

Witness

0Windhoek, 05.05.2024

OBJECTION AGAINST THE REZONING OF ERF 8350 (portion of Erf RE/6755) TO OPERATE A BAR AND RESTAURANT:

The proposed restaurant with bar will cause the following problems to our area:

1.) Noise pollution and disturbance at night from cars, bikes, screaming children and drunk people. (i.e. Vintage Bar).

2.) Increased traffic generation at Frankie Fredericks Drive and Tennis Street.

3.) Bad smells from the restaurant kitchen, depending from what direction the wind is coming.

4.) Age of residents, mainly pensioners and families with small kids who have to go to school.

5.) Due to the Riverbed behind our properties, the safety at night is not guaranteed anymore and all the efforts of the Suiderhof Neighbourhood Watch by building fences is null and void, as the criminals can now take the escape route through the restaurants parking area.

6.) Loss of value to our properties.

ERF NO.: 5107

Our Ref.: W/24017

71

Name: Victor Ellitson
Tell: 0812417034
Cell: 0812417034
Fax:
Email: vellitson@gmail.com
Date 08 / 05 / 2024
(please fill in your personal details above)

Stubenrauch Planning Consultants cc
PO Box 41404
Windhoek
Email: office3@spc.com.na

Dear Sir / Madam

ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK – NAMIBIA JUKSKEI BOARD

a) **Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";**
b) **Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;**
c) **Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.**

Herewith do I / we (please print) Victor Ellitson
the owner/s of 42 Springbok st. Suiderhof
declare that I / we (please indicate an X in the appropriate box):

Do Not object against the:

☐ a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
☐ b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
☐ c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

Do object against the

☒ a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
☒ b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
☒ c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

If objecting, please indicate the reasons for doing so: Noise pollution.

Please note that even if you do not have any objection or reservation against the intended application, you are requested to kindly return the completed form to our office. Should this form not be returned to our office by **Wednesday, 08 May 2024**, we will assume there are no objections against above-mentioned development.

Signed at: Windhoek on this 5 day of May 2024.

Signature of Property Owner

Witness

0Windhoek, 05.05.2024

OBJECTION AGAINST THE REZONING OF ERF 8350 (portion of Erf RE/6755) TO OPERATE A BAR AND RESTAURANT:

The proposed restaurant with bar will cause the following problems to our area:

1.) Noise pollution and disturbance at night from cars, bikes, screaming children and drunk people. (i.e. Vintage Bar).

2.) Increased traffic generation at Frankie Fredericks Drive and Tennis Street.

3.) Bad smells from the restaurant kitchen, depending from what direction the wind is coming.

4.) Age of residents, mainly pensioners and families with small kids who have to go to school.

5.) Due to the Riverbed behind our properties, the safety at night is not guaranteed anymore and all the efforts of the Suiderhof Neighbourhood Watch by building fences is null and void, as the criminals can now take the escape route through the restaurants parking area.

6.) Loss of value to our properties.

42 Springbok Street

ERF NO.: 42 SPR

Victor Elitsau

Our Ref.: W/24017

73

Name: Willi Peter
Tell: 061 252835
Cell: 081 248 3275
Fax: .....
Email: wh peter@africaonline.com.na
Date 5 / May / 2024
(please fill in your personal details above)

Stubenrauch Planning Consultants cc
PO Box 41404
Windhoek
Email: office3@spc.com.na

Dear Sir / Madam

ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK – NAMIBIA JUKSKEI BOARD

a) **Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";**
b) **Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;**
c) **Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.**

Herewith do I / we (please print) Willi Peter
the owner/s of Erf 5063
declare that I / we (please indicate an X in the appropriate box):

Do Not object against the:

☐ a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
☐ b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
☐ c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

Do object against the

☒ a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
☒ b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
☒ c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

If objecting, please indicate the reasons for doing so:
See attached lists

Please note that even if you do not have any objection or reservation against the intended application, you are requested to kindly return the completed form to our office. Should this form not be returned to our office by **Wednesday, 08 May 2024**, we will assume there are no objections against above-mentioned development.

Signed at: Windhoek on this 5 day of May 2024.

Willi Peter
Signature of Property Owner

Witness

0Windhoek, 05.05.2024

OBJECTION AGAINST THE REZONING OF ERF 8350 (portion of Erf RE/6755) TO OPERATE A BAR AND RESTAURANT:

The proposed restaurant with bar will cause the following problems to our area:

1.) Noise pollution and disturbance at night from cars, bikes, screaming children and drunk people. (i.e. Vintage Bar).

2.) Increased traffic generation at Frankie Fredericks Drive and Tennis Street.

3.) Bad smells from the restaurant kitchen, depending from what direction the wind is coming.

4.) Age of residents, mainly pensioners and families with small kids who have to go to school.

5.) Due to the Riverbed behind our properties, the safety at night is not guaranteed anymore and all the efforts of the Suiderhof Neighbourhood Watch by building fences is null and void, as the criminals can now take the escape route through the restaurants parking area.

6.) Loss of value to our properties.

ERF NO.: 5063

26/8/2024

The Gateway to Endless Opportunities

City of Windhoek

Vision: To be a Sustainable and Caring City by 2027

City of Windhoek

FORM 1

CHECKLIST FOR TOWN PLANNING APPLICATIONS

Please submit the application and supporting documents in the sequence indicated below:

NO.	REQUIRED DOCUMENT	ANNEXURE	ATTACHED (YES or NO or N/A)
1.	**Full Application with motivation by Consultant or Owner of the Erf / Portion/ Farm including the prescribed Urban and Regional Planning Board Form(s).**	**ANNEXURE A**	**YES**
2.	**Previous Council's Approval** (if applicable)	**ANNEXURE B**	**YES**
3.	**A. Locality and Detailed Plans** (Illustrating the whole boundary of the Local Authority area under which the application is made)	**ANNEXURE C**	**YES**
	B. Portion Number (s) or Erf number (s) from Surveyor General's Office (if applicable)		**N/A**
	C. Existing Zoning Plan		**YES**
	D. Intended Zoning Plan		**YES**
	E. Subdivision / Consolidation Plan (with contours)		**N/A**
	F. Approved Parking Layout (stamped and signed by the City of Windhoek's Planning, Design & Traffic Flow Division Staff)		**YES**
	G. Copy of the Diagram or Extract of the General Plan Approved by the Surveyor General		**YES**
4.	**Conditions to be registered** (if applicable – this is mandatory for all subdivision applications)	**ANNEXURE D**	**YES**
5.	**Special Power of Attorney** including Revenue Stamps with relevant initials	**ANNEXURE E**	**YES**
6.	**Closure Certificate** (if applicable)		**N/A**
	Environmental Clearance Certificate (if applicable)		**N/A**
7.	**Previous approvals of the Minister of Urban and Rural Development** (including the recommendations of the Urban and Regional Planning Board, Townships Board or NAMPAB, if applicable)		**N/A**
8.	**Roads Authority approval together with the sketch plan indicating the access point(s)** (if applicable)		**N/A**
9.	**1. Copy of Founding Statement (CC 1/2) or Business Registration** (if registered in the name of Close Corporation, Company or Organisation Name)	**ANNEXURE F**	**N/A**
	2. Copy of Resolution (if registered in the name of a Company or Organisation)		**YES**
10.	**Copy of Title Deed, Deed of Transfer or Certificate of Registered Title**	**ANNEXURE G**	**YES**
11.	**Conditions of Establishment** (if applicable)		**N/A**
12.	**Proof of Payment of the City of Windhoek Application Fee**	**ANNEXURE H**	**YES**
13.	**Credit Clearance Certificate**	**ANNEXURE I**	**YES**

Note: Any required additional documents that are not listed on the checklist may be attached after No. 13

Stubenrauch
Planning Consultants
Reg. No. 95/00909
TOWN AND REGIONAL PLANNERS

Reg. No. 95/00909
Feld Str. 45
PO Box 41404
Windhoek
Namibia

Tel: +264 61 251189
+264 61 252490
Fax: +264 61 252157
gunther@spc.com.na
www.spc.com.na

Our Ref: W/24017
Enquiries: Demetilie Amupolo

26 March 2024

The Chief Executive Officer
City of Windhoek
PO Box 59
Windhoek

Dear Mr. M Matyayi

ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK – NAMIBIA JUKSKEI BOARD

a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

1. THE APPLICATION

Stubenrauch Planning Consultants cc (SPC) has been appointed by the Namibia Jukskei Board, the registered owner of Erf 8350 (portion of Erf RE/6755), Windhoek to apply on their behalf to the Municipal Council of Windhoek and to the Urban and Regional Planning Board (URPB) for the following:

a) **Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";**
b) **Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;**
c) **Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.**

The purpose of this application is to obtain a formal Council Resolution for the subject rezoning, consent use and subsequent inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek. The approval of the subject rezoning and consent use will respectively serve as a formalisation of the already existing sporting activities (Jukskei) on the property and also enable the existing restaurant and bar to renew their Fitness Certificate.

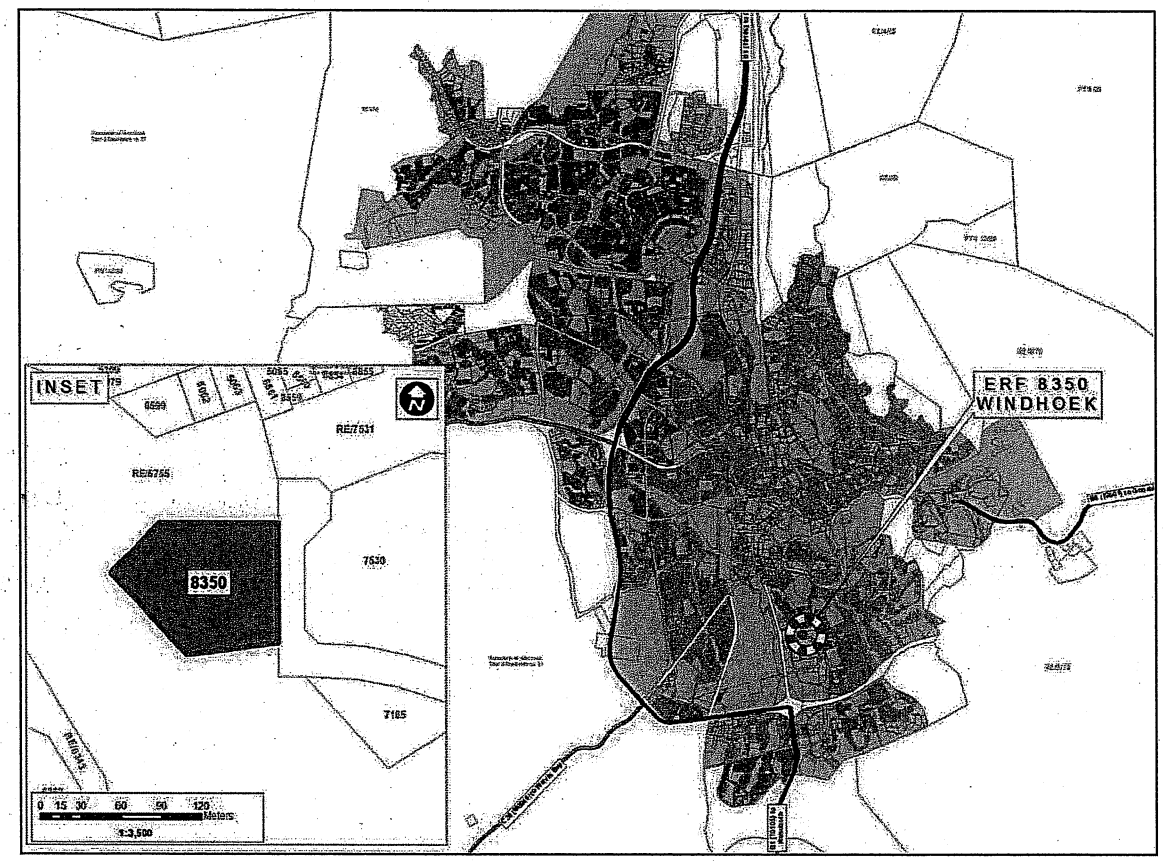
Kindly take note that a formal Council Resolution approving the subject application as set out above should only be taken once the procedures set out in Paragraph 7 of this application have been completed.

2. SITE INFORMATION

2.1. Locality

Erf 8350 (portion of Erf RE/6755) is located in the neighbourhood of Olympia, along Jason Hamutenya Ndadi Street in Windhoek as depicted in **Figure 1** below.

Figure 1: *Locality of Erf 8350, Windhoek*



2.2. Size and zoning

Erf 8350 (portion of Erf RE/6755), Windhoek measures approximately 9,474 square metres in extent, and it is currently zoned for "Undetermined" purposes in terms of the Windhoek Zoning Scheme.

According to Table B of the Windhoek Zoning Scheme, there are no specific land use activities prescribed for erven zoned "Undetermined". However, consent is required from the Municipal Council of Windhoek in order to operate any form of land use activities on erven zoned for "Undetermined" purposes.

2.3. Ownership and conditions

As per Deeds of Transfer No. T4574/2007, ownership of Erf 8350 (portion of Erf RE/6755), Windhoek vests with the Namibia Jukskei Board.

There are neither restrictions nor servitudes registered against the subject erf that may prohibit the proposed rezoning and consent use as set out above.

2.4. Status Quo and topography

Erf 8350 (portion of Erf RE/6755), Windhoek accommodates CrossFit Windhoek - a fitness centre which is currently operating on the subject erf under the consent of the Municipal Council of Windhoek as per Council Resolution No. 246/08/2022. Erf 8350 (portion of Erf RE/6755), Windhoek also accommodated the Vintage Bar and Grill which has been operating on the erf for more than 10 years, as well as the Jukskei field. As indicated by the contours in **Figure 2** below, the topography of Erf 8350, Windhoek is fairly flat, making it a suitable site for sports activities.

Figure 2: Aerial photo map

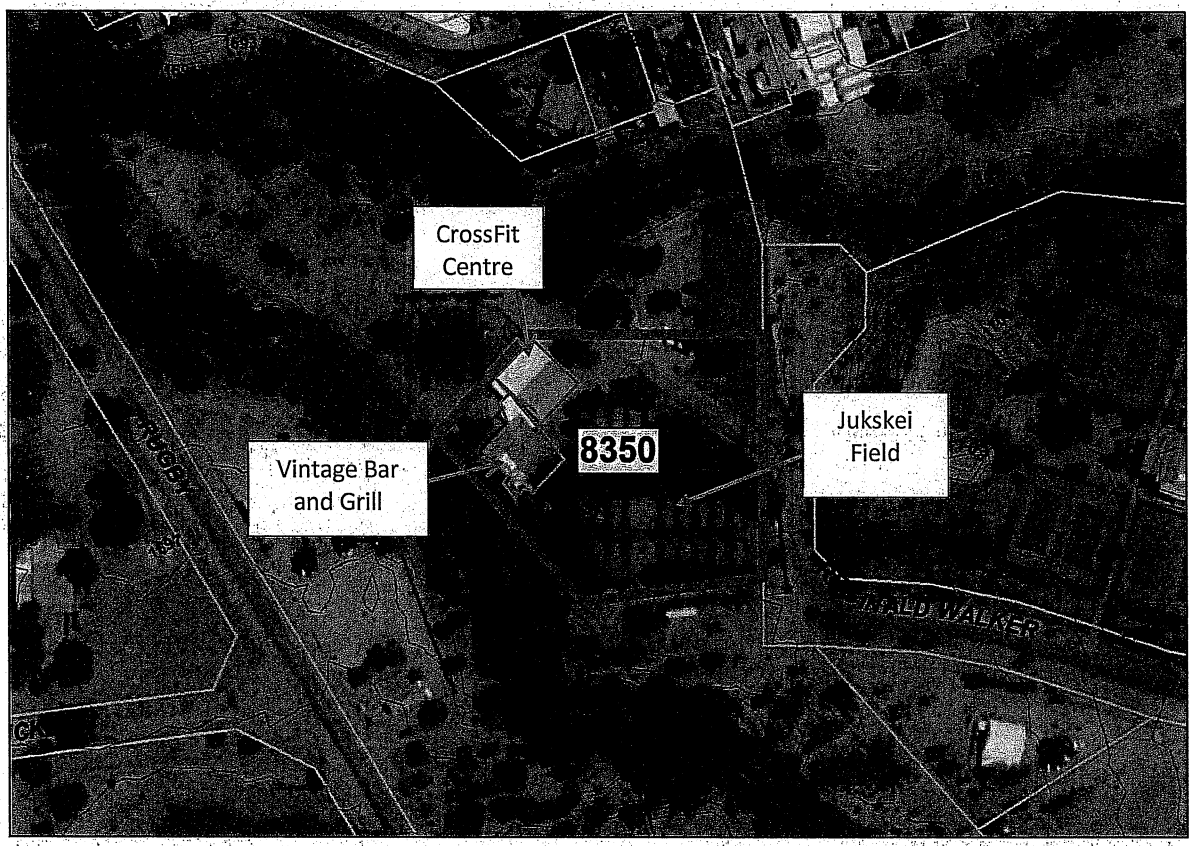


Image Source: *Google Earth*

2.5. Parking

Ninety-Five (95) on-site parking bays have been provided on Erf 8350 (portion of Erf RE/6755), Windhoek in accordance with the requirements of the City of Windhoek's Urban and Transport Planning Department, as indicated in the parking layout attached. The parking bays will cater to both the Vintage Bar & Grill, the Jukskei Club and to the CrossFit Centre which are both accommodated and operating on Erf 8350 (portion of Erf RE/6755), Windhoek. No specification has been made as to which parking bays are for which establishment.

The parking bays provided on Erf 8350 (portion of Erf RE/6755), Windhoek have a width of 2.5m and a length of 5m. The driveway through the parking is one-way, with a minimum width of 5.4m and a maximum width of 7.50m which is accommodative of all types of vehicles.

The provision of parking bays on Erf 8350 (portion of Erf RE/6755), Windhoek is summarised in **Table 1** below.

Table 1: Parking provision

Parking Calculations		
Use	**Calculation**	**Required Bays**
Vintage Bar and Grill	1 bay / 3 customers	57 bays
CrossFit Centre	7 bays / 100m² (total floor area 540m²)	38 bays
Total Parking Bays Required		**Total Parking Bays Provided**
95 Parking Bays		95 Parking Bays

3. PROPOSED DEVELOPMENT

Erf 8350 (portion of Erf RE/6755), Windhoek is currently zoned for "Undetermined" purposes in accordance with the Windhoek Zoning Scheme. The Windhoek Zoning Scheme does not prescribe any primary land use activities on erven zoned "Undetermined"; however, any land uses to be conducted on such erven should be accorded by the Municipal Council of Windhoek in terms of Table B of the Windhoek Zoning Scheme.

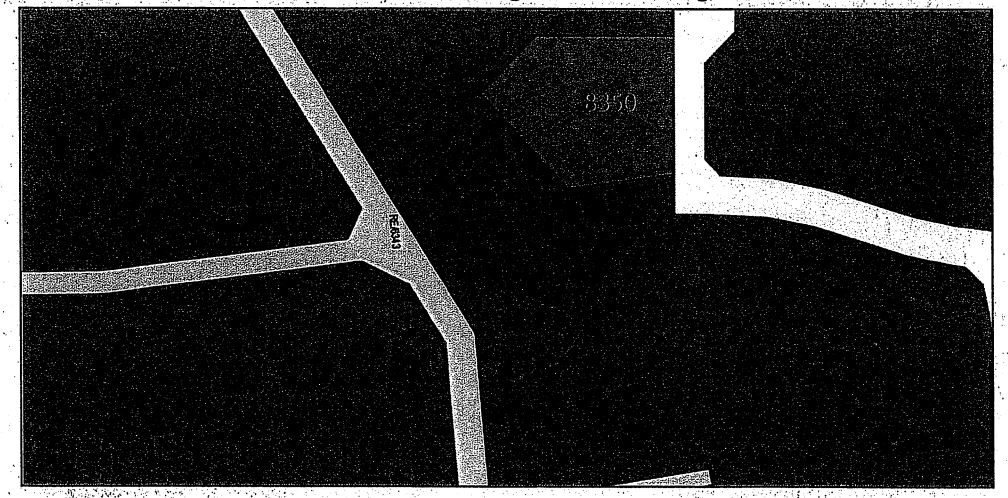
Our client wishes to ensure that the current operations on Erf 8350 (portion of Erf RE/6755), Windhoek are in compliance with the regulations of the Windhoek Zoning Scheme and all the relevant municipal bylaws; and has thus sppointed SPC to apply to the City of Windhoek for the town planning procedures as outlined in 3 (a) to (c) below:

(a) The Rezoning

Considering that the main operations on the property are the Jukskei sporting activities under the management of the Namibia Jukskei Board, the property owners intend to formalise the existing sporting activities by aligning the zoning of Erf 8350 (portion of Erf RE/6755), Windhoek with the applicable zoning in terms of the Windhoek Zoning Scheme.

As depicted in **Figure 3** below, the properties in the vicinity of Erf 8350, Windhoek which are used for sports activities are zoned "Private Open Space" in terms of the Windhoek Zoning Scheme. Hence, the appropriate zoning for Erf 8350 (portion of Erf RE/6755), Windhoek would be "Private Open Space" to ensure continuous land use compatibility within the surrounding area.

Figure 3: Surrounding land use zonings



An application is herewith submitted to the City of Windhoek in terms of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) for **the rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space".**

b) Consent Use

The Vintage Bar and Grill, an establishment which has been operating on Erf 8350 (portion of Erf RE/6755), Windhoek for over 10 years was in the process of renewing their Fitness Certificate in order to continue with their operations but were informed by the City of Windhoek that the owners of Erf 8350 (portion of Erf RE/6755), Windhoek do not have Council's consent to operate such land use activities on the property as it is zoned for "Undetermined" purposes.

The Namibia Jukskei Board hereby seeks consent from the Municipal Council of Windhoek in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and Bar on Erf 8350 (portion of Erf RE/6755), Windhoek. The proposed consent use is a mere formalisation of an already existing situation on the ground and will help ensure the continuous operations of the establishment, further ensuring that the personnel employed by the establishment remain with their jobs and their livelihoods are maintained.

c) Inclusion in the Zoning Scheme

Once the rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek has been approved by the Urban and Regional Planning Board, it should be included in the next Zoning Scheme to be prepared for Windhoek.

4. ENGINEERING SERVICES

(a) Water, sewer and electricity

Erf 8350 (portion of Erf RE/6755), Windhoek is already connected to the municipal reticulation system of water, sewer and electricity for the City of Windhoek. No additional connections are required as this is a mere formalisation of an already existing situation.

(b) Roads and stormwater runoff

Stormwater runoff is accommodated by the natural drainage pattern onsite and as per the City of Windhoek's stormwater drainage system.

5. ACCESS

Access to Erf 8350 (portion of Erf RE/6755), Windhoek is obtained from Jason Hamutenya Ndadi Street and this access will be maintained. No access approval from the Roads Authority is required for this application.

6. ENVIRONMENTAL ASPECT

The proposed application will not have any negative environmental impacts on the area as it is a mere formalization of the already existing situation which have not been reported to have cause any undesirable environmental impacts, and no new buildings will be added onto the subject erf. It should be noted that the proposed application has not been listed as one of the activities that require

environmental clearance in accordance with the Environmental Management Act 2007 (Act 7 of 2007); as such no environmental clearance is necessary for the subject application.

7. THE NOTIFICATION PROCEDURE

The Urban and Regional Planning Act of 2018 as promulgated in September 2020 sets out the regulations that govern the Urban and Regional Planning fraternity. Section 107 of the Urban and Regional Planning Act (Act 5 of 2018) requires that on receipt of a complete application in terms of Section 105 of the Urban and Regional Planning Act (Act 5 of 2018), the Chief Executive Officer of the Local Authority or the authorised planning authority must request the applicant to give notice of the application in the manner prescribed to -

(a) Prescribed persons
(b) General public

To comply with the Urban and Regional Planning Act and its Regulations of September 2020, **we hereby request the City of Windhoek to instruct our office in writing to give notice of the subject application** in the prescribed manner by notifying neighbouring landowners and the general public by placing a notice in two local newspapers for two consecutive weeks and placing a notice in the Government Gazette. An example of this written instruction is attached to this application.

Since the owners of the erven surrounding Erf 8350 (portion of Erf RE/6755), Windhoek are to be notified, the **City of Windhoek is kindly requested to provide our office with the postal and/or contact details to which we can send the notifications.** A request for the contact details of the neighbours is attached to this application, for your easy reference.

8. COMPLIANCE WITH THE URBAN AND REGIONAL PLANNING ACT (ACT NO. 5 OF 2018)

Section 65 of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) deals with the matters to be taken into account by the functionary authorised as contemplated in Section 64 when considering the proposed rezoning.

The subject application complies with the following relevant considerations:

(a) Impact on environment

The proposed rezoning is intended to align the existing land use activities with the applicable zoning. Considering that the existing land use activities have not been reported to have posed any threats to the natural and urban environment, it is expected that the proposed rezoning will not affect have any negative impacts on the environment of Windhoek. It should be noted that no structural amendments are to be conducted on the existing structures as the existing ones are fit and sufficient for the continuous operations of the activities to be formalised through this application.

(b) Socio-economic Impact

The proposed rezoning and consent to operate a restaurant and Bar on Erf 8350 (portion of Erf RE/6755), Windhoek in terms of Table B of the Windhoek Zoning Scheme is a mere formalisation of an already existing situation on the ground. The proposed rezoning will help ensure that the existing land use activities are aligned with the applicable zoning. The proposed consent use will help ensure

the continuous operation of the establishment (restaurant and bar), further ensuring that the personnel employed by the establishment remain with their jobs and their livelihoods are maintained.

The rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek will further enable the City of Windhoek to charge the appropriate rates and taxes which are applicable to the zoning, further boosting the revenues of the Municipality.

(c) Servitudes or encumbrances

The are neither servitude no encumbrances on Erf 8350 (portion of Erf RE/6755), Windhoek which could possibly hinder or prohibit the proposed rezoning.

(d) Compliance with the Applicable Legislation

The proposed rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek and the subsequent consent use application complies with the Regulations of the Urban and Regional Planning Act (Act No. 5 of 2018), the Environmental Management Act, 2007 and the Windhoek Zoning Scheme.

9. CONCLUSION

Stubenrauch Planning Consultants cc herewith applies to the City of Windhoek for the following:

a) **Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";**
b) **Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;**
c) **Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.**

10. ANNEXURES

Kindly find enclosed the following documents for your reviewing, in support of this application.

Annexure A: Application
Annexure B: Previous Council Approval
Annexure C: Relevant Maps
Annexure D: Conditions to be registered
Annexure E: Special Power of Attorney
Annexure F: Board Resolution
Annexure G: Copy of Title Deed
Annexure H: Proof of Payment
Annexure I: Credit Check Clearance Certificate

We trust that you will support this application.

Yours faithfully

Günther Stubenrauch

FORM 1 OF ANNEXURE 4

MINISTRY OF URBAN AND RURAL DEVELOPMENT

NOTICE OF INTENTION TO APPLY FOR REZONING
TO WHOM IT MAY CONCERN

Please take note that **STUBENRAUCH PLANNING CONSULTANTS CC**

intend to apply to the local authority of the URBAN **AND REGIONAL PLANNING BOARD**

to rezone **ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK FROM "UNDETERMINED" TO "PRIVATE OPEN SPACE"**

Please further take note that -

(a) the plan of the erf or land lies for inspection at room ..... of the offices of the **URBAN AND REGIONAL PLANNING 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 **URBAN AND REGIONAL PLANNING BOARD**, and with the applicant within 14 days of the last publication of this notice.

The recommendation of the **URBAN AND REGIONAL PLANNING BOARD**, if any, and any conditions determined by it with regard to the rezoning concerned are as follows:

.....
.....

.....
Signature of applicant

26/03/2024
Date

Address of applicant:

PO Box 41404, Windhoek

Department of Urban & Transport Planning

✉ 59
80 Independence Avenue
WINDHOEK, NAMIBIA
Tel: (+264) 61 290 2073 • Fax: (+264) 61 290 2060 • www.cityofwindhoek.org.na

Enq: Ms S Bachler
Tel: 290 2332

Ref: L/8350/W
Date: 8 September 2022

Stubenrauch Planning Consultant
P O Box 41404
Windhoek

Dear Sir,

CONSENT FOR PRIVATE OPEN SPACE AS PER WINDHOEK TOWN PLANNING SCHEME ON ERF 8350, WINDHOEK

Please take note that the application in the above regard is approved subject to the conditions as per the attached Council Resolution **246/08/2022.**

You are herewith requested to take heed of the approval conditions and accept the conditions in writing.

Any inquiries with regards to the approval may be directed to the Urban Policy Division.

Kind Regards

Selma Bachler
Urban Policy Division

[Municipal Council Minutes: 2022-08-31]

11.1.5 IND.2 [UTP] APPLICATION FOR CONSENT IN TERMS OF TABLE B OF THE WINDHOEK ZONING SCHEME TO OPERATE SPORTING ACTIVITIES ON ERF 8350, WINDHOEK
(L/8350/W)

On proposal by Councillor Ms I Keister, it was

RESOLVED

1 That consent in terms of Table B of the Windhoek Zoning Scheme for private open space be granted for Erf 8350, Windhoek specifically for practicing the sport of Jukskei and Cross Fit Wellness Centre activities, subject to the following conditions:

1.1 That the Jukskei Board address the illegal restaurant by ceasing all illegal activities with immediate effect.

11.1.1 That the Head: City Police visit the site to ascertain whether the illegal restaurant has been ceased and if not so, accordingly close it down.

1.2 That the Jukskei Board take note that the restaurant may only operate on the erf after submitting a successful consent use application including public participation for a business building for restaurant purposes on Erf 8350, Windhoek.

1.3 That the Jukskei Board submit a lease/purchase application to the Municipal Council of Windhoek for the areas of Erf R/6755, Windhoek which they are using/occupying.

1.4 That the condition as per paragraph 1.3 above, be met within six (6) months from the date of the consent approval, and it be noted that failure to do so will result in that no future Fitness Certificate for the uses will be approved.

1.5 That the applicant move the boundary fence to the erf boundary.

1.6 That the applicant construct the extension and end of the cul-de-sac within the road reserve.

1.6.1 That the applicant sign a Development Agreement to design and construct such extension of the road to municipal standard, where an Engineer or engineering firm must be employed to design and supervise such work.

1.7 That the conditions as per paragraphs 1.5 and 1.6 above, be met within twelve (12) months from the date of the consent approval, and it be noted that failure to do so will result in that no future Fitness Certificate for the uses will be approved.

1.8 That parking be provided as per the approved parking layout, attached as page 82 to the agenda.

1.9 That it be noted that failure to comply with the conditions as per paragraphs 1.1 to 1.8 above, will result that the consent granted in terms of paragraph 1, be withdrawn by the City.

2 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:

2.1 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.

2.2 That the maintenance of such stormwater pipe, channel or work be the responsibility of the owner of the concerned property.

2.3 That prior approval be obtained from the Strategic Executive: Urban and Transport Planning if the accommodation of the stormwater on the erf is contemplated.

2.4 That engineering drawings on how the stormwater would be accommodated to the satisfaction of the Strategic Executive: Urban and Transport Planning be submitted for approval simultaneously with the building plans.

2.5 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.

2.6 That no building plans be approved until the stormwater conditions are met.

2.7 That a condition for the resale of this property be included in the Title Deed of the erf, whereby transfer to a third party only take place with approval of the Municipal Council of Windhoek. [Approval will only be granted after the Strategic Executive: Urban and Transport Planning has certified that the stormwater has been accommodated satisfactorily.]

3 That no development be considered over or onto any stormwater system or structure.

4 That the applicant appoint a registered professional Engineer at his/her own cost and risk, to determine if the south western boundary of Erf 8350 require to be protected against any potential flood damage.

5 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.

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.

7 That only one (1) service connection from the municipal electrical network be allowed per erf.

8 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.

9 That it be noted that a connection charge will 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.

10 That the applicant accept the conditions of the Council Resolution in writing within twenty eight (28) days from receipt of the Notice.

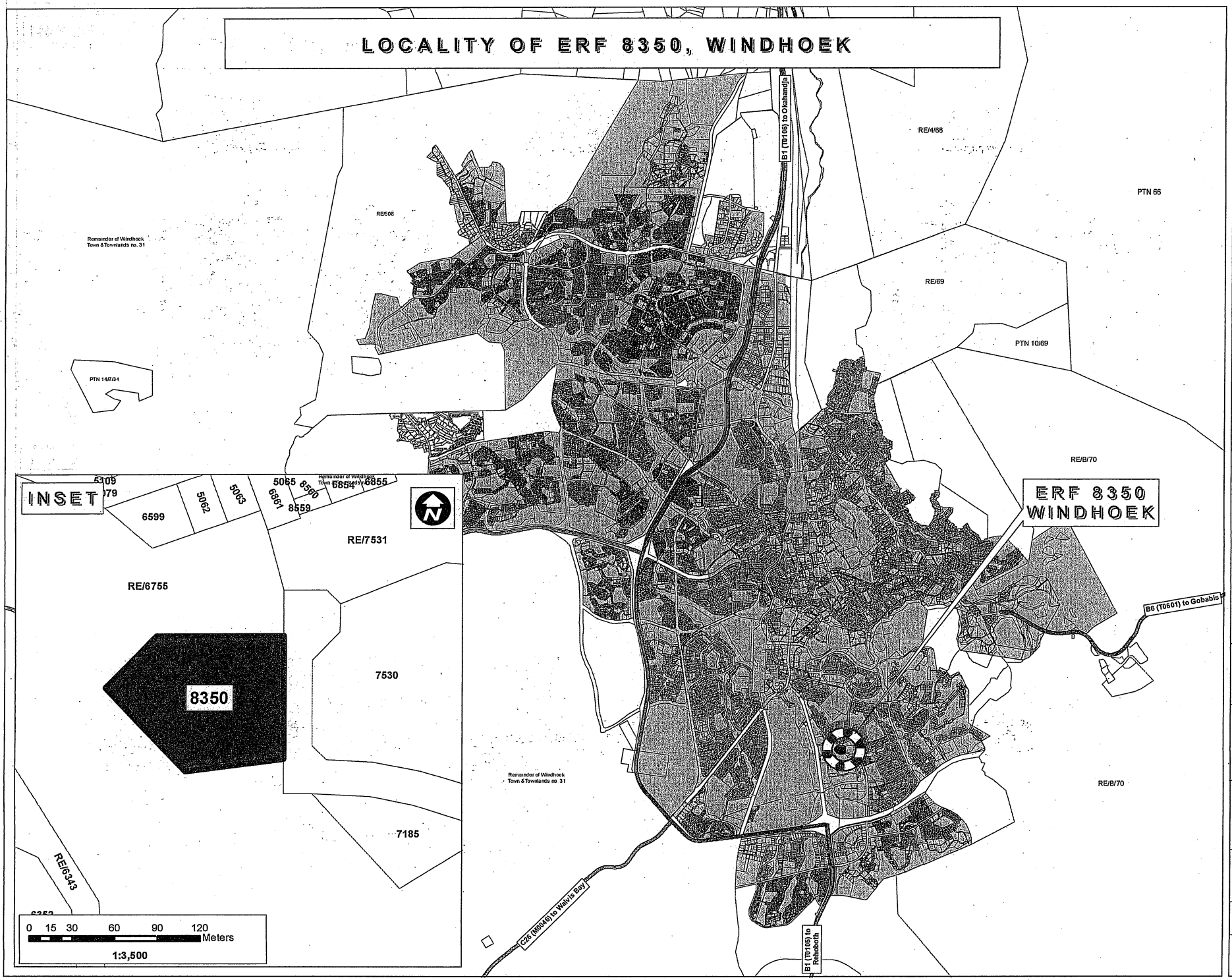
11 That it be noted that in terms of section 110 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018) any person who is aggrieved by the decision of the local authority may appeal against that decision to the Minister.

11.1 That the 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.

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

RESOLUTION 246/08/2022

LOCALITY OF ERF 8350, WINDHOEK



CITY OF WINDHOEK

WINDHOEK

Legend

- Erf 8350
- Cadastral Boundary
- Extension Boundary
- Trunk Road
- Main Road

89

NOTE:
All measurements & sizes given are approximate.
No Residential erf shall be smaller than 300m² in size.

SIGNATURE _____ DATE _____

Stubenrauch Planning Consultants SPC

STUBENRAUCH
PLANNING CONSULTANTS
TOWN AND REGIONAL PLANNERS
po box 41404 windhoek namibia
email: spc@spc.com.na
tel: 061-251189
tel: 061-252490
fax: 061-252157

WINDHOEK

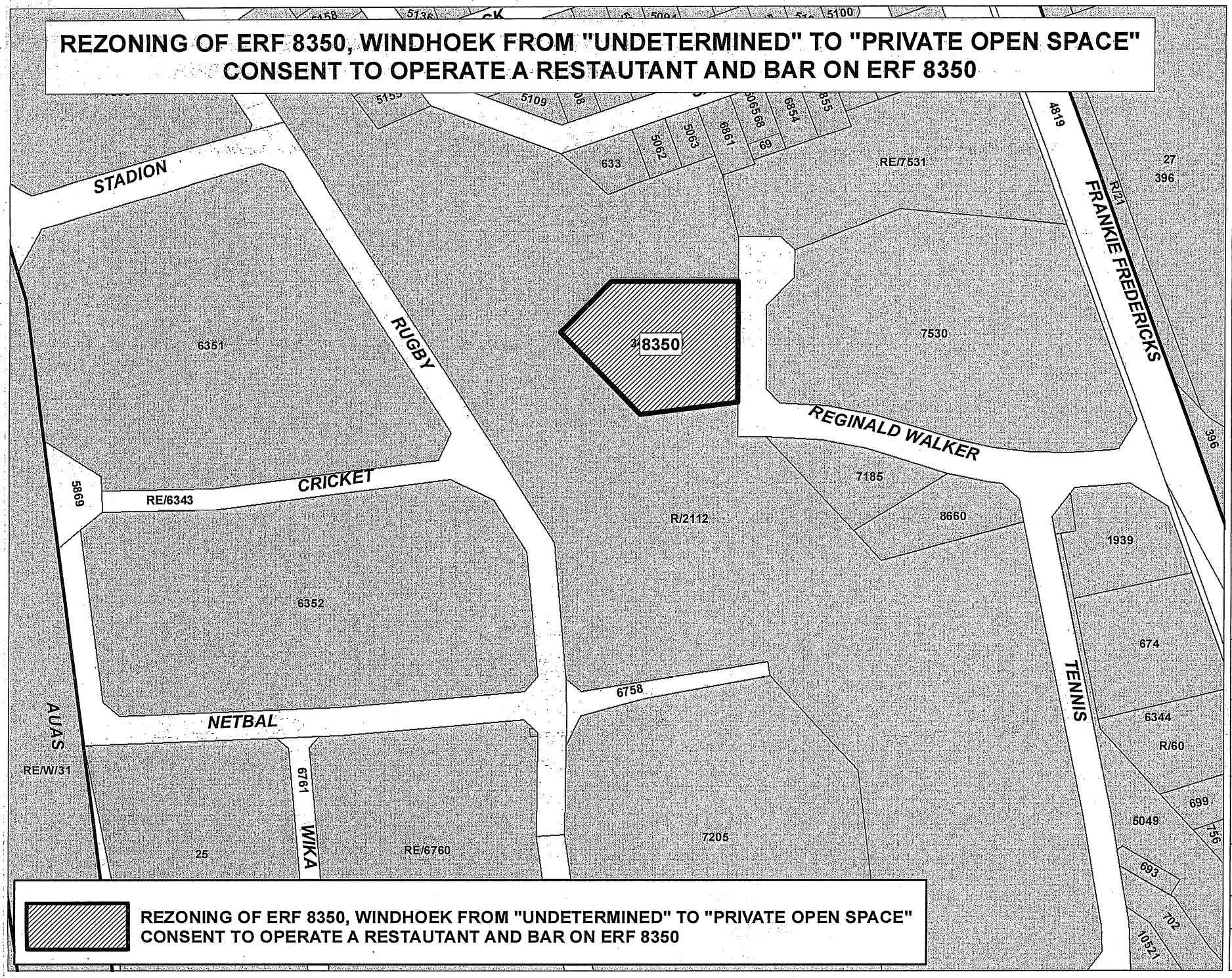
LOCALITY MAP

DATE	DRAWN BY	DRAWING NO
March 2024	BB	W24017-1

0 375 750 1,500 2,250 3,000 Meters

1:100,000

REZONING OF ERF 8350, WINDHOEK FROM "UNDETERMINED" TO "PRIVATE OPEN SPACE"
CONSENT TO OPERATE A RESTAUTANT AND BAR ON ERF 8350



REZONING OF ERF 8350, WINDHOEK FROM "UNDETERMINED" TO "PRIVATE OPEN SPACE"
CONSENT TO OPERATE A RESTAUTANT AND BAR ON ERF 8350

CITY OF WINDHOEK

WINDHOEK

Legend

- Erf 8350
- Cadastral Boundary
- Extension Boundary
- 1m Contours (COW Aerial Survey 2011)

NOTE:
All measurements & sizes given are approximate.
No Residential erf shall be smaller than 300m² in size.

SIGNATURE DATE

Stubenrauch Planning Consultants SPC

STUBENRAUCH
PLANNING CONSULTANTS
TOWN AND REGIONAL PLANNERS
po box 41404 tel: 061-251189
windhoek tel: 061-252490
namibia fax: 061-252157
email: spc@spc.com.na

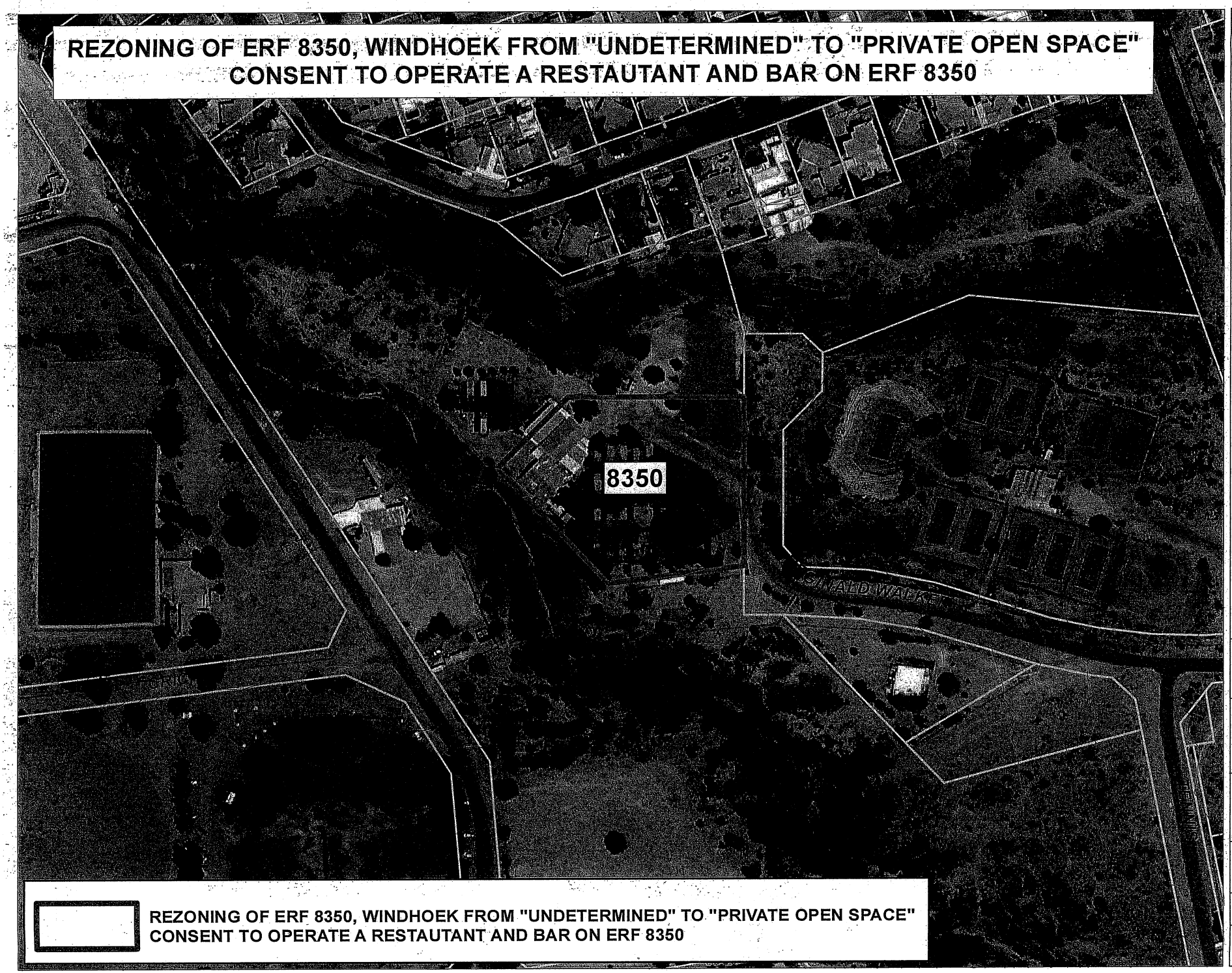
WINDHOEK
Rezoning Map

DATE	DRAWN BY	DRAWING NO
March 2023	BB	W24017-2

0 12.5 25 50 75 100 Meters

1:3,500

REZONING OF ERF 8350, WINDHOEK FROM "UNDETERMINED" TO "PRIVATE OPEN SPACE" CONSENT TO OPERATE A RESTAUTANT AND BAR ON ERF 8350



REZONING OF ERF 8350, WINDHOEK FROM "UNDETERMINED" TO "PRIVATE OPEN SPACE"
CONSENT TO OPERATE A RESTAUTANT AND BAR ON ERF 8350

CITY OF WINDHOEK

WINDHOEK

Legend

- Erf 8350
- Cadastral Boundary
- Extension Boundary
- 1m Contours (COW Aerial Survey 2011)

91

NOTE:
All measurements & sizes given are approximate.
No Residential erf shall be smaller than 300m² in size.

SIGNATURE DATE

Stubenrauch Planning Consultants SPC

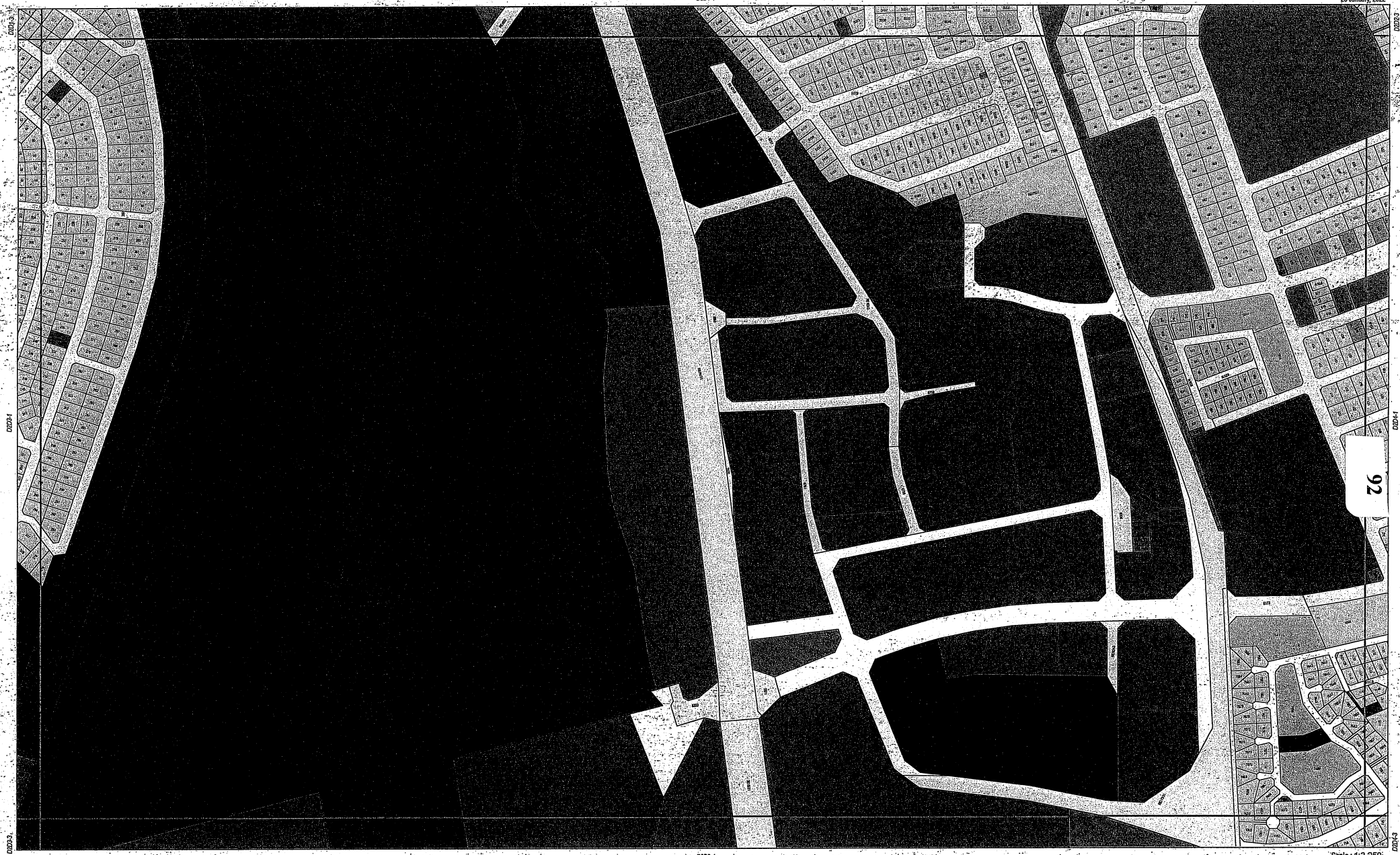
STUBENRAUCH
PLANNING CONSULTANTS
TOWN AND REGIONAL PLANNERS
po box 41404 tel: 061-251189
windhoek tel: 061-252490
namibia fax: 061-252157
email: spc@spc.com.na

WINDHOEK
Rezoning Map

DATE	DRAWN BY	DRAWING NO
March 2024	BB	W24017-3

0 10 20 40 60 80 Meters

1:2,500



Scale : 1:3,250

Legend

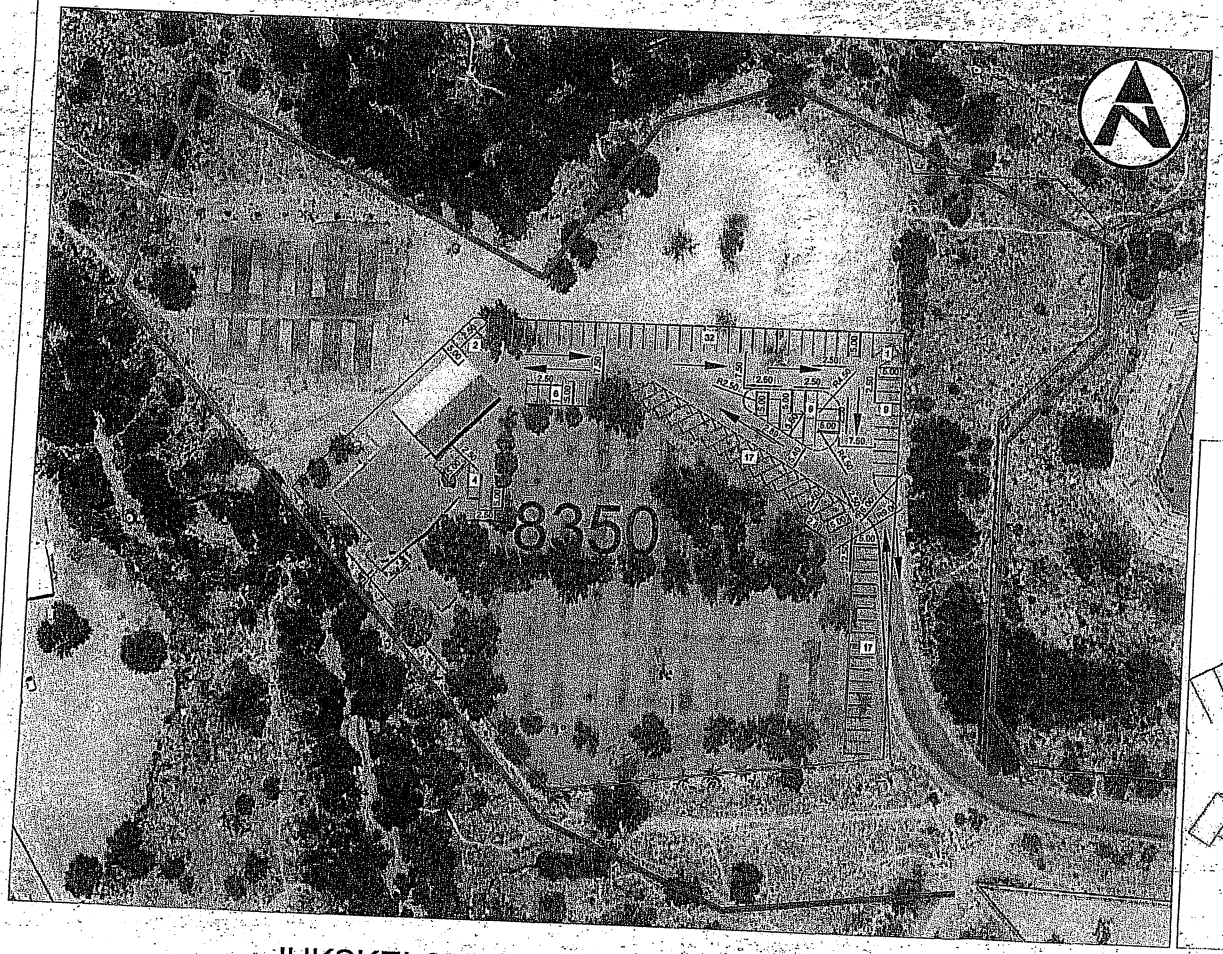
Kapps Farm Zoning Area
Aris Zoning Area
Farms Servitudes
Windhoek Farms

ZONE

- AGRICULTURE
- BUSINESS
- CEMETERY
- CONSERVATION
- FARM
- GENERAL RESIDENTIAL
- GOVERNMENT
- INDUSTRIAL
- INSTITUTIONAL
- LIGHT INDUSTRIAL
- MUNICIPAL
- NATURE ESTATE
- OFFICE
- PARASTATAL
- PRIVATE OPEN SPACE
- PUBLIC OPEN SPACE
- RESIDENTIAL
- RESTRICTED BUSINESS
- RURAL RESIDENCE
- SPECIAL
- STREET
- TOURIST ESTABLISHMENT
- TRANSPORT & COMMUNICATION
- UNDETERMINED
- UNKNOWN ZONING

CITY OF WINDHOEK

Sheet No: **D2D3-2**



JUKSKEI CLUB - PARKING PROPOSAL

SCALE 1:1000

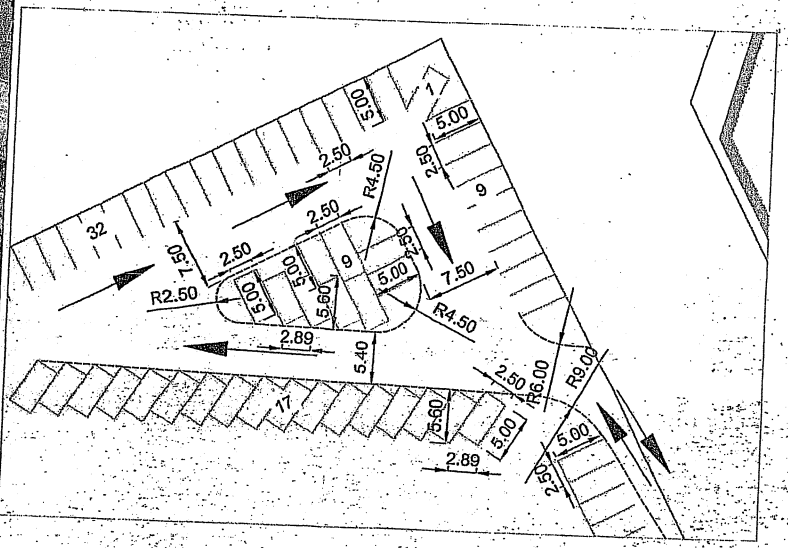
NOTES:

1.) The required parking for Vintage Restaurant is 57
(1 parking bay for every 3 customers).
The required parking for the Crossfit Centre is 38
(7 parking bays for every 100m², total floor area = 540m²).

2.) The combined total number of parking bays required = 95.

3.) Total number of parking bays with the proposed layout = 95.

LEGEND:	
	Existing fence boundary.
	CoW Cadastral layout.
	Proposed parking layout.
	Erf 8350.
	Proposed road edge



PARKING LAYOUT DIMENSIONS

SCALE 1:500

CITY OF WINDHOEK
Department of
Urban and Transport Planning
2022 -02- 01
Roads Planning Design
and Traffic Flow

S. G. COPY

APPROVED

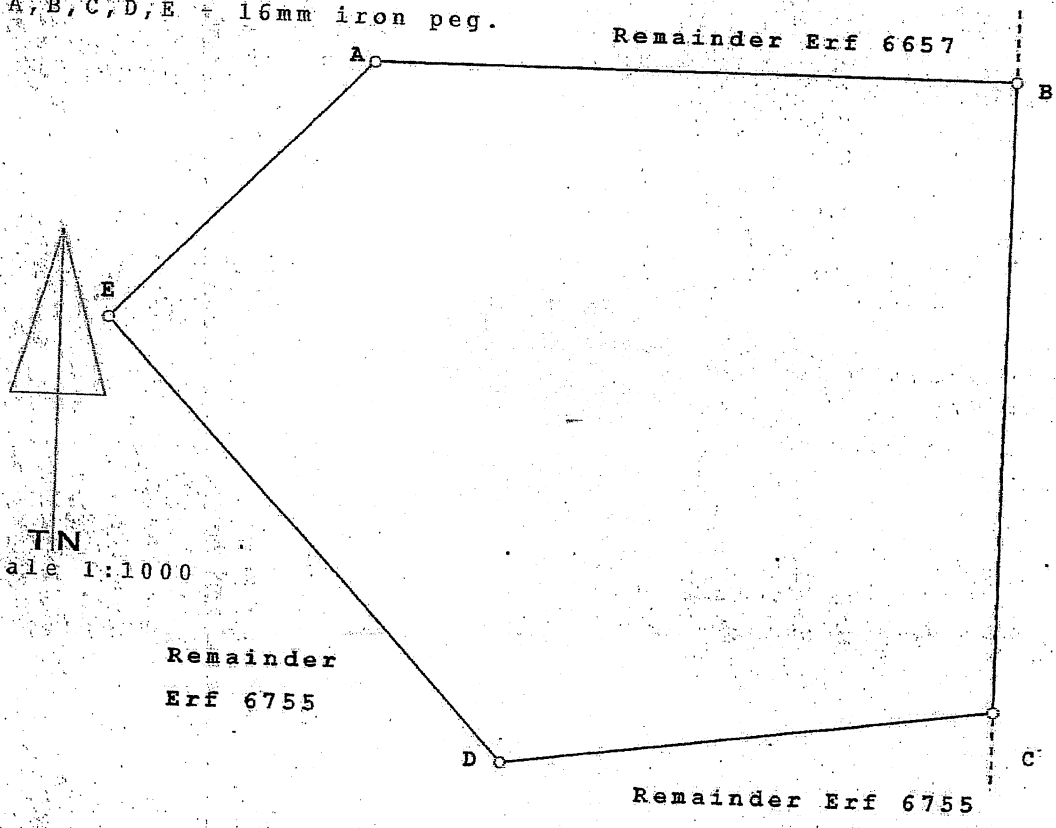
SURVEYOR-GENERAL 05 JAN 2005

No. A638/2005

SIDES Metres		ANGLES OF DIRECTION ° ' "		CO-ORDINATES System 22/17 y	x	DESIG.
AB	89,57	270 00 00	A	-9 360,73	+66 814,21	8350a
BC	87,99	0 00 00	B	-9 450,30	+66 814,21	8350b
CD	68,93	82 32 20	C	-9 450,30	+66 902,20	8350c
DE	82,93	136 33 10	D	-9 381,95	+66 911,15	8350d
EA	51,30	224 16 20	E	-9 324,92	+66 850,94	8350e
		No.T090	△	-2 802,63	+68 240,85	Kaiser
		No.T260	△	-9 728,58	+66 201,95	Olympia

DESCRIPTION OF BEACONS

A, B, C, D, E - 16mm iron peg.



The figure A B C D E represents 9474 square metres of land, being Erf No.8350 (a portion of Remainder of Erf 6755), Windhoek situate in the Municipal Area of Windhoek

Registration Division K

Khomas Region

Republic of NAMIBIA

Surveyed in July 2005 by me

P.D. Swart
Land Surveyor

This diagram is annexed to No. T 4573/2007 dated 29/08/2007

Registrar of Deeds

The original diagram is No. annexed to Transfer/Grant No.

S.R. No. E.185/2005

Gen. Plan No.

Noting Plan :MG-5AC/V4|MG-5AC/YY

File No.WHK 8/5

CONDITIONS TO BE REGISTERED IN FOVOUR OF THE LOCAL AUTHORITY

a) The erf must only be used or occupied for the purposes which are in accordance with and the use or occupation of the erf shall at all times be subject to the provision of the Windhoek Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act No. 5 of 2018
b) The building value of the building, including the outbuildings, to be erected on the erf shall be as determined by Council.

NAMIBIA REVENUE N$5

POWER OF ATTORNEY

I, the undersigned Erik Strauss

In my capacity as the President of the **NAMIBIA JUKSKEI BOARD**

The owner of **Erf 8350, Windhoek**

Do hereby nominate, constitute and appoint

Stubenrauch Planning Consultants cc
P O Box 41404
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 to the Urban and Regional Planning Board (URPB) for the:

a) **Rezoning of Erf 8350, Windhoek from "Undetermined" to "Private Open Space";**
b) **Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350, Windhoek;**
c) **Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.**

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 our said Attorney and agent shall lawfully do, or cause to be done, by virtue of these presents.

SIGNED at Windhoek this 06 Day of March 2024 in the presence of the undersigned witnesses.

WITNESSES:

1 .....

2 .....

Chairperson

NAMIBIA JUKSKEI

President: Erik Strauss
Tel: +264 61 – 3222042 (w)
Box: 22800 Windhoek
E mail: pro@jukskei-nam.com
Cell: +264 81 122 2743

Director Administration: Ina Dreyer
Tel: N/A
Box 89 Stampriet
Email: jinx379@gmail.com
Cell: +264 81 239 3239

Member of: Namibia Sport Commission
International Jukskei Federation
www.jukskei-nam.com
International code: +26461

06 March 2024

Reference: 2023/2024 NJ – 047

Written Resolution

By the Members of Namibia Jukskei Board

IN ACCORDANCE WITH ARTICLE 67 OF THE COMPANY'S ARTICLES OF ASSOCIATION, WE THE UNDERSIGNED, BEING THE MEMBERS OF THE BOARD HEREBY RECORD AND RESOLVE AS FOLLOWS:

1. That Stubenrauch Planning Consultants cc is appointed to undertake the necessary steps on behalf of the Namibia Jukskei Board to obtain approval for the:
   a) **Rezoning of Erf 8350, Windhoek from "Undetermined" to "Private Open Space";**
   b) **Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350, Windhoek;**
   c) **Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.**

2. That we (Members) are hereby appointing and authorizing **Stubenrauch Planning Consultants cc** to sign all acts necessary and incidental thereto.

Erik Strauss .....
MEMBER

06/03/2024
.....
Date

Ina Dreyer .....
MEMBER

06/03/2024
.....
Date

EXECUTIVE COMMITTEE: EXECUTIVE COMMITTEE: President and Marketing: Erik Strauss; Vice President: Michael Duvenhage; Director Administration: Ina Dreyer; Director Finance and Development: Christie Horn; Director Tournaments: Dries Verwey

Michael Duvenhage	**06/03/2024**
MEMBER	**Date**
Christie Horn	06/03/2024
MEMBER	**Date**
Dries Verwey	06/03/2024
MEMBER	**Date**

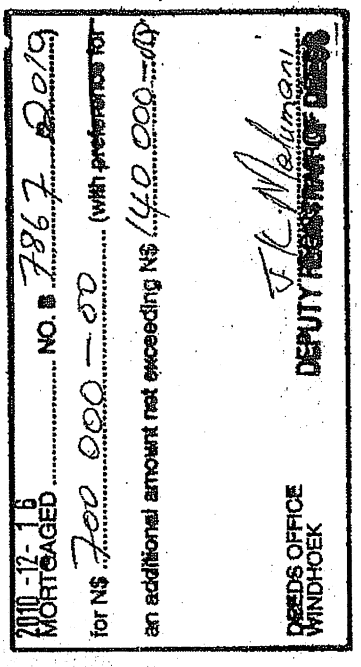


EXECUTIVE COMMITTEE:
President and Marketing: Erik Strauss; Vice President: Michael Duvenhage; Director Administration: Ina Dreyer (Acting); Director Finance and Development: Christie Horn; Director Tournaments: Dries Verwey

Prepared by me

Conveyancer

Van Den Berg L.T.



FOR ENDORSEMENTS SEE PAGE -4-

8000000602235

8000007614 78

FOR INFORMATION ONLY

DEED OF TRANSFER T 4574 /2007

BE IT HEREBY MADE KNOWN

THAT ~~LIANA THERESA VAN DEN BERG~~ LINDA ERASMUS

Appeared before me Registrar of Deeds at Windhoek, she the said Appearrer being duly authorized thereto by a power of attorney granted to her by

MUNICIPAL COUNCIL OF WINDHOEK

Acting by virtue of a Special Power of Attorney signed at Windhoek at 8 June 2007

And the said Appearer declares that his Principal truly and lawfully sold the within mentioned property on 7 FEBRUARY 2007

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

NAMIBIA JUKSKEI BOARD

Its Successors-in-Title or Assigns

CERTAIN	Erf No. 8350 (PORTION OF REMAINDER OF ERF 6755) WINDHOEK
SITUATE	in the Municipality of WINDHOEK Registration Division "K" Khomas Region
MEASURING	9474 (Nine Four Seven Four) Square Metres
FIRST REGISTERED	and still held by Certificate of Registered Title T 4573 /2007 with diagram A 628/2005 annexed thereto
SUBJECT	to the following conditions imposed by Section 19(7) of the Townships and Division of Land Ordinance 1963 (Ordinance 11 of 1963), namely:

FOR INFORMATION ONLY

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 outbuildings to be erected on the erf shall be at least four times the municipal valuation of the erf.

WHEREFORE the Appearer renouncing all the right and title 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 its its Successor in title or Assigns, now are and henceforth shall be entitled thereto, conformable to local custom the State, however, reserving its rights, and finally acknowledging the purchase price to the sum of N$236 850.00

SIGNED at WINDHOEK, on 29 AUG 2007, together with the Appearer, and confirmed with my seal of office.

Signature of Appearer

FOR INFORMATION ONLY

In my presence

REGISTRAR OF DEEDS

Transfer Duty Receipt No.103206960 issued by the Receiver of Revenue at Windhoek on 17/07/07for the amount of N$ 18948.00
(Checked) 1. ..... 2. .....

I the undersigned, Liana Theresa Van Den Berg, Conveyancer hereby certify in terms of Section 78 of Act No 23 of 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 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.

CONVEYANCER

23 APR 2012
MORTGAGED (No. B 2195 /2012)
for N$ 180 000.00 (with preference for
an additional amount not exceeding N$ 36 000.00)

DEEDS OFFICE, WINDHOEK. W.T.S. EISEB REGISTRAR OF DEEDS.

2019-12-16
MORTGAGED (No. B 7693 /2019)
for N$ 155 000.00 (with preference for
an additional amount not exceeding N$ 31 000.00)

DEEDS OFFICE, WINDHOEK. W.T.S. EISEB REGISTRAR OF DEEDS.

FOR INFORMATION ONLY

Town Planning Certificate No. 1:
Town Planning Scheme Information

Ref : _____

Enq : _____

Tel : _____

Applicants Address _____

_____

Telephone Number : _____

Sir / Madam

Erf No: 8350

Township : WINDHOEK/WINDHOEK BLOCKS

Street : RUGBY STR

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

1. Use Zone : UNDETERMINED Refer to Table B.
2. Density : _____ Refer to Table E.
3. Bulk Factor : 0 00 Refer to Table F.
4. Coverage : _____ Refer to Table G.
5. Erf Size : 9 474 m²
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 : 0 RUGBY 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.

INV20 104

CITY OF WINDHOEK

P O Box 59, WINDHOEK NAMIBIA
Telephone No: (061) 290 2911

TAX INVOICE

VAT Reg. Number 2646057-01-5

Invoice Number : INV2024240182	**Date Issued :** 3/19/2024
Account Number : N/A	**Vote Number :** 5000132050048
Name : NAMIBIA JUKSKEI BOARD	**Reference Number :** 8350, WINDHOEK
Address : N/A	**System Reference :** INV389893
	Issued By : 17304 - HAIKONDA (D)
	Contact Details : +264 61 290 3517

Description : REZONING OF ERF 8350, WINDHOEK FROM "UNDETERMINED" TO "PRIVATE OPEN SPACE"; CONSENT IN TERMS OF TABLE B OF THE WINDHOEK ZONING SCHEME TO OPERATE A RESTAURANT AND BAR ON ERF 8350, WINDHOEK;

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

City of Windhoek Banking Details - Bank: First National Bank - Number: 62012146115 - Branch: 281872

NEDBANK

Payment Confirmation

Date : 20/03/2024 10:51:20

This is a notification from Nedbank Namibia Limited that the following payment has been made.

Transaction Details

Date of Payment	: 20-03-2024
Transaction Reference Number	: 163630425494234

Beneficiary Details

Beneficiary Name	: City of Windhoek
Transfer Amount	: 2,012.50 NAD
Beneficiary Reference	: INV389893
Beneficiary Bank	: FIRST NATIONAL BANK
Beneficiary Bank Code	: 281872
Beneficiary Account	: 62012146115
Channel	: Internet Payment

Payer Details

Paid By	: STUBENRAUCH PLANNING CONSULTANTS CC

This notification of payment is sent to you by Nedbank Namibia Limited, Reg No 73/04561, Authorised Financial Services and Registered Credit Provider in The Republic of Namibia (NCRCP16), Freedom Plaza, Erf 8764, c/o Fidel Castro & Rev Michael Scott Street, Windhoek, Namibia. ("Nedbank Namibia"). Our customer (the Payer) has requested Nedbank Namibia to send this notification of payment to you. Please therefore contact the payer for enquiries regarding the contents of this notification. Any other enquiries should be directed to the Nedbank Namibia Contact Centre at Tel: +264819592222..

