

Municipality of Swakopmund

AGENDA

NO. 2

ORDINARY COUNCIL MEETING

**ON
THURSDAY
26 OCTOBER 2023
AT
19:00**



CONTACT US:

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11. RECOMMENDATION OF THE MANAGEMENT COMMITTEE**11.1 MANAGEMENT COMMITTEE MEETING HELD ON 19 OCTOBER 2023**

ITEM NO	SUBJECT	REF NO	PAGE
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11.1.16 **FUTURE SALE OF ERVEN 4869 AND 4873, EXTENSION 10, SWAKOPMUND BY CLOSED BID SALE**

(C/M 2023/10/26 - E 4869, E 4873, E 4874, E 4899, E 4901)

Ordinary Management Committee Meeting of 19 October 2023, Addendum 7.16 page 163 refers.

A. This item was submitted to the Management Committee for consideration:

1. Introduction

The purpose of this submission is for Council to consider the future sale of Erven 4869 and 4873, Swakopmund by public closed bid sale.

Attached as **Annexure "A"** is a map indicating the location of the two erven:



A number of erven remained unsold after the closed bid sales.

On **31 August 2022** under item 11.1.23 Council amended point (a) of its decision passed on **27 January 2022** under item 11.1.13 in order to provide for the consideration of private treaty sales of the available erven located in Extension 10, Swakopmund as follows:

- (a) That point (a) of Council's resolution passed on 27 January 2022 under item 11.1.13 be amended to provide for the consideration of private treaty sale of the available erven located in Extension 10, Swakopmund.

Council approved private treaty sales for the following erven located in the industrial area:

Erf	Purchaser	Status
Erf 4869	Oshitenda Business Group (Pty) Ltd	Cancelled
Erf 4873	Namibia Institute of Welding	Cancelled
Erf 4874	Coetzee Properties CC	Due date is 10 October 2023
Erf 4899	Swakopmund Industrial Property CC	Due date is 06 December 2023
Erf 4901	Fritze Development Trust	Due date is 10 October 2023

3. Applications and Enquiries Received

The market for of industrial erven in Swakopmund seem to have picked up as per enquiries and applications received below:

Verbal Enquiries	Purpose	Written Applications	Purpose
Mr. Hennie van Niekerk	Warehouse	Fothermo (Pty) Ltd	Solar Assembly
Mr. Eddy Hangula	Warehouse	Espeky investments CC	Crematorium
Komatsu Namibia (Pty) Ltd	Not indicated	Eden Cremations (Pty) Ltd	Crematorium
Mr John Alweendo	Medical Wholesaler		

4. Proposal

- 4.1 Considering the interest shown by prospective bidders, it is proposed that Council tests the market and offers for sale by closed bid sale of the following 2 erven zoned "general Industrial" located Extensions 10 (in terms of Council's resolution passed on **25 March 2021** under **Item 11.1.18**):

	Erf No	Zoning	m²	Upset Price
1	4869	Gen Ind	6 428	1 517 008.00
2	4873	Gen Ind	7 403	1 747 058.00

It is furthermore proposed that should the pending private treaty sales of the following three erven fail, these erven be added to the said closed bid sale:

- Erf 4874
- Erf 4899
- Erf 4901

- 4.2 In addition to the above, it is proposed to again consider the following restriction to ensure serious developers acquire these remaining industrial erven:

"(b) That the following conditions be added to the conditions of sale for this particular sale:

- (iii) That the said improvements must be completed within 24 months from date of transfer. Transfer of the property shall be given to and taken by the purchaser within 90 days of the award of the bid to the purchaser in writing. No extension of the date of transfer of the property shall be considered. If the Purchaser cannot meet the deadline for the transfer of the property, the award of the bid shall fall away and become null and void, without the need to give any further notice to the Purchaser.
- (iv) That the property may not be alienated within 24 months unless a completion certificate has been issued in respect of the structural improvements, referred to in 1 above, prior to the expiry of the said 24 month period. This restraint of alienation is to be registered against the title deed of the property.
- (v) That the property shall revert to Council if no completion certificate is issued on the expiry of the 24 months period.
- (vi) That if a property must revert to Council in terms of (v) above, the compensation payable to the purchaser shall be fixed at the original purchase price plus the value of any improvements.
- (vii) That Council's sworn valuator shall determine the value of any incomplete improvements on the property. The purchaser shall be liable for the cost of the said sworn valuator".

On 25 September 2015 under item 11.1.10 Council changed the restriction of repossessioning the property if a completion certificate is not issued on the expiry of 2 years from the date of transfer. The condition was amended to read that the property may not be sold unless a completion certificate is issued.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That Council takes note of the availability of Erf 4869 (6 428 m²) and Erf 4873 (7 403 m²), Extension 10, Swakopmund which are zoned "General Industrial" after the cancellation of the private treaty sales due to non-performance by the purchasers to secure the purchase prices.
- (b) That Council repeal and amend its decision passed on 31 August 2022 under item 11.1.23 to sell the available erven by private treaty, in order to provide for the consideration of public closed bit sales of the available erven located in Extension 10, Swakopmund as follows:

	Erf No	Zoning	m ²	Upset Price @ N\$236.00/m ² (excl 15% VAT)
1	4869	Gen Ind	6 428	1 517 008.00
2	4873	Gen Ind	7 403	1 747 058.00

- (c) That Council approves the sale of Erf 4869 (6 428 m²) and Erf 4873 (7 403 m²), Extension 10, Swakopmund at the upset price indicated in point (b) above and payment of a registration fee in the amount of N\$27 000.00.
- (d) That Council remains with the same conditions approved on 25 March 2021 under item 11.1.18 (Annexure "B", on file),

except point (f) (iv) that the payment period be 120 days as approved by Council on 27 January 2022 under item 11.1.13, point (d).

(e) That the following conditions be added to the conditions of sale for this particular sale:

- (i) That improvements must be completed within 24 months from date of transfer. Transfer of the property shall be given to and taken by the purchaser within 120 days of the award of the bid to the purchaser in writing. No extension of the date of transfer of the property shall be considered. If the Purchaser cannot meet the deadline for the transfer of the property, the award of the bid shall fall away and become null and void, without the need to give any further notice to the Purchaser.
- (ii) That the property may not be alienated within 24 months unless a completion certificate has been issued in respect of the structural improvements, referred to above, prior to the expiry of the said 24-month period. This restraint of alienation is to be registered against the title deed of the property.
- (iii) That the property shall revert to Council if no completion certificate is issued on the expiry of the 24 months period.
- (vi) That if a property must revert to Council in terms of (iii) above, the compensation payable to the purchaser shall be fixed at the original purchase price plus the value of any improvements.
- (v) That Council's sworn valuator shall determine the value of any incomplete improvements on the property. The purchaser shall be liable for the cost of the said sworn valuator.

(f) That Council takes note of the pending private treaty sales for the following erven, and should the purchasers fail to secure the purchase prices by the respective due date, these erven be added to the closed bid sale of the erven listed in (b) above:

	Erf No	Zoning	m ²	Upset Price @ N\$236.00/m ² (Excl 15% VAT)
1	4874	Gen Ind	15 140	3 573 040.00
2	4899	Gen Ind	20 035	4 728 260.00
3	4901	Gen Ind	13 298	3 138 328.00

ANNEXURE "B"

11.1.18 **AVAILABILITY OF INDUSTRIAL ERVEN IN EXTENSION 10, SWAKOPMUND**
(C/M 2021/03/25)

E 4813 Re, E 4843 Re, E 4889, E 4873, E 4874,
E 4889, E 4895, E 4890, E 4901)

RESOLVED:

CO: P
GM: CS&HC

- (a) That Council takes note that only a small percentage of the industrial erven have been fully developed.
- (b) That due to the effects of the Covid-19 pandemic, the local economy requires an Injection and especially the building construction sector.

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- (c) That Council can encourage developers to construct new businesses by providing favourable conditions of sale.
- (d) That a closed bid sale be arranged for the erven listed under point (e) below.
- (e) That the upset prices for the erven be N\$236.00/m² (excluding 15% VAT) as set-out below:

	Erf No	Zoning	m ²	Upset Price @ N\$236.00/m ² (excl 15% VAT)
1	4813 Re	Light Industrial	2 810	663 160.00
2	4843 Re	Light Industrial	1 558	367 488.00
3	4889	General Industrial	6 428	1 517 008.00
4	4895	General Industrial	5 615	1 325 140.00
5	4899	General Industrial	20 036	4 728 280.00
6	4901	General Industrial	13 298	3 138 328.00
7	4873	General Industrial	7 403	1 747 108.00
8	4874	General Industrial	15 140	3 573 040.00
9	4889	General Industrial	10 782	2 544 552.00
	Total			19 604 284.00

- (f) That bids submitted on the following conditions:
- (i) The upset price be N\$236.00/m²
- (ii) No rates and taxes be levied for a period of 24 months from date of sale / until date of a completion certificate being issued (whatever is later in time).
- (iii) The properties may not be alienated unless a completion certificate has been issued in respect of the structural improvements referred to in (i) below. This restraint of alienation is to be registered against the title deed of the respective properties.
- (iv) That instead of the standard 120 days to secure the purchase price, the purchase price be secured within 90 days.
- (g) That a refundable registration fee of N\$27 000.00 be payable per bidder being 0.75% of the highest upset price of N\$3 706 475.00.

- (h) That the properties are sold *voetstoots* or as is with the Council giving no warranty or guarantee, whether express or implied, oral or tacit, as to the suitability of the lay-out or situation or subterranean composition of the properties or any improvements thereon. The Council also does not warrant that the services installed at the properties are suitable for the use intended by the purchasers. It is therefore the obligation of the purchasers to verify that the installed electricity, sewage and water connections are suitable for the intended use of the properties.
- (i) That the purchasers must construct structural improvements worth at least 1 time the Municipal valuation of the property *(as provided for in the Conditions of Establishment for Extension 10)*. Structural improvements, for purposes of this condition, shall not include the construction of boundary walls or any changes to the subterranean composition of the property.
- (j) That in the event that the purchaser of a property is a close corporation, a company or a trust, then, the members

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interest in the close corporation or shareholding in the company or interest in the trust, as the case may be, may not be changed without the prior written approval of Council.

- (k) That Council shall not accept under any circumstances any process whereby the purchaser of a property will be allowed to nominate a third party as the eventual purchaser of the property. To be more specific, the Council shall not entertain any agent bidding on behalf of a principal or any nominee acting on behalf of a legal entity still to be incorporated.
- (l) That such caveats be registered against the title deeds of the properties to prevent any contravention of these conditions.
- (m) That the connected parties defined as per the Income and VAT Act can only bid for one property.
- (n) That Council's other standard conditions of sale be applicable.
- (o) That the income be shared with Erongo RED *pro rata* according to their contribution.

11.1.17 **STAKEHOLDER ENGAGEMENT: YOUTH CONFERENCE**
(C/M 2023/10/26 - 5/5/1, 51/1)

Ordinary Management Committee Meeting of 19 October 2023,
Addendum 8.3 page 07 refers.

A. This item was submitted to the Management Committee for consideration:

Purpose

The purpose of the submission is to seek approval for the hosting of the Youth Conference on **October 2023**.

Background

As part of Council's stakeholder engagement and a continuation of the education initiative, the Office of the Mayor will be hosting the Youth Conference in **October 2023**.

The primary aim is to address pressing social issues affecting our youth. This conference is intended to be a proactive response to the challenges faced by our young people and an opportunity to engage them in meaningful discussions and solutions. It will also serve as a platform to sensitize our youth and learners about the two universities which will be built in the town of Swakopmund as well other opportunities such as Business Box training programs which are available in the town.

Conference Details:

Conference Name: Swakopmund Youth Conference

Date: November 2023

Location: Proposed Multipurpose Centre or Council Chambers

Conference Objectives: The conference aims to:

- *Raise awareness about prevalent social issues affecting youth in Swakopmund.*
- *Provide a platform for open discussions on these issues.*
- *Identify potential solutions and strategies for addressing these challenges.*
- *Empower and inspire our youth to become active agents of change in their communities.*
- *Educate out of school youth on available opportunities.*
- *Create awareness on hydrogen scholarships and bursaries offered by Tangeni Shilongo.*

Benefits of Hosting the Conference:

By hosting this conference, we aspire to achieve the following benefits:

- **Social Impact:** *The conference will directly address social issues contributing to a safer and more empowered youth population.*
- **Community Engagement:** *It will foster greater community involvement and collaboration to address these challenges collectively.*
- **Youth Empowerment:** *Young people will gain knowledge, skills, and resources to tackle social problems and make positive contributions to society.*

- **Positive Image:** Our organization will be seen as a proactive force for social change in Swakopmund, enhancing our reputation.

Budget and Logistics:

We have prepared a detailed budget for the conference that includes expenses for venue rental, speakers, materials, catering, and promotional activities.

We are committed to fundraising and securing sponsorships to minimize the financial burden on our organization.

Item	Description	Responsibility Group	Due date	Cost Implications
Venue	Booking and confirmation of venue	DH	12 October	n/a (no costs)
Date	Secure date October/November	DN	03 November	n/a
Guest list formulation	Formulate a guestlist	DH & DN	13 October	n/a
Invitation letters	Draft and send invitation letters	DH	13 October	n/a
Speaker identification and notification	Draft and send speaker invite	DH	13 October	n/a
Programme	Formulate programme	DH & DN	13 October	n/a
Sponsorship requests	Request for sponsorships to cover event costs.	DH & DN	11 October	n/a
Refreshments	To purchase branded water bottles Finger lunch Will source quotations and request for sponsorships.	DH & DN	11 October	N\$12 000. 00
Media invite and public notice	Send invitation to media. Generate a public notice for out of school youth	LM, OH & AG	16 October	

Event Responsibilities

Item	Department	Person Responsible
Director of proceedings:	Public Relations	Linda Mupupa
Photography	Marketing and Communication	Ailie Gebhardt & Oscar Homateni
Overall Event Management	Office of the Mayor / CEO	Delinda Hanes
IT and PA System support	EDS and Health	Bonny Oaseb & Robeam Ujaha

Event budget breakdown

Item	Description	Cost
Venue	Multipurpose Centre- Day use	N\$3353.32
Catering		N\$10,000.00
Water		N\$2000.00
Total		N\$15553.32

Approval and Support:

We kindly request your approval for this initiative, as well as your support in promoting the conference within our town. We believe that hosting this Youth Conference aligns with the Office of the Mayor's commitment to social responsibility and community engagement.

Conclusion:

The Swakopmund Youth Conference has the potential to make a significant positive impact on our community by addressing pressing issues affecting our youth. Your approval will be instrumental in making this event a reality, and we are eager to contribute to the betterment of our community.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That Council approves the Youth' Conference to be hosted during November 2023.
 - (b) That approval be granted for the payment of refreshments for this event should the Office of the Mayor be unable to secure sponsorships.
 - (c) That the amount of N\$10 000.00 be defrayed from the Conference Vote: 101015505500 where N\$186 600.00 is available.
 - (d) That feedback be submitted to Council on the sponsorship received after the event.
-

11.1.18 **01. ASSESSMENT OF SUBMITTED LIST OF CONTRACTORS**
(C/M 2023/10/26 - 14/2/1/1)

Ordinary Management Committee Meeting of 19 October 2023,
Addendum 8.4 page 10 refers.

A. This item was submitted to the Management Committee for consideration:

1. INTRODUCTION

This item was discussed at the Build Together Committee Meeting of **08 August 2023** under item 6.1 and is now submitted for approval.

Annexure "A" is a list of contractors that was received from the Committee and needed to be assessed by the General Manager: Engineering and Planning Services for quality control. From past experiences contractors must be assessed to ensure satisfactory work is delivered.

2. DISCUSSION

The General Manager: Engineering and Planning Services assessed the following contractors for fair allocation and to ensure the delivery of complete and well-constructed houses thus eliminating complaints from the beneficiaries.

1	Mr Herberth !Aebob
2	Mr Eliaser Shapopi
3	Aritz Son Building Construction cc
4	Elias Ameb, Ameb E Investment cc
5	Mathews Araxab, Jen Happy Investment cc
6	Festus Naango
7	Muhongo Elifas
8	Asser Xoagub, Jennrey Trading cc
9	Loteni Shipopyeni
10	Bonny Shindima, Bonifastus Investment
11	Tulinowa Construction cc
12	Saladial Construction
13	Ndola Trading cc
14	Christ Hoeb, This Builder was added By Chairperson.

The Engineering and Planning Services Department inspected the houses built by the contractors and found that they were acceptable.

According to the General Manager: Engineering and Planning Services, the above list of builders have built houses more challenging than Build Together houses and they are of opinion that they can easily build the houses for the beneficiaries. Most of the builders worked as subcontractor and only some are registered as companies.

In the email of **14 September 2023**, the General Manager: Engineering and Planning Services confirmed that they were unable to inspect the work of the following builders:

- | | | |
|----|--|--|
| 1. | Rehabean Gowaseb | - He is employed fulltime |
| 2. | Jason Uukango | - Wrong number supplied |
| 3. | Bennie Johannes Koedange Investment cc | - they are only available for inspections after working hours. |
| 4. | Amukilu Contractors CC | - No contact number. |

Secondly, only the list of the 14 proposed contractors were accepted.

Feedback will be given the Build Together Committee regarding the verified contractors. The quotes received from Messrs Pupkewitz & Sons trading as Megabuild Swakopmund are ranging from N\$56 916.14 (**Annexure "B"**) for the Container Shape house (**Annexure "C"**) and N\$63 741.46 for the L-Shape. The Committee has indicated that they prefer the quote of N\$12 000.00 for the L-shape house and N\$10 000.00 for the container shape houses, by the contractor since no additional funds will be provided.

The beneficiaries will be able to select their preferred contractor to construct their houses. The BTC will be able to negotiate with the contractors based on their affordability.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That Council takes note that 14 contractors have been assessed and approved by the General Manager: Engineering and Planning Services by inspecting houses previously built to ensure quality control.
 - (b) That the beneficiaries select their preferred contractors to construct their houses.
-

ANNEXURE "A"

- M. Benjamin
 10 Ms. Fredericks of B/T
 brought the list of
 Contractors to build the
 80 houses (Phase 3).

Thank you
 16/5/23
 Ms Vagdi
 16/5/23
 for a note

opmund

TERMINATION CENTRE
 ***TVYY

on Coast comes to

opmund: P O Box 616 Swakopmund, Namibia
 64-64-4195361 Executive Office Fax: +264-64-410000



List of Contractors to Construct the House of Phase 3

- ① Mr H. Aebe
- ② Bonifactor investment C.C 0817529594
- ③ Amululu Contracting C.C
- ④ JeeHappy investment CC 0813401706/0818050316
- ⑤ Jennery Trading C.C 0814685161
- ⑥ Ameb E. Investment C.C
- ⑦ Rehabean Gwaseb 0814105533
- ⑧ Festus Nimbala 0812777002
- ⑨ Asser Xagulyb 08114685161
- ⑩ Harry van Wyk 0812734147
- ⑪ Festus Nango 0816678888
- ⑫ Jason Lukango 0816420060
- ⑬ Bennie Johannes Koedange investmet CC 0818273428



QUOTATION



Company Reg No: 312
VAT Reg No: 0101998-015

M PUPKEWITZ & SONS (PTY) LTD T/A
MEGABUILD SWAKOPMUND
C/O Phillip & Dusch Street
PO Box 2833
Swakopmund
Tel: +264 64 414 800
E-Mail: swakop@mps-pupkewitz.com

Prepared For:

SWK MUN DRC BUILD TOGETHER
BOX 53
SWAKOPMUND
EPSON NARUSE8
Office: +264 64 410 44010
Sales Person: Fedi-Lett

Time Printed: 14:53

PUPKEWITZ MEGABUILD BANKING DETAILS

CASH CUSTOMER

Bank: First National Bank
Branch Code: 231972
Account Number: 00010053601

PLEASE USE QUOTE NUMBER AS REFERENCE

ACCOUNT CUSTOMER

Bank: First National Bank
Branch Code: 231972
Account Number: 00010053601

PLEASE USE ACCOUNT NUMBER AS REFERENCE

ACCOUNT NO.	QUOTATION NO.	DATE	INTERNAL REF.	CUSTOMER REF.	CONTACT PERSON	EXPIRY DATE
C09921	002100287863	03/08/2023	830092	TYPE F		10/08/2023
PRODUCT CODE	BARCODE	DESCRIPTION	LINE WEIGHT	QTY	UNIT PRICE EXCL.	TOTAL EXCL.
M000106	600962100604	BRICKGRIP DPC CP 5006 250MM X 110MM X 40MM	1.01	1 RL	43.43	43.43
M000106	600962100604	BRICKGRIP DPC CP 5010 250MM X 110MM X 40MM	4.14	2 RL	91.30	162.40
M042590		RIVER SAND 10 CUBIC	0.00	1.00 EA	1040.01	1040.01
		SPECIAL ORDERED PRODUCTS DO NOT QUALIFY FOR SETTLEMENT DISCOUNT				
M042591		TRANSPORT PER LOAD	0.00	1.00 EA	81.29	81.29
		SPECIAL ORDERED PRODUCTS DO NOT QUALIFY FOR SETTLEMENT DISCOUNT				
M042592		CRUSHED STONE 19MM 10 CUBIC	0.00	1.00 EA	6175.05	6175.05
		SPECIAL ORDERED PRODUCTS DO NOT QUALIFY FOR SETTLEMENT DISCOUNT				
M042593		TRANSPORT PER LOAD	0.00	1.00 EA	81.29	81.29
		SPECIAL ORDERED PRODUCTS DO NOT QUALIFY FOR SETTLEMENT DISCOUNT				
M000147	6009550544060	BRICKFORCE GALVANIZED 75MM 150MM	3.00	1 RL	14.12	42.36
M000147	6009550544072	BRICKFORCE GALVANIZED 150MM 150MM	6.90	1 RL	35.13	242.37
M042594		SEAMANT DRICK 7MPA	600.00	800.00 EA	9.51	5706.00
		SPECIAL ORDERED PRODUCTS DO NOT QUALIFY FOR SETTLEMENT DISCOUNT				
M042596		TRANSPORT PER LOAD	0.00	1.00 EA	81.29	81.29
		SPECIAL ORDERED PRODUCTS DO NOT QUALIFY FOR SETTLEMENT DISCOUNT				
M042596		SUPER DRICK 7MPA	0.00	120.00 EA	2.55	306.00
		SPECIAL ORDERED PRODUCTS DO NOT QUALIFY FOR SETTLEMENT DISCOUNT				
M042597		TRANSPORT PER LOAD	0.00	1.00 EA	77.60	77.60
		SPECIAL ORDERED PRODUCTS DO NOT QUALIFY FOR SETTLEMENT DISCOUNT				
M042598		FACE ROCK GREY	0.00	800.00 EA	7.54	6032.00
		SPECIAL ORDERED PRODUCTS DO NOT QUALIFY FOR SETTLEMENT DISCOUNT				
M042599		TRANSPORT PER LOAD	0.00	1.00 EA	81.29	81.29
		SPECIAL ORDERED PRODUCTS DO NOT QUALIFY FOR SETTLEMENT DISCOUNT				
M0002022	6009699875640	DOOR INTERIOR HOLLOW CORE 18MM BOARD EXPOSED EDGES 2032X813MM X 5	24.00	2 EA	239.15	478.30
M0000640	6009699875975	DOOR ENT 6 PANEL EQUAL MIXED TIMBER 813X2032MM SABS	36.00	2 EA	1088.58	3927.96
M0011852	6007411051180	HINGE BUTT HPHB1100 MILD STEEL 100MM STOP 2PP	0.23	4 PP	33.00	132.00
M0000469	6009505218186	LOCKSET CHROME 2 LEVER VLAD2282 NAPLES DCLSA	1.53	2 PP	178.26	356.52
M0009502	6009505200082	LOCKSET DOUBLE CHROME CYLINDER VLAD1282 TANPON DCLSA	1.86	2 PP	430.43	860.86
M0000577		FRAME DOOR PINE INTERIOR 18X152X813MM	27.00	2 EA	438.03	876.06

Name (in full)

Received by Signature

Date

Time

TERMS

Prices are net monthly amount and the prices quoted are today's and will be invoked at those rates at date of despatch plus VAT. Prices are subject to availability. Prices are current but may be subject to fluctuation due to exchange rates and supplier price increases. Quoted prices are subject to change without immediate notice.

N\$ Continued...

N\$ Continued...

N\$ Continued...