Nedbank Namibia will not be held responsible for the accuracy of the information on this notification and we accept no liability whatsoever arising from the transmission and use of the information conveyed in this notification, or from any claims, losses, damage, expenses, whether direct, indirect or consequential, arising or resulting from the transmission of this notification.
Payments may take up to three business days. Please check your account to verify the existence of the funds.

Note: Nedbank Namibia will never send you an e-mail requesting you to enter your personal details or private identification and/or authentication details.

Disclaimer

This e-mail and any accompanying attachments may contain confidential and/or proprietary information. This information is private and protected by law and, accordingly, if you are not the intended recipient, you are requested to delete this entire communication immediately and are notified that any disclosure, copying or distribution of or taking any action based on this information is prohibited. E-mails cannot be guaranteed to be secure or free of errors or viruses. The sender does not accept any liability or responsibility for any interception, corruption, destruction, loss, late arrival or incompleteness of or tampering or interference with any of the information contained in this e-mail or for its incorrect delivery or non-delivery for whatsoever reason or for its effect on any electronic device of the recipient. If verification of this e-mail or any attachment is required, please request a hard copy version. Nedbank Namibia reserves the right to monitor, intercept and/or block e-mails addressed to its customers, or to take any other action required in accordance with its e-mail policy.

DEBT MANAGEMENT CREDIT CHECK FORM

Surname _____ First name(s) _____

Erf/stand no 8350 Township Windhoek / Windhoek Block

If company or registered under cc Namibia Tukskei Board

Namibian I. D / Passport no. 6103023010852 (Christie Horn)

Postal/Private Bag address _____ Township of address _____

Physical Residential or Business address _____

Tel no 061251189 (H) _____ Cell _____

DEBT MANAGEMENT CREDIT CHECK

Service Accounts (MS)

Credit Control Officer Comments:

Account 1091051.9 - Current
No other Arrears

Acc. Technician Credit Control: A Nies

Signature Acc. Tech Credit Control: ANies

CITY OF WINDHOEK
2024 -03- 05
Date stamp
CREDIT CONTROL

LAND SALES

Comments: No outstanding Accounts

Acc. Technician Land Sales: Shanen

Signature Acc. Technician Land Sales: [signature]

05 MAR 2024
Date stamp
Land Sales Finance Department

ACCOUNTANT LAND SALES: _____

City of Windhoek

CLASSIFIEDS

Tel: (061) 208 0800/44 Fax: (061) 220 584 Email: classifieds@nepc.com.na

General Services | Notice Legal Notice | Notice Legal Notice | Notice Legal Notice | Employment Offered | Employment Offered | SPCA Adopt A Pet

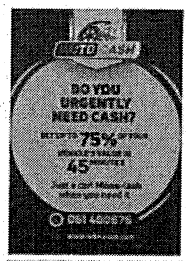
CLASSIFIEDS

Rates and Deadlines

- To avoid disappointment of an advertisement not appearing on the date you wish, please book timeously
- Classifieds smalls and notices: 12:00, two working days prior to placing
- Cancellations and alterations: 15:00, two days before date of publication in writing only

Notices
(VAT Inclusive)
Legal Notice N$450.00
Lost Land Title N$575.00
Liquor License N$450.00
Name Change N$450.00
Birthdays from N$200.00
Death Notices from N$200.00
Tombstone Unveiling from N$200.00
Thank You Messages from N$200.00

Terms and Conditions Apply.



Notice Legal Notice

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:

1. Name and postal address of applicant: **RUTH N. DAVID**
PO BOX 843, OUTAPI
Name of business or proposed business to which applicant relates:
FAATU SHEBEEN OUTAPI TOWN
2. Address/Location of premises to which Application relates:
ERF 1212, OUTAPI
3. Nature and details of application:
TRANSFER OF LIQUOR LICENSE FROM RUTH N. DAVID TO NELSON N. SHINGENGE
4. Clerk of the court with whom Application will be lodged:
OUTAPI MAGISTRATE COURT
5. Date on which application will be Lodged: **10 APRIL 2024**

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

REZONING AND CONSENT TO OPERATE A RESTAURANT AND BAR ON ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK

Take note that **Stubenrauch Planning Consultants cc** herewith informs you in terms of the Urban and Regional Planning Act of 2018 and in terms of the City of Windhoek Public Consultation Policy for Proposed Development, that we have been appointed by the Namibia Jukskei Board, the registered owner of Erf 8350 (portion of Erf RE/6755), Windhoek to apply on their behalf to the Windhoek Municipal Council and to the Urban and Regional Planning Board for the following:

a) **Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";**
b) **Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;**
c) **Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.**

Erf 8350 (portion of Erf RE/6755) is located in the neighbourhood of Olympia, along Jason Hamutenya Ndadi Street in Windhoek and it is zoned "Undetermined" in terms of the Windhoek Zoning Scheme. Erf 8350 (portion of Erf RE/6755) measures approximately 9,474m² in extent and it currently accommodates CrossFit Windhoek - a fitness centre, the Vintage Bar and Grill as well as the Jukskei field.

The purpose of the application as set out above is to formalise the existing sporting activities by aligning the zoning of Erf 8350 (portion of Erf RE/6755), Windhoek with the applicable zoning in terms of the Windhoek Zoning Scheme and further seek consent from the Municipal Council of Windhoek to operate a restaurant and bar on the property, which will enable the existing restaurant and bar to renew their Fitness Certificate.

Parking for the development on the property has been provided in line with the parking requirements as stipulated in the Windhoek Zoning Scheme

Please take note that the plan of the erf lies for inspection on the town planning notice board in the Customer Care Centre of the City of Windhoek while the application and its supporting documents also lie open for inspection during normal office hours at the City of Windhoek, Rev. Michael Scott Street, Windhoek (Town Planning Offices – 5th Floor) and SPC Office, 43 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 Chief Executive Officer of the City of Windhoek and the applicant (SPC) in writing within 14 days of the last publication of this notice. The last date for any objections/comments is on or before **Wednesday, 08 May 2024.**

Applicant: Stubenrauch Planning Consultants
PO Box 41404
Windhoek
Email: office3@spc.com.na
Tel: (061) 251189
Ref: W/24017

The Chief Executive Officer
City of Windhoek
PO Box 59
Windhoek

PUBLIC NOTICE

Take note that **Stubenrauch Planning Consultants cc** on behalf of the registered owner of Erf 682, Nkurenkuru Extension 1, in terms of the Local Authorities Act of 1992 and the Urban and Regional Planning Act of 2018 herewith inform you that we have applied to the Nkurenkuru Town Council and to the Urban and Regional Planning Board for the following:

1. **PERMANENT CLOSURE OF ERF 682, NKURENKURU EXTENSION 1 AS A "PUBLIC OPEN SPACE";**
2. **REZONING OF ERF 682, NKURENKURU EXTENSION 1 FROM "PUBLIC OPEN SPACE" TO "BUSINESS" WITH A BULK OF 3.0.**

Erf 682 is situated in the vibrant neighbourhood of Nkurenkuru Extension 1, right in the centre of mixed land uses ranging from business and public open spaces. Erf 682, Nkurenkuru Extension 1 is also located opposite one of Nkurenkuru's Service Stations, the Tufa Tufa Service Station. The subject property measures approximately 10379 m² in extent.

The purpose of the application as set out above, is to develop a mixed-use business development hub on Erf 682, Nkurenkuru Extension 1. Please take note that the application, locality map and its supporting documents lie open for inspection during normal office hours at the Nkurenkuru Town Council (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 Chief Executive Officer of the Nkurenkuru Town Council and the applicant (SPC) in writing on or before **Wednesday, 8 May 2024.**

Applicant:
Stubenrauch Planning Consultants
PO Box 41404
postal@spc.com.na
Tel.: (061) 251189
Our Ref: NK1/035

The Chief Executive Officer
Nkurenkuru Town Council
Windhoek, PO Box 6004
Nkurenkuru



• CHANGE OF SURNAME •
THE ALIENS ACT, 1937
NOTICE OF INTENTION OF CHANGE OF SURNAME

I, **(1) SELINA VERONICA MARICHEN SKRYWER** residing at **ERF 1935, VISAREND STREET, KHOMASDAL, WINDHOEK** and carrying on business / employed a **(2) STUDENT AT INTERNATIONAL TRAINING COLLEGE - LINGUA** intend applying to the Minister of Home Affairs for authority under section 9 of the Aliens Act, 1937, to assume the surname **DAX** for the reasons that **(3) MY MOTHER'S SURNAME IS DAX. I HAVE BEEN RAISED BY MY MOM AND STEPFATHER. THE SURNAME I WANT IS DAX THEREFOR I HAVE NEVER APPLIED FOR AN ID UNTIL CHANGE.** I previously bore the name(s) **(4) SELINA VERONICA MARICHEN.** I intend also applying for authority to change the surname of my wife **N/A** and minor child(ren) **(5) to N/A.** Any person who objects to my/our assumption of the said surname of **DAX** should as soon as my be lodge his/her objection, in writing, with a statement of his/her reasons therefore, with the magistrate of **WINDHOEK MAGISTRATE court, 12 MARCH 2024**

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:
OSHANA

1. Name and postal address of applicant: **LUIS DE ALMEIDA MARQUES, PO BOX 3563 OSHAKATI**
2. Name of business or proposed business to which applicant relates: **POMBILI PROPERTY INVESTMENTS CC**
3. Address/Location of premises to which Application relates: **ERF 842 OSHAKATI-WEST**
4. Nature and details of application: **GROCERY LIQUOR LICENSE**
5. Clerk of the court with whom Application will be lodged: **OSHAKATI MAGISTRATE COURT**
6. Date on which application will be Lodged: **12 - 24 APRIL 2024**
7. Date of meeting of Committee at which application will be heard: **08 MAY 2024**

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.

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:
KHOMAS

1. Name and postal address of applicant: **MR. PETER SHIYAMBA PO BOX 98226**
2. Name of business or proposed business to which applicant relates: **PETER'S PUB**
3. Address/Location of premises to which Application relates: **DORADO PARK EXT 1, COLUMBIA STREET, ERF 76**
4. Nature and details of application: **SHEBEEN LIQUOR LICENCE**
5. Clerk of the court with whom Application will be lodged: **WINDHOEK MAGISTRATE COURT**
6. Date on which application will be Lodged: **29 APRIL 2024**
7. Date of meeting of Committee at which application will be heard: **12 JUNE 2024**

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.

VACANCY:

DANETTE BRUNS ARCHITECT seeking highly skilled Architect.

Requirements:
- Min. 10 years of professional experience.
- Proficiency in Revit and Archicad, own Archicad license.
- Residing in Walvis Bay.

Applications to include detailed resume, portfolio, and relevant certifications. Interested candidates to submit their applications to **danette@bruns.com.na.**

OMITO YIILONGA

Oshihondjelo mOvenduka tashikongo aahondji yapyokoka nawa. Nayakale yeshikulongitha eshina lyopashinanena (industrial machine).

Ndenga ko 0857461813

Medical Laboratory scientist needed

- 7 years post graduate experience in Management position.
- Registration with HPC.
- Clean drivers licence.

Preference will be given to Namibian citizens but non Namibians can apply, email **info@fastmedlabs.com**

Cheetah Conservation Fund

The Cheetah Conservation Fund (CCF) has a position available. Salary and benefits would be negotiated.

The full position description and necessary qualifications may be found at http://cheetah.org/jobs-in-namibia/.

Conservation Scientist – Human-Wildlife Conflict

If you meet the qualifications for the position and wish to apply, forward a .pdf of your CV and a letter explaining your interest to **jobs@ccfnamibia.org**. The position requires **university degrees**, computer literacy, and fluency in English. Email applications only; phone/ fax/mail applications will be ignored.

Closing dates: 15 April 2024

PLUS PHARMACEUTICALS CC

External Vacancy

Position: Responsible Pharmacist
Duty Station: Windhoek
Salary: Market related

Requirements:
- A degree in Pharmacy
- Registration with the HPCNA
- Minimum of 2 years' experience post internship experience
- Experience in UNISOLV, Pharmacy System will be an Advantage
- Namibian or eligible to work in Namibia
- Valid Driver's licence
- A business certificate or qualification is an added advantage

Closing date Friday, 15 February 2024

Please email your CV accompanied with certified copies of academic and professional qualifications to **hena@cospharm.org** or **receptionist@cospharm.org**

JOB VACANCY

Shaoman Investment Namibia cc needs Translators to manage it's International operations

Requirements
- High School Diploma or equivalent
- Language proficiency certificate in Chinese (Mandarin)
- Excellent communications skills

Responsibilities
- Communicate with client and vendor representatives
- Translate documents from Chinese to English

Interested candidates may send their CV's to **weichainamibia03@gmail.com**

Closing date: 12th April 2024

DBV SPCA Windhoek

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Open your heart to those in need. Give them a warm & loving home!



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DONATIONS:
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DEADLINE: 12H00 - 2 WORKING DAYS PRIOR TO PLACEMENT

INDEX

Personal
1210 Anniversaries
1220 Weddings, Announcements
1230 Birthday Wishes
1240 Reunions
1250 Graduations
1260 Special Messages
1270 Thank You Messages
1280 Memorial Messages

Business & Finance
1410 Opportunities
1420 Business for Sale
1430 Taxi Licences

Property
7420 House & Garden
1810 General
7440 Communications & Security
7450 Lost & Missing
7460 Transport Wanted & Offered

Education & Training
2810 Education & Training

Employment
2710 Wanted
2720 Offered

Food & Beverages
3210 Food & Beverages

Health & Beauty
3810 Wanted
3820 For Sale
3700 Auctions

Health & Beauty
3910 Health & Beauty

Hospitality
4910 Hospitality (See also Travel & Tourism)

Property
4110 Wanted
4210 For Rent
4310 For Sale

Leisure & Entertainment
4810 Leisure & Entertainment

Livestock & Pets
5010 Livestock & Pets
5010 Auctions
5010 For Sale
5010 Lost & Missing
5010 Wanted

Motoring
5310 Vehicles Wanted
5320 Vehicles for Hire
5330 Vehicles for Sale
5370 Vehicle Auctions
5380 Vehicle Spares & Accessories

Notices
5610 Legal
5620 Public
5630 Tenders
5710 Churches
5620 Name Change
5620 Rezoning

Obituaries
6020 In Memoriam
6010 Tombstone Unveiling
6030 Death & Funeral Notices
6030 Condolences
1270 Thank you messages

Travel & Tourism
7600 Travel & Tourism

Rates and Deadlines

PUBLICATION DATES 2024

Please note: ID card / Passport required for advertisement placement

DEADLINES: Visit www.namibian.com.na

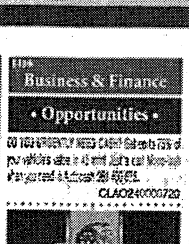
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Business & Finance

• Opportunities •

DO YOU URGENTLY NEED CASH? Get up to 75% of your vehicle value in 48 hrs! Just call Mondjila Management & Advisory (Pty) Ltd 081 400 7778

CLAO240000720



Employment

• Offered •

NAMIBIA BEVERAGES Vacancy for Production Assistant for our Brandy Distillery farm. Candidates to have a Grade 10 certificate + 2-5 years' exp. + Matriculants. Details at www.nbl.com.na. Women are encouraged to apply. Only suitable shortlisted candidates will be contacted.

CLAO240000924

SWAKOPMUND
Leading Tyre SALES LADY to grow/lead a successful, dynamic Swakopmund.
Requirements:
- Valid Passport/visa
- Work well with people
- Good communication
- 3 Years Experience in sales
- Excellent English skills
- Other European languages will be an advantage
- Flexible working hours
Email CV and photo to careers@gmail.com

CLAO240000870

Vacancy for Pastor in Oranjemund. Applicants must be in possession of a minimum of a diploma in theology. A criminal record clearance certificate is required. Applications close on 30 April 2024.

CLAO240001039

Employment

• Offered •

Job Vacancy/Tyre Changers Road Worthiness & Transportation services

A Company in Omaruru is looking for Tyre Changers to operate its International operations.

Requirements:
- High School Diploma or equivalent.
- Valid driver's licence.
- Language proficiency certificate in Chinese (Mandarin).
- Excellent communication skills.

Responsibilities:
- Communicate with clients and vendor representatives.
- Translate documents from Chinese to English.
- Negotiate contracts and liaise with clients to maintain a strong relationship.

Closing date: 12th April 2024

CLAO240001046

Housing & Property

• Wanted •

FREE ACCOMODATION CLIENT is urgently looking for a house to buy or Windhoek Building or Area Erf for selling of SINGLE HOUSE

CLAO240000985

Employment

• Wanted •

Over 15 years experienced Graphic designer looking for work in Windhoek. Contact 0814431551

CLAO240000997

Hospitality

• Hospitality •

Good living Bed & Breakfast, Otjomuise, Rooms from N$550 - N$700 Call 061 242828 / 081 4301470 / 081 2887555

CLAO240000991

Housing & Property

• For Sale •

Walvis Bay Mainly Double Storey house for rent, 5 private bedrooms, 4 with open plan lounge, dining area, 3 x garages, TV room, store room, pantry. Call 081 128 1000 / 081 128 2000

CLAO240001042

Mondesa Space Estate
Newly built 3 Bedroom house N$1,2 million
Courtyard 2 Bedroom house N$0,7 mil
Newly Built 3 Bedroom house N$1,4 million
Currently under construction

CLAO240001044

Oranjemund, Extension 8 Erf 2433. Newly completed four bedrooms, three bathrooms & toilets, big patio including a small area at the back, boundary wall, four carports, completed roof of three cars, well and borehole are included for the remainder of the plot. Close to mall/market etc. Price N$1,35 million negotiable to discerning buyer. Contact 081 1282555

CLAO240001047

Motoring

• Vehicles for Sale •

2014 Ford F-150, XLT for sale N$140 000.00
Contact 081 2888615

CLAO240001092

Notices

• Legal •

NOTICE OF SALE IN EXECUTION OF MOVABLE PROPERTY IN THE HIGH COURT OF NAMIBIA (Main Division) Case Number: HC-MD-CIV-ACT-CON-2019/04233 In the matter between: WAYNE BEON OPPERMAN N.O. Plaintiff and SHILILIFA PROPERTY DEVELOPMENT CC MOSES PORFILIO SILOMA NAANGO KANGONDI First Defendant Second Defendant Third Defendant BE PLEASED TO TAKE NOTICE that the undermentioned assets, in execution of a judgment granted on 13 August 2019 against the Defendants, will be sold in execution by the Deputy Sheriff for the district of RUNDU, on FRIDAY, 26 APRIL 2024 at 12:00 in front of the Magistrate's Court, Rundu. LIST OF GOODS: 1X OFFICE DESK 1X HISENSE PLASMA TV 1X WHITE FOLDING TABLE 1X WOODEN BOOK SHELF 5X BLACK PLASTIC CHAIRS 1X DEFY FRIDGE 1X ESSENTIAL MICROWAVE 1X 23L CONTAINER 1X OFFICE CHAIR TERMS: VOETSTOOTS AND CASH TO THE HIGHEST BIDDER. DATED at WINDHOEK on 11TH day of MARCH 2024. ET-ZOLD – DUVENHAGE PER: HANZALIE DUVENHAGE LEGAL PRACTITIONER FOR PLAINTIFF NO. 33 FELD STREET WINDHOEK C/O ENGLUND/D1091

CLAO240001052

CASE NO. HC-MD-CIV-ACT-CON-2022/01886 IN THE HIGH COURT OF NAMIBIA In the matter between: NEDBANK NAMIBIA LIMITED PLAINTIFF and ROBERT MURRAY JOUBERT DEFENDANT NOTICE OF SALE IN EXECUTION OF IMMOVABLE PROPERTY In execution of a judgment granted by the High Court of Namibia signed by the Registrar of the above Honourable Court on 14 July 2023 in the above-mentioned suit, a sale in execution of immovable Property will be held on the 16th of APRIL 2024 at 16H00 at ERF 3109, OKAHANDJA, EXTENSION NO. 13 of the under-mentioned immovable property of the Defendant: CERTAIN: ERF 3109, OKAHANDJA, EXTENSION NO. 13 SITUATED: IN THE MUNICIPALITY OF OKAHANDJA IN THE REGISTRATION DIVISION "J" OTJOZONDJUPA REGION MEASURING: 2021 (TWO THOUSAND THREE HUNDRED AND TWENTY-ONE) SQUARE METERS DETAILS OF PROPERTY: Locality: ERF 3109, Okahandja, Extension No. 13, Consists of: Main Dwelling: 1 x Main Bedroom with ENS & On Suit Bathroom, Bathroom – Shower, Bath, Basin & Toilet; 2 x Bedrooms with BIC 1 x Bathroom (Toilet, Bath, Wash basin) 1 x Open Plan Kitchen / Living room (Kitchen with BIC / Built in Stove) 1 x Scullery with BIC 1 x Guest Bathroom (Toilet, Shower & basin) 1 x Porch with Built-in Braai 1 x Double Garage with Toilet (Whole ERF 3109) Fenced with Palisade & Electrified Fence) Secondary Dwelling (Flat): 1 x Open plan Kitchen / Lounge (Kitchen with BIC / SSG) 2 x Bedrooms with BIC 1 x Bathroom (Shower, Basin & Toilet) 1 x Scullery with BIC 1 x Single Garage 1 x Porch with Built-in Braai area Which property shall be sold by the Deputy Sheriff of Okahandja, subject to the Conditions of Sale that may be inspected by the Offices of the Deputy Sheriff of Okahandja and at the Head Office of Plaintiff in Windhoek at Plaintiff's Attorneys, Koep & Partners at the undermentioned address. DATED at WINDHOEK this 22nd day of JANUARY 2024. KOEP & PARTNERS LEGAL PRACTITIONERS FOR PLAINTIFF 33 SCHANZEN ROAD WINDHOEK REF: SN/ms/B1387/DEB1062

CLAO240001052

IN THE HIGH COURT OF NAMIBIA HELD AT MAIN DIVISION WINDHOEK CASE NUMBER: HC-MD-CIV-ACT-CON-2022/04913 In the matter between: FIRST NATIONAL BANK OF NAMIBIA LIMITED PLAINTIFF and DANIEL PETRUS VAN WYK 1ST DEFENDANT MAUNDA ERESIA VAN WYK 2ND DEFENDANT NOTICE OF SALE IN EXECUTION Pursuant to a Judgement of the above Honourable Court granted on the 5th October 2023, the following immovable property will be sold "voetstoots" by the DEPUTY SHERIFF for the District of OKAHANDJA on Friday, the 19th day of April 2024, at 12:00 at Erf 751, 9th Avenue, Okahandja, Namibia. CERTAIN: Erf 751, 9th Avenue, Okahandja, Namibia SITUATED: In the Municipality of Okahandja Registration Division "J" RESERVE PRICE: The property will be sold by the deputy-sheriff of HIGH COURT OF NAMIBIA, OKAHANDJA to the highest bidder in terms of Rule 110(1)(a), in terms of which the property will be sold at no less than 75% of: 1.1 the established municipal value; alternatively, 1.2 established market value market value should it be established that it is a primary residence. The valuation will be held with the Deputy Sheriff for inspection together with these conditions. (b) Interest at 10.25% interest per annum from 30 days after sale to date of full and final payment; (b) Deputy Sheriff's fees IMPROVEMENTS: 4 x Bedrooms 2 x Bathrooms Dressing Room Study Room Kitchen with Scullery and Pantry Lounge Dining Room Family Room Other improvements: Double Garage Double Carport Servants Quarters Outside Bathroom Braai Area This "Conditions of Sale in Execution" will lie for inspection at the office of the Deputy Sheriff of Okahandja and at the Head Office of Plaintiff in Windhoek at Plaintiff's Attorneys, Koep & Partners at the undermentioned address. DATED at WINDHOEK this 23rd day of JANUARY 2024. KOEP & PARTNERS LEGAL PRACTITIONERS FOR PLAINTIFF 33 SCHANZEN ROAD WINDHOEK REF: SN/ms/B1387/DEB1062

CLAO240001042

Notices

• Legal •

Deputy Sheriff, to the highest bidder at the auction subject to a reserve price, if any, 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 days after the date sale. The full conditions of the sale will be read out by the Deputy Sheriff on the date 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 08th day of February 2024 ELLIS SHILENGUDWA INC. (E S I) LEGAL PRACTITIONERS FOR PLAINTIFF 1st Floor, HASsania Offices, c/o Gova and Chasie Streets, Kleine Kuppe WINDHOEK REF: MAY/MAT19470

CLAO240000993

IN THE HIGH COURT OF NAMIBIA HELD AT MAIN DIVISION WINDHOEK CASE NUMBER: HC-MD-CIV-ACT-CON-2022/04913 In the matter between: FIRST NATIONAL BANK OF NAMIBIA LIMITED PLAINTIFF and DANIEL PETRUS VAN WYK 1ST DEFENDANT MAUNDA ERESIA VAN WYK 2ND DEFENDANT NOTICE OF SALE IN EXECUTION Pursuant to a Judgement of the above Honourable Court granted on the 5th October 2023, the following immovable property will be sold "voetstoots" by the DEPUTY SHERIFF for the District of OKAHANDJA on Friday, the 19th day of April 2024, at 12:00 at Erf 751, 9th Avenue, Okahandja, Namibia. CERTAIN: Erf 751, 9th Avenue, Okahandja, Namibia SITUATED: In the Municipality of Okahandja Registration Division "J" RESERVE PRICE: The property will be sold by the deputy-sheriff of HIGH COURT OF NAMIBIA, OKAHANDJA to the highest bidder in terms of Rule 110(1)(a), in terms of which the property will be sold at no less than 75% of: 1.1 the established municipal value; alternatively, 1.2 established market value market value should it be established that it is a primary residence. The valuation will be held with the Deputy Sheriff for inspection together with these conditions. (b) Interest at 10.25% interest per annum from 30 days after sale to date of full and final payment; (b) Deputy Sheriff's fees IMPROVEMENTS: 4 x Bedrooms 2 x Bathrooms Dressing Room Study Room Kitchen with Scullery and Pantry Lounge Dining Room Family Room Other improvements: Double Garage Double Carport Servants Quarters Outside Bathroom Braai Area This "Conditions of Sale in Execution" will lie for inspection at the office of the Deputy Sheriff of Okahandja and at the Head Office of Plaintiff in Windhoek at Plaintiff's Attorneys, Koep & Partners at the undermentioned address. DATED at WINDHOEK this 23rd day of JANUARY 2024. KOEP & PARTNERS LEGAL PRACTITIONERS FOR PLAINTIFF 33 SCHANZEN ROAD WINDHOEK REF: SN/ms/B1387/DEB1062

CLAO240001042

IN THE HIGH COURT OF NAMIBIA HELD AT MAIN DIVISION WINDHOEK CASE NUMBER: HC-MD-CIV-ACT-CON-2022/04198 In the matter between: STANDARD BANK OF NAMIBIA LIMITED PLAINTIFF and WILBARD JOSEF 1ST DEFENDANT EMMA IVAMUGADHENSWA JOSEF 2ND DEFENDANT NOTICE OF SALE IN EXECUTION Pursuant to a Judgement of the above Honourable Court granted on the 24th January 2023, the following immovable property will be sold "voetstoots" by the DEPUTY SHERIFF for the District of OKAHANDJA on Friday, the 19th day of April 2024, at 10:00 at Erf 1499, Extension 8, Okahandja, Namibia. CERTAIN: Erf 1499, Extension 8, Okahandja, Namibia SITUATED: In the Municipality of Okahandja Registration Division "J" RESERVE PRICE: The property will be sold by the deputy-sheriff of HIGH COURT OF NAMIBIA, OKAHANDJA to the highest bidder in terms of Rule 110(1)(a), in terms of which the property will be sold at no less than 75% of: 1.1 the established municipal value; alternatively, 1.2 established market value market value should it be established that it is a primary residence. The valuation will be held with the Deputy Sheriff for inspection together with these conditions. (b) Interest at 10.75% interest per annum from 30 days after sale to date of full and final payment; (b) Deputy Sheriff's fees IMPROVEMENTS: 3 x Bedrooms 2 x Bathrooms Kitchen Lounge Single Garage The "Conditions of Sale in Execution" will lie for inspection at the office of the Deputy Sheriff of Okahandja and at the Head Office of Plaintiff in Windhoek at Plaintiff's Attorneys, Koep & Partners at the undermentioned address. DATED at WINDHOEK this 23rd day of JANUARY 2024. KOEP & PARTNERS LEGAL PRACTITIONERS FOR PLAINTIFF 33 SCHANZEN ROAD WINDHOEK REF: SN/ms/B1387/DEB1062

CLAO240001042

IN THE HIGH COURT OF NAMIBIA HELD AT MAIN DIVISION WINDHOEK CASE NUMBER: HC-MD-CIV-ACT-CON-2022/02312 In the matter between: STANDARD BANK OF NAMIBIA LIMITED PLAINTIFF and ANNA LE ROUX 1ST DEFENDANT and ANNA LE ROUX GROVE DEFENDANT NOTICE OF SALE IN EXECUTION OF IMMOVABLE PROPERTY In execution of a Judgment granted by the High Court of Namibia signed by the Registrar of the above Honourable Court on 10 February 2023 in the above-mentioned suit, a sale in execution of immovable Property will be held on the 22nd of APRIL 2024 at 16H00 at ERF NO. 2013, (A PORTION OF ERF NO. 887), TSUMEB (A PORTION OF ERF NO. 887), TSUMEB SITUATED IN THE MUNICIPALITY OF TSUMEB IN THE REGISTRATION DIVISION "B" OSHIKOTO REGION MEASURING: 7055 (ONE THOUSAND THREE HUNDRED AND FIVE) SQUARE METERS DETAILS OF PROPERTY: Locality: ERF No. 2013 (A Portion Of ERF No. 887), Tsumeb, Consists of: 1 x Lounge, 1 x Dining Room, 1 x Kitchen, 1 x Full Bathroom, 4 x Bedrooms. There are built in cupboards in the Kitchen and all bedrooms the whole house has ceramic floor tiles. There is a cool breeze installed in the house. Outside: There is a teen to steel roofed area attached to the back of the house and there is a braai are built with interlocks and concrete flooring. There is a steel roofed car port area in front of a single garage and there is a toilet processing room attached to the garage. The main fence consists of face tiles and clearing facilities installed. There is an outside toilet installed on the property. There are interlocks laid in the driveway and the property. Which property shall be sold by the Deputy Sheriff of Tsumeb, subject to the Conditions of Sale that may be inspected by the Offices of the Deputy Sheriff, to the highest bidder at the auction subject to a reserve price, if any, 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 days after the date sale. The full conditions of the sale will be read out by the Deputy Sheriff on the date 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 08th day of MARCH 2024 ELLIS SHILENGUDWA INC. (E S I) LEGAL PRACTITIONERS FOR PLAINTIFF 1st Floor, HASsania Offices, c/o Gova and Chasie Streets, Kleine Kuppe WINDHOEK REF: MJW/MAT20212

CLAO240000550

PUBLIC NOTICE
REZONING AND CONSENT TO OPERATE A RESTAURANT AND BAR ON ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK Take note that Stubenrauch Planning Consultants cc herewith informs you in terms of the Urban and Regional Planning Act of 2018 and in terms of the City of Windhoek Public Consultation Policy for Proposed Development, that we have been appointed by the Namibia Jukskei Board, the registered owner of Erf 8350 (portion of Erf RE/6755), Windhoek to apply on their behalf to the Windhoek Municipal Council and to the Urban and Regional Planning Board for the following:
a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.
Erf 8350 (portion of Erf RE/6755) is located in the neighbourhood of Olympia, along Jason Hamutenya Klaus Street in Windhoek and it is zoned "Undetermined" in terms of the Windhoek Zoning Scheme. Erf 8350 (portion of Erf RE/6755) measures approximately 9,474m² in extent and it currently accommodates CrossFit Windhoek - a fitness centre, the Vintage Bar and Grill as well as the Jukskei field. The purpose of the application as set out above is to formalise the existing sporting activities by altering the zoning of Erf 8350 (portion of Erf RE/6755), Windhoek with the applicable zoning in terms of the Windhoek Zoning Scheme and further seek consent from the Municipal Council of Windhoek to operate a restaurant and bar on the property, which will enable the existing restaurant and bar to renew their Fitness Certificate. Parking for the development on the property has been provided in line with the parking requirements as stipulated in the Windhoek Zoning Scheme. Please take note that the plan of the set has for inspection on the town planning notice board in the Customer Care Centre of the City of Windhoek while the application and its supporting documents also be open for inspection during normal office hours at the City of Windhoek, Rev. Michael Scott Street, Windhoek (Town Planning Offices – 5th floor) 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 Chief Executive Officer of the City of Windhoek and the applicant (SPC) in writing within 14 days of the last publication of this notice. The last date for any objections/comments is on or before Wednesday, 08 May 2024. Applicant: Stubenrauch Planning Consultants PO Box 41454 Windhoek Email: office@spc.com.na Tel.: (061) 251169 Ref: WR4017 The Chief Executive Officer City of Windhoek PO Box 59 Windhoek

CLAO240001030

PUBLIC NOTICE
Take note that Stubenrauch Planning Consultants cc on behalf of the registered owner of Erf 662, Nkurenkuru Extension 1, in terms of the Local Authorities Act of 1992 and the Urban and Regional Planning Act of 2018 herewith inform you that we have applied to the Nkurenkuru Town Council and to the Urban and Regional Planning Board for the following:
1. **PERMANENT CLOSURE OF ERF 662, NKURENKURU EXTENSION 1 AS A "PUBLIC OPEN SPACE";**
2. **REZONING OF ERF 662, NKURENKURU EXTENSION 1 FROM "PUBLIC OPEN SPACE" TO "BUSINESS" WITH A BULK OF 3.0.**
Erf 662 is situated in the vibrant neighbourhood of Nkurenkuru Extension 1, right in the centre of mixed land uses ranging from business and public open spaces. Erf 662, Nkurenkuru Extension 1 is also located opposite one of Nkurenkuru's Service Stations, the Ifita Ifita Service Station. The subject property measures approximately 10379 m2 in extent. The purpose of the application as set out above, is to develop a mixed-use business development hub on Erf 662, Nkurenkuru Extension 1.Please take note that the application, locality map and its supporting documents lie open for inspection during normal office hours at the Nkurenkuru Town Council (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 Chief Executive Officer of the Nkurenkuru Town Council and the applicant (SPC) in writing on or before Wednesday, 8 May 2024. Applicant: Stubenrauch Planning Consultants The Chief Executive Officer PO Box 41404 Nkurenkuru Town Council Windhoek PO Box 6024 pombili.tspc.com.na Nkurenkuru Tel.: 0661 251169 Our Ref: NKU/005

CLAO240001030

Rule 7(1)
COMBINED SUMMONS IN THE HIGH COURT OF NAMIBIA (Main Division) Case Number: HC-MD-CIV-ACT-CON-2022/02589 In the matter between: NEDBANK NAMIBIA LIMITED and PLAINTIFF DAVID SEBASTIAN DEFENDANT To the deputy-sheriff: INFORM DAVID SEBASTIAN , Male, with Domicilium citandi et executandi Erf 1668 NUNDUNGA STREET KATUTURA, WINDHOEK, KHOMAS, Namibia , hereafter called the defendant(s), that NEDBANK NAMIBIA LIMITED , , with Principal Place of Business NEDBANK CAMPUS 4TH FLOOR FREEDOM PLAZA C/O FIDEL CASTRO & REV MICHAEL SCOTT STREET, WINDHOEK, KHOMAS, Namibia , hereby institutes action against him or her in which action the plaintiff(s) claims the relief and on the grounds set out in the particulars annexed hereto. INFORM the defendant further that if he or she disputes the claim and wishes to defend the action he or she must - 1 Within 10 days of the service on him or her of this summons file with the registrar of the court at High Court of Namibia (Main Division) notice of his or her intention to defend and serve a copy thereof on the plaintiff's legal practitioner, which notice must give an address (not being a post office box or poste restante) referred to in rule 14(3) (b) for the service on the defendant of all notices and documents in the action, but, if the defendant chooses to have further pleadings served on him or her by way of electronic means, such electronic address must be provided to the plaintiff in the notice of defence. 2 Simultaneously with the delivery of the notice of intention to defend, the defendant must deliver the return in terms of rule 6(4), which contains the following information about the defendant: (a) in the case of a natural person, his or her full names, identity number where available and if a Namibian citizen or any other person ordinarily resident in Namibia, his or her physical address and where available, his or her telephone or cellular phone number or both, workplace telephone number, facsimile number and personal or workplace email address or both; (b) in the case of a close corporation, its name and registration number, postal address and telephone number referred to in section 25 of the Close Corporations Act 1988 (Act No. 26 of 1988) and the particulars referred to in paragraph (a) of at least one member or officer as 1988) and the particulars referred to in paragraph (a) of at least one member or officer as defined in that Act and the particulars referred to in paragraph (a) of its accounting officer appointed in terms of section 58 of that Act; (c) in the case of a company, its name and registered number, postal address and registered office referred to in section 178 of the Companies Act 2004 (Act No. 28 of 2004) and the particulars referred to in paragraph (a) of at least one director and the secretary referred to in section 223 of that Act (including all particulars referred to in section 223(1) of that Act and in case of the office or secretary of any other body corporate the particulars referred to in paragraph (b) of section 223(1) of that Act; (d) in the case of any other juristic person, the particulars referred to in paragraph (a) of all trustees and a reference number given by the master to the trust deed registered with the master." 3 The particulars provided in terms of item 2 remain binding on the party to which they relate and may be used by the court, or by the other party to effect service of any notice or document on such party or give no-

Notices

• Legal •

on the date 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 08TH day of MARCH 2024 ELLIS SHILENGUDWA INC. (E S I) LEGAL PRACTITIONERS FOR PLAINTIFF 1st Floor, HASsania Offices, c/o Gova and Chasie Streets, Kleine Kuppe WINDHOEK REF: MJW/MAT20212

CLAO240000550

PUBLIC NOTICE
REZONING AND CONSENT TO OPERATE A RESTAURANT AND BAR ON ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK Take note that Stubenrauch Planning Consultants cc herewith informs you in terms of the Urban and Regional Planning Act of 2018 and in terms of the City of Windhoek Public Consultation Policy for Proposed Development, that we have been appointed by the Namibia Jukskei Board, the registered owner of Erf 8350 (portion of Erf RE/6755), Windhoek to apply on their behalf to the Windhoek Municipal Council and to the Urban and Regional Planning Board for the following:
a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";
b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.
Erf 8350 (portion of Erf RE/6755) is located in the neighbourhood of Olympia, along Jason Hamutenya Klaus Street in Windhoek and it is zoned "Undetermined" in terms of the Windhoek Zoning Scheme. Erf 8350 (portion of Erf RE/6755) measures approximately 9,474m² in extent and it currently accommodates CrossFit Windhoek - a fitness centre, the Vintage Bar and Grill as well as the Jukskei field. The purpose of the application as set out above is to formalise the existing sporting activities by altering the zoning of Erf 8350 (portion of Erf RE/6755), Windhoek with the applicable zoning in terms of the Windhoek Zoning Scheme and further seek consent from the Municipal Council of Windhoek to operate a restaurant and bar on the property, which will enable the existing restaurant and bar to renew their Fitness Certificate. Parking for the development on the property has been provided in line with the parking requirements as stipulated in the Windhoek Zoning Scheme. Please take note that the plan of the set has for inspection on the town planning notice board in the Customer Care Centre of the City of Windhoek while the application and its supporting documents also be open for inspection during normal office hours at the City of Windhoek, Rev. Michael Scott Street, Windhoek (Town Planning Offices – 5th floor) 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 Chief Executive Officer of the City of Windhoek and the applicant (SPC) in writing within 14 days of the last publication of this notice. The last date for any objections/comments is on or before Wednesday, 08 May 2024. Applicant: Stubenrauch Planning Consultants PO Box 41454 Windhoek Email: office@spc.com.na Tel.: (061) 251169 Ref: WR4017 The Chief Executive Officer City of Windhoek PO Box 59 Windhoek

CLAO240001030

PUBLIC NOTICE
Take note that Stubenrauch Planning Consultants cc on behalf of the registered owner of Erf 662, Nkurenkuru Extension 1, in terms of the Local Authorities Act of 1992 and the Urban and Regional Planning Act of 2018 herewith inform you that we have applied to the Nkurenkuru Town Council and to the Urban and Regional Planning Board for the following:
1. **PERMANENT CLOSURE OF ERF 662, NKURENKURU EXTENSION 1 AS A "PUBLIC OPEN SPACE";**
2. **REZONING OF ERF 662, NKURENKURU EXTENSION 1 FROM "PUBLIC OPEN SPACE" TO "BUSINESS" WITH A BULK OF 3.0.**
Erf 662 is situated in the vibrant neighbourhood of Nkurenkuru Extension 1, right in the centre of mixed land uses ranging from business and public open spaces. Erf 662, Nkurenkuru Extension 1 is also located opposite one of Nkurenkuru's Service Stations, the Ifita Ifita Service Station. The subject property measures approximately 10379 m2 in extent. The purpose of the application as set out above, is to develop a mixed-use business development hub on Erf 662, Nkurenkuru Extension 1.Please take note that the application, locality map and its supporting documents lie open for inspection during normal office hours at the Nkurenkuru Town Council (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 Chief Executive Officer of the Nkurenkuru Town Council and the applicant (SPC) in writing on or before Wednesday, 8 May 2024. Applicant: Stubenrauch Planning Consultants The Chief Executive Officer PO Box 41404 Nkurenkuru Town Council Windhoek PO Box 6024 pombili.tspc.com.na Nkurenkuru Tel.: 0661 251169 Our Ref: NKU/005

CLAO240001030

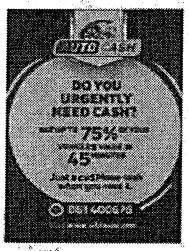
Rule 7(1)
COMBINED SUMMONS IN THE HIGH COURT OF NAMIBIA (Main Division) Case Number: HC-MD-CIV-ACT-CON-2022/02589 In the matter between: NEDBANK NAMIBIA LIMITED and PLAINTIFF DAVID SEBASTIAN DEFENDANT To the deputy-sheriff: INFORM DAVID SEBASTIAN , Male, with Domicilium citandi et executandi Erf 1668 NUNDUNGA STREET KATUTURA, WINDHOEK, KHOMAS, Namibia , hereafter called the defendant(s), that NEDBANK NAMIBIA LIMITED , , with Principal Place of Business NEDBANK CAMPUS 4TH FLOOR FREEDOM PLAZA C/O FIDEL CASTRO & REV MICHAEL SCOTT STREET, WINDHOEK, KHOMAS, Namibia , hereby institutes action against him or her in which action the plaintiff(s) claims the relief and on the grounds set out in the particulars annexed hereto. INFORM the defendant further that if he or she disputes the claim and wishes to defend the action he or she must - 1 Within 10 days of the service on him or her of this summons file with the registrar of the court at High Court of Namibia (Main Division) notice of his or her intention to defend and serve a copy thereof on the plaintiff's legal practitioner, which notice must give an address (not being a post office box or poste restante) referred to in rule 14(3) (b) for the service on the defendant of all notices and documents in the action, but, if the defendant chooses to have further pleadings served on him or her by way of electronic means, such electronic address must be provided to the plaintiff in the notice of defence. 2 Simultaneously with the delivery of the notice of intention to defend, the defendant must deliver the return in terms of rule 6(4), which contains the following information about the defendant: (a) in the case of a natural person, his or her full names, identity number where available and if a Namibian citizen or any other person ordinarily resident in Namibia, his or her physical address and where available, his or her telephone or cellular phone number or both, workplace telephone number, facsimile number and personal or workplace email address or both; (b) in the case of a close corporation, its name and registration number, postal address and telephone number referred to in section 25 of the Close Corporations Act 1988 (Act No. 26 of 1988) and the particulars referred to in paragraph (a) of at least one member or officer as 1988) and the particulars referred to in paragraph (a) of at least one member or officer as defined in that Act and the particulars referred to in paragraph (a) of its accounting officer appointed in terms of section 58 of that Act; (c) in the case of a company, its name and registered number, postal address and registered office referred to in section 178 of the Companies Act 2004 (Act No. 28 of 2004) and the particulars referred to in paragraph (a) of at least one director and the secretary referred to in section 223 of that Act (including all particulars referred to in section 223(1) of that Act and in case of the office or secretary of any other body corporate the particulars referred to in paragraph (b) of section 223(1) of that Act; (d) in the case of any other juristic person, the particulars referred to in paragraph (a) of all trustees and a reference number given by the master to the trust deed registered with the master." 3 The particulars provided in terms of item 2 remain binding on the party to which they relate and may be used by the court, or by the other party to effect service of any notice or document on such party or give no-

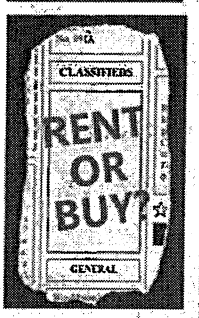
DISCLAIMER ALL PRODUCTS AND SERVICES ADVERTISED ARE SOLELY THE RESPONSIBILITY OF THE ADVERTISER. THE NAMIBIAN DOES NOT VALIDATE OR ENDORSE THE CLAIMS MADE BY ANY ADVERTISEMENT. THE ONUS LIES WITH POTENTIAL CUSTOMERS TO EVALUATE THE AUTHENTICITY OF SUCH PRODUCTS OR SERVICES.

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Notice Legal Notice

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: **ZAMBEZI**

1. Name and postal address of applicant:
JUSTICE MUHINDA
KALIMBEZA AREA
2. Name of business or proposed business to which applicant relates:
ZAMBEZI MUSALA LODGE
3. Address/Location of premises to which Application relates:
KALIMBEZA AREA, KATIMA MULILO (GONDWANA COLLECTIONS)
4. Nature and details of application:
HOTEL LIQUOR LICENSE
5. Clerk of the court with whom application will be lodged:
KATIMA MULILO MAGISTRATE COURT
6. Date on which application will be Lodged: **08 MAY 2024**
7. Date of meeting of Committee at which application will be heard.
12 JUNE 2024

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.

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:
ZAMBEZI

1. Name and postal address of applicant:
LISWANISO INESS WANGA,
PO BOX 2518 NGWEZE
2. Name of business or proposed business to which applicant relates:
MALYA SHEBEEN
3. Address/Location of premises to which Application relates:
KATIMA MULILO RURAL
4. Nature and details of application:
SHEBEEN LIQUOR LICENSE
5. Clerk of the court with whom application will be lodged:
KATIMA MULILO
MAGISTRATE COURT
6. Date on which application will be Lodged: **08 MAY 2024**
7. Date of meeting of Committee at which application will be heard.
12 JUNE 2024

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 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:
Lucky Bet Entertainments
Type of license: Bookmaker license
Name of bookmaking business or retail liquor business:
Lucky Bet Rietfontein
Physical address of premises to which the application applies:
Erf 23A
Toivo Ya Toivo Street
Grootfontein
Otjozondjupa Region

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 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:
Lucky Bet Entertainments
Type of license: Bookmaker license
Name of bookmaking business or retail liquor business:
Lucky Bet Grootfontein
Physical address of premises to which the application applies:
Erf 23A
Toivo Ya Toivo Street
Grootfontein
Otjozondjupa Region

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 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:
Lucky Bet Entertainments
Type of license: Bookmaker license
Name of bookmaking business or retail liquor business:
Lucky Bet Katima Mulilo
Physical address of premises to which the application applies:
Erf 328
Shop 6
Katima Mulilo
Zambezi Region

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:
ZAMBEZI

1. Name and postal address of applicant:
JUSTICE MUHINDA
KALIMBEZA AREA
2. Name of business or proposed business to which applicant relates:
ZAMBEZI MUSALA CAMP
3. Address/Location of premises to which Application relates:
KALIMBEZA AREA, KATIMA MULILO (GONDWANA COLLECTIONS)
4. Nature and details of application:
HOTEL LIQUOR LICENSE
5. Clerk of the court with whom application will be lodged:
KATIMA MULILO
MAGISTRATE COURT
6. Date on which application will be Lodged: **08 MAY 2024**
7. Date of meeting of Committee at which application will be heard. **12 JUNE 2024**

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.

CHANGE OF SURNAME
THE ALIENS ACT, 1937
NOTICE OF INTENTION OF CHANGE OF SURNAME

I, (1) **HAUSIKU DANIEL KAYIMBI** residing at **OKAHANDJA PARK** and carrying on business / employed as (2) **A TEACHER ON CONTRACT** intend applying to the Minister of Home Affairs for authority under section 9 of the Aliens Act, 1937, to assume **KAYIMBI DANIEL HAUSIKU** for the reasons that (3) **TO MATCH THE NAMES ON THE QUALIFICATION WHICH IS KAYIMBI DANIEL HAUSIKU.** I previously bore the name(s) (4) **HAUSIKU** DANIEL KAYIMBI.

I intend also applying for authority to change the surname of my wife **N/A** and minor child/ren) (5) to **KAYIMBI.** Any person who objects to my/our assumption of the said surname of KAYIMBI should as soon as may be lodge his/her/their objection, in writing, with a statement of his/her/their reasons therefore, with the magistrate of **WINDHOEK MAGISTRATE COURT, 15 FEBRUARY 2024**

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:
ZAMBEZI

1. Name and postal address of applicant:
MPWAMBI AUSTIN MUTIVA
PO BOX 2518 NGWEZE
2. Name of business or proposed business to which applicant relates:
CHISESO SHEBEEN
3. Address/Location of premises to which Application relates:
IBBY AREA KATIMA MULILO RURAL
4. Nature and details of application:
SHEBEEN LIQUOR LICENSE
5. Clerk of the court with whom application will be lodged:
KATIMA MULILO
MAGISTRATE COURT
6. Date on which application will be Lodged: **08 MAY 2024**
7. Date of meeting of Committee at which application will be heard.
12 JUNE 2024

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.

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, 25 & 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:
ZAMBEZI

1. Name and postal address of applicant:
MAPWILA EVANS SEPISO
PO BOX 287 KATIMA MULILO
2. Name of business or proposed business to which applicant relates:
COOL JOINT SHEBEEN
3. Address/Location of premises to which Application relates:
MUTIKITILA AREA KATIMA MULILO
4. Nature and details of application:
SHEBEEN LIQUOR LICENSE
5. Clerk of the court with whom application will be lodged:
KATIMA MULILO
MAGISTRATE COURT
6. Date on which application will be Lodged: **08 MAY 2024**
7. Date of meeting of Committee at which application will be heard.
12 JUNE 2024

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.



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:
KHORAS

1. Name and postal address of applicant:
UMBUSO INVESTMENT CC T/A BRA Q'S RESTAURANT AND BAR
2. Name of business or proposed business to which applicant relates:
BRA Q'S RESTAURANT AND BAR
3. Address/Location of premises to which Application relates:
10806 HENDRIK ISAAK STREET, KATUTURA, WINDHOEK
4. Nature and details of application:
BAR, SHEBEEN, RESTAURANTS AND MOBILE FOOD SERVICE ACTIVITIES
5. Clerk of the court with whom application will be lodged:
WINDHOEK MAGISTRATE COURT
6. Date on which application will be Lodged: **13 APRIL – 30 APRIL 2024**
7. Date of meeting of Committee at which application will be heard.
12 JUNE 2024

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.

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:
ZAMBEZI

1. Name and postal address of applicant:
JUSTICE MUHINDA
KALIMBEZA AREA
2. Name of business or proposed business to which applicant relates:
CHOBE RIVER LODGE (CAMP CHOBE)
3. Address/Location of premises to which Application relates:
NGOMA AREA, KATIMA MULILO (GONDWANA COLLECTIONS)
4. Nature and details of application:
HOTEL LIQUOR LICENSE
5. Clerk of the court with whom application will be lodged:
KATIMA MULILO
MAGISTRATE COURT
6. Date on which application will be Lodged: **08 MAY 2024**
7. Date of meeting of Committee at which application will be heard.
12 JUNE 2024

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.

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:
ZAMBEZI

1. Name and postal address of applicant:
JUSTICE MUHINDA
KALIMBEZA AREA
2. Name of business or proposed business to which applicant relates:
ZAMBEZI MUSALA LODGE
3. Address/Location of premises to which Application relates:
KALIMBEZA AREA, KATIMA MULILO (GONDWANA COLLECTIONS)
4. Nature and details of application:
HOTEL LIQUOR LICENSE
5. Clerk of the court with whom application will be lodged:
KATIMA MULILO MAGISTRATE COURT
6. Date on which application will be Lodged: **08 MAY 2024**
7. Date of meeting of Committee at which application will be heard.
12 JUNE 2024

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.

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:
OSHAKATI

1. Name and postal address of applicant:
JULIUS MOONGO
PO BOX 1221 OSHAKATI
2. Name of business or proposed business to which applicant relates:
KABESTE NA KAROO
3. Address/Location of premises to which Application relates:
OMUSATI GOOPOOSA, OHAALALA
4. Nature and details of application:
SHEBEEN LIQUOR LICENSE
5. Clerk of the court with whom application will be lodged:
OSHAKATI MAGISTRATE COURT
6. Date on which application will be Lodged: **12 – 24 APRIL 2024**
7. Date of meeting of Committee at which application will be heard:
08 MAY 2024

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.

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:
ZAMBEZI

1. Name and postal address of applicant:
NYATI ANNASTANCIA NAKAKAU
PO BOX 1215 NGWEZE
2. Name of business or proposed business to which applicant relates:
LUWANN SHEBEEN
3. Address/Location of premises to which Application relates:
KANDIYANA VILLAGE, NGOMA
4. Nature and details of application:
SHEBEEN LIQUOR LICENSE
5. Clerk of the court with whom application will be lodged:
KATIMA MULILO MAGISTRATE COURT
6. Date on which application will be Lodged: **08 MAY 2024**
7. Date of meeting of Committee at which application will be heard.
12 JUNE 2024

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.

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:
OMUSATI

1. Name and postal address of applicant:
ANNASTANCIA NYORO
PO BOX 756 OKAHAO
2. Name of business or proposed business to which applicant relates:
M SQUARE PUB
3. Address/Location of premises to which Application relates:
OKAHAO, OPPOSITE OKAHAO OPEN MARKET
4. Nature and details of application:
SPECIAL LIQUOR LICENSE
5. Clerk of the court with whom application will be lodged:
KATIMA MULILO MAGISTRATE COURT
6. Date on which application will be Lodged:
13 APRIL – 02 MAY 2024
7. Date of meeting of Committee at which application will be heard.
12 JUNE 2024

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

REZONING AND CONSENT TO OPERATE A RESTAURANT AND BAR ON ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK

Take note that **Stubenrauch Planning Consultants cc** herewith informs you in terms of the Urban and Regional Planning Act of 2018 and in terms of the City of Windhoek Public Consultation Policy for Proposed Development, that we have been appointed by the Namibia Jukskei Board, the registered owner of Erf 8350 (portion of Erf RE/6755), Windhoek to apply on their behalf to the Windhoek Municipal Council and to the Urban and Regional Planning Board for the following:

a) **Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";**
b) **Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;**
c) **Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.**

Erf 8350 (portion of Erf RE/6755) is located in the neighbourhood of Olympia, along Jason Hamutenya Ndadi Street in Windhoek and it is zoned "Undetermined" in terms of the Windhoek Zoning Scheme. Erf 8350 (portion of Erf RE/6755) measures approximately 9,474m² in extent and it currently accommodates GrossFit Windhoek - a fitness centre, the Vintage Bar and Grill as well as the Jukskei field.

The purpose of the application as set out above is to formalise the existing sporting activities by aligning the zoning of Erf 8350 (portion of Erf RE/6755), Windhoek with the applicable zoning in terms of the Windhoek Zoning Scheme and further seek consent from the Municipal Council of Windhoek to operate a restaurant and bar on the property, which will enable the existing restaurant and bar to renew their Fitness Certificate.

Parking for the development on the property has been provided in line with the parking requirements as stipulated in the Windhoek Zoning Scheme

Please take note that the plan of the erf lies for inspection on the town planning notice board in the Customer Care Centre of the City of Windhoek while the application and its supporting documents also lie open for inspection during normal office hours at the City of Windhoek, Rev. Michael Scott Street, Windhoek (Town Planning Offices – 5th floor) 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 Chief Executive Officer of the City of Windhoek and the applicant (SPC) in writing within 14 days of the last publication of this notice. The last date for any objections/comments is on or before **Wednesday, 08 May 2024.**

Applicant: Stubenrauch Planning Consultants
PO Box 41404
Windhoek
Email: office3@spc.com.na
Tel.: (061) 251189
Ref: W/24017

The Chief Executive Officer
City of Windhoek
PO Box 59
Windhoek

PUBLIC NOTICE

Take note that **Stubenrauch Planning Consultants cc** on behalf of the registered owner of Erf 682, Nkurenkuru Extension 1, in terms of the Local Authorities Act of 1992 and the Urban and Regional Planning Act of 2018 herewith inform you that we have applied to the Nkurenkuru Town Council and to the Urban and Regional Planning Board for the following:

1. **PERMANENT CLOSURE OF ERF 682, NKURENKURU EXTENSION 1 AS A "PUBLIC OPEN SPACE";**
2. **REZONING OF ERF 682, NKURENKURU EXTENSION 1 FROM "PUBLIC OPEN SPACE" TO "BUSINESS" WITH A BULK OF 3.0.**

Erf 682 is situated in the vibrant neighbourhood of Nkurenkuru Extension 1, right in the centre of mixed land uses ranging from business and public open spaces. Erf 682, Nkurenkuru Extension 1 is also located opposite one of Nkurenkuru's Service Stations, the Tula Tula Service Station. The subject property measures approximately 10379 m² in extent.

The purpose of the application as set out above, is to develop a mixed-use business development hub on Erf 682, Nkurenkuru Extension 1. Please take note that the application, locality map and its supporting documents lie open for inspection during normal office hours at the Nkurenkuru Town Council (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 Chief Executive Officer of the Nkurenkuru Town Council and the applicant (SPC) in writing on or before **Wednesday, 8 May 2024.**

Applicant:
Stubenrauch Planning Consultants
PO Box 41404
pombe@spc.com.na
Tel.: (061) 251189
Our Ref: NKU/035

The Chief Executive Officer
Nkurenkuru Town Council
Windhoek, PO Box 6004
Nkurenkuru



Classifieds

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DEADLINE: 12H00 - 2 WORKING DAYS PRIOR TO PLACEMENT

INDEX

Personal
1210 Anniversaries
1220 Weddings, Engagements & Announcements
1230 Birthday Wishes
1240 Reunions
1250 Graduations
1260 Special Messages
1270 Thank You Messages
1280 Valentine's Messages

Business & Finance
1410 Opportunities
1420 Business for Sale
1430 Taxi Licences

Property
7420 House & Garden
1610 General
7440 Communications & Security
7450 Lost & Missing
7460 Transport Wanted & Offered

Education & Training
3610 Education & Training

Employment
2710 Wanted
2720 Offered

Food & Beverages
3210 Food & Beverages

Motor
3510 Wanted
3530 For Sale
3700 Auctions

Health & Beauty
3910 Health & Beauty

Hospitality
4010 Hospitality (See also 'Travel & Tourism')

Housing & Property
4110 Wanted
4210 For Rent
4310 For Sale

Leisure & Entertainment
4910 Leisure & Entertainment

Livestock & Pets
5010 Livestock & Pets
5010 Auctions
5010 For Sale
5010 Lost & Missing
5010 Wanted

Motor
5310 Vehicles Wanted
5320 Vehicles for Hire
5360 Vehicles for Sale
5370 Vehicle Auctions
5380 Vehicle Spares & Accessories

Notices
5610 Legal
5620 Public
5630 Tenders
5710 Churches
5620 Name Change
5820 Rezoning

Obituaries
6030 In Memoriam
6010 Tombstone Unveiling
6020 Death & Funeral Notices
6030 Condolences
6270 Thank you messages

Travel
7600 Travel & Tourism

Rates and Conditions

DEADLINES 2021

- All copy is subject to approval by the newspaper and cancelling on the date you want, please book accordingly.
- Cancellations and changes before 12h00, two days before date of publication in writing only.

NOTES

Must have name/address/contact no.

Please note: ID card / Passport required for advertisement placement

Services • General •

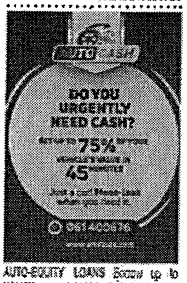
Two In One Security Services CC has trained guards that you can trust in protecting your properties. Do not hesitate to contact the operation manager for more information on 0812175364 / 0812265533

CLAO2400011120

Business & Finance • Opportunities •

DO YOU URGENTLY NEED CASH? Get up to 75% of your vehicle's value in 45 mins! Just a call Moon-tash when you need it! Autocash 061 400 678.

CLAO2400009729



AUTO-EQUITY LOANS Borrow up to N$100K on your Vehicle Park for 3 months (Renewable) in Jiffy cash & fully insured warehouse. Once-off interest charged & flexible Repayment Terms. Contact Mofa Chirimbi +264 81 800 0592 / 0857753878

BR CASH SERVICES Get cash from the comfort of your home from everywhere, at anytime. Visit www.brokerxtel.cash, register, create your account, apply & get paid. Call: +26461223332

WhatsApp: +26461709826 | Email: helpdesk@brokerxtel.cash.

CLAO2400011087

Education & Training • Education & Training •

Jozzy driving school, cheapest in town 120 for Student 140 working class. Please contact us 0811415130.

CLAO2400009585

Employment • Offered •

NOW NEEDED FOR OVERSEAS JUNK/SA/CANADA Factory Workers/Waiters/Drivers/Mechanics Call +27118229654/+27798619253 Website www.consmarketinglnt.com Registration Fee 3500 Namibian Dollars Assistance to travel and Accomodation

CLAO2400011092

Hamvic Motors is looking for Petrol or Diesel Mechanics with a valid drivers license, at least 3 years experience hand deliver CVs to Hamvic Motors at c/o Rev Michael Scott and 150 Garten Street or e-mail to hanghamvic@gmail.com

CLAO2400011113

CXF Investments is looking for a Geological Exploration Manager.

Requirements:
- 10 Years exploration knowledge.
- Extensive knowledge of different rocks and soil types.
- Tertiary qualifications.
- Valid driver's licence.
- Market related salary.

E-mail comprehensive CV's to borisschmidtnam@gmail.com, deadline 29 April 2024 @ 12h00

CLAO2400011139

Employment • Wanted •

I am looking for a sedan either 5th drive on contract. Call: 0813399599 / 0813399323

CLAO2400011093

A 40-year-old woman is looking for any office cleaning job. For more info call 0813139307 / 0812182212

CLAO2400011094

Employment • Offered •

OSHIKUKU PRIVATE SCHOOL

3 TEACHING VACANCY AT OSHIKUKU PRIVATE SCHOOL

- 1 x English and Oshiin donga grade 8 to 10
- 1 x Biology and Chemistry, grade 10
- 1 x Computer Science, grade 8 to 10

Main Requirements:
A recognized 4-6 years tertiary teaching qualification or equivalent with at least 3- 6 years teaching experience at primary level.

The following documents must accompany the application:
- Application letter
- Recent testimonial (s)
- Copies of qualifications (certified by the police)
- Curriculum vitae (CV)
- Copy of identity (ID)/ passport document certified by the police

Application should be hand delivered at the school

Or Private School, P.O. Box 5381, Oshikuku

Only persons who meet the mentioned criteria need to call us. No documents will be returned.

Closing date: 19 April 2024

CLAO2400011095

1 MENTOR
-Housekeeping Opportunity
AT OZONDJAGTAR PENSION HOTEL
Primary purpose of this position:
Responsible for the over all of housekeeping at the hotel. Oversee the THEFT MILL bellmen on the practical and theory integration and signoff their logbook on daily basis.

Qualifications:
National Vocational Certificate in Housekeeping Operation Level 4
Minimum (3) years' experience in housekeeping supervision
Assessor certificate will be an added advantage
Numerical skills
Communication and interpersonal skills Key

Performance Area:
-Plan and prepare WEET lessons
- Training and Supervising cleaning
-Stock taking Employees who meet the minimum requirements of the positions as advertised, and are looking forward to growth and exposure should submit their applications, accompanied by a detailed Curriculum Vitae and copies of their qualifications.
To: P.O BOX 975 Okahandja or deliver them at OZONDJAGTAR PENSION HOTEL OUTAPI Closes: NO EMAIL Curriculum Vitae's will be considered.
Closing date: 30 April 2024
Enquiry:
Contact Details: Mathilene Hangumbi+264813030002

CLAO2400011135

Employment • Wanted •

Windhoek based young lady looking for domestic work for 3-4 days in a week, available to start ASAP. Call: 0816453440

CLAO2400011066

A 23-year-old woman is looking for any office cleaning job. for more info call: 0813139307 / 0812182212

CLAO2400011096

I am looking for a taxi to drive or anything work around Windhoek, I have code 8 drivers license. Call: 0813453553

CLAO2400011147

A young hardworking lady is looking for work in cleaning companies, caravans and known gardens around Windhoek. Contact: 0816557531

CLAO2400011145

I am looking for a taxi to drive, I have a clean record. call: 0816453433

CLAO2400011165

I am looking for a taxi to drive in Windhoek. Call Lovie at 0814455333

CLAO2400011144

I'm in Windhoek looking for any driving job, have Code10 Certificate and Code C1 license. All papers required. call: 0816453433

CLAO2400011143

Health & Beauty • Health & Beauty •

Jozzy salon situated in Eros next to Kubata Restaurant. We specialize in the following: Hair, massage, waxing. 0811415130

CLAO2400011098

Hospitality • Hospitality •

Good living Bed & Breakfast, Khomasdal. Rooms from N$250 - N$400. Call: 0812672622 / 081-3009721 / 0812672630

CLAO2400009991

Housing & Property • For Sale •

Walvis Bay Meersig: Double Storey house for rent, 6 en-suite bedrooms, in office open plan, lounge, kitchen, dining area, 3 x garages, TV room, store rooms, parity. Call 0817206199 / 0813413626 / 0812335592

CLAO2400011042

GOREANGAB [waterfront]: Brand new beautiful 3 bedroom [plus] freestanding house for sale: 2 bathroom, kitchen, lounge going for N$1 million, and with garage and braai area N$1,2 million. Call Hilary 0816300256.

CLAO2400011137

Notices • Legal •

PUBLIC NOTICE REZONING AND CONSENT TO OPERATE A RESTAURANT AND BAR ON ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK

Take note that Stubenrauch Planning Consultants on behalf of the registered owner of Erf 8350 (Portion of Erf RE/6755), Windhoek to apply on their behalf to the Windhoek Municipal Council and to the Urban and Regional Planning Board for the following:

a) Rezoning of Erf 8350 (portion of Erf RE/6755), Windhoek from "Undetermined" to "Private Open Space";

b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;

c) Indication of the rezoning in the next zoning scheme to be prepared for Windhoek.

Erf 8350 (portion of Erf RE/6755) is located in the neighbourhood of Olympia, along Jason Hamutenya Ndeiti Street in Windhoek and it is zoned "Undetermined" in terms of the Windhoek Zoning Scheme. Erf 8350 (portion of Erf RE/6755) measures approximately 9,474m² in extent and it currently accommodates CrossFit Windhoek - a fitness centre, the Village Bar and Grill as well as the Jukskei Field. The purpose of the application as set out above is to formalise the existing sporting activities by aligning the zoning of Erf 8350 (portion of Erf RE/6755), Windhoek with the application to operate a restaurant and bar on the property.

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 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.

CLAO2400011056

Notices • Legal •

We are writing in terms of the Windhoek Zoning Scheme and hereby seek consent from the Municipal Council of Windhoek to operate a restaurant and bar on the property, which will enable the existing restaurant and bar to renew their Fitness Certificate. Parking for the development on the property has been provided in line with the parking requirements as stipulated in the Windhoek Zoning Scheme. Please take note that the plans of the erf lies for inspection on the town planning notice board in the Customer Care Centre of the City of Windhoek while the application and its supporting documents also lie open for inspection during normal office hours at the City of Windhoek, Rev. Michael Scott Street, Windhoek (Town Planning Offices – 5th floor) 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 Chief Executive Officer of the City of Windhoek and the applicant (SPC) in writing within 14 days of the last publication of this notice. The last date for any objections/comments is on or before Wednesday, 08 May 2024. Applicants: Stubenrauch Planning Consultants PO Box 41404 Windhoek Email: office@spc.com.na Tel: (061) 251169 Ref: WR24017

The Chief Executive Officer City of Windhoek PO Box 59 Windhoek

CLAO2400011039

PUBLIC NOTICE

Take note that Stubenrauch Planning Consultants on on behalf of the registered owner of Erf 682, Nkurenkuru Extension 1, in terms of the Local Authorities Act of 1992 and the Urban and Regional Planning Act of 2018 herewith inform you that we have applied to the Nkurenkuru Town Council and to the Urban and Regional Planning Board for the following:

1.PERMANENT CLOSURE OF ERF 682, NKURENKURU EXTENSION 1 AS A "PUBLIC OPEN SPACE";

2.REZONING OF ERF 682, NKURENKURU EXTENSION 1 FROM "PUBLIC OPEN SPACE" TO "BUSINESS" WITH A BULK OF 3.0.

Erf 682 is situated in the vibrant neighbourhood of Nkurenkuru Extension 1, right in the centre of mixed land uses ranging from business and public open spaces. Erf 682, Nkurenkuru Extension 1 is also located opposite one of Nkurenkuru's Service Stations, the Tula Tula Service Station. The subject property measures approximately 10378 m2 in extent. The purpose of the application as set out above, is to develop a mixed-use business development hub on Erf 682, Nkurenkuru Extension 1.Please take note that the application, locality map and its supporting documents is open for inspection during normal office hours at the Nkurenkuru Town Council (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 Chief Executive Officer of the Nkurenkuru Town Council and the applicant (SPC) in writing on or before Wednesday, 8 May 2024. Applicant: Stubenrauch Planning Consultants The Chief Executive Officer PO Box 41404 Nkurenkuru Town Council PO Box 6001 Email: office@spc.com.na Nkurenkuru Tel.: (061) 251169 Our Ref: NKU1005

CLAO2400011050

MINISTRY OF TRADE & INDUSTRY LIQUOR ACT 1998 NOTICE OF APPLICATION TO A COMMITTEE 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: OSHANA 1. Name and postal address of applicant: LINUS EKANDJO, P.O BOX 60246, KATUTURA , WINDHOEK 2. Name of business or proposed business to which application relates: OHLA ZONE BAR 3. Address / location of premises to which application relates: KANDJENGEDI SOUTH, ERF 2084 / 65 4. Nature and details of application : SHEEBEEN LIQUOR LICENCE 5. Clerk of the court with whom application will be lodged: OSHAKATI 6. Date on which application will be lodged: 12- 24 April 2024 7. Date of meeting of Committee at which application will be heard: 08 May 2024 8. 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 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.

CLAO2400011127

IN THE HIGH COURT OF NAMIBIA (Main Division – Windhoek) CASE NO: HC-MD-CIV-ACT-CON-2019/03502 In the matter between: AGRICULTURAL BANK OF NAMIBIA EXECUTION CREDITOR and MIKE RAPUKUA VENAANI EXECUTION DEBTOR NOTICE OF SALE IN EXECUTION IN EXECUTION OF THE HIGH COURT OF NAMIBIA, given on the 21th of JUNE 2019 in the abovementioned case, a judgment sale by public auction will be held on WEDNESDAY, the 17th day of APRIL, 2024 at 10H00, at the property. PROPERTY: CERTAIN PORTION A OF THE FARM TIMOR NO.342 SITUATED REGISTRATION DIVISION "L" OMAHEKE REGION MEASURING: 324,6 (THREE HUNDRED AND TWENTY FOUR COMMA SIX SEVEN ZERO THREE) HECTARES HELD UNDER DEED OF TRANSFER NO. T 3310/1987 CONDITIONS OF SALE: 1.The property shall be sold by the Deputy-Sheriff, GOBABIS, on 17th of April 2024 at 10H00. 2.The Purchaser shall pay a deposit of 10% (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 goods will be sold "voetstoots". 4.The complete conditions of sale may be inspected at the office of the Deputy Sheriff, GOBABIS (Tel no:061 240 8200) and at the Plaintiff's Attorneys office at the undermentioned address. DATED AT WINDHOEK THIS DAY OF FEBRUARY 2024. ANGULACO INCORPORATED Legal Practitioner for Judgment CreditorPlaintiff 31 SCHUSTER STREET WINDHOEK Ref: DEB4

CLAO2400011149

MINISTRY OF INDUSTRIALIZATION & TRADE LIQUOR ACT 1998 NOTICE OF APPLICATION TO A COMMITTEE 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: OSHANA. 1. Name and postal address of applicant: JANET MULAA, P O BOX 335, OSHAKATI 2. Name of the business or proposed business to which application relates: TRUTH HOUSE ENTERTAINMENT CC Reg No. 22/03722 3. Address/location of premises to which application relates: ERF NO. 5924, TRUTH COMPLEX, VALLEY STREET, ONGWEDIVA, OSHANA REGION 4. Nature and details of application: SPECIAL LIQUOR LICENCE 5. Clerk of the court with whom application will be lodged: OSHAKATI 6. Date on which application will be lodge: 12 June 2024 7. Date of the meeting of Committee at which application will be heard: 08 MAY 2024 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 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.

CLAO2400011131

NOTICE OF APPLICATION TO A COMMITTEE 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: KHOMAS 1. Name and postal address of applicant: EXCLUSIVE LIQUOR CC, PO BOX 5207, WINDHOEK 2. Name of business or proposed business to which application relates: EXCLUSIVE LIQUOR CC 3. Address / location of premises to which application relates: ERF 7731, MERENSKY STREET 26, WINDHOEK 4. Nature and details of application : APPLICATION FOR NEW BOTTLE STORE LIQUOR LICENCE 5. Clerk of the court with whom application will be lodged: WINDHOEK 6. Date on which application will be lodged: 29 APRIL 2024 7. Date of meeting of committee at which application will be heard: 12 JUNE 2024. 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 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 TO A COMMITTEE 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: KHOMAS 1. Name and postal address of applicant: EXCLUSIVE LIQUOR CC, PO BOX 5207, WINDHOEK 2. Name of business or proposed business to which application relates: EXCLUSIVE LIQUOR CC 3. Address / location of premises to which application relates: ERF 7731, MERENSKY STREET 26, WINDHOEK 4. Nature and details of application : APPLICATION FOR NEW WHOLESALE LIQUOR LICENCE 5. Clerk of the court with whom application will be lodged: WINDHOEK 6. Date on which application will be lodged: 29 APRIL 2024 7. Date of meeting of committee at which application will be heard: 12 JUNE 2024. 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 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.

CLAO2400011132

NOTICE OF APPLICATION TO A COMMITTEE 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: KHOMAS 1. Name and postal address of applicant: EXCLUSIVE LIQUOR CC, PO BOX 5207, WINDHOEK 2. Name of business or proposed business to which application relates: EXCLUSIVE LIQUOR CC 3. Address / location of premises to which application relates: ERF 7731, MERENSKY STREET 26, WINDHOEK 4. Nature and details of application : APPLICATION FOR NEW WHOLESALE LIQUOR LICENCE 5. Clerk of the court with whom application will be lodged: WINDHOEK 6. Date on which application will be lodged: 29 APRIL 2024 7. Date of meeting of committee at which application will be heard: 12 JUNE 2024. 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 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.

CLAO2400011133

Notices • Legal •

plication will be heard: 12 JUNE 2024 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 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.

CLAO2400011075

CASE NO: HC-MD-CIV-ACT-CON-2022/03099 IN THE HIGH COURT OF NAMIBIA In the matter between: ROAD FUND ADMINISTRATION EXECUTION CREDITOR and SIMASIKU KENNEDY SIMASIKU EXECUTION DEBTOR NOTICE OF SALE IN EXECUTION In execution of an order handed down by the above Honourable Court on the 05th of DECEMBER 2022 in the abovementioned case, a Judicial sale by public auction of the following will be held by the Deputy Sheriff of KATIMA MULILO on the 26th of APRIL 2024 at 12H00 in front of KATIMA MULILO MAGISTRATE COURT, REPUBLIC OF NAMIBIA. List of Goods to be sold: 1.1 X RUSSEL HOBBS MICROWAVE 2. 1 X 4 PLATE DEFY STOVE 3. 1 X RUSSEL HOBBS FRIDGE 4. 1 X 5 SEAT LOUNGE SUITE 5.1 X SAMSUNG FLATSCREEN TV 6.1 X TV STAND / CABINET 7.1 X DSTV EXPLORER MODEL 2A 8.1 X CAMPING CHAIR 9.1 X KING KOIL DOUBLE BED CONDITIONS OF SALE: 1."VOETSTOOTS" - CASH TO THE HIGHEST BIDDER. DATED at WINDHOEK on this 11TH day of MARCH 2024. KOEP & PARTNERS LEGAL PRACTITIONERS FOR EXECUTION CREDITOR 33 SCHANZEN ROAD WINDHOEK (OA/2635/MAT/8132)

CLAO2400009875

CASE NO: HC-MD-CIV-ACT-CON-2020/01797 IN THE HIGH COURT OF NAMIBIA In the matter between: FIRST NATIONAL BANK OF NAMIBIA LTD PLAINTIFF and LINA HAMUNA DEFENDANT NOTICE OF SALE IN EXECUTION OF IMMOVABLE PROPERTY Pursuant to a Judgment of the above Honourable Court granted on 12 AUGUST 2020, the following immovable property will be sold without reserve and voetstoots by the Deputy Sheriff of the District of OKAHANDJA on the 26TH day of APRIL 2024 at 10H00 at ERF NO. 110, OSONA VILLAGE, OKAHANDJA DISTRICT, REPUBLIC OF NAMIBIA, CERTAIN: ERF NO. 110, OSONA VILLAGE SITUATE in the Municipality of OKAHANDJA REGISTRATION DIVISION "J" OTJOZONDJUPA REGION MEASURING: 330 (THREE NINE ZERO) Square Metres CONSISTING OF PRIMARY DWELLING 3 x Bedrooms, 1 x Bathroom, 1 x Lounge, 1 x Kitchen, 1 x Shower 2 x Water Closet's OUT BUILDINGS Garage The "Conditions of Sale-in-Execution" will lie for inspection at the office of the Deputy Sheriff at OKAHANDJA and at the Head Office of Plaintiff at WINDHOEK and Plaintiff's Attorneys, Fisher, Quarmby & Pfeifer, at the undermentioned address. Dated at WINDHOEK this 01ST day of FEBRUARY 2024 FISHER, QUARMBY & PFEIFER LEGAL PRACTITIONER FOR PLAINTIFF c/o Robert Mugabe & Tracer Streets entrance on Burg Street P O Box 37 WINDHOEK AA/fyn/ES0334

CLAO2400009858

IN THE HIGH COURT OF NAMIBIA HELD AT MAIN DIVISION WINDHOEK CASE NUMBER: HC-MD-CIV-ACT-CON-2022/02539 In the matter between: NEDBANK NAMIBIA LIMITED PLAINTIFF and CLENSY FILEMON KAYUAMUNJO DEFENDANT NOTICE OF SALE IN EXECUTION Pursuant to a Judgment of the above Honourable Court granted on the 23rd JUNE 2023, the following immovable property will be sold "voetstoots" by the DEPUTY SHERIFF for the District of WINDHOEK on Friday, the 26th day of April 2024, at 09:00 at Erf 395, Extension 1, Wanaheda, Windhoek, Namibia. CERTAIN: Erf 395, Extension 1, Wanaheda, Windhoek, Namibia SITUATED in the Municipality of Windhoek, Registration Division "K" RESERVE PRICE: (a) The property will be sold by the deputy-sheriff of HIGH COURT OF NAMIBIA, WINDHOEK to the highest bidder in terms of Rule 110(1)(a), in terms of which the property will be sold at no less than 75% of 1.1 the established municipal value, alternatively, 1.2 established market value reached value should it be established that it is a primary residence. The valuation will be held with the Deputy Sheriff for inspection together with these conditions. (b) Plus interest at 12.5% interest per annum from 30 days after sale to date of full and final payment (c) Deputy Sheriffs fees IMPROVEMENTS: Main Building 2 x Bedrooms 1 x Bathroom Kitchen Backyard Flat: 2 x Bedrooms 1 x Bathroom The "Conditions of Sale in Execution" will lie for inspection at the office of the Deputy Sheriff of Windhoek, and at the Head Office of Plaintiff in Windhoek at Plaintiff's Attorneys, Koep & Partners at the undermen-

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 ADVERTISEMENT. THE ONUS LIES WITH POTENTIAL CUSTOMERS TO EVALUATE THE AUTHENTICITY OF SUCH PRODUCTS OR SERVICES.

PROOF OF NOTICES



PUBLIC NOTICE

REZONING AND CONSENT TO OPERATE A RESTAURANT AND BAR ON ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK

Take note that Stubenrauch Planning Consultants do herewith inform you in terms of the Urban and Regional Planning Act of 2018, and in terms of the City of Windhoek Public Participation Policy, for Proposed Development that we have been appointed by the Namib Rukkie Board, the registered owner of Erf 8350 (portion of Erf RE/6755) Windhoek to apply on their behalf to the Windhoek Municipal Council and to the Urban and Regional Planning Board for the following:

a) Rezoning of Erf 8350 (portion of Erf RE/6755) Windhoek from "Undetermined" to "Private Open Space";
b) Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf RE/6755), Windhoek;
c) Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.

Erf 8350 (portion of Erf RE/6755) is located in the neighbourhood of Olympia along Jason Hamutenya / Nujoni Streets in Windhoek and it is zoned "Undetermined" in terms of the Windhoek Zoning Scheme. Erf 8350 (portion of Erf RE/6755) measures approximately 9,474m² in extent and is currently developed as Cresta Arcadia Conference & Accommodation Centre, Windhoek's fitness centre the Vintage Bar and Grill as well as the Rugby field.

The purpose of the application as set out above is to formalise the existing sporting activities by aligning the zoning of Erf 8350 (portion of Erf RE/6755) Windhoek with the applicable zoning in terms of the Windhoek Zoning Scheme and further seek consent from the Municipal Council of Windhoek to operate a restaurant and bar on the property, which will enable the existing restaurant and bar to renew their Fitness Certificate.

Parking for the development on the property has been provided inline with the parking requirements as stipulated in the Windhoek Zoning Scheme.

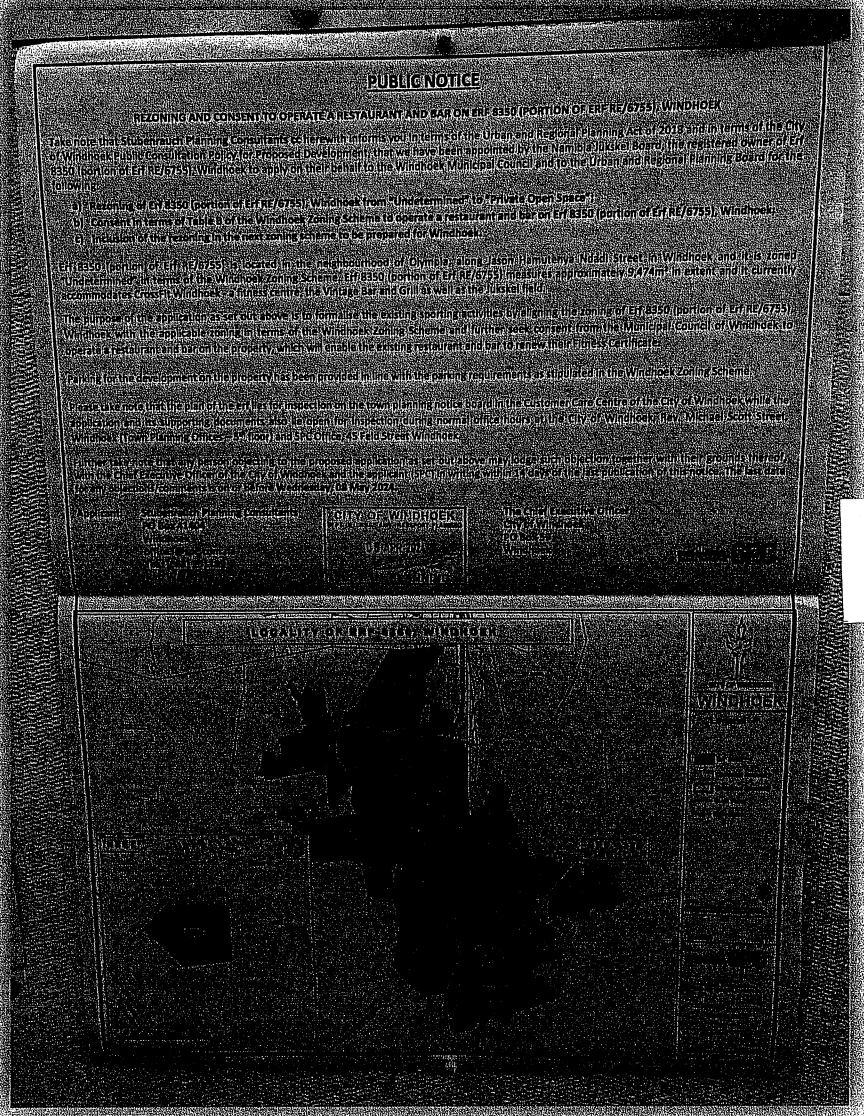
Please take note that the plan of the erf is for inspection on the town planning notice board in the Customer Care Centre of the City of Windhoek while the application and its supporting documents will be open for inspection during normal office hours at the City of Windhoek, Rev. Michael Scott Street, Windhoek (Town Planning Offices – 1st floor) and 3rd Office, 43 Feld Street Windhoek.

Any person may before objection to the proposed application as set out above may lodge such objection together with their grounds thereof, in writing to the Chief Executive Officer of the City of Windhoek and the applicant (details in writing within 14 days of the last publication of the notice. The last date for any objection/comments is on or before 10 May 2022.

Applicant: Stubenrauch Planning Consultants
PO Box 91459
Windhoek

CITY OF WINDHOEK

The Chief Executive Officer
City of Windhoek
PO Box 59
Windhoek



PUBLIC NOTICE

REZONING AND CONSENT TO OPERATE A RESTAURANT AND BAR ON ERF 8350 (PORTION OF ERF RE/6755), WINDHOEK

LIST OF REGISTE TEMS POSTED

by Stubenrauch Planning Consultants

NAM

Sender's reference no.	Addressee's name and address	Registratic no.
W/24017	The Owner of Erf 6361, Windhoek RP Putter PO Box 21189 Windhoek	BA 002 961 831 N
W/24017	The Owner of Erf 6352 Windhoek J And Cricket City PO Box 487 City Kiosk	BA 002 961 845 NA
W/24017	The Owner of Erf RE/7531, Windhoek of Windhoek PO Box 59 Windhoek	BA 002 961 859 NA
W/24017	The Owner of Erf. 6351, Windhoek Joint Hockey and Cricket City PO Bo City Kiosk	BA 002 961 862 NA
W/24017	The Owner of Erf 7185, Windhoek Ben Angling Club POBox 5466 Ausspannplatz	BA 002 961 876 NA
W/24017	The Owner of Erf 5062, Windhoek Est Properties CC PO Box 1992 Windhoek	BA 002 961 880 NA
W/24017	The Owner of Erf 5063, Windhoek W. Peter PO Box 2545 Windhoek	BA 002 961 893 NA
W/24017	The Owner of Erf 7530, Windhoek Na Tennis Association Po Box 479 Windhoek	BA 002 961 902 NA

NAMPOST
VAT Reg No: 0024451015

Branch: Ausspannplatz

Date: 08/04/24 Time: 15:31:02
Counter: 5 ESTENTH STOCKUNIT01

Qty	Product	Price VAT
8	Letter	$145.60
	Registered Mail	$336.60
	(Registered Item No)	
	(P1 185 Form No:BA002961845NABA002961902	
	(Recipient Name)	
	(Address Line 1)	
	(Address Line 2)	
	(Address Line 3)	
	(Address Line 4)	
	PrePaid	-$479.20
	Net	-$43.51

Tax Code	Amount	Total Tax
VAT A (08)	$290.09	$43.51
VAT B (15%)		
Total		$0.00

Name:
Address:

Receipt No: 264-10002-5-3059805-2
THANK YOU FOR USING YOUR POST OFFICE
DANKIE DAT U DIE POSKANTOOR GEBRUIK

2024.04.08

Number of items 8 Received by

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

P1/185

General Notices

No. 158 2024

REZONING OF ERF 215, OUTJO

TOYA Urban Planning Consultants cc intends applying to Outjo Municipality and to Urban and Regional Planning Board in terms of section 105(1)(a) and (e) of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) for a rezoning of Erf 215, Outjo measuring 1,773 m² from "Single Residential" with a density of 1:900 to "Single Residential" with a density of 1:700 in order to permit the subdivision of this erf into two portions each measuring 866.5 m². The development intention of the registered owner of Erf 215 is to create two properties which can be registered separately. Hence the proposed rezoning from the current use of Residential density of 1:900 to 1:700 will make the subdivision of this erf possible.

Rezoning of Erf 215, Outjo from "Single Residential" with a density of 1:900 to "Single Residential" with a density of 1:700 and subsequent subdivision of Erf 215 Outjo, into Erf "A" and the reminder (Municipal Council of Outjo // Toya Urban Planning Consultants CC).

The full application, locality, subdivision and rezoning plans lies open for inspection during normal office hours at the Outjo Municipality (Town Planning Notice Board) and with Toya Urban Planning Consultants cc.

Any person objecting to the proposed application as set out above may lodge written objection together with their grounds thereof on or before **Tuesday, 30 April 2024.**

TOYA Urban Planning Consultants cc
P. O. Box 99294, Windhoek
Contact: S. Shinguto at 081 3099839 or
T. Newaya at 081 1243321
Email: sshinguto@gmail.com
Email: tobias.newaya@gmail.com

No. 159 2024

REZONING AND CONSENT TO OPERATE A RESTAURANT AND BAR ON ERF 8350 (PORTION OF ERF REMAINDER 6755), WINDHOEK

Stubenrauch Planning Consultants cc herewith informs you in terms of the Urban and Regional Planning Act, 2018 and in terms of the City of Windhoek Public Consultation Policy for Proposed Development, that we have been appointed by the Namibia Jukskei Board, the registered owner of Erf 8350 (portion of Erf Remainder 6755), Windhoek to apply on their behalf to the Windhoek Municipal Council and to the Urban and Regional Planning Board for the following:

- **Rezoning of Erf 8350 (portion of Erf Remainder 6755), Windhoek from "Undetermined" to "Private Open Space";**
- **Consent in terms of Table B of the Windhoek Zoning Scheme to operate a restaurant and bar on Erf 8350 (portion of Erf Remainder 6755), Windhoek; and**
- **Inclusion of the rezoning in the next zoning scheme to be prepared for Windhoek.**

Erf 8350 (portion of Erf Remainder 6755), is located in the neighbourhood of Olympia, along Jason Hamutenya Ndadi Street in Windhoek and it is zoned "Undetermined" in terms of the Windhoek Zoning Scheme. Erf 8350 (portion of Erf Remainder 6755), measures approximately 9,474 m² in extent and it currently accommodates CrossFit Windhoek - a fitness centre, the Vintage Bar and Grill as well as the Jukskei field.

The purpose of the application as set out above is to formalise the existing sporting activities by aligning the zoning of Erf 8350 (portion of Erf Remainder 6755), Windhoek with the applicable zoning in terms of the Windhoek Zoning Scheme and further seek consent from the Municipal Council of Windhoek to operate a restaurant and bar on the property, which will enable the existing restaurant and bar to renew their Fitness Certificate.

Parking for the development on the property has been provided in line with the parking requirements as stipulated in the Windhoek Zoning Scheme.

The plan of the erf lies for inspection on the Town Planning Notice Board in the Customer Care Centre of the City of Windhoek while the application and its supporting documents also lie open for inspection during normal office hours at the City of Windhoek, Rev. Michael Scott Street, Windhoek (Town Planning Offices – 5th floor) and SPC Office, 45 Feld Street Windhoek.

Any person objecting to the proposed application as set out above may lodge such objection together with their grounds thereof, with the Chief Executive Officer of the City of Windhoek and the applicant (SPC) in writing within 14 days of the last publication of this notice. The last date for any objections/ comments is on or before **Wednesday, 8 May 2024.**

Applicant:
Stubenrauch Planning Consultants
P. O. Box 41404, Windhoek
Tel.: (061) 251189
Email: office3@spc.com.na

Chief Executive Officer
City of Windhoek
P.O. Box 59
Windhoek

No. 160 2024

PERMANENT CLOSURE OF ERF 682, NKURENKURU EXTENSION 1

Stubenrauch Planning Consultants cc on behalf of the registered owner of Erf 682, Nkurenkuru Extension 1, in terms of the Local Authorities Act, 1992 and the Urban and Regional Planning Act, 2018 herewith inform you that we have applied to the Nkurenkuru Town Council and to the Urban and Regional Planning Board for the following:

- **Permanent closure of Erf 682, Nkurenkuru Extension 1 as a "Public Open Space"; and**
- **Rezoning of Erf 682, Nkurenkuru Extension 1 from "Public Open Space" to "Business" with a bulk of 3.0.**

Erf 682 is situated in the vibrant neighbourhood of Nkurenkuru Extension 1, right in the centre of mixed land uses ranging from business and public open spaces. Erf 682, Nkurenkuru Extension 1 is also located opposite one of Nkurenkuru's Service Stations, the Tula Tula Service Station. The subject property measures approximately 10 379m² in extent.

The purpose of the application as set out above, is to develop a mixed-use business development hub on Erf 682, Nkurenkuru Extension 1.

The application, locality map and its supporting documents lie open for inspection during normal office hours at the Nkurenkuru Town Council (Town Planning Office) and SPC Office, 45 Feld Street Windhoek.

Any person objecting to the proposed application as set out above may lodge such objection together with their grounds thereof, with the Chief Executive Officer of the Nkurenkuru Town Council and the applicant (SPC) in writing on or before **Wednesday, 8 May 2024.**

george@netw 115 b.za
0818031123

20/9/2023

The Gateway to Endless Opportunities

City of Windhoek

Vision: To be a Sustainable and Caring City by 2027

City of Windhoek

FORM 1

CHECKLIST FOR TOWN PLANNING APPLICATIONS

Please submit the application and supporting documents in the sequence indicated below:

NO.	REQUIRED DOCUMENT	ANNEXURE	ATTACHED (YES or NO or N/A)
1.	**Full Application with motivation by Consultant or Owner of the Erf / Portion/ Farm including the prescribed Urban and Regional Planning Board Form(s).**	ANNEXURE A	YES
2.	**Previous Council's Approval** (if applicable)	ANNEXURE B	YES
3.	A. **Locality and Detailed Plans** (Illustrating the whole boundary of the Local Authority area under which the application is made)	ANNEXURE C	YES
	B. **Portion Number (s) or Erf number (s) from Surveyor General's Office** (if applicable)		N/A
	C. **Existing Zoning Plan**		YES
	D. **Intended Zoning Plan**		YES
	E. **Subdivision / Consolidation Plan** (with contours)		YES
	F. **Approved Parking Layout** (stamped and signed by the City of Windhoek's Planning, Design & Traffic Flow Division Staff)		N/A
	G. **Copy of the Diagram or Extract of the General Plan Approved by the Surveyor General**		NO
4.	**Conditions to be registered** (if applicable – this is mandatory for all subdivision applications)	ANNEXURE D	N/A
5.	**Special Power of Attorney** including Revenue Stamps with relevant initials	ANNEXURE E	YES
6.	**Closure Certificate** (if applicable)	ANNEXURE F	N/A
	Environmental Clearance Certificate (if applicable)		N/A
7.	**Previous approvals of the Minister of Urban and Rural Development** (including the recommendations of the Urban and Regional Planning Board, Townships Board or NAMPAB, if applicable)	ANNEXURE G	NO
8.	**Roads Authority approval together with the sketch plan indicating the access point(s)** (if applicable)	ANNEXURE H	N/A
9.	1. **Copy of Founding Statement (CC 1/2) or Business Registration** (if registered in the name of Close Corporation, Company or Organisation Name)	ANNEXURE I	N/A
	2. **Copy of Resolution** (if registered in the name of a Company or Organisation)		N/A
10.	**Copy of Title Deed, Deed of Transfer or Certificate of Registered Title**	ANNEXURE J	YES
11.	**Conditions of Establishment** (if applicable)	ANNEXURE K	NO
12.	**Proof of Payment of the City of Windhoek Application Fee**	ANNEXURE L	YES
13.	**Credit Clearance Certificate**	ANNEXURE M	YES

CITY OF WINDHOEK
DIRECTORATE OF URBAN PLANNING AND PROPERTY DEVELOPMENT
2023 -09- 20
URBAN PLANNING
AP 5

ANNEXURE A

PLAN AFRICA CONSULTING CC

TOWN AND REGIONAL PLANNERS

Box 4114
WINDHOEK
8 Delius Street
Windhoek (West)
Tel: (061) 212096 Cell: 0812716189
Fax to Mail: 088614626

Enquiries: Ilanza Awasman
ilawasman@gmail.com

Date: 25 August 2023

Chief Planner: Urban Policy

Department: Urban and Transportation Planning

Windhoek City Council

Box 59

WINDHOEK

Attention: Miss K. Asino

Dear Madam

- **CANCELATION OF COUNCIL RESOLUTION 190/09/2017**
- **SUBDIVISION OF PORTION 345 (A PORTION OF PORTION 65) OF THE FARM BRAKWATER NO. 48 INTO PORTIONS 550, 551, 552, 553, 554 AND REMAINDER**
- **RESERVATION OF PORTION 550 (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO. 48 AS STREET**
- **REZONING OF PORTIONS 551, 552, 553 AND REMAINDER (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO. 48 FROM RESIDENTIAL WITH A DENSITY OF 1:5HA TO BUSINESS WITH A BULK OF 0.5**
- **REZONING OF PORTION 554 (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO. 48) FROM 'RESIDENTIAL' WITH A DENSITY OF 1:5HA TO 'INDUSTRIAL' WITH A BULK OF 0.5**
- **CONSENT TO USE PORTION 554 (A PORTION OF PORTION 345 OF THE FARM BRAKWATER NO.48) FOR THE PURPOSE OF A NOXIOUS INDUSTRY (BRICKMAKING).**

1. Appointment and Background

Plan Africa Consulting by virtue of the Power of Attorney attached as an annexure has been appointed by *Graciana Pereira Do Amaral Gourgel* to submit an application to the City of Windhoek for: the:

- Cancelation of Council Resolution 190/09/2017

- Subdivision of Portion 345 (a portion of portion 65) of the Farm Brakwater no. 48 into Portions 550, 551, 552, 553, 554 and Remainder

- Rezoning of Portions 551, 552, 553 and remainder (a portion of Portion 345) of the farm Brakwater No. 48 from "residential" with a density of 1:5ha to" business" with a bulk of 0.5
- Rezoning of portion 554 (a portion of Portion 345) of the Farm Brakwater No. 48) from 'residential' with a density of 1:5ha to 'industrial' with a bulk of 0.5
- Reservation of Portion 550 (a portion of portion 345) of the Farm Brakwater No. 48 as street
- Consent to use portion 554 (a portion of portion 345 of the Farm Brakwater No.48) for the purpose of a noxious industry (brickmaking).

An application was made to the City of Windhoek for the rezoning of Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48 from 'residential' with a density of 1:5ha to 'business' with a bulk of 1.0. Council at its meeting of September 2017 and in terms of Council Resolution 190/09/2017 approved the rezoning with the following conditions:

That Portion A (PTN 550) of Remainder of Portion 345/65/48 of the Farm Brakwater be subdivided into Portion A (3 757m^2) and Remainder.

That Portion A (PTN 550) of Remainder of Portion 345/65/48 of the Farm Brakwater be reserved as street.

Additionally, as per the approval letter it was resolved that the Remainder of Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48 be rezoned to "business" with a bulk of 0.1. The applicant had applied for the bulk of 1.0. It is not clear if it was a typing error or a decision by Council to change the bulk. Kindly do provide some clarity and have the approval letter amended. A bulk of 0.1 would not be economically viable.

Intent was made to submit an application to the City of Windhoek for the subdivision of Portion 345 (a portion of 65) of the Farm Brakwater No. 48, however due to the amount owed to the City, the application could not be submitted. The applicant settle the amount and application is made simultaneously for the subdivision of Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48 and rezoning of a portion (Portion 554) to *"industrial"* for purpose of brickmaking operation.

On advise by the Urban Policy of the City of Windhoek a revised application is now submitted by cancelling the previous resolution and submit a revised application for the subdivision, rezoning and consent.

2. Erf Information

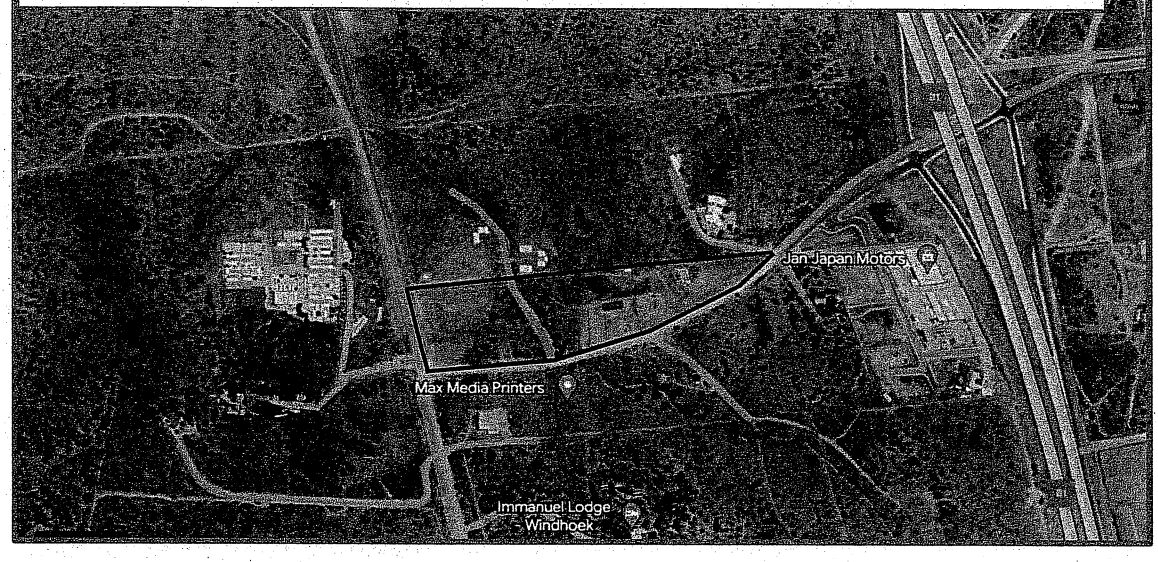
Portion 345 Brakwater No. 48 was created as a result of the subdivision of Portion 65 Brakwater No. 48. The portion is located north of the City and close to the former Namibian Police roadblock, therefore close to the B1 National Road and interchange. The portion is relatively flat with a minor storm watercourse bisecting the portion from the south to north.

The surrounding area is characterized by mix land use; industrial, business and residential on large portions of land but is fairly underdeveloped. Some of the portions are vacant.

Table 1. Existing Land Uses

Portion	Land Use
380/65/48	Dwelling house
RE/65/48	Dwelling house and small scale farming sheep and goats
365/88/48	Vacant
64/H/48	A rehabilitation centre has been constructed and is in use by the Ministry of Health and Social Services
364/88/48	Vacant
RE/88/54/48	Previously a lodge but sold to Government, a academy for training is currently under construction
146/142/48	Wilderness lodge
143/142/48	Registered in name of Chicco Building Supplies: Apperantly the owner intends to use it for industrial purposes

Figure 1: Aerial image of Portion 345 (A Portion of Portion 65 of the Farm Brakwater no. 48)



3. Existing Development and Motivation

The owner of the respective portion desires to subdivide Portion 345 into 5 portions and Remainder and rezone 3 portions and remainder of Portion 345 from residential 1/5ha to 'business' and one portion to 'industrial' with a bulk of 0.5. With an ever-growing demand for properties in sought after areas, subdividing a property can offer significant financial benefit for the owner by selling off portions of land. In addition, it benefits the municipality in terms of rates and taxes. The proposed subdivision is in line with the provisions of the Windhoek Zoning Scheme would be contributing to effective and efficient use of land and the development in phases. The portion is currently underutilized and creates only a liability for the owner. Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48 and must therefore be subdivided into 5 portions and Remainder, Portions 550, 551, 552, 553 554 and Remainder.

Portion 345 measures 5.3264ha in extent and the smaller portions are displayed in the table below: City of Windhoek requested that Portion 550 be reserved as street, measuring 3, 757m^2. This request is done in line with the Windhoek Zoning Scheme, which states:

- *Scheme Section 33(1) Where, upon the subdivision of an erf, land is given off for a street or for some other public purpose, the area of such land may, with the consent of the Council, be calculated as part of the area of the subdivision for the purpose of Tables E, F, and G.*

The subdivision will allow for each portion to be developed individually for different town planning purposes as allowed by the Windhoek Zoning Scheme.

Subsequently the owner wishes to rezone PTN 554, a Portion of 345 Brakwater from: residential with a density of 1 dwelling unit to "industrial" with a bulk of 0.4. Portion 345 Brakwater is located in the *Industrial Periphery Policy Area* and the tenant was under the impression that the current activity, brickmaking is allowed. Hence, application is now made to rezone the respective portion to industrial as an attempt to bring the existing activity in conformity with the requirement of the Windhoek Town Planning Scheme. In addition, the owner is applying for consent to continue using the respective portion 554 for industrial purposes, a brick factory while rezoning is in process.

Portion 554 (A Portion of Portion 345 of the Farm Brakwater no. 48) is 9 777m^2 in extent and zoned "residential with a density of 1/5ha". Portion 554 would be created as a result the subdivision of Portion 345 (A Portion of Portion 65 of the Farm Brakwater No. 48) into Portions 550 to 554 and Reminder.

The brick-making factory has been operational for the past 2 to 3 years and providing employment to at least 30 workers. The current employment rates stand at 33% in the country and should they cease operation, workers would be without an income and families would be without means of survival. It is requested that the activity (brickmaking) be condoned and be allowed to continue for at least for another 6 to 12 months while the subdivision and rezoning is in process. The activity is in line with the Brakwater Policy zones as layout below.

Table:2. The current Windhoek Town Planning Scheme does not include brickmaking in the business zone.

ZONE D: THE INDUSTRIAL PERIPHERY	
Development objectives	Mixed development Area for low-income residential and light industrial purposes. Commercial nodes can develop at strategic places to serve residents. Encourage light industrial activities Discourage informal settlement Encourage high density housing
Dominate Land Use	Residential and Industrial
Development Intensity	Average residential density 1/300m^2 Higher densities possible to provide housing to labourers Plots along the national road and the district road can have higher intensity development. For commercial development, a maximum bulk of 1.0 to be allowed
Subdivisions	Minimum Plot Size: 300 m^2
Primary use	Dwelling Houses, Industrial building and Business Buildings
Consent use	Agricultural

	Residential buildings, Places of public worship; Places of Instruction; Social Halls; Institutions; Special Buildings; Pensions; and Resident Occupations
Prohibited uses	Other uses not under Primary and Consent uses
Infrastructure	New development to indicate how: sewer, water; and electricity will be provided Provision of services the responsibility of the developer. Services to be provided to municipal standards When subdividing, access should be provided to individual plots from roads maintained by the City
Rezoning	Can be supported to: Higher Density Residential General Residential Business Office Institutional Proof of advertisements in two local newspapers and comments from affected plot owners need to be provided on application for the rezoning.
Conservation	Conservation water courses Prevent dumping and pollution of river beds

Zone D: Industrial Periphery falls within the flatter northern part of the study area and is highly suitable for urban development.

The rezoning of Portion 345 Brakwater to business was already approved by Council per Council Resolution 190/09/2017. It is therefore a standing fact the rezoning of portions to business would be supported.

The proposed subdivision and rezoning will allow for the best possible use of land in the sufficient and equitable manner without deterring from the character of Brakwater.

4. Access and Services

Access can be obtained from the existing road and the portions are already connected to adjacent services. The applicant will be responsible for the provision of internal services. A proposed access plan has been created (see attached plan), which creates a servitude right of way of 8m wide to act as an internal service road. The road, which connects the Brakwater Service Road with the B1 at the interchange, is no longer under the jurisdiction of Roads Authority and the City should grant the access. Five separate access points are required from the internal services road. .

5. Public Support

The proposed rezoning will be advertised in terms of Section 107 of the Act once informed by the local authority to do so in terms of Section 108 of the Act. The neighbours were already consulted and a response to the objections were submitted.

6. Environmental Assessment

As the proposed activity falls within Zone D Industrial Periphery request is made for an Environmental Clearance Exemption from the Health and Environment division once Council approves the application. An environmental practitioner was appointed to carry out an environmental impact study for the rezoning Portion 551, 552, 553 and Remainder to "business with a bulk of 0.5, of Portion 554 to industrial and consent for brickmaking and reservation of Portion 550 as street and an internal service road (servitude right of way).

7. Application

It is against this background that an application is made for the following:

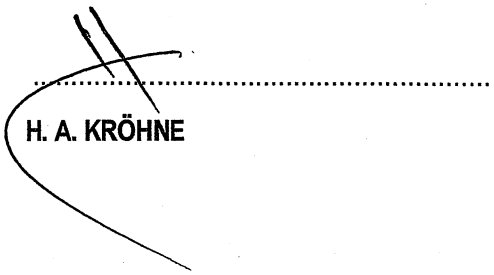
- Cancelation of Council Resolution 190/09/2017
- Subdivision of Portion 345 (a portion of portion 65) of the Farm Brakwater no. 48 into Portions 550, 551, 552, 553, 554 and Remainder
- Rezoning of Portions 551, 552, 553 and Remainder (a portion of Portion 345) of the farm Brakwater No. 48 from "residential" with a density of 1:5ha to" business" with a bulk of 0.5
- Rezoning of portion 554 (a portion of Portion 345) of the Farm Brakwater No. 48) from 'residential' with a density of 1:5ha to 'industrial' with a bulk of 0.5
- Reservation of Portion 550 (a portion of portion 345) of the Farm Brakwater No. 48 as street
- Consent to use portion 554 (a portion of portion 345 of the Farm Brakwater No.48) for the purpose of a noxious industry (brickmaking).

In support of the application, the following are included:

1. Locality Plan
2. Current Situation Plan
3. Proof of Advertisements
4. Title Deed
5. Power of Attorney

I trust the application will receive your positive consideration.

Yours Faithfully



.....

H. A. KRÖHNE

pafrica@mweb.com

ANNEXURE B

Department of Urban & Transpor 126 ning

59
80 Independence Avenue
WINDHOEK, NAMIBIA

Tel: (+264) 61 290 2073 • Fax: (+264) 61 290 2060 • www.cityofwindhoek.org.na

Enq: Mr G De Klerk
Tel: 290 2104

Ref: L/345/65/48 BW
Date: 07 December 2017

Plan Africa Consulting cc
P O Box 4114
WINDHOEK

PROPOSED REZONING OF PORTION 345 OF PORTION 65 OF THE FARM BRAKWATER NO 48 FROM 'RESIDENTIAL' WITH A DENSITY OF 1:5HA TO 'BUSINESS' WITH A BULK OF 0.1

Council, at its meeting of 6 September 2017 and in terms of Council Resolution 190/09/2017, approved the rezoning with the following conditions:

1. That the description of the servitude of Electrical Powerline in favour of the City of Windhoek in paragraph A and B remain on the Remainder of Portion 345/65/48 of the Farm Brakwater as well as the standard short conditions.

2. The Portion A Remainder of Portion 345/65/48 of the Farm Brakwater be subdivided into Portion A (3 757m²) and Remainder.

3. That Portion A of Remainder of Portion 345/65/48 of the Farm Brakwater be reserved as street.

4. That the applicant remains with the full development potential of Remainder of Portion 345/65/48 of the Farm Brakwater as before the subdivision.

5. That the application for the rezoning of Portion 345/65/48 of the Farm Brakwater from 'residential' with a density of 1:5ha to 'business' with a bulk of 0.1 be approved subject to the following conditions:

   5.1 That the owner agrees in writing to pay a betterment fee of **N$ 426 112.00,** excluding VAT, being 40 % of the increase in value of the rezoned property, subject to Ministerial approval and prior to the incorporation of the rezoning in an amendment scheme and submission for approval of NAMPAB.

   5.2 That a deposit equal to the betterment fee as per paragraph 5.1 be paid into Account Number **5000132050085.**

6. That the rezoning of Remainder of Portion 345/65/48 of the Farm Brakwater only be submitted into an amendment scheme after full payment of the betterment fee deposit.

18. 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.

19. That Engineering drawings on how the stormwater would be accommodated to the satisfaction of the Chief Engineer, Planning, Design & Traffic Flow be submitted for approval simultaneously with the building plans.

20. 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.

21. That no building plan will be approved until the above stormwater conditions are met.

22. That roads and stormwater be planned and designed to Municipal standards.

23. That access be to the satisfaction of the Strategic Executive: Urban and Transport Planning.

24. That the water supply from the City of Windhoek is not approved until the upgrade of the water supply line.

25. That the electricity supply point is energized from the NamPower Grid and the internal network is and will be maintained by others until such time that it will be taken over by the City in the near future.

26. That the objectors be informed on this Council Resolution and their right to appeal in accordance of Clause 51 (3) to the Ministry of Urban and Regional Government within 28 days of receipt of this letter with a copy to the City of Windhoek.

27. That the applicant accepts the conditions of this Council Resolution in writing.

Please take not of the following:

That the responsibility is with the applicant to submit this rezoning into an amendment scheme.

When a rezoning is granted for a property, a betterment fee (being a percentage of the increase in land value) is payable by the owner of such property according to article 34 (1) of the Town Planning Ordinance of 1954. This betterment fee is subject to approval by the Honourable Minister, in accordance with Council Resolution 387/10/2009.

Council policy requires that a deposit be made to the City to cover the amount of the betterment fee before a rezoning will be included in an amendment scheme or before any consent use is granted. Once the betterment fee has been determined by the Minister of Urban and Rural Development, this amount will be taken from the suspense account and any excess be repaid to yourself.

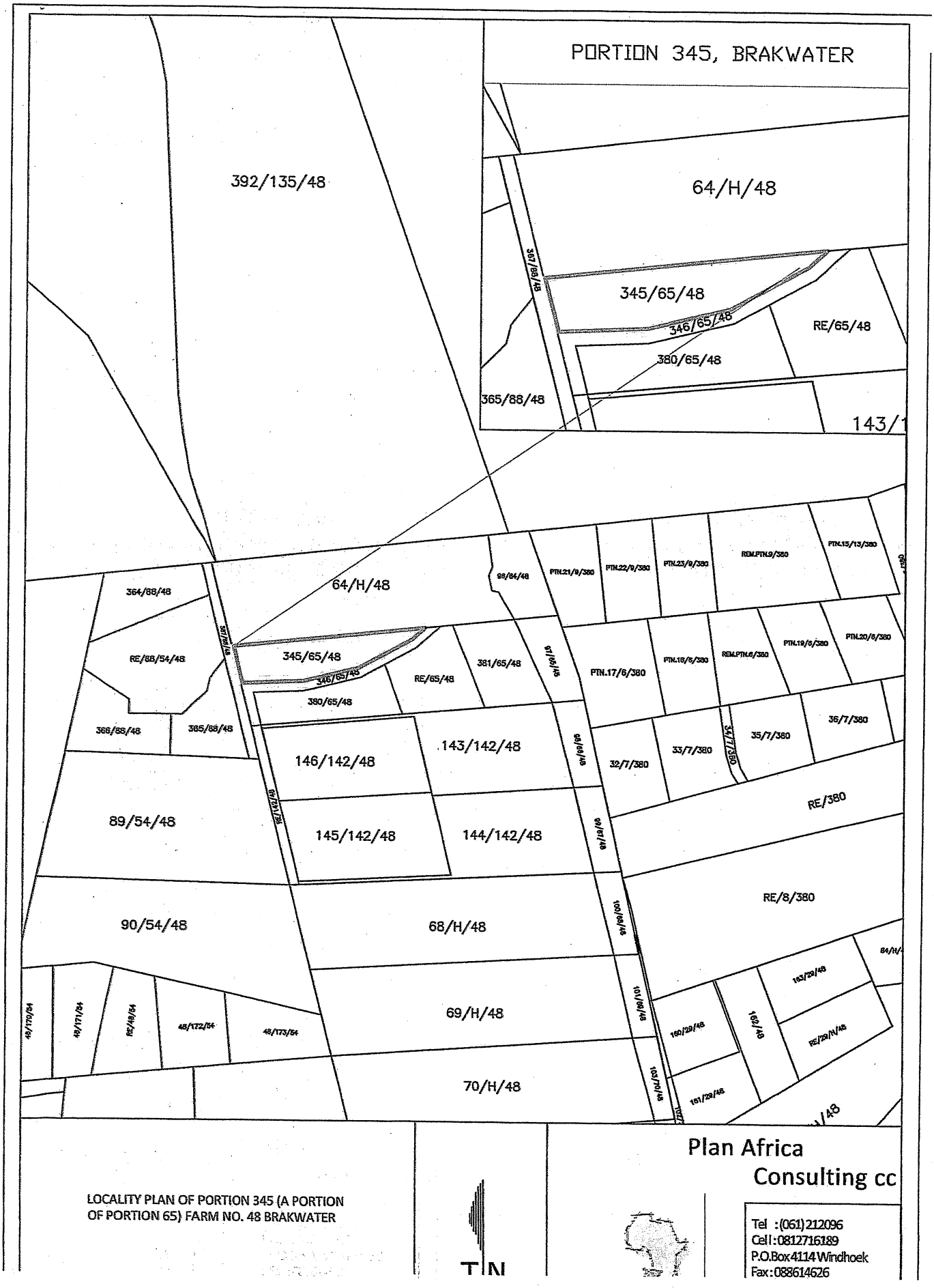
The deposit for the betterment fees (tax) should be paid into Account Number **5000132050085**. A copy of the deposit slip should then be attached to the "acknowledgement of liability and undertaking to pay" form and delivered to Room 522.

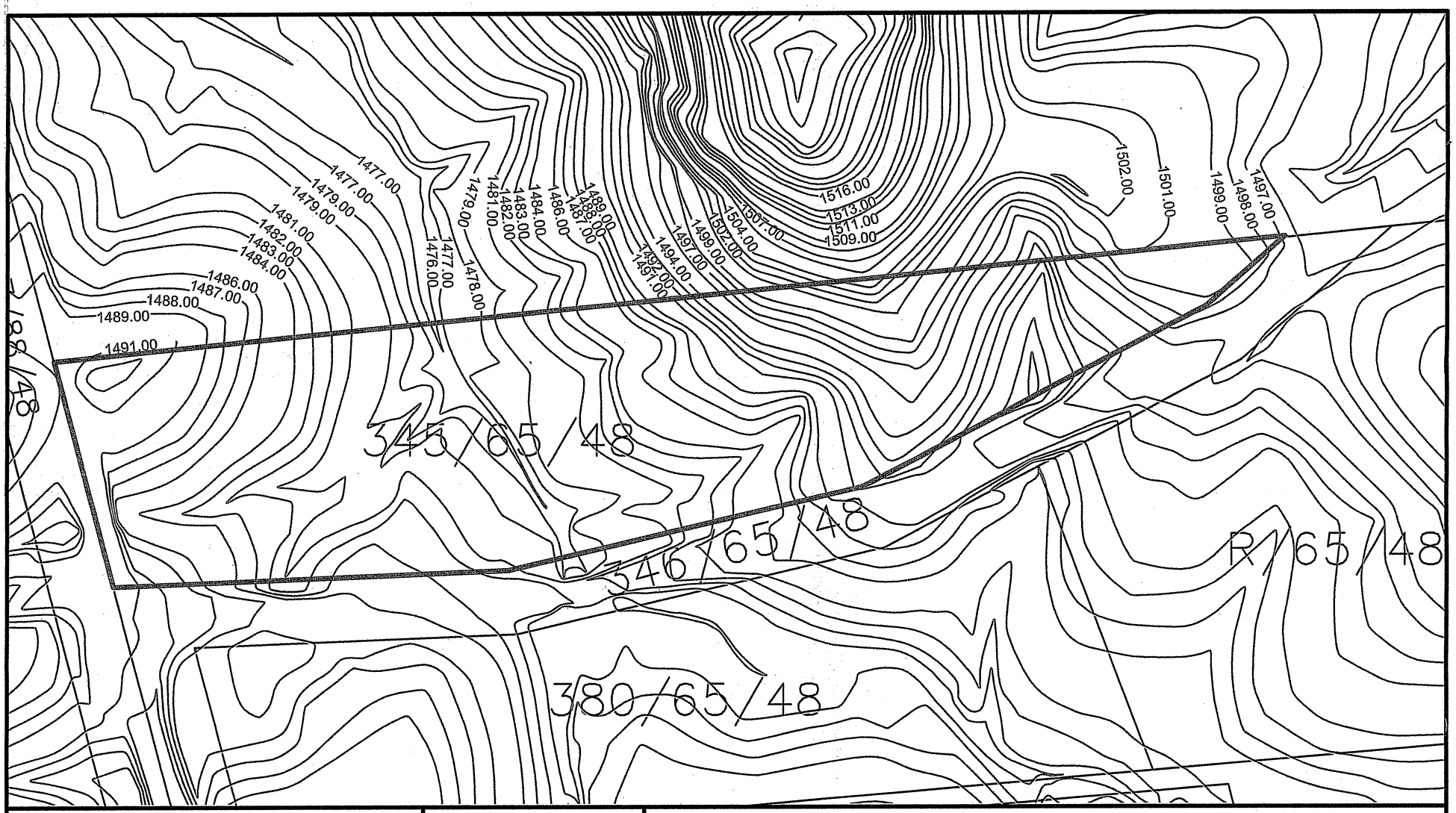
Yours faithfully

.....

P VAN RENSBURG
STRATEGIC EXECUTIVE: URBAN AND TRANSPORT PLANNING

ANNEXURE C


PORTION 345, BRAKWATER
392/135/48
64/H/48
345/65/48
346/65/48
RE/65/48
380/65/48
365/88/48
143/1
64/H/48
98/84/48
PTN.21/9/380
PTN.22/9/380
PTN.23/9/380
REM.PTN.9/380
PTN.15/13/380
364/88/48
RE/88/54/48
345/65/48
346/65/48
RE/65/48
381/65/48
380/65/48
PTN.17/6/380
PTN.18/6/380
REM.PTN.6/380
PTN.19/6/380
PTN.20/6/380
368/88/48
365/88/48
146/142/48
143/142/48
145/142/48
144/142/48
89/54/48
32/7/380
33/7/380
35/7/380
36/7/380
RE/380
RE/8/380
90/54/48
68/H/48
69/H/48
70/H/48
48/170/54
48/171/54
RE/48/54
48/172/54
48/173/54
160/29/48
162/48
163/29/48
RE/29/H/48
161/29/48
LOCALITY PLAN OF PORTION 345 (A PORTION OF PORTION 65) FARM NO. 48 BRAKWATER
T|N
Plan Africa Consulting cc
Tel :(061)212096
Cell:0812716189
P.O.Box 4114 Windhoek
Fax:088614626



CURRENT SITUATION OF PORTION 345
(A PORTION OF PORTION 65) FARM NO. 48
BRAKWATER AND SURROUNDING AREAS

1 meter interval

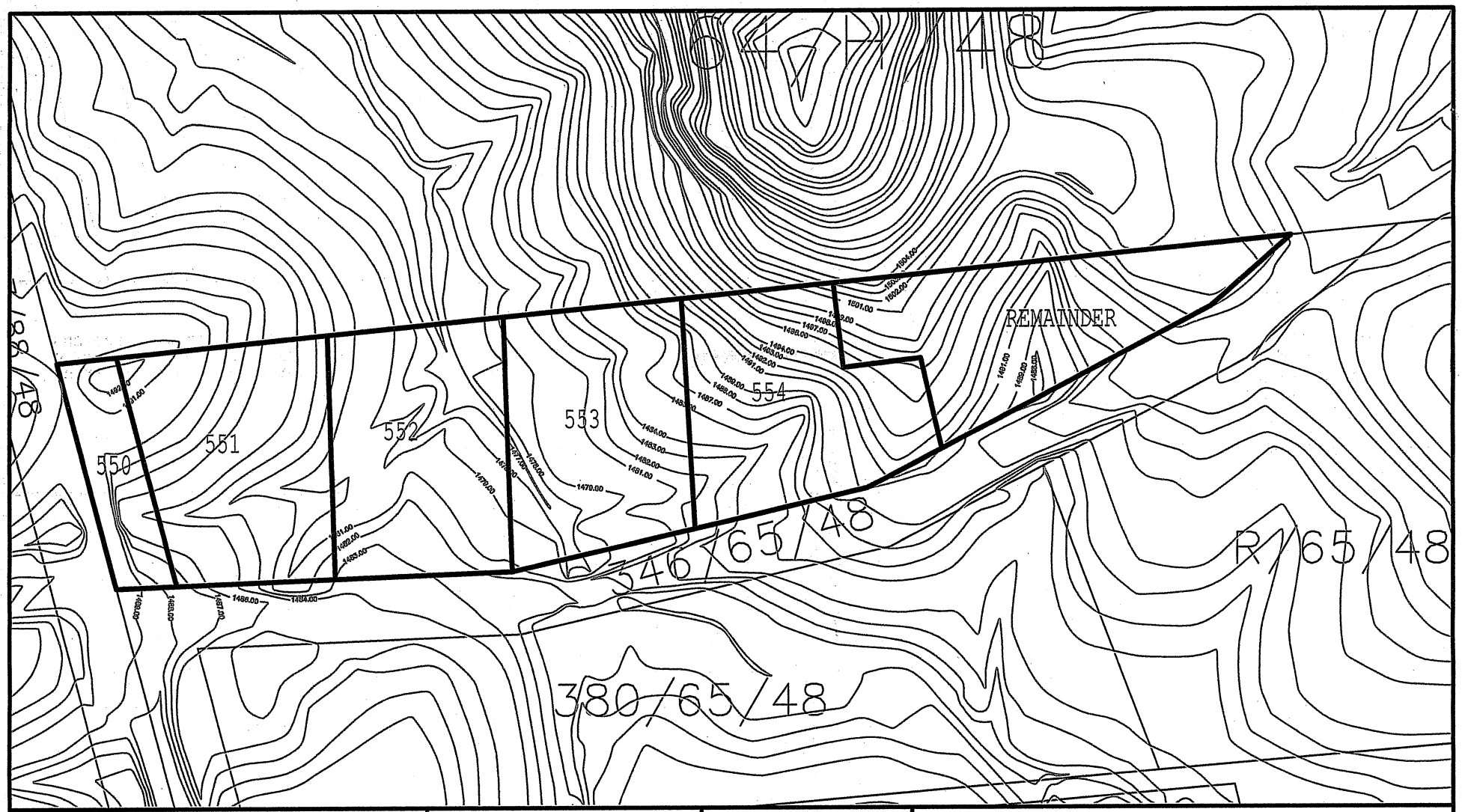
SCALE 1:2200

MAY 2023

T N

Plan Africa Consulting cc

8 Delius Street Windhoek West
P.O.Box 4114 Windhoek
Tel : (061) 212096
Cell : 0812716189
Fax : (061) 213051
email : pafrica@mweb.com.na



PROPOSED SUBDIVISION OF PORTION 345 (A PORTION OF PORTION 65) FARM NO. 48 BRAKWATER AND SURROUNDING AREAS

PORTION A (550)	= 3757m²
PORTION B (551)	= 10 001m²
PORTION C (552)	= 10 001m²
PORTION D (553)	= 10 001m²
PORTION E (554)	= 9777m²
REMAINDER	= 9726m²
TOTAL	= 53 263m²

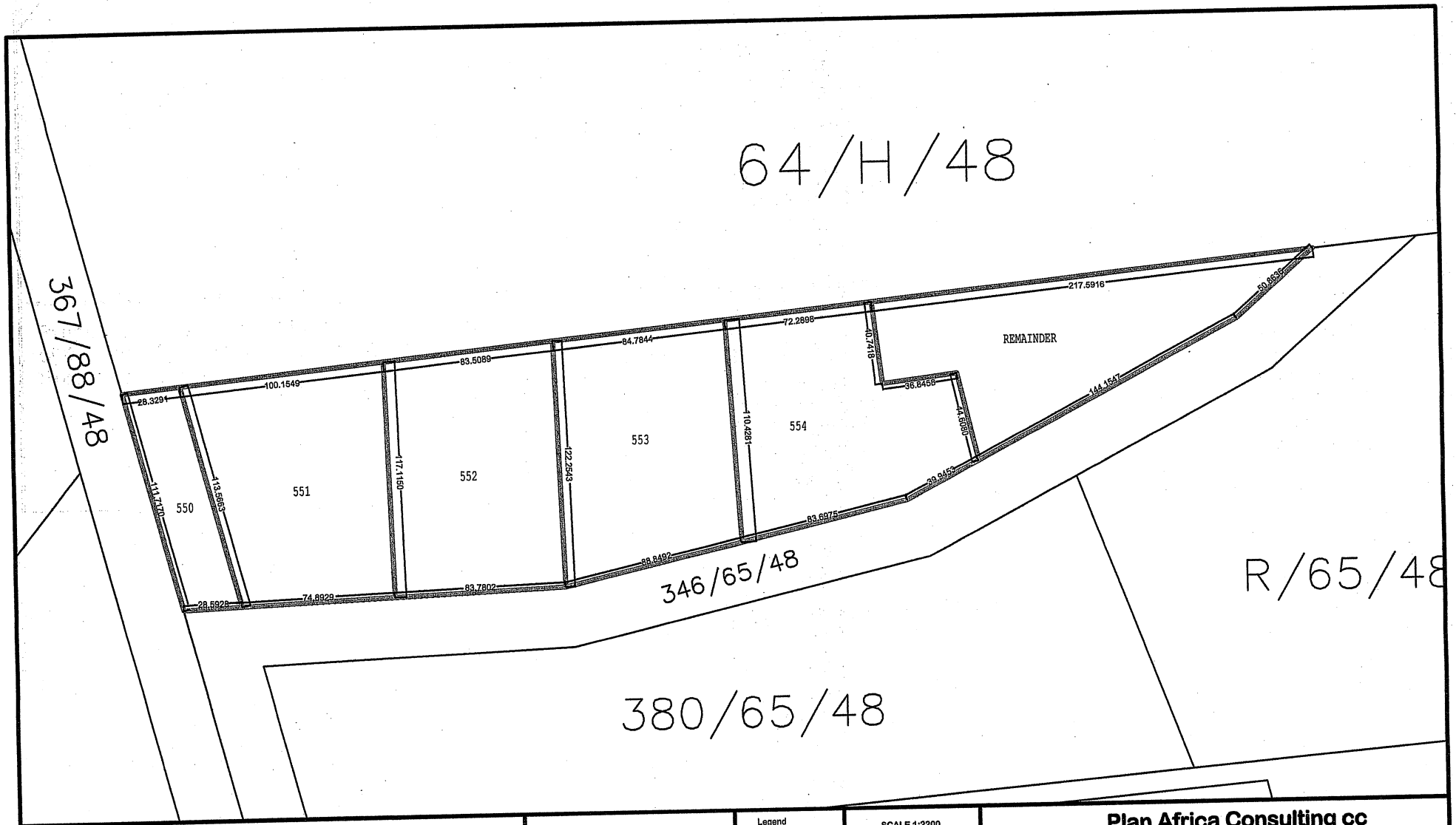
SCALE 1:2200

APRIL 2023

T N

Plan Africa Consulting cc

8 Delius Street Windhoek West
P.O.Box 4114 Windhoek
Tel : (061) 212096
Cell : 0812716189
Fax : (061) 213051
email : pafrica@mweb.com.na



Proposed Subdivision of Portion 345 (A Portion of Portion 65) Farm No. 48 Brakwater and Surrounding Areas

Portion A (550) = 3757m
Portion B (551) = 10 001m
Portion C (552) = 10 001m
Portion D (553) = 10 001m
Portion E (554) = 9777m

Total = 53 263m

Legend

Erf Boundary

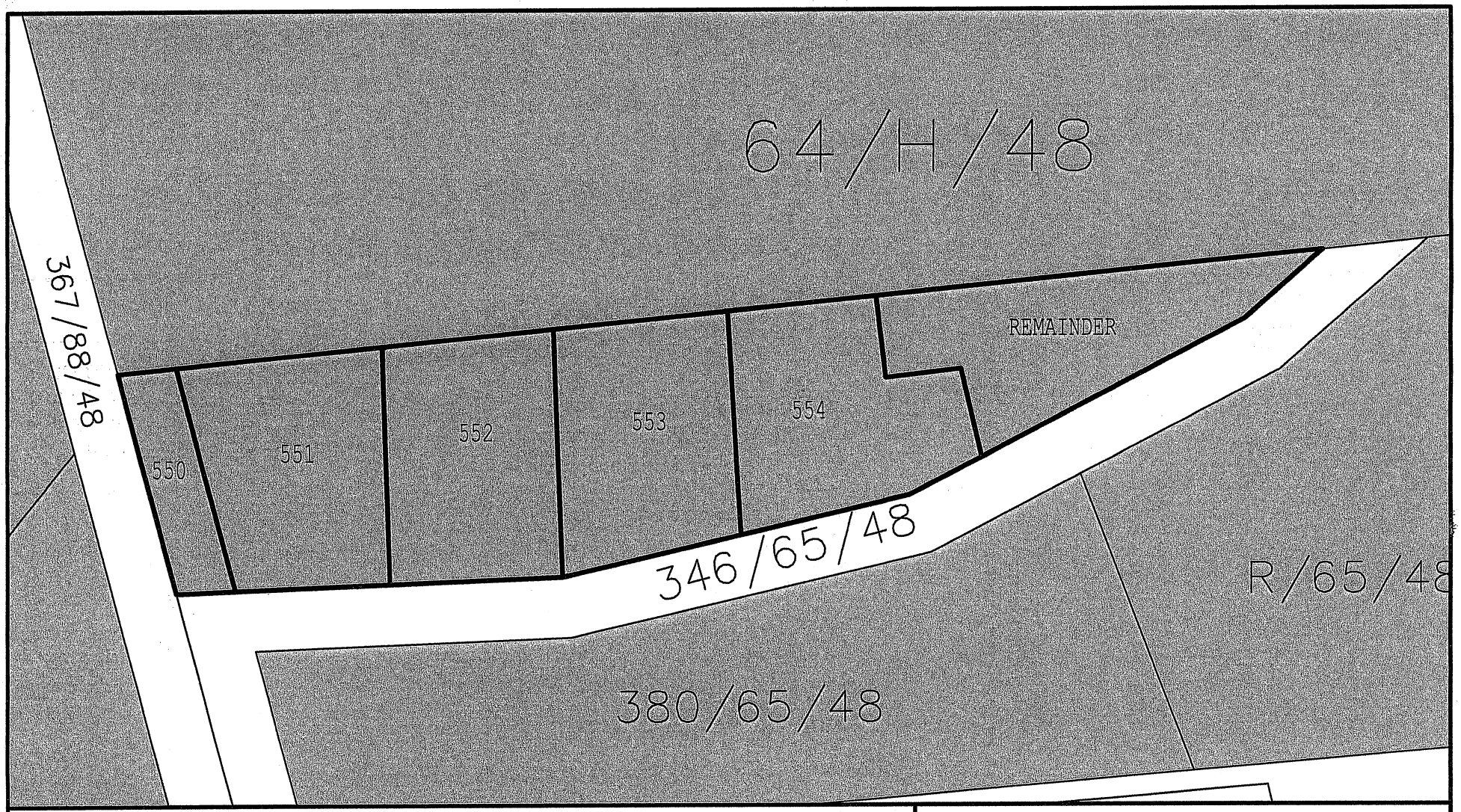
MAY 2023

SCALE 1:2200

T N

Plan Africa Consulting cc

8 Delius Street Windhoek West
P.O.Box 4114 Windhoek
Tel : (061) 212096
Cell : 0812716189
Fax : (061) 213051
email : pafrica@mweb.com.na



LEGEND

Street

Residential

Current zoning of Portion 550 to 554 and remainder (portions of Portion 345) Farm No. 48 Brakwater and Surrounded Areas zoned *'Residential'* with a density of 1/5ha

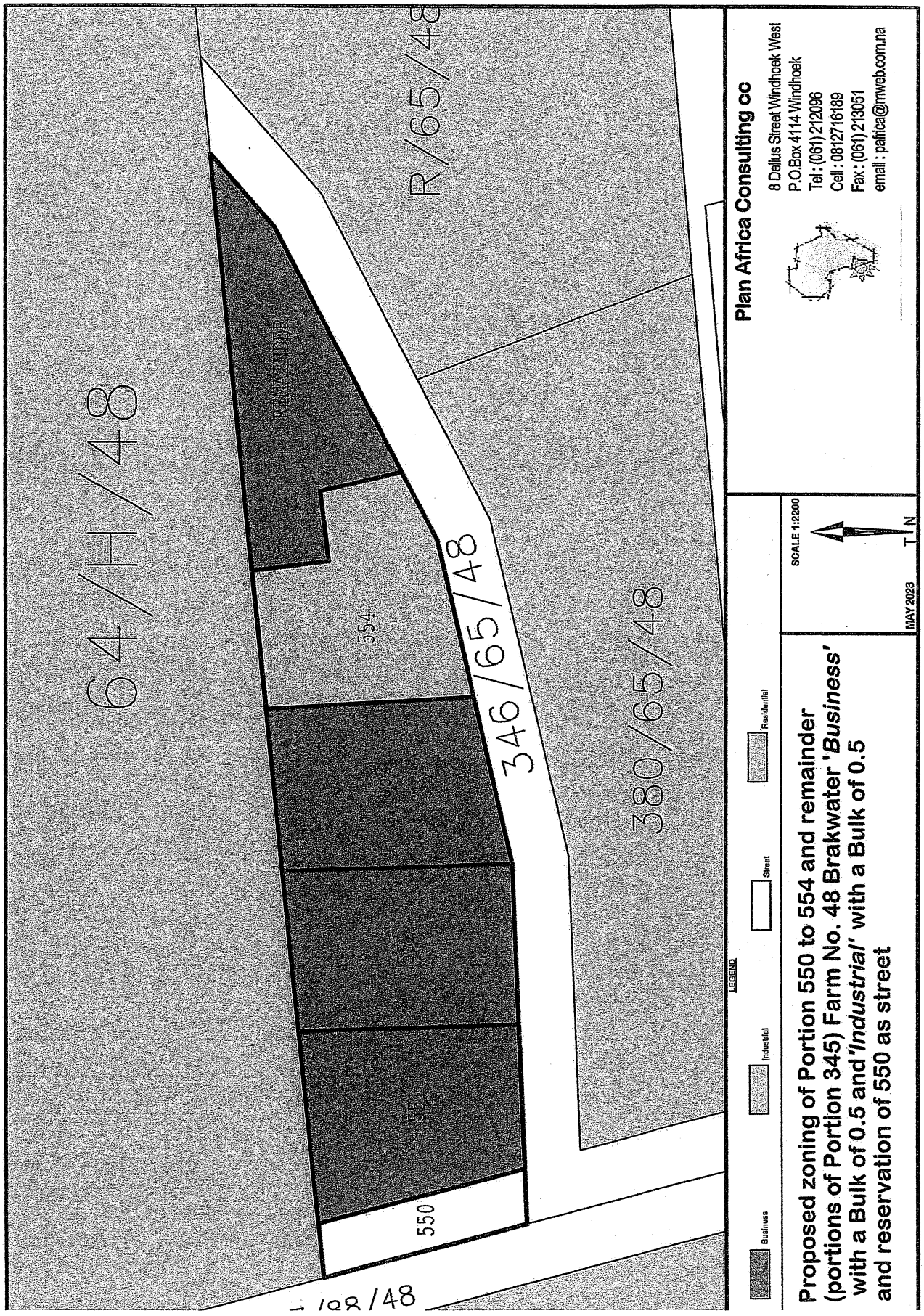
SCALE 1:2200

MAY 2023

T N

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8 Delius Street Windhoek West
P.O.Box 4114 Windhoek
Tel : (061) 212096
Cell : 0812716189
Fax : (061) 213051
email : pafrica@mweb.com.na


64/H/48
R/65/48
380/65/48
346/65/48
554
553
552
551
550
REMAINDER
LEGEND
Business
Industrial
Street
Residential
Proposed zoning of Portion 550 to 554 and remainder (portions of Portion 345) Farm No. 48 Brakwater 'Business' with a Bulk of 0.5 and 'Industrial' with a Bulk of 0.5 and reservation of 550 as street
SCALE 1:2200
MAY 2023
N
Plan Africa Consulting cc
8 Dellus Street Windhoek West
P.O.Box 4114 Windhoek
Tel : (061) 212086
Cell : 0812716189
Fax : (061) 213051
email : pafrica@mweb.com.na

ANNEXURE E

"SPECIAL POWER OF ATTORNEY"

I, the undersigned **Graciana Pereira Do Amaral Gourgel** in my capacity as the owner of Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48 nominate, constitute and appoint,



PLAN AFRICA CONSULTING CC

8 DELUIS STREET

WINDHOEK WEST

P.O. BOX 4114

WINDHOEK

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

- CANCELATION OF COUNCIL RESOLUTION 190/09/2017
- SUBDIVISION OF PORTION 345 (A PORTION OF PORTION 65) OF THE FARM BRAKWATER NO. 48 INTO PORTIONS 550, 551, 552, 553, 554 AND REMAINDER
- Reservation OF PORTION 550 (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO. 48 FROM RESIDENTIAL WITH A DENSITY 1:5HA AS STREET
- REZONING OF PORTIONS 551, 552, 553 AND REMAINDER (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO. 48 FROM RESIDENTIAL WITH A DENSITY OF 1:5HA TO BUSINESS WITH A BULK OF 0.5
- REZONING OF PORTION 554 (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO. 48) FROM 'RESIDENTIAL' WITH A DENSITY OF 1:5HA TO 'INDUSTRIAL' WITH A BULK OF 0.5
- CONSENT TO USE PORTION 554 (A PORTION OF PORTION 345 OF THE FARM BRAKWATER NO.48) FOR THE PURPOSE OF A NOXIOUS INDUSTRY (BRICKMAKING).

at the cost of the applicant and generally for effecting the purpose aforesaid, to do so cause to be done whatsoever shall be requisite, as fully and effectively, for all intents and purposes I might or could do if personally present and acting herein – hereby ratify, 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 this 05th day of September 2023, in the presence of the undersigned witnesses.