TOTAL WEIGHT

Page 1 of 1

QUOTATION



Company Reg No: 312
VAT Reg No: 0101986-015

M. PUPKEWITZ & SONS (PTY) LTD T/A
MEGABUILD SWAKOPMUND
C/O Phyllis & Dusch Street
PO Box 2833
Swakopmund
Toll: +264 64 414 800
E-Mail: swakop@mps-pupkewitz.com

Prepared For:

SWK MUN DRC BUILD TOGETHER
BOX 13
SWAKOPMUND
EPSON NARUSEO
Office: +264 64 410 44010
Sales Person: Feroz Left

Time Printed: 14:53

PUPKEWITZ MEGABUILD BANKING DETAILS

CASH CUSTOMER

Bank: First National Bank
Branch Code: 261002
Account Number: 3581091063

PLEASE USE QUOTE NUMBER AS REFERENCE

ACCOUNT CUSTOMER

Bank: First National Bank
Branch Code: 261002
Account Number: 3581091063

PLEASE USE ACCOUNT NUMBER AS REFERENCE

ACCOUNT NO.	QUOTATION NO.	DATE	INTERNAL REF.	CUSTOMER REF.	CONTACT PERSON	EXPIRY DATE
C188921	002100287883	03/09/2023	630292	TYPE F		10/05/2024

PRODUCT CODE	BARCODE	DESCRIPTION	LINE WEIGHT	QTY	UNIT PRICE EXCL	TOTAL EXCL
P0000778		FRAME DOOR FINE EXTERIOR 70X100X13MM	32.00	2 EA	143.85	1 087.70
P0007116	6009706710596	PIPE WATER WHITE 16MM PE XAL RIFENG	2.04	17 00 MT	19.85	337.45
P0000158	6001568019721	PIPE VENT WPE213 WHITE 40MM LAM	1.05	3 LG	158.80	476.40
P0007135	6009710265281	PISTON EQUAL NPL 16MM RIFENG	5.31	2 EA	14.39	77.15
P0007157	6009710256806	TEE NPL EQUAL 16MM RIFENG	0.24	3 EA	58.21	174.63
P0007171	6009710258735	UNION EQUAL STRAIGHT 16MM RIFENG	0.33	10 EA	24.45	244.50
P0007181	6009710253212	ELBOW NPL 16X12 FEMALE RIFENG	0.47	2 EA	32.15	64.30
P0007124	6009710258520	UNION MALE 16X12 RIFENG	0.10	2 EA	32.15	64.30
P0001195	6009710257012	ICE CLAM 1/2" COMPRESSOR BRASS 20MM	0.32	2 EA	35.75	71.50
P0001936	6009710256794	COMPILER STRAIGHT COMPRESSOR BRASS 20MM	0.10	1 EA	41.95	41.95
P0000093	6009706710596	SOCKET PLAIN 1/2" WHITE 40MM	0.00	10 EA	6.14	61.40
P0000081	6009706710596	BEND PVC PLAIN 90 DEGREE WHITE 40MM	0.00	5 EA	8.15	40.75
P0000086	6009706710596	UNION PLAIN 1/2" BULKY PVC WHITE 40MM	0.00	4 EA	16.17	64.68
P0000139	6009706710596	VALVE VENT 2 WAY PVC WHITE 40MM	0.09	1 EA	38.55	38.55
P0000187	6009706710596	BEND PLAIN LUG SAND 90 DEGREE 110MM POLYPROP	1.12	2 EA	42.56	85.12
P0000186	6009706710596	BEND PLAIN LUG SAND 45 DEGREE 110MM POLYPROP	1.26	2 EA	37.34	74.68
P0000173	6009706710596	TRAP GULLY LUG SAND 110MM POLYPROP	10.95	1 EA	64.00	64.00
P0000178	6009706710596	PVC ROUND LUG SAND 45 DEGREE 110MM POLYPROP	0.42	1 EA	36.80	36.80
P0000174	6009706710596	HEAD GULLY COMPLETE LUG SAND 110MM POLYPROP	1.44	1 EA	30.29	30.29
P0000145	6009706710596	COLLAR PAN BEND 90 WHITE 110MM POLYPROP	0.24	1 EA	58.21	58.21
P0000132	6009706710596	BEND VENT HORN 90 WHITE 110MM POLYPROP	0.56	1 EA	56.47	56.47
P0012103	6004601013899	SINK DROP IN SBI 80056 SFB 800435 KVV101	3.80	1 EA	732.62	732.62
P0002018	6001235006572	POTRIP SINK 80056 150X100 16MM BUTT	0.00	1 EA	90.65	90.65
P0015509	6009710256806	MIXER BATH/SHOWER PSLOS CONCEALED WITH DIVERTER PURA	1.10	1 EA	565.20	565.20
P0010171	6009710256806	ARM SHOWER 205941 CPL L TYPE 165MM TRIUMPH	0.17	1 PP	164.34	164.34
P0010170	6009620641739	ROSE SHOWER 203115 WH IFUNCTION TRIUMPH	0.09	1 PP	42.56	42.56
P0002016	6001235006572	TRAP SHOWER 80056 WH PLAIN 30X40MM BUTTON	0.15	1 EA	51.30	51.30
P0012130	6009706710596	SUITE TOILET LOW LEVEL NALA WHITE XTAL 80056 PAN CISTERN SLAT COMP	20.09	1 BX	736.42	736.42
		Arctic Close Couple Suite Includes Top Flush Flushing Mechanism and Toilet Seat				
H0001451	4006209828607	SET FIXING BASIN 2PP 80660 WST140 FISHER	0.34	1 PP	65.12	65.12
P0012054	6009710256806	VALVE ANGLE CHROME PLATED 16MM X 16MM	0.10	1 EA	43.43	43.43
P0001989	6009710256806	CONNECTOR DRAINED SS 15X15X350 FXE	0.08	1 EA	44.30	44.30
P0013572	6009710256806	WASTE BASIN SLOTTED POP UP CHROME 32MM	0.16	1 EA	100.00	100.00
P0002042	4016211103927	TRAP BOTTLE PVC COMBINATION 32MM VIEGA	0.21	1 EA	204.34	204.34
P0002096	6009900005512	PIPE COMBUT PVC WHITE SABS 20MM 3M	5.72	1 LG	19.13	210.49
E0000438	6009712118274	ADAPTOR CONDUIT 20MM PVC NAF 20MM L GORE	0.07	10 EA	1.25	12.50
P0007560	6009712118274	SWITCH LIGHT WHITE 1L/1W 50X100 NBS1142 NEU	0.39	2 EA	26.00	52.00
P0007561	6009712118274	SWITCH LIGHT WHITE 1L/1W 50X100 NBS1142 NEU	0.73	2 EA	19.00	38.00
E0000500	6009550956567	SWITCH SOCKET WHITE DOUBLE 100X100 NBS044 NEU	0.45	3 EA	60.43	271.30

Name in Full

Received by Signature

Date

Time

TERMS

Prices are not necessarily accurate and the prices quoted are today's and will be reviewed at the time of dispatch to you. VAT (being) are quoted in brackets. Prices are current but may be subject to change due to exchange rate and supplier price movements.

Quoted prices are subject to change with immediate effect.

N\$ Continued
N\$ Continued
N\$ Continued

TOTAL WEIGHT

QUOTATION



Company Reg No: 312
VAT Reg No: 0101908-015

M PUPKEWITZ & SONS (PTY) LTD TRA
MEGABUILD SWAKOPMUND
C/O Phillip & Dirsch Street
PO Box 2833
Swakopmund
Tel: +264 64 414 800
E-Mail: swakop@mps-pupkowitz.com

Prepared For:

SWK MUN ORC BUILD TOGETHER
BOX 53
SWAKOPMUND
EPSON NARUSEB
Office: +264 64 410 44010

Sales Person: Ferdi Loff

Time Printed: 14:53

PUPKEWITZ MEGABUILD BANKING DETAILS

CASH CUSTOMER

Bank: First National Bank
Branch Code: 201072
Account Number: 5551011063

PLEASE USE QUOTE NUMBER AS REFERENCE

ACCOUNT CUSTOMER

Bank: First National Bank
Branch Code: 201072
Account Number: 5551011063

PLEASE USE ACCOUNT NUMBER AS REFERENCE

ACCOUNT NO.	QUOTATION NO.	DATE	INTERNAL REF	CUSTOMER REF	CONTACT PERSON	EXPIRY DATE
C90021	002100267863	03/06/2023	890292	TYPE F		10/08/2023

PRODUCT CODE	BARCODE	DESCRIPTION	LINE WEIGHT	QTY	UNIT PRICE EXCL	TOTAL EXCL
E000065	6009712112449	BOARD DR (101FMS) METAL BASE 1/2WAY NUR	1.00	1 EA	217.39	217.39
E0002020	784866173323	CABLE HOUSE RED WIRE 1.5MM 50M PRECUT	1.10	1 PP	280.43	280.43
E0002611	600950659770	CABLE HOUSE BLACK WIRE 1.5MM 50M PRECUT	0.60	1 PP	200.00	200.00
E0002417	010400089008	CABLE HOUSE GREEN/YELLOW WIRE 1.5MM 50M PRECUT	3.40	2 PP	230.43	460.86
E0000634	600950659786	CABLE HOUSE BLUE WIRE 1.5MM 50M PRECUT	1.10	1 PP	230.43	230.43
M0000470	6009506647848	LINTOL CONCRE 100X110X15MM STR	167.20	10 EA	39.13	3913.00
E0002612	784866174245	CABLE HOUSE BLACK WIRE 2.5MM 50M PRECUT	1.10	1 PP	317.09	317.09
M0004650	6009506642801	LINTOL CONCRE 600X100X30MM STR	26.08	2 EA	29.16	58.33
M0002713	60034003050838	FRAME WINDOW FT680 1600X800 BRONZE	0.50	3 EA	433.91	1301.73
M0001876	60034003050871	FRAME WINDOW FT1900 3000X800 BRONZE	11.00	3 EA	712.81	7821.84
M0002712	60034003051251	FRAME WINDOW FT121210 1000X1200 BRONZE	18.00	3 EA	1115.30	3345.90
M0001610	6006216059918	SHIELDING DRIP CH DIV113 BLACK HEAVY DUTY 250MM UNCLAD	13.60	3 EA	607.80	1823.40
M0002630		BLACK BRICK CLING II	0.00	85000 EA	2.03	1725000.00
		SPECIAL ORDERED PRODUCTS DO NOT HAVE A UNIT SETTLEMENT DESCRIPTION				
T0000393		SAHNE 36X152X40 CM GAIN 50	114.44	3 EA	196.67	5899.93
P0001006	60096847509115	PIPE PRESSURE 030942 POLYPP 15MM 100M	0.51	50 PI	4.75	237.50
P0015018	6006710253724	TAP DR CLASSIC PC35 EXTENDED BODY PURA	0.43	1 EA	250.17	250.17
P0015014	6006710253700	TAP PILLAR CLASSIC PC01 15MM PURA	0.49	1 EA	250.46	250.46
P0001223	6006712110427	BOX WALL PVC 60X100MM	0.05	5 EA	6.64	33.20
E0003848	6006712110434	BOX WALL PVC 100X100MM	0.04	2 EA	9.52	19.04
E0000416	6004830013302	BOX CONDUIT PVC 4WAY 20MM	0.24	5 EA	5.80	29.00
E0001227	60048300133484	BOX PUSH-IN 704 PVC 4WAY 20MM	0.00	5 EA	2.34	11.70
C0000992	6009900273716	CEMENT CEM32 5N ALL PURPOSE 50KG OMORONGO	2000.00	40 BG	81.73	3269.20
C0000393	6009900078949	CEMENT CEM32 5N HIGH STRENGTH 50KG OMORONGO	1250.00	25 BG	87.52	2188.00
H0000026	6006532925206	BOLT CUP 50 MILD STEEL 10X 90MM 25KG-530	3.78	50 EA	5.00	250.00
M0004419		ROOFING HARLEY FPHCK30GY SUPER SIX CHIMNEY/RAK3500MM	407.00	11 LG	761.36	8375.00

Name in full

Received by Signature

Date

Time

TERMS

Prices are not monthly accounts and the prices quoted are today's and will be reviewed at those rates at date of dispatch plus VAT.
Prices are subject to availability. Prices are current but may be subject to fluctuation due to exchange rate and supplier price increases.
Quoted prices are subject to change with immediate effect.

NETT AMOUNT	N\$	49492.30
VAT 15%	N\$	7423.84
TOTAL	N\$	56916.14

TOTAL WEIGHT 5052.61 kg



M PUPKEWITZ & SONS (PTY) LTD TRADING
MEGABUILD SWAKOPMUND
C/O Phillip & Dorsch Street
PO Box 2833
Swakopmund
Toll: +264 64 414 800
E-Mail: swakop@mps-pupkewitz.com

ACCOUNT CUSTOMER	
Bank	Fish Chemical Mart
Branch Code	201872
Account Number	55510088014

PLEASE USE ACCOUNT NUMBER AS REFERENCE:

PRODUCT CODE	BARCODE	DESCRIPTION	LINE WEIGHT	QTY	UNIT PRICE EXCL	TOTAL EXCL
M00032108	6009621086284	BRICKGRIP OPC CP 500X250MMX110MM 40MM	1.01	1 EA	42.56	42.56
M00032109	6009621086428	BRICKGRIP OPC CP 500X250MMX125MM 40MM	1.14	2 EA	49.04	98.08
M0001411	600650644065	BRICK ORC GALVANIZED 75MM 15M ROLL	4.00	1 EA	24.73	24.73
M0001412	600650644072	BRICK-TRX GALVANIZED 150MM 15M ROLL	9.60	2 EA	35.00	70.00
D0000096	600669360936	DOOR HYDROCOR 2 PANEL DEEP MOULD DOOR WHITE PRIMED R13X2022MM S	60.00	3 EA	191.61	574.83
D0000040	6006598870875	DOOR ENT 6 PANEL EQUAL MIXED TIMBER R13X2017MM S4H	36.00	2 EA	1006.96	2013.92
H0011052	6007411051100	HINGE BUILT INHERIT 100MILD STEEL 100MM S/OT ZPP	0.20	5 PP	65.60	328.00
H0007065	6006506020285	LOCKST 1 CHROME 2 LEVER LAMB28P NAPLES DOOR SA	2.42	3 EA	705.21	2115.63
H0005986	600650631447	CYLINDER 60MM SATIN NICKEL DOUBLE 2K 2025N UNION	0.36	2 EA	143.25	286.50
D0000677	6006506500000	FRAME DOOR PINE INTERIOR 50X150X130MM	40.50	3 EA	1432.00	4296.00
D0006678		FRAME DOOR PINE EXTERIOR 70X100X130MM	32.00	2 EA	682.32	1364.64
E0003400	6009060905536	FIBR CONDUNT PVC WHITE SAMS 37MM 1M	15.48	16 LIT	46.50	764.00
F0002156	6001502019721	PVC VENT VENT215 WHITE 450X60MM	1.15	3 EA	105.00	315.00
D0000094	6001560262882	PURE DRAIN SPR 100X100PE 100X64 PVC SAND 100MM X 1M	4.44	4 EA	760.00	3040.00
F0001104	6006110250205	FIBROV NPL 10X10 WALL RIFENG	0.32	5 EA	54.00	270.00
F0014111	6009116250047	TEE EQUAL 120X120X70MMX30MMX20MMX20MM RIFENG	0.46	4 EA	179.00	716.00
F0014112	6009116260736	UNION EQUAL STRAIGHT 16MM RIFENG	0.35	10 EA	26.94	269.40
F0027151	6009116253172	ELBOW NPL 16X12 FEMALE RIFENG	0.47	2 EA	56.10	112.20
M0007124	6009116250820	UNION MALE 16X12 RIFENG	0.16	4 EA	32.00	128.00
F0001795	6009116257012	TEE EQUAL COMPRESSION BRASS 22MM	0.32	2 EA	65.00	130.00
P0001836	6009116258794	COUPLER STRAIGHT COMPRESSION BRASS 22MM	0.10	1 EA	39.96	39.96
P0000080	6035631619387	SOCKET PLAIN PVC WHITE 40MM	0.00	10 EA	6.04	60.40
P0000081	6035631619389	BEND PVC PLAIN 90 DEGREE WHITE 40MM	0.00	5 EA	6.04	30.20
P0000085	6035631619443	JUNCTION INSPECTION EYE 90 DEGREE PVC WHITE 40MM	0.00	4 EA	16.41	65.64
P0000139	6009101670548	VALVE VENT 2 WAY PVC WHITE 50MM	0.02	1 EA	22.56	22.56
P0000187	6009101670860	BEND PLAIN IG SAND 90 DEGREE 110MM POLYPROP	1.12	2 EA	42.56	85.12
P0000186	6009101670554	BEND PLAIN IG SAND 45 DEGREE 110MM POLYPROP	1.00	2 EA	34.34	68.68
P0000173	6035633561728	TRAP GULLY IG SAND 110MM POLYPROP	10.65	1 EA	64.30	64.30
P0000131	6035631635481	HEAD GULLY OVER FLOW PVC WHITE 110MM	0.48	1 EA	105.56	105.56
P0000132	6009101670431	BEND VENT NORM SV WHITE 90 DEGREE 110MM POLYPROP	0.65	1 EA	50.41	50.41
P0012203	60040161013089	SINK DROP-IN SD-BUSCH-EN 60X43X35 KWIKOT	3.80	1 EA	716.72	716.72
P0008664	6007215004996	WASTE BATH B1W201 40X35MM GIO	0.26	1 EA	195.65	195.65
P0010117	6009101102300	WIKER BATHSHOWER 200X55 CPL WHITE AMBER	0.64	1 EA	481.27	481.27
P00113760	6009109870019	ARM SHOWER CHROME BAZ240 120MM BLUETOE	0.11	1 EA	68.65	68.65
P0010170	60066620641790	ROSE SHOWER 20X115 WHI 1FUNCTION 1TRUMP	0.09	1 PP	62.50	62.50
P00020119	6001235009336	TRAP SHOWER OBWA VRI PLAIN 16X40MM GUTTON	0.15	1 EA	51.30	51.30
P0001566	60087030201001	PAV R10208P WHITE PIRAP LA RAPIDO	12.80	1 EA	242.50	242.50
P0001603	6008664176217	CISTERN CUB06A WHITE RIKO R CORUSOL	11.10	1 EA	310.43	310.43
H0001453	4006209620600	SET FRANK BASIN 2PI 60X80 WST140 FISHER	0.34	1 PP	65.00	65.00
P0010230	6001235056014	SEAT TOILET 1527A WITH ECONOMY R GUTTON	1.84	1 EA	121.70	121.70

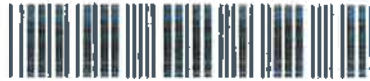
Table

15-00003
 Payments are made monthly in amount and due dates quoted are today's and will be reviewed at the next ruling in case of changes in the VAT.
 Payments are subject to availability. Payments are current and may be subject to fluctuations. Due to exchange rate and supplier price increases.
 Customer services are subject to change with minimum notice.

43 Continued

TOTAL WEIGHT

QUOTATION



Company Reg No: 312
VAT Reg No: 0101998-015

M PUPKEWITZ & SONS (PTY) LTD T/A
MEGABUILD SWAKOPMUND
C/O Phillip & Dusch Street
PO Box 2833
Swakopmund
Telt: +264 64 414 800
E-Mail: swakop@mps-pupkewitz.com

Prepared For:

Cash Account (Swakopmund)
Cash

Sales Person: Olmari Shapelo

Time Printed: 14:49

PUPKEWITZ MEGABUILD BANKING DETAILS

CASH CUSTOMER:

Bank: First National Bank
Branch Code: 281872
Account Number: 55510013663

PLEASE USE QUOTE NUMBER AS REFERENCE

ACCOUNT CUSTOMER:

Bank: First National Bank
Branch Code: 281872
Account Number: 55510009068

PLEASE USE ACCOUNT NUMBER AS REFERENCE

ACCOUNT NO.	QUOTATION NO.	DATE	INTERNAL REF	CUSTOMER REF	CONTACT PERSON	EXPIRY DATE
C89923	002100287862	03/08/2023	800313			10/08/2023

PRODUCT CODE	BARCODE	DESCRIPTION	LINE WEIGHT	QTY	UNIT PRICE EXCL	TOTAL EXCL
P0003942	6009710250198	VALVE ANGLE BSAVA CP 15X15MM	0.05	1 EA	52.13	52.13
P0001809	6009710250008	CONNECTOR BRAIDED SS 16X15X350 FXP	0.08	1 EA	45.52	45.52
P0002484	6008698372318	BASIN W/208A WHITE 470X290 FLAIR	7.00	1 EA	326.08	326.08
P0006566	6007215004864	WASTE BASIN HW202U 32X75 UNISLOTTED 150	0.27	1 EA	191.30	191.30
P0002059	6001235009824	INAP BOTTLE D020A WH 1.25X40MM DUTT	0.21	1 EA	147.82	147.82
E0000396	6006600603512	PIPE CONDUIT PVC WHITE SABS 20MM 4M	4.68	91 G	13.86	127.82
E0003848	6008712118434	BOX WALL PVC 100X100MM	0.08	4 EA	0.91	3.64
E000416	6004830010302	BOX CONDUIT PVC 4WAY 20MM	0.33	2 EA	4.73	9.46
P0000105	6009508104023	ADAPTOR PVC MALE WHITE 50MM X 1 1/2 INCH 140M	0.00	14 EA	18.21	254.94
P0000000	6009508585667	SWITCH SOCKET WHITE DOUBLE 100X100 NES544 NEU	0.90	4 EA	59.95	239.80
E0002020	784608173323	CABLE HOUSE RED WIRE 1.5MM 50M PRECUT	1.42	1 PF	273.94	273.94
E0002011	6009550589779	CABLE HOUSE BLACK WIRE 1.5MM 50M PRECUT	0.90	1 PF	143.47	143.47
E0002117	0104000000008	CABLE HOUSE GREEN/YELLOW WIRE 1.5MM 50M PRECUT	1.70	1 PF	286.95	286.95
E0002021	6009550585895	CABLE HOUSE RED WIRE 2.5MM 50M PRECUT	1.60	1 PF	267.82	267.82
E0002012	784608174745	CABLE HOUSE BLACK WIRE 2.5MM 50M PRECUT	1.30	1 PF	217.39	217.39
E0002012	0104000000008	CABLE HOUSE GREEN/YELLOW WIRE 1.5MM 50M PRECUT	1.70	1 PF	286.95	286.95
M0002713	6003450053806	FRAME WINDOW P198B 600X260 BRONZE	5.00	1 EA	473.91	473.91
M0003076	6003450050971	FRAME WINDOW P198B 600X260 BRONZE	11.00	1 EA	239.13	239.13
M0002712	6003450051251	FRAME WINDOW P11252LB 1200X1200 BRONZE	36.00	2 EA	1959.11	3918.22
M0001618	6008621660818	SHEETING DRY CP-DIV103 BLACK HEAVY DUTY 2500X1000M	13.80	1 PK	515.26	515.26
T0000106		SAPINE 38X152M 5 4M SABS SS	128.75	6 LG	186.95	186.95
T0000392		SAPINE 38X152M 4 8M SABS SS	57.22	4 LG	168.96	678.26
P0000178	6009701670815	EYE RODDING UG SAND 45 DEGREE 110MM POLYPROP	0.84	2 EA	44.30	88.60
P0000790	6009540804226	TAP BR 208-15 RBR HOSE 1/2 COBRA	0.41	1 EA	265.21	265.21
P0013246	60097097000398	TAP FILLER RIP TIDE H00080 15MM BLUTIGE	0.50	1 EA	269.56	269.56
P0003942	6009710250188	VALVE ANGLE BSAVA CP 15X15MM	0.05	1 EA	52.13	52.13
E0003848	6008712118434	BOX WALL PVC 100X100MM	0.10	5 EA	6.51	32.56
E0007990	6008712118117	SWITCH LIGHT WHITE 11.7V/ 50X100 NES1142 NEU	0.30	2 EA	16.91	33.82
E0007991	6008712118124	SWITCH LIGHT WHITE 11.7V/ 50X100 NES1142 NEU	0.45	3 EA	15.90	59.85
M0000450	6009550542801	LINTOL CONCR 900X1100X75MM STR	28.06	2 EA	31.26	62.52
M0000470	6009550542818	LINTOL CONCR 1200X1100X75MM STR	224.64	12 EA	41.09	503.04
M0000499	6009550542726	LINTOL CONCR 1500X1100X75MM STR	93.60	4 EA	58.21	232.84
C0000097	6009500273716	CEMENT CEMII32 5N ALL PURPOSE 50KG OHORONGO	3250.08	55 BG	64.34	540.40
C0000083	6009500278549	CEMENT CEMII42 5N HIGH STRENGTH 50KG OHORONGO	2000.00	40 BG	80.56	3202.00
M1942128		STANDARD BRICK 7NPA	0.00	250 DG EA	1.63	3219.85
		SPECIAL ORDERED PRODUCTS DO NOT QUALIFY FOR SETTLEMENT DISCOUNT				
M1942630		ROCKFACE GREY	1028.00	600 DG EA	3.10	3100.00
		SPECIAL ORDERED PRODUCTS DO NOT QUALIFY FOR SETTLEMENT DISCOUNT				

Name In full

Received by Signatory

Date

Time

TERMS

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Items are subject to availability. Prices are current but may be subject to fluctuation due to exchange rate and supplier price increases.
Quoted prices are subject to change with without notice.

NS Continued...

NS Continued...

NS Continued...