.....

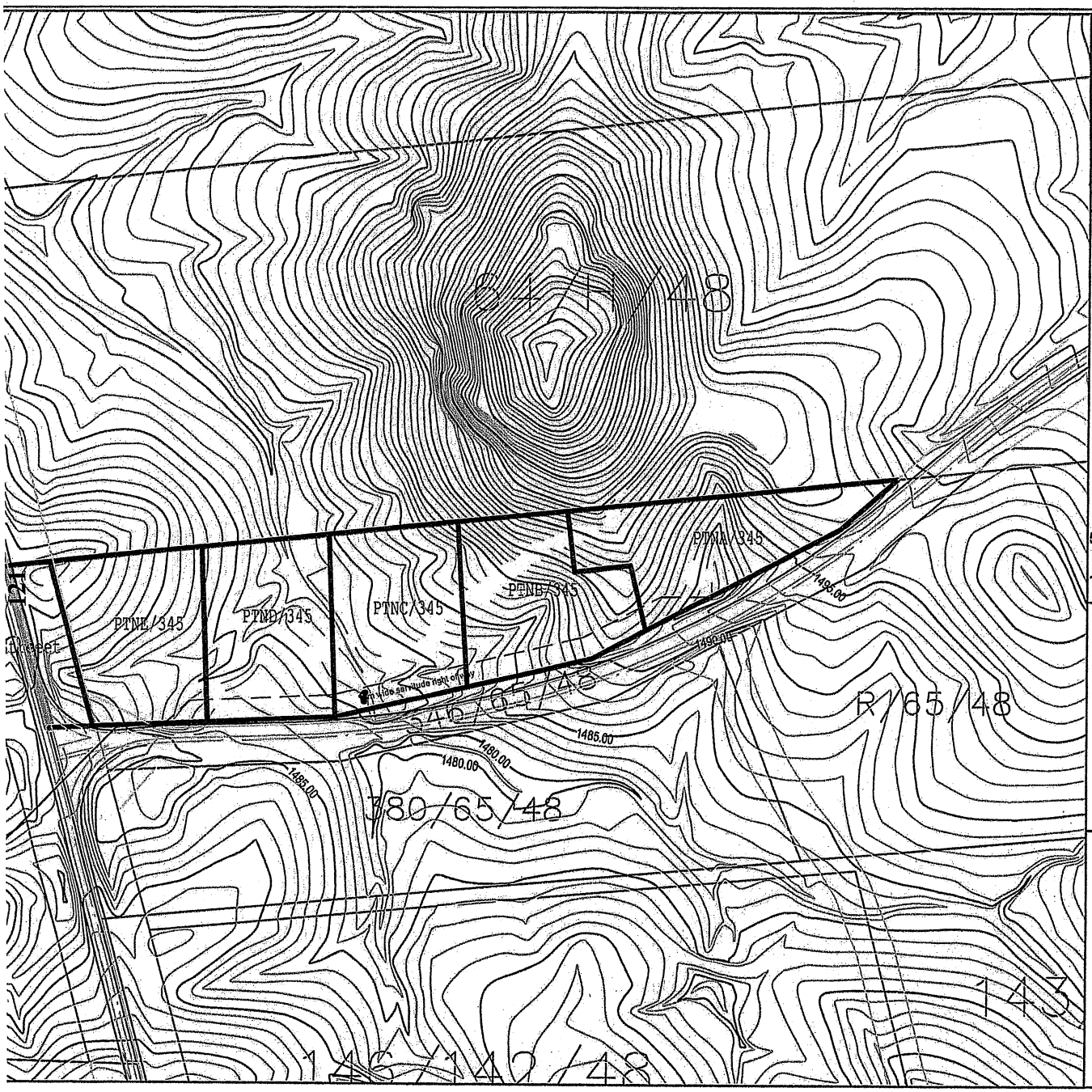
Graciana Pereira Do Amaral Gourgel

WITNESSES:

1. .....

2. .....

ANNEXURE H



PROPOSED ACCESS ROAD PLAN FOR THE PROPOSED SUBDIVISION OF PORTION 345 (A PORTION OF PORTION 65) OF THE FARM BRAKWATER NO.48

LEGEND

PROPOSED 15m SERVITUDE – – – – –

FUTURE COLLECTOR ROAD ————————

ROAD RESERVE ————————

CONTOURS

5m CONTOURS ————————

1m CONTOURS ————————

SCALE 1:3500

APRIL 2023

T N

Plan Africa Consulting cc

8 Delius Street Windhoek West
P.O.Box 4114 Windhoek
Tel : (061) 212096
Cell : 0812716189
Fax : (061) 213051
email : pafrica@mweb.com.na



PROPOSED ACCESS ROAD PLAN FOR THE PROPOSED SUBDIVISION OF PORTION 345 (A PORTION OF PORTION 65) OF THE FARM BRAKWATER NO.48

LEGEND

PROPOSED 15m SERVITUDE – – – – –

FUTURE COLLECTOR ROAD ————————

ROAD RESERVE ————————

SCALE 1:3500

APRIL 2023 T N

Plan Africa Consulting cc

8 Delius Street Windhoek West
P.O.Box 4114 Windhoek
Tel : (061) 212096
Cell : 0812716189
Fax : (061) 213051
email : pafrica@mweb.com.na

ANNEXURE J

san/124652

ORIGINAL STAMPED

DUTY N$ 11 000-00

FEES

Prepared by me

CONVEYANCER
A J van der Merwe

6103 2012

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

8000000569934

LEIGH - ANNE AGNEW

appeared before me Registrar of Deeds at Windhoek, he/she the said Appearer being duly authorised thereto by a power of attorney granted to him/her by

ZECHARIAH OCHOLA BOLO
Identity Number 620819 1009 8
Married to LUCY CHELAGAT BOLLO which marriage
is governed by the laws of Kenya

signed at WINDHOEK and dated 3 August 2012

and that the Appearer declared that his/her said constituent had truly and legally sold on 8 June 2012

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

GRACIANA PEREIRA DO AMARAL GOURGEL
Born on 6 March 1963
Unmarried

Her Heirs, Executors, Administrators or Assigns

CERTAIN: Portion 345 (a Portion of Portion 65) of the Farm BRAKWATER No 48

SITUATE: in the Municipality of WINDHOEK
Registration Division "K"
KHOMAS REGION

MEASURING: 5,3264 (Five Comma Three Two Six Four) Hectares

FIRST registered by Certificate of Registered Title No T3997/2006 with Diagram No A 644/2005 relating thereto and held by Deed of Transfer No T3998/2006

A. **SUBJECT** to a servitude of Electrical Powerline in favour of the Municipal Council of Windhoek in respect of an Area 25 (Twenty Five) metres wide, the centre line which is indicated by the figures v w on Diagram No A 644/2005 annexed to Certificate of Registered Title No T3997/2006 with the right of access for the purpose of erecting and/or maintenance or repair of the existing power line which Servitude is created by Notarial Dee of Servitude No 70/1970.

B. **FURTHER SUBJECT** to a Servitude to convey electricity over the withinmentioned property in favour of NAMIBIA POWER CORPORATION (PROPRIETARY) LIMITED (Company Number 2051), together with ancillary rights, and subject to conditions, as will more fully appear and created in Notarial Deed No K 97/1985 S.

ISSUED FOR INFORMATION ONLY

C. **AND FURTHER SUBJECT** to the following conditions imposed in terms of the Town Planning Ordinance No 18 of 1954, as amended, namely:-

(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.

ISSUED FOR INFORMATION ONLY

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/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$1 500 000,00.

SIGNED at WINDHOEK on 13 NOV 2012 , together withthe Appearer, and confirmed with my seal of office.

.....
SIGNATURE OF APPEARER

In my presence

.....
REGISTRAR OF DEEDS

ISSUED FOR INFORMATION

Transfer Duty Receipt No. 103284678 for N$39 000,00

issued by the Receiver of Revenue Windhoek on 22 August 2012

(Checked) 1 ..... 2 .....

I the undersigned Adriana Jacoba van der Merwe, 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 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.

CONVEYANCER
A J VAN DER MERWE

ANNEXURE L

INV202 146

CITY OF WINDHOE

P O Box 59, WINDHOEK NAMIBIA
Telephone No: (061) 290 2911

TAX INVOICE

VAT Reg. Number 2646057-01-5

CITY of WINDHOEK

2023/06/02 12:12:13
Term Id.: 31
Receipt No.: 30593
General Payment
Vote No.: 5000132050048
Name: PLAN AFRICA
Cash Amount Pd N$*******1092.50
Orig. Amt Tend N$*******1092.50
Change N$**********0.00
Processed by: 001052-Stephanie S Be
Comment :

Invoice Number : INV2023213202	**Date Issued :**
Account Number : N/A	**Vote Number :** 5000132050048
Name : PLAN AFRICA	**Reference Number :** PORTION 345 (A PORTION OF PORTION 65) OF THE FARM BRAKWATER NO. 48
Address : N/A	**System Reference :** INV357265
	Issued By : 16562 - SAMUEL (N.T)
	Contact Details : +264 61 290 2609

Description : SUBDIVISION OF PORTION 345 (A PORTION OF PORTION 65) OF THE FARM BRAKWATER NO. 48 INTO PORTIONS 550, 551, 552, 553, 554 AND REMAINDER

PAYMENT DUE

Total Amount Excluding VAT	: N$ 950.00
Total VAT Amount	: N$ 142.50
Total Amount Payable	: N$ 1092.50

INVOICE DETAILS

Department : 5000 - URBAN & TRANSPORT PLANNING

Tariff Code	: N/A
Tariff Description	: N/A
Quantity Provided	: 1
Unit Price	: N$ 950.00
Tariff Amount Excluding VAT	: N$ 950.00
Tariff VAT Amount	: N$ 142.50
Tariff Total Amount	: N$ 1092.50
Service Code	: N/A

City of Windhoek Banking Details - Bank: First National Bank - Number: 62012146115 - Branch: 281872

INV202[illegible] 147

CITY OF WINDHOE

P O Box 59, WINDHOEK NAMIBIA
Telephone No: (061) 290 2911

TAX INVOICE

VAT Reg. Number 2646057-01-5

CITY of WINDHOEK

2023/06/02 12:11:22
Term Id.: 31
Receipt No.: 30591
General Payment
Vote No.: 5000132050048
Name: PLAN AFRICA CONSULTING
Cash Amount Pd N$*******2012.50
Orig. Amt Tend N$*******2012.50
Change N$**********0.00
Processed by: 001052-Stephanie S Be
Comment :

Invoice Number : INV2023213188	**Date Issued :**
Account Number : N/A	**Vote Number :** 5000132050048
Name : PLAN AFRICA CONSULTING	**Reference Number :** PORTION 554 (A PORTION OF PORTION 345 OF THE FARM BRAKWATER NO. 48)
Address : N/A	**System Reference :** INV357251
	Issued By : 16562 - SAMUEL (N.T)
	Contact Details : +264 61 290 2609

Description : REZONING OF PORTION 554 (A PORTION OF PORTION 345 OF THE FARM BRAKWATER NO. 48) FROM 'BUSINESS' WITH A BULK OF 0.1 TO 'INDUSTRIAL' WITH A BULK OF 0.5, SHOULD THE ORIGINAL PORTION 345 BE REZONED TO

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

City of Windhoek Banking Details - Bank: First National Bank - Number: 62012146115 - Branch: 281872

INV202 148

CITY OF WINDHOE

P O Box 59, WINDHOEK NAMIBIA
Telephone No: (061) 290 2911

TAX INVOICE

VAT Reg. Number 2646057-01-5

CITY of WINDHOEK

2023/06/02 12:11:51
Term Id.: 31
Receipt No.: 30592
General Payment
Vote No.: 5000132050048
Name: PLAN AFRICA
Cash Amount Pd N$*******2000.00
Orig. Amt Tend N$*******2000.00
Change N$**********0.00
Processed by: 001052-Stephanie S Be
Comment :

Invoice Number : INV2023213201	**Date Issued :**
Account Number : N/A	**Vote Number :** 5000132050048
Name : PLAN AFRICA	**Reference Number :** PORTION 554 (A PORTION OF PORTION 345 OF THE FARM BRAKWATER NO. 48)
Address : N/A	**System Reference :** INV357264
	Issued By : 16562 - SAMUEL (N.T)
	Contact Details : +264 61 290 2609

Description : CONSENT TO USE PORTION 554 (A PORTION OF PORTION 345 OF THE FARM BRAKWATER NO. 48) FOR THE PURPOSE OF INDUSTRIAL BUILDING (BRICK MAKING)

PAYMENT DUE

Total Amount Excluding VAT	: N$ 1739.13
Total VAT Amount	: N$ 260.87
Total Amount Payable	: N$ 2000.00

INVOICE DETAILS

Department : 5000 - URBAN & TRANSPORT PLANNING

Tariff Code	: N/A
Tariff Description	: N/A
Quantity Provided	: 1
Unit Price	: N$ 1739.13
Tariff Amount Excluding VAT	: N$ 1739.13
Tariff VAT Amount	: N$ 260.87
Tariff Total Amount	: N$ 2000.00
Service Code	: N/A

City of Windhoek Banking Details - Bank: First National Bank - Number: 62012146115 - Branch: 281872

ANNEXURE M

CREDIT CHECK LIST

Surname DO AMARAL GOURGEL Full Names GRACIANA PEREIRA

Erf no. PORTION 345 Township BRAKWATER FARM N°48

Company/ cc .....

Namibian Id. N2 170512 (130306)

Postal Address P.O. Box 4114

Physical residential or Business address PORTION 345/65/48

Telephone (B) 061228179 (H) .....

Mobile no. 081 8031123

FINANCE DEPARTMENT CREDIT CHECK

Service Accounts (MS)

Comments: .....

CITY OF WINDHOEK 2023 -05- 24 CREDIT CONTROL

Approved

.....

.....

Accounting Assistant Credit Control Vries Signature .....

Date: 24/05/2023

LAND SALES

Comments: .....

CITY OF WINDHOEK 24 MAY 2023 Land Sales Finance Department

Approved

.....

.....

Accounting Assistant Credit Control Bruwer Signature .....

Date: .....

Accountant Credit Control ..... Date: 24/05/2023

MEMORANDUM

TO:	Mr. (H.J) Rust	**DATE:**	16 October 2023
FROM:	ELE: Engineering Services Division	**REF:**	L/345/BW

- **SUBDIVISION OF PORTION 345 (A PORTION OF PORTION 65) OF THE FARM BRAKWATER NO. 48 INTO PORTIONS 550, 551, 552, 553, 554 AND REMAINDER**
- **REZONING OF PORTION 554 (A PORTION OF PORTION 345 OF THE FARM BRAKWATER NO. 48) FROM 'BUSINESS' WITH A BULK OF 0.1 TO 'INDUSTRIAL' WITH A BULK OF 0.5, SHOULD THE ORIGINAL PORTION 345 BE REZONED TO BUSINESS**
- **CONSENT TO USE PORTION 554 (A PORTION OF PORTION 345 OF THE FARM BRAKWATER NO. 48) FOR THE PURPOSE OF INDUSTRIAL BUILDING (BRICK MAKING)**

The SEE has in principle no objection to the application submitted as the City of Windhoek do not have Electricity Network in Brakwater area. The client is to approach NamPower for provision of electrical services.

The City of Windhoek is to take over the Brakwater network in the near future. Therefore, the network should be designed and installed as per City of Windhoek guideline and standard.

Below comments to be considered:

- *Only one (1) service connection from the municipal electrical network will be allowed per Erf.*
- *For Erven that is zoned "General Residential", the number of allowed meter points is as per the density.*
- *For Erven that is zoned "General Residential" 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 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

TO:	Mr. H. Rust	**DATE:**	23 October 2023
FROM:	Chief Engineer Roads and Storm Water Planning, Design & Traffic Flow	**REF:**	L/PTN/345/65/48/BW

SUBJECT:

APPLICATION FOR THE SUBDIVISION OF PORTION 345 (A PORTION OF PORTION 65) OF THE FARM BRAKWATER NO. 48 INTO PORTION 550, 551, 552, 553, 554 AND THE REMAINDER. RESERVATION OF PORTION 550 (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO. 48 AS STREET. REZONING OF PORTIONS 551, 552, 553 AND REMAINDER (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO. 48 FROM RESIDENTIAL WITH A DENSITY OF 1:5HA TO BUSINESS WITH A BULK OF 0.5. REZONING OF PORTION 554 (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO. 48) FROM 'RESIDENTIAL' WITH A DENSITY OF 1:5HA TO 'INDUSTRIAL' WITH A BULK OF 0.5. CONSENT TO USE PORTION 554 (A PORTION OF PORTION 345 OF THE FARM BRAKWATER NO.48) FOR THE PURPOSE OF A NOXIOUS INDUSTRY (BRICKMAKING).

The application dated 25 August 2023, for the proposed, Subdivision of Portion 345 (a Portion of Portion 65) of the Farm Brakwater no. 48 into Portion 550, 551, 552, 553, 554 and Rezoning of Portions 551, 552, 553 and Remainder (a Portion of Portion 345) of the Farm Brakwater no. 48, from residential with a Density of 1:5 HA to Business with a bulk of 0.5; And Rezoning of Portion 554 (a Portion of Portion 345) of the Farm Brakwater no. 48) from 'Residential' with a Density of 1:5HA to 'Industrial' with a bulk of 0.5; And Consent use, received on 25 September 2023, refers.

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

1. The proposed Portion 345/65/48 of Farm Brakwater is situated approximately 22 kilometers north of the Windhoek CBD, situated east of the Brakwater Service Road, and to the west of the B1, Windhoek to Okahandja, dual carriage way.

2. The proposed Portion 345/65/48 of Farm Brakwater no.48 is indicated to be approximately 5.32 hectares in size.

3. Access to the proposed Portion 345/65/48 of Farm Brakwater no.48 is indicated to be obtained from the Collector Road that is situated within a proposed 15.0 meter wide "right of way" servitude that connects the Brakwater Service Road to the B1 interchange, situated south of Portion 345/65/48 of Farm Brakwater no. 48.

4. Access to the proposed subdivided Portion 550, 551, 552, 553, 554 and the Remainder of Portion 345 (A Portion of Portion 65) of Farm Brakwater no. 48, is indicated to be obtained from the Collector Road that is situated within a proposed 15.0 meter wide "right of way" servitude that connects the Brakwater Service Road to the B1 interchange, situated south of Portion 345/65/48 of Farm Brakwater no. 48.

5. There is a major stormwater course flowing from the southeast, flowing across the proposed Portions 553 and 552 of Portion 345 of Farm Brakwater no. 48, flowing into a north westerly direction.

6. There is a stormwater course flowing from the southwest, flowing across the proposed Portions, 551 and 552 of Portion 345 of Farm Brakwater no. 48, flowing towards the major stormwater course as referred to in point 5 above.

7. There is a stormwater course flowing from the west, flowing across the proposed Portions 550, 551 and 552, flowing towards the major stormwater course as referred to in point 5 above.

8. There are various other stormwater courses forming on and flowing across the proposed Portions 554 and the Remainder of Portion 345 of Farm Brakwater no. 48, flowing towards the major stormwater course referred to in point 5 above.

This Division has no objection to the proposed, Subdivision of Portion 345 (a Portion of Portion 65) of the Farm Brakwater no. 48 into Portion 550, 551, 552, 553, 554 and Rezoning of Portions 551, 552, 553 and Remainder (a Portion of Portion 345) of the Farm Brakwater no. 48, from residential with a Density of 1:5 HA to Business with a bulk of 0.5; And Rezoning of Portion 554 (a Portion of Portion 345) of the Farm Brakwater no. 48) from 'Residential' with a Density of 1:5HA to 'Industrial' with a bulk of 0.5; And Consent use, provided:

1. That the applicant appoints a registered professional Engineer to compile a detailed 50-year flood report of the major and other stormwater course at own cost and risk.

2. That the applicant applies the conditions as stipulated in the detailed 50-year flood report.

3. That the applicant accepts the outcome of the detailed 50-year flood report, and if allowed by the flood report, appoints a registered Professional Engineer to submit detailed engineering plans as to how the proposed Portions 550 to 554 and the Remainder of Portion 345 of Farm Brakwater no. 48 are to be protected against any potential flood damage.

4. That no adjacent or opposite property be negatively affected by the proposed development along any river.

5. That no development will be allowed within the 50-year flood level of any river or stormwater course.

6. That no development will be allowed onto or over any stormwater system or structure.

7. That any stormwater crossing be accommodative of at least a 50-year flood.

8. 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.

9. That prior approval must be obtained from the Chief Engineer: Planning, Design & Traffic Flow if the accommodation of the stormwater on the portion is contemplated.

10. That Engineering drawings on how the stormwater would be accommodated to the satisfaction of the Chief Engineer, Planning, Design & Traffic Flow be submitted for approval simultaneously with the building plans.

11. 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.

12. That no building plan will be approved until the above stormwater conditions are met.

13. That the detail 50-year flood study be conducted and submitted to the SE: UTP for Municipal consideration prior to the submission of the rezoning application to MURD.

14. That roads and stormwater be planned, designed, and constructed to municipal standard.

15. That access and "right of way" servitudes be according to the conditions as stipulated by the Chief Engineer: Planning, Design and Traffic Flow.

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

TO:	Urban Planning H Rust	**DATE:**	01 November 2023
FROM:	Section Engineer: Transport Planning	**REF:**	L/345/65/48/BW

CITY OF WINDHOEK
The Gateway to Endless Opportunities

REVISED COMMENTS

ROADS PLANNING & TRAFFIC FLOW COMMENTS:

Reference is made to our previous comments dated 21 August 2023 and subsequently resubmitted application recirculated in September 2023, dated 25 August 2023 received from Plan Africa Consulting cc regarding the above subject matter.

The roads within the larger Brakwater area are still undeveloped and the collector road system is also not yet finalised. Most properties obtain their accesses through registered Right of Way Servitudes. The traffic volumes are similarly low in this area as it is characterised mainly by large portions of farmland, however it remains increasingly difficult for the City to maintain the main gravel roads due to increasing traffic volumes.

1. This Division has no objections to the proposed Subdivision of Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48 into Portions 550, 551, 552, 553, 554 and Remainder; on condition:

   1.1 The applicant take note that the Erf is affected by the Arterial road running along the western boundaries and that such portion should be subdivided as per Plan No. PDT/345/65/48/BW.

   1.2 That the proposed 15m wide Right of Way Servitude should be 20m wide and must be created opposite the existing proposed collector road to create one intersection. Such a road must end in a turning circle (cul-de-sac) of minimum 28m diameter.

2. This Division has no objections to the proposed Rezoning of Portion 554 (a portion of Portion 345 of the farm Brakwater No. 48) from 'Business' with a bulk of 0.1 to 'Industrial' with a bulk of 0.5, should the original portion 345 be rezoned to Business; on condition:

   2.1 The applicant takes note that the Erf is affected by the Arterial road running along the western boundaries and that such portion should be subdivided as per Plan No. PDT/29/H/48/BW and be alienated to Council in lieu of endowment and or betterment.

   2.2 The access concerns in point 1 above must first be clarified.

   2.3 Parking requirements for "Industrial":

   - warehouse > 1000m² is 1 bay per 100m² plus a loading area.
   - warehouse ≤ 1000m² and all other uses is 1.5 bay per 100m² plus a loading area.

   2.4 Minimum 1 parking bay per equal or less than 3 bedrooms dwelling or minimum 2 parking bays per equal or more than 4 bedrooms dwelling be provided on site.

3. This Division has no objections to the proposed Consent to use Portion 554 (a portion of Portion 345 of the Farm Brakwater no. 48) for the purpose of Industrial building (Brick Making); provided:

   3.1 That point 1 above must first be accommodated.

   3.2 The consent use shall only come into effect after meeting parking requirements on site, being to the satisfaction of the SE: Urban and Transport Planning.

Yours faithfully

.....

MN Shiimi
Transport Planning
*2508

MEMORANDUM

TO: Mr. H. Rust

DATE: 3 June 2024

FROM: INF: Engineering Services Division **REF:** L/PTN/345/65/48/BW_rev1

SUBJECT:

- **CANCELATION OF COUNCIL RESOLUTION 190/09/2017**
- **SUBDIVISION OF PORTION 345 (A PORTION OF PORTION 65) OF THE FARM BRAKWATER NO. 48 INTO PORTIONS 550, 551, 552, 553, 554 AND REMAINDER**
- **RESERVATION OF PORTION 550 (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO. 48 AS STREET**
- **REZONING OF PORTIONS 551, 552, 553 AND REMAINDER (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO. 48 FROM RESIDENTIAL WITH A DENSITY OF 1:5HA TO BUSINESS WITH A BULK OF 0.5**
- **REZONING OF PORTION 554 (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO. 48) FROM 'RESIDENTIAL' WITH A DENSITY OF 1:5HA TO 'INDUSTRIAL' WITH A BULK OF 0.5**
- **CONSENT TO USE PORTION 554 (A PORTION OF PORTION 345 OF THE FARM BRAKWATER NO.48) FOR THE PURPOSE OF A NOXIOUS INDUSTRY (BRICKMAKING).**

The application dated 25 August 2023 regarding the above subject matter has reference:

Additional comments:

This memo serves to confirm that the Environmental Impact Assessment (EIA) dated September 2023, submitted by Environ Clim Consulting Services, indicates that the water demand for Portion 554, which has a total area of approximately 9777m², is estimated to be 5000 liters per month (0.167m³ per day).

Wet industries are specified in Council Resolution 114/05/2013 as follows: "The industry requires more than 10m³ per day in source water, per hectare or part thereof, on any industrial erf smaller than 10 hectares." The estimated water demand is indicated as 0.167m³ per day, which is less than the 10m³ specified for wet industries. Therefore, the business can be classified as a dry industry and can be approved accordingly.

Previous comments dated 23 November 2023:

This Division has no objection to the proposed application, provided:

1. That it be noted that no existing bulk Water and Sewer Services are available for Portion 345 (a Portion of Portion 65) of the Farm Brakwater No. 48.

2. That it be noted that Council conducted a bulk Water and Sewer Reticulation Master Plan for the entire Brakwater area during 2010, and the bulk services requirements anticipated for the area is specified in the said document.

3. That the supply of Bulk Water and Sanitation/Sewerage Services should be if feasible for the applicant, be executed in-line with the bulk services framework established for the entire area.

4. That it be noted that no new wet industries are permitted within the Windhoek municipal area as per Council Resolution 114/05/2013, with specific reference to paragraph 2.3 and 5.3.

5. That it be noted that the following definitions of wet industry are accepted for the evaluation of investment proposals as per Council Resolution 114/05/2013:

   5.1 Water is a major production factor in the manufacturing process.

   5.2 The industry requires more than an upper limit of $100m^3$ per day of source water for any industrial erf that exceeds 10 hectare in size;

   5.3 The industry requires more than $10m^3$ per day in source water, per hectare or part thereof, on any industrial erf smaller than 10 hectare;

   5.4 The industry produces industrial effluent;

   5.5 The industry has a process water/domestic water ratio exceeding 20:1;

   5.6 The industry will suffer production losses if process water, inclusive of recycled water, is unavailable for any period exceeding fourty-eight (48) hours.

   5.7 If, under critical conditions, the sustained reduction of process water by 50%, will lead to closure of the industry.

6. That all cost for the provision of bulk and internal services shall be borne by the applicant, including the cost of bulk infrastructure upstream and downstream from the erf.

7. That all new water and sewer infrastructure requirements have to comply with the standard conditions to large subdivisions in respect of services, and that these requirements can be obtain from Infrastructure, Engineering Services Division.

8. That the applicant appoints a Registered Professional Engineer to design the water-supply reticulation and sewer reticulation to the applicable municipal standards and subject to approval by the Chief Engineer: Infrastructure, Engineering Services Division, before construction commences.

9. That the applicant has to provide its own water storage for the erf with a storage capacity of 48 hours.

10. That it be noted that the City of Windhoek will not be held responsible for the provision of water if the groundwater supply deteriorates in case of boreholes.

11. That the applicant appoints a registered professional engineer to propose an acceptable waste water disposal system subject to the condition that no pollution of the ground water occurs and further provide that there will be no health risks to the users and surrounding residents. The possibility to re-use the purified effluent should be addressed. Final effluent shall at all times comply with applicable legislation.

12. That the sewer system and proposed treatment of waste water be submitted to the Chief Engineer: Infrastructure, Engineering Services Division for approval. The issuing of the waste water discharge permit must be subject to the adherence of all conditions pertaining to such permit.

13. That only full waterborne waste systems should be utilized and all Windhoek service standards should apply.

14. That final effluent from a treatment facility shall comply with the Special Discharge Standards as prescribed by the Directorate of Water Affairs.

15. That the operation and maintenance of all water and sewer infrastructure shall be the responsibility of the applicant.

16. That the design criteria are to be in accordance with the "The Guidelines for human settlement, planning and design" as published by the Council of Scientific and Industrial Research (CSIR) and are available on-line at http://www.csir.co.za/Built_environment/RedBook/.

.....
SECTION ENGINEER
OC Archer

WHK WATER SUPPLY ITEM.

[Municipal Council Minutes: 2013-05-29]

3.2.1 **ITEM 4.2.1 - PBS.1 [INF] WATER SUPPLY TO THE CITY OF WINDHOEK, SHORT, MEDIUM AND LONG TERM PERSPECTIVE**
(16/1/2/1)

On proposal by Councillor M Shiikwa, it was

RESOLVED

That Council Resolution 113/04/2013 be amended to read as follows, with specific reference to paragraphs 5.2 and 5.3:

1 *That the report on the water supply situation of Windhoek be noted.*

2 *That the following principles as part of the long term supply strategy for Windhoek be accepted:*

2.1 *That Council pursue every opportunity to mobilise Government funding for national bulk water infrastructure that will ensure security of water supply to Windhoek.*

2.2 *That it be resolved in principle to market Windhoek as an investment destination for dry industry.*

2.3 *That it be resolved that new wet industry not be allowed to established in Windhoek.*

2.4 *That Council use its influence to mobilise other municipalities in the central supply areas to adopt the Dry Industry Policy.*

2.5 *That Council pursue co-operation with the National Planning Commission and the Investment Centre, to formulate National Policy on the location of the Wet Industry.*

2.6 *That Council reaffirm its policy on maximum water re-use for potable, industrial and non-potable uses.*

2.7 *That technologies employed in waste water treatment be aimed at maximising water re-use.*

2.8 *That water demand management and water efficiency remain to be an integral part of all water planning within the City.*

3 *That the following principles and actions be accepted as part of the medium term water supply strategy for Windhoek:*

3.1 *That the artificial recharge of the Windhoek Aquifer be reaffirmed as the medium term solution for water supply augmentation to Windhoek and the central areas.*

3.2 *That the implementation of this project, together with the Namibia Water Corporation Limited (NamWater), be prioritised for the 2013/2014 Budget.*

3.3 *That the completion of the project, at a cost of N$290 million, be prioritised on the City's Budget up to the 2015/2016 Financial Years.*

4 *That the following principles and actions be accepted as part of the short term (2013/2014) water supply strategy:*

4.1 *That users in Windhoek reduce the water demand by 15 % (12 % effectively).*

4.2 *That the City of Windhoek produce 5.5 Mm^3 per annum from the Windhoek Aquifer for 2013/2014.*

4.3 *That projects related to the connection of new boreholes to the supply system, be prioritised on the 2013/2014 Budget.*

4.4 *That the City of Windhoek produce 5.6 Mm^3 per annum from reclamation for 2013/2014.*

4.5 *That projects aimed at improving the quality of reclamation water from the Gammams Water Care Works, be prioritised on the 2013/2014 Budget.*

4.6 *That the following water demand management measures be implemented with immediate effect:*

- *Reduction of upper limit of middle tariff block from 45 m^3 to 36 m^3;*
- *Full time ban on irrigation between 10:00 am and 16:00 pm (including the City of Windhoek);*
- *Full time ban on using hose pipes for vehicle washing;*
- *Approving only installation of water efficient plumbing appurtenances;*
- *Banning of automatic flushing urinals;*
- *Vigorous media campaign with public targets and visual measurements;*
- *Incentive schemes for major water savers;*
- *Enforcement of swimming pool covers (also public pools); and*

- *Leakage reduction schemes, both supply and demand side.*

(5) *That the following definition of wet industry be accepted for the evaluation of investment proposals:*

5.1 *Water is a major production factor in the manufacturing process.*

5.2 ***The industry requires more than an upper limit of 100 m³ per day of source water for any industrial erf that exceeds 10 hectare in size;***

5.3 ***The industry requires more than 10 m³ per day in source water, per hectare or part thereof, on any industrial erf smaller than 10 hectare;***

5.4 *The industry produces industrial effluent;*

5.5 *The industry has a process water/domestic water ratio exceeding 20:1;*

5.6 *The industry will suffer production losses if process water, inclusive of recycled water, is unavailable for any period exceeding fourty eight (48) hours.*

5.7 *If, under critical conditions, the sustained reduction of process water by 50 %, will lead to closure of the industry.*

6 *That the Strategic Executive: Infrastructure, Water and Technical Services, in conjunction with the Chief Executive Officer (Manager: Corporate Communications, Marketing, Tourism and Customer Care) arrange a media briefing with the relevant internal and external stakeholders, i.e. Namibia Water Corporation Limited (NamWater) to inform and educate the residents on the water supply situation in Windhoek.*

7 *That the resolution be implemented prior to confirmation of the minutes.*

RESOLUTION 114/05/2013

MEMORANDUM

The Gateway to Endless Opportunities

TO : URBAN POLICY

FROM : HEALTH AND ENVIRONMENT SERVICES

ENQ : MET SHANYENGANGE Tel. 061 290 3529

CC :

DATE : 07/08/2024

Dear Colleague,

RE:
SUBDIVISION OF PORTION 345 (A PORTION OF PORTION 65) OF THE FARM BRAKWATER NO. 48 INTO PORTIONS 550, 551, 552, 553, 554 AND REMAINDER

REZONING OF PORTION 554 (A PORTION OF PORTION 345 OF THE FARM BRAKWATER NO. 48) FROM 'BUSINESS' WITH A BULK OF 0.1 TO 'INDUSTRIAL' WITH A BULK OF 0.5, SHOULD THE ORIGINAL PORTION 345 BE REZONED TO BUSINESS

CONSENT TO USE PORTION 554 (A PORTION OF PORTION 345 OF THE FARM BRAKWATER NO. 48) FOR THE PURPOSE OF INDUSTRIAL BUILDING (BRICK MAKING)

In principle, the Division has no objection to the application.

The Division has taken note of the submitted copies of the issued Environmental Clearance Certificate and approved Environmental Management Plan by the Environmental Commissioner Office permitting the establishment and operation of the brick manufacturing facility at Portion 345 of the Farm Brakwater No.48.

The Division will conduct monitoring and auditing of the Operation to ensure compliance with the Environmental Management Plan and in the event negative environmental aspects are identified, corrective interventions will be instituted accordingly against the applicant.

Regards,

[Municipal Council Minutes: 2024-02-29(01-25)]

10.2.16 **FNS.10 [UTP] APPLICATION FOR THE SUBDIVISION OF PORTION 345 (A PORTION OF PORTION 65) OF THE FARM BRAKWATER NO. 48 INTO PORTIONS 550 (STREET), 551, 552, 553, 554 AND THE REMAINDER; REZONING OF PORTIONS 551, 552, 553 AND THE REMAINDER (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO. 48 FROM 'RESIDENTIAL' WITH A DENSITY OF 1:5 HECTARE TO 'BUSINESS' WITH A BULK OF 0.5; REZONING OF PORTION 554 (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO. 48) FROM 'RESIDENTIAL' WITH A DENSITY OF 1:5 HECTARE TO 'INDUSTRIAL' WITH A BULK OF 0.5; AND CONSENT TO USE PORTION 554 (A PORTION OF PORTION 345 OF THE FARM BRAKWATER NO. 48) FOR THE PURPOSE OF A NOXIOUS INDUSTRY (BRICKMAKING)**
(L/48/BW)

On proposal by Councillor B Araeb, it was

RESOLVED

1 That the subdivision of Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48 into Portions 550 (± 3 757 m² in extent - street), 551 (± 10 001 m² in extent), 552 (± 10 001 m² in extent), 553 (± 10 001 m² in extent), 554 (± 9 777 m² in extent) and the Remainder (± 9 726 m² in extent), be 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).

2 That the rezoning of Portions 551, 552, 553 and the Remainder of Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48 from 'residential' with a density of 1:5 hectare to 'business' with a bulk of 0.5, be 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).

3 That the rezoning of Portion 554 (a portion of Portion 345 of Portion 65) of the Farm Brakwater No. 48 from 'residential' with a density of 1:5 hectare to 'industrial' with a bulk of 0.5, **not be recommended** for approval to the Urban and Regional Planning Board in accordance with section 109(2)(b) of the Urban and Regional Planning Act, 2018 (Act 5 of 2018), but instead be rezoned to 'business' with a bulk of 0.5, and subsequently, the consent to use Portion 554 (a portion of Portion 345 of the Farm Brakwater No. 48) for the purpose of a noxious industry (brickmaking), not be granted, due to the following:

3.1 The 'industrial' zoning allows for various land uses that are not compatible with residential land uses;

3.2 Portion 345 of the Farm Brakwater No. 48 is situated in Policy Area D, the Industrial Periphery, as per the Brakwater Land Use Guidelines approved in terms of Council Resolutions 496/10/93, 41/2/2002 and 363/10/2008, of which the development objective is for the establishment of '**light** industrial' developments, which are equivalent to the 'restricted business' zoning;

3.3 Noxious industrial buildings or activities (brickmaking) are prohibited land uses on the 'restricted business' zoning and can only be permitted upon producing the certificate from the Medical Officer of Health in consultation with the Inspector of Factories; and

3.4 The applicant has not submitted a certificate by the Medical Officer of Health, in consultation with the Inspector of factories, certifying that the process to be used in the conduct of any of the said industry will eliminate nuisance or danger to health in neighbouring premises arising from:

- Vapour or effluvia;
- Liquid waste matters discharged from the premises, and if land treatment of such matters is proposed, the nature, slope and area of the land and its position in relation to buildings used for human habitation, streams or water courses; and
- Solid waste matters.

3.5 That it be noted that the applicant has not submitted an Environmental Management Clearance Certificate (ECC) for the brickmaking plant in support of the application for the rezoning of Portion 554 (a portion of Portion 345 of Portion 65) of the Farm Brakwater No. 48.

4 That Portion 550 (a portion of Portion 345 of Portion 65) of the Farm Brakwater No. 48 be reserved as a street.

5 That in terms of clause 33(1) of the Windhoek Zoning Scheme where upon the subdivision of an erf, land be given off for a street or for some other public purpose, the area of such land may, with the consent of the Council, be calculated as part of the area of the subdivision for the purpose of Tables E, F, and G of the Windhoek Zoning Scheme.

6 That the description of the servitude of electrical powerline in favour of the Municipal Council of Windhoek in paragraphs A and B of Title Deed T6103/2012 and Diagram A644/2005 as well as the standard short conditions, be retained for the Remainder of Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48.

7 That the applicant take note that the betterment fee (compensation) is payable in terms of section 59 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018).

8 That the applicant obtain an invoice for the betterment fee (compensation) from the Strategic Executive: Urban and Transport Planning.

9 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).

10 That the applicant take note that an endowment fee is payable in terms of sections 66 and 90 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018), prior to the registration and transfer of Portions 551, 552, 553 and 554 (a portion of Portion 345 of Portion 65) of the Farm Brakwater No. 48.

11 That the applicant take note that the land is affected by the arterial road running along the western boundaries and that such portion, Portion 550 (a portion of Portion 345 of Portion 65) of the Farm Brakwater No. 48, should be subdivided as per Plan PDT/345/65/48/BW (inclusive of a splay) and be alienated to Council in lieu of endowment and or betterment fees as part of the submission to the Urban and Regional Planning Board. [However, as the portion required by Council for the arterial road differs from Portion 550 as per the applicant's plan, the applicant is required to submit a revised subdivision plan to the satisfaction of the Strategic Executive: Urban and Transport Planning before the submission of the application to the Urban and Regional Planning Board.]

12 That the proposed 15 metre wide right of way servitude be changed to 20 metre wide and be extended opposite the existing proposed collector road to create one (1) intersection.

12.1 That the applicant submit a primary layout verifying that the intersection is viable accommodating a 90 degree turn and can be accommodated in the shown servitude.

12.2 That the servitude end in a turning circle (cul-de-sac) at a minimum of 28 mm diametre.

12.3 That a revised subdivision plan inclusive of the servitudes be submitted, being to the satisfaction of the Strategic Executive: Urban and Transport Planning before the submission of the application to the Urban and Regional Planning Board.

13 That the parking requirements for 'business use' be as follows:

13.1 Retail > 1 000 m²: Five (5) parking bays per 100 m² plus a loading area;

13.2 Business ≤ 1 000 m² : Three (3) parking bays per 100 m² plus a loading area; and

13.3 Restricted business: One and a half (1.5) parking bays per 100 m² plus a loading area.

14 That a minimum of one (1) parking bay per equal or less than three (3) bedroom units, or a minimum of two (2) parking bays per equal or more than four (4) bedroom unite, be provided on-site.

15 That the applicant appoint a registered professional Engineer to compile a detailed 5o year flood report of the major and other stormwater course at own cost and risk.

16 That the applicant apply the conditions as stipulated in the detailed 5o year flood report.

17 That the applicant accept the outcome of the detailed 5o year flood report, and if allowed by the flood report, appoint a registered professional Engineer to submit detailed Engineering plans as to how the proposed Portions 550 to 554 and the Remainder of Portion 345 of Farm Brakwater No. 48 are to be protected against any potential flood damage.

18 That no adjacent or opposite property be negatively affected by the proposed development along any river.

19 That no development be allowed within the 5o year flood level of any river or stormwater course.

20 That no development be allowed onto or over any stormwater system or structure.

21 That any stormwater crossing be accommodative of at least a 5o year flood.

22 That surface stormwater run-off be accommodated according to clause 35 of the Windhoek Town Planning Scheme, stating:

22.1 That no stormwater drainage pipe, canal, work or obstruction (except stormwater drainpipes, 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.

22.2 That the maintenance of such stormwater pipe, channel or work be the responsibility of the owner of the concerned property

22.3 That prior approval be obtained from the Strategic Executive: Urban and Transport Planning if the accommodation of the stormwater on the erf is contemplated.

22.4 That Engineering drawings on how the stormwater would be accommodated with the approval of the Strategic Executive: Urban and Transport Planning, be submitted for approval simultaneously with the building plans.

22.5 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.

22.6 That no building plans be approved until the stormwater conditions are met.

23 That the detail 5o year flood study be conducted and submitted to the Strategic Executive: Urban Transport and Planning for Council's consideration prior to the submission of the rezoning application to the Urban and Regional Planning Board.

24 That roads and stormwater be planned, designed and constructed to the Municipal Council of Windhoek's standards.

25 That access and right of way servitudes be according to the conditions as stipulated by the Strategic Executive: Urban and Transport Planning.

26 That it be noted that no existing bulk water and sewer services are available for Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48.

31 That it be noted that Council conducted a Bulk Water and Sewer Reticulation Master Plan for the entire Brakwater area during 2010, and the bulk services requirements anticipated for the area is specified in the said document.

32 That the supply of bulk water and sanitation/sewerage services if feasible for the applicant, be executed in line with the bulk services framework established for the entire area.

33 That it be noted that no new wet industries are permitted within the Windhoek Municipal area as per Council Resolution 114/05/2013, with specific reference to paragraphs 2.3 and 5.3.

34 That it be noted that the following definitions of wet industry are accepted for the evaluation of investment proposals as per Council Resolution 114/05/2013:

34.1 Water is a major production factor in the manufacturing process;

34.2 The industry requires more than an upper limit of 100 m^3 per day of source water for any industrial erf that exceeds 10 hectare in extent;

34.3 The industry requires more than 10 m^3 per day in source water, per hectare or part thereof, on any industrial erf smaller than 10 hectare;

34.4 The industry produces industrial effluent;

34.5 The industry has a process water/domestic water ratio exceeding 20:1;

34.6 The industry will suffer production losses if process water, inclusive of recycled water, is unavailable for any period exceeding 48 hours; and

34.7 If, under critical conditions, the sustained reduction of process water by 50 %, will lead to closure of the industry.

35 That all cost for the provision of bulk and internal services shall be borne by the applicant, including the cost of bulk infrastructure upstream and downstream from the erf.

36 That it be noted that all new water and sewer infrastructure requirements have to comply with the standard conditions to large subdivisions in respect of services, and that these requirements be obtained from the Strategic Executive: Infrastructure, Water and Technical Services.

37 That the applicant appoint a registered professional Engineer to design the water supply and sewer reticulations to the applicable Municipal Council of Windhoek standards and subject to approval by the Strategic Executive: Infrastructure, Water and Technical Services, before construction commence.

38 That the applicant provide its own water storage for the portion with a storage capacity of 48 hours.

39 That it be noted that the Municipal Council of Windhoek will not be held responsible for the provision of water if the groundwater supply deteriorates in case of boreholes.

40 That the applicant appoint a registered professional Engineer to propose an acceptable waste water disposal system, subject to the following conditions:

40.1 That no pollution of the ground water occur.

40.2 That there be no health risks to the users and surrounding residents.

40.3 That the possibility to re-use the purified effluent be addressed.

40.4 That the final effluent at all times comply with applicable legislation.

41 That the sewer system and proposed treatment of waste water be submitted to the Strategic Executive: Infrastructure, Water and Technical Services for approval.

41.1 That the issuing of the waste water discharge permit be subject to the adherence of all conditions pertaining to such permit.

42 That only full waterborne waste systems be utilised and all the Municipal Council of Windhoek's service standards apply/be applicable.

43 That final effluent from any treatment facilities comply with the Special Discharge Standards as prescribed by the Directorate of Water Affairs.

44 That the operation and maintenance of all water and sewer infrastructure be the responsibility of the applicant.

45 That the design criteria be in accordance with the 'Guidelines for Human Settlement, Planning and Design' as published by the Council of Scientific and Industrial Research (CSIR), available on-line at http://www.csir.co.za/Built_environment/RedBook/.

46 That it be noted that the Municipal Council of Windhoek does not have an electricity network in the Brakwater area. [The applicant is therefore advised to approach NamPower for the provision of electrical services.]

46.1 That it be further noted that the Municipal Council of Windhoek will take over the Brakwater network in the near future. [Therefore, the network shall be designed and installed as per the Municipal Council of Windhoek's guidelines and standards.]

47 That only one (1) service connection from the municipal electrical network be allowed per erf.

48 That for erven that are zoned 'general residential', the number of allowed meter points be as per the density.

49 That for erven that are zoned 'general residential' 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.

50 That it be noted that a connection charge will 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.

51 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 comply to Council's Metering Policy for the specific type of zoning.

52 That the applicant note that the rezoning (including consent use) of land from 'residential' use to 'industrial' or 'commercial' use and the creation of public roads is a listed activity in the Environmental Management Act, 2007 (Act 7 of 2007).

53 That the Environmental Management Clearance Certificate (ECC) be obtained prior to the submission of the application to the Urban and Regional Planning Board or commencement of use, whichever is earlier.

54 That the applicant accept the conditions of this Council Resolution in writing.

55 That it be noted 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.

55.1 That the 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.

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

RESOLUTION 28/02/2024

Republic of Namibia

Ministry of Urban and Rural Development

Enquiries: Ms. M. T. S. Amulungu
Tel: (+264 61) 297-5199
Email: mamulungu@murd.gov.na

Government Office Park
Luther Street

Private Bag 13289
Windhoek, Namibia

Our Ref.: 05/2024
Your Ref.:

MIDMA Investments CC
PO Box 6687
Ausspannplatz, 10017
WINDHOEK
Namibia

Dear Mr. Mukuwiri,

SUBJECT: BRAKWATER: APPEAL AGAINST THE MUNICIPAL COUNCIL OF WINDHOEK'S DECISION FOR THE REZONING OF PORTION 554 (A PORTION OF PORTION 345 OF PORTION 65) OF THE FARM BRAKWATER NO. 48 FROM 'RESIDENTIAL' WITH A DENSITY OF 1:5 HECTARE TO 'INDUSTRIAL' WITH A BULK OF 0.5 AND SUBSEQUENT CONSENT TO USE THE PORTION FOR THE PURPOSE OF A NOXIOUS INDUSTRY (BRICKMAKING) (MIDMA INVESTMENTS CC)

1. Your letter bears reference.

2. Kindly take note that the Minister in terms of Section 129(8) of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) on 17 June 2024 confirmed –

(a) in terms of Section 129(7) of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018) that the appeal be referred back to the Municipal Council of Windhoek for re-evaluation of the application due to the submitted Environmental Clearance Certificate (ECC) within 30 working days from the date of ministerial letter.

Yours faithfully,

SECRETARY
APPEAL COMMITTEE

Ministry of Urban and Rural Development
Division: Planning
21 JUN 2024
P / Bag 13289
WINDHOEK

Cc: Municipality of Windhoek
P.O. Box 59, Windhoek
Attention: Ms. K. Asino

ECC- 2401407

Serial: 24PX6QA1407

REPUBLIC OF NAMIBIA

MINISTRY OF ENVIRONMENT, FORESTRY AND TOURISM

OFFICE OF THE ENVIRONMENTAL COMMISSIONER

ENVIRONMENTAL CLEARANCE CERTIFICATE

ISSUED

In accordance with Section 37(2) of the Environmental Management Act (Act No. 7 of 2007)

TO

Midma Investment CC
P O BOX 6687, Ausspannplatz

TO UNDERTAKE THE FOLLOWING LISTED ACTIVITY

ESTABLISHMENT AND OPERATION OF A BRICKS MANUFACTURING FACILITY ON PORTION 554 AT BRAKWATER, WINDHOEK, KHOMAS REGION.

MINISTRY OF ENVIRONMENT, FORESTRY AND TOURISM
Private Bag 13306
WINDHOEK NAMIBIA
15 APR 2024
ENVIRONMENTAL COMMISSIONER
REPUBLIC OF NAMIBIA

ENVIRONMENTAL COMMISSIONER

Issued on the date: **2024-04-08**

Expires on this date: **2027-04-08**

(See conditions printed overleaf)



This certificate is printed without erasures or alterations

035 Regskennisgewings Legal Notices

NOTICE

Take notice that RITTA KHIBA PLANNING CONSULTANTS (TOWN AND REGIONAL PLANNERS) on behalf of the owner of Shanghai Street and of the Remainder of Erf 7350, Katutura Extension 17, intends applying to the Municipal Council of Windhoek and Urban and Regional Planning Board for:

- **Subdivision of Erf R/7350, Katutura Extension 17 into Portions A, B, C, D, E and the Remainder,**
- **Permanent closure of Portions A, B, C, D, E and the Remainder of Erf 7350 Katutura, Extension 17 as 'Public Open Space',**
- **Subdivision of Shanghai Street into Portion F and the Remainder,**
- **Permanent closure of Portion F of Shanghai Street as 'Street',**
- **Subsequent consolidation of Portion A with Erf 7160 into Erf U, Portion B with Erf 7158 into Erf V, Portion C with Erf 7157 into Erf W, Portion D with Erf 1154 into Erf X, Portion E with Erf 7099 into Portion Y and Portion F with the Remainder of Erf 7350, Katutura, Extension 17 into Portion Z,**
- **The consolidated Portion Z to be zoned 'Institutional'.**

Erf R/7350, Katutura Extension 17, is reserved as 'Public Open Space' and measures approximately 3127 m 2 in extent. The Erf is currently vacant. Erf R/7350 will be subdivited to in Portions A-E and the Remainder for consolidation purposes and will be permanently closed as 'Public Open Space'.

Shanghai street is reserved as 'Street'. Shanghai Street will be subdivided into Portion F and the Remainder.

Portion F will be permanently closed as 'Street' and will be consolidated with the Remainder of Erf 7350 to be zoned 'Institutional'. The consolidated erf will be sold to Hallelujah Parish.

The number of vehicles for which parking will be provided on-site will be in accordance the Windhoek Town Planning Scheme.

Take notice that the locality plan of the erven lies for inspection on the town planning notice board at the Customer Care Centre, Main Municipal Offices, Rev. Michael Scott Street, Windhoek as well as at Ritta Khiba Planning Consultants, Erf 1012 Dorado Park.

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 Municipal Council of Windhoek, 5th floor, office 516 and with the applicant in writing, not later than 05 September 2023 before 12:00.

APPLICANT:

RITTA KHIBA Planning Consultants

RITTA KHIBA PLANNING CONSULTANTS MUNICIPALITY OF WINDHOEK: TOWN AND REGIONAL PLANNERS DEPARTMENT OF URBAN AND P O Box 22543, Windhoek TRANSPORT PLANNING Tel: 061 – 225062 / Fax: 088614935 (fax to email) TOWN PLANNER Mobile: 0815788154 / Email Address: rkhiba@gmail.com OFFICE: +264 61 290 3428

Market Watch

Om te adverteer skakel:

Kleinadvertensies t: 061-297 2175

035 Regskennisgewings Legal Notices

NOTICE Take notice that PLAN AFRICA CONSULTING CC, TOWN AND REGIONAL PLANNERS, on behalf of the owners of the respective erf, intends to apply to the City of Windhoek for:

- CANCELLATION OF COUNCIL RESOLUTION 190/09/2017
- SUBDIVISION OF PORTION 345 (A PORTION OF PORTION 65) OF THE FARM BRAKWATER NO. 48 INTO PORTIONS 550, 551, 552,553, 554 AND REMAINDER
- REZONING OF PORTION 550 (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO.48 FROM RESIDENTIAL WITH A DENSITY OF 1:5HA TO STREET
- REZONING OF PORTIONS 551, 552,553 AND REMAINDER (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO. 48 FROM RESIDENTIAL WITH A DENSITY OF 1:5HA TO BUSINESS WITH A BULK OF 0.5
- REZONING OF PORTION 554 (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO.48) FROM 'RESIDENTIAL' WITH ADENSITY OF 1:5HA TO 'INDUSTRIAL' WITH A BULK OFO.5
- CONSENT TO USE PORTION 554 (A PORTION OF PORTION 345 OF THE FARM BRAKWATERNO.48) FOR THE PURPOSE OF ANOXIOUS INDUSTRY (BRICK MAKING).

The rezoning of Portion 345 Brakwater No. 48 (a portion of Portion 65) from residential 1 dwelling unit per 5 hectares was approved by council to business with a bulk of 0.1 but not yet proclaimed. Hence, application to cancel Council Resolution 190/09/2017. The Portion 345 of the Farm Brakwater No. 48 is 5.3264 ha in extent. The owner of the respective portion desires to subdivide Portion 345 into 5 portions(Portions 550 to 554 and remainder) and rezone Portion 550 of Portion 345 from 'Residential' 'to 'street', Portions 551, 552,553 and remainder form 'Residential' with a density of 1:5ha to 'Business' with a bulk of 1.0 and Portion 554 from Residential' with a density of 1:5hato 'Industrial' with a bulk of 0.5. Portion numbers for the proposed subdivision were provided for by the surveyor general office. In addition, consent should be granted to use Portion 554 for a noxious industry(brickmaking). Portion 554 is currently being used as a brick making business and rezoning and consent will bring the current activity will be aligned with Windhoek Town planning scheme. In terms of the Zone D of the Brakwater Policy Guidelines shops, industrial activities and residential activities are primary uses on industrial zoned erven. The application is an attempt to bring the existing activity in conformity with the requirements of the Town Planning Scheme. Further take notice that the locality plan of the erf lies for inspection on the town planning notice board at the City of Windhoek and at Plan Africa Consulting CC, No 8 Delius 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 City of Windhoek and with the applicant (Plan Africa Consulting CC) inwriting within 14 days of the last publication of this notice (final date for objection 19 September 2023).PLAN AFRICA CONSULTING CCTOWN and Regional Planners
Box 41148
Delius Street, Windhoek (West)
Tel: (061) 212096
Cell: 0812716189
Fax: (061) 213051
Email:pafrica@mweb.com.na

DM0202300411580

NOTICE CITY FIT INTERIORS CC - (IN LIQUIDATION)
MASTER'S REF. NO: W15/2023
Pursuant to Section 40(30) and Section 77, of the Insolvency Act No. 24 of 1936as amended, notice is hereby given that the undersigned has been appointed Liquidators and that persons indebted to the Close Corporation are required to pay their debts to them forthwith.
The FIRST AND SECOND GENERAL MEETING OF MEMBERS AND CREDITORS of the CLOSE CORPORATION has been convened for Wednesday, 30th August 2023, at 10:00 before the Master of the High Court, Windhoek, for the proof of claims against the above Close Corporation, to receive the Liquidators' Report as to the affairs of the Close Corporation, and to give the Liquidators' directions concerning any matters relating to the administration hereof.
S.H. STEYN
LIQUIDATOR
L & B COMMERCIAL SERVICES (PTY) LTD
P O BOX 40781
AUSSPANNPLATZ

DM0202300411577

035 Regskennisgewings Legal Notices

IN THE High Court of Namibia
Main Division
Held at Windhoek
Case No: HC-MD-CIV-ACT-CON-2021/03626
In the matter between:
NEDBANK NAMIBIA LIMITED, Applicant and
HENRY DICKSON MUPOTSA, 1st Respondent
THE FIELDS INVESTMENTS NO. 12 CC, 2nd Respondent
MANAGING JUDGE: HON. JUSTICE SCHIMMING CHASE
NEXT COURT DATE: 15 SEPTEMBER 2023
ROLL TYPE: SECOND MOTION COURT (RULE108)
NOTICE OF MOTION IN TERMS OF RULE 108
KINDLY TAKE NOTICE THAT on the 15th day of SEPTEMBER 2023 at 10H00 or as soon thereafter as counsel may be heard application will be made on behalf of the above named plaintiff for an order in the following terms:
1. Declaring the immovable property situated at:
Erf 1174, Section 16, Uhland Heights, Windhoek, Republic of Namibia and Erf8414, Section 12, Eros, The Fields, Windhoek, Republic of Namibia;
specifically executable;
2. Costs of this application;
3. Further and/or alternative relief
TAKE NOTICE FURTHER that the Founding Affidavit of ELIZABETH TUKWATHABEN-ELUNGU will be used in support of this application. KINDLY enrol the matter accordingly.
DATED at WINDHOEK on this 29th day of AUGUST 2023.
KOEP AND PARTNERS
LEGAL PRACTITIONERS FOR THE PLAINTIFF
33 SCHANZEN STREET
WINDHOEK
REF: SN/um/79415/DEB794
TO: THE REGISTRAR
HIGH COURT OF NAMIBIA
Corner LUDERITZ & JOHN MEINERT STREETS
WINDHOEK

DM0202300411581

IN THE High Court of Namibia
(Main Local Division)
Case No.: HC-MD-CIV-ACT-CON-2022/01885
In the matter between:
STANDARD BANK NAMIBIA LTD, Plaintiff and
LUCAS AVESHEOVANGE DISHENA, Defendant
FORM 24 - Rule 108(2)(a)
NOTICE BY CREDITOR TO DEBTOR
KINDLY TAKE NOTE THAT STANDARD BANK OF NAMIBIA (Plaintiff) (hereinafter called the judgment creditor) has obtained judgment against LUCAS AVESHEOVANGE DISHENA(Defendant) (hereinafter called the first judgment debtor) on 13th August 2023 in this honourable court.
KINDLY ALSO TAKE NOTE that the judgment creditor will apply in terms of rule108(1)(b) for an order declaring the immovable property known as SECTION NO.56, OTJOMUISE GARDENS, ERF NO. 5152, OTJOMUISE, WINDHOEK, KHOMAS, REPUBLIC OFNAMIBIA, executable and the debtors are hereby called to provide reasons to this honourable court within 10 days why such an order may not be granted.
KINDLY TAKE FURTHER NOTICE THAT that the judgment creditor will set down the Application on the Friday, 13th OCTOBER 2023 in the High Court of Namibia, Main Division, at 10h00, in terms of rule 108(1)(b) for an order declaring the immovable property known as SECTIONNO. 56, OTJOMUISE GARDENS, ERF NO. 5152, OTJOMUISE, WINDHOEK, KHOMAS, REPUBLIC OF NAMIBIA, executable.
DATED at WINDHOEK on this 18TH day of AUGUST 2023
SHUMIRAI NYASHANU
KOEP & PARTNERS
LEGAL PRACTITIONERS FOR THE CREDITOR
33 SCHANZEN ROAD
WINDHOEK
(Ref: SN/um/77688) (DEB952)
TO: THE REGISTRAR OF THE HIGH COURT
MAIN LOCAL DIVISION
CORNER OF LUDERITZ & JOHN MEINERT STREETS
WINDHOEK
(Ref: SN/um/77688) (DEB952)
TO: THE REGISTRAR OF THE HIGH COURT
MAIN LOCAL DIVISION
CORNER LUDERITZ & JOHN MEINERT STREETS
WINDHOEK

DM0202300411582

035 175 ngs ces

RULE ION: NOTIC Registrar
IN THE HIGH COURT OF NAMIBIA
(Main Division)
In the matter between:
NEDBANK NAMIBIA LTD, Applicant and
PRO HOUSING CLOSE CORPORATION, 1st Respondent
PAUL REYNHARDT OCKHUIZEN, 2ndRespondent
HELEN RUTH OCKHUIZEN, 3rd Respondent
TAKE NOTICE that NEDBANK NAMIBIA LIMITED (hereinafter called the applicant) intends to make application to this court for an order:
A. That the following order of this Honourable Court granted on 24 February 2016 under Case No. I 2119/2021:
IT IS HEREBY ORDERED THAT:
1. The Respondents' special plea of prescription was dismissed;
2. Payment in the amount of N$176 819.62
3. Interest on the aforesaid amount at the rate of 20% per annum, calculated and capitalised monthly as from 27 August 2010 to date of full payment; and
4. Costs of one instructing and one instructed counsel.
Be revived in terms of Rule 112(1)(b) of the Rules of the above Honourable Court.
B. Costs of suit only if this application is opposed.
C. Further and or alternative relief.
And that the accompanying affidavit of ELIZABETH TUKWATHA BEN-ELUNGU will be used in support thereof.
TAKE NOTICE FURTHER that the applicant has appointed Dr. Weder, Kauta & Hoveka Inc. of WKH House, Ausspannplatz, Windhoek, Namibia, at which he or she will accept notice and service of all process in these proceedings.
TAKE NOTICE FURTHER that if you intend to oppose this application you are required to-
1. notify applicant's legal practitioner in writing within 5 days from date of service of this application, of our intention to oppose this application, by service a copy of your intention to oppose on applicant at the address stated herein and filing the original at the registrar
2. and within 14 days of the service of notice of your intention to oppose, to file your answering affidavits, if any
And further that you are required to appoint in such notification an address within a flexible radius from the court, referred to in rule 65(5) at which you will accept notice and service of all documents in these proceedings.
If no notice of intention to oppose is given, the application will be moved on the 2nd day of September 2022 at 10:00.
DATED AT WINDHOEK on this 13th Day of July 2022.
Patrick Kauta
Legal practitioner for the applicant
Dr. Weder, Kauta & Hoveka Inc
WKH House Ausspannplatz
Windhoek, Namibian
Office reference Number PUK/pg/MAT81352
Tel: 061-275551 Fax: 0610220553
TO: PRO HOUSING CLOSE CORPORATION
3RD FLOOR, 344 INDEPENDENCE AVENUE,
WINDHOEK, Namibia
Authorize Code: R7P3mQ
PAUL REYNHARDT OCKHUIZEN
NO 43 SEEADLER STREET VINETA SWAKOPMUND ALSO OF NO 8 PELICAN STREET, HOCHLANDPARK, WINDHOEK, Namibia
Authorise Code: SeVg5L
HELEN RUTH OCKHUIZEN
NO 43 SEEADLER STREET VINETA SWAKOPMUND ALSO OF NO 8 PELICAN STREET, HOCHLANDPARK, WINDHOEK, Namibia
Authorise Code: DoVTK9
AND TO: Registrar of the High Court, Main Division, Windhoek

DM0202300411565

Market Watch

TO ADVERTISE CALL:

Classifieds T: 061-297 2175

035 Regskennisgewings Legal Notices

FOUNDING AFFIDAVIT PART 1 IN THE HIGH COURT OF NAMIBIA
MAIN DIVISION - WINDHOEK
CASE NO.: I 2119/2012
In the matter between
NEDBANK NAMIBIA LTD, Applicant and
PRO-HOUSING CLOSE CORPORATION, First Respondent
PAUL REYNHARD OCKHUIZEN, Second Respondent
HELEN RUTH OCKHUIZEN, Third Respondent
FOUNDING AFFIDAVIT
I, the undersigned,
ELIZABETH TUKWATHA BEN-ELUNGU
do hereby make oath and state:
1. I am a major female employed by the Applicant as Manager: Legal Collections Department.
2. am authorized to depose to this affidavit and to launch this application.
3. The facts and allegations herein are to the best of my knowledge both true and correct and are within my own personal knowledge save where the contrary is stated or indicated by the context.
5. Where I make legal submissions, I do so on the advice of my legal representatives, which advice I believe to be correct.
THE PARTIES
5. The Applicant is NEDBANK NAMIBIA LIMITED, a public company duly incorporated as such and duly registered as a commercial bank in terms of the applicable laws of the Republic of Namibia with its principal place of business at 25-27 Garten Street, Ausspannplatz, Windhoek. The Applicant is the plaintiff under Case Number I 2119/2012 (the main action).
6. The First Respondent is P.R.O. HOUSING CLOSE CORPORATION, a close corporation with registration number CC/2001/2019, duly incorporated in terms of the relevant laws of Namibia, whose full and further particulars are unknown to me. The First Respondent is the first defendant in the main action.
7. The Second Respondent is PAUL REYNHARD OCKHUIZEN, a major male and the second defendant in the main action, whose full and further particulars are unknown to the Applicant.
8. The Third Respondent is HELEN RUTH OCKHUIZEN, a major female and the third defendant in the main action, whose full and further particulars are unknown to the Applicant.
9. I will refer to the parties as they appear in this application.

DM0202300411566

FOUNDING AFFIDAVIT PART 2 BACKGROUND AND PURPOSE OF THIS APPLICATION:
10. The Applicant obtained Judgement against the Respondents on 24 February 2016 under case number I 2119/2012 for the following:
10.1. the Respondents' special plea of prescription was dismissed;
10.2. Payment in the amount of N$ 176 819.62;
10.3 Interest on the aforesaid amount at the rate of 20% (percent) per annum, calculated and capitalized monthly as from 27 August 2010 to date of full payment; and
10.4 Cost of one instructing and one instructed counsel. The Judgement is attached hereto marked as annexure "ETBE1".
11. I am advised by my legal practitioner of record that a writ of execution for the judgement has not been issued within three years from the day on which the judgement has been granted and has consequently superannuated in terms of Rule112 of the Rules of this Honourable Court.
12. The purpose of this application is to humbly apply to the above Honourable Court to revive the aforesaid Judgement in terms of Rule 112(1)(b) to enable the Applicant to cause a Writ of Execution to be issued and executed.
Reason for delay:
13. I am advised that after judgement was received on the 24th February 2016, the matter was handed over to the collection secretary (Pinkie Gwebu) to demand payment from the respondents and in the event that there was no payment forthcoming, that the applicant would cause the issuance of a writ of execution against the respondents movables.
14. The respondents at the time entered into a payment arrangement but failed to make any payments as undertaken. Ms Gwebu further delegated the collection to her junior, Jacqueline Kambara, who has since left the employ of the plaintiff's legal practitioners, to follow up on the payments. The collection secretary failed to effectively follow up on payments and/or ensure that a writ of execution was issued timeously.
15. I am advised that this matter was erroneously placed by the said junior secretary amongst the closed files that were to be sent to the document warehouse after the expiry of 5 years and upon inspection of the closed files the secretary (Ms Gwebu) became aware of the unsatisfied judgement debt and the outstanding legal costs in this matter as same was never recovered.
16. I am informed that the delay in ensuring that the writ of execution is issued and dispatched to the Deputy sheriff timeously was occasioned by the junior collection secretary erroneously putting the file amongst the closed files since late 2016 and completely forgetting to follow up on payments as arranged by the respondents and or cause the writ of execution to be issued.
CONCLUSION
17. Therefore, I humbly submit that the reason for the delay in issuing the Writ of Execution within three years of the Judgement was not due to a wilful and or flagrant disregard of the Court Rules.
18. I submit that the Applicant stands to be prejudiced if the judgment is not revived due to the fact that despite having received judgment against the respondents on the 24th of February 2016 the applicant has to date not recovered the capital amount, interest and the legal costs from the Respondents.
19. Therefore, for the reasons advanced above, I humbly and respectfully pray for an order in terms of the notice of motion filed simultaneously herewith.
ELIZABETH TUKWATHA BEN-ELUNGU
I hereby certify that this affidavit was signed and sworn to before me by the deponent at Windhoek on this6th day of July 2022 and that the deponent declared as follows: that the facts herein contained fall within her personal knowledge and that she understands the contents hereof; that she has no objection to taking the oath; that she regards the oath as binding on her conscience and has declared as follows:
"I swear that the contents of this Sworn Affidavit are true and correct, so help me God".