TOTAL WEIGHT

QUOTATION



Company Reg No: 312
VAT Reg No: 0101898-015

M PUPKEWITZ & SONS (PTY) LTD T/A
MEGABUILD SWAKOPMUND
C/O Philip & Dusch Street
PO Box 2833
Swakopmund
Tel: +264 64 414 800
E-Mail: swakop@mps-pupkewitz.com

Prepared For:

Cash Account (Swakopmund)
Cash

Sales Person: Olniel Shapelo

Time Printed: 14:49

PUPKEWITZ MEGABUILD BANKING DETAILS

CASH CUSTOMER:

Bank: First National Bank
Branch Code: 281872
Account Number: 55510013863

PLEASE USE QUOTE NUMBER AS REFERENCE

ACCOUNT CUSTOMER:

Bank: First National Bank
Branch Code: 281872
Account Number: 55510000063

PLEASE USE ACCOUNT NUMBER AS REFERENCE

ACCOUNT NO.	QUOTATION NO	DATE	INTERNAL REF	CUSTOMER REF	CONTACT PERSON	EXPIRY DATE
C99921	0021/00287552	03/08/2023	830313			10/08/2023

PRODUCT CODE	BARCODE	DESCRIPTION	LINE WEIGHT	QTY	UNIT PRICE EXCL	TOTAL EXCL
MW42031		RIVER SAND 10M3 SPECIAL ORDERED PRODUCTS DO NOT QUALIFY FOR SETTLEMENT DISCOUNT	1.00	1.00 EA	945.00	945.00
MW42042		19MM STONE 1M3 SPECIAL ORDERED PRODUCTS DO NOT QUALIFY FOR SETTLEMENT DISCOUNT	0.00	5.00 EA	509.25	2 546.25
E0004419	6007320355060	LIGHT GLASS BOWL CO 150 ONLY OPAL 150MM CIRCULAR IX	6.00	1 EA	65.45	392.70
MW42031		BLACK BRICK 6" SPECIAL ORDERED PRODUCTS DO NOT QUALIFY FOR SETTLEMENT DISCOUNT	0.00	500.00 EA	11.34	5 670.00

Name in full

Received by Signature

Date

Time

TERMS

Terms are net monthly accounts and the prices quoted are today's and will be invoiced at these rates at date of dispatch plus VAT.
Items are subject to availability. Prices are correct but may be subject to fluctuation due to exchange rate and supplier price increases.
Quoted prices are subject to change with immediate effect.

NETT AMOUNT:	N\$	55427.27
VAT 15%:	N\$	8314.09
TOTAL:	N\$	63741.36

TOTAL WEIGHT: 7153.31 kg

- 11.1.19 **MASS HOUSING DEVELOPMENT PROGRAMME: REQUEST TO TRANSFER ERF 2338, MATUTURA, EXTENSION 10 TO STANLEY LAFRAS WITBOOI**
(C/M 2023/10/26 - E 2338 M)

Ordinary Management Committee Meeting of 19 October 2023,
Addendum 8.5 page 19 refers.

- A. This item was submitted to the Management Committee for consideration:

1. **INTRODUCTION**

The purpose of this submission is for Council to consider the request from Mr Stanley Lafras Witbooi to transfer Erf 2338, Matutura Extension 10 to him, although he has already owned a property.

On 06 July 2021 a letter (Annexure "A") was sent to the Ministry of Urban and Rural Development (MURD) to give approval for Mr Witbooi's request to proceed with the transfer of Erf 2338, Matutura, Extension 10 to him, but to date no response has been received. The matter was not submitted to Council before seeking Ministerial approval.

2. **BACKGROUND**

On 08 November 2017 Mr Witbooi registered for the Mass Housing Programme under reference number SWKMUN1694 and with NHE on 02 February 2009 (Annexure "B"). During 2018, Erf 2338, Matutura, Extension 10 was allocated to Mr Witbooi by NHE, and a Mass Housing Home Loan Sales Agreement was signed between the parties (Annexure "C") in terms whereof Council donated the erf to him. Subsequently, Mr Witbooi signed a stop order with NHE to deduct the monthly premium for the house (Annexure "D"). On 09 March 2019 NHE instructed Messrs Kamuhanga Hoveka Inc. to register a first bond (Annexure "E") in the amount of N\$225 000.00.

3. **CURRENT SITUATION**

During 2020, Messrs ENSAfrica the transfer attorney conducted a deeds search, and it was found that Mr Witbooi previously owned Erf 1359, Mondesa (see email 08 September 2020) attached as Annexure "F". The said erf was sold as per paragraph 8 of divorce settlement (Annexure "G"). Erf 1359, Mondesa was sold to Mr and Mrs Gariseb (Annexure "H") for N\$310 000.00.

Mr Witbooi is occupying the house on Erf 2338 since 2018 and is paying the monthly rates and taxes (Annexure "I", a copy of the statement). On 12 May 2021 NHE instructed the Swakopmund Municipality to proceed with the transfer of Erf 2338, Matutura, Extension 10 to Mr Witbooi. The allocation of

Erf 2338, Matutura, Extension 10 to Mr Witbooi conflicts with the definition of a *first-time homeowner* as provided for in clause 6.5.3 of the Tri-partite Agreement hence the matter was referred to the Ministry for decision.

4. APPLICATION

On **16 September 2022** Mr Witbooi wrote a letter **attached** as (**Annexure "J"**), stating that he previously owned Erf 1359, Mondesa which was sold in 2013 due to the divorce settlement which resulted in a joint estate being divided and left him with no house. Therefore, he is requesting that Council grant him the permission to transfer Erf 2338, Matutura into his name.

5. APPROVAL GRANTED OF OTHER CASES

The following are similar cases in nature to Mr Witbooi's case, however two ministerial decisions were made:

Case 1

During March 2018 Messrs Kinghorn Associates discovered that Erf 2116, Matutura, Ext 10 was allocated to Mr and Mrs Namweya who previously owned Erf 1615, Mondesa which is contrary to the Cabinet decision No 7th/10.05.16/001 and clause 6.5.3 of the Deed of Sale. On **12 November 2020 (Annexure "K")** approval was requested from MURD and granted on **12 November 2020** to proceed with the transfer of Erf 2116, Matutura to Mr and Mrs Namweya. The matter was thereafter submitted to Council on **25 February 2021** under item 11.1.14 and it was resolved as follows:

That the Council approves the transfer of Erf 2116, Matutura to Mr and Mrs Namweya in line with the Minister of Urban and Rural Development's letter dated 09 November 2020.

Case 2

Messrs ENSAfrica, the transfer attorney conducted a deeds search and informed Council on **08 September 2020 (Annexure "F")** that Ms Karingombe's spouse owned Erf 517, Mondesa, Extension 10, and the property never formed part of their divorce settlement. Ministerial approval was requested and on **17 June 2022** a letter from MURD was received (**Annexure "L"**), declining the request of Ms Martha Daliros Karingombe to have Erf 2189, Matutura, Ext 10 transferred to her.

The Cabinet Decision No 7/10.05.16/001 that reads as follows *"Cabinet direct that only first-time buyers will be allowed to buy these houses and that Local Authorities transfer the land directly to the client"*. Therefore, she does not qualify to be allocated a house under the Mass Housing Development Programme.

It is unclear why the Ministry approved Mr Namweya's request.

6. **NHE REQUEST**

On **10 May 2023** a letter (**Annexure "M"**) was sent to NHE informing them of a similar case of Mr Benediktus who is not a *first-time homeowner*. On **31 May 2023** NHE sent a letter requesting that Council hold all the transactions, that are requesting NHE to cancel transactions or voluntarily surrender property back to be resold until they have a formal response from MURD, letter is attached as (**Annexure "M"**).

7. **DISCUSSION**

On **19 January 2017** Mr Witbooi submitted a sworn declaration (**Annexure "N"**) stating that he does not own any property or house in Swakopmund or Namibia. Three years later Mr Witbooi again submitted a sworn declaration on **11 May 2021 (Annexure "O")** stating that he is no longer the owner of Erf 1359 open plot in Mondesa as it was sold, as per order from the court following his divorce with his wife in 2013. Mr Witbooi further stated since his divorce up until 2018 he has never obtained any other property registered in his name. Since Mr Witbooi is in breach with the Mass Housing development programme allocation criteria as he is not a first-time homeowner, Council has the full right to cancel the transfer of the property in question. Mr Witbooi must bear the consequences of such a decision, but Council must act within the conditions set out in the tripartite agreement and the National Housing Act.

It appears that Mr Witbooi entered a contract with NHE and not being clearly informed that he should declare that he should not own or have previously owned immovable property in Namibia irrespective whether by virtue of marriage (current spouse or divorce) or by donation or inheritance or through the vehicle of a corporate entity. As a result, he was allocated Erf 2338 Matutura. On **09 March 2019** it was discovered that he was the owner of Erf 1359 Mondesa, therefore he changed his sworn declaration on **11 May 2021**.

FOR INFO:

Should the transaction be cancelled, the five years of which Mr Witbooi occupied the property can be considered as occupational rent by NHE. Council owns Erf 2338, Matutura, Extension 10 and NHE owns the house erected thereon. Therefore, the matter of Mr Witbooi to be compensated is the responsibility of NHE. NHE's duty is to ensure that a new beneficiary is allocated Erf 2338, Matutura in the event where Council approves to cancel the transfer of the aforementioned Erf to Mr Witbooi.

8. **PROPOSAL**

It is proposed that he remain on Erf 2338, Matutura until a formal response from the Ministry has been received. It is further

proposed that Mr Witbooi continue paying the bond plus the rates and taxes as he is still occupying the property.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That Council approves the transfer of Erf 2338, Extension 10, Matutura to Mr Stanley Lafras Witbooi even though he previously owned Erf 1359, Mondesa, and is thus not a *First-Time Property Owner*.**
 - (b) That Mr Stanley Lafras Witbooi continues residing on Erf 2338, Extension 10, Matutura until a formal response from the Ministry is received.**
 - (c) That Mr Stanley Lafras Witbooi continues paying the bond premium plus the rates and taxes, for Erf 2338, Extension 10, Matutura as he is still occupying the property.**
 - (d) That Messrs National Housing Enterprises and the Ministry of Urban and Rural Development be informed of Council's decision.**
-



Ref No: E 2338 M

ANNEXURE "A"

MUNICIPALITY OF SWAKOPMUND

☎ (054) 4104230
 📠 088 614 514
 📍 53 Swakopmund
 NAMIBIA
 🌐 www.swakopmund.com.na
 ✉ bramosnegas@swakopmund.com.na

Enquiries: Ms B Ramos Viegas

06 July 2021

The Executive Director
 Ministry of Urban and Rural Development
 P O Box 13289
 WINDHOEK

Dear Sir/Madam

REQUEST TO TRANSFER ERF 2338 MATUTURA (EXT 10) NHE/ MASS HOUSING PROGRAMME: MUNICIPAL COUNCIL OF SWAKOPMUND TO STANLEY LAFRAS WITBOOI

1. INTRODUCTION

Approval is sought from the Ministry of Urban and Rural Development to proceed with the transfer of Erf 2338, Matutura, Extension 10 to Mr Stanley Lafras Witbooi.

2. BACKGROUND

On 08 November 2017 Mr Stanley L. Witbooi registered for the Mass Housing Programme under reference number SWKMUN1694 (Annexure "A"). During 2018, Erf 2338, Matutura, Extension 10 NHE was allocated to Mr Stanley L. Witbooi and a Mass Housing Home Loan Sales Agreement was signed between the parties (Annexure "B"). Mr Witbooi also signed a stop order with NHE to deduct the monthly premium (Annexure "C"). The monthly premium is also deducted from Mr Witbooi's salary (Annexure "D"). On 09 March 2019 NHE instructed Messrs Kamuhanga Hoveka Inc. to register a first bond (Annexure "E").

3. CURRENT SITUATION

During 2020, Messrs ENSAfrica conducted a deeds search and it was found that Mr Stanley L. Witbooi previously owned Erf 1359, Mondesa. The confirmation email (08 September 2020) is attached as Annexure "F". The said erf is sold because the couple divorced and as per paragraph 8 of the final divorce, the joint estate is divided. The final order of divorce is attached as Annexure "G". Erf 1359, Mondesa is sold to Mr R Garlsos and Ms D J Garlsos; attached as Annexure "H" is the Deed of Transfer, T 5368/2015.

On 12 May 2021 NHE instructed the Swakopmund Municipality to proceed with the transfer of Erf 2338, Matutura, Extension 10 to Mr Stanley L. Witbooi. Mr Stanley L. Witbooi is occupying the house on Erf 2338 since 2018 and is paying the monthly rates and taxes (Annexure "I", a copy of the statement).