DM0202300411567

IN THE High Court of Namibia
Case No. HC-MD-CIV-ACT-CON-2022/00306
In the matter between:
NEDBANK NAMIBIA LIMITED, Applicant and
PRO HOUSING CC, 1st Respondent
PAUL REYNHARD OCKHUIZEN, 2nd Respondent
HELEN RUTH OCKHUIZEN, 3rd Respondent
NOTICE OF SET DOWN
KINDLY set this matter down for WEDNESDAY 20 September 2023 at 08H30 or as soon thereafter as Counsel may be heard.
PRAYERS:
A. An order reviving the Order in case No. I 2119/2012 in terms of Rule112(1)(b) to enable the Applicant to cause a Writ of execution to be issued and executed.
ORDER:
"IT IS HEREBY ORDERED THAT:
1. The Respondents' special plea of prescription was dismissed;
2. Payment in the amount of N$176 819.62
3. Interest on the aforesaid amount at the rate of 20% per annum, calculated and capitalised monthly as from 27 August 2010 to date of full payment; and
4. Costs of one instructing and one instructed counsel."
B. Costs of suit only if this application is opposed.
C. Further and or alternative relief.
DATED at WINDHOEK this 14th day of AUGUST 2023.
DR WEDER KAUTA & HOVEKA INC
Plaintiff's Legal Practitioners
WKH House
Jan Jonker Road
WINDHOEK
[PUK/pg/MAT81352]
To: The Registrar
High Court of Namibia
JP Karuaihe Street, WINDHOEK

DM0202300411568

035 Regskennisgewings Legal Notices

NOTICE OF APPLICATION TO A COMMITTEE IN TERMS OF THE LIQUOR ACT, 1998 (Regulation 14,26 & 33) Notice is given that an application in terms of the Liquor Act, 1998, particulars of which appear below, will be made tothe Regional Liquor Licensing Committee, Otjozondjupa region:
1. Name and postal address of applicant: Jost Pfafferott, W.U.M Properties LTD (CORP) T/A Model Pick n Pay.P.O.Box 2200 Windhoek.
2. Name of business to which application relates: W.U.M Properties LTD (CORP) T/A Model Pick n Pay.
3. Address/location of premises to which application relates: Otjivanda Mall, Sam Nujoma Drive, Grootfontein
4. Nature and details of application:Liquor License for retail store, Pick n Pay Grootfontein.
5. Clerk of the court with whom application will be lodged: Otjiwarongo.
6. Date on which application will be lodged: 26 August 2023.
7. Date of meeting of committee at which application will be heard: 8th of November 2023Any objection or writtensubmission in terms of section 28 of the Act in relation to the application must be sent or delivered to the Secretary ofthe Committee to reach the Secretary not less than 21 days before the date of the meeting of the Committee at whichthe application will be heard.

DM0202300411584

AL-ANON

Help for relatives of Alcoholics

AL-ANON Family groups offer help for friends and relatives of alcoholics. They provide assistance for people who live with alcoholics.

Mail: vollmerdj @telecom.na Dawnnam@ gmail.com Cell: 081 256 6229

VENUE: cnr Lüderitz and Kasino Streets

DATE AND TIME: Thursdays at 19H00

AL-ANON

035 Regskennisgewings Legal Notices

IN THE High Court of Namibia
Main Division, Windhoek
Case No.:HC-MD-CIV-ACT-CON-2022/01091
In the matter between:
NAMPOST FINANCIAL BROKERS (PTY) LTD T/A POSTFIN, Plaintiff and
CISCA NAOBES, Defendant
NOTICE OF SALE IN EXECUTION
Pursuant to a Judgement of the Court granted on the 18th day of MAY 2022, the following movable property will be sold by the Deputy Sheriff for the District of Tsumeb on the 7th day of September 2023 at 15H00 at Erf 1631, Ndilimani Cultural Troupe Street, Tsumeb. 1x TV Unit, 1x Defy Stove, 1x Russell Hobbs Refrigerator, 1x double bed
CONDITIONS OF SALE: Voetstoots and cash to the highest bidder.
Dated at WINDHOEK on the 21ST day of AUGUST 2023.
J C VAN WYK
J.C VAN WYK ATTORNEY
LEGAL PRACTITIONER FOR PLAINTIFF
18 LOVE STREET
P.O. BOX 3273, WINDHOEK
TEL: (061) 225438
(REF: JCVW/a/32059)
DM0202300411685

NOTICE OF APPLICATION TO A COMMITTEEE IN TERMS OF THE LIQUOR ACT, 1998 (regulation 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 Okandombo
1. Name and postal address of applicant: Phillip W Oosthuizen P O Box 3360 Walvis Bay
2. Name of business or proposed business to which application relates: Camp Cornie Camping CC
3. Address/location of premises to which application relates: 35km Upstream of Epupa Fall, Kunene River, Okandombo Area
4. Nature and details of application: Hotel Liquor Licence
5. Clerk of the court with whom application will be lodged: Clerk of the Magistrate's Court
6. Date on which application will be lodged 30 August 2023
7. 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 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.
DM0202300411696

IN THE High Court of Namibia, MAIN DIVISION
Case No. HC-MD-CIV-ACXT CON-2021/04002
HELD AT WINDHOEK
ON THURSDAY, THE 6TH DAY OF JULY 2023
BEFORE THE HONOURABLE JUSTICE PRINSLOO
In the matter between:
NATIONAL HOUSING ENTERPRISE, Plaintiff and
SELMA SHIPANGA, Defendant
COURT ORDER
Having heard THOMAS ANDIMA, on behalf of the Plaintiff(s) and upon non-appearance by the defendant and having read the pleadings for HC-MD-CIV-ACT-CON-2021/04002 and other documents filed of record:
IT IS HEREBY ORDERERD THAT:
1. The matter is postponed 10/08/2023 at 15h00 for default judgment hearing.
2. Leave is granted to the plaintiff to serve today's Court Order and the notice of set down for default judgment on the defendant via substituted service in two Newspapers.
3. Plaintiff must file its notice of set down, draft court order and return of service (tear sheets) on or before 7 August 2023.
BY ORDER OF THE COURT REGISTRAR
TO: THOMAS ANDIMA
ON BEHALF OF PLAINTIFF
VAN DER MERWE-GREEFF ANDIMA INC.
28 CHURCH STREET
WINDHOEK
NAMIBIA
AND TO: SELMA SHIPANGA
DEFENDANT
ERF 3679, OTJOMUISE
WINDHOEK, NAMIBIA
DM0202300411694

035 Regskennisgewings Legal Notices

NOTICE Take notice that PLAN AFRICA CONSULTING CC, TOWN AND REGIONAL PLANNERS, on behalf of the owners of the respective erf, intends to apply to the City of Windhoek for:
• CANCELATION OF COUNCIL RESOLUTION 190/09/2017
• SUBDIVISION OF PORTION 345 (A PORTION OF PORTION 65) OF THE FARM BRAKWATER NO. 48 INTO PORTIONS 550, 551, 552,553, 554 AND REMAINDER
• REZONING OF PORTION 550 (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO.48 FROM RESIDENTIAL WITH A DENSITY OF 1:5HA TO STREET
• REZONING OF PORTIONS 551, 552, 553 AND REMAINDER (A PORTION OF PORTION 345)OF THE FARM BRAKWATER NO. 48 FROM RESIDENTIAL WITH A DENSITY OF 1:5 HA TO BUSINESS WITH A BULK OF 0.5
• REZONING OF PORTION 554 (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO.48) FROM 'RESIDENTIAL' WITH A DENSITY OF 1:5 HA TO 'INDUSTRIAL' WITH A BULK OF 0.5
• CONSENT TO USE PORTION 554 (A PORTION OF PORTION 345 OF THE FARM BRAKWATER NO.48) FOR THE PURPOSE OF A NOXIOUS INDUSTRY (BRICK MAKING).
The rezoning of Portion 345 Brakwater No. 48 (a portion of Portion 65) from residential 1 dwelling unit per 5 hectares was approved by council to business with a bulk of 0.1 but not yet proclaimed. Hence, application to cancel Council Resolution 190/09/2017. The Portion 345of the Farm Brakwater No. 48 is 5.3264 ha in extent. The owner of the respective portion desires to subdivide Portion 345 into 5 portions(Portions 550 to 554 and remainder) and rezone Portion 550 of Portion 345 from 'Residential' 'to 'street', Portions 551, 552,553 and remainder form 'Residential' with a density of 1:5 ha to 'Business' with a bulk of 1.0 and Portion 554 from Residential' with a density of 1:5 ha to 'Industrial' with a bulk of 0.5. Portion numbers for the proposed subdivision were provided for by the surveyor general office. In addition, consent should be granted to use Portion 554 for a noxious industry(brickmaking). Portion 554 is currently being used as a brick making business and rezoning and consent will bring the current activity will be aligned with Windhoek Town planning scheme. In terms of the Zone D of the Brakwater Policy Guidelines shops, industrial activities and residential activities are primary uses on industrial zoned erven. The application is an attempt to bring the existing activity in conformity with the requirements of the Town Planning Scheme. Further take notice that the locality plan of the erf lies for inspection on the town planning notice board at the City of Windhoek and at Plan Africa Consulting CC, No 8 Delius 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 City of Windhoek and with the applicant (Plan Africa Consulting CC) inwriting within 14 days of the last publication of this notice (final date for objection 19 September 2023).
PLAN AFRICA CONSULTING CC
TOWN and Regional Planners
Box 41148
Delius Street, Windhoek (West)
Tel: (061) 212096
Cell: 0812716189
Fax: (061) 213051
Email:pafrica@mweb.com.na
DM0202300411580

LOSING CONTROL?
ALCOHOLICS ANONYMOUS NAMIBIA
If you want to drink, that's your business. If you want to stop, that's ours.
WINDHOEK: 081-325 6144
SWAKOPMUND: 081 243 2649
E-MAIL:
alcoholicsanonymousna@gmail.com

035 Regskennisgewings Legal Notices

IN THE High Court Of Namibia
Main Division – Windhoek
Case No: HC-MD-CIV-ACT-CON-2022/00009
In the matter between:
BANK WINDHOEK LIMITED, Execution Creditor and
VICTOR EICHAB, 1ST EXECUTION DEBTOR
SUSANNA EICHAS, 2ND EXECUTION DEBTOR
NOTICE OF SALE IN EXECUTION
Pursuant to Judgement of the above Honourable Court granted on 11 March 2022,the following immovable propertywill be sold without reserve and voetstoots by the Deputy Sheriff of Rehoboth, at Erf No. REHOBOTH Extension 1 -175,Rehoboth, on 06TH OF SEPTEMBER 2022, at 10h00, of the undermentioned property.
Certain: Erf no Rehoboth Extension 1 – 175
Situated: In the Town of Rehoboth, Registration Division "M", Hardap Region
Measuring: 448 (Four Four Eight) Square Metres
Improvements: Three bedroom (bic) house, open plan kitchen/lounge, dining room, 2 bathrooms, carport, outside-braai area, paving and boundary walls.
TERMS 10% of the purchase price and the auctioneers' 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 and lie for inspection at the office of the Deputy ofSheriff of the Court, Rehoboth and at the offices of the Execution Creditor's Attorneys.
DATED at WINDHOEK this 26th day of JULY 2023.
DR. WEDER, KAUTA & HOVEKA INC.
LEGAL PRACTITIONERS FOR THE PLAINTIFF
WKH HOUSE, 3rd FLOOR JAN JONKER ROAD
AUSSPANNPLATZ
WINDHOEK
(Ref: MAT74375)
DM0202300411674

AL-ANON
Help for relatives of Alcoholics
AL-ANON Family groups offer help for friends and relatives of alcoholics. They provide assistance for people who live with alcoholics.
Mail: vollmerdj@telecom.na
Dawnnam@gmail.com
Cell: 081 256 6229
VENUE: cnr Lüderitz and Kasino Streets
DATE AND TIME: Thursdays at 19H00

176

PUBLIC NOTICE

MUNICIPALITY OF OTJIWARONGO

LEASE OF IMMOVABLE PROPERTIES BY WAY OF PRIVATE TREATY

NOTICE is hereby given in terms of section 63 (2) of the Local Authorities Act, Act 23 of 1992 (as amended) that the Municipal Council of Otjiwarongo is hereby informing the public that it intends to, subject to Section 30 (1)(t) Local Authorities Act, Act 23 of 1992 (as amended), alienate the following immovable property by way of Lease as indicated below:

Property	Name	Size (m²)	Intended Development	Period of lease	Lease amount (N$)	Council Resolution
Portion of Municipal Grazing Camp 3	Beifang Mining Technology Services (PTY) Ltd	30,000m² (Three Hectares	Establishment of an Explosives Factory	Five (5) years	N$ 4500.00 with escalation of 10% in addition to the supply and delivery of playground equipment	C11.11/03/03/2022/02nd ODCM 2022

Any person objecting to the proposed transaction may lodge motivated objections to the Office of the Chief Executive Officer, Private Bag 2209, OTJIWARONGO; to reach him not later than **22 September 2023 at 11H00.**

Any further enquiries in this regard can be directed to Ms. Hilma Nambahu at hilma@Otjimun.org.na or 067-302 231.

Municipal Offices
2 Kreft Street
Private Bag 2209
OTJIWARONGO

E. MWANYEKANGE
ACTING CEO

2022.08.30

www.otjimun.org.na

+264 67 302 231
enquiries@otjimun.org.na
No. 2 Kreft Street, Otjiwarongo
Private Bag 2209, Otjiwarongo
www.otjimun.org.na

ABInBev Namibia
Vacancy
PLANT MANAGER - WELWITCHIA BREWERIES
Suitably qualified candidates are invited to apply for the above-mentioned vacancy in Okahandja.



JOB DESCRIPTION
Highly motivated individual who wants to work in an agile environment with a diverse team, managing department heads of the brewery. Incumbent is in turn responsible for delivering world class results on Key Performance Indicators (Efficiencies, Extract losses, electricity and water usage, etc), with Safety as the highest priority using the means of our Voyager Optimisation Programme (VPO) and global benchmarking tools. You will be part of the in-country Management Committee, and are required to develop, maintain and foster engagement with key stakeholders (internal and external).

KEY OUTPUTS AND ACCOUNTABILITIES
- Plants sustainability and continuous improvement: KPI's improvements year on year, trying to reach World Class results
- Supply beer to the market with competitive cost, the right quantity and superior quality
- Manage losses across the production value chain
- Drive plant performance through means and results.
- People's integrity, Health & well being, People's Skills and Career Development
- Improve relationship with stakeholders

QUALIFICATIONS AND EXPERIENCE
- Min. BSc Degree in Biological Sciences, Chemistry or Chemical. Mechanical or Electrical Engineering
- Specialization in brewing, packaging or malting
- Specialization in Quality Management systems, laboratory management and skills management
- At least 10 years relevant experience, operating at a management level (preferably in a FMCG or Brewing company)
- Demonstrated experience in driving decisions in an operation (financial, operational, people)
- Ability to drive performance, results showing a good track record
- Solid understanding of performance management practices
- Ability to lead cross-functional teams
- Good communication skills
- Extremely high level of literacy and numeracy
- Strong analytical skills and knowledge and understanding of manufacturing costs and cost drivers
- High level of verbal & written skills computer literacy

ADDITIONAL INFORMATION
- Band: V

The advert has minimum requirements listed. Management reserves the right to use additional/ relevant information as criteria for short-listing.

Eligible and interested candidates may submit their applications directly to the following link: https://wd1.myworkdaysite.com/recruiting/abinbev/GHQ/job/WELWITCHIA-BREWERIES/Plant-Manager---Welwitchia-Breweries_30049166

CLOSING DATE:
Friday, 1st September 2023

32 Industria Street, Lafrenz, Windhoek
PO Box 23055, Windhoek, Namibia Ab-Inbev Namibia

NOTICE

The purpose of the township establishment of Benguela Extension 6 is to enable the Lüderitz Town Council to formalise what is locally known as Amilema to be known as Benguela Extension 6 and provide residential erven which will reduce the demand of residential land in Lüderitz and also to provide freehold titles to some of the households currently residing in the subject area.

The application, locality map and its supporting documents lie open for inspection during normal office hours at the Lüderitz Town Council (Town Planning Office) and SPC Office, 45 Feld Street, Windhoek.

Any person objecting to the proposed application as set out above may lodge such objection together with their grounds thereof, with the Chief Executive Officer of the Lüderitz Town Council and the applicant (SPC) in writing on or before **Friday, 22 September 2023.**

No. 525

2023

SUBDIVISION OF PORTION 345 (A PORTION OF PORTION 65) OF THE FARM BRAKWATER NO. 48 INTO PORTIONS 550, 551, 552, 553, 554 AND REMAINDER

Plan Africa Consulting CC, Town and Regional Planners, on behalf of the owners of the respective erf, intends to apply to the City of Windhoek for:

- **Cancelation of Council Resolution 190/09/2017**
- **Subdivision of Portion 345 (a portion of Portion 65) of the Farm Brakwater No. 48 into Portions 550, 551, 552, 553, 554 and Remainder;**
- **Reservation of Portion 550 (a portion of Portion 345) of the Farm Brakwater No. 48 from residential with a density of 1:5ha as street;**
- **Rezoning of Portions 551, 552, 553 and remainder (a portion of Portion 345) of the Farm Brakwater No. 48 from residential with a density of 1:5ha to business with a bulk of 0.5;**
- **Rezoning of Portion 554 (a portion of Portion 345) of the Farm Brakwater No. 48) from 'Residential' with a density of 1:5ha to 'Industrial' with a bulk of 0.5;**
- **Consent to use Portion 554 (a portion of Portion 345 of the Farm Brakwater No. 48) for the purpose of a Noxious Industry (Brickmaking).**

The rezoning of Portion 345 Brakwater No. 48 (a portion of Portion 65) from residential 1 dwelling unit per 5 hectares was approved by council to business with a bulk of 0.1 but not yet proclaimed. Hence, application to cancel Council Resolution 190/09/2017. The Portion 345 of the Farm Brakwater No. 48 is 5.3 264ha in extent. The owner of the respective portion desires to subdivide Portion 345 into 5 portions (Portions 550 to 554 and remainder) and rezone Portion 550 of Portion 345 from 'Residential' 'to 'street', Portions 551, 552, 553 and remainder form 'Residential' with a density of 1:5ha to 'Business' with a bulk of 1.0 and Portion 554 from Residential' with a density of 1:5ha to 'Industrial' with a bulk of 0.5. Portion numbers for the proposed subdivision were provided for by the surveyor general office.

In addition, consent should be granted to use Portion 554 for a noxious industry (brickmaking). Portion 554 is currently being used as a brickmaking business and rezoning and consent will bring the current activity will be aligned with Windhoek Town planning scheme.

In terms of the Zone D of the Brakwater Policy Guidelines shops, industrial activities and residential activities are primary uses on industrial zoned erven. The application is an attempt to bring the existing activity in conformity with the requirements of the Town Planning Scheme.

The locality plan of the erf lies for inspection on the Town Planning Notice Board at the City of Windhoek and at Plan Africa Consulting CC, No. 8 Delius Street, Windhoek West.

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 and with the applicant (Plan Africa Consulting CC) in writing within 14 days of the last publication of this notice (final date for objection **21 September 2023**).

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: pafrica@mweb.com.na

No. 526 2023

REZONING, SUBDIVISION AND CONSOLIDATION OF
ERVEN 2420 AND 2421, KATIMA MULILO EXTENSION 9

Stubenrauch Planning Consultants CC on behalf of the National Housing Enterprise, the registered owner of Erf 2420, Katima Mulilo Extension 9 and Mercy Manyando Mashupa registered owner of Erf 2421, Katima Mulilo Extension 9 in terms of the Urban and Regional Planning Act, 2018 herewith inform you that we have applied to the Katima Mulilo Town Council and intend on applying to the Urban and Regional Planning Board for the following:

(a) **Rezoning of Erf 2420, Katima Mulilo Extension 9 from "Single Residential" with a density of 1:600 to "Single Residential" with a density of 1:300;**

(b) **Subdivision of Erf 2420, Katima Mulilo Extension 9 into Erf A and Remainder;**

(c) **Subdivision of Erf 2421, Katima Mulilo Extension 9 into Erf B and Remainder; and**

(d) **Consolidation of Erf RE/2420 with RE/2421, Katima Mulilo Extension 9 into Consolidated Erf X**

Erven 2420 and 2421 which are both residential properties, are located next to each other and are situated in the residential neighbourhood of Katima Mulilo Extension 9.

Erf 2420, Katima Mulilo Extension 9 measures 1288 m², while Erf 2421, Katima Mulilo Extension 9 measures 864 m² respectively. The subject erven are both zoned "Residential" according to the Katima Mulilo Zoning Scheme.

The primary motivation behind the subdivision and change in density is to rectify the existing situation where two properties have been constructed on Erf 2420, Katima Mulilo Extension 9, each owned by different individuals. To rectify this situation, Erf 2420, Katima Mulilo Extension 9 should be subdivided and its density increased. Furthermore, subdividing Erf 2421, Katima Mulilo Extension 9 and consolidating Erven RE/2421 with RE/2420, Katima Mulilo Extension 9 to form

PO Box 25476
Windhoek
Namibia
deb-col@iway.na
29 June 2023

PanAfrica Consulting cc
pafrica@mweb.com.na

Dear Sirs

Re: Consent to use Portion 554 for the purpose of a noxious industry (brickmaking)

We, Dr G C Craig and Dr D St C Gibson, owners of Plot45, Brakwater strongly object to the proposed land use of brickmaking. The surrounding areas, of which we are part, are residential or business and will be adversely affected by this noxious industry. The pollution and noise is likely to cause unacceptable disturbance and health hazards and should not be permitted.

Kindly inform us by email of the meetings for interested and affected parties relating to the EIA that will, presumably, be conducted.

Yours faithfully

G. C. Craig

G C Craig & D St C Gibson

Du Toit
TOWN PLANNING CONSULTANTS
1st floor Bridgeview Offices & Apartments No. 4
Dr Kwame Nkrumah Avenue, Klein Windhoek, Namibia
PO Box 5573, Ausspannplatz, Windhoek, Phone: +264 61 248310
Fax: +264 61 248606, Email: charlie@dutoitplan.com
Charlie du Toit
Mobile: +264 81 127 3145

From: Dorette Opperman <planner1@dutoitplan.com>
Sent: Friday, July 7, 2023 1:17 PM
To: 'Plan Africa Consulting' <pafrica@mweb.com.na>; 'Asino (KM)' <Kristofina.Asino@windhoekcc.org.na>
Cc: 'Charlie du Toit' <charlie@dutoitplan.com>; 'Stephan Hock' <stephan@immanuel-lodge.de>; urdabert@afol.com.na; 'Rust (H.J)' <Hugo.Rust@windhoekcc.org.na>
Subject: RE: Intention to object against Rezoning Ptn 345&554 Brakwater No. 48

Dear Kristy,

As per our telephone conversation regarding the reasons for our objection and your email indicating that an intention to object is not sufficient, please find some bullet points which our objection is based on.

Reasons:

- The notice on site is not according to the prescribed City of Windhoek Policy in that it does not indicate the proposed subdivision of Ptn 345 (a portion of Ptn 65) of the Farm Brakwater No. 48. There should have been visual rendering/parking plan and the proposed subdivision and access roads to the portions
- The suitability of the Portion 554 (currently zoned 'residential' 1/5ha) for industrial and more specific a noxious industry such as brickmaking is very controversial. Our client, the owners of Immanuel Wilderness Lodge has already suffered some losses due to guests that shortened their stay as a result of the noise and dust from the brickmaking facility
- Portion 345 and the other subdivided portions, takes access from D 1491 and this road has not been designed to carry heavy industrial traffic associated with an activity such as brickmaking. The road is also not well maintained and heavy industrial vehicles pose a risk for other road users and the guests of Immanuel Wilderness Lodge.
- Portion 345 fall within Zone D of the Brakwater Policy Area – the Industrial Periphery North Area which encourage light industrial activities (if necessary) and more denser residential activities. According to our interpretation of the Policy Guidelines, the best future use for this portion would be under the zoning 'restricted business' which does not allow for an industry of this nature nor any noxious industry.
- Brickmaking is a water intensive activity. It should be confirmed if the water requirement of this activity is sustainable under the current municipal policies as well as the water saving measures announced by Council.
- The use of a residential site for commercial activities is a listed activity in terms of the Environmental Management Act, Act 7 of 2007 for which an Environmental Clearance is required. According to our information, no such Environmental Clearance Certificate for the rezoning/creation of roads/activities has been obtained.

If necessary I can provide you with more detailed elaboration on the points.

Kind Regards

Dorette

From: Dorette Opperman <planner1@dutoitplan.com>
Sent: Friday, July 7, 2023 10:50 AM
To: 'Plan Africa Consulting' <pafrica@mweb.com.na>; 'Asino (KM)' <Kristofina.Asino@windhoekcc.org.na>
Cc: 'Stephan Hock' <stephan@immanuel-lodge.de>; 'Rust (H.J)' <Hugo.Rust@windhoekcc.org.na>; 'Charlie du Toit' <charlie@dutoitplan.com>; 'chair@brakwater.org' <chair@brakwater.org>; 'urdabert@afol.com.na' <urdabert@afol.com.na>
Subject: Intention to object against Rezoning Ptn 345&554 Brakwater No. 48

Dear Mr Krohne and Ms Asino,

Kindly find attached the intention to object against the rezoning/subdivision of Portion 554 (a Portion of Ptn 345) of Farm Brakwater No. 48.

The hard copy will be delivered to City of Windhoek during the course of the morning.

Kind Regards

Dorette

Gmail ilanza awasman <ilawasman@gmail.com>

FW: Rezoning portion 554 to industrial and using it for purpose of a noxious industry

2 messages

Plan Africa Consulting <pafrica@mweb.com.na> Wed, Jun 28, 2023 at 11:16 AM
To: ilanza awasman <ilawasman@gmail.com>
Cc: george@netmac.co.za

From: Inger Preis <pollin@iafrica.com.na>
Sent: Wednesday, 28 June 2023 11:12 am
To: pafrica@mweb.com.na
Subject: Rezoning portion 554 to industrial and using it for purpose of a noxious industry

To whom it may concern

No Noxious Industries!

Once again, the beautiful Brakwater is under threat of eventually becoming an industrial rubbish dump and being completely taken over by noxious industries (which are being blocked elsewhere).

I strongly object to this, as Resolution 281/09/2013 clearly states, and I quote "That, in the interim period until the new Land Use Policy and Guidelines for Brakwater is approved, the following be accepted as policy for Brakwater development applications: 4.1 That the 'industrial' zoning be removed from the Brakwater Policy Zones and replaced with the 'restricted business" land use zone.

Those guidelines, which do not exist, also have to be set up with the cooperation and input of residents. The COW and any Developers have to adhere to the wishes of the majority of the residents and they cannot just make decisions which will have a serious impact on the residents who live in the area.

I want to see the Environmental Impact study that was supposed to have been done, which will allow a noxious industry to operate in this beautiful and natural area. The contamination of the underground water, destruction of indigenous trees, noise pollution, the impact on bird and wildlife and the increase in numbers of mostly unskilled and underpaid workers is a recipe which will destroy Brakwater. As you well know, in many cases where there are non-residents operating in a vulnerable rural area and using public transport to commute, there is the inevitable increase in crime, mostly poaching and theft.

I strongly oppose the proposal for the rezoning of Business to Industrial and do not give consent that Brakwater plots may be used for the operation of any noxious industry.

Inger Preis

Virus-free.www.avast.com

george@netmac.co.za <george@netmac.co.za> Wed, Jun 28, 2023 at 3:52 PM
To: Plan Africa Consulting <pafrica@mweb.com.na>, ilanza awasman <ilawasman@gmail.com>

Henry

Kindly find the attached document to incorporate in the response to the objection.

Regards

George Garwe
Operations Manager
Midma Investments

Erf 5416 Teal Street

Khomasdal,Windhoek

Namibia
Tel : +264 61 228179
Cell:+264 81 8031123

[Quoted text hidden]

Objections to rezoning.docx
14K

I want to see the Environmental Impact study that was supposed to have been done, which will allow a noxious industry to operate in this beautiful and natural area. The contamination of the underground water, destruction of indigenous trees, noise pollution, the impact on bird and wildlife.

i. A comprehensive environmental impact study is currently underway. The concerned parties will be notified once the study is completed and submitted to the Min of Tourism & Environment.

the increase in numbers of mostly unskilled and underpaid workers is a recipe which will destroy Brakwater. As you well know, in many cases where there are non-residents operating in a vulnerable rural area and using public transport to commute, there is the inevitable increase in crime, mostly poaching and theft.

i. The workforce is recruited from the Mix settlement area. It is important to note that the workforce comes the previously disadvantaged communities such that the job opportunities created provide the much needed relief to the local community; this has a direct positive impact in reducing poverty and especially crime that some quarters of the community is worried about.

I strongly oppose the proposal for the rezoning of Business to Industrial and do not give consent that Brakwater plots may be used for the operation of any noxious industry.

i. There are already companies operating brick making and concreate related products in the Brakwater area such that we feel there will be no justification in denying Midma Investments Cc the right to operate. Below is a list of some of the companies conducting similar operations (brick making & concrete works)
   i. City Sands & Bricks
   ii. Quality Precast
   iii. Nam Slab
   iv. Bon Okapuka/Brick Worx
   v. Unique Bricks
   vi. Namibia Construction.

Intended development of Portion 345 of Portion 65 of the Farm Brakwater No 48

For attention:
Plan Africa Consulting CC

Brakwater Ratepayers Organisation

Brakwater Ratepayers Organisation

Intended development of Portion 345 of Portion 65 of the Farm Brakwater No 48

To whom it may concern,

Date: Monday, 06/07/2023

We, the Brakwater Ratepayers Orginisation (BRO) represent the Greater Brakwater community in all matters pertaining to the well-being and concern of the community and the area.

BRO wants to bring to your attention, with concern, the following information derived from the public Notice (***Addendum A on page 4***) posted by Plan Africa Consulting CC, pertaining to the intended development of Portion 345 of Portion 65 of the Farm Brakwater No 48, with the registered owner of this property being Mr. Kimpton Mukuwiri:

1. Misleading statements contained within the above public notice:

a) The statement "The Farm Brakwater No. 48 is 5.3 264ha in extent" is untrue and misleading.

b) "The owner of the respective portion desires to subdivide Portion 345 into 5 portions".
If the subdivision was not already finalised, how were the existing portion numbers allocated?
(Illustrated outline of existing subdivission, ***Please refer to Addendum B on page 5***)

c) "In terms of the Zone D of the Windhoek Town Planning Scheme":
   i) We are not aware of any zone D within the Windhoek Town Planning Scheme.
   ii) The Brakwater Development Guidelines of 2002 are not part of the Windhoek Town Planning Scheme, as stated in the public notice.
   These are only a guideline, and not enforceable.

2. Restrictions in respect of noxious / industrial activities on Brakwater properties:
(Official definition of Noxious; "harmful, poisonous or very unpleasant")

a) CR281/09/2013 currently prohibits any industrial zoning in the Greater Brakwater Area, currently only allows restricted business.

b) In accordance with Table B (***Land Use Zones***) of the Windhoek Town Planning Scheme, Restricted Business PROHIBITS noxious industries.

Table B, Land Use Zones

USE ZONE (1)	PRIMARY USES (2)	CONSENT USES (3)	PROHIBITED USES (4)
V Restricted Business	Business buildings	Other uses not under columns 2 and 4	Noxious industrial buildings

c) The Brakwater Policy Guidelines
   i) Within Zone D only the following rezoning is allowed:
   (this does not contain noxious or industrial activities)
   1. Higher density residential
   2. General Residential
   3. Business
   4. Office
   5. Institutional

ZONE D: THE INDUSTRIAL PERIPHERY	
Rezoning	Can be supported to: Higher Density Residential General Residential Business Office Institutional Proof of advertisements in two local newspapers and comments from affected plot owners need to be provided on application for the rezoning.

3. "Rezoning of Portion 345 from 'residential' to 'business'" which has not been "proclaimed". The following documents are not at hand:

a) A copy of the Council Resolution authorising the business zoning of portion 345.

b) Proof of payment of betterment fee for zoning to business.

c) A copy of the Environmental Impact Assessment Report for the initial rezoning of Portion 345 to business.

4. Impact of current illegal activities:

a) "Portion 554 is currently being used as a brickmaking business", in accordance with the Windhoek Town Planning Scheme and Info-27:

i) "As from April 2010 illegal activities on land in Brakwater (activities not in line with the Town Planning Scheme) will have to cease and the owner will have to rezone..."

b) Negative impact on neighbours during the past:

i) Activities were first started on 21 March 2023, and a letter with complaints submitted to the City of Windhoek on 28 March 2023.

ii) Notice from the City of Windhoek to stop activities within 28 days, was issued on 13 April 2023, with the compliance date issued for 11 May 2023.

iii) Activities were only reduced on 24 May 2023.

5. It is our understanding that:

a) According to Info-27 and the Windhoek Town Planning Scheme, this application "will have to be in line with the Windhoek Town Planning Scheme and the policy plan, and will also be subject to a 75% betterment fee charge."

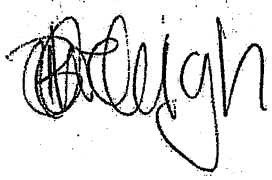
b) The applicant needs to show that "the intended use and zoning / consent use will benefit the community and how".

c) Each individual neighbour has to be notified and given an opportunity to comment and object.

d) All interested and affected parties must be given an opportunity to comment and object.

For more information, please do not hesitate to contact BRO.

We thank you for the opportunity to contribute to the above matter and are looking forward to your consideration of the issues raised.



Bettina Von Wielligh

Chairperson

Brakwater Ratepayers Organisation (BRO) Committee

bro1brakwater@gmail.com

[Municipal Council Minutes: 2013-09-26]

8.5.6 UPG.1 [PLA] FUTURE DEVELOPMENT IN BRAKWATER
(L/Brakwater)

On proposal by Councillor M Shiikwa, it was

RESOLVED

1 That the City of Windhoek prepare new Land Use Development Guidelines for Brakwater.

1.1 That the new Land Use Development Guidelines also include proposals for collector roads for the Greater Brakwater Area.

2 That the existing arterial roads, as well as the new proposed collector roads, be included in the Windhoek Town Planning Scheme.

3 That Council Resolution 267/08/2012, attached as pages 103 - 106 to the agenda, regarding the Brakwater Services Master Plan for the provision of bulk infrastructure in the Greater Brakwater Area, be implemented by the Strategic Executives: Urban Planning and Property Management; and Infrastructure, Water and Technical Services.

4 That, in the interim period until the new Land Use Policy and Guidelines for Brakwater is approved, the following be accepted as policy for Brakwater development applications:

4.1 That the 'industrial' zoning be removed from the Brakwater Policy Zones and replaced with the 'restricted business' land use zone.

4.2 That the City of Windhoek introduce density zonings of 2.5 hectares and 1 hectare in the proposed Structure Plan and that the new density zones be included in the next Amendment Scheme of the City of Windhoek.

4.3 That the approval of subdivision and/or rezoning applications be subject to the client accepting the existing draft collector road system, or provide an acceptable alternative, until a new collector road system is in place.

5 That the Strategic Executive: Urban Planning and Property Management, in consultation with the Chief Executive Officer (Manager: Corporate Communications, Marketing, Tourism and Customer Care), undertake a public information exercise to inform residents and developers of the above interim measures affecting the development application in Brakwater, from the date of this Council Resolution.

Financial implications

Funds required

Brakwater Structure Plan - N$650 000.00

RESOLUTION 281/09/2013

==========

PLAN AFRICA CONSULTING CC

TOWN AND REGIONAL PLANNERS

Box 4114
WINDHOEK
8 Delius Street
Windhoek (West)
Tel: (061) 212096 Cell: 0812716189
Fax to Mail: 088614626

Enquiries: Ilanza Awasman

ilawasman@gmail.com

DATE: 30 September 2023

Chief Planner: Urban Policy

Department: Urban and Transportation Planning

Windhoek City Council

Box 59

WINDHOEK

Attention: Miss K. Asino

Dear Madam

- **SUBDIVISION OF PORTION 345 (A PORTION OF PORTION 65) OF THE FARM BRAKWATER NO. 48 INTO PORTIONS 550, 551, 552, 553, 554 AND REMAINDER**
- **REZONING OF PORTION 554 (A PORTION OF PORTION 345 OF THE FARM BRAKWATER NO. 48) FROM 'BUSINESS' WITH A BULK OF 0.1 TO 'INDUSTRIAL' WITH A BULK OF 0.5, SHOULD THE ORIGINAL PORTION 345 BE REZONED TO BUSINESS**
- **CONSENT TO USE PORTION 554 (A PORTION OF PORTION 345 OF THE FARM BRAKWATER NO. 48) FOR THE PURPOSE OF INDUSTRIAL BUILDING (BRICK MAKING)**

1. OBJECTION 1: Dr G Craig and Dr D St C Gibson (Owners of Brakwater Portion 45)

1.1 Objection summary

- Surrounding areas are residential and business land use and will be adversely affected by noxious industry.
- Pollution and noise is likely to cause unacceptable disturbance and health hazards and should not be permitted.
- Kindly inform us by email of the meetings for interested and affected parties relating to the EIA.

1.2 Response

Portion 345 (a portion of Portion 65) of the Farm Brakwater No.48 falls within Zone D: The Industrial Periphery of the Brakwater Policy area where primary uses constitute Dwelling houses, Industrial buildings and Business buildings. The brick making machine currently being used at Brakwater 345 is the Hongfo QT8-15 fully automatic hydraulic block machine. These machines are created to provide brick manufacturers using a faster, automated method to make bricks while minimizing the effect on the environment. These machines produce less noise during operation. Furthermore, the machine has an electric motor rather than diesel motor, which implies noise through the motor is significantly reduced.

Consequently they do not produce any carbon emissions or hazardous pollutants inside the atmosphere. Additionally the machine is fitted with a de-dusting filtering system in order to minimize/avoid dust pollution when making cement for concrete blocks.

The applicant is still in the process of appointing an environmental practitioner to conduct the environmental impact assessment. The public will be notified accordingly.

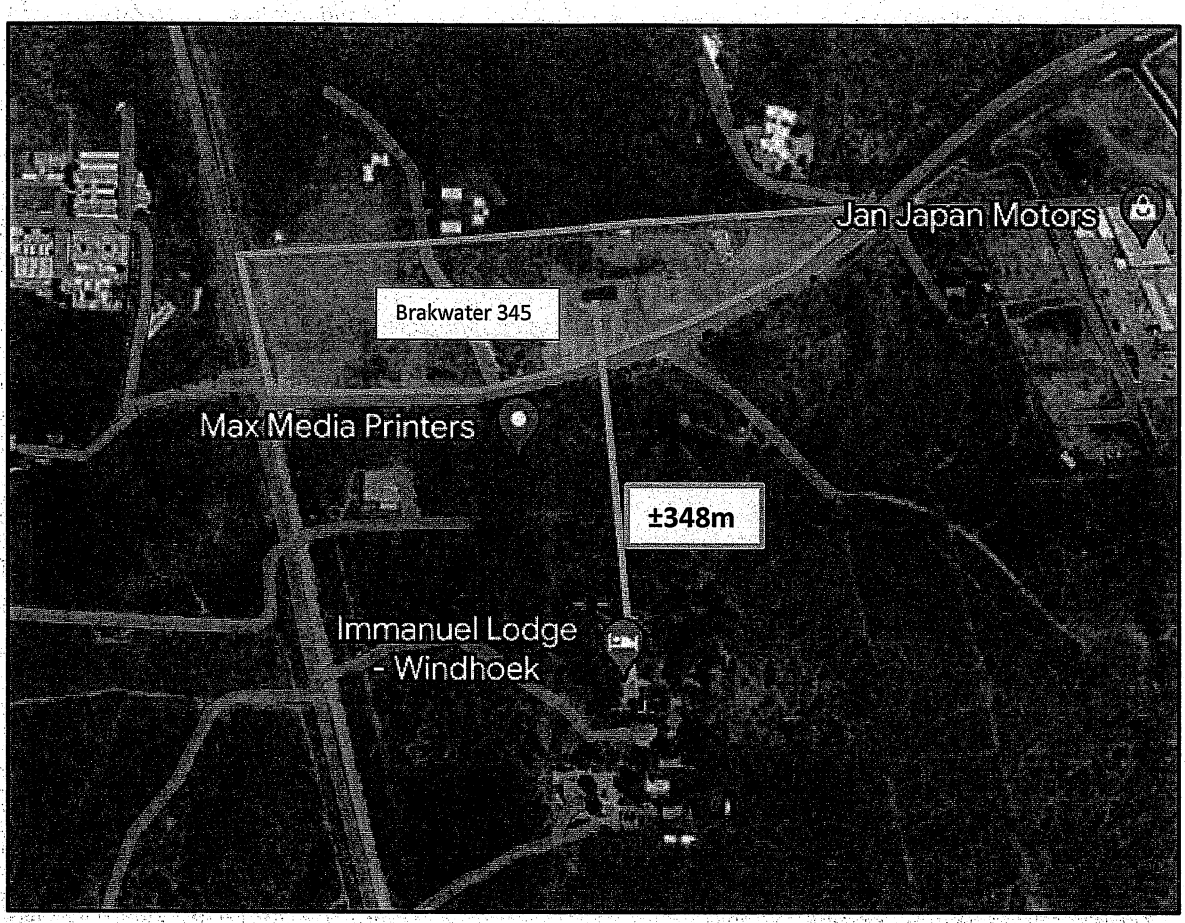
2. OBJECTION 2 : Du Toit Town Planning Consultants on behalf of Immanuel Wilderness Lodge

2.1 Objection Summary

- Notice not according to the prescribed City of Windhoek Policy
- Suitability of Portion 554 for industrial and noxious industry is very controversial.
- Immanuel Wilderness Lodge has suffered losses due to guests shortening their stay as a result of noise and dust from the brickmaking facility.
- D1491 road has not been designed to carry heavy industrial traffic
- Portion 345 falls within Zone D which encourages light industrial activities, however according to the guidelines the best future use would be restricted business which does not allow any noxious industry.
- Brick making is a water intensive activity. Confirm if the activity is sustainable under current municipality policies.
- According to the information, no Environmental Clearance Certificate for the rezoning/creation of roads/activities has been obtained.

2.2 Response

The notice at the City of Windhoek includes a locality plan. The application included a proposed subdivision and access plan. In terms of suitability the brick making facility is only operational from 8:00am to 17:00pm. Meaning, as guests sleep/rest at night during which time the brick making facility is not operational. Furthermore, the brick making machine currently being used at Brakwater 345 is the Hongfo QT8-15 fully automatic hydraulic block machine. These machines produce less noise during operation.



Portion 345 (a portion of Portion 65) of the Farm Brakwater No.48 falls within Zone D: The Industrial Periphery of the Brakwater Policy area where primary uses constitute Dwelling houses, Industrial buildings and Business buildings. Furthermore, the roads of Brakwater including D1491 are already being used by heaving industrial vehicles by companies such as City Sands and Bricks, Quality Precast, Namibia Construction, amongst others.

Restricted business does not allow for the current use hence, the reason for rezoning to industrial and consent for the purpose of an industrial building (brick making). Industrial Building is a primary use just as restricted business is under Zone D: The Industrial Periphery of the Brakwater Policy Area.

There is no proof indicating that the water consumption of the brick making activity impacts or affects the City of Windhoek or its residents as a whole. Other brickmaking operations are found in the areas, which is a sign and indication that brickmaking is tolerated and accepted in the area.

The applicant is still in the process of appointing an environmental practitioner to conduct the environmental impact assessment. The public will be notified accordingly.

3. OBJECTION 3 : Inger Preis

3.1 Objection summary

- Brakwater under threat of eventually becoming an industrial rubbish dump.
- Council Resolution 281/09/2013 the industrial zoning be removed from the Brakwater Policy Zones and replaced with restricted business.
- The COW and any developer have to adhere to the wishes of the majority of the residents and they cannot just make decisions which will have a serious impact on the residents who live in the area.
- Request to see the Environmental Impact study which will allow a noxious industry.
- Contamination of underground water, destruction of indigenous trees, noise pollution, and increase in numbers of unskilled and underpaid workers is a recipe which will destroy Brakwater.
- In many cases where there are non-residents operating in a vulnerable rural area and using public transport to commute, there is the inevitable increase in crime, mostly poaching and theft.

Brakwater is used as an extension of the exiting industrial area. There is a lack of suitable flat land within the jurisdiction of the City of Windhoek for industrial activities.

The consultants and moreover the client (which owns property in Brakwater) was not notified of the changes made regarding Zone D of the Brakwater Policy Zones. Additionally the said client was not informed behind the reasoning of these changes and how it affect their current and future business prospects.

The Brakwater Policy Areas were determined in 1993 about 30years ago and development is being allowed according to those guidelines.

A comprehensive environmental impact study is currently underway. The concerned parties will be notified once the study is completed and submitted to the Ministry of Tourism & Environment.

"increase in number of mostly unskilled and underpaid workers is a receipt which will destroy Brakwater. As you well know, in many cases where there is non-residents operating in a vulnerable rural area and using public transport to commute, there is inevitable increase in crime, mostly poaching and theft"

The above statement is derogatory which includes racial and classism overtones.

The workforce is recruited from the Mix settlement area. It is important to note that the workforce comes from the previously disadvantaged communities such that the job opportunities created provide the much needed relief to the local community; this has a direct positive impact in reducing poverty and especially crime that some quarters of the community is worried about.

Where any form of development takes place the environment will be affected. The only response to development is striving to mitigate the environmental impacts that may be caused.

There are already companies operating brick making and concreate related products in the Brakwater area such that we feel there will be no justification in denying Midma Investments Cc the right to operate. Below is a list of some of the companies conducting similar operations (brick making & concrete works)

i. City Sands & Bricks

ii. Quality Precast
iii. Nam Slab
iv. Bon Okapuka/Brick Worx
v. Unique Bricks
vi. Namibia Construction.

4. OBJECTION 4: Brakwater Ratepayers Organization

4.1 Objection summary

- "The Farm Brakwater No.48 is 5.3264 in extent" is untrue and misleading
- If the subdivision was not already finalized, how were the existing portion numbers allocated?
- The Brakwater Development Guidelines of 2002 are not part of the Windhoek Town Planning Scheme, as stated in the public notice. These are only guideline, and not enforceable.
- CR281/09/2013 prohibits any industrial zoning in the Greater Brakwater Area only restricted business.
- Table B of the Windhoek Town Planning Scheme prohibits noxious industries
- Zone D of the Brakwater Policy Guidelines does not allow industrial or noxious activities
- Negative impacts on neighbours during the past.
- Letters of complaint were submitted to the City of Windhoek on 28 March 2023 and activities were only reduced on 24 May 2023.
- The applicant needs to show how the zoning/consent use will benefit the community.
- Each individual neighbor has to be notified
- All interested and affected parties must be given an opportunity to comment and object

4.2 Responses

Farm 345 Brakwater is 5.3264 ha in extent. The statement was not meant to mislead it was a typing error. The spelling mistakes have been noted, however they do not constitute contextual reasons as to why Portion 554 cannot rezoned to industrial and consent be granted for noxious industry.

In terms of the requirements of the Urban and Regional Planning Board, portion numbers must be allocated by the Surveyor General, prior to the submission of the subdivision applications.

The consultants and moreover the client (which owns property in Brakwater) was not notified of the changes made regarding Zone D of the Brakwater Policy Zones. Additionally the said client was not informed behind the reasoning of these changes and how it affect their current and future business prospects.

Restricted business does not allow for the current use hence, the reason for rezoning to industrial and consent for the purpose of an industrial building (brick making).

Certified mail was sent out to the individual neighbours, notices were put up on the City of Windhoek notice board and on site and lastly, adverts were placed in two newspapers for two consecutive weeks.

Public Notice posted by Plan Africa Consulting CC:

NOTICE

Take notice that PLAN AFRICA CONSULTING CC, TOWN AND REGIONAL PLANNERS, on behalf of the owners of the respective erf, intends to apply to the City of Windhoek for:

- SUBDIVISION OF PORTION 345 (A PORTION OF PORTION 65) OF THE FARM BRAKWATER NO. 48 INTO PORTIONS 550, 551, 552, 553, 554 AND REMAINDER
- REZONING OF PORTION 554 (A PORTION OF PORTION 345) OF THE FARM BRAKWATER NO. 48) FROM 'BUSINESS' WITH A BULK OF 0.1 TO 'INDUSTRIAL' WITH A BULK OF 0.5, SHOULD THE ORIGINAL PORTION 345 BE REZONED TO BUSINESS
- CONSENT TO USE PORTION 554 (A PORTION OF PORTION 345 OF THE FARM BRAKWATER NO.48) FOR THE PURPOSE OF A NOXIOUS INDUSTRY (BRICKMAKING).

The rezoning of Portion 345 Brakwater No. 48 (a portion of Portion 65) from residential 1 dwelling unit per 5 hectares was already approved by council to business with a bulk of 0.1 but not yet proclaimed. The Farm Brakwater No. 48 is 5.3 264ha in extent. The owner of the respective portion desires to subdivide Portion 345 into 5 portion (Portions 550 to 554) and remainder and rezone a portion of Portion 345 from 'business' to 'industrial' with a bulk of 0.5.

The application is currently at the City of Windhoek for consideration. It is now proposed that Portion 554 should be rezoned to industrial with a bulk of 0.5 or consent should be granted to use the respective portion for a noxious industry (brickmaking).

Portion 554 is currently being used as a brickmaking business and rezoning or consent will bring the current activity will be aligned with Windhoek Town planning scheme.

In terms of the zone D of the Windhoek Town Planning Scheme shops, industrial activities and residential activities are primary uses on industrial zoned erven. The application is an attempt to bring the existing activity in conformity with the requirements of the Town Planning Scheme.

Further take notice that the locality plan of the erf lies for inspection on the town planning notice board at the City of Windhoek and at Plan Africa Consulting CC, No 8 Delius 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 City of Windhoek and with the applicant (Plan Africa Consulting CC) in writing within 14 days of the last publication of this notice (final date for objection 07 July 2023).

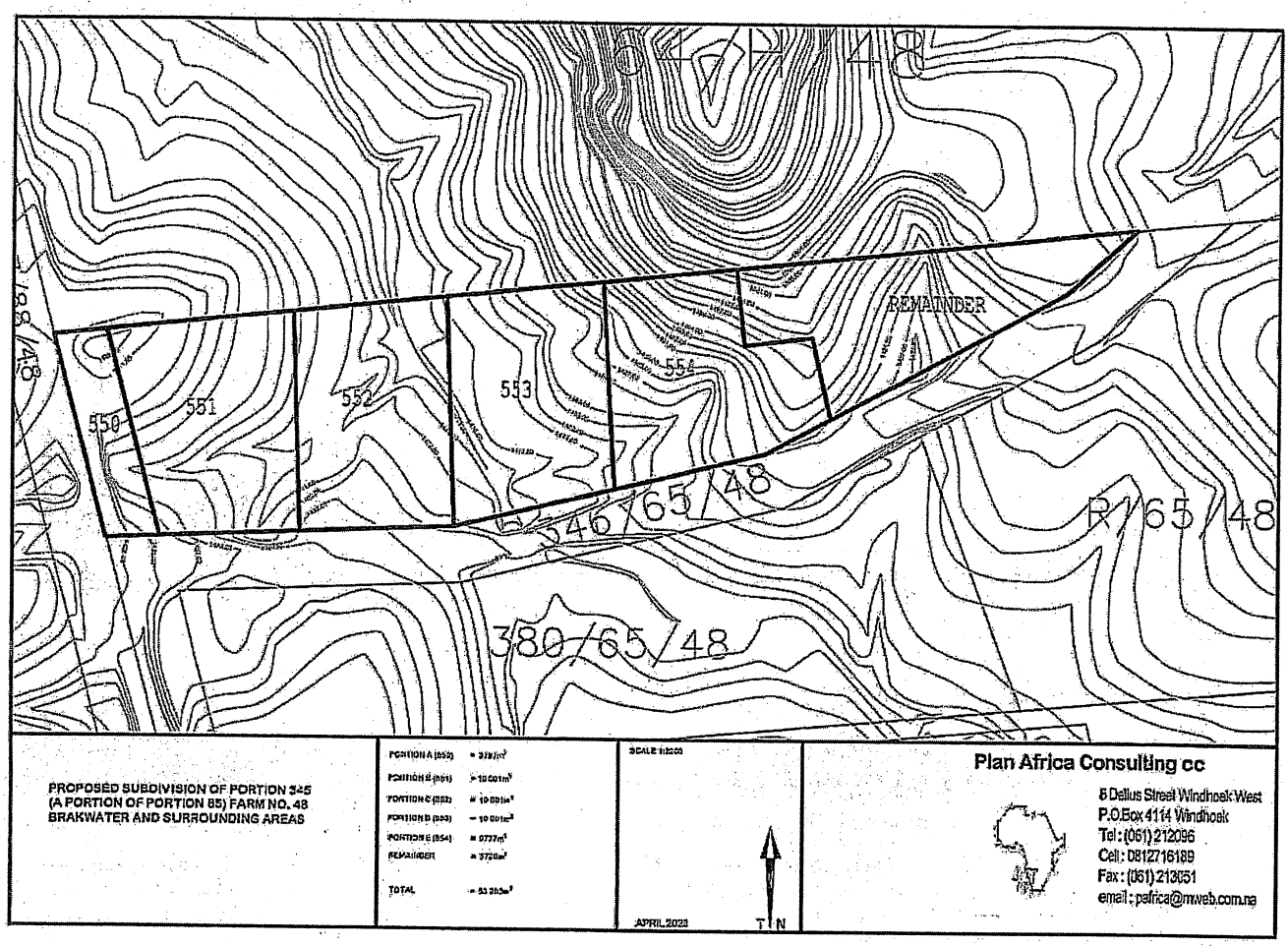
PLAN AFRICA CONSULTING CC
TOWN and Regional Planners

P.O.Box 4114
8 Delius Street
Windhoek (West)
Tel: (061) 212096 Cell: 0812716189
Fax: (061) 213051
Email:pafrica@mweb.com.na

City of Windhoek:

The Urban Planner
(Town House, 5th floor, 516)
City of Windhoek
P O Box 59
WINDHOEK

Illustrated outline of existing subdivision:



PROPOSED SUBDIVISION OF PORTION 345 (A PORTION OF PORTION 85) FARM NO. 48 BRAKWATER AND SURROUNDING AREAS

PORTION A (552)	= 378m²
PORTION B (551)	= 10 001m²
PORTION C (552)	= 10 001m²
PORTION D (553)	= 10 001m²
PORTION E (554)	= 8737m²
REMAINDER	= 3720m²
TOTAL	= 53 283m²

SCALE 1:2500

APRIL 2023

TJ N

Plan Africa Consulting cc

5 Dellus Street Windhoek West
P.O.Box 4114 Windhoek
Tel: (061) 212096
Cell: 0812716189
Fax: (061) 213051
email: pafrica@mweb.com.na

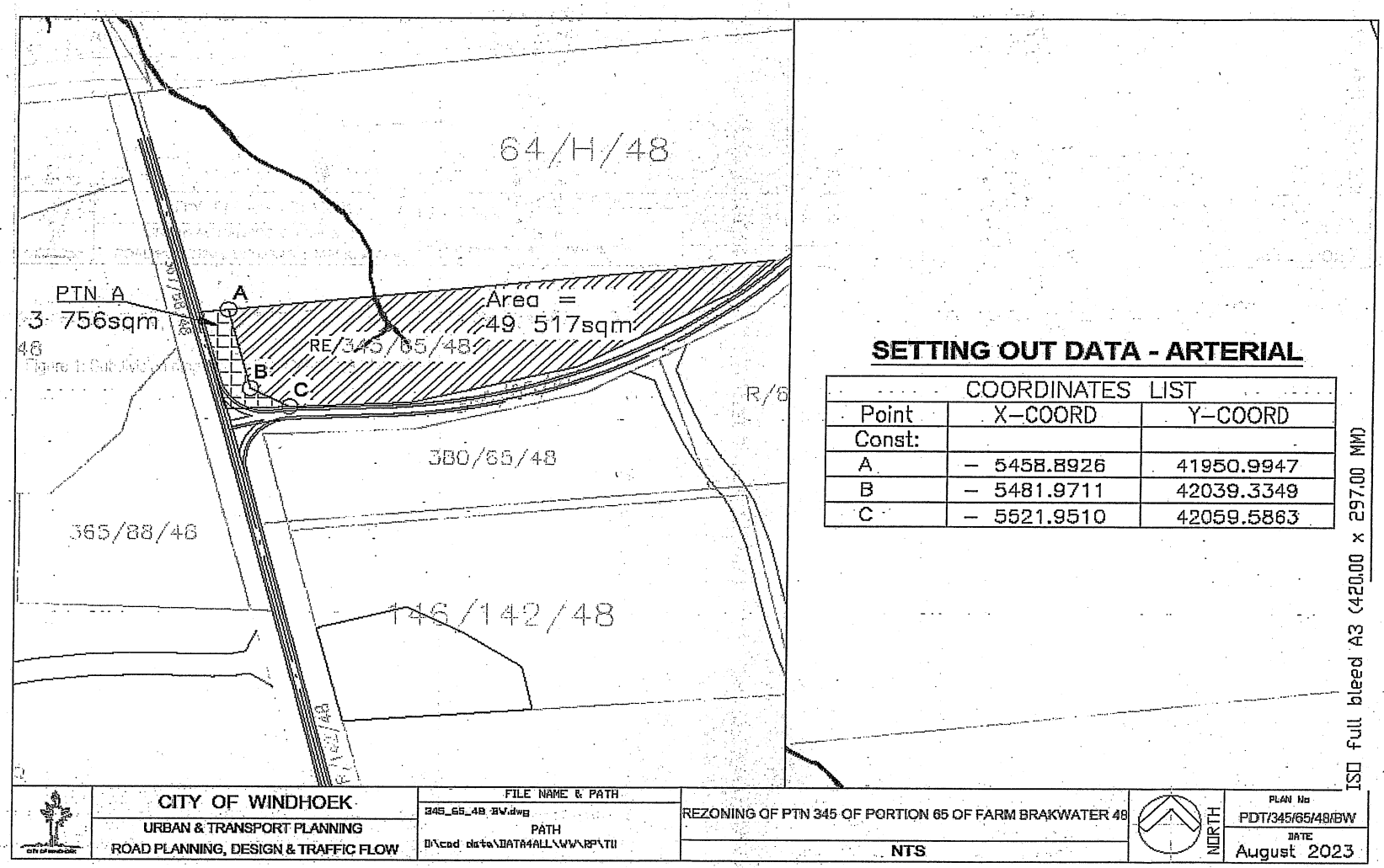


Figure 1: Subdivision diagram for PDT/345/65/48 BW - COW

REPUBLIC OF NAMIBIA

MINISTRY OF ENVIRONMENT, FORESTRY AND TOURISM

Tel: (00 264) 61 284 2111
Fax: (00 264) 61 232 057

Cnr Robert Mugabe &
Dr Kenneth Kaunda Street
Private Bag 13306
Windhoek
Namibia

OFFICE OF THE ENVIRONMENTAL COMMISSIONER

NOTIFICATION OF DECISION

REF NUMBER: ECC2401407 **DATE OF ISSUE: 08 April 2024**

DETAILS OF PROPONENT:

Midma Investment cc
PO BOX 6687, Ausspannplatz

Dear Sir/ Madam

SUBJECT: NOTIFICATION ON APPLICATION FOR ENVIRONMENTAL CLEARANCE TO UNDERTAKE THE PROPOSED LISTED ACTIVITY: ESTABLISHMENT AND OPERATION OF A BRICKS MANUFACTURING FACILITY ON PORTION 554 AT BRAKWATER, WINDHOEK, KHOMAS REGION, NAMIBIA

Notice is herewith given in accordance with section 37(2) of the Environmental Management Act, Act 7 of 2007 and Environmental Impact Assessment Regulations of 2012 (GG 4878): that a decision in respect to your application No. **APP 231010002240** for Environmental Clearance Certificate to undertake a listed activity has been reached.

DECISION
An Environmental Clearance Certificate (ECC) to undertake the listed activities specified in the environmental assessment report and draft management plan dated **September 2023**, is granted **(ECC2401407)**. The applicant / proponent is therefore advised to comply with conditions of approval set out in **Section C** of this notification.

A. **DETAILS OF THE PROPOSED ACTIVITY**



"Stop the poaching of our rhinos"

A1: TITLE OF THE PROPOSED ACTIVITY

ESTABLISHMENT AND OPERATION OF A BRICKS MANUFACTURING FACILITY ON PORTION 554 AT BRAKWATER, WINDHOEK, KHOMAS REGION, NAMIBIA

A2: DETAILS OF ASSESSMENT PRACTITIONER

Environclim (Environmental Practitioner) | 0815955643 (T) N/A (F) | 0815955643 | environclim@gmail.com

A3: LOCATION OF PROPOSED ACTIVITY

(Annexure A – proposed site map)

B. RELEVANT LISTED ACTIVITIES

Legislation	Description of Listed Activity	Relevance to Proposed Activity
Regulation 29 of Government Notice No. 29 of 2012	INFRASTRUCTURE 10.1 The construction of- (a) oil, water, gas and petrochemical and other bulk supply pipelines; (b) public roads; (c) railways and harbours; (d) airports and airfields; (e) any structure below the high water mark of the sea; (f) cableways; (g) communication networks including towers, telecommunication and marine telecommunication lines and cables; (h) motor vehicle and motorcycle racing and test tracks; (i) the outdoor racing sites of motor powered vehicles including - (i) motorcars; (ii) trucks; (iii) motorcycles; (iv) quad bikes; (v) boats; and (vi) jet skis; (j) masts of any material or type and of any height, including those used for telecommunication broadcasting and radio transmission, but excluding - (i) flag poles; and (ii) lightning conductor poles. 10.2 The route determination of roads and design of associated physical infrastructure where - (a) it is a public road; (b) the road reserve is wider than 30 meters; or (c) the road caters for more than one lane of traffic in both directions. law relating to water resources.	ESTABLISHMENT AND OPERATION OF A BRICKS MANUFACTURING FACILITY ON PORTION 554 AT BRAKWATER, WINDHOEK, KHOMAS REGION, NAMIBIA

C. CONDITIONS

C1: Conditions of Approval

1. This certificate does not in any way hold the Ministry of Environment, Forestry and Tourism accountable for misleading information, nor any adverse effects that may arise from these activities. Instead, full accountability rests with the proponent and its consultants.

2. This Ministry reserves the right to attach further legislative and regulatory conditions during the operational phase of the project.

3. Regular environmental monitoring and evaluations on environmental performance should be conducted. Targets for improvements should be established and monitored throughout this process.

C2: Clearance Certificate Validity

1. This environmental clearance is valid for a period of 3 (three) years, from the date of issue unless withdrawn by this office.

2. On expiry of the ECC, the proponent is required to submit within a period not exceeding one month, and in the prescribed form and manner an application to the Office of the Environmental Commissioner for the renewal of the ECC.

3. Failure to renew an expired environmental clearance certificate shall result in permanent termination of the environmental clearance certificate.

C3: Compliance with authorization under other laws

4. All other applicable and required permits or authorization from relevant competent authorities must be obtained prior to commencing the proposed activities and accordingly adhered to.

C4: Implementation and Monitoring

5. The granting of the Environmental Clearance Certificate (ECC) constitute, an approval for the implementation of mitigation measures proposed in your approved Environmental Management Plan (EMP), hence making the approved EMP legally binding document.

6. The proponent shall appoint a suitably experienced environmental control officer, or site agent where appropriate, before the commencement of any listed activities to ensure compliance with the conditions of approval and mitigation stipulated in the approved EMP

7. A copy of the Environmental Clearance Certificate (ECC), EMP, Environmental Audit and monitoring reports must be kept at the site of the authorized activity and readily available for inspection by officials of the Ministry and registered Interested and affected Parties (I&APs) on request.

8. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the National Heritage Council of Namibia. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from National Heritage Council.

9. Using the best and affordable methodology, the Proponent must ensure that all listed activity's operations footprints are thoroughly rehabilitated prior to closure of the operation. Wherever possible, the Proponent must proceed with

the rehabilitation process concurrently with the progression of the project rather than wait until the damage is far beyond the available means of management.

10. The general standard for all rehabilitation processes must at all costs aim at restoring the natural character of the environment to the satisfaction of the Ministry of Environment, Forestry and Tourism. Such rehabilitation processes shall be inspected and certified satisfactory or unsatisfactory by the Ministry of Environment, Forestry and Tourism. Where a certificate of unsatisfactory is issued, the Proponent shall be advised to carry-out certain tasks to meet the requirements. Failure to meet the basic rehabilitation requirements shall be regarded by this Ministry as a breach of this contract and of which serious consequences shall follow.

11. Officials of the environmental commissioner's office may from time-to-time conduct spot-inspection (non-auditing) without prior notice and or Auditing Inspection (dates to be agreed prior to arrival to the site), hence access to the site and the aforementioned documentation must be granted to any authorized official representing the Office of the Environmental Commissioner and Registered Interested and Affected Parties (I&APs)

12. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Office of the Environmental Commissioner before such changes or deviations may be implemented. In assessing whether to grant such acceptance/ approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

13. Officials representing the Office of the Environmental Commissioner must be, in possession and or by request and for the purpose of inspection referred to in C4(11) present their staff identification card in order to gain entry to the premises

14. The proponent is required, from the date of commencing implementation of project activities, to compile and submit environmental monitoring reports (on project progress and the environmental management profile) on a bi-annual basis to Office of Environmental Commissioner

15. Any changes to, or deviations from the scope of project activities approved in respect to the assessment received and reviewed for the purpose or granting this ECC Number (**ECC2401407**) are subject to an amendment application and approval by the Environmental Commissioner prior to adopting / implementing any such changes / deviations.

16. For the purpose of amending and or transferring the ECC, the proponent submit in the prescribed form and manner an application to the Office of the Environmental Commissioner, clearly indicating the need for amendment and or transfer of the ECC

17. Non-compliance with a condition of this Environmental Clearance Certificate or EMP may render the Proponent liable to criminal prosecution.

D. DISCLAIMER

The decision taken by the Office of Environmental Commission is based mainly on information provided by the proponent or their representative, therefore, it must be noted here that the proponent is accountable for any wrong and misleading information that may have been presented in the environmental assessment documents.

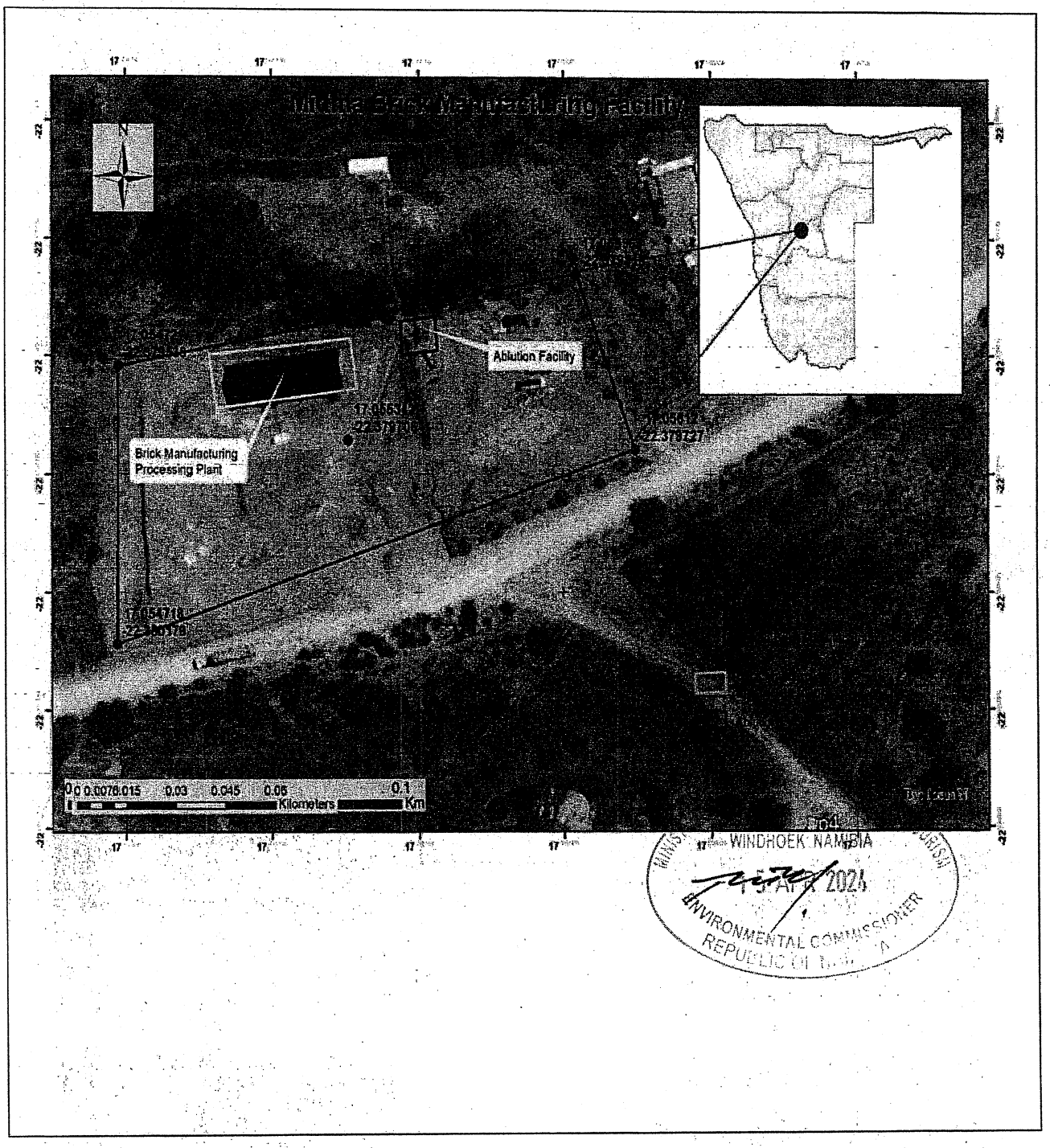
Yours Sincerely.