The allocation of Erf 2338, Matutura, Extension 10 to Mr Stanley L. Witbooi is in conflict with the definition of a first time home owner as provided for in clause 6.5.3 of the Tri-Parti Agreement hence the matter is referred to the Ministry for decision.

Further similar cases have been identified by Messrs ENSAfrica and referred back to NHE to address the issue with the beneficiaries

4. APPROVAL GRANTED OF ANOTHER CASE

During March 2018 Messrs Kinghorn Associates discovered that Erf 2116, Matutura was allocated to Mr and Ms F Namweya who previously own Erf 1615, Mondesa contrary to the Cabinet decision No 7th /10.05.16/001 and clause 6.5.3 of the Deed of Sale. Messrs Kinghorn Associates raised the matter with NHE who in response maintained that Erf 2116, Matutura be allocated to Mr and Ms Namweya.

Approval was requested and granted by the Honourable Minister to proceed with the transfer of Erf 2116, Matutura to Mr and Ms F Namweya. Approval was received on 12 November 2020 (Annexure "J").

The matter is similar in nature to the incident of Mr and Ms F Namweya where the Minister decided during September 2020 to proceed with the transfer of Erf 2116, Matutura to Mr and Ms F Namweya.

5. APPLICATION

Kindly advise whether we can to proceed with the transfer of Erf 2336 Matutura Extension 10 to Mr Stanley Lafras Witbooi, based on that he does not own any property currently in Namibia and he is paying off the bond plus rates and taxes.

In case of any queries, please contact our Housing Office at 064 – 410 4230.

Yours Faithfully,



MR A BENJAMIN
CHIEF EXECUTIVE OFFICER
/brv


Reference Number
SWKMUN 1694

	MUNICIPALITY OF SWAKOPMUND	
	APPLICATION FOR HOUSING ANNEXURE "B"	

Surname	Willbros					
First Names	Christy Ingrid					
Date of Birth	03-01-1974					
Identity Number	40105 004 16		Passport Number			
Marital Status			Single	Married	Divorced <input checked="" type="checkbox"/>	Widower
Date of Marriage						
Name of Spouse/Partner						
Residential Address	96773 Pankelweg			Suburb	Pankelweg	
Type of Accommodation	House	Flat	Hostel	Shack <input checked="" type="checkbox"/>	Wendy house	Caravan
Postal Address	780 Swakopmund					
Telephone No	(w) 0644 104317		(H) N/A		Cell 0812003959	
Monthly Income	8623	Source of Income:		<input checked="" type="checkbox"/> Salary	Grant	Self Employed
Occupation	Cleaner / Messenger					
Are you disabled	Yes	No <input checked="" type="checkbox"/>				
Type of Disability:	Mobility	Vision	Hearing	Speech	Other:	
Voters Card	Yes	No <input checked="" type="checkbox"/> Constituency				

Declaration:

I declare that all the information given by me above is complete and correct. If any false declaration is made it will render this application null and void and you will forfeit a housing opportunity.

Applicants Signature

Co-applicants Signature

Signature of Official

Date Received

03-11-2017

This form will only be valid if the information is printed and signed by both the applicant and a duly authorized Municipal official.



Waiting List

Dear Prospective Applicant:

We thank you for acknowledging the need for affordable housing and for registering on the National Housing Register.

Personal Details

Surname: J. J. Wilson

Address: Number 14218509478

Gender: u

Contact Details

Cell: 812345678

Fax: 1

Postal Address:

Financial Details

Gross Monthly Income: 5565

Qualifying Assets:

Qualifying Assets: 155803007

Disability:

Disability:

Employment: unknown

Family Size: 1

Marital Status: u

Child: u

Child: u

Gross Monthly Income: 5565

Qualifying Assets:

Qualifying Assets: 155803007

Disability:

Disability:

KINDLY NOTE THAT THIS IS ONLY A PROOF OF REGISTRATION ON THE WAITING LIST AND DOES NOT
ISSUED WITHOUT PREJUDICE OF NHE'S R

THANK YOU FOR YOUR REGISTRATION AND WE WILL CONTACT YOU WHEN A PROPERTY BECOMES

Print Receipt

Close Window

ANNEXURE "C"

MASS HOUSING

Home Loan Sales Agreement

entered into by and between

NATIONAL HOUSING ENTERPRISE
(Constituted under Act 5 of 1993)
7 General Murtala Muhammed Avenue, Eros
P.O.Box 20192
Windhoek
Tel: +264-61-292 7111
Fax: +264-61-222 301

(Herein represented by Karl Schroeder in his capacity as Regional
Manager, West and duly authorized thereto)

(Herein referred to as the SELLER)

AND

PURCHASER: WITBOOI STANLEY LAFRAS
IDENTITY NUMBER: 74010500476

PO Box 980
SWAKOPMUND
TEL NO: 064-4104225
CEL NO: 0812003959

MARITAL STATUS: DIVORCED
(Herein referred to as the PURCHASER)

STW
LA
F

On the other hand:

(Hereinafter jointly referred to as "the Parties").

Should the Purchaser be:

- (a) a *Juristic Person*, it will be necessary
 - (i) to furnish the full names and official capacity and resolution by the Board of the designating the *person* authorized to execute this Agreement on behalf of such *Juristic person*,
 - (ii) in event of any other *Juristic Person* than a registered company, a certified copy of the constitutive documents of such *juristic person*,
- (b) a NATURAL PERSON, the full names and date of birth must be furnished, and if a FEMALE, her marital status and previous surname if any.

WHEREAS:

- 1) The SELLER is the rightful owner of Improved dwelling on ERF 2338 Matutura, Swakopmund,
- 2) SELLER is desirous to sell the said improved dwelling on ERF 2338 Matutura, Swakopmund to the PURCHASER, on the terms and conditions set out underneath;
- 3) PURCHASER is desirous to purchase the said dwelling on ERF 2338 Matutura, Swakopmund from the SELLER, on the terms and conditions set out underneath.

NOW THEREFORE THE PARTIES HERETO AGREE AS FOLLOWS:

The Seller hereby sells to the Purchaser who hereby purchases:

W
S. J. J.
F. W.

1. DESCRIPTION OF PROPERTIES:

Erf: 2338

MEASURING 20000 m²

HELD BY : The MUNICIPALITY OF SWAKOPMUND, which by virtue of a Deed of Donation, it has, or will donate to the Purchaser of the property on erf 2338

THE PROPERTY/Plot : ERF 2338 Matutara , Swakopmund

SITUATED in the MUNICIPALITY OF SWAKOPMUND

REGISTRATION DIVISION : "G"

SUBJECT To the conditions therein contained

2. SALE:

The SELLER hereby sells the PROPERTY as described in Paragraph 1 to the PURCHASER who hereby purchases same. This sale is subject to all the conditions and servitudes mentioned or referred to in the current or prior Title Deeds of the said PROPERTY, and to all such other conditions and servitudes which may exist in regard hereto, whether imposed by the Local Authority (i.e. the Town Planning Scheme) or any other person or body, whomever, upon the terms and conditions set out in this Agreement.

STW
 JS
 RE SA

8. INDULGENCES

No indulgence granted by a party shall constitute a waiver of any of that party's rights under this agreement; accordingly, that party shall not be precluded as a consequence of having granted such indulgence, from exercising any rights against the other which may have arisen in the past or which may arise in the future.

9. VARIATION AND CANCELLATION

No agreement varying, adding to, deleting from or cancelling this agreement, and no waiver whether specifically, implicitly or by conduct of any right to enforce any term of this agreement, shall be effective unless reduced to writing and signed by or on behalf of the parties. The parties agree that this Deed of Sale constitutes the entire contract between them and that there are no other conditions, stipulations, warranties or representations whatsoever made, other than such as may be included herein and signed by the parties hereto.

10. TRANSFER AND COSTS

It being the SELLER'S prerogative to do so, the SELLER will appoint a conveyancer or conveyancers to carry out all conveyancing work in connection with the transfer of the IMPROVED PROPERTY to the PURCHASER. The SELLER shall pay transfer duty, stamp duty and all expenses of transfer, including Conveyancer's charges, and Bond fees, where applicable.

Transfer shall be effected as soon as possible after all required documents have been signed by the PURCHASER and the PURCHASER having satisfied the SELLER'S Conveyancers that the full purchase price is on call for the SELLER'S benefit.

11. REVERSIONARY RIGHT

PARTIES agree that the PURCHASER, PURCHASER'S HEIRS, EXECUTORS, ADMINISTRATORS OR ASSIGNEES shall not sell or dispose the PROPERTY hereunder to any person within a period of (11/10) years calculated from the date of purchase, which period includes weekends and

5/10/23
F. W.

public holidays. Should the PURCHASER, PURCHASER'S HEIRS, EXECUTORS, ADMINISTRATORS OR ASSIGNS intend or wish to sell or dispose the PROPERTY, the NFE shall then buy back the PROPERTY from the PURCHASER, PURCHASER'S EXECUTORS, ADMINISTRATORS OR ASSIGNS at a market related price.

12. DOMICILIUM

12.1 All notices intended for the Purchaser shall be sent by registered mail to:

ERF 2338, Matutura
P.O. Box 980
Swakopmund
0812003959

which address is selected as the *domicilium citandi et executandi* and any notification shall be deemed to have been duly forwarded to the Purchaser 5 (FIVE) days from date of posting thereof by the SELLER hereafter.

12.2 The SELLER chooses *domicilium citandi et executandi* for any action which may flow from this Agreement at

7 General Mbafala Mohammed Avenue, Erus
Tel: +264-61-276 100
Fax: +264-61-276 120

or at any other address of which the SELLER shall from time to time inform the PURCHASER in writing. The SELLER further agrees that a registered letter posted to P O BOX 20192, WINDHOEK shall be deemed to have been received by the addressee within 5 (FIVE) days from the date on which it was posted.

A

W
S
M
11

13 JURISDICTION

- 13.1. For the purpose of resolving any dispute, which may exist or occur between the parties such disputes may be instituted either in the High Court of Namibia or the Magistrate's Court whichever has jurisdiction in regard to the dispute, being a court otherwise competent and with jurisdiction over the person of the parties in that each of them either resides, carries on business, or is employed within its area of jurisdiction.

SIGNED at Swakopmund on this day of 18 April 2018

Witnesses:

1 
2 
(Signatures of witnesses)


(Signature of SELLER)

SIGNED at Swakopmund on this day of 18 April 2018

Witnesses:

1 
2 


(Signature of Purchaser)

(Signature of Spouse)



ANNEXURE "D"

NATIONAL HOUSING ENTERPRISE

Private Sector Development Office, Avenue of Nations, Plot 1, P.O. Box 20, Windhoek, Namibia
 Telephone: 061 245000 • Fax: 061 245000
 E-mail: info@nhe.co.na

STOP-ORDER

NHE Account Number: mw1176006

Employee Number: 0000000000
 (TransName: employees only)

The Personnel Manager / And Manager: Opening Balance: 22500000

I, the undersigned (Full name and surname): Stanley Lafras Witbooi

Namibia ID Number: 8140105004716

Salary Advice No. / Employee No.: 0330000000

Salary advice deduction code (TransName: employees only): 000000

town: Swakopmund Ed: 2338

I hereby authorize the salary deduction of my
 employer (Full name and address of employer): Swakopmund Municipality

Compiling No. (TransName): 0000000000

to deduct from my salary on a monthly basis as from 25/04/2018

the amount of Two Thousand Two Hundred AND forty five NS 2245112
NAMIBIAN DOLLAR Twelve CENTS

or any other amount when notified by NHE in writing due to changes in (a) insurance premiums, (b) interest rates or (c) any other items in accordance with the sales agreement and to pay it over to



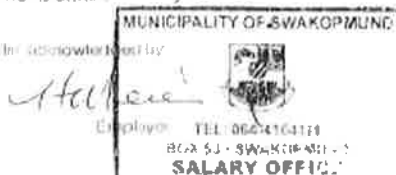
in respect of an amount owed by me for monthly instalments on my house, TransName: form and to meet the stop order to which

This done and signed at

Windhoek on this 13th day of April 2018

For and / Home owner:

Stop order acknowledged by



Sabina
 Signature

13/4/2018
 Date

ANNEXURE "E"



Enquiries: Jane Paulus

09 March 2019

MASS HOUSING

**KAMUHANGA HOVEKA INC,
WINDHOEK
NAMIBIA**

Sir / Madam

**BOND: S WITBOOI / NHE
ERF: 2138 MATUTURA, SWAKOPMUND**

Kindly find instructions to register a first bond for above mentioned property NHE /
S WITBOOI For **N\$ 275 000.00**

Attached are the necessary documents

Kindly liaise with KINGHORN ASSOCIATES, who are attending to the transfer from Town Council

Furnish us with account of your legal fees.

Yours faithfully

**MR N NTELAMO
LEGAL ADVISOR/COMPANY SECRETARY**

Head Office
T General Murtala
Muhamed Avenue, Erso
Postal Address:
P O Box 20192
Windhoek
Namibia
Tel: +264 61 - 292 7111
Fax: +264 61 - 222 301

Head Office Fax Numbers
CEO: +264 61 - 292 7271
Human Resources:
+264 61 - 222 301
Technical Services:
+264 61 - 292 7270
Finance: +264 61 - 222 301

Regional Office: Central
Independence Avenue
Windhoek
P O Box 20192
Windhoek
Tel: +264 61 - 278 100
Fax: +264 61 - 278 120

Regional Office: South
C/o Kaleel Street & Second
Controlle
P O Box 654
Keetmanshoop
Tel: +264 63 - 222 886
Fax: +264 63 - 224 282

Regional Office: West
c/o Frankie Abraham &
Nathanael Maxwell
P O Box 7340
Wolke Bay
Tel: +264 64 - 202 822
Fax: +264 64 - 202 821
Swakopmund
Tel: +264 64 - 400 886
Fax: +264 64 - 400 095

Regional Office: North
P O Box 888
Oshana
Tel: +264 65 - 228 180/1
Fax: +264 65 - 228 180

Regional Office: Rehoboth
Rehoboth Commercial Centre Rehoboth
P O Box 233
Rehoboth
Tel: +264 62 - 255 144

ANNEXURE "F"**Liezle Du Plessis**

From: Liezle Du Plessis <lduplessis@swakmun.com.na>
Sent: Tuesday, 08 September 2020 16:23
To: Chrisna Davis Hannibal
Subject: RE: ALLOCATED ERVEN // NHE // OWNED PROPERTIES

Good day Chrisna

In disregard please do not proceed with the instruction from our side we will notify the persons accordingly

Thanks in advance



Liezle Du Plessis
 Housing Officer: Corporate Services and Human
 Capital | Corporate Services & Human Capital
 Municipality Swakopmund

Off: Rakotoka Street & Daniel Karmho Avenue | Swakopmund | Erongo
 Office: +264 64 410 4232 | Fax: 068 651 9133 | Email: lduplessis@swakmun.com.na
 Website: www.swakmun.com.na
 Thank you for considering the environmental impact of printing emails



From: Chrisna Davis Hannibal [mailto:cdavis-hannibal@ensafrica.com]
Sent: Tuesday, 08 September 2020 04:14 PM
To: Bessinger Juanita; Nghipevali, Keneth (nghipevalik@nhe.com.na); Tjikune Donald; Uprigazana Rowley
Cc: Liezle Du Plessis
Subject: ALLOCATED ERVEN // NHE // OWNED PROPERTIES

Good day

We have received the following instructions and attended to Deeds Searches on the personal names to see if anyone have owned previous properties or are still current owners of a property

ERF ALLOCATED TO	BENEFICIARY	NOTE
1 2157 MATUTURA (EXT 10) 3)	ECKARDT	Used to Own Erf 1212 Tamariskua (Ext 3)
2 2251 MATUTURA (EXT 10) per Deed of Transfer No. T7532/2017	HOWDOSES	Owens Erf 9079 Swakopmund (Ext 35)
3 2338 MATUTURA (EXT 11) Erf 1043) Mondesa	WITBOOI	Used to Own Erf 1359 (a portion of)
4 2215 MATUTURA (EXT 10) 10) with ex husband, they were Married in Community of Property	FIELDING	Used to Own Erf 992 Khomasdal (Ext 3)
5 2313 MATUTURA (EXT 10) per Deed of Transfer No. T6581/2018	GURIRAB	Owens Erf 9048 Swakopmund (Ext 3)
6 2189 MATUTURA (EXT 10) Identify Number used to own Erf 517 Mondesa with Johannes M Khatib: were married in community of property married before?	KARINGOMBE	Person with same first names and

Please let me have your feedback as to what I have to do with the above

ANNEXURE "G"

CASE NO: 13755/2010

FINAL ORDER OF DIVORCE

IN THE HIGH COURT OF NAMIBIA, MAIN DIVISION
WINDHOEK, TUESDAY, THE 21ST DAY OF MAY 2013
BEFORE THE HONOURABLE MR JUSTICE GEIER



In the matter between:

STANLEY LAFRENS WITBOOI

PLAINTIFF

and

SALOME JORINKA WITBOOI (BORN ARESES)

DEFENDANT

Having heard Mr Haifidi on behalf of the plaintiff and having read the documents filed of record

IT IS ORDERED THAT:

1. The bonds of the marriage existing between the plaintiff and the defendant are hereby dissolved
2. The agreement between the parties, filed of record and marked "B", is hereby made an order of court

BY ORDER OF THE COURT


REGISTRAR

TO: Serengeti Law Chambers



Case NO. 13755/2015

IN THE HIGH COURT OF NAMIBIA

In the matter between;

STANLEY LAFRENS WITBOOI

and

SALOME JORINKA WITBOOI (Born Areses)

PLAINTIFF

DEFENDANT

DEED OF SETTLEMENT

1. Preamble

WHEREAS:

The Plaintiff has instituted a divorce action against the Defendant, which action is pending before the above Honourable Court.

The parties acknowledge that their marriage has irretrievably broken down.

The Plaintiff and Defendant have reached an agreement with regard to the maintenance and proprietary and ancillary consequences of the divorce in the event of the above Honourable Court issuing a decree of divorce;

The Plaintiff undertakes to seek an order compatible with the provisions of this agreement and further agree that the said court shall be asked to incorporate this agreement in the Order of Divorce, so that this agreement will operate as an Order of Court.

[Handwritten signatures and stamps are present at the bottom of the page, including a date stamp "2015-11-12".]

NOW THEREFORE it is agreed

2. Definitions

In this agreement, the following words shall have the meanings assigned to them hereunder, unless the context indicates otherwise:

"the Plaintiff" means STANLEY LAFRENS WITBOOI 2 / MAY 2023

"the Defendant" means SALOME JORINKA WITBOOI (Born Arcses)

"the minor child" means #KHARI-MA JULIANE REJOICE WITBOOI

"the Parties" means the Plaintiff and the Defendant

Headings and clauses shall be deemed to have been included for purposes of convenience only and shall not affect the interpretation of the agreement

3. Undefended action

The Plaintiff shall proceed with his claim unopposed by the Defendant and the Defendant shall withdraw her defence against the Plaintiff's claim

4. Custody and control

The Defendant shall have custody and control of the minor child, subject to Plaintiff's right of reasonable access, as per Annexure "A" attached hereto.

5. Maintenance

Plaintiff undertakes to pay maintenance in an amount of N\$ 300.00 per month in respect of the minor child.

Handwritten signatures and stamps are present at the bottom of the page, including a large circular stamp and several handwritten notes and signatures.

6. Tuition

Both the Plaintiff and Defendant undertake to pay 50% each for all the minor child's scholastic expenses, which shall include school fees, school uniforms and extra-mural activities, books, stationery and tuition related costs.

§ 21(1)(a) 2004

7. Medical Expenses

The Plaintiff undertakes to pay all medical, dental, pharmaceutical (on doctor's prescription), surgical, hospital, orthodontic, ophthalmological (including spectacles and/or contact lenses) incurred in respect of the minor child.

8. Proprietary Claims

The parties agree to a division of the joint estate.

9. Costs

Each party shall pay 50% of the legal costs.

10. Entire Agreement

This agreement constitutes the entire agreement between the parties and no addition to or variation of its terms prior to divorce of the parties shall be of any force or effect, unless reduced to writing and signed by both parties, and no act of relaxation, indulgence or extension of time granted by any party shall operate or be deemed to be waiver of his rights hereunder or a novation of this agreement.

11. General

This agreement shall be made an order of Court. This agreement is, save for the contents hereof, in full and final settlement of all and any claims between the parties.

[Handwritten signatures and initials]

DATED at WINDHOEK this 29 day of July 2012

AS WITNESSES

1. 



PLAINTIFF

2. 

DATED at WINDHOEK this 29 day of June 2012

AS WITNESSES:

1. 

DEPARTMENT OF LANDS, MARINE AND ENVIRONMENTAL AFFAIRS
COMMISSIONER OF LANDS
LEGAL CLERK, MINISTRY OF JUSTICE
MINISTERIAL CLERK, MINISTRY OF JUSTICE
MINISTERIAL CLERK, MINISTRY OF JUSTICE
MINISTERIAL CLERK, MINISTRY OF JUSTICE




DEFENDANT





Prepared by me

ANNEXURE "H"


 CONVEYANCER
 BEZUIDENHOUT C

T 5368 /2015

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN

THAT CLIFFORD BEZUIDENHOUT

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

STANLEY LAFRAS WITBOOI

Identity Number 740105 0047 8

Unmarried

dated the 23rd day of July 2015 and signed at Swakopmund:


And the said applicant declared that the said Principal had truly and lawfully sold on 06 June 2015

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

REGINALD GARISEB

Identity Number 810221 1007 1

and

BELINDA JUDITH GARISEB

Identity Number 840201 1012 3

Married in community of property to each other

Their Heirs, Executors, Administrators or Assigns

CERTAIN: ERF NO 1059 (A PORTION OF ERF NO 1043) MONDESA
(EXTENSION NO 3)

LOCATE: IN THE MUNICIPALITY OF SWAKOPMUND
REGISTRATION DIVISION "G"
ERONGO REGION

EXTENT: ONE THIRDS HUNDRED AND TWENTY SQUARE METRES

HIST: Transferred and still held by Deed of Transfer No T6220/2007 with General
Plan No A593/1994 relating thereto

SUBJECT: to the following conditions in terms of the Town Planning Ordinance No 18 of
1954 as amended, namely

IN FAVOUR OF THE LOCAL AUTHORITY

- a) The erf shall only be used or occupied for purposes which are in accordance with, and the use or occupation of the erf shall at all times be subject to, the provisions of the Swakopmund 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

INLAND REVENUE
TRANSFER DUTY - FORM B
DECLARATION BY PURCHASER

2015 09 08

STANLEY LAFRAS WITBOOI

REGINALD GARISEB and BELINDA JUDITH GARISEB

DESCRIPTION OF PROPERTY

CERTAIN	ERF NO. 1359 (A PORTION OF ERF NO. 1043) MONDESA EXTENSION NO. 3
LOCATE	IN THE MUNICIPALITY OF SWAKOPMUND REGISTRATION DIVISION 'G' ERONGO REGION
MEASURING	320 (THREE HUNDRED AND TWENTY) SQUARE METRES

Accepted for Stamp Duty purposes

Amount (RMB) N\$310 000.00

06 June 2015

TRANSFERRED BY: KIRCHERIN ASSOCIATES
BY: RICHARD KIRCHERIN

FOR OFFICIAL USE

Transfer duty paid on N\$ 310 000.00

Stamp under which duty charged

RECEIVED OF REVENUE

RECEIVED OF R\$ 310 000.00

CASH REGISTER RECEIPT

000015 20150624 - 10000000.00



Municipality of Swakopmund

P.O. Box 53, Swakopmund
Tel: (064) 410 4111 Fax: (088) 651 9141
ACCOUNT ENQUIRIES FAX: (088) 652 8344 E-MAIL: enquiries@swkpmun.com

ANNEXURE "I"

WITBOOI S
P O BOX 2640
SWAKOPMUND
13001

TAX Invoice

VAT No: 0687546-01-5
Statement Date: 2023/08/22
Account Number: 78233800028
Reference: 20230823-28028
Deposit:

Details/Meter Readings			Date	Description	Vat %	Vat charge	Amount (VAT excl)	Amount (VAT incl)
Previous	Present	Consumption						
1100	1113	13.000	07/22	BALANCE POINT	0%	0.00	1243.62	1243.62
			08/22	OK PAGES GENERAL	0%	0.00	1243.62	1243.62
			08/22	OK CONSTRUCTION STAGE 01 PR	0%	0.00	1243.62	1243.62
			08/22	OK PIPE BRIDGE ROAD 1-200	0%	0.00	1243.62	1243.62
			08/22	DIGESTAL TREATMENT	0%	0.00	1243.62	1243.62
			08/22	OK CLEANING WORK	0%	0.00	1243.62	1243.62
Meter Readings Dates								
Previous	Current							
2023/07/07	2023/08/03		Total			0.00	1243.62	1243.62

Arranged	Handed Over	90 Days Plus	60 Days	30 Days	Current	Amount Due
0.00	0.00	652.47	193.15	199.00	199.00	1243.62

MESSAGE

PLEASE NOTE: THE ACCOUNTS ARE PAYABLE ON OR BEFORE 07 SEPTEMBER 2023 TO AVOID THE DISCONNECTION OF WATER SUPPLY.