Timoteus Mufeti 15 APR 2024

ENVIRONMENTAL COMMISSIONER

ENVIRONMENTAL COMMISSIONER
REPUBLIC OF NAMIBIA

ANNEXURE A: SITEMAP / SITE LAYOUT



APPROVED

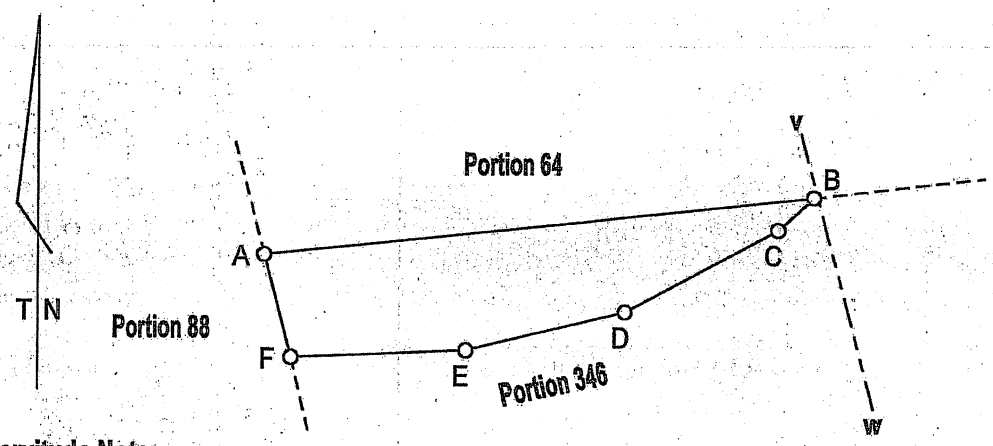
for SURVEYOR-GENERAL 05 JAN 2006

No. A 644/2005

	SIDES Metres	ANGLES OF DIRECTION		CO-ORDINATES Y System: Lo 22/17° X		Designation
		Constants:		± 0.00	± 0.00	
AB	586.66	264 07 40	A	-5 428.70	+41 954.10	Tbn1
BC	50.86	48 03 10	B	-6 012.28	+41 894.08	346e
CD	184.10	61 56 20	C	-5 974.45	+41 928.08	346d
DE	172.55	76 37 50	D	-5 811.99	+42 014.68	346c
EF	187.33	87 39 10	E	-5 644.12	+42 054.58	346b
FA	111.78	165 21 40	F	-5 456.95	+42 062.25	346a
		No.278	△	-5 779.96	+41 806.07	Brak 4
		No. 240	△	-10 285.42	+37 542.14	Brakwater

Description of Beacons

A ... 20mm Round Iron Peg in Cairn
B,C,D,E ... 16mm Round Iron Peg in Cairn
F ... 16mm Round Iron Peg



Servitude Note:

The line v-w represents the centre line of an Electrical Power Line Servitude Area, 25 metres wide, Vide Diagram A383/68

Scale 1:7500

The figure A B C D E F

represents 5.3264 hectares of land being

Portion 345 (a portion of Portion 65) of the Farm Brakwater No.48

Situate in the Municipal Area of Windhoek

Registration Division K, Khomas Region, Namibia

Surveyed in June 2005 by me

C Lewis
Land Surveyor

This diagram is annexed to	The original diagram is	S.R. No. E 189/2005
No. T 3997/2006	No. A118/67	Noting Plan MG-3CA
dated 14.06.2006	Transfer No. 1926/70	File No. K48
Registrar of Deeds	dated 12-10-1970	Lat. 22°22'41" Long. 17°03'40"

The Gateway to Endless Opportunities

City of Windhoek

Vision: To be a Sustainable and Caring City by 2027

FORM 1

CHECKLIST FOR TOWN PLANNING APPLICATIONS

Please submit the application and supporting documents in the sequence indicated below:

NO.	REQUIRED DOCUMENT	ANNEXURE	ATTACHED (YES or NO or N/A)
1.	**Full Application with motivation by Consultant or Owner of the Erf / Portion/ Farm including the prescribed Urban and Regional Planning Board Form(s).**	ANNEXURE A	Yes
2.	**Previous Council's Approval** (if applicable)	ANNEXURE B	N/A
3.	**A. Locality and Detailed Plans** (Illustrating the whole boundary of the Local Authority area under which the application is made)	ANNEXURE C	Yes
	B. Portion Number (s) or Erf number (s) from Surveyor General's Office (if applicable)		N/A
	C. Existing Zoning Plan		Yes
	D. Intended Zoning Plan		Yes
	E. Subdivision / Consolidation Plan (with contours)		N/A
	F. Approved Parking Layout (stamped and signed by the City of Windhoek's Planning, Design & Traffic Flow Division Staff)		Yes
	G. Copy of the Diagram or Extract of the General Plan Approved by the Surveyor General		Yes
4.	**Conditions to be registered** (if applicable – this is mandatory for all subdivision applications)	ANNEXURE D	N/A
5.	**Special Power of Attorney** including Revenue Stamps with relevant initials	ANNEXURE E	Yes
6.	**Closure Certificate** (if applicable)	ANNEXURE F	N/A
	Environmental Clearance Certificate (if applicable)		N/A
7.	**Previous approvals of the Minister of Urban and Rural Development** *(including the recommendations of the Urban and Regional Planning Board, Townships Board or NAMPAB, if applicable)*	ANNEXURE G	N/A
8.	**Roads Authority approval together with the sketch plan indicating the access point(s)** (if applicable)	ANNEXURE H	N/A
9.	**1. Copy of Founding Statement (CC 1/2) or Business Registration** (if registered in the name of Close Corporation, Company or Organisation Name)	ANNEXURE I	Yes
	2. Copy of Resolution (if registered in the name of a Company or Organisation)		Yes
10.	**Copy of Title Deed, Deed of Transfer or Certificate of Registered Title**	ANNEXURE J	Yes
11.	**Conditions of Establishment** (if applicable)	ANNEXURE K	N/A
12.	**Proof of Payment of the City of Windhoek Application Fee**	ANNEXURE L	Yes
13.	**Credit Clearance Certificate**	ANNEXURE M	Yes
14.	**Zoning Certificate**	ANNEXURE N	Yes
15.	**Fitness Certificate**	ANNEXURE O	Yes

WINPLAN
TOWN & REGIONAL PLANNING CONSULTANTS

Tel: (061) 246 761
P O Box 90761, Klein Windhoek, Namibia
E-mail: winplan@winplan.com.na

Our Ref: Erf 6923 Windhoek

23 February 2024

The CEO: CITY OF WINDHOEK
Dept of Planning, Urbanisation and Environment
P O Box 59
WINDHOEK

Attention: Mr. H Rust,

Dear Sir,

REZONING OF ERF 6923 (A PORTION OF ERF 1956), WINDHOEK, (171 NELSON MANDELA DRIVE) FROM "RESIDENTIAL" WITH A DENSITY OF 1:900 TO "OFFICE" WITH A BULK OF 0.4; and

CONSENT FOR FREE RESIDENTIAL BULK ON ERF 6923 (A PORTION OF ERF 1956), WINDHOEK

On behalf of the registered owner, PAULINAS PROPERTIES CC, **WINPLAN** herewith apply for the:

- **REZONING OF ERF 6923 (A PORTION OF ERF 1956), WINDHOEK, (171 NELSON MANDELA DRIVE) FROM "RESIDENTIAL" WITH A DENSITY OF 1:900 TO "OFFICE" WITH A BULK OF 0.4;**
- **CONSENT FOR FREE RESIDENTIAL BULK ON ERF 6923 (A PORTION OF ERF 1956), WINDHOEK**

1. INTRODUCTION

Erf 6923, Windhoek Blocks is situated in 171 Nelson Mandela Drive, Eros, Windhoek. Erf 6923 measures 1099m².

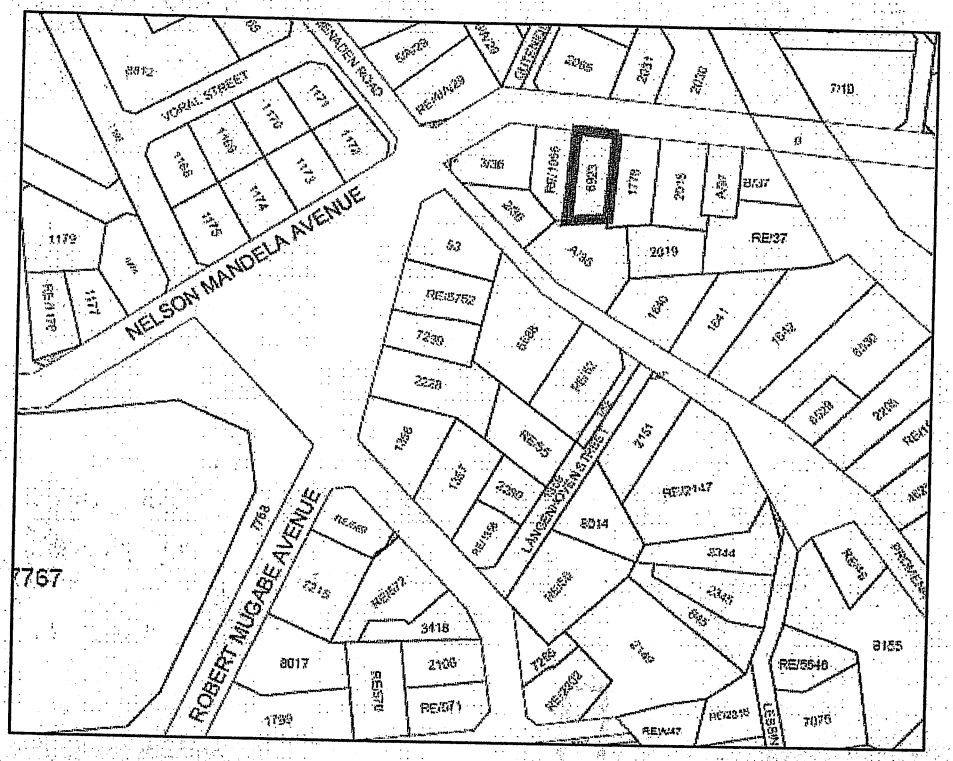
2. CURRENT ZONING

Erf 6923 is currently zoned "Residential" with a density of 1/900. The area used to be a residential area but over the last few years the area has transformed in a mixed-use node which currently consists of businesses, offices, and dwelling houses.

3. SITE INFORMATION

3.1 Location

The proposed erf is currently located nearby a big intersection of Nelson Mandela Avenue and Robert Mugabe Avenue.



3.2 Topography

The erf is located on the foot of a small hill and is currently sloping from South to North. The erf has a total fall of 4m from the highest to lowest point.

3.3 Size

According to the Title Deed the erf is measuring 1099 (one nought nine nine) square metres.

3.4 Existing Land Use

A part of the existing dwelling unit is currently being used as a small legal firm office. See attached Certificate of Fitness issued to Seena Legal Consultant (Pty) Ltd on the land in question **Annexure O**.

3.5 Existing Infrastructure

Erf 6923, Windhoek is connected to existing services infrastructure where it receives water, electricity, and sewage services from City of Windhoek.

4. PROPOSED NEW USE

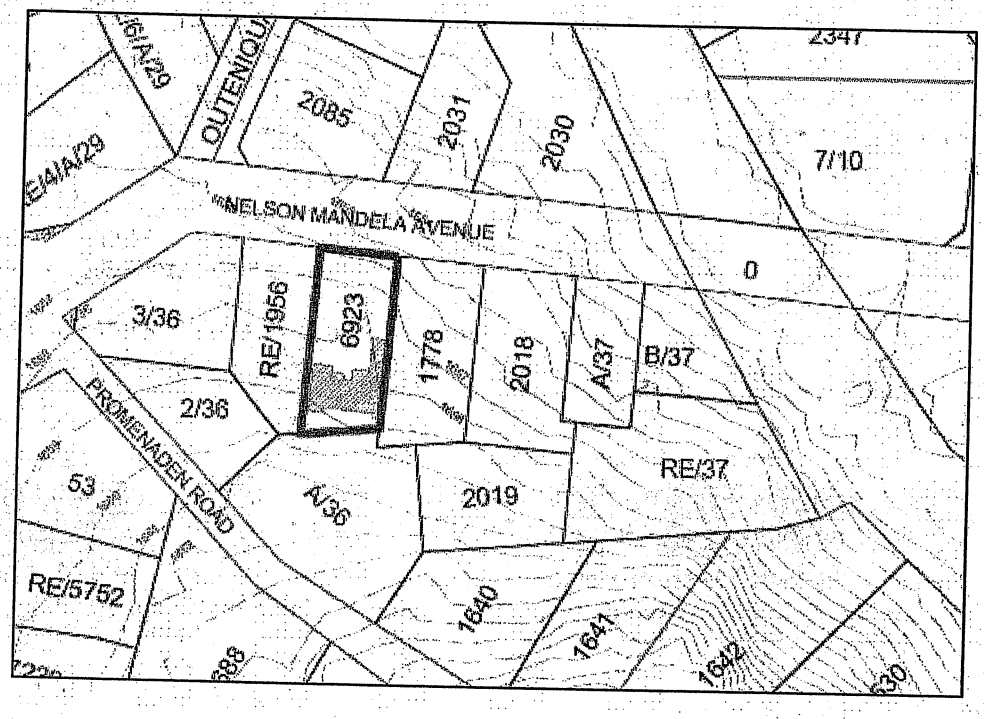
Our client intends to continue use the property predominantly for office uses. Our client also intends to apply for free residential bulk in terms of the "Free Residential Bulk Policy" as they are contemplating to also develop and use the property for residential purposes in the foreseeable future.

5. ASSESSMENT OF NEED AND DESIRABILITY

In determining the need or desirability of the rezoning, the following issues are of importance:

5.1 Accessibility of the Erf

The Erf enjoys convenient access from Nelson Mandela Avenue.



5.2 Provision of on-site parking

On-site parking will be provided on the erf, in accordance with the requirements of the Windhoek Zoning Scheme and also the draft parking policy, the requirement of parking for "Office" is one parking bay for every 25 square meter of office floor space.

Draft Parking Provision Policy Requirements For the City of Windhoek	
Parking Requirements for Office	1 per 25m^2 floor area
Total floor area of building	296m^2
Parking bay's Required	12 Bays
Parking bay's Provided	12 Bays

The erf needs a total of 12 parking bays by the calculations of total floor space and 12 parking bays are comfortably provided on site.

The parking layout has been submitted to City of Windhoek and was approved by Saara on the 24th of January 2024. See attached annexure 3F.

5.3 Influence on the surrounding area

Due to the locality and accessibility of the erf in question, no major changes in the day-to-day activities of the neighbourhood will occur as a result of the intended rezoning. In addition to this, there is no evidence that offices have a negative influence on the surrounding areas. This property is surrounded by existing high density residential, office and commercial developments.

5.4 Security

Security in the surrounding area may be enhanced as a direct result of the rezoning because of the constant number of people that will be on the premises during the daytime. It is a fact that the increase in the number of "eyes and ears" in an area can have a positive impact on the general security of an area.

5.5 Noise

It is not expected that the intended land use will generate noise levels that will have a negative effect on the surrounding environment.

5.6 Urban Structure

This area can serve as an area where mixed land uses can be allowed. If trends over the last few years are taken into consideration, it is obvious that the character of this area has undergone major changes in terms of land use. Due to the locality and existing character of these areas, it can be expected that the Windhoek Municipality will become under increasing pressure to allow for mixed land uses and higher residential densities over the next few years.

5.7 Property Value

In many (most) cases of rezoning applications, the general public is more than often concerned about a decrease in property values as a result of the proposed new zoning.

It is not expected that the proposed rezoning will have a negative influence on property values in the surrounding area. With the intended rezoning, surrounding property values might even increase because of the popularity this area is undergone.

5.8 Summary

After evaluating the above aspects to determine the need and desirability for the intended rezoning of Erf 6923, Windhoek from "Residential" with a density to 1/900 to "Office" with a bulk 0.4 it is concluded that the rezoning will have no detrimental effect on the character of the neighbourhood.

It is thus concluded that the intended rezoning is necessary and desirable.

6. TITLE DEED CONDITIONS

Title Deed of Erf 6923 does not list any conflicting conditions that may prevent the proposed rezoning.

7. CONCLUSION

We are of the opinion that the rezoning of Erf 6923 will not only be to the benefit of the prospective owner, but it will also add value to the overall part of Windhoek. Since there are no detrimental impacts, which can be identified at this stage, it is our conclusion that the existing environment will benefit from the proposed rezoning and the Windhoek Municipality are urged to consider this application favourably.

8. APPLICATION

On behalf of the registered owner, PAULINAS PROPERTIES CC, **WINPLAN** herewith apply for the:

- **REZONING OF ERF 6923 (A PORTION OF ERF 1956), WINDHOEK, (171 NELSON MANDELA DRIVE) FROM "RESIDENTIAL" WITH A DENSITY OF 1:900 TO "OFFICE" WITH A BULK OF 0.4;**
- **CONSENT FOR FREE RESIDENTIAL BULK ON ERF 6923 (A PORTION OF ERF 1956), WINDHOEK**

We trust that this application will meet with all your requirements. Should any uncertainties arise, please do not hesitate to contact us.

Kind regards,

LOUIS J ESTERHUIZEN (NCTRP)

FORM 1 OF ANNEXURE 4

MINISTRY OF URBAN AND RURAL DEVELOPMENT

NOTICE OF INTENTION TO APPLY FOR REZONING
TO WHOM IT MAY CONCERN

Please take note that **WINPLAN TOWN AND REGIONAL PLANNERS on behalf of the registered owner**

(full names of applicant)

intends to apply to the Board* to rezone **ERF 6923 (A PORTION OF ERF 1956)** (erf number)

171 NELSON MANDELA AVENUE (street address)

WINDHOEK (township area or other area) for

REZONING OF ERF 6923 (A PORTION OF ERF 1956), WINDHOEK, (171 NELSON MANDELA DRIVE) FROM "RESIDENTIAL" WITH A DENSITY OF 1:900 TO "OFFICE" WITH A BULK OF 0.4;
(details of the amendment concerned)

Please further take note that -

(a) the plan of the erf or land lies for inspection at room **241** 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:

THAT THE REZONING BE APPROVED BY THE BOARD

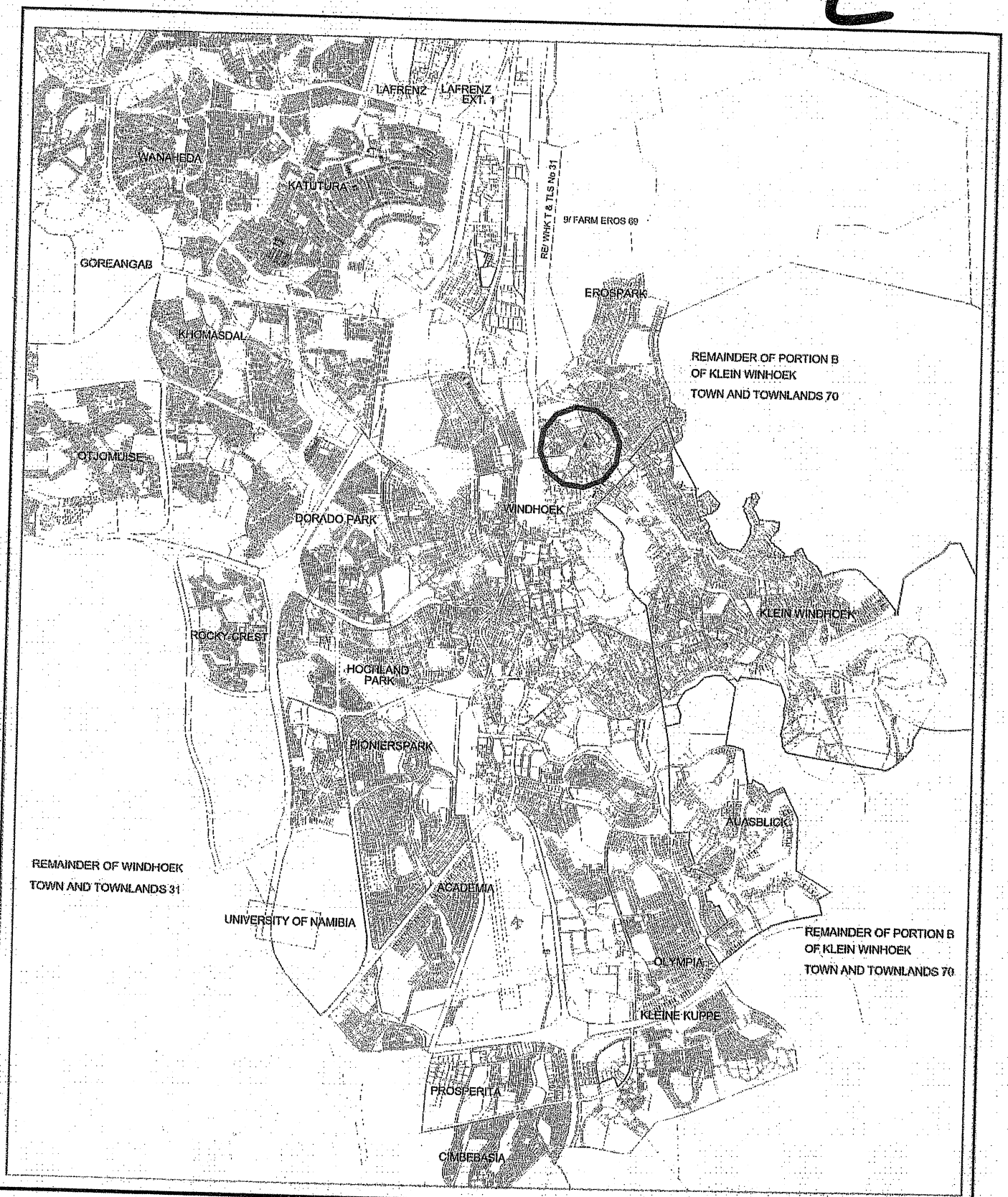
.....
Signature of applicant on behalf of registered owner

23 February 2024
Date

Address of applicant: **WINPLAN, PO BOX 90761, KLEIN WINDHOEK**

* Delete whichever is not applicable.

C



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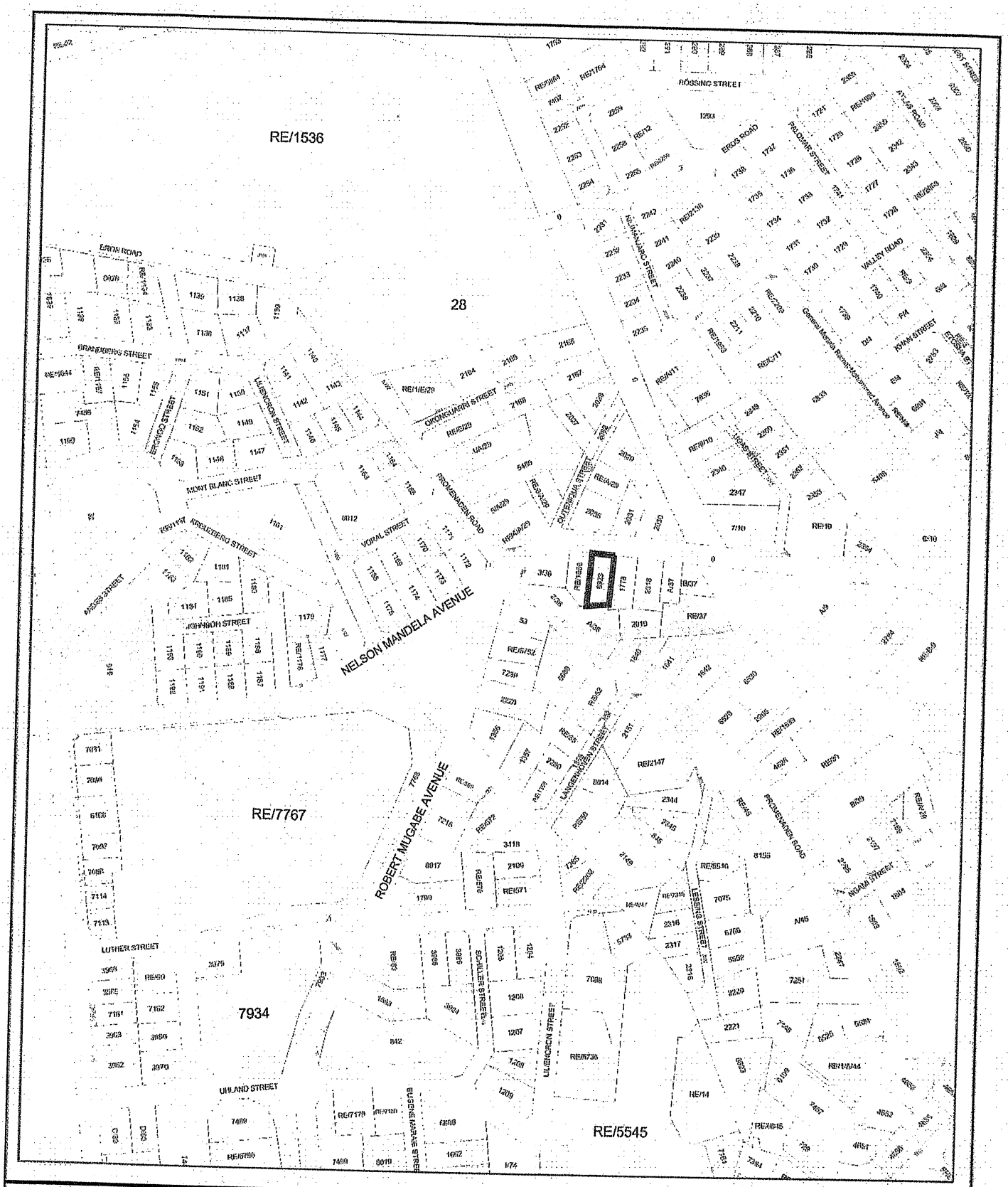
DATE: JAN. 2024

PLAN NO. 6923 WW_L2

TN

LOCALITY PLAN OF ERF 6923 (a Portion of Erf 1956), 171 NELSON MANDELA DRIVE WINDHOEK

WINPLAN
T (061) 246 700
F (061) 246 999
info@winplan.com.na
P.O Box 9078
Klein Windhoek
Wasserberg Park
3 Jan Jonker Road
Klein Windhoek



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DATE: JAN. 2024

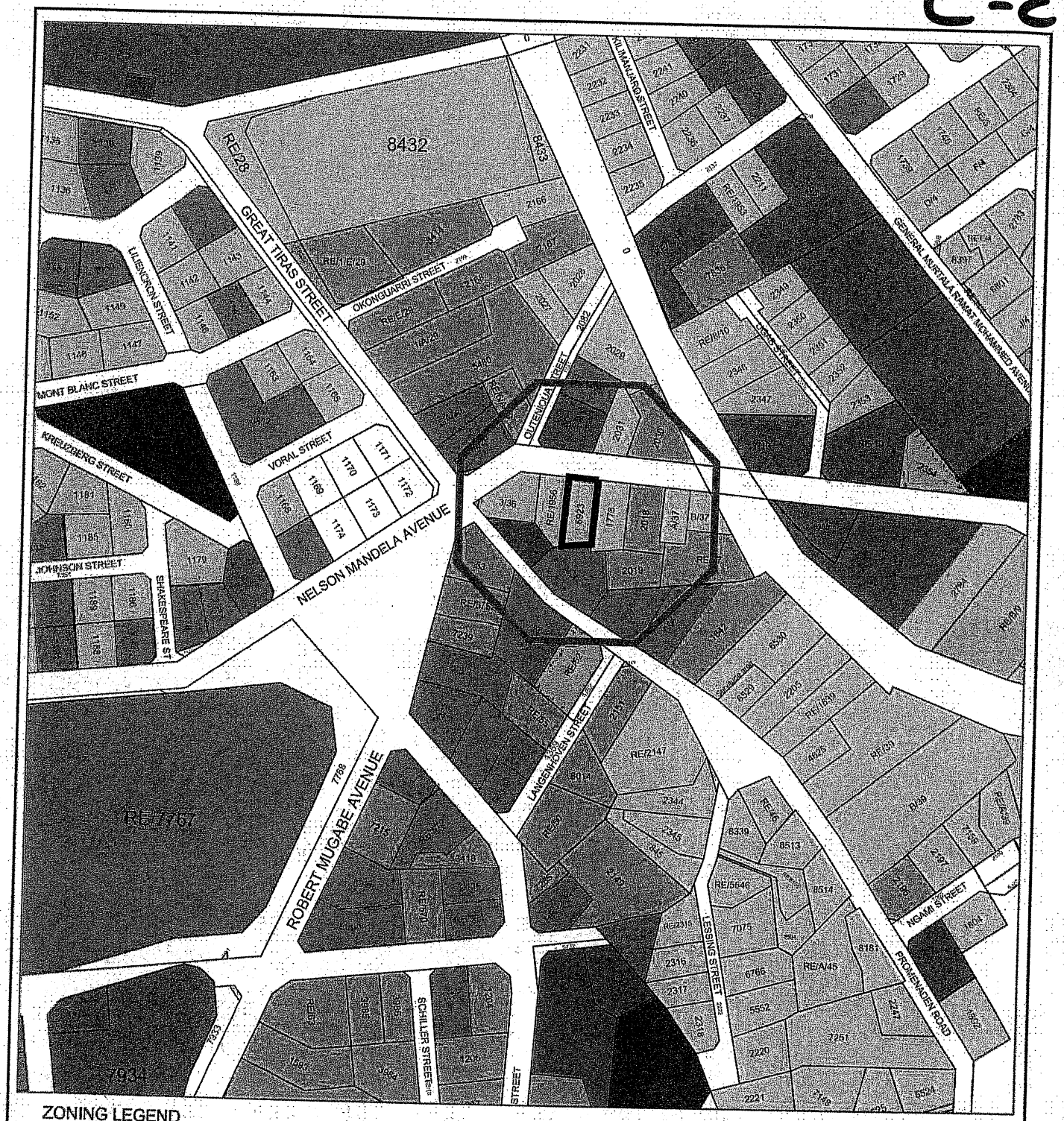
PLAN NO. 6923WHK L1

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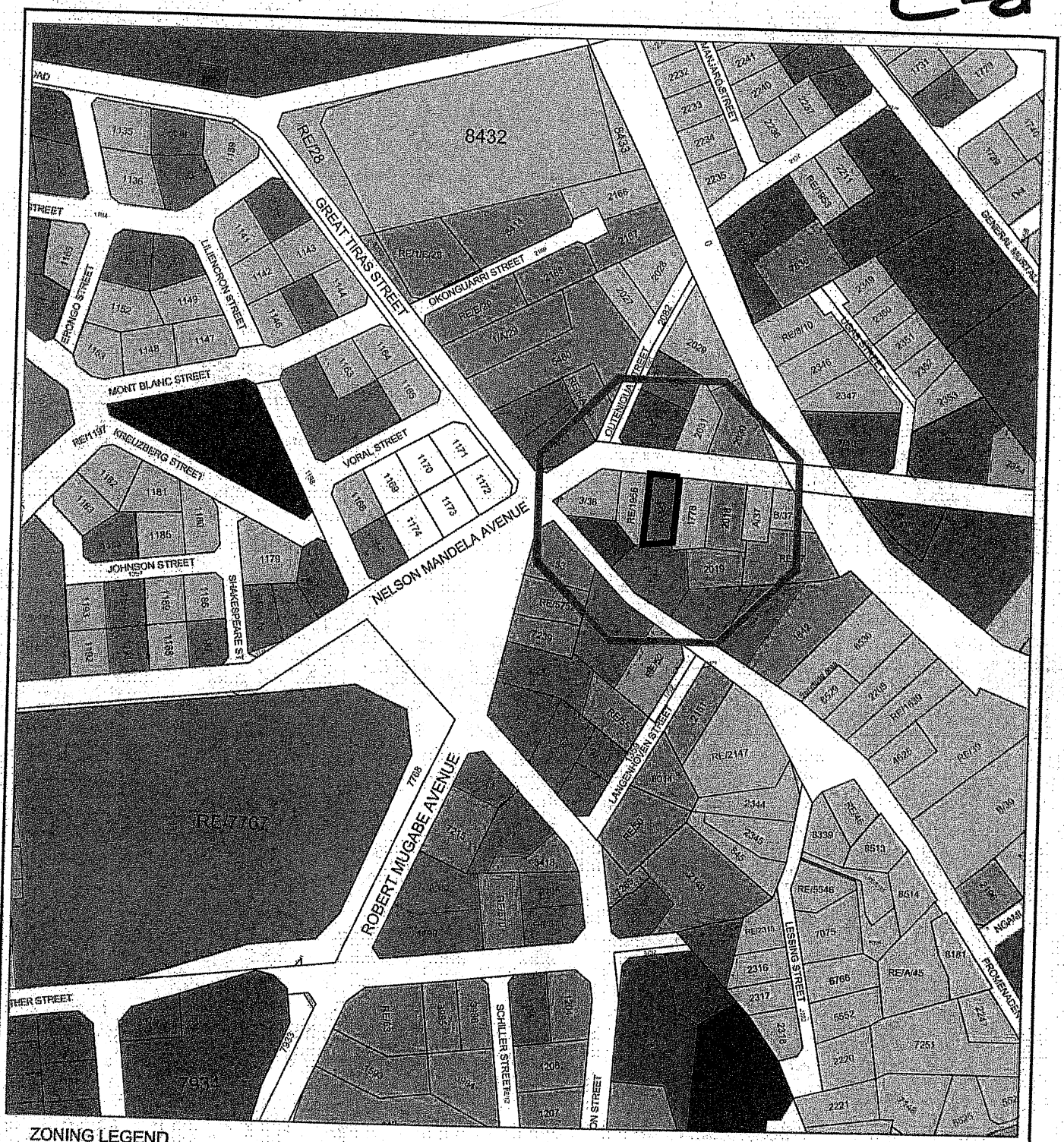
LOCALITY PLAN OF ERF 6923 (a Portion of Erf 1956), 171 NELSON MANDELA DRIVE WINDHOEK

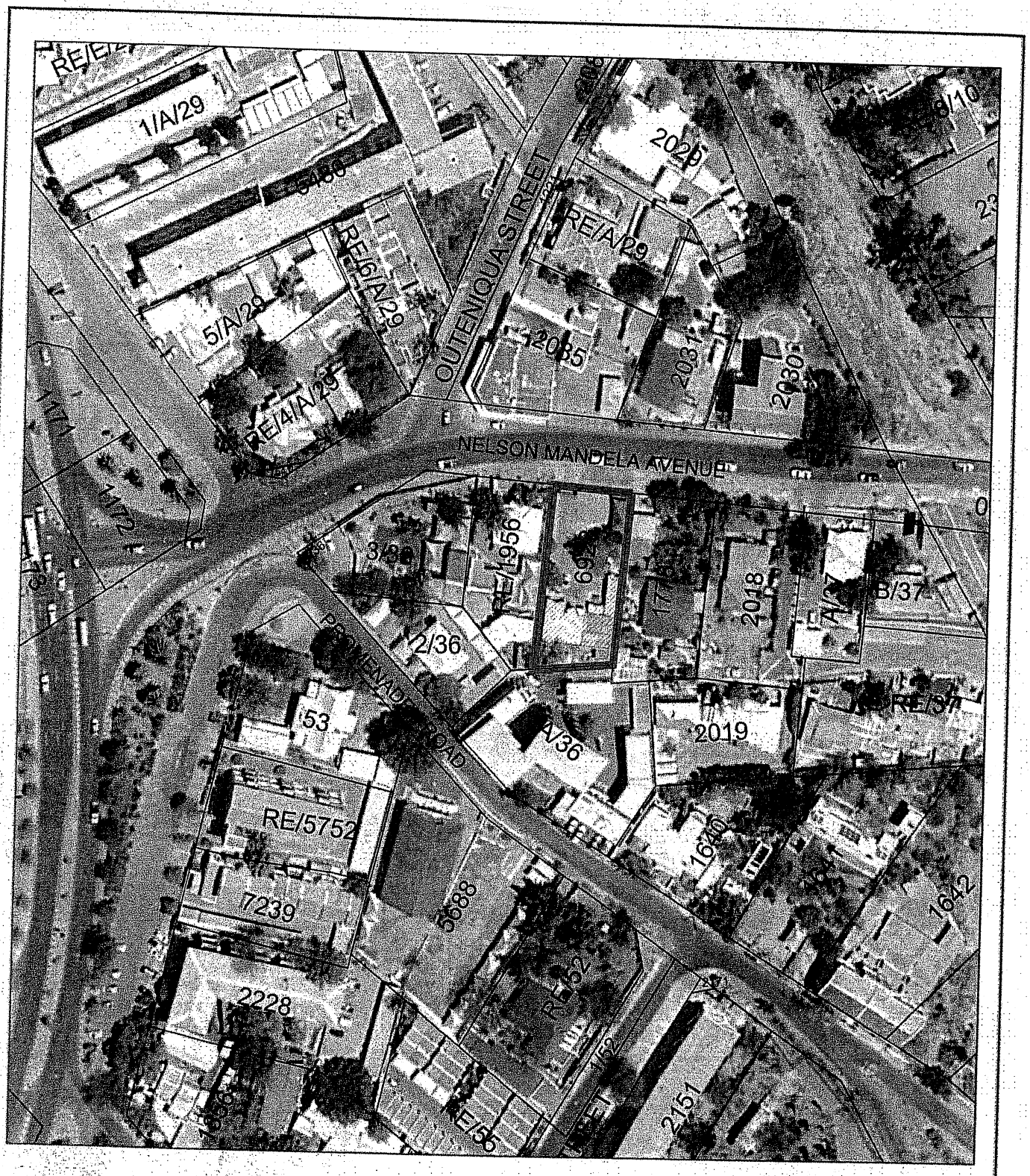
WINPLAN
T (061) 245 767
F (061) 246 953
winplan@winplan.com.na
P.O Box 90761
Klein Windhoek
Wasserberg Park
1 Jan Smuts Road
Klein Windhoek

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8432
RE/28
GREAT TIRAS STREET
LILIENCRON STREET
MONT BLANC STREET
KREUZBERG STREET
JOHNSON STREET
SHAKESPEARE ST
VORAL STREET
OKONGUARRI STREET
OLIVENCIA STREET
NELSON MANDELA AVENUE
KILIMANJARO STREET
GENERAL MURTALA MOHAMMED AVENUE
ROBERT MUGABE AVENUE
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LESSING STREET
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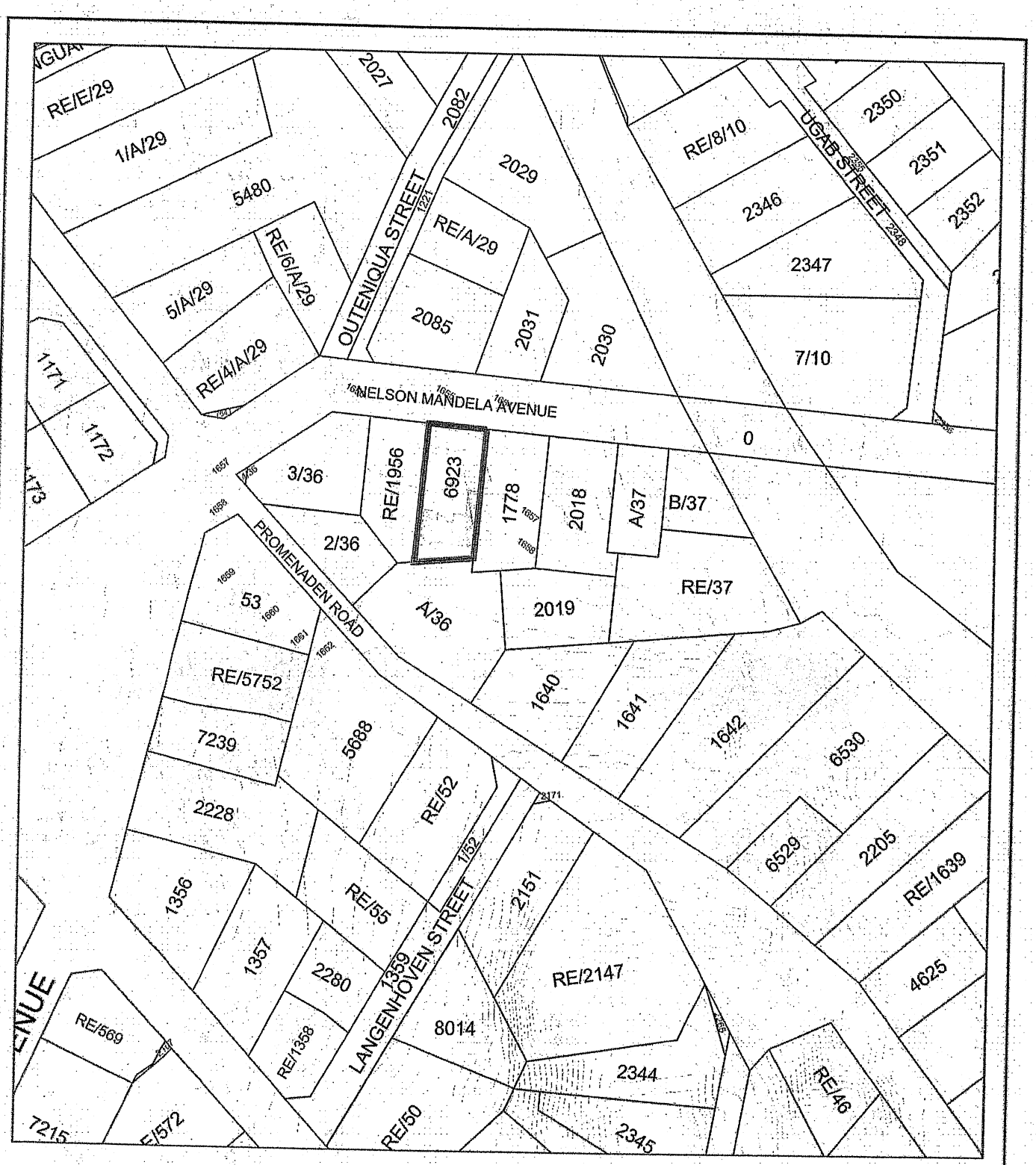
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HANNARO STREET
GENERAL MURTAL
LANGENHOVEN STREET
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EXISTING BUILDINGS

Scale: 1/1500 DATE: JAN. 2024 PLAN NO. 6923WHK_P TN	REZONING OF ERF 6923 (a Portion of Erf 1956), WINDHOEK, (171 NELSON MANDELA DRIVE) FROM "RESIDENTIAL" WITH A DENSITY OF 1:900 TO "OFFICE"WITH A BULK OF 0.4; CONSENT FOR FREE RESIDENTIAL BULK ON ERF 6923 (a Portion of Erf 1956),WINDHOEK	WINPLAN T (061) 246 781 F (061) 246 953 P.O Box 90781 Klein Windhoek Wasserberg Park 1 Jan Jonker Road Klein Windhoek



EXISTING BUILDINGS

Scale: 1/2000

DATE: JAN. 2024

PLAN NO. 6923WHK_C

TN

REZONING OF ERF 6923 (a Portion of Erf 1956), WINDHOEK, (171 NELSON MANDELA DRIVE) FROM "RESIDENTIAL" WITH A DENSITY OF 1:900 TO "OFFICE"WITH A BULK OF 0.4;

CONSENT FOR FREE RESIDENTIAL BULK ON ERF 6923 (a Portion of Erf 1956),WINDHOEK

WINPLAN
T (061) 245 751
F (061) 245 754
winplan@winplan.com.na
P.O. Box 90751
Klein Windhoek
Wanaheda Park
1 Jan Jonker Road
Klein Windhoek

E

SPECIAL POWER OF ATTORNEY

I/We, the undersigned,

NAMIBIA REVENUE N$5

NICHOLAS EMANUEL SMIT

in my/our capacity as:

50% MEMBER OF PAULINA'S PROPERTIES CC
REGISTRATION NUMBER: CC/2000/0988

do hereby nominate, constitute and appoint

WINPLAN, P O BOX 90761, KLEIN WINDHOEK

with power of Substitution, to be my lawful Attorney and Agent in my/our name, place and stead, negotiate and to make all necessary applications to the **CITY OF WINDHOEK AND URBAN AND REGIONAL PLANNING BOARD**, for the:

- **REZONING OF ERF 6923 (a Portion of Erf 1956), WINDHOEK, (171 NELSON MANDELA DRIVE) FROM "RESIDENTIAL" WITH A DENSITY OF 1:900 TO "OFFICE" WITH A BULK OF 0.4;**
- **CONSENT FOR FREE RESIDENTIAL BULK ON ERF 6923 (a Portion of Erf 1956), WINDHOEK**

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 as I/We might or could do if personally present and acting herein – hereby ratifying, allowing and confirm all and whatsoever my/our said Attorney and Agent shall lawfully do, or cause to be done, by virtue of these present.

SIGNED at **SWAKOPMUND** this **15th** day of **JANUARY 2024**, in the presence of the undersigned witnesses.

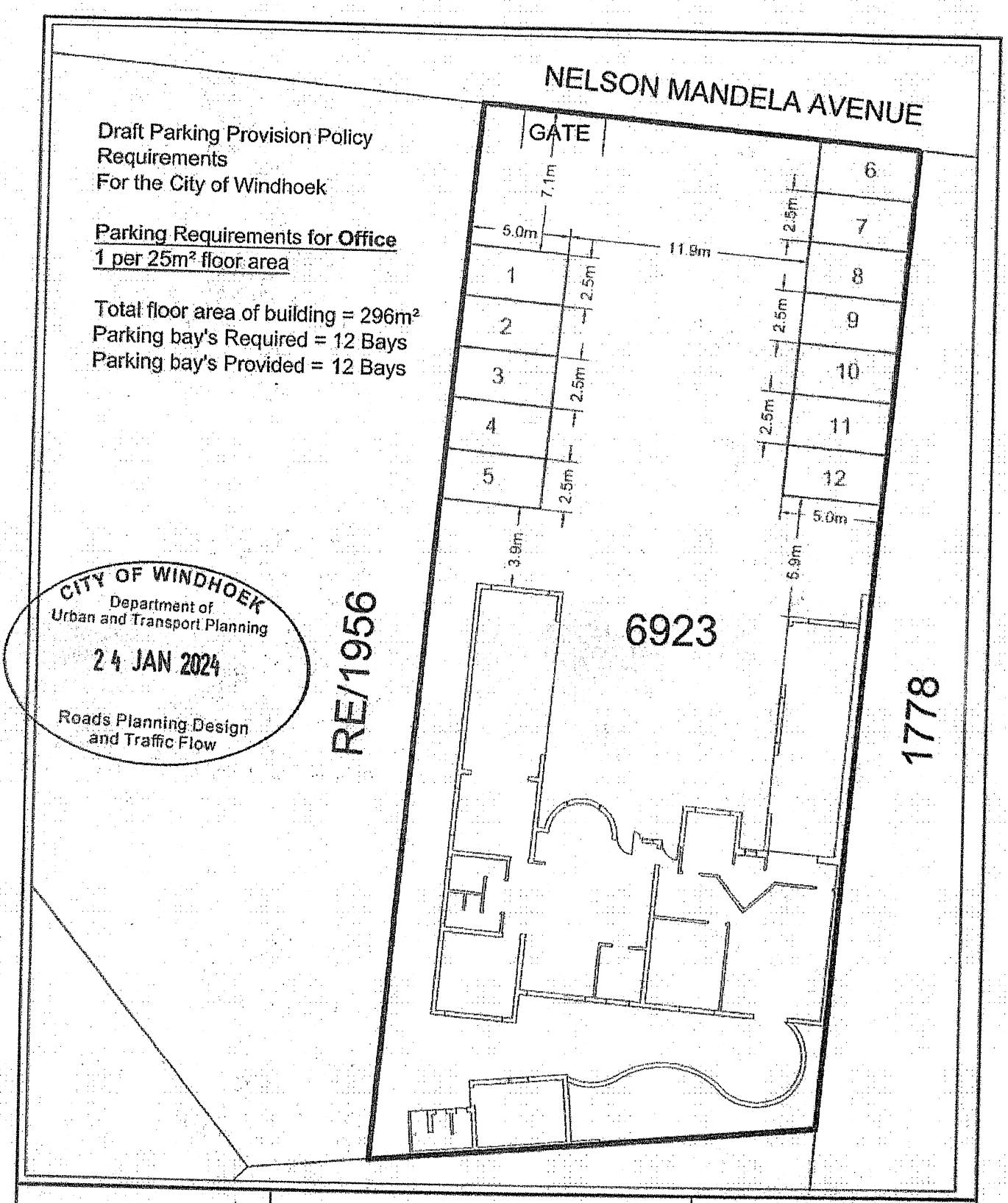
WITNESSES:

1. _____
Witness

2. _____
Witness

_____
N E SMIT

C-f



Scale: 1/250

DATE: JAN. 2024

PLAN NO. 6923WHK_P

TN

PARKING LAYOUT FOR ERF 6923
171 NELSON MANDELA DRIVE
WINDHOEK

CURRENT ZONING: "RESIDENTIAL" WITH A DENSITY OF 1:900
NEW ZONING: "OFFICE"WITH A BULK OF 0.4

WINPLAN

GOEDGEKEUR

1989 -01- 30

LANDMETER- 220

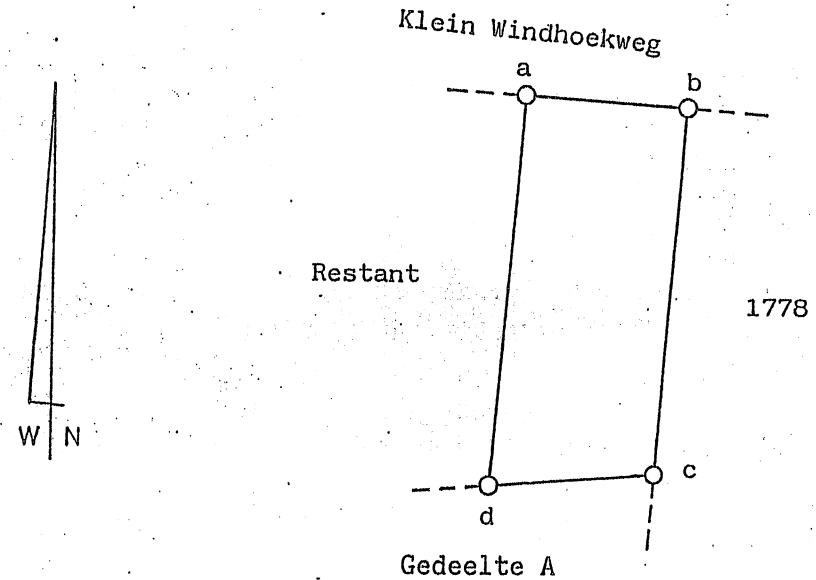
Nr. A 900/88

C-9

	SYE Meters	RIGTINGSHOEKE ° ' "		KOÖRDINATE Stelsel 22/17 y	x	BEN.
ab	21,92	275 06 20	a	- 9 156,31	+ 60 973,91	272o1
bc	48,22	5 00 10	b	- 9 178,14	+ 60 975,86	KB154n
cd	22,30	85 30 50	c	- 9 173,93	+ 61 023,90	1956d
da	51,93	185 05 10	d	- 9 151,70	+ 61 025,64	Sub1
			⊕	- 9 149,25	+ 60 957,10	P22
			⊕	- 9 343,48	+ 60 984,37	RM109

Bakenbeskrywing:

a b c d - 16mm Ronde ysterpen



Gedeelte A
van Erf 36

Skaal 1: 1 000

Die figuur a b c d

stel voor 1099 vierkante meter grond, synde

ERF 6923 ('n gedeelte van Erf 1956) WINDHOEK

gelee in die Munisipale Gebied Windhoek
Registrasie Afdeling K

Suidwes-Afrika

Opgemeet in Julie 1988 deur my C. de Wet.
Landmeter

Hierdie kaart is geheg aan T. 1223/1989 Nr. gedateer 1989.04.28 Registrateur van Aktes	Die oorspronklike kaart is Nr. A318/52	M.S. Nr. E. 126/88 Alg. Plan Nr. Noteerplan MG-5AA/Z4 Lêer Nr. WHK 9

221

OF NAMIBIA

CLOSE ITIONS ACT, 1988

(Section 13, 15, 24, 27, 29, 47 and 60)

(Regulations 3 and 12)

I

CC 2

Amended Founding Statement

Before filling in the form, first see notes on page 2.

MINISTRY OF INDUSTRIALISATION, TRADE & SME DEVELOPMENT
P.O. Box 2214, Windhoek
13 JAN 2017
REPUBLIC OF NAMIBIA
REGISTRAR OF COMPANIES
CLOSE CORPORATIONS PATENTS
TRADE MARKS DESIGNS

REGISTRATION NUMBER OF CORPORATION	DATE OF RECEIPT
CC/2000/0988	

PART A

	Dates of commencement of change
Full name of corporation* PAULINA'S PROPERTIES CC	*
Previous name of corporation (if applicable)* N/A	*
Literal translation of name (if applicable)* N/A	*
Shortened form of name (if applicable)* N/A	*
Description of principal business* PROPERTY INVESTMENT AND ANY RELATED BUSINESS	*
Date of end of financial year* END OF FEBRUARY EACH YEAR	*

PART B

Postal address* P O BOX 2184 , WINDHOEK, NAMIBIA	2017 -01- 17
Address of registered office (not post office box) 61 BISMARK STREET, WINDHOEK, NAMIBIA	2017 -01- 17
Name and address of accounting officer* BDO, 61 BISMARK STREET, WINDHOEK, NAMIBIA	2017 -01- 17

(Attach written consent to appointment)

Full name of association or body of which accounting officer is a member INSTITUTE OF CHARTERED ACCOUNTANTS OF NAMIBIA

Membership/Practice No. 9402

*See note 2 on page 2

2017 -01- 17

Reproduced under Government Authority
Registrar of Close Corporation Reference 1/2/3/5

NOTES

1. Form CC 2 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. Change(s) effective from date of registration or upon a later date mentioned.

3. Where a person signs on behalf of a member, a power of attorney must be attached.

4. Minor children and other person under legal disability must be assisted by their parents, guardians or representatives, as the case may be, and the capacity must be stated.

5. If no identity documents has been issued, a written statement to this effect must be attached.

6. Particulars which do not change should also be furnished.

7. No fee is payable in respect of any changes in particulars under Part B and C.

8. New members must personally sign the form.

9. Form CC 2 which does not comply with the requirements of the Act, regulations or these notes, will be rejected.

10. Particulars to be furnished under PART C:

    (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 PAULINA'S PROPERTIES CC

REGISTRATION NUMBER	CC/2000/0988

PART C

		Date of Change
MEMBERS	2(TWO)	
Full names and surname	JACOBUS JOHANNES BARKHUIZEN	2017 -01- 17
Identity number or date of birth (i)	Year 61 Month 08 Day 28 — 5 0 1 4 0 8 5	2017 -01- 17
Registration number (ii)		
Percentage of interest	50%	2017 -01- 17
Particulars of contribution	N$50-00	2017 -01- 17
Residential address	VOGELRICHT NO. 13, SHEARWATER STREET, VOGELSTRAND SWAKOPMUND, NAMIBIA	2017 -01- 17
Postal address	P O BOX 2956, SWAKOPMUND	2017 -01- 17
Signature of member or representative		

Full names and surname	NICHOLAS EMANUEL SMIT	2017 -01- 17
Identity number or date of birth (i)	Year 77 Month 07 Day 25 — 1 0 4 3 5	2017 -01- 17
Registration number (ii)		
Percentage of interest	50%	2017 -01- 17
Particulars of contribution	N$50-00	2017 -01- 17
Residential address	ERF 384, STRAND STREET SOUTH, SWAKOPMUND, NAMIBIA	2017 -01- 17
Postal address	P O BOX 2022, SWAKOPMUND, NAMIBIA	2017 -01- 17
Signature of member or representative		2017 -01- 17

Witness Signature _____ Date of signature 1/12/2016

Full names Nicholene Smit

Residential address 11 Villa La Cabin, Mile 4, Swakopmund

Business address Unit 19, Apex Park Building, Swakopmund

Postal address PO Box 2022
Swakopmund

NAME OF CORPORATION **PAULINA'S PROPERTIES CC**

REGISTRATION NUMBER	CC/2000/0988

PART C

	Date of Change
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	
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	
Signature of member or representative	

Witness Signature _____ Date of signature _____

Full names _____

Residential address _____

_____

Business address _____

_____

Postal address _____

NAME OF CORPORATION **PAULINA'S PROPERTIES CC**

REGISTRATION NUMBER	CC/2000/0988

PART C

MEMBERS	Date of Change
Full names and surname	
Identity number or date of birth (i) — Year / Month / Day	
Registration number (ii)	
Percentage of interest	
Particulars of contribution	
Residential address	
Postal address	
Signature of member or representative	

Full names and surname	
Identity number or date of birth (i) — Year / Month / Day	
Registration number (ii)	
Percentage of interest	
Particulars of contribution	
Residential address	
Postal address	
Signature of member or representative	

Witness Signature _____ Date of signature _____

Full names _____

Residential address _____

Business address _____

Postal address _____

CC 2

NAME OF CORPORATION PAULINA'S PROPERTIES CC

REGISTRATION NUMBER	CC/2000/0988

PART C

	Date of Change
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	
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	
Signature of member or representative	

Witness Signature _____ Date of signature _____

Full names _____

Residential address _____

_____

Business address _____

_____

Postal address _____

_____

CC 2

NAME OF CORPORATION **PAULINA'S PROPERTIES CC**

REGISTRATION NUMBER	CC/2000/0988

PART C

	Date of Change
MEMBERS	
Full names and surname	
Identity number or date of birth (i) (Year / Month / Day)	
Registration number (ii)	
Percentage of interest	
Particulars of contribution	
Residential address	
Postal address	
Signature of member or representative	

Full names and surname	
Identity number or date of birth (i) (Year / Month / Day)	
Registration number (ii)	
Percentage of interest	
Particulars of contribution	
Residential address	
Postal address	
Signature of member or representative	

Witness Signature _____ Date of signature _____

Full names _____

Residential address _____

Business address _____

Postal address _____

NAME OF CORPORATION **PAULINA'S PROPERTIES CC**

REGISTRATION NUMBER	CC/2000/0988

MEMBERS WHO CEASE TO BE MEMBERS

Full name and surname of member	Identity number	Signature
HENDRIK PETRUS GREEFF	7 9 0 9 0 9 1 0 0 8 5	2017-01-17

Membership ceases on the date of registration of the Amended Founding Statement.

Witness Signature _____ Date of signature 5/12/2017.

Full names **CHARLEEN LINDA JOERGES**

Residential address **6 BARBET STREET, HOCHLANDPARK, WINDHOEK, NAMIBIA**

Business address **43 BURG STREET, WINDHOEK, NAMIBIA**

Postal address **P O BOX 37, WINDHOEK, NAMIBIA**

FOR OFFICE USE

Amended Founding Statement registered

Registrar of Close Corporations

17/01/2017

Date

Data Processing

Classification

Recorded

Initials and date

REPUBLIC OF NAMIBIA CLOSE CORPORATION

MINISTRY OF INDUSTRIALISATION, TRADE AND SME DEVELOPMENT
PO Box 1613, Windhoek
13 JAN 2017
N$ 30,00
REPUBLIC OF NAMIBIA
REGISTRAR OF COMPANIES
CLOSE CORPORATIONS, PATENTS
TRADE MARKS, DESIGNS

Paste revenue receipt or affix revenue stamp or impress revenue franking machine impression here

I

15 January 2024

Paulina's Properties CC
P O Box 2022
SWAKOPMUND

To Whom It May Concern:

MEMBERS RESOLUTION: REZONING OF ERF 6923, WINDHOEK

At a Members meeting of **PAULINA'S PROPERTIES CC** held on **15 JANUARY 2024** it was resolved to appoint WINPLAN TOWN AND REGIONAL PLANNERS to undertake the necessary steps to obtain approval for:

- **REZONING OF ERF 6923 (a Portion of Erf 1956), WINDHOEK, (171 NELSON MANDELA DRIVE) FROM "RESIDENTIAL" WITH A DENSITY OF 1:900 TO "OFFICE" WITH A BULK OF 0.4;**
- **CONSENT FOR FREE RESIDENTIAL BULK ON ERF 6923 (a Portion of Erf 1956), WINDHOEK**

It was further resolved to grant authorization to **MR NICHOLAS EMANUEL SMIT** to sign the Power of Attorney, or any documents on behalf of Paulina's Properties CC required for:

- **REZONING OF ERF 6923 (a Portion of Erf 1956), WINDHOEK, (171 NELSON MANDELA DRIVE) FROM "RESIDENTIAL" WITH A DENSITY OF 1:900 TO "OFFICE" WITH A BULK OF 0.4;**
- **CONSENT FOR FREE RESIDENTIAL BULK ON ERF 6923 (a Portion of Erf 1956), WINDHOEK**

SIGNED at **SWAKOPMUND** this **15th** day of **JANUARY 2024**, in the presence of the undersigned witnesses.

Signature: _____
MR J J BARKHUIZEN
MEMBER

Witness

Signature: _____
MR N E SMIT

Witness

J

PREPARED BY ME

CONVEYANCER
YSSEL, EH

NAMIBIA REVENUE N$50

NAMIBIA REVENUE N$200

NAMIBIA REVENUE N$200

NAMIBIA REVENUE N$500

NAMIBIA REVENUE N$1000

BC 1173 2010

CANCELLED
23 MAR 2010
Registrar of Deeds, Windhoek

24 JUL 2000 3925

ACTING

FOR ENDORSEMENTS SEE PAGE 5

DR WEDER KRUGER & HARTMANN
Attorneys, Notaries and Conveyancers
P O Box 864
WINDHOEK

DEED OF TRANSFER NO. 4055

BE IT HEREBY MADE KNOWN:

THAT ~~ETIENNE HENNING YSSEL~~ PETRUS JOHANNES LIGTHELM

appeared before me, ACTING Registrar of Deeds at Windhoek, he the said Appearer, being duly authorised thereto by a Power of Attorney granted to him by

HANSPETER GEORG KUSTNER
Born 6 September 1943
Married out of community of property

CERTIFIED TO BE A TRUE COPY
DATE: 08/11/2019
GERT H. MAASDORP
COMMISSIONER OF OATHS EX OFFICIO
BY VIRTUE OF MY OFFICE AS MANAGER:
PRIVATE BANKING
NEDBANK NAMIBIA LIMITED
REG. NO. 73/04561, BOX 1471, SWAKOPMUND

dated the 10th day of APRIL 2000 and signed at WINDHOEK

AND THE SAID APPEARER declared that his Principal had truly and legally sold on the 30TH MARCH 2000;

AND THAT HE, in his capacity aforesaid, did by these presents, cede and transfer, in full and free property, to and on behalf of

PAULINA'S PROPERTIES CC
Registration Number CC/2000/0988

Its Successors in Title or Assigns

CERTAIN	Erf No. 6923 (A Portion of Erf 1956) WINDHOEK
SITUATE	in the Municipality of WINDHOEK Registration Division "K"
MEASURING	1099 (ONE NOUGHT NINE NINE) Square Metres
FIRST TRANSFERRED	and still held by Deed of Transfer No. T1223/1989 with Diagram No. A900/88 relating thereto

SUBJECT to the following conditions imposed in terms of Section 19 of the Townships and Division of Land Ordinance 1963 (Ordinance 11 of 1963) and created in said Deed of Transfer No. T1223/1989, namely:

IN FAVOUR OF THE LOCAL AUTHORITY:

(a) Die erf mag slegs gebruik word vir doeleindes wat strook met, en onderworpe aan, die bepalings van die dorpsbeplanningskema van Windhoek wat ingevolge die bepalings van die Dorpsbeplanningsordonnansie (Ordonnansie 18 van 1954), soos gewysig, goedgekeur is.

(b) Die eienaar en enige huurder van die erf is verplig om toe te laat -

(i) dat sodanige waterpyplyne, stormwaterafvoerpype, rioolpype en bogrondse en ondergrondse elektriese kragtoevoerlyne soos wat die Plaaslike Bestuur van tyd tot tyd nodig ag, op so 'n wyse en in so 'n ligging soos wat daar van tyd tot tyd deur die Plaaslike Bestuur en die eienaar van die Erf ooreengekom word, oor die erf aangelê word;

(ii) dat enige materiaal wat uitgegrawe word gedurende die konstruksie, instandhouding en verwydering van enige sodanige waterpyplyn, stormwaterafvoerpyp, rioolpyp en bogrondse en ondergrondse elektriese kragtoevoerlyn, tydelik op die erf geplaas mag word;

(iii) dat iedereen van wie dit vereis word om die erf te betree ten einde sy pligte in verband met sodanige konstruksie, instandhouding en verwydering van enige sodanige waterpyplyn, stormwaterafvoerpyp, rioolpyp en bogrondse en ondergrondse elektriese kragtoevoerlyn, en enige ander werk wat daarmee in verband staan, te verrig, die erf te enige redelike tyd mag betree,

sonder dat enige vergoeding op die Plaaslike Bestuur verhaalbaar sal wees: Met dien verstande dat enige skade veroorsaak by die konstruksie, instandhouding of verwydering van enige sodanige waterpyplyn, stormwaterafvoerpyp, rioolpyp en bogrondse en ondergrondse elektriese kragtoevoerlyn en enige ander werk wat daarmee in verband staan of enige skade veroorsaak by die plasing op of verwydering van die erf van enige materiaal bedoel in subparagraaf (ii) deur die Plaaslike Bestuur vergoed sal word.

(c) Die Plaaslike Bestuur kan te eniger tyd aangrensend aan die erf 'n straat of strate maak waarvan die vlak mag verskil van die gemiddelde vlak van die erf op sy grenslyn of grenslyne gemeenskaplik met sodanige straat of strate, en die eienaar van sodanige erf moet binne drie maande nadat die Plaaslike Bestuur 'n skriftelike kennisgewing aan hom laat bestel het waarin hy meegedeel word dat die voorneme bestaan om 'n straat of strate te maak soos in hierdie paragraaf bedoel, op eie koste 'n keermuur of keermure wat deur die Plaaslike Bestuur goedgekeur is, oprig om te verhinder dat 'n deel van die erf in die straat val, of andersom na gelang: Met dien verstande dat waar die eienaar van die erf reeds voordat die in hierdie paragraaf bedoelde straat of strate gemaak is, 'n keermuur of keermure opgerig het wat deur die Plaaslike Bestuur goedgekeur is en sodanige straat of strate word daarna gemaak op so 'n vlak dat dit tot gevolg het dat 'n nuwe keermuur of keermure verander moet word om te verhinder dat 'n deel van die erf in die straat val, of andersom, na gelang, sodanige oprigting of verandering op koste van die Plaaslike Bestuur gedoen moet word.

(d) Geen boom wat behoort tot die Prosopis-spesies mag op die erf geplant word of toegelaat word om daarop te groei nie.

(e) Die minimum bouwaarde van die hoofgebou, buitegeboue uitgesluit, moet minstens vier keer die heersende munisipale waardasie van die erf wees.

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 and henceforth shall be entitled thereto, conformably to local custom: the State, however, reserving its rights, and finally acknowledging that the purchase price of the aforesaid property amounts to
N$200 000,00.

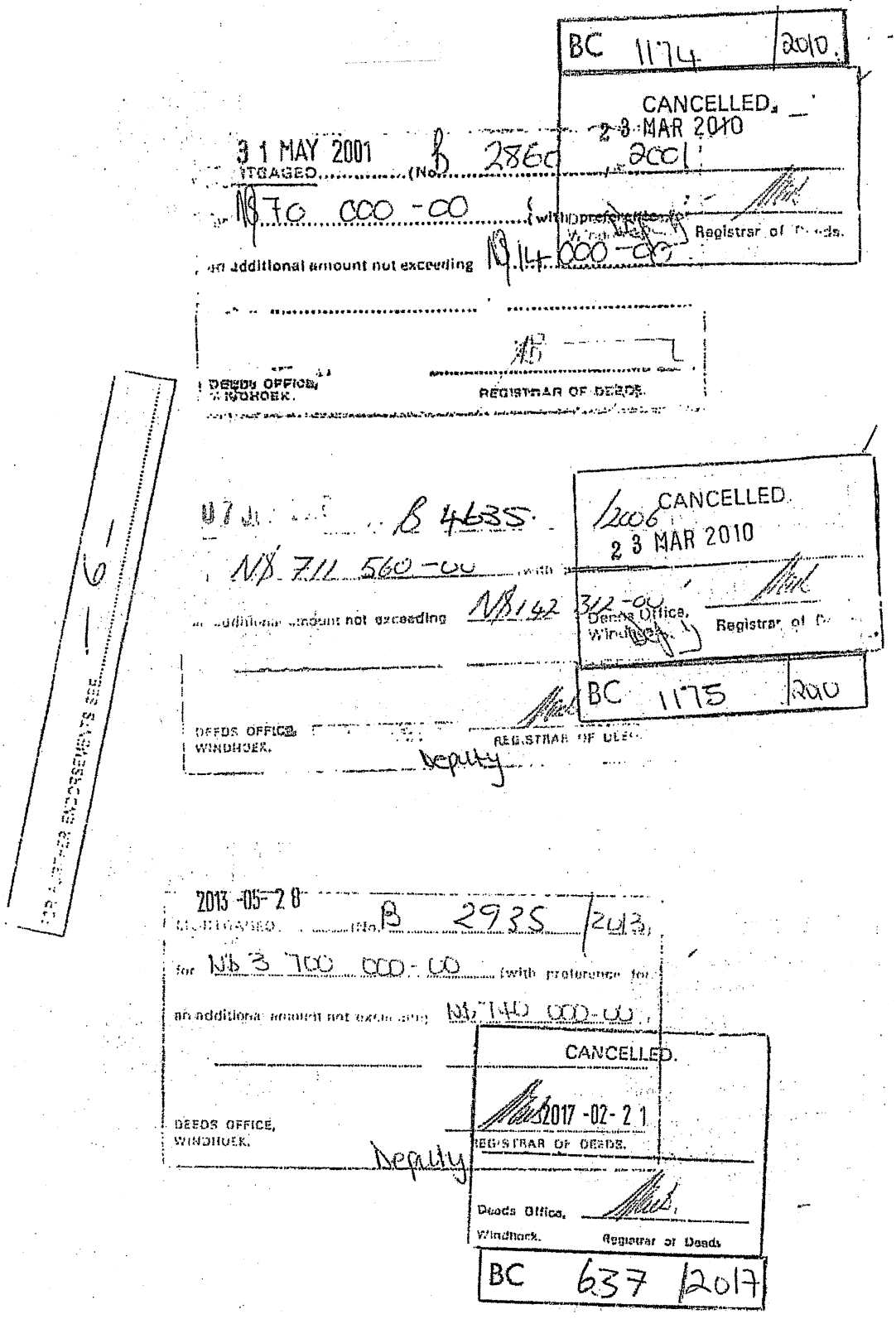
SIGNED AT WINDHOEK ON 24 JUL 2000 , together with the appearer, and confirmed with my seal of office.

SIGNATURE OF APPEARER

In my presence

REGISTRAR OF DEEDS

REGISTRAR OF DEEDS
ACTING
PRIVATE BAG 13250
WINDHOEK
REPUBLIC OF NAMIBIA


BC 1174 2010.
CANCELLED
23 MAR 2010
31 MAY 2001 B 2860 2001
for N$70 000-00 (with preference for
an additional amount not exceeding N$14 000-00
DEEDS OFFICE, WINDHOEK.
REGISTRAR OF DEEDS.
B 4635
N$ 711 560-00
CANCELLED
2006
23 MAR 2010
Deeds Office, Windhoek.
Registrar of Deeds
BC 1175 2010
DEEDS OFFICE, WINDHOEK.
Deputy
2013-05-28
B 2935 2013
for N$ 3 700 000-00 (with preference for
an additional amount not exceeding N$740 000-00
CANCELLED.
2017-02-21
DEEDS OFFICE, WINDHOEK.
REGISTRAR OF DEEDS.
Deputy
Deeds Office, Windhoek.
Registrar of Deeds
BC 637 2017

2017-02-21 MORTGAGED (No. B 649 / 2017

for N$ 3 600 000-00 (with preference for

an additional amount not exceeding N$ 720 000-00)

DEEDS OFFICE, WINDHOEK.

REGISTRAR OF DEEDS.

IN 236

L

CITY OF WINDHOEK

P O Box 59, WINDHOEK NAMIBIA
Telephone No: (061) 290 2911

TAX INVOICE

VAT Reg. Number 2646057-01-5

Invoice Number	: INV2024235980	**Date Issued :**	2/7/2024
Account Number	: N/A	**Vote Number :**	5000132050048
Name	: WINPLAN CC	**Reference Number :**	6923, WINDHOEK
Address	: P O BOX 90761, KLEIN WINDHOEK	**System Reference :**	INV383853
		Issued By :	17304 - HAIKONDA (D)
		Contact Details :	+264 61 290 3517

Description : REZONING OF ERF 6923, WINDHOEK FROM "RESIDENTIAL" WITH A DENSITY OF 1:900 TO "OFFICE" WITH A BULK OF 0.4 AND CONSENT FOR FREE RESIDENTIAL BULK ON ERF 6923 WINDHOEK

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

Bank Windhoek

Transaction Information

Reference Number	20240208-56138349
Recipient Name	City of Windhoek
Bank Name	First National Namibia
Branch Name	Windhoek Corporate Suite
Branch Code	281872
From	Winplan CC/2002/2974
Recipient Account	62012146115
Amount	N$ 2,012.50
Action Date	08/02/2024
Transaction Description	INV383853 Whk 6923
Transaction Status	ENCR Processed
Transaction Type	Ben Payment

M

DEBT MANAGEMENT CREDIT CHECK FORM

Surname Smith First name(s) Nicky / Nicholaas

Erf/stand no 6923 Township Windhoek Khomas

If company or registered under cc Paulina's Properties CC

Namibian I. D / Passport no. 77 07 15 10 1435

Postal/Private Bag address P.O. 1588 Township of address Tsumeb

Physical Residential or Business address 131 Nelson Mandela Avenue

Tel no (H) Cell 081 147 2887

DEBT MANAGEMENT CREDIT CHECK

Service Accounts (MS)

Credit Control Officer Comments:
Account 10581385 - Current
No other Arrears

Acc. Technician Credit Control A Nuas

Signature Acc. Tech Credit Control

CITY OF WINDHOEK
Date Stamp 2021-02-06
CREDIT CONTROL

LAND SALES

Comments: No Landsales Accounts

Acc. Technician Land Sales Shamen

Signature Acc. Technician Land Sales

CITY OF WINDHOEK
Date Stamp 2021
Land Sales Finance Department

ACCOUNTANT LAND SALES:

Town Planning Certificate No. 1:
Town Planning Scheme Information

239

N

Ref : _____

Enq : _____

Tel : _____

Applicants Address _____

_____

Telephone Number : _____

Sir / Madam

Erf No: 6923

Township : WINDHOEK/WINDHOEK BLOCKS

Street : NELSON MANDELA AVE

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 / 900M² — Refer to Table E.
3. Bulk Factor : 0 00 — Refer to Table F.
4. Coverage : 50 % — Refer to Table G.
5. Erf Size : 1,099 m²
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 : 171 NELSON MANDELA AVE
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.

Department of Economic Development & Community Services

PO Box 59
80 Independence Avenue
WINDHOEK, NAMIBIA

Fax: (+264) 61 - 290 2331 • Tell: (+264) 61 - 290 2496 / 2603

CERTIFICATE OF FITNESS / REGISTRATION

REF NO: 2023/015395/267803

This is to certify that the premises as described hereunder is registered in terms of the General Health Regulations (G.N. 121 of 1969 as amended), Regulations Relating to the Registration of Businesses GN 202 of 2006, the Informal Trading Regulations 200 of 2007 and The Liquor Act, 1998 (Act No. 6 of 1998) for carrying on a business as stipulated.

TRADE NAME:	SEENA LEGAL CONSULT (PTY) LTD
ERF NO:	6923
TOWNSHIP:	WINDHOEK/WINDHOEK BLOCKS
STREET NAME:	NELSON MANDELA AVE
OWNER/MANAGER:	SMIT, NICHOLAS E ID: 77072510435
PO BOX:	9315 EROS
TELEPHONE:	061309260
CITY:	WINDHOEK
MEDICALS:	0
NATURE:	LEGAL ACTIVITIES
RESTRICTED TO:	LAW FIRM

CITY OF WINDHOEK
DEPARTMENT OF ECONOMIC DEVELOPMENT AND COMMUNITY SERVICES
CERTIFICATE REGISTERED
12 FEB 2024
HEALTH AND ENVIRONMENT SERVICES DIVISION
P.O. Box 59 WINDHOEK

THIS CERTIFICATE EXPIRES ON: 2024-08-11

SECTION HEAD: BUSINESS REGISTRATION
DATE: 2024-02-14

MANAGER: HEALTH AND ENVIRONMENT SERVICES
DATE: 2024-02-14

Sustainable Development

Erf 6923 falls under the office policy. However, this Erf is affected by the future road widening planning of Nelson Mandela Avenue extension from the east to the planned link with Harvey Street in the west. The northern eastern ring route of this extension crosses through Erf 6923. The starting date of this road widening project is still unknown; therefore, it is advisable that other alternatives can be explored to address this matter to the benefits of both parties. Therefore, instead of supporting the rezoning, the Council may grant consent for the applicant to utilize the erf or office purposes.

It is therefore, recommended that the applicant be given consent to use a space of Erf 6923, for office purposes until such a time that the construction of the road widening could be materialized subject to the following conditions:

- No construction to take place on portions that will be affected or likely to be affected by the future road widening.
- Any future development on the erf should firstly be discussed with Traffic Flow Section for guidance prior to the actual construction takes place.
- Should the applicant ignore or fail to comply with such conditions, then the proposed consent to use a space of Erf 6923, Windhoek for office purposes be withdrawn.

Rezoning application is not supported but rather a consent use be granted.

MEMC [242] NDUM

SUBJECT:

1. **REZONING OF ERF 6923 (A PORTION OF ERF 1956), WINDHOEK, (171 NELSON MANDELA DRIVE) FROM "RESIDENTIAL" WITH A DENSITY OF 1:900 TO "OFFICE" WITH A BULK OF 0.4;**

2. **CONSENT FOR FREE RESIDENTIAL BULK ON ERF 6923 (A PORTION OF ERF 1956), WINDHOEK**

CIRCULATION	DATE	COMMENTS	SIGNATURES
Technical Enquiries: S. Sikabongo	27/02/2024	Tel: 290 2364	
Section Engineer	…./..../2024		
Chief Engineer	..../..../2024		

TO:	Urban Planning R. Kwenani	**DATE:**	06 May 2024
FROM:	Section Engineer: Roads Planning & Traffic Flow	**REF:**	L/6923W

ROADS PLANNING & TRAFFIC FLOW COMMENTS:

The application dated 23 February 2024 received from Plan WINPLAN regarding the above has reference.

Erf 6923 Windhoek is situated on Nelson Mandela Drive from which access is gained. Nelson Mandela Drive is an arterial street with high traffic volumes. The rezoning will generate approximately 15 additional trips to the current road network during peak hours, which is considered insignificant. Erf 6923 Windhoek is overwhelmingly affected by the arterial upgrading of Nelson Mandela Drive, passing the erf right in the middle.

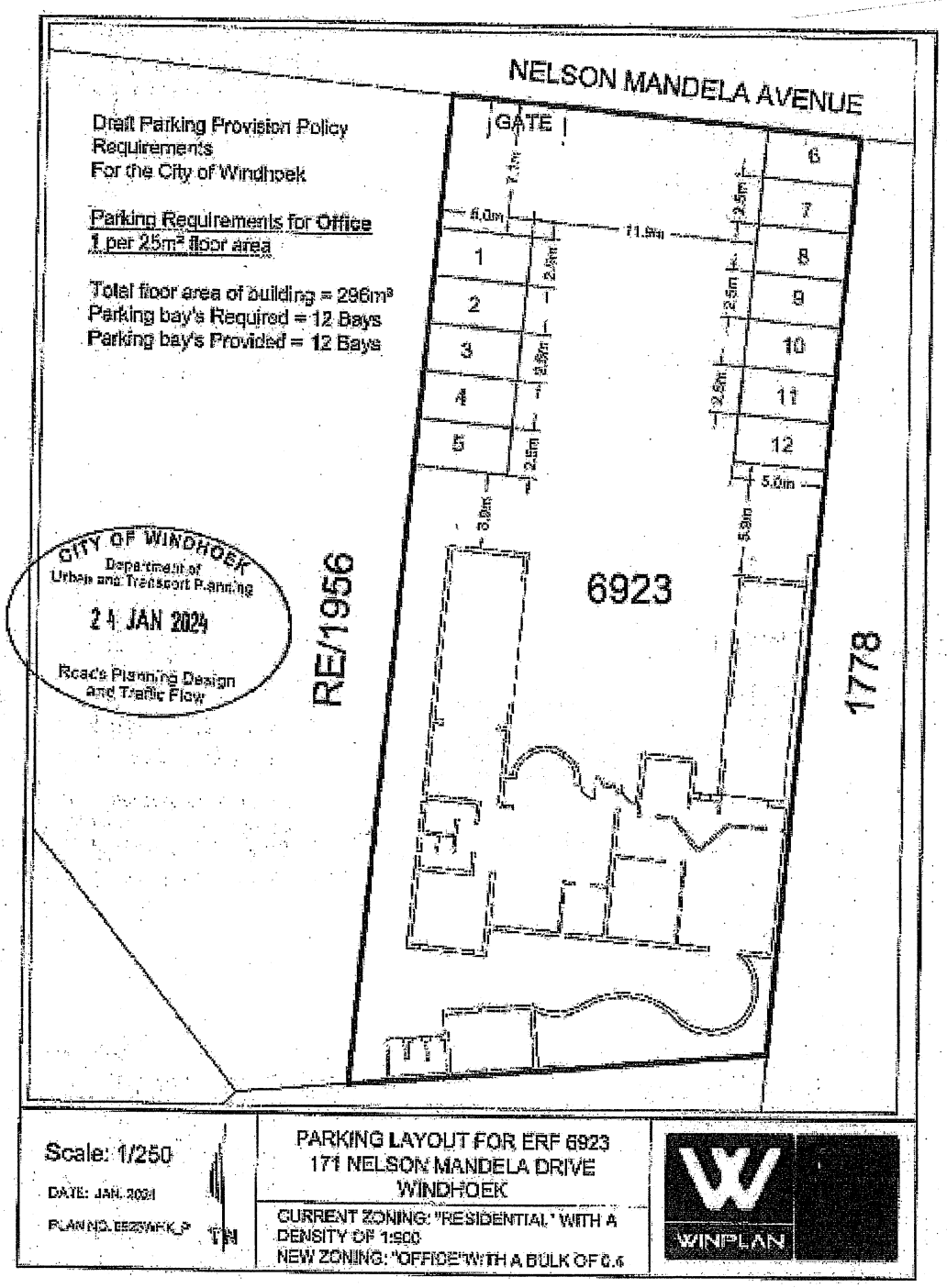
1. This Division has objection to the proposed Rezoning of erf 6923 (a portion of erf 1956), Windhoek, (171 Nelson Mandela Drive) from "residential" with a density of 1:900 to "office" with a bulk of 0.4; due to:
   1.1. The erf is located within future planned road alignments and Erf is gaining access from an Arterial Road. Such rezoning can only be supported on condition the Erf has an alternative access. The portion affected by the Future Planning of Nelson Mandela is 725m² (refer to attached proposed Subdivision Plan No: PDT/6923/W which is 66% of the entire Erf. Hence it is recommended that the whole Erf is alienated to Council.

   1.2. However; this Division will support a Consent use for Erf 6923 (a portion of erf 1956), Windhoek, (171 Nelson Mandela Drive) to use the existing buildings for "office" purposes; provided that:
      1.2.1. Parking is provided as per attached approved parking layout dated 24 January 2024.
         - 1 bay is provided per 25m² floor area

      1.2.2. Such consent use is supported until such time that Council requires the property for extension of Nelson Mandela Avenue.

      1.2.3. Consent use will only come into effect after meeting parking requirements to the satisfaction of the SE: Urban and Transport Planning.

2. This Division has objection to the proposed consent for free residential bulk on erf 6923 (a portion of Erf 1956), Windhoek; due to:
   2.1. Rezoning to office bulk of 0.4 not supported, hence free residential bulk is consequentially not supported.



Yours faithfully

S. Sikabongo
Roads Planning, Design and Traffic Flow
*2364

MEMORANDUM

TO:	Ms R Kwenami	**DATE:**	19 March 2024
FROM:	Chief Engineer Roads and Storm Water Planning, Design & Traffic Flow	**REF:**	L/6923/W

SUBJECT: APPLICATION FOR REZONING OF ERF 6923 WINDHOEK FROM RESIDENTIAL WITH A DENSITY OF 1:900 M² TO OFFICE WITH A BULK OF 0.4 AND FREE RESIDENTIAL BULK

The Application dated February 2024 for the rezoning of Erf 6923 Windhoek from residential with a density of 1:900 m² to office with a bulk of 0.4 and free residential bulk, refers.

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

1. Erf 6923 Windhoek has a downward slope from the south west into a north easterly direction.
2. Erf 6923 Windhoek is situated along Nelson Mandela Avenue.
3. The future road upgrade of Nelson Mandela Avenue passes straight through the middle of Erf 6923 Windhoek.
4. There is no stormwater system or structure crossing Erf 6923 Windhoek, except for surface stormwater runoff.

This Division therefore does not support the proposed rezoning of Erf 6923 Windhoek from residential with a density of 1:900 m² to office with a bulk of 0.4 and free residential bulk.

This Division will however re-consider the proposed rezoning of Erf 6923 Windhoek from residential with a density of 1:900 m² to office with a bulk of 0.4 and free residential bulk, 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 water course (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.

2. That the Municipal sidewalk remain to be to the required Municipal sidewalk profile.

3. That should parking be required along the sidewalk, a walking width of at least 2.0 meters wide be provided along the edge of the sidewalk.

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

MEMORANDUM

TO: Ms. R. Kwenani **DATE:** 27 March 2024

FROM: INF: Engineering Services Division **REF:** L/6923/W

SUBJECT: **REZONING OF ERF 6923 (A PORTION OF ERF 1956), WINDHOEK, (171 NELSON MANDELA DRIVE) FROM "RESIDENTIAL" WITH A DENSITY OF 1:900 TO "OFFICE" WITH A BULK OF 0.4;**

CONSENT FOR FREE RESIDENTIAL BULK ON ERF 6923 (A PORTION OF ERF 1956), WINDHOEK.

An application dated 23 February 2024 regarding the above subject matter, refers.

The property does not have access to a direct municipal sewer connection as it is connected to a private combined sewer system. In order to approve the application, the erf will no longer be permitted to utilize the private combined sewer system and must instead connect directly to the nearest available municipal sewer system.
The applicant is advised that the consideration of the intended rezoning will be subject to the submission and approval of an Engineering Design for sewer provision as stipulated by the Infrastructure Water and Technical Services Department as follows:

1. That the applicant appoints a registered professional engineer to design a municipal sewer connection for the property.
2. That the appointed engineer submit the sewer design to the Department of Infrastructure, Water & Technical Services, Engineering Services Division, for approval prior to commencing any construction works.
3. That after obtaining approval of the sewer design, the applicant appoints a contractor to construct the sewer line.
4. That the construction works be supervised by a registered professional engineer.
5. That all costs associated with the municipal sewer connection be borne by the applicant.
6. That the applicant submits a sewer design to the Department of Infrastructure, Water & Technical Services, Engineering Services

Division for approval before submitting to the Ministry of Urban and Rural Development Board.

7. That a Fitness Certificate will only be issued after the applicant has provided a municipal sewer connection to the property.
8. That no building plans will be approved until a municipal sewer connection is installed by the applicant and taken over by the Council as per approved designs.
9. That the free residential bulk is limited to 50% of the allowable bulk of 0.4.
10. That the total number of residential units not exceed four units.
11. That any additional requirements for water or sewer services be for the cost of the applicant, subject to approval by the Strategic Executive: Infrastructure, Water, and Technical Services

.....
SECTION ENGINEER
OC Archer

MEMORANDUM

TO: Ruth Kwenani

DATE: 25-Mar-2024

FROM: Engineering Services
Electricity Department

City of Windhoek
City of many faces

REF: L/6923/W

REZONING OF ERF 6923 (A PORTION OF ERF 1956), WINDHOEK, (171 NELSON MANDELA DRIVE) FROM "RESIDENTIAL" WITH A DENSITY OF 1:900 TO "OFFICE" WITH A BULK OF 0.4 AND CONSENT FOR FREE RESIDENTIAL BULK ON ERF 6923 (A PORTION OF ERF 1956), WINDHOEK

The Strategic Executive: Electricity has in principle no objection to the application rezoning for of Erf 6923, Nelson Mandela Drive, from "Residential" with a density of 1:900 to "Office", with a bulk of 0.4 and consent for free residential bulk on Erf 6923, 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 Erf.***
- 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

MEMORANDUM

250

TO: Urban Policy

Date: 22 March 2024

FROM: Health and Environment Services

Ref: Erf 6923 W

SUBJECT: REZONING OF ERF 6923 (A PORTION OF ERF 1956), WINDHOEK, (171 NELSON MANDELA DRIVE) FROM "RESIDENTIAL" WITH A DENSITY OF 1:900 TO "OFFICE"

The above subject matter has reference:

The rezoning of Erf 6923 Windhoek from residential to office is supported and the applicant will be required to comply with the following upon Council granting approval.

- Obtain an environmental clearance exemption from the Department of Economic Development and Community for rezoning from residential to office (commercial use) in a built up environment.

Kindest Regards,

[Municipal Council Minutes: 2023-11-08(10-26)]

9.1.3 **FNS.1 [UTP] APPLICATION FOR THE REZONING OF ERF 2252, WINDHOEK FROM 'RESIDENTIAL' WITH DENSITY OF 1:900 m² TO 'BUSINESS' WITH A BULK OF 0.4**
(L/2252/W)

On proposal by Councillor SS Nujoma, it was

RESOLVED

1 That the rezoning of Erf 2252, Windhoek from 'residential' with a density of 1:900 m² to 'business' with a bulk of 1.0, not be recommended for approval to the Urban and Regional Planning Board in accordance with section 109(2)(b) of the Urban and Regional Planning Act, 2018 (Act 5 of 2018).

2 That the rezoning of Erf 2252, Windhoek from 'residential' with a density of 1:900 m² to 'office with a bulk of 0.4, be 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).

3 That a betterment fee of 40 % be payable by the applicant prior to the submission of the rezoning application to the Urban and Regional Planning Board.

4 That the applicant submit a parking layout plan for approval by the Strategic Executive: Urban and Transport Planning prior to the submission of the rezoning application to the Urban and Regional Planning Board.

5 That surface stormwater run-off be accommodated according to clause 35 of the Windhoek Town Planning Scheme, stating:

5.1 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.

5.2 That the maintenance of such stormwater pipe, channel or work be the responsibility of the owner of the concerned property.

6 That the applicant appoint a registered professional Engineer to determine whether the southwestern boundary of Erf 2252, Windhoek require to be protected against any potential 50-year flood damage.

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

8 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.

9 That only one (1) service connection from the municipal electrical network be allowed to the erf.

10 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.

11 That it be noted that a connection charge will 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.

12 That the applicant apply for an Environmental Clearance Letter from the Health and Environment Services Division upon Council approving the application.

13 That Policy areas as dictated by the draft Windhoek Urban Structure Plan (WUSP) be accepted as interim Policy areas as these are unlikely to change considerably during the remaining consultation. [The final approval of the structure plan will secure any amendments so required.]

14 That the applicant accept the conditions of this Council Resolution in writing.

15 That it be noted 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.

15.1 That the 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.

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

RESOLUTION 273/11/2023

KOIZE

Fwd: Sickel Klein 29/9/09

Department of Planning, Urbanisation and Environment

P/Bag 13289, 80 Independence Avenue
Windhoek/NAMIBIA
Fax: (+264) 61 290 2111 . Tel: (+264) 61 290 2911.

Enq: Mr BN Mutrifa
Tel: 290 2609

Ref: L/6923/KW
Date: 4th November 2009

Mrs. Paulina Sickel
P.O Box 86119
WINDHOEK

Dear Madam,

REZONING OF ERF 6923, NELSON MANDELA AVENUE, KLEIN WINDHOEK FROM 'RESIDENTIAL' WITH A DENSITY OF 1:900 TO 'OFFICE' WITH A BULK OF 0.4 AND CONSENT FOR OFFICE PURPOSES

Your application for the rezoning of Erf 6923, Klein Windhoek from 'residential' with a density of 1:900 m² to 'office with a bulk of 0.4 refers.

The property may be used for offices with a bulk of 0.4, however no retailing may be allowed. *The Windhoek Town Planning Scheme defines Office as a building, room or suite of rooms used for administrative work and planning and may include a place for related subordinate draughting work.*

Please take note Erf 6923, Klein Windhoek is still zoned residential with a Density of 1:900, hence your operation is a consent use for office with a limited bulk of 0.4. Therefore the operation must be restricted to the existing buildings on the erf and please produce the above consent letter for your fitness letter.

Your request is considered positively and consent is hereby granted to a maximum bulk of 0.4 strictly for office purposes.

Yours faithfully,

DIVISIONAL HEAD: URBAN PLANNING

Market Watch Kleinadvertensies • Classifieds

SPERTYE: 13:00 TWEE 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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001 Sterfgevalle	001 Death Notices
002 In Memoriam	002 In Memoriam
003 Dankbetuigings	003 With Gratitude
004 Verlore	004 Lost
005 Kennisgewings	005 Notices
006 Persoonlik	006 Personal
007 Opleiding	007 Training
008 Betrekkings gevra	008 Employment Wanted
009 Vakatures	009 Vacancies
010 Spesiale dienste	010 Services
011 Geluksweustings	011 Congratulations
012 Eiendomme	012 Properties
013 Bou en verf	013 Construction
014 Akkommodasie	014 Accommodation
015 Te huur gevra	015 Wanted to Let
016 Te huur	016 To Let
017 Kommersieel te huur gevra	017 Commercial Wanted to Let
018 Kommersieel te huur	018 Commercial to Let
019 Kommersieel te koop gevra	019 Commercial Property to Buy
020 Kommersieel te koop	020 Comm. Property for Sale
021 Allerlei te koop gevra	021 Goods Wanted to buy
022 Allerlei te koop	022 Goods for Sale
023 Diere	023 Animals
024 Motorfietse en fietse	024 Bicycles and Motorcycles
025 Motors	025 Vehicles
026 Vragmotors en sleepwaens	026 Trucks and Trailers
027 Huise te koop gevra	027 Residential Prop. to Buy
028 Huise te koop	028 Residential Prop. for Sale
029 Besighede	029 Businesses
030 Plase te koop gevra	030 Farms Wanted to Buy
031 Plase te koop	031 Farms for Sale
032 Veilings	032 Auctions
033 Erwe te koop gevra	033 Erven Wanted to Buy
034 Erwe te koop	034 Erven for Sale
035 Regskennisgewings	035 Legal Notices

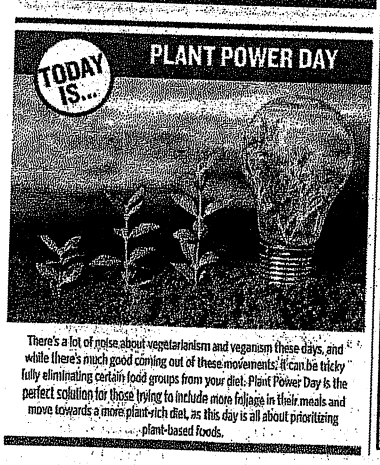
RATES & DEADLINES

To avoid disappointment of an advertisement not appearing on the date you wish, please book timeously. Classified smalls, notices and display smalls: 13:00, two working days prior to placing. A handling fee of 15% is payable on cancellations received in writing by 13:00 two days before scheduled publication. No cancellation will be accepted if received after this deadline.

RATES:
(Monday - Friday)
- Classifieds Smalls: N$112.30 for the first 20 words and N$2.15 (15% Vat included) for every word thereafter
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- Births, engagements, marriages, deaths, In memoriam: N$66.70 (15% Vat included) per col/cm
- Legal Notices: N$745.00 for the first 300 words and N$2.40 (15% Vat included) for every word thereafter

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There's a lot of noise about vegetarianism and veganism these days, and while there's much good coming out of these movements, it can be tricky fully eliminating certain food groups from your diet. Plant Power Day is the perfect solution for those trying to include more foliage in their meals and move towards a more plant-rich diet, as this day is all about prioritizing plant-based foods.

008 Betrekkings gevra / Employment Wanted

PAULINA is looking for domestic or babysitting work in Windhoek. Available immediately. Call: 081-6215650.
DM0202400414560

SARLOTE (42) is looking for domestic work. Available immediately. Call: 081-1671359 or 081-3624711.
DM0202400414566

009 Vakatures / Vacancies

FARM MANAGER WANTED with experience in cattle, sheep, game and a mechanical knowledge of engines. The ideal position for an ambitious, energetic young man. A stable employment record is a pre-requisite. START IMMEDIATELY. Email CV to: adelecattle@gmail.com
DM0202400414567

010 Spesiale dienste / Services

ARCHITECTURAL AND ENGINEER - drawings, residential houses, flats, farms, plots, factories, double storey buildings and amending plans. Call: 081-3771003,
DM0202400414554

DO YOU URGENTLY NEED CASH? Get up to 75% of your vehicle's value in 45 min! Justa carl Maoo-laah when you need it! Autocash 061-400676.
DM0202400414320

016 To huur / To Let

LUDWIGSDORF: Sharing erf with main house. Spacious three bedroom flat, guest toilet, two bathrooms. Private entrance. One safe under roof parking. Store room and laundry facility available. Outdoor area. No children, no pets. N$10 000. Electricity, water, WiFi access included. Call: 081-2735454.. Deposit N$6 000. Occupancy immediately.
DM0202400414563

ACADEMIA LADIES STUDENT ACCOMMODATION SHARING: Fully furnished, walking distance from UNAM, DStv, Wi-Fi, water and electricity included N$2 900.00. Call: 081-1288924.
DM0202400414565

032 Veilings / Auctions

PRO-E Auctioneers

Salvage Vehicle Auction

Date: 13 MARCH 2024
Auction: 10h00
Registration: 7-13 March 2024
Refundable Deposit:
N$ 10 000.00 CASH
Place: 391 Platinum St, Prosperita

VEHICLES ON AUCTION

2016 M-BENZ A250
2014 TOYOTA LANDCRUISER D/C 4X4
2020 NISSAN NP300 D/C 4X4 2.5
2023 TOYOTA HILUX D/C 4X4 2.4
2021 TOYOTA FJ CRUISER
2020 VOLKSWAGEN POLO VIVO
2022 TOYOTA LANDCRUISER PRADO
2020 M-BENZ C220D A/T
2010 VOLKSWAGEN GOLF6 1.5 TA
2020 FORD RANGER D/C 2.2
2019 TOYOTA FORTUNER GD6 4X4 2.8
2015 TOYOTA LEGEND 45 SC

& MUCH MUCH MORE !!!

Come and view these vehicles from THURSDAY, 7 MARCH 2024 12 MARCH from 08h00 till 16h00. For any further information please call: (061) 228 901

035 Regskennisgewings / Legal Notices

REZONING NOTICE Take note that Winplan Town and Regional Planning Consultants, on behalf of the registered owner, PAULINAS PROPERTIES CC intends applying to the Windhoek Municipal Council and Urban and Regional Planning Board for:
REZONING OF ERF 6923 (a Portion of Erf 1956), WINDHOEK (171 NELSON MANDELA DRIVE) FROM "RESIDENTIAL" WITH A DENSITY OF 1:900 TO "OFFICE" WITH A BULK OF 0.4; AND
CONSENT FOR FREE RESIDENTIAL BULK ON ERF 6923 (a Portion of Erf 1956), WINDHOEK
Erf 6923, Windhoek is situated at 171 Nelson Mandela Drive. The erf measures 1099m². Erf 6923, Windhoek is zoned Residential with a density of 1:900m².
Our client intends to continue use the property predominantly for office uses. Our client also intends to apply for free residential bulk in terms of the "Free Residential Bulk Policy" as they want to also develop and use the property for residential purposes in the foreseeable future.
Access to the property will remain as is and Parking will be provided on site and in accordance with the Windhoek Zoning Scheme and Council stipulations.
Take notice that the locality plan of the intended Rezoning lies open for inspection at the Windhoek Municipality, Customer Care Centre, Town Planning Notice Board during normal office hours.
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 and with the applicant in writing within 14 days of the last publication of this notice. The last day for comments/objections will be 12 April 2024.
Applicant:
Winplan Town and Regional Planning Consultants
P O Box 90761, Klein Windhoek
E-mail: winplan@winplan.com.na
DM0202400414549

IN THE High Court of Namibia (Main Division - Windhoek)
CASE NO: HC-MD-CIV-ACT-CON-2022/00614
In the matter between:
FIRST NATIONAL BANK OF NAMIBIA LIMITED, Execution Creditor and ELVIS HOCHOBEB, Execution Debtor
NOTICE OF SALE IN EXECUTION - IMMOVABLE PROPERTY
IN EXECUTION OF COURT ORDER of THE HIGH COURT OF NAMIBIA, given on 27th of JANUARY 2023, in the above mentioned case, a Judicial sale by public auction will be held on the 18th of MARCH 2024 at 10h30 at ERF 324 UNIT 1 (A PORTION OF ERF 2), ACACIA FLATS, DORADOPARK of the following:
CERTAIN: ERF NO. 324 UNIT 1 (PORTION OF ERF NO.2) ACACIA FLATS, DORADOPARK
SITUATE: MUNICIPALITY OF WINDHOEK, REGISTRATION DIVISION "K" KHOMAS REGION
MEASURING: 39 (THIRTY-NINE) SQUARE METRES
HELD BY: CERTIFICATE OF REGISTERED SECTIONAL TITLE NO: 20/1993 (1)(UNIT)
CONDITIONS OF SALE:
A refundable deposit of N$5,000.00 is payable by either cash of EFT into the auctioneer's trust account in order to participate in this auction.
The Purchaser shall pay a deposit of TEN PERCENT of the purchase price IN CASHON THE DAY OF SALE, the balance against transfer to be secured by a bank or building society guarantee.
The complete conditions of sale may be inspected at the office of the Deputy Sheriff, Windhoek (Tel no: 061 248 568) and at the Plaintiffs' Attorneys office at the undermentioned address.
DATE at WINDHOEK this day of JANUARY 2024.
ANGULACO. INCORPORATED
Per: Kaunapawa Angula
Legal Practitioner for Judgement Creditor/Plaintiff
71 Schuster Street
Windhoek
(Ref: DEB1797/ZB)
DM0202400414587

035 Regskennisgewings / Legal Notices

IN THE High Court Of Namibia Held At Main Division Windhoek
Case Number: HC-MD-CIV-ACT-CON-2021/01411
In the matter between:
FIRST NATIONAL BANK OF NAMIBIA LIMITED, Plaintiff and
OSHAANGO BUILDING SUPPLY CC, 1st Defendant
NIKANOR SHIKONGO, 2nd Defendant
AQUARIUS INVESTMENTS 30 CC, 3rd Defendant
NOTICE OF SALE IN EXECUTION
Pursuant to a Judgement of the above Honourable Court granted on the 22nd APRIL 2022, the following immovable property will be sold "voetstoots" by the DEPUTY SHERIFF for the District of HENTIESBAY on Friday, the 15th day of March 2024, at 12:00 at Erf 2332, Extension 10, Hentiesbay, Namibia.
CERTAIN: Erf 2332, Extension 10, Hentiesbay, Namibia
SITUATED: In the Municipality of Hentiesbay, Registration Division "G"
RESERVE PRICE: (a) The property will be sold by the deputy-sheriff [redacted] HIGHCOURT OF NAMIBIA, [redacted] bidder in terms of Rule 110(1)(a), in terms of which the property will be sold at no less than 75% of:
1.1. the established municipal value; alternatively,
1.2. established market value market value
should it be established that it is a primary residence. The valuation will be held with the Deputy Sheriff for inspection together with these conditions.
(b) Interest at 10.5% interest per annum from 30 days after sale to date of full and final payment;
(b) Deputy Sheriff's fees
IMPROVEMENTS: VACANT ERF
The "Conditions of Sale in Execution" will lie for inspection at the office of the Deputy Sheriff of Hentiesbay and at the Head Office of Plaintiff in Windhoek at Plaintiff's Attorneys. Koep & Partners at the undermentioned address.
DATED at WINDHOEK this 2nd day of FEBRUARY 2024.
KOEP & PARTNERS
LEGAL PRACTITIONERS FOR PLAINTIFF
33 SCHANZEN ROAD
WINDHOEK
REF: SN/ma/77314/DEB652
DM0202400414611

Market Watch



Om te adverteer skakel:

Kleinadvertensies
t: 061-297 2175

IN LOVING MEMORY OF
STANLEY S. OLOTE
9 January 1965 - 3 March 2024



It is with great sadness that we announce the untimely death of Stanley
Contact: 081 122 4027 or 081 272 9941

ONLINE AUCTION
AucorNamibia
ASSIT DISPOSAL AUCTION
Monday 12 February 2024 @ 13:00
Gochaganas
Duly instructed by the Client, Aucor Namibia (Pty) Ltd. will be selling the following Vehicles by Online Auction
AUTOMOTIVE # AUTOMOTIVE
VEHICLES ON AUCTION:
2014, TOYOTA, QUANTUM
1990, LANDROVER, DEFENDER
1999, LANDROVER, DEFENDER
N/A, DUETZ, TRACTOR 4X4
N/A, WRIGHT, MOTOR GRADER 12 F



Registration & Bidding on: www.aucornamibia.com
Online Bidding Starts: Monday 05 February 2024 @ 10:00
Online Bidding Ends: Monday 12 February 2024 @ 10:00
Viewing: Viewing is on site at Gochaganas, please follow signs once you have entered the main gate.
T & C apply and a Buyer's premium will be charged. Details subject to change without prior notice.
Contact Us At:
Windhoek: +264 61 257 845/6 Ondangwa: +264 65 240 169
Swakopmund: +264 64 463 374 Email: info@aucornamibia.com
www.aucornamibia.com

THE POWER OF UNITY
DONATE BLOOD THIS INDEPENDENCE AND SAVE LIVES



NEXT DATE FRIDAY 8 MARCH 2024

FRIDAY, 08 MARCH 2024

Centre Tal Street (Windhoek)	07:00-13:00
Channel Life Centre (Windhoek)	08:30-15:00
Kuelmannhood Town (NG Church Hall)	10:00-18:00
Bimaria Storm Securities (Windhoek)	08:00-15:30
UNAM Hifikepunye Pohamba Campus (Ongwediva)	09:00-15:00
Jumbo Charcoal (Walvis Bay)	09:00-14:00
Walvis Bay Centre (Behind Woermannbrau Mall-park)	10:00-15:00

NAMBTS donate life
t: 061 386 300 e: pro@bts.com.na www.bts.com.na

Regskennisgewings Legal Notices

IN THE High Court of Namibia
In the matter between:
CASE NO: HC-MD-CIV-ACT-CON-2021/01312
STANDARD BANK NAMIBIA LIMITED, Plaintiff and
BELINDA MONGOYO, Defendant
NOTICE OF SALE IN EXECUTION
In execution of a judgment of the above Honourable Court dated 20TH JULY 2023 in the above action, a sale will be held by the Deputy Sheriff, WINDHOEK, at SECTION NO: 7 Vale Rocoso, Rocky Crest, WINDHOEK, on 25 MARCH 2024, at 09H00, of the under mentioned property:
A unit consisting of –
(a) Section No. 7 as shown and more fully described on Sectional Plan No.53/2010 in the building or buildings known as VALLE ROCOSO situate at Rocky Crest, in the Municipality of Windhoek, Registration Division "K", Khomas Region of which the floor area, according to the said Sectional Plan is 71(Seventy-One) square metres in extent; and
(b) An undivided share in the common property in the land and building or buildings as shown and more fully described on the said sectional plan, apportioned to the said section in accordance with the participation quota of the said section.
IMPROVEMENTS: 1x kitchen, 1x lounge, 2x bedrooms, 1 full bath room sh/wc/hwb, 1x bath/wc/hwb.
OUTBUILDINGS: 1x carport, 1x Cuisine BBQ.
TERMS 10% of the purchase price and the auctioneers' 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 and lie for inspection at the office of the Deputy Sheriff, WINDHOEK and at the offices of the execution creditor's attorneys.
AUCTIONEER'S NOTE: REFUNDABLE REGISTRATION FEE OF N$5 000.00.
DATED at WINDHOEK this 2nd day of FEBRUARY 2024.
DR WEDER KAUTA & HOVEKA INC.
Legal Practitioner for Plaintiff
3RD Floor WKH House
Jan Jonker Road
WINDHOEK
[PUK/pg/MAT63292]
DM02024004143469

IN THE High Court Of Namibia
(Main Division)
Case No: HC-MD-CIV-ACT-CON-2021/02706
In the matter between:
BEVEN LISWANI KAMWI, 1st Plaintiff and
HILYA NANGULA SHATIWA, 2nd Plaintiff
and
HAROLD ROTNIE GERTZE, 1ST Defendant
VALERIE JULINDA GERTZE, 2nd Defendant
NOTICE OF SALE
In pursuant of a judgment of the above Honourable Court granted on the 07December 2021 the following goods will be sold in execution on 06 April 2024starting at 09H00 at 422 INDEPENDENCE AVENUE, WINDHOEK, REPUBLIC OF NAMIBIA.
GOODS: 1x Defy fridge, 6x dining chairs, 1x dining table, 2x bar chairs, 1xTV-stand, 1x 3-piece lounge suite, 1x coffee table, 1x Hisense LED TV, 1xExplora decoder, 1x wall mirror, 1x DStv decoder.
CONDITION OF SALE: Cash and "Voetstoots"to the highest bidder.
Dated at Windhoek on this 08TH day of March 2024.
BROCKERHOFF & ASSOCIATES INC.
LEGAL PRACTITIONERS FOR PLAINTIFFS
13 STRAUSS STREET, WINDHOEK WEST
WINDHOEK-NAMIBIA
(REF:
TO: THE REGISTRAR OF THE HIGH COURT
MAIN DIVISION – HIGH COURT BUILDING
JUDGE J.P KARUAIHE STREET
WINDHOEK – NAMIBIA
TO: THE DEPUTY SHERIFF
422 INDEPENDENCE AVENUE.
WINDHOEK - NAMIBIA
DM02024004147425

Market Watch
OM TE ADVERTEER SKAKEL:
Rieloadvertensies T: 061-237 2175

REZONING NOTICE Take note that Winplan Town and Regional Planning Consultants, on behalf of the registered owner, PAULINA'S PROPERTIES CC intends applying to the Windhoek Municipal Council and Urban and Regional Planning Board for:
REZONING OF ERF 6923 (a Portion of Erf 1956), WINDHOEK 171 NELSON MANDELA DRIVE) FROM "RESIDENTIAL" WITH A DENSITY OF 1:900 TO "OFFICE" WITH A BULK OF 0.4; AND
CONSENT FOR FREE RESIDENTIAL BULK ON ERF 6923 (a Portion of Erf 1956), WINDHOEK
Erf 6923, Windhoek is situated at 171 Nelson Mandela Drive. The erf measures 1099m². Erf 6923, Windhoek is zoned Residential with a density of 1:900m².
Our client intends to continue use the property predominantly for office usses. Our client also intends to apply for free residential bulk in terms of the "Free Residential Bulk Policy" as they want to also develop and use the property for residential purposes in the foreseeable future.
Access to the property will remain as is and Parking will be provided on site and in accordance with the Windhoek Zoning Scheme and Council stipulations.
Take notice that the locality plan of the intended Rezoning lies open for inspection at the Windhoek Municipality, Customer Care Centre, Town Planning Notice Board during normal office hours.
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 and with the applicant in writing within 14 days of the last publication of this notice. The last day for comments/objections will be 12 April 2024.
Applicant:
Winplan Town and Regional Planning Consultants
P O Box 90761, Klein Windhoek
E-mail: winplan@winplan.com.na
DM02024004143493

IN THE High Court of Namibia
Main Division, Windhoek
Case No.: HC-MD-CIV-ACT-CON-2019/05268
In the matter between:
FOIBE NDAPEWA SHILINGE, 1st Plaintiff/ Execution Creditor
DOMINICUS NDAKALAKO JOSEPH, 2nd Plaintiff/ Execution Creditor and
VERONICA JEREMIA, 1st Defendant / Execution Debtor
THOMAS JEREMIA, 2nd Defendant / Execution Debtor
NOTICE OF SALE IN EXECUTION
In the execution of a Writ of Execution issued out of the High Court of Namibia, signed by the Registrar of the High Court of Namibia on the 16th day of November 2023, the following movable property of the Defendants/ Execution Debtors will be sold at the premises of the Deputy Sheriff of the High Court, at 422 Independence Avenue, Windhoek, Republic of Namibia on Saturday, 6 April 2024 at 09H00:
A: ASSETS TO BE SOLD IN EXECUTION:
1x stove, 1x fridge, 1x washing machine, 1x microwave, 1x 9kg gas bottle, 2x plastic chairs, 1x flatscreen TV, 1x water cooler
B: CONDITIONS OF SALE
"Voetstoots" and Cash to the highest bidder.
Dated at Windhoek on this the 1st of February 2024.
LOUIS KARSTEN LEGAL PRACTITIONER
PER: LYANA LARDELLI VAN DER WESTHUIZEN
LEGAL PRACTITIONER FOR PLAINTIFFS/EXECUTION CREDITORS
Section 7 and Section 15
Ground Floor, Hidas Centre
Number 21 Nelson Mandela Avenue
Klein-Windhoek
Windhoek
(REF: LK/SB/SAN3/0104)
DM02024004145801

IN THE High Court of Namibia
Case No. HC-MD-CIV-ACT-CON-2018/03902
In the matter between:
NEDBANK NAMIBIA LIMITED, Plaintiff
and
DIRK RUDOLPH HERHOLDT, Defendant
NOTICE OF SALE IN EXECUTION
In execution of a judgment of the above Honourable Court dated 14 November 2018, a sale without reserve will be held by the Deputy Sheriff, WINDHOEK at the premises, in Farm Kranzneus No. 219, Windhoek, on 25 MARCH 2024, at 15H00, of the under mentioned property:
CERTAIN: Farm Kranzneus No. 219
SITUATED: Registration Division "M", Khomas Region
MEASURING: 1 5353 (One Comma Five Three Five Three) hectares
Improvements: Main Building: 1x Entrance Hall, 1x Lounge, open plan, dining room open plan, 1x Kitchen, 1x scullery, 1x Pantry, 1x Battery Room, 1x study, 5x bedrooms, 1x dressing room, 1x full bathroom (en suite), 4x shower, toilet & Basin (en suite), 1x toilet and basin, 1x walk-in safe.
Outbuildings: Double garage, solar battery store, roofed BBQ Area, veranda (L-Shaped), 1x swimming pool
TERMS 10% of the purchase price and the auctioneers' 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 and lie for inspection at the office of the Deputy Sheriff, WINDHOEK and at the offices of the execution creditor's attorneys.
AUCTIONEER'S NOTE: Refundable registration fee of N$5 000.00.
DATED at WINDHOEK this 7th day of FEBRUARY 2024.
DR WEDER KAUTA & HOVEKA INC.
Legal Practitioner for Plaintiff
3RD Floor, WKH House, Jan Jonker Road
WINDHOEK
[PUK/pg/MAT42723]
DM02024004141721

IN THE High Court of Namibia
(Main Division)
Case Number: HC-MD-CIV-ACT-CON-2020/03429
In the matter between:
LAMBAY ISLAND INVESTMENT (PTY) LTD t/a TALISMAN HIRE, Plaintiff and
HUE-WALDT ELECTRICAL & CONSTRUCTION CC, 1st Defendant
HUESTON BRADLY GROENEWALDT, 2nd Defendant
CELESTE LEILANIE GROENEWALDT, 3rd Defendant
NOTICE OF SALE IN EXECUTION OF MOVABLE PROPERTY
BE PLEASED TO TAKE NOTICE that the under-mentioned assets, in execution of a Judgement granted on 02 OCTOBER 2020 against the Defendants, will be sold inexecution by the Deputy Sheriff for the district of OKAHANDJA, on WEDNESDAY, 03APRIL 2024 at 10H00 at FARM OTJOSONDU NO. 274 OKAHANDJA,
VEHICLES AND GOODS:
1x 2528 Mercedes-Benz Truck (Van Brody) VIN. NO. 9506C52L008718 ENG. NO.90692600464921 LISENCE NO. 826146,
1x Toyota Hilux Single Cab Licence No. N 9348OH,
1x Land Cruiser Pick Up VIN NO. TW1LV73J204800328 ENG. NO. 1vd304593 LICENCENO. N54 OH
1x 2.5m X 2 Cooling Trailer N 104-044W
1x 6215 John Deere Tractor Eng, No.CD4045c009434
1x Claas Markant 50 Baller
1x Sollmaster Feedmixer
1x 2.5M X 2.5M X 2.5M Steel Container
1x 10M Trailer
1x 6215 John Deere Tractor ENG. NO. CD4045t745754
1x Hammermill
CATTLE: 1x 20 X White Brahman Cattle branded as follows: GB532, GB555, GB568, GB465, GB563, GB440, GB494, GB405, GB407, GB524, GB512, GB400, GB556, GB412, GB550, GB510, GB468, GB521, GB411 and GB467.
TERMS: Voetstoots and cash to the highest bidder.
Dated at Windhoek on 6th day of February 2024.
ETZOLD – DUVENHAGE
PER: KELINA MUSHORE
Legal Practitioner for Plaintiff
NO. 33 FELD STREET
WINDHOEK
KM/es/HIR1/0092
DM02024004141716

LIVE WEBCAST AUCTION
AucorNamibia
ASSET DISPOSAL AUCTION
WEDNESDAY 20 MARCH 2024 @ 10:00
C/O 3rd street east and 14th road Walvis bay.
Next to Kuiseb fishing enterprice
Duly instructed by the Client, Aucor Namibia (Pty) Ltd, will be selling the following items by Live Webcast Auction
ITEMS ON AUCTION:
2016 BENETRAX FORKLIFT
2010 HYUNDAI H1 9 SEATER MINI BUS
WATER BOWSER
SECOND HAND TRAILOR
INGERSOLL RAND DRILL RIG
MANUAL STACKER 2 TON
BOLDAIR DRIVE 600 10 BAR/4KW
MOBILE PISTON COMPRESSOR CARRY 100
PVC SLEEVES M/WEIGHT WHITE
VARIOUS OFFICE EQUIPMENT:
PRINTER, WHITE BOARDS, OFFICE DESKS, CHAIRS & SO MUCH MORE!
Registration & Bidding on: www.aucornamibia.com
Online Bidding Starts: Monday 18 March 2024 @ 10:00
Online Bidding Ends: Wednesday 20 March 2024 @ 10:00
Viewing: 18 - 20 March 2024 @ 09:00 - 15:00
T & C apply Buyer's premium will be charged.
Details subject to change without prior notice.
Contact Us At:
Windhoek: +264 81 257 9458
Swakopmund: +264 64 463374
Ondangwa: +264 65 240189
Email: info@aucornamibia.com
www.aucornamibia.com

TE KOOP
SKOON ROLLE WIT KOERANTPAPIER VIR VELE GEBRUIKE
•PANEELKLOPPERS
•NYWERHEDE
•RESTAURANTE •SKOLE
•VERPAKKINGSMATERIAAL
per kg
Prys op aanvraag
SKAKEL: +264 61 330 500
2 - 4 EIDERSTRAAT, LAFRENZ INDUSTRIEEL

LIVE WEBCAST AUCTION
AucorNamibia
BANK REPO & FLEET AUCTION
Thursday 28 March 2024 @ 10:00
Windhoek Prosperita
Duly instructed by the bank, in terms of credit Agreement Act Aucor Namibia (Pty) Ltd, will be selling the following Bank Repossessed Vehicles by Online & Webcast Auction
AUTOMOTIVE
VEHICLES:
2023 TOYOTA COROLLA CROSS
2022 VW POLO TSI
1 X 2021 TOYOTA HILUX GD6 2.4
2021 TOYOTA HIACE 2.5 GL
2021 BMW P SERIES 4XI
2020 TOYOTA HILUX 2.4 GD6
AUTOMOTIVE
VEHICLES:
2020 HONDA BALLADE 1.6
2019 KIA 2700 DROPSIDE
2019 TOYOTA HILUX 2.4 GD6
2019 TOYOTA COROLLA
2019 TOYOTA HILUX
2018 FORD RANGER 2.2
Registration & Bidding on: www.aucornamibia.com
Online Bidding Starts: Monday 25 March 2024 @ 10:00
Webcast Auction: Thursday 28 March 2024 @ 10:00
Viewing: Windhoek 25 - 27 March 2024 @ 08:00 - 16:00
T & C apply Buyer's premium will be charged.
Details subject to change without prior notice.
Contact Us At:
Windhoek: +264 81 257 9458
Swakopmund: +264 64 463374
Ondangwa: +264 65 240189
Email: info@aucornamibia.com
www.aucornamibia.com

AL-ANON
HELP FOR RELATIVES OF ALCOHOLICS
AL-ANON Family groups offer help for friends and relatives of alcoholics.
They provide assistance for people who live with alcoholics.
Dawnnam@gmail.com
VENUE:
cnr Lüderitz and Kasino Street
DATE AND TIME:
Thursdays at 19H00

LOSING CONTROL?
AA
ALCOHOLICS ANONYMOUS NAMIBIA
If you want to drink, that's your business.
If you want to stop, that's ours
Windhoek:
081 325 6144
Swakopmund:
081 243 2649
E-MAIL:
alcoholicsanonymousna@gmail.com

Multiple Sclerosis
NAMIBIA
WHAT IS MULTIPLE SCLEROSIS?
A chronic disease of the brain and central nervous system
OFFICE HOURS:
Monday - Friday:
09h00 - 17h00
info@msnamibia.org

Classifieds

257

namibian

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

INDEX

Personal
1210 Anniversaries
1220 Weddings
Announcements
1230 Birthday Wishes
1240 Reunions
1250 Graduations
1260 Special Messages
1270 Thank You Messages
1280 Valentine's Messages

Business & Finance
1410 Opportunities
1420 Business for Sale
1430 Taxi Licences

Services
7420 House & Garden
7810 General
7440 Communications & Security
7450 Lost & Missing
7460 Transport Wanted & Offered

Education & Training
2610 Education & Training

Employment
2710 Wanted
2720 Offered

Food & Beverages
3210 Food & Beverages

Estate
3610 Wanted
3620 For Sale
3790 Auctions

Health & Beauty
3910 Health & Beauty

Hospitality
4010 Hospitality (See also 'Travel & Tourism')

Housing & Property
4110 Wanted
4210 For Rent
4310 For Sale

Leisure & Entertainment
4910 Leisure & Entertainment

Livestock & Pets
5010 Livestock & Pets
5010 Auctions
5010 For Sale
5010 Lost & Missing
5010 Wanted

Motoring
5310 Vehicles Wanted
5320 Vehicles for Hire
5360 Vehicles for Sale
5370 Vehicle Auctions
5380 Vehicle Spares & Accessories

Notices
5610 Legal
5620 Public
5630 Tenders
5710 Churches
5620 Name Change
5620 Rezoning

Obituaries
6000 In Memoriam
6010 Tombstone Unveiling
6020 Death & Funeral Notices
6030 Condolences
1270 Thank you messages

Travel & Tourism
7800 Travel & Tourism

Rates and Deadlines

DEADLINE: 2024

- To avoid disappointment of an advertisement not appearing on the date you wish, please book timeously.
- Classified emails and notices 12h00, two working days prior to placement.
- Cancellations and alterations 12h00, ten days before date of publication in writing only.

RATES:
Visit www.namibian.com.na

Please note: In case of / if applicable, payment for advertisements in advance.

1410 Business & Finance

• Opportunities •

DO YOU URGENTLY NEED CASH? Get up to 75% of your vehicles value in 48 and Jude call Mooi-bash when you need it Autocash 061 [illegible]

CLAO240000283

[illegible] Jude call Mooi-bash when you need it Autocash 061 [illegible] of the year. No other documents needed. [illegible] over 3 years. Contact: 0812231101 [illegible]

CLAO240000388

1430 Business & Finance

• Taxi Licenses •

To rent: Two taxi licences N$750/month. 0812231407

CLAO240000482

2720 Employment

• Offered •

Accountant needed for SPAR Otjiwarongo
2 years experience required. Preference in Excel necessary. Email rocks3529@gmail.com to apply

CLAO240000393

Job openings for Canadian Mainland Engineers/ Construction workers/ Mechanics Call +27119280547/+27782417253 (WhatsApp) Visit www.canexmarketing.int.com Registration fee N$3 500.00

Namibian Defence Assistance to Visa Assistance

CLAO240000401

VACANCY: CHAINTY SURVEYOR

Chingeranesaries Quantity Surveyors has a vacancy for; Quantity Surveyor

Qualifications and skills

- Minimum Requirements
- BSc Honors Degree in Quantity Surveying
- At least 5 years of experience, with minimum 2 years specific experience with a project management office
- Ability to prepare financial reports and cost management
- Self-driven and attitude work with minimum supervision
- Excellent verbal communication
- A valid driver's licence

Email CVs to: chingeranesaries@gmail.com
Closing Date: 15th of March 2024

CLAO240000501

General Assistant for New Medical Laboratory in Windhoek. Reception, Administration, cleaning work place. Should have at least Grade 12 and should be computer literate. WhatsApp CV to 0852215560.

CLAO240000504

5610 Notices

• Public •

Poultry Information Day!



Evolution of the poultry industry.
Date: 13 March 2024
Time: 09h30
Venue: Dutch Reform Church hall, Diaz street, Suiderhof
Registration: N$ 20
RSVP compulsory! No booking, no seat.
Contact Bertha Ijambo
research@nau.com.na
Tel: +26461 237838

CLAO240000508

5610 Notices

• Legal •

REZONING NOTICE
Take note that Winplan Town and Regional Planning Consultants, on behalf of the registered owner, **PAULINAS PROPERTIES CC** intends applying to the Windhoek Municipal Council and Urban and Regional Planning Board for:
• **REZONING OF ERF 6923 (a Portion of Erf 1956), WINDHOEK (171 NELSON MANDELA DRIVE) FROM "RESIDENTIAL" WITH A DENSITY OF 1:900 TO "OFFICE" WITH A BULK OF 0.4; AND**
• **CONSENT FOR FREE RESIDENTIAL BULK ON ERF 6923 (a Portion of Erf 1956), WINDHOEK** Erf 6923, Windhoek is situated at: 171 Nelson Mandela Drive. The erf measures 1099m². Erf 6923, Windhoek is zoned Residential with a density of 1:900m². Our client intends to continue use the property predominantly for office uses. Our client also intends to apply for free residential bulk in terms of the "Free Residential Bulk Policy" as they want to also develop and use the property for residential purposes in the foreseeable future. Access to the property will remain as is and Parking will be provided on site and in accordance with the Windhoek Zoning Scheme and Council stipulations. Take notice that the locality plan of the intended Rezoning lies open for inspection at the Windhoek Munic-

5610 Notices

• Legal •

ipality, Customer Care Centre, Town Planning Notice Board during normal office hours. 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 and with the applicant in writing within 14 days of the last publication of this notice. The last day for comments/objections will be 12 April 2024. Applicant: Winplan Town and Regional Planning Consultants P O Box 90781, Klein Windhoek E-mail: winplan@winplan.com.na

CLAO240000506

MUNICIPALITY OF HENTIES BAY NOTICE INTENTION TO ALIENATE A PORTION X OF THE REMAINDER OF FARM HENTIESBAAI TOWNLANDS NO.133, IN EXTENT OF 25 HECTARES TO MESSRS BLUE RIDGE AQUACULTURE AFRICA By virtue of Council Resolution C032/21/02/2023/01ST/2024 and in terms of Section 63 (2)(b) of the Local Authorities Act (Act 23 of 1992) as amended, read in conjunction with Section 30 (1)(b) of the Local Authorities Act 1992 (Act 23 of 1992) as amended, notice is hereby given that the Municipal Council of Hentiesbaai intends to alienate portion X of the remainder of farm Hentiesbaai Townlands no.133 Measuring 25 Hectares (equivalent to 250000m²) at a cost of N$ 10.00 /m² amounting to a total purchase price of N$ 2.500 000.00 (Two Million, Five Hundred Thousand Namibia Dollars), by way of private treaty to Messrs Blue Ridge Aquaculture Africa for the purpose of establishing an Aquaculture farming project. Further take note that the locality and the layout plan of the property lies open for inspection during office hours at the offices of the Municipal Council situated at the corner of Jakkalsputz Road and Nickey Iyambo Avenue. Any person(s) having objection(s) to the intended alienation of the portion may lodge such objection(s) fully motivated to the undersigned, within fourteen (14) days after the second placement of the advert. Chief Executive Officer P O Box 61 Henties Bay

CLAO240000486

IN THE HIGH COURT OF NAMIBIA MAIN DIVISION - WINDHOEK CASE NO: HC-MD-CIV-ACT-CON-2019/00547 In the matter between: BANK WINDHOEK LIMITED EXECUTION CREDITOR and MARIUS BURGER EXECUTION DEBTOR NOTICE OF SALE IN EXECUTION Pursuant to Judgement of the above Honorable Court the following immovable property will be sold without reserve and voetstoots by the Deputy Sheriff of the District of Gobabis on the 13th of MARCH 2024 at 10H00 of the undermentioned property: Certain: Erf No. 396 Extension 3 Situate in the Municipality of Gobabis Registration Division "L" Omaheke Region Measuring: 1397 (One Three Nine Seven) Square Metres Improvements: 3 Bedroomed single storey dwelling including a lounge, family room, kitchen, 2 bathrooms, double garage, covered stoep, carports, a flat comprising of a kitchen, lounge, bedroom, bathroom, garage/workshop, shade netted carports all of which are in a fair state of repair, minor renovations existent i.e. Borrowerings, paintwork, built-in cupboards, plumbing work and sanitary fittings, etc. The property is fitted with average type fittings and finishes, 1 air conditioner is also installed. The erf is well improved i.e. walling, swimming pool, security arrangements, etc. TERMS: 10% of the purchase price and the auctioneers' 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 and lie for inspection at the office of the Deputy Sheriff, Gobabis and at the offices of the execution creditor's attorneys. DATED at WINDHOEK this 26TH day of January 2024. DR WEIDER, KAUTA & HOVEKA INC Legal Practitioners for Plaintiff 3rd Floor, WKH House Jan Jonker Road Ausspannplatz WINDHOEK (Ref: T. LUVINDAO/ MAT10798/bld)

CLAO240000475

CASE NO: HC-MD-CIV-ACT-CON-2021/04649 IN THE HIGH COURT OF NAMIBIA MAIN DIVISION - WINDHOEK In the matter between: BANK WINDHOEK LIMITED Plaintiff and RYDOX BUILDERS CC First Defendant ERIOK BARTH Second Defendant ANNE MARIE BARTH Third Defendant RYUZO EDELWEEZ BARTH Fourth Defendant, HELOICE WELENCIA BARTH Fifth Defendant NOTICE OF SALE IN EXECUTION In execution of a Judgement of the above Honorable Court in the above action, a sale without reserve will be held by the Deputy Sheriff, Rehoboth, at Erf 315, Block D, Rehoboth, on 13 March 2024, at 10h00, of the undermentioned property: CERTAIN: Erf No 315, Block D situate in the Town of Rehoboth (Registration division "M") MEASURING: [illegible] Square metres IMPROVEMENTS: [illegible] consisting with five bedrooms, entrance hall, [illegible] family room, kitchen, scullery, three bathrooms, dressing room, study, two garages and storeroom TERMS 10% of the purchase price and the auctioneers' 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 and lie for inspection at the office of the Deputy Sheriff, Rehoboth and at the offices of the execution creditor's attorneys. DATED at WINDHOEK this 07th day of November 2023. DR WEDER KAUTA & HOVEKA INC Legal Practitioner for Plaintiff WHK House Jan Jonker Road WINDHOEK REF: MAT8245/DTL/TnK

CLAO240000499

REPUBLIC OF NAMIBIA

MINISTRY OF AGRICULTURE, WATER AND LAND REFORM

PUBLIC NOTICE

UNABATED SALE AND ILLEGAL OCCUPATION OF COMMUNAL LAND IN OSHANA REGION

The Ministry of Agriculture, Water and Land Reform (MAWLR) in particular the Oshana Communal Land Board has been inundated with reports and cases of illegal land allocation/occupation through the sale of communal land at strategic areas/points, periphery areas of towns more especially surroundings and areas between Oshakati, Ongwediva, and Ondangwa Town Councils.

The Ministry would like to inform the public that the land within town layouts falls within the jurisdictions of the respective Town Councils. Similarly, it is also important for the public to take note that communal land cannot be sold as freehold land to any person in accordance with Section 42 of the Communal Land Reform Act, 2002 (Act No. 5 of 2002).

Of recent, it has emerged that there are some community members in the areas surrounding Oshakati, Ongwediva, and Ondangwa towns as well as areas/villages alongside the B1 road between Ongwediva and Ondangwa towns, who are involved in illegal land deals, as a result, several individuals have fall victims/prey of such illegal actions.

Therefore, the Ministry of Agriculture, Water and Land Reform wishes to inform every Namibian Citizen especially the people living in the communal areas to follow the prescribed procedures to secure their customary land rights under the provisions of the Communal Land Reform Act, 2002, (Act No. 5 of 2002). The procedure is as follows:

Step 1
Identify the portion of land with the Village Headman/woman of the respective Traditional Authority and land parcel boundaries identified and collectively defined with the neighboring landholders;

Step 2
Filling in the prescribed Form and paying the **N$25.00 application fee** to the respective Traditional Authority;

Step 3
Ministry of Agriculture, Water and Land Reform come to verify and map the identified land parcel;

Step 4
Display of the Seven (7) day Notice at the Traditional Authority office to invite for any objections that may arise from the community members;

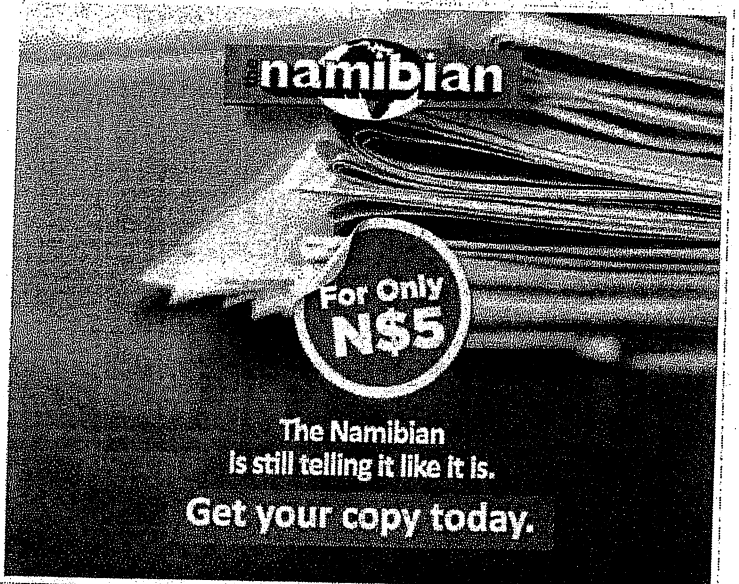
Step 5
Ratification of the application by the respective Communal Land Board to approve and register the land right;

Step 6
If the application is approved, the customary land right certificate shall be issued to the respective Traditional Authority;

Step 7
The applicant is notified by the Traditional Authority and pay the **N$50.00 certificate fee** to the Traditional Authority upon collection of the land right certificate.

The public is therefore urged to guard against illegal land deals and should report such illegal buying/selling of communal land in the Oshana region to the Ministry of Agriculture, Water and Land Reform, or should contact the following officials: Ms. Jacobina Amuiungu, Deputy Director, Cell No. 081 140 3729 or Mr. Johannes Andreas, Development Planner, at 065-223850/878

[illegible]
EXECUTIVE DIRECTOR



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 ADVERTISEMENT. THE ONUS LIES WITH POTENTIAL CUSTOMERS TO EVALUATE THE AUTHENTICITY OF SUCH PRODUCTS OR SERVICES

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DEADLINE: 12H00 - 2 WORKING DAYS PRIOR TO PLACEMENT

INDEX

Personal
1210 Anniversaries
1220 Weddings Announcements
1230 Birthday Wishes
1240 Reunions
1250 Graduations
1260 Special Messages
1270 Thank You Messages
1280 Valentine's Messages

Business & Finance
1410 Opportunities
1420 Business for Sale
1430 Taxi Licences

Services
7420 House & Garden
1810 General
7440 Communications & Security
7450 Lost & Missing
7460 Transport Wanted & Offered

Education & Training
2610 Education & Training

Employment
2710 Wanted
2720 Offered

Food & Beverage
3210 Food & Beverages

Goods
3610 Wanted
3630 For Sale
3700 Auctions

Health & Beauty
3910 Health & Beauty

Hospitality
4010 Hospitality (See also 'Travel & Tourism')

Housing & Property
4110 Wanted
4210 For Rent
4310 For Sale

Leisure & Entertainment
4910 Leisure & Entertainment

Livestock & Pets
5010 Livestock & Pets
5010 Auctions
5010 For Sale
5010 Lost & Missing
5010 Wanted

Motoring
5310 Vehicles Wanted
5320 Vehicles for Hire
5360 Vehicles for Sale
5370 Vehicle Auctions
5380 Vehicle Spares & Accessories

Notices
5610 Legal
5620 Public
5630 Tenders
5710 Churches
5620 Name Change
5620 Rezoning

Obituaries
6000 In Memoriam
6010 Tombstone Unveiling
6020 Death & Funeral Notices
6030 Condolences
1270 Thank you messages

Travel & Tourism
7800 Travel & Tourism

Rates and Deadlines

DEADLINES: 2024

- To avoid disappointment of an advertisement not appearing on the date you wish, please book in time.
- Classified emails and notices 12h00, two working days prior to placement.
- Cancellations and alterations 16h00, two days before date of publication in writing only.

RATES
Visit www.namibian.com.na
Please refer to page / Kyk asseblief bladsy vir prysinligting

1410 Business & Finance

• Opportunities •

DO YOU URGENTLY NEED CASH? Get up to 75% of your vehicle's value in 45 min! Asola cash Mezzo-loan when you need it! Autocash 061 400 676.

CLAO2400002283

NEED CASH? Bring your car and we give you 45% of its value. No other documents needed. 25-30% interest over 3 months. Contact: 0812291110r info@smilfinancialsolutions.com

CLAO2400000398

2720 Employment

• Offered •

NOW HIRING FOR UK/USA/CANADA NURSES/CAREGIVERS/SOCIAL WORKERS
Call +27119728084/+27784917283 (WhatsApp)
Web:www.careernetwork.com
Registration fee 3500-00 Namibian Dollars
Assistance to Visa Fees if offered

CLAO2400000533

John Shisha Shine Car Wash is an Operational Manager! We're seeking leaders with 3+ years in technical/production management, a Driver's License issued by 2025 or earlier, and the ability to work flexible hours, including weekends. Must excel under pressure and multitask efficiently. Ready to Shine? Apply now! Whatsapp: +264761611129 Email: careers@johnshisha.com

CLAO2400000555

HELMERINGHAUSEN HOTEL
is looking to fill the following position:
Afternoon Media Adviser.
Experience Requirements:
- Excellent big pin communication skills both orally and in writing.
- Excellent interpersonal skills.
- Presentation skills.
- The ability to prioritise and plan effectively.
- Digital media skills, such as graphic design, web design, creating web programs, video editing and blog administration.
- Social media management experience and marketing.
- Strong knowledge and understanding of current trends in digital media.
- Self motivated with a positive and professional approach to management.
- Verifiable experiences and skills on IOS system.

Candidate needs to work maximum 210 working days per year, 2 to 3 weekends per month and public holidays. Must be able to live and work in a remote area. Executive: Helmeringhausen Hotel, Helmeringhausen. Salary is dependent on prior experience and skills. Send CV and cover letter with references to
E-mail:cvhelmeringhausenhotel@gmail.com.
No Whatsapp or phone calls will be taken into consideration. Please do not apply should you not meet the requirements: only relevant applications will be considered. Shortlisted candidates will be invited for an interview to Helmeringhausen, Hardap District. Closing date for submission of CVs: 15 March 2024.

CLAO2400000616

VACANCY: SENIOR MEDICAL OFFICER
Qualifications and Experience:
- MBChB degree, a diploma in Anaesthesia will be an added advantage.
- At least 10 years post internship experience.
- At least 3 years' experience in private practice management.
- Must have extensive experience in general and obstetrical surgical skills.
- Namibian citizen or permanent resident of the Republic of Namibia.
- MUST BE REGISTERED WITH THE HPCNA.

Applications with certified copies of academic & professional qualifications and a comprehensive CV must be e-mailed to: medicare.ghs@mweb.na
Closing date: 22 March 2024

CLAO2400000622

Employment Notice,
Joel Parkinson-Profit Administration, Grant-Writer, Media Specialist Required Skills:
- Knowledge of computer programs such as Microsoft Word, PowerPoint, Excel.
- Knowledge of media: website design, social media platforms such as LinkedIn and Instagram.
- Proficiency in writing skills (English, Oshiwambo), grant writing.
- Extensive background in horticulture and /or agriculture relating
specifically to vegetable growing and hydroponics (3-5 years).
- Photography skills.
- Experience in permaculture.

CLAO2400000632

PMT Health Care Institution is Looking for Qualified Registered Nurses/Midwife to mentor and teach Nursing Students studying for Diploma in Enrolled Nursing and Midwifery Science. The individuals must strictly be Nurse Educators with Master's Degree in Nursing Education. Candidates should be strictly Namibian citizens/ Fully registered with The Health Professions Council of Namibia with minimum 5 years of experience in teaching and mentoring students. Candidates may submit their CVs to pmtvacancies1995@gmail.com. Closing date for application and process will be 25/03/2024.

CLAO2400000637

2720 Employment

• Offered •

EIS INVESTMENT CC
IS HAVING THE FOLLOWING OPEN VACANCIES:
Position-Site Managers x 3:
- 10 years working experience.
- Must be able to oversee, maintain and control the construction site independently.
- Supervise and oversee the progress of projects.
- Maintain quality control procedures.
- Must have a driver's license.
- Must speak fluent English. Chinese will be an added advantage.
- Must be able to read architectural drawings.

Position- Site foreman:
- Must have 5-10 years working experience.
- Degree in civil engineering.
- Must have a driver's license.
- Must speak fluent English. Chinese will be an added advantage.
- Must be able to read architectural drawings.
- Must be willing to stay on site.

Position: Land Surveyor
- Minimum of 5 years working experience in land surveying.
- Professional qualification in surveying, or geomatics.
- Knowledge of local land surveying legislations and practices.
- Valid driver's license and a clean driving record.
- Certification as a Professional Land Surveyor preferred but not required.
- Conduct land surveys using advanced tools and technology.
- Prepare detailed maps, reports, and legal descriptions.
- Analyse survey data and ensure accuracy.
- Utilize GPS, total stations, and other surveying equipment.
- Adhere to safety protocols on construction sites.

Benefits:
Competitive salary based on experience
Engineering Student Opportunity
Positions: Engineering Student
- Enrolment: Currently pursuing an engineering degree or just completed one
- Availability: Seeking part-time or internship roles
- Passion: Eager to learn and contribute to real-world projects

Forward CV to eighwestnamibia@gmail.com
Due date 25 March 2024

CLAO2400000633

Position for a Medical Technician for a new Pathology Lab in Windhoek. Apply to windhoeklabcare@gmail.com

CLAO2400000572

2720 Employment

• Offered •

Infinity Aquatic Centre
is a licensed swim America swim school and is seeking a highly motivated and energetic individual to a year-round, full time head swim coach position to start as soon as possible. The incumbent will lead and oversee the Centre. The head coach is charged with supervising, instructing and training current and prospective coaches and swimmers enrolled in the Centre while fostering an environment focused on learning and promoting a healthy and active lifestyle through the sport of swimming. A fine passion and excitement for making an impact is just as important as work experience.
Applicant must have previous experience and knowledge of swimming. Possession of all applicable swim coaching certifications preferably ASCA Level 5 education. Should have 2 or more years of experience, current swimming strength and conditioning certification and lastly should hold a certification in teaching sports psychology in swimming. E-mail your resume to:
info@infinity-aquatics.com.
Deadline: Friday 15 March 2024.
Time: 12h00

CLAO2400000615

2610 Education & Training

• Education & Training •

Teach, Edit, Write Services.
- Teaching
- approaches to studying, academic proposals & theses
- Editing & proofreading
- Writing
- study guides, books & articles.

Contact: indileni@yahoo.com / 085767501

CLAO2400000611

4010 Hospitality

• Hospitality •

Good living Bed & Breakfast,
Khomasdal. Rooms from N$220 - N$570.
Call 0812972828 /
061-260721 / 0812972828

CLAO2400000591

4110 Housing & Property

• For Sale •

Twahata Real Estate:
Rehoboth: 20 units complex N$5.5 million.
Ondangwa: Business plot 2596sqm N$2.4 million.
Khomasdal: 6 Bedroom house N$1.399 million.
Khomasdal: 5 Bedroom House N$1.500 million.
Khomasdal: 2 Bedroom Townhouse N$740, 000.
Wanaheda: 3 Bedroom house N$970, 000.
Ondangwa Ext 8: 2 Bedroom house N$399,000.
WHK North: Flat 2 bedroom N$792,000.
Otjomuise: Flat 2 bedrooms N$538,000.
Rehoboth: B 1 city shop N$4.5 million. 0816634437
info@twahatagroup.com

CLAO2400000519

Wanaheda: 3 Bedroom house including a bar for sale for N$800,000.00 excluding costs. Contact 0852731084

CLAO2400000561

5610 Notices

• Legal •

CASE NO. I 1093/2018 IN THE HIGH COURT OF NAMIBIA In the matter between: NEDBANK NAMIBIA LIMITED Plaintiff And RICHARD MARTIN OLIVIER 1st Defendant LIEBSCHEN SILVETTE HANALENE OLIVIER 2nd Defendant NOTICE OF SALE IN EXECUTION: In execution of a judgment of the above Honourable Court dated 16 APRIL 2021, a sale will be held by the Deputy Sheriff, WINDHOEK, at the premises, in Erf No. 234 Hochland Park, Windhoek on 25 March 2024, at 10H30, of the under mentioned property: CERTAIN: Erf No. 234 Hochland Park SITUATE: in the Municipality of Windhoek Registration Division "K" Khomas Region MEASURING: 1245 (One Two Four Five) Square Metres;
IMPROVEMENTS: 1x Kitchen with B/C 1 x Lounge ;1 x Dining Room ,4 x Bedrooms with B/C 2 x Full Bathroom B/S/T 1 x Half Bathroom S/T 2 x Garages OTHER: Granny Flat, Guest House, Storeroom, 2 X 2 Bedroom Flats, B/C, with Lounge & Open Plan Kitchen with half bathrooms S/T & B/T each; TERMS 10% of the purchase price and the auctioneers' 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 and lie for inspection at the offices of the Deputy Sheriff, WINDHOEK and at the offices of the execution creditor's attorneys. AUCTIONEER'S NOTE: REFUNDABLE REGISTRATION FEE OF N$5 000.00 DATED at WINDHOEK this 7th day of FEBRUARY 2024.

DR WEDER KAUTA & HOVEKA INC.
Legal Practitioner for Plaintiff 3RD Floor, WKH House, Jan Jonker Road WINDHOEK [PUK/pp/MAT42808]

CLAO2400000334

REZONING NOTICE

Take note that, Windhoek Town and Regional Planning Consultants, on behalf of the registered owner, PAULINAS PROPERTIES CC intends applying to the Windhoek Municipal Council and Urban and Regional Planning Board for:
- REZONING OF ERF 6923 (a Portion of Erf 1956), WINDHOEK (171 NELSON MANDELA DRIVE) FROM "RESIDENTIAL" WITH A DENSITY OF 1:900 TO "OFFICE" WITH A BULK OF 0.4; AND
- CONSENT FOR FREE RESIDENTIAL BULK ON ERF 6923 (a Portion of Erf 1956), WINDHOEK

Erf 6923, Windhoek is situated at 171 Nelson Mandela Drive. The erf measures 1099m². Erf 6923, Windhoek is zoned Residential with a density of 1:900m². Our client intends to continue use the property predominantly for office uses. Our client also intends to apply for free residential bulk in terms of the "Free Residential Bulk Policy". In this regard we want to also develop and use the property for residential purposes in the foreseeable future. Access to the property will remain as is and Parking will be provided on site and in accordance with the Windhoek Zoning Scheme and Council stipulations. Take notice that the locality plan of the intended Rezoning lies open for inspection at the Windhoek Municipality, Customer Care Centre, Town Planning Notice Board during normal office hours. 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 and with the applicant in writing within 14 days of the last publication of this notice. The last day for comments/objections will be 12 April 2024. Applicant: Winplan Town and Regional Planning Consultants P O Box 90761, Klein Windhoek E-mail: winplan@winplan.com.na

CLAO2400000506

IN THE HIGH COURT OF NAMIBIA (MAIN DIVISION – WINDHOEK) CASE NO.: HC-MD-CIV-ACT-CON-2020/04720 In the matter between: DAVID JOHN BRUNO AND IAN ROBERT MCLAREN IN THEIR CAPACITIES AS LIQUIDATORS OF THE MALL AND MEDIUM ENTERPRISES (SME) BANK LIMITED (IN LIQUIDATION) PLAINTIFF and AMOJAMBA CONSTRUCTION CC 1ST DEFENDANT JOHANNES TEMBIRO AMOJAMBA 2ND DEFENDANT NOTICE OF SALE IN EXECUTION OF IMMOVABLE PROPERTY PURSUANT TO JUDGMENT OF THE ABOVE HONOURABLE COURT GRANTED ON 14 MAY 2021 THE FOLLOWING IMMOVABLE PROPERTY WILL BE SOLD WITHOUT RESERVE AND VOETSTOOTS BY THE DEPUTY SHERIFF OF THE DISTRICT OF OUTAPI ON THE 27TH of MARCH, 2024, AT 11H00 IN THE MORNING AT ERF NO. 544, OUTAPI (EXTENSION NO. 1), REPUBLIC OF NAMIBIA CERTAIN: Erf No. 544, Outapi (Extension No. 1) SITUATE: In the Town of Outapi Registration Division "A" Omusati Region MEASURING: 864 (EIGHT NIL FOUR) Square Metres HELD BY Deed of Transfer No. T 468/2013 CONSISTING OF:
Flat 1: 1x Small Lounge, 1x Small Kitchen 1 x Bedrooms, 1 x Bathroom with shower, basin and toilet
Flat 2: 1x Small Lounge, 1x Small Kitchen 1 x Bedrooms, 1 x Bathroom with shower, basin and toilet
Flat 3: 1x Small Lounge, 1x Small Kitchen 1 x Bedrooms, 1 x Bathroom with shower, basin and toilet
Flat 4: 1x Small Lounge, 1x Small Kitchen 1 x Bedrooms, 1 x Bathroom with shower, basin and toilet
Flat 5: 1x Small Lounge, 1x Small Kitchen 1 x Bedrooms, 1 x Bathroom with shower, basin and toilet
Flat 6: 1x Small Lounge, 1x Small Kitchen 1 x Bedrooms, 1 x Bathroom with shower, basin and toilet
Flat 7: 1x Small Lounge, 1x Small Kitchen 1 x Bedrooms, 1 x Bathroom with shower, basin and toilet
Flat 8: 1x Small Lounge,1x Small Kitchen 1 x Bedrooms,1 x Bathroom with shower, basin and toilet
Flat 9: 1x Small Lounge, 1x Small Kitchen 1 x Bedrooms,1 x Bathroom with shower, basin and toilet The "Conditions of Sale-in-Execution" will lie for inspection at the office of the Deputy Sheriff at OUTAPI and at the Head Office, of Plaintiff at WINDHOEK and Plaintiff's Attorneys, Fisher, Quarmby & Pfeifer, at the under mentioned address. DATED AT WINDHOEK THIS DAY, OF FEBRUARY, 2024. FISHER, QUARMBY & PFEIFER LEGAL PRACTITIONER FOR PLAINTIFF C/O ROBERT MUGABE & THORER STREETS ENTRANCE ON DR. THEODEN GURIRAB STREET P. O. BOX 37 WINDHOEK (JJG/mir/245468P)

CLAO2400000551

CASE NO. HC-MD-CIV-ACT-CON-2018/03902 IN THE HIGH COURT OF NAMIBIA In the matter between: NEDBANK NAMIBIA LIMITED Plaintiff and DIRK RUDOLPH HERHOLDT Defendant NOTICE OF SALE IN EXECUTION. In execution of a judgment of the above Honourable Court dated 14 November 2018, a sale without reserve will be held by the Deputy Sheriff, WINDHOEK at the premises in Farm Kranzneus No. 219, Windhoek, on 25 MARCH 2024, at 15H00, of the under mentioned property: CERTAIN: Farm Kranzneus No. 219 SITUATE: Registration Division "M", KHOMAS Region MEASURING: 1 5353 (One Comma Five Three Five Three) hectares Improvements: Main Building 1x Entrance Hall, 1 x Lounge O/Plan, 1 x Dining room O/Plan, 1 x 1 x Kitchen O/Plan, 1 x scullery,1 x Pantry, 1 x Battery Room, 1 x Study, 5 x Bedrooms, 1 x Dressing Room, 3 x Full Bathroom (en suite), 4 x Shower, toilet & Basin (en suite), 1 x Toilet and Basin, 1 x Walk-in.

6010 Notices

• Legal •

DR WEDER KAUTA & HOVEKA INC.
Legal Practitioner for Plaintiff 3RD Floor, WKH House, Jan Jonker Road WINDHOEK [PUK/pp/MAT42808]

CLAO2400000334

REZONING NOTICE

Take note that, Windhoek Town and Regional Planning Consultants, on behalf of the registered owner, PAULINAS PROPERTIES CC intends applying to the Windhoek Municipal Council and Urban and Regional Planning Board for:
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- CONSENT FOR FREE RESIDENTIAL BULK ON ERF 6923 (a Portion of Erf 1956), WINDHOEK

Erf 6923, Windhoek is situated at 171 Nelson Mandela Drive. The erf measures 1099m². Erf 6923, Windhoek is zoned Residential with a density of 1:900m². Our client intends to continue use the property predominantly for office uses. Our client also intends to apply for free residential bulk in terms of the "Free Residential Bulk Policy". In this regard we want to also develop and use the property for residential purposes in the foreseeable future. Access to the property will remain as is and Parking will be provided on site and in accordance with the Windhoek Zoning Scheme and Council stipulations. Take notice that the locality plan of the intended Rezoning lies open for inspection at the Windhoek Municipality, Customer Care Centre, Town Planning Notice Board during normal office hours. 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 and with the applicant in writing within 14 days of the last publication of this notice. The last day for comments/objections will be 12 April 2024. Applicant: Winplan Town and Regional Planning Consultants P O Box 90761, Klein Windhoek E-mail: winplan@winplan.com.na

CLAO2400000506

IN THE HIGH COURT OF NAMIBIA (MAIN DIVISION – WINDHOEK) CASE NO.: HC-MD-CIV-ACT-CON-2020/04720 In the matter between: DAVID JOHN BRUNO AND IAN ROBERT MCLAREN IN THEIR CAPACITIES AS LIQUIDATORS OF THE MALL AND MEDIUM ENTERPRISES (SME) BANK LIMITED (IN LIQUIDATION) PLAINTIFF and AMOJAMBA CONSTRUCTION CC 1ST DEFENDANT JOHANNES TEMBIRO AMOJAMBA 2ND DEFENDANT NOTICE OF SALE IN EXECUTION OF IMMOVABLE PROPERTY PURSUANT TO JUDGMENT OF THE ABOVE HONOURABLE COURT GRANTED ON 14 MAY 2021 THE FOLLOWING IMMOVABLE PROPERTY WILL BE SOLD WITHOUT RESERVE AND VOETSTOOTS BY THE DEPUTY SHERIFF OF THE DISTRICT OF OUTAPI ON THE 27TH of MARCH, 2024, AT 11H00 IN THE MORNING AT ERF NO. 544, OUTAPI (EXTENSION NO. 1), REPUBLIC OF NAMIBIA CERTAIN: Erf No. 544, Outapi (Extension No. 1) SITUATE: In the Town of Outapi Registration Division "A" Omusati Region MEASURING: 864 (EIGHT NIL FOUR) Square Metres HELD BY Deed of Transfer No. T 468/2013 CONSISTING OF:
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Flat 9: 1x Small Lounge, 1x Small Kitchen 1 x Bedrooms,1 x Bathroom with shower, basin and toilet The "Conditions of Sale-in-Execution" will lie for inspection at the office of the Deputy Sheriff at OUTAPI and at the Head Office, of Plaintiff at WINDHOEK and Plaintiff's Attorneys, Fisher, Quarmby & Pfeifer, at the under mentioned address. DATED AT WINDHOEK THIS DAY, OF FEBRUARY, 2024. FISHER, QUARMBY & PFEIFER LEGAL PRACTITIONER FOR PLAINTIFF C/O ROBERT MUGABE & THORER STREETS ENTRANCE ON DR. THEODEN GURIRAB STREET P. O. BOX 37 WINDHOEK (JJG/mir/245468P)

CLAO2400000551

CASE NO. HC-MD-CIV-ACT-CON-2018/03902 IN THE HIGH COURT OF NAMIBIA In the matter between: NEDBANK NAMIBIA LIMITED Plaintiff and DIRK RUDOLPH HERHOLDT Defendant NOTICE OF SALE IN EXECUTION. In execution of a judgment of the above Honourable Court dated 14 November 2018, a sale without reserve will be held by the Deputy Sheriff, WINDHOEK at the premises in Farm Kranzneus No. 219, Windhoek, on 25 MARCH 2024, at 15H00, of the under mentioned property: CERTAIN: Farm Kranzneus No. 219 SITUATE: Registration Division "M", KHOMAS Region MEASURING: 1 5353 (One Comma Five Three Five Three) hectares Improvements: Main Building 1x Entrance Hall, 1 x Lounge O/Plan, 1 x Dining room O/Plan, 1 x 1 x Kitchen O/Plan, 1 x scullery,1 x Pantry, 1 x Battery Room, 1 x Study, 5 x Bedrooms, 1 x Dressing Room, 3 x Full Bathroom (en suite), 4 x Shower, toilet & Basin (en suite), 1 x Toilet and Basin, 1 x Walk-in.

5010 Notices

• Legal •

Sale. Outbuildings Double Garage, Solar Battery Store, Roofed BB Area, Veranda (L-Shaped), 1 x Swimming Pool TERMS 10% of the purchase price and the auctioneers' 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 and lie for inspection at the office of the Deputy Sheriff, WINDHOEK and at the offices of the execution creditor's attorneys. AUCTIONEER'S NOTE: REFUNDABLE REGISTRATION FEE OF N$5 000.00 DATED at WINDHOEK this 7th day of FEBRUARY 2024.
DR WEDER KAUTA & HOVEKA INC.
Legal Practitioner for Plaintiff 3RD Floor, WKH House, Jan Jonker Road WINDHOEK [PUK/pp/MAT42723]

CLAO2400000526

IN THE HIGH COURT OF NAMIBIA
NORTHERN LOCAL DIVISION HELD AT OSHAKATI CASE NO: HC-NLD-CIV-ACT-CON-2023/00251 In the matter between: ELIZABETH MUNOMENDJI IYAMBO EXECUTOR And [illegible] ENGINEERING AND INVESTMENTS CC EXECUTION DEBTOR NOTICE OF SALE IN EXECUTION. In pursuance of judgment granted on 05 FEBRUARY 2024 and Writ of Execution dated 12 FEBRUARY 2024 the following goods will be sold in execution on 28th MARCH 2024 at ADVANCED REFRIGERATION, MAIN ROAD, OSHAKATI, OSHANA REGION, REPUBLIC OF NAMIBIA at 12H00. GOODS: x Maheng Threshers TERMS OF SALE: VOETSTOOTS AND CASH. TO THE HIGHEST BIDDER DATED at OSHAKATI this 01st day of MARCH 2024. W HORN ATTORNEYS Legal Practitioner for Plaintiff Erf 0496, Immanuel Shifidi Street OSHAKATI Ref: H23005 TO:THE REGISTRAR HIGH COURT OF NAMIBIA NORTHERN LOCAL DIVISION OSHAKATI AND TO:THE NAMIBIAN NEWSPAPER AND TO:THE REPUBLIKEIN NEWSPAPER

CLAO2400000502

Rule 7(1)
COMBINED SUMMONS IN THE HIGH COURT OF NAMIBIA (Main Division)
Case Number: HC-MD-CIV-ACT-CON-2023/04949 In the matter between: SAKARIA A NDREAS 1st PLAINTIFF, KLEOPAS SHEFENGULA 2nd PLAINTIFF And AILI MAGANO PAULUS DEFENDANT INFORMAILI MAGANO PAULUS, an major female with full legal capacity, residing at Ooma Village, in the area of Okamito, Okahandja, Republic of Namibia (hereinafter called the Defendant), THABSAKARIA ANDREAS, a major male with full legal capacity, with his chosen domicilium citandi at executandi at Erf 8898, Chrysler Road, Khomasdal, Windhoek, Namibia, Republic of Namibia, (hereinafter called the 1st Plaintiff). THAT: KLEOPAS SHEFENGULA, a major male with full legal capacity, with his chosen domicilium citandi at executandi at Erf 864, Ouryangava, Windhoek, Namibia, Republic of Namibia, (hereinafter called the 2nd Plaintiff), hereby institutes action against the Defendant, for the following relief : WHEREFORE PLAINTIFF CLAIMS AGAINST THE DEFENDANT FOR: DEFENDANT 1. Cancellation of the agreement between the parties. 2. The payment of the amount of N$167 000.00. 3. Interest on the aforesaid amount at the rate of 20% per annum calculated from 18 June 2023 until date of final payment. 4. Cost of suit. INFORMthe Defendant further that if the disputes the claim and wish to defend the action she must: - 1.Within 10 days of the service on him of this summons file with the Registrar of the Court at High Court of Namibia. (Main Division) WINDHOEK notice of her intention to defend and serve a copy thereof on the 1st and 2nd Plaintiff's legal practitioner, which notice must give an address (not being a post office box or poste restante) referred to in Rule 14(3)(b) for the service on the Defendant of all notices and documents in the action, but, if the Defendant chooses to have further pleadings served on her by way of electronic means, such electronic address must be provided to the 1st and 2nd Plaintiff in the Notice of defence. 2.Simultaneously with the delivery of the notice of intention to defend, the Defendant must deliver the return in terms of Rule 6(4), which contains his full names, identity numbers where available and if a Namibian citizen or any other person ordinarily resident in Namibia, his or her physical address and where available, his or her telephone or cellular phone number or both, workplace telephone number, facsimile number and personal or workplace email address or both. 3.The particulars provided in terms of Rule 2 remain binding on the parties to which they relate and may be used by the court, or by the other party to effect service of any notice or document on such party or give notice to such party. 4. As soon as the managing judge has given notice of a case planning conference in terms of Rule 29(1), he or she is required to meet with the Plaintiff in order to agree a case plan in terms of Rule 23(3) for submission to the Managing Judge for the exchange of pleadings, and the time within which he or she must deliver his or her plea and counterclaim, if any, will be determined by the court having regard to such plan and if he or she fails to cooperate in submitting such a plan, the court will determine the time within which he or she must deliver his or her plea and counterclaim, if any and he or she must comply with such order. INFORM: the Defendant further that if he fail to file and serve notice of intention to defend, judgment as claimed may be given against him without further notice to him or if, having filed and served such notice, he fail to plead, except, make application to strike out or counterclaim, judgment may be given against her. DATED at WINDHOEK on this 08th day of March 2024. DR. WEDER, KAUTA & HOVEKA INC. Plaintiff's Legal Practitioners WKH House, Jan Jonker Road Ausspannplatz WINDHOEK [MAT94736/SP/eld] TO:REGISTRAR OF THE HIGH COURT WINDHOEK

CLAO2400000630

CHINA HENAN INTERNATIONAL COOPERATION GROUP (Pty) LTD.

VACANCIES

Site Manager
Responsibilities:
- To manage building contracts on-site, liaising with the Contracts Manager, client, sub-contractors.

Requirements:
- Substantial experience of the full circle of at least two road construction projects.
- Bachelor's degree in Civil Engineering
- Fluency in English and Mandarin is a prerequisite.

Financial Manager/Deputy Financial Manager
Responsibilities:
- Ensures that financial and statistical record keeping is maintained according to accounting practices, accordingly.
- Schedules auditing and Oversees auditing. Interpret/translate auditing results for submission Head Quarters in China.

Requirements
- A Bachelor of Commerce degree in accounting.
- At least 5 years' experience in financial accountancy coupled with proven leadership skills at the same level of authority.
- Fluency in English and Mandarin is a prerequisite.

Commercial Manager/Deputy Commercial Manager
Responsibilities
- Understanding the organization's income generation from the commercial sector point of view.
- Development of a commercial strategy for the organization.
- Knowledge in promoting CHICO as a credible commercial partner to include PR and marketing.

Requirements
- University degree in Sales and Marketing or equivalent.
- At least 7 years relevant experience of which 5 years are at senior or managerial level.
- Mandarin language will be an added advantage.

If you meet the requirements, send your comprehensive CV and Qualifications to chico.recruitment@gmail.com

CLAO2400000618

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 ADVERTISEMENT. THE ONUS LIES WITH POTENTIAL CUSTOMERS TO EVALUATE THE AUTHENTICITY OF SUCH PRODUCTS OR SERVICES

NOTICE ON LOCAL AUTHORITY NOTICE BOARD



REZONING OF ERF 6923 (A PORTION OF ERF 1956), WINDHOEK, (171 NELSON MANDELA DRIVE) FROM "RESIDENTIAL" WITH A DENSITY OF 1:900 TO "OFFICE" WITH A BULK OF 0.4

NOTICE ON SITE



LIST OF REGISTERED ITEMS POSTED

NAMPOST

by Winplan cc, PO Box 90761, Klein Windhoek

Sender's reference no.	Addressee's name and address	Registration no.
1	The Owner: Erf 1778 Windhoek PK Meinzer PO Box 4184, Windhoek	BA 002 104 079 NA
2	The Owner: Erf Rel195b Windhoek Roder Properties CC PO Box 9662, Eros Windhoek	BA 002 104 082 NA
3	The Owner: Erf A/36 Windhoek Kudu Investments (Pty) Ltd PO Box 20919, Windhoek	BA 002 104 096 NA
4	The Owner: Erf 2031 Windhoek P Karuaihe PO Box 61267, Katutura	BA 002 104 105 NA
5	The Owner: Erf 2085 Windhoek Outeniqua Trust PO Box 30397, Pioniespark	BA 002 104 119 NA

NAMPOST
VAT Reg No: 0024451015

Branch: Klein Windhoek

Date: 04/03/2024 Time: 12:22:52
Counter: 2 JULIAN STOCKUNIT01

Qty	Product	Price	VAT
5	Letter	$31.00	
	Registered Mail	$208.50	
	(Registered Item No)		
	(P1 185 Form No:BA002104079NA TO BA002210		
	(Recipient Name)		
	(Address Line 1)		
	(Address Line 2)		
	(Address Line 3)		
	(Address Line 4)		
	Prepaid	-$239.50	
Net		-$27.20	

Tax Code	Amount	Total Tax
VAT A (0%)		
VAT B (15%)	$181.30	$27.20
Total		$0.00

Name:
Address:

Receipt No: 264-10007-3-3241426-2
THANK YOU FOR USING YOUR POST OFFICE
DANKIE DAT U DIE POSKANTOOR GEBRUIK
IANGI ESHI HOLOWAIFA OPOSH YOVE

studio print 13647

Number of items Five Received by

Date-stamp

WINDHOEK 07 MAR 2024 KLEIN

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

PT/185

No. 103 2024

REZONING OF ERF 3654, SWAKOPMUND

Notice is hereby given in terms of section 107, regulation 10(1) of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), that the Municipality of Swakopmund intends to apply to the Urban and Regional Planning Board for the:

- **Rezoning of Erf 3654, Swakopmund from "undetermined" to "street"**

The application and locality plans are available and open for inspection during working hours at the Swakopmund Municipality: Town Planning Division.

Any person having objections or comments to the statutory procedures as set above must lodge such objections or comments, together with the grounds thereof, in writing with the Chief Executive Officer of the Municipality of Swakopmund, P. O. Box 53, Swakopmund within fourteen (14) days of the last publication of this notice in the *Gazette*.

B. ALFEUS
CHIEF EXECUTIVE OFFICER
SWAKOPMUND

No. 104 2024

REZONING OF ERF 6923 (A PORTION OF ERF 1956), WINDHOEK

Winplan Town and Regional Planning Consultants, on behalf of the registered owner, Paulinas Properties CC intends applying to the Windhoek Municipal Council and Urban and Regional Planning Board for:

- **Rezoning of Erf 6923 (a portion of Erf 1956), Windhoek, 171 Nelson Mandela Drive from "Residential" with a density of 1:900 to "Office" with a bulk of 0.4; and**
- **Consent for free residential bulk on Erf 6923 (a portion of Erf 1956), Windhoek.**

Erf 6923, Windhoek is situated at 171 Nelson Mandela Drive. The erf measures 1099m². Erf 6923, Windhoek is zoned Residential with a density of 1:900m².

Our client intends to continue use the property predominantly for office uses. Our client also intends to apply for free residential bulk in terms of the "Free Residential Bulk Policy" as they want to also develop and use the property for residential purposes in the foreseeable future.

Access to the property will remain as is and Parking will be provided on site and in accordance with the Windhoek Zoning Scheme and Council stipulations.

The locality plan of the intended rezoning lies open for inspection at the Windhoek Municipality, Customer Care Centre, Town Planning Notice Board during normal office hours.

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 and with the applicant in writing within 14 days of the last publication of this notice. The last day for comments/objections will be **12 April 2024.**

Applicant:
Winplan Town and Regional Planning Consultants
P. O. Box 90761, Klein Windhoek
E-mail: winplan@winplan.com.na

WINPLAN
TOWN & REGIONAL PLANNING CONSULTANTS

Tel: (061) 246 761
P O Box 90761, Klein Windhoek, Namibia
E-mail: winplan@winplan.com.na

Our Ref: Erf 6923 Windhoek

15 April 2024

The CEO: CITY OF WINDHOEK
Dept of Planning, Urbanisation and Environment
P O Box 59
WINDHOEK

Attention: Ms R Kwenani

Dear Madam,

REZONING OF ERF 6923 (A PORTION OF ERF 1956), WINDHOEK, (171 NELSON MANDELA DRIVE) FROM "RESIDENTIAL" WITH A DENSITY OF 1:900 TO "OFFICE" WITH A BULK OF 0.4; and

CONSENT FOR FREE RESIDENTIAL BULK ON ERF 6923 (A PORTION OF ERF 1956), WINDHOEK

Instruction have been received vide e-mail on 27 February 2024 to start with the Public Participation Process with due date 30 May 2024.

1. NOTIFICATION TO NEIGHBOURS

Registered letters were sent to the neighbouring erf owners informing them of our clients intentions.
The last day for comments/objections was on 12 April 2024. **No objections have been received.**
The registered mailing list is attached.

2. ADVERTISEMENT

The rezoning of Erf 6923 Windhoek has been advertised in the Namibian, Republikein and Government Gazette on the following dates, with the closing date for comments/objections on 12 April 2024:

- The Namibian: 5 March & 12 March 2024;
- The Republikein: 7 March & 14 March 2024;
- Government Gazette: 15 March 2024.

No comments/objections have been received.

3. NOTICE ON SITE

A notice was put on site at 171 Nelson Mandela Avenue. The last day for comments/objections was on 12 April 2024.

4. NOTICE ON LOCAL AUTHORITY NOTICE BOARD

A notice was put on the City of Windhoek Notice Board at Customer Care Centre. The last day for comments/objections was on 12 April 2024.

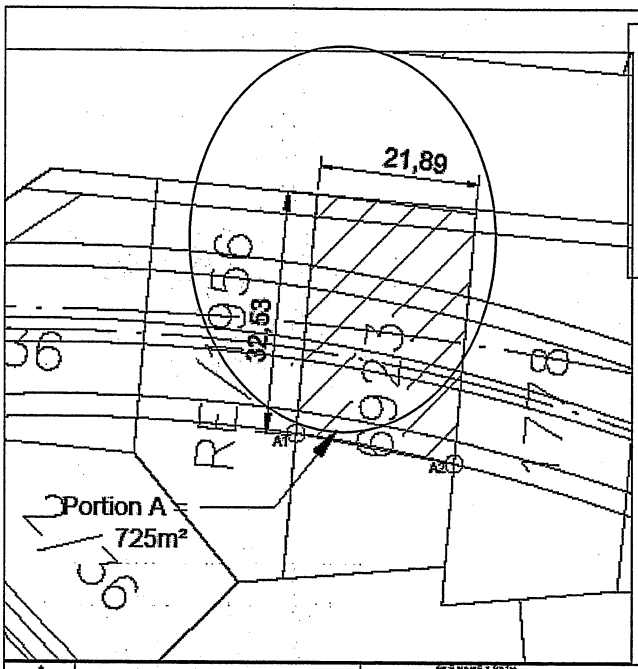
We trust that this application will meet with all your requirements. Should any uncertainties arise, please do not hesitate to contact us.

Kind regards,

LOUIS J ESTERHUIZEN (NCTRP)

ANNEXURES

1. Registered mailing list
2. Advertisements in the Namibian, Republikein and Government Gazette
3. Notice on Site
4. Notice on Local Authority Notice Board



COORDINATE LIST

Lo 17

Erf 6923 W subdivision

POINT	Y-COORD	X-COORD
CONST:		
A1	-9153.44	61006.06
A2	-9175.14	61010.08

ISO A4 (297.00 x 210.00 MM)

CITY OF WINDHOEK
URBAN PLANNING & PROPERTY MANAGEMENT
PLANNING, DESIGN & TRAFFIC FLOW

FILE NAME & PATH
6923 W Subdivision plan.dwg
PATH
O:\cad data\DATA4\ALL\WINDPE-Silzabonga

Subdivision of Erf 6923 W

SCALE - 1:500

NORTH

PLAN No
PDT/6923W

DATE
03-05-2024

City of Windhoek
Department of Housing,
Property, Management &
Human Settlement

09th May 2022

TO WHOM IT MAY CONCERN

RE: APPLICATION TO AQUIRE LAND FOR ACCESSIBILITY TO ERF 1985 OTJOMUISE.

Dear Sir/Madam,

We Cecilia de Oliveira together with my mother Florentina De Oliveira are the owners of Erf 1985 Otjomuise and request an **application to acquire a 4 metre panhandle** for our un-accessible Erf 1985 Otjomuise.

The property is currently only accessible from Kitchener street via vacant Erf 1993 Otjomuise, as the supposed entrance on Reykjavik Street is extremely steep with a constructed 3 metre high Loffenstein retaining wall structure (please see Land Surveyors drawing attached). This retaining structure is currently supporting our NHE constructed home which we also developed further and our neighbour's property Erf 1984 Otjomuise.

The solution therefore for our access issue is to propose a Subdivision of Erf 1993 Otjomuise and subsequent consolidation with our Erf 1985 Otjomuise (please see application plan also attached).

We hope your office will find our request with utmost importance as our access might be jeopardize say in the event that Erf 1993 Otjomuise is sold or bought to further developers or new owners.

The 4 meter panhandle will total an additional 201 square metres to our said Erf 1985 Otjomuise.

1. **Proposed Subdivision Erf 1993 Otjomuise * 201.33 sqm**
2. **Remainder of Erf 1993 Otjomuise *3750.31 sqm**
3. **Existing Erf 1985 Otjomuise * 377.40 sqm**
4. **Consolidated Erf B * 578.55 sqm**

Kind regards,
Cecilia De Oliveira

REPUBLIC OF NAMIBIA
NATIONAL IDENTITY CARD

880510 0065 7



DE OLIVEIRA

CECILIA KILUANGE

NAMIBIAN POLICE
WINDHOEK
0 8 NOV 2021
GREENWELL SUB-STATION

1988-05-10
WINDHOEK
FEMALE 1,70
2007-03-07
S23305

CITIZEN
BROWN



88051000657

2014 -02- 20

DEED OF TRANSFER

NO. T 767 / 2014

NATIONAL HOUSING ENTERPRISE

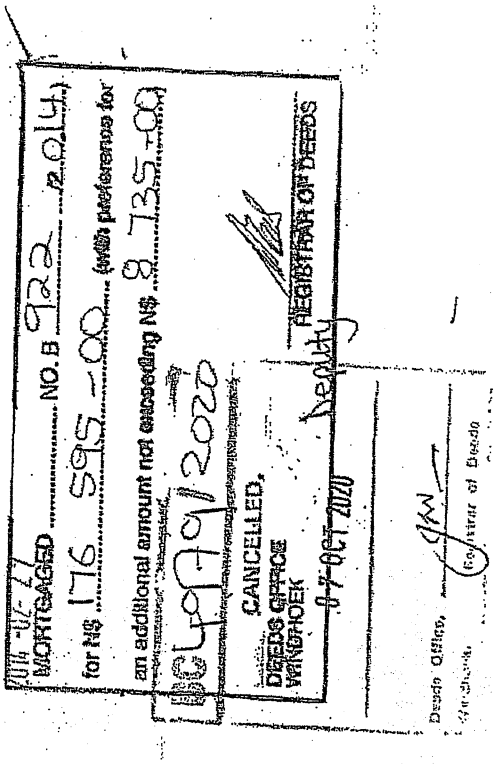
IN FAVOUR OF

1. CECILIA KILUANGE DE OLIVEIRA
2. FLORENTINA CIDALIA DE OLIVERA

(PROPERTY : ERF NO. 1985, OTJOMUISE (EXTENSION NO. 3)

Shikongo Law Chambers
Legal Practitioners
Notaries and Conveyancers, Ehahende
P.O. Box 98350
Windhoek
TEL: +264 61- 254644/5
FAX: +264 61- 230448

PREPARED BY ME
CONVEYANCER
B USIKU



LODGED BY:
B USIKU
SHIKONGO LAW CHAMBERS
No 4, Banting Street, Windhoek-West
WINDHOEK

DEED OF TRANSFER T 767 / 2014

Be it hereby made known:

That **BOAS USIKU**

appeared before me, Registrar of Deeds

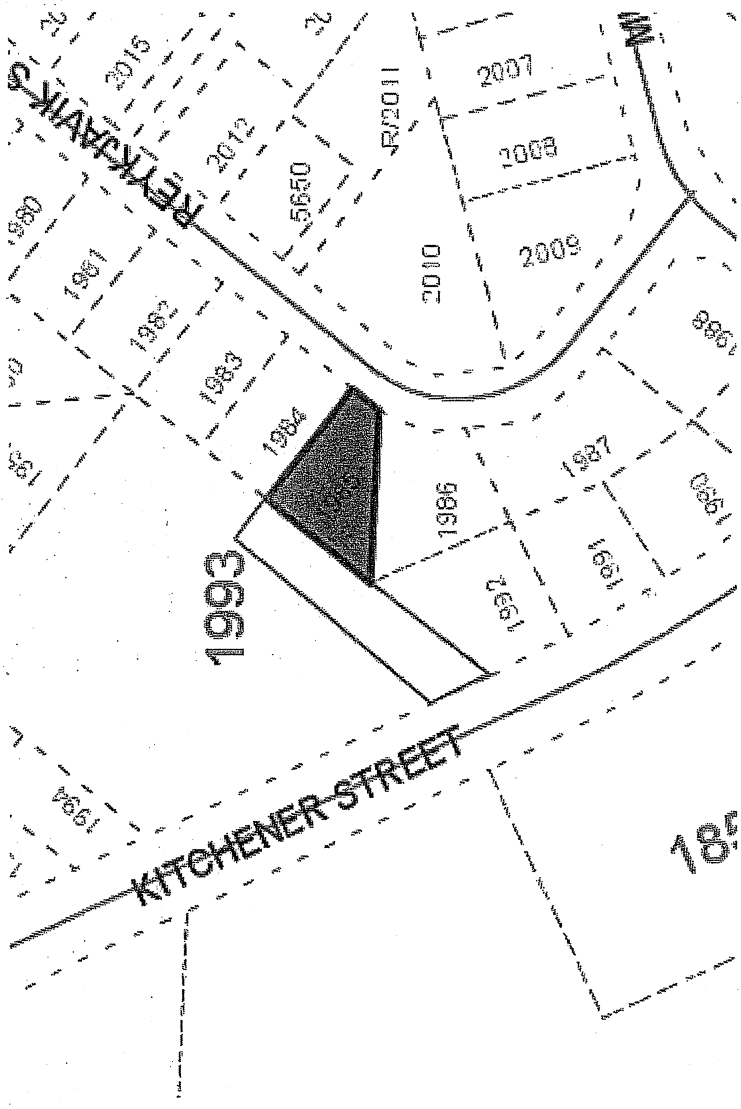
at **WINDHOEK**

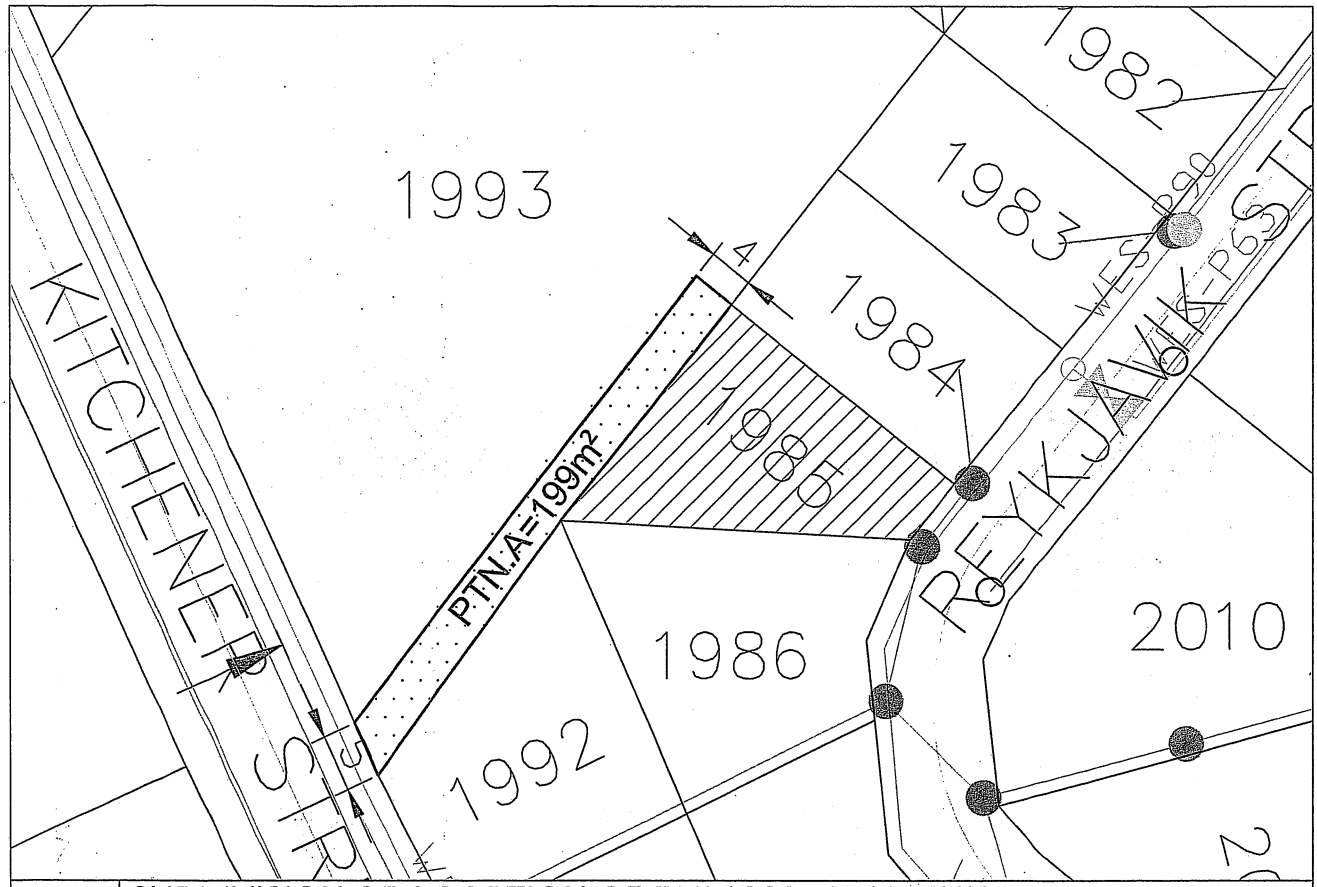
she, the said Appearer, being duly authorised thereto by a Power of Attorney

granted to her by

NATIONAL HOUSING ENTERPRISE
(Established in terms of Act No. 5 of 1993)

dated the 23rd day of **May 2013**, and signed at **Windhoek**


REEKSJAVIK'S
2015
2012
5650
R/2011
2007
2008
2009
2010
1980
1981
1982
1983
1984
1985
1986
1987
1993
KITCHENER STREET



SUBDIVISION OF A PORTION OF ERF 1993, OTJOMUISE, FOR CONSOLIDATION WITH ERF NO. 1985, OTJOMUISE.

14 NOVEMBER 2022

PATH: O:/Cad/Groups/Geomatics/1985-1 .OTJO PLAN NO: OTJO.1985

SCALE 1:1000

[Municipal Council Minutes: 2004-08-25]

3.4 **BRB.2 [PLA] CALCULATION OF PURCHASE PRICE – ADDITIONAL LAND SALES**
(16/15/2/2/1)

RGS done

On proposal by Councillor Dr B von Finckenstein, it was

RESOLVED

That Council Resolution 405/08/95 be rescinded and replaced by the following:

1 That portions of open spaces, which are big enough to enhance the potential of the property with which the portion is to be consolidated, be valued at the full market-related price as determined by the Strategic Executive: Planning, Urbanisation and Environment.

2 That portions of open spaces which can be used as separate erven, with separate access and which are fully serviced, be valued at the full market-related price as determined by the Strategic Executive: Planning, Urbanisation and Environment.

3 That portions of open spaces which are too small to enhance the potential of the erf with which the portion is to be consolidated, be valued at 50 % of the market value as determined by the Strategic Executive: Planning, Urbanisation and Environment.

4 That, where fully market-related prices is payable, the costs incurred for the closure, town planning and cadastral procedures (as calculated by the Strategic Executive: Planning, Urbanisation and Environment) be deducted from the eventual purchase price: Provided that the eventual purchase price not be less than 50 % of the market-related price as determined by the Strategic Executive: Planning, Urbanisation and Environment.

5 That additional land being sold at a subsidised price for consolidation with the adjacent 'institutional' zoned properties not be allowed to deduct the costs mentioned in paragraph 4.

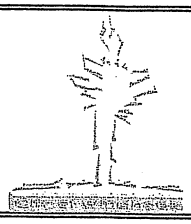
6 That the policy on the deduction of costs where full market-related purchase prices are payable also be made applicable to all outstanding sales subject to the conditions of the original resolution.

RESOLUTION 276/08/2004 [POLICY]

VALUATION CERTIFICATE

DIVISION: VALUATION SERVICES

DATE OF VALUATION: 05/07/2024



Erf No.: 1993 **Suburb:** Otjomuise **Street name:** Kitchener

Erf size: 3951 m² **Zoning:** Public open space **Density:** 1/300

Required portion size: 199 m²

Current use of the portion under consideration: Vacant

Acquisition purpose: To be sold and consolidated with Erf 1985,Otjomuise

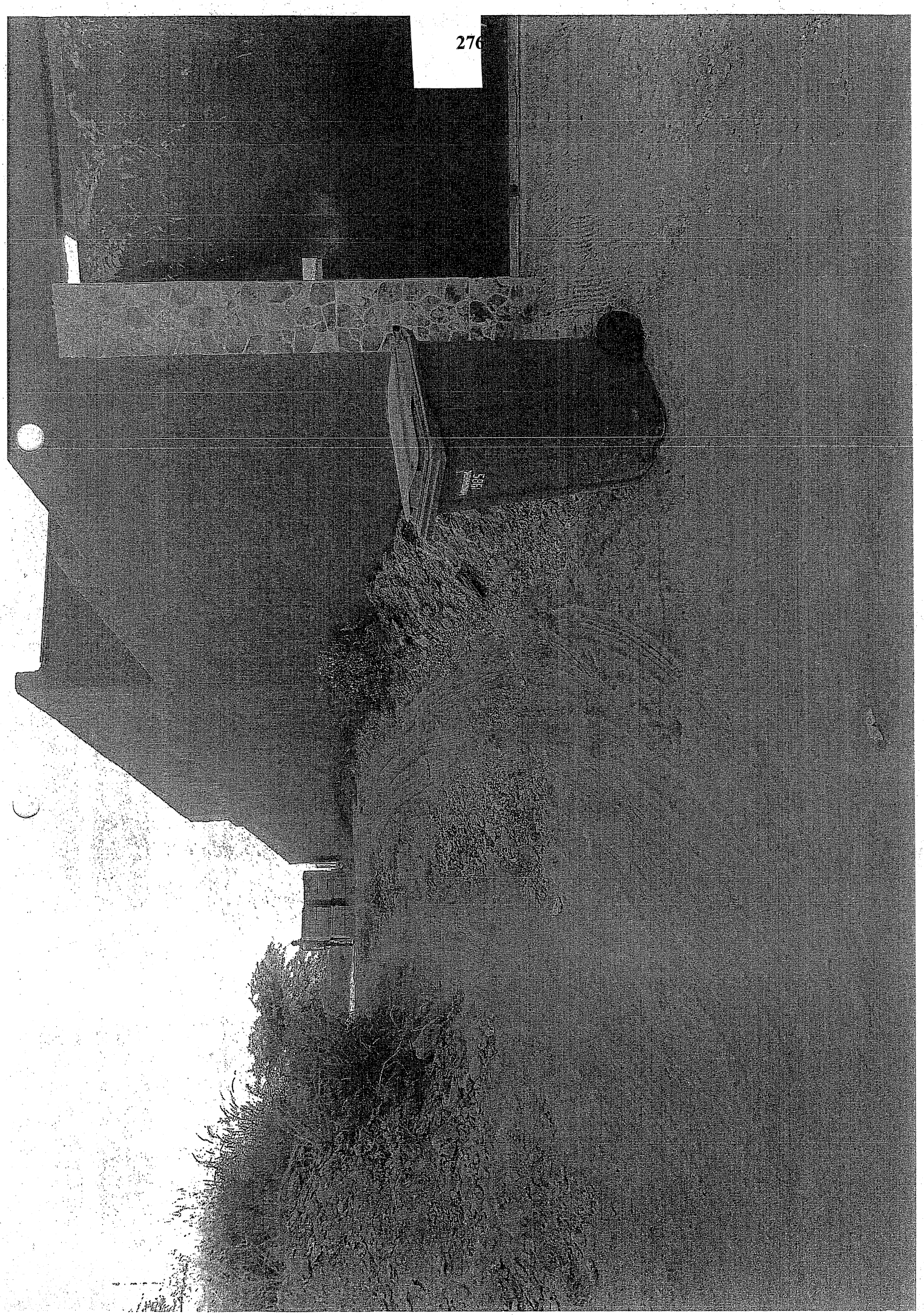
Current vacant land going price/ m²	N$ 363	
Size of the portion Required	199 m²	
Estimated market Value	N$ 72 200.00	

Development costs were determined at N$ 78/ m² in Otjomuise in 2005. After escalation from 2005 to 2023, a price of N$ 363 per square meter was produced

Consequently, the portions required should be valued at N$363/ m².

.....

Valued by: Kaulikufwa Hendjala **Date:** 05/07/2024



SUBDIVISION OF ERF 1993 OTJOMUISE INTO A NEW PROPOSED PORTION X AND REMAINDER.

Herewith do I/We, Mr/Mrs/Miss MGRCHIA SNARTBOOT

The owner(s) of Erf No.: 1986

Street Address Reykjavic

Otjomuise

Declare that I/we (a) do not object ☑

(b) do object ☐

to the subdivision of Erf 1993 Otjomuise, into a new proposed Proportion X and remainder in order to allow for the construction of several sectional title units per created portion.

If objecting, please state reasons for doing so:

.....

.....

.....

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.....

Please note: Should we not receive this form within **7 days**, we shall assume that no objections against the consent is applicable. The closing date for objections is thus 02nd **of May 2022.**

Signed at Windhoek on this 27 day of April 2022

M. SNARTBOOT

SIGNED

Post to: Landtech Namibia Consulting Services
P.O. Box 2988
Windhoek
Fax: 0886 25485
+264851299730

SUBDIVISION OF ERF 1993 OTJOMUISE INTO A NEW PROPOSED PORTION X AND REMAINDER.

Herewith do I/We, Mr/Mrs/Miss Herman P Kashieta

The owner(s) of Erf No.: 1992

Street Address Kitchener Street

Otjomuise Ext 3

Declare that I/we (a) do not object ☑

(b) do object ☐

to the subdivision of Erf 1993 Otjomuise, into a new proposed Proportion X and remainder in order to allow the creation of a 4 meter wide pan handle in order to create access for Erf 1985 Otjomuise Extension 3.

If objecting, please state reasons for doing so:

.....

.....

.....

.....

.....

.....

.....

.....

Please note: Should we not receive this form within **14 days**, we shall assume that no objections against the consent is applicable. The closing date for objections is thus 2nd **of December 2022.**

Signed at Windhoek on this 29 day of November 2022

08/12/2022

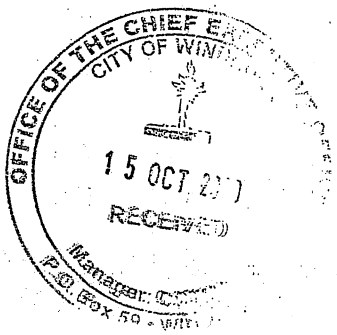
SIGNED

Post to: Landtech Namibia Consulting Services
P.O. Box 2988
Windhoek
Fax: 0886 25485
+264851299730

"ATZ01"

Mr. Alex.T. Zambwe
P.O. Box 2799
atzambwe@yahoo.com
Windhoek
15 October 2020

The City of Windhoek
Department of Housing, Property Management and Human Settlements.
P.O.Box 59
Windhoek



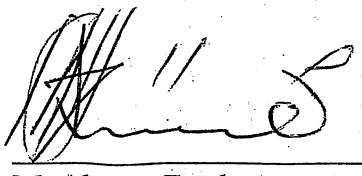
Attention: Strategic Executive: Mr GW Esterhuizen

Dear Sir

Subject: Application for extension of 1 to 2 metres strip.

1. I am the owner of a property located at Erf 128, Ichaboe Street, Rocky Street, Windhoek.
2. I write to apply for extension of approximately 1 to 2 metres strip from the open public space adjacent to my property (Erf 128). I believe official from the City of Windhoek will be able to advise me as how much this public space am I allowed to acquire.
3. The open space will be used to increase the usability space on my property in line with open public space policy of the City of Windhoek.
4. I am waiting to hear from your good office including the cost of the purchase price, if there is any, and other incidental matters.
5. I hope you will find this in order.

Regards



Mr Alex T. Zambwe
0814773518
atzambwe@yahoo.com

2020 -09- 10

DEED OF TRANSFER NO. T 5767 2020

ECKARD VENOMAMBO TJAZAMO
AND
JOSEPHINE TJAZAMO

TO

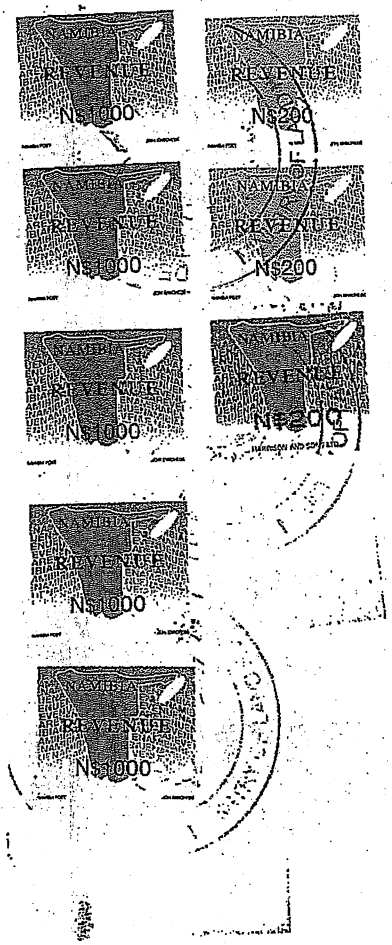
ALEX TUBAUNDULE ZAMBWE

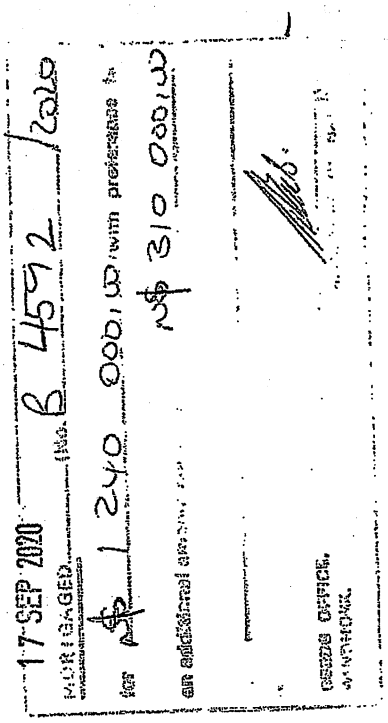
ERF NO. 128 ROCKY CREST

KOEP
PARTNERS
CONVEYANCERS
P O BOX 3516
WINDHOEK
TEL: 382800
REF: BKL/sn/77159, MAT6925

Prepared by me:

CONVEYANCER
LOCH B K





DEED OF TRANSFER

Be it hereby made known: T 5767 / 2020

THAT **WILLEM CAREL KOTZE**

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

ECKARD VENOMAMBO TJAZAMO
(Identity Number: 560228 0040 4)
and
JOSEPHINE TJAZAMO
(Identity Number: 561018 0046 6)
MARRIED IN COMMUNITY OF PROPERTY TO EACH OTHER

dated the 30th day of JULY 2020, and signed at WINDHOEK

And the said Appearer declared that his/her Principal had truly and legally sold on the 16th day of JULY 2020

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

ALEX TUBAUNDULE ZAMBWE
(Identity Number: 790222 0013 2)
UNMARRIED

his Heirs, Executors, Administrators or Assigns,

CERTAIN: ERF NO. 128 ROCKY CREST

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

MEASURING: 549 (FIVE HUNDRED AND FORTY NINE) SQUARE METRES

FIRST TRANSFERRED by Deed of Transfer No. T 1300/1995 with General Plan No. A.161/91 relating thereto and held by Deed of Transfer No. T1301/1995

SUBJECT to the following conditions imposed in terms of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954), namely:

IN FAVOUR OF THE LOCAL AUTHORITY:

1. 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.

2. 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.

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, his 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 be the sum of N$1 160 000.00.

Signed at WINDHOEK on 17 SEP 2020

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

In my presence,

DEPUTY REGISTRAR OF DEEDS

Registrar of Deeds

Signature of Appearer

1. Transfer Duty Receipt No.
OR Exemption Certificate: **0200048332**
Issued at Windhoek
On **7 September 2020**
for **N$12 000.00**

Checked: 1. _____

2. _____

2. I, the undersigned, BEATE KAREN LOCH hereby certify in terms of Section 78(a) 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 supplied 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 thereof.

_____
CONVEYANCER

Revenue
07 SEP 2021
Namibia Revenue

REPUBLIC OF NAMIBIA

MINISTRY OF FINANCE

INLAND REVENUE DEPARTMENT

PAYMENT RECEIPT

Receipt Number: 0200048332

Office Code	TIN	Taxpayer Name	Postal Address	Received by
05	03721983	Alex Tubaundule Zambwe	Box 2799; Windhoek; Namibia;	Dina, Hengari (Kahuure)

Transfer Duty Details:

Transferor Name(Seller)	Eckard Venomambo Tjazamo Josephine Tjazamo		
Transferee Name (Purchaser)	Alex Tubaundule Zambwe		
Conveyancer Name	P F KOEP & CO		
Physical Address of Property	Erf No. 128 Rocky Crest		
Town	Windhoek	**Region**	Khomas
Size of Property	549	**Date of Transaction**	16-07-2020
Consideration (Purchase Price)(N$)	1,160,000.00	**Transfer Duty paid on (N$)**	1,160,000.00

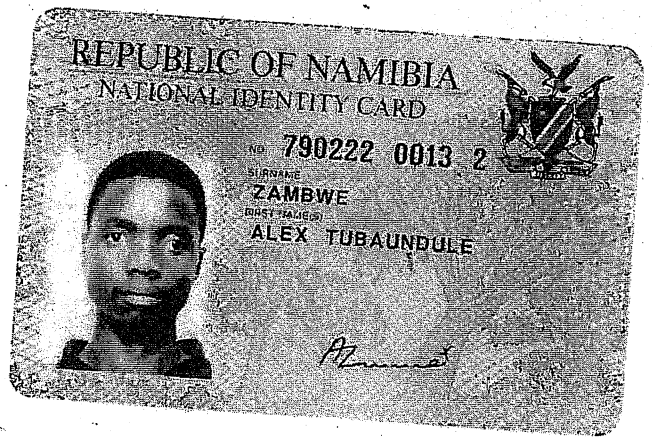
Tax Type	Year	Period	Payment Date	Liability Type	Payment Mode	Received Amount (N$)
Transfer Duty	2021	-	07-09-2020	Duties & Levies	Direct Deposit	12,000.00
Total Amount(N$)						**12,000.00**

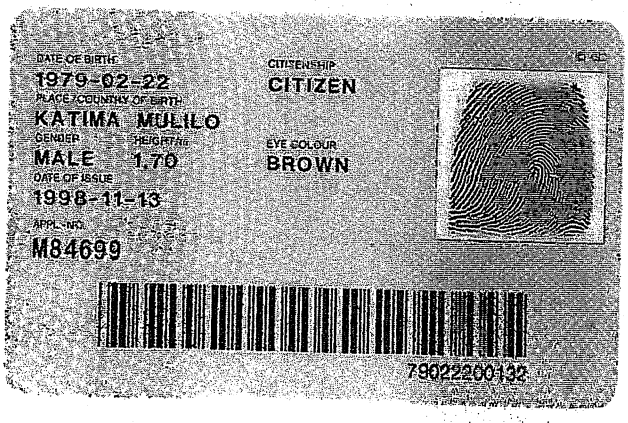
This is the original receipt

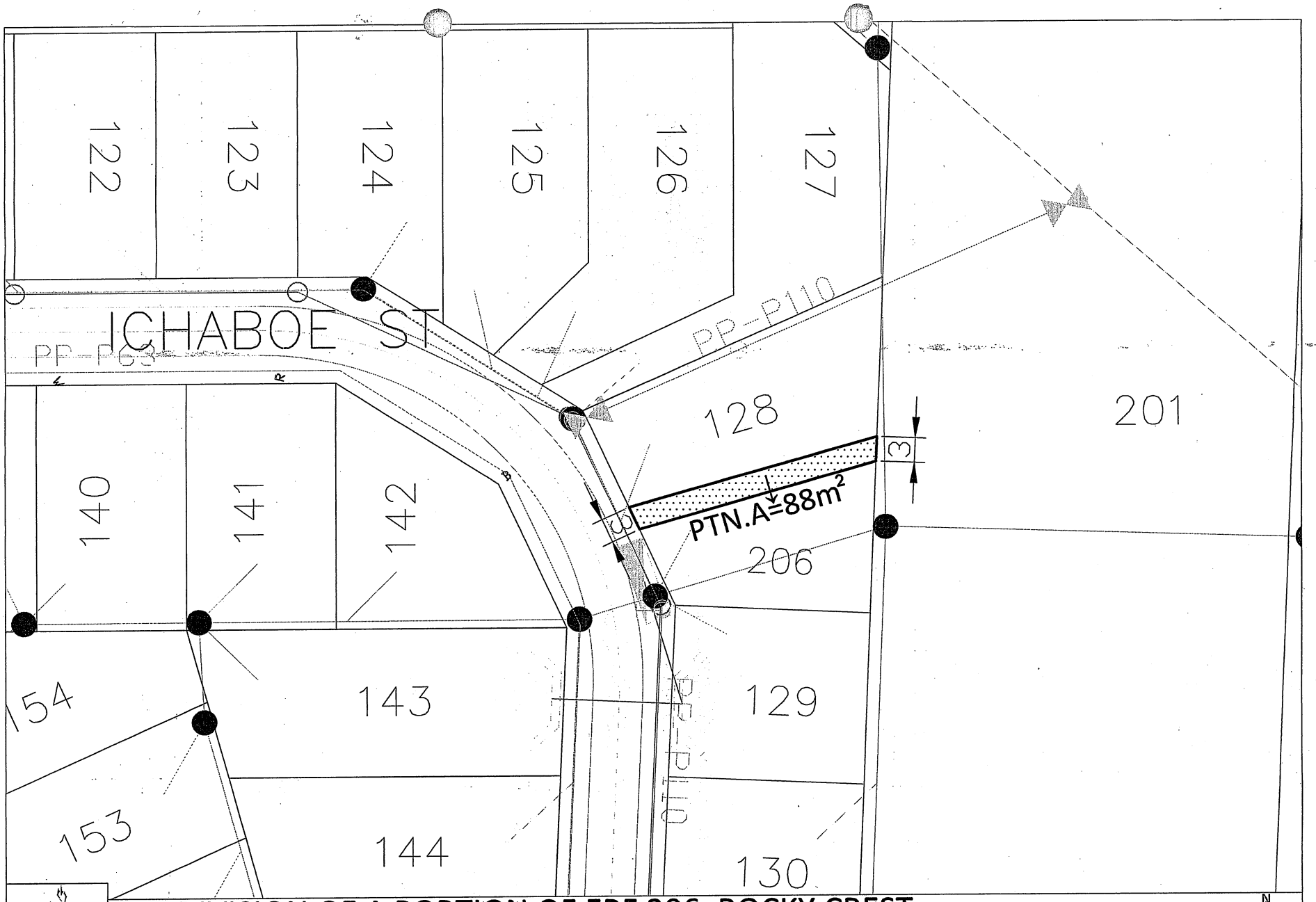
I certify that this document is a true and correct copy of the document which was exhibited to me
Date 18 Sept 2020

SILVANUS NEPUNDA
Commissioner of Oaths Namibia

SILVANUS NEPUNDA
286 Commissioner of Oaths
Legal Practitioner
Ministry of Justice
1st Floor, Justitia Park
Private Bag 13302
Windhoek - Namibia







SUBDIVISION OF A PORTION OF ERF 206, ROCKY CREST,
FOR CONSOLIDATED WITH ERF 128, ROCKY CREST

15 NOVEMBER 2021

PATH: Cad/groups/geomatics/128-RC PLAN NO: RC 128

SCALE1:1 000

City of many faces

[Municipal Council Minutes: 2004-08-25]

8.3.4 BRB.2 [PLA] CALCULATION OF PURCHASE PRICE – ADDITIONAL LAND SALES
(16/15/2/2/1)

KGS done

On proposal by Councillor Dr B von Finckenstein, it was

RESOLVED

That Council Resolution 405/08/95 be rescinded and replaced by the following:

1 That portions of open spaces, which are big enough to enhance the potential of the property with which the portion is to be consolidated, be valued at the full market-related price as determined by the Strategic Executive: Planning, Urbanisation and Environment.

2 That portions of open spaces which can be used as separate erven, with separate access and which are fully serviced, be valued at the full market-related price as determined by the Strategic Executive: Planning, Urbanisation and Environment.

3 That portions of open spaces which are too small to enhance the potential of the erf with which the portion is to be consolidated, be valued at 50 % of the market value as determined by the Strategic Executive: Planning, Urbanisation and Environment.

4 That, where fully market-related prices is payable, the costs incurred for the closure, town planning and cadastral procedures (as calculated by the Strategic Executive: Planning, Urbanisation and Environment) be deducted from the eventual purchase price: Provided that the eventual purchase price not be less than 50 % of the market-related price as determined by the Strategic Executive: Planning, Urbanisation and Environment.

5 That additional land being sold at a subsidised price for consolidation with the adjacent 'institutional' zoned properties not be allowed to deduct the costs mentioned in paragraph 4.

6 That the policy on the deduction of costs where full market-related purchase prices are payable also be made applicable to all outstanding sales subject to the conditions of the original resolution.

RESOLUTION 276/08/2004 [POLICY]

VALUATION CERTIFICATE

DIVISION: VALUATION SERVICES

DATE OF VALUATION: 06/03/2024

Erf No.: 206 **Suburb:** Rocky Crest **Street name:** Ichaobe

Erf size: 456 m² **Zoning:** Residential **Density: 1/500**

Required portion size: 88 m²

Current use of the portion under consideration: Vacant

Acquisition purpose: To be sold to the owner of Erf 128,Rocky Crest for consolidation purpose

Current vacant land going price/ m²	N$ 1294/m²	
Size of the portion Required	88 m²	
Estimated market Value	N$ 113 900.00	

Erf 677 and 1081 Rocky Crest in the table below were sold by Council on Auction dated 27/11/2008 at an average price of N$455.26/m². After escalation from 2009 to 2023 a price per square of N$1294 was produced. Therefore, the subjects should be valued at N$ 1294/m2.

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Valued by: Kaulikufwa Hendjala **Date:** 06/03/2024

Riverbed and stormwater system





Stormwater system

"ATZ05"

Sewer system

Stormwater and sewer system

Erf 128

Erf 129