Property Information			Details of Property Assessment	
Stand No.	00002338	Ward	1	Valuation
Township	001 078 MATUTURA			Land
Street Address	MATUTURA			Improvements
Portion	00000			68000.00
Area	374			156000.00
Unit	001/078/00002338/00000/0000/0000			Building Clause
				Valuation
				Date
				Annual Levy

KINDLY TEAR OFF AND RETURN WITH PAYMENT



Swakopmund Municipality
P.O. Box 53
Swakopmund

Name	Due Date
WITBOOI S	2023/09/07
Account No.	Amount
78233800028	1243.62
REMITTANCE ADVICE	Amount
	1243.62

Bank Details: FNB, Swakopmund
Account Number: R2249601300 * Branch Code: 280 472
Fax No for confirmation: 0886519140
E-Mail for confirmation: payments@swkpmun.com.na

ANNEXURE "J"

Stanley Lafras Witbooi
P O Box 7363
Swakopmund

16 September 2022

Chief Executive Officer
Municipality of Swakopmund
PO Box 53
SWAKOPMUND



Dear Mr. Benjamin,

REQUEST TO TRANSFER ERF 2338 MATUTURA (EXT 10) NHE / MASS HOUSING PROGRAMME: MUNICIPAL COUNCIL OF SWAKOPMUND TO STANLEY LAFRAS WITBOOI

1. On 08 November 2017, I registered for the Mass Housing Programme under reference number SWKMUN1694. In 2018, Erf 2338 Matutura, Extension 10 NHE was allocated to me, and a Mass Housing Home Loan Sales Agreement was signed between me and the National Housing Enterprise (NHE). I also signed a stop order with NHE to deduct the monthly premium which is being deducted from my salary every month since 2018.
2. On 09 March 2019 NHE instructed Messrs Kamuhanga Hoveka Inc. to register the first bond. Unfortunately, it was discovered that I previously owned Erf 1359 Mondesa which was sold in 2013 due to the divorce case which resulted in a joint estate being divided leaving me without a house.
3. In view of the above, I am kindly requesting your office to submit my case to the **MANAGEMENT COMMITTEE** and grant my permission to transfer of Erf 2338 Matutura into their names.
4. In case of any queries, please contact the Housing Office at 064 4104230

Yours faithfully

Stanley L. Witbooi
081 2003 959
Email: stanleylafras@gmail.com

Stanley L. Witbooi
16/sep/2022



ANNEXURE "K"

Ministry of Urban and Rural Development
OFFICE OF THE MINISTER

His Worship Nchemiah Solomon
Mayor, Municipality of Swakopmund
P.O. Box 53
SWAKOPMUND



RE: TRANSFER OF ERF 2116 MATUTERVENT IN MUNICIPALITY OF SWAKOPMUND & FILLEMON NAMWEYA AND EVA NAMWEYA

The above subject matter bears registration as per the Municipality's deed of sale to Mr. Namweya on 12 October 2020.

I wish to inform your good office that the above stated matter has been brought to my attention for intervention. Thus, after I perused through the attached documents, I do not see any occupational agreement between the Namweya family and NHF (neither a house lease sale agreement). Also in accordance with the Deed of Sale of 15 October 2019, it is clear that Mr. Namweya (74060800117) do not have any conventional properties registered under his name and neither his wife unless could can prove otherwise.

In that light, I do not see any problem for them (Mr. & Mrs. Namweya) to be given the opportunity to own the said property given that they can afford to pay.

Therefore, I wish to request your good office to look into this matter and assist the Namweya family in this regard. Kindly, please furnish my office with the outcome of your intervention.

Please accept Your Worship, the assurances of my highest esteem

Yours faithfully,

HON. GRASE SAKITONE MP
MINISTER



ANNEXURE "L"

Republic of Namibia

Ministry of Urban and Rural Development

Enquiries: Ms. M. N Salyani
Tel: (+264+61) 2975005
Fax: (+264+61) 29175159

Government Office Park
Luther Street

Private Bag 13289
Windhoek, Namibia

Our Ref: 9/2/1
Your Ref:

Ms. Martha Karingombe
Erf 2189 Matutura
Cell No: 0812977066
Email: Dalkar315@outlook.com

Dear Ms. Karingombe

**SUBJECT: LETTER OF MOTIVATION // RECONSIDER DEED OF TRANSFER ERF 2189,
MATUTURA MS MARTHA DALIRO'S KARINGOMBE**

Reference is made to your subject email dated 06 April 2022.

The Ministry finalized the investigation and would like to inform you of the following:

1. NHE allocated you a house (Erf 2189, Matutura) and it was later revealed that you previously owned a property Erf 517 Mondesa which you failed to disclose as a result.
2. This means that your application is in contravention of the Cabinet Decision No. 7th/10.05.16/001 that reads as follows: "Cabinet direct that only first time buyers will be allowed to buy these houses and that Local Authorities transfer the land directly to the client"
3. You therefore do not qualify to be allocated a house under the Mass Housing Development Programme.

Yours sincerely,


NGHIDINUA DANIEL
EXECUTIVE DIRECTOR



All official correspondence must be addressed to the Executive Director



Republic of Namibia

Ministry of Urban and Rural Development

Department: Human Settlement Development
Directorate: Habitat and Housing Development

Enquiries: Ms M. N Sahyani
Tel: (+264+61) 297-5005
Fax: (+264+61) 297-5159

Government Office Park
Luther Street

Private Bag 13289
Windhoek, 10001
Namibia

Our Ref.:
Your Ref.:

INTERNAL MEMORANDUM

TO:


MR. NGHIDINUA DANIEL
EXECUTIVE DIRECTOR

FROM :


BIG DON KONDUNDA
DIRECTOR: HABITAT AND HOUSING DEVELOPMENT

SUBJECT:

LETTER OF MOTIVATION // RECONSIDER DEED OF TRANSFER ERF
2189, MATUTURA MS MARTHA DALIROS KARINGOMBE

1. PURPOSE:

The purpose of this submission is to:

- 1.1 Inform the Executive Director (ED) about the complaint from Ms Martha Daliros Karingombe who received the eviction order to vacate the house constructed under Mass Housing Development Programme (MHDP) and allocated by National Housing Enterprise (NHE); and
- 1.2 Seek approval from ED on the draft letter to provide a respond to Ms Karingombe informing her of the findings from NHE (Annexure A) that she previously owned a house and that she does not meet the first time home buyer criteria.

2. BACKGROUND:

- 2.1 In the letter dated 06 April 2022 (Annexure B), Ms Karingombe indicated that she was allocated a house Erf No. 2189, in August 23, 2018.
- 2.2 In the year 2002 Mr JM Khaibab, Ms Karingombe's late husband, purchased the Property ERF 517, Mondesa, Swakopmund, the property was sold before divorce was finalised in July 2009.

All official correspondence must be addressed to the Executive Director

2.3 Ms Karingombe was married in Community of Property with the Late Mr JM Khaibab in the year 2002, at the Swakopmund Magistrate.

2.4 When divorce was finalised on 25 August 2014 (*Annexure C*), there were no bonds or cars or whatsoever that could be sold. She is having kids born outside marriage, and they do not have children together.

3. FINDINGS

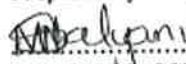
3.1.1 Erf 2189, Matutura was allocated to Ms Karingombe, who previously co-owned Erf 517 Mondesa which was bought by her late ex-husband as they were married in Community of Property.

3.1.2 According to Cabinet Decision No 7th/10.05.16/001 which stipulates "Cabinet direct that only first time buyers will be allowed to buy these houses and that Local Authorities transfer the land directly to the client", and clause 6.5.3 of the Deed of Sale, Ms Karingombe does not qualify for a house by virtue of her not being a first time home owner.

4. RECOMMENDATIONS

It is against that background and finding that it is recommended for ED to consider the draft respond to Ms Karingombe informing her that she does not meet the criteria of first time buyer as set by Cabinet Directive, (Decision No: 7th/10.05.16001, Resolution No. 6).

Prepared by:


.....
MARIAM SALYANI (MS)

SENIOR ADMINISTRATIVE OFFICER

Verified by:


.....

EDWIN LISWANISO (MR.)
CHIEF ADMINISTRATIVE OFFICER

Certified by:


.....
MERROW THANISEB (MR.)
DEPUTY DIRECTOR: HHD

Recommended / Not Recommended:


.....
BIG-DON KONDUNDA (MR.)
DIRECTOR: HHD

Approved/Not Approved:


.....
NGHIDINUA DANIEL (MR.)
EXECUTIVE DIRECTOR





MUNICIPALITY OF SWAKOPMUND

ANNEXURE "M"

Ref No: E 2026 M; M 3218

Enquiries: Ms B Ramos Viegas

☎ 064-4104230
☎ 064-4104614
✉ 53@swakopmund.na
🌐 swakopmund.na
✉ bramosviegas@swakopmund.na

10 May 2023

National Housing Enterprise
P O Box 7240
Kuisibmund
13015

ALLOCATION OF ERF 2026, MATUTURA, EXTENSION 10 TO MR HELMUT BENEDIKTUS

We refer to the above subject matter.

It has come to our attention that Mr Benediktus is not a first-time homeowner as confirmed on 06 August 2019 by Messrs Koep & Partners. Mr Benediktus is the owner of Erf 3218 Mondosa (Deed of Transfer No T 7596/2005). Thus, this allocation is in contradiction with clause 6 (ALLOCATION CRITERIA), sub-section 6.5.3 which states:

"The beneficiary is a first-time homeowner. For the purpose of this agreement, a 'first-time home-owner' means that, as at the date of the Beneficiary signing this agreement and never before, neither the beneficiary nor his/her spouse owns or has owned or is within the immediate future by voluntary act likely to own any immovable property or any share therein, situated anywhere in Namibia and neither the beneficiary or his/her spouse has or had or is within the immediate future likely to acquire an interest in any entity or other arrangement, which owns or owned any immovable property anywhere in Namibia, nor has the Beneficiary, his/her spouse or permanent life partner participated in any other national housing program within the Republic of Namibia."

Kindly find the attached copy of an email dated 06 August 2019 from Messrs Koep and Partners confirming the above. Kindly cancel the agreement signed between NHE and Mr Benediktus and allocate Erf 2026 Matutura to the next qualifying beneficiary.

Should you have any further enquiries, please do not hesitate to contact Ms B Ramos Viegas at ☎ 064-410 4230.

Yours faithfully


MPASI HAINGURA
GENERAL MANAGER: CORPORATE SERVICES & HC

Copy: Mr Benediktus
PO Box 1765
Swakopmund
13001



Affordable and
Quality Housing

**National
Housing
Enterprise**

Head Office
T. Gen. Muneen Mohammed
Ara, Ecos
PO Box 20182, Windhoek
Tel: +264 (0) 11 282 7111
Fax: +264 (0) 11 222 301

Head Office Fax Numbers
CEO: +264 01 282 7271
Human Resources:
+264 01 222 301
Technical Services
+264 01 292 7270
Finance: +264 01 222 301

Regional Office - Central
Kobus, Independence Ave
PO Box 20182, Windhoek
Tel: +264 (0) 11 276 100
Fax: +264 (0) 11 276 120

Regional Office - South
Chr. Jan. Nauda 42 Avenue
PO Box 654, Keetmanshoop
Tel: +264 (0) 22 222 698
Fax: +264 (0) 22 222 282

Regional Office - West
Chr. Frankie Abraham 5
National Maxwell Avenue
Karasburg, Walvis Bay 10
PO Box 7242, Walvisburg
Tel: +264 (0) 22 222 022
Fax: +264 (0) 22 222 021

Regional Office - North
Robert Mugabe Street
PO Box 150, Oshana
Tel: +264 (0) 229 150
Fax: +264 (0) 229 180

Regional Office - North East
Rufus Commercial Centre
Link of Funds
Tel: +264 (0) 255 141
Fax: +264 (0) 255 148

31 May 2023

Municipality of Swakopmund
P.O. Box 53
Swakopmund

Att: Ms B Ramos Viegas

FIRST TIME HOMEOWNER STATUS – ERF 2026 MATUTURA

Refer to the meeting between MURD, Municipality of Swakopmund, Richard Frankle & Partners and NHE on the 15th and 16th of February 2023 at the offices of the Municipality of Swakopmund where the above was discussed and NHE was requested to write a formal request to MURD to allow transfer to take place to homeowners who obtained houses through the MURD before 2020.

Please be informed that NHE submitted the letter and is still waiting for official response from MURD. So, considering the above NHE is herewith requesting The Municipality of Swakopmund to park this request to cancel transactions or to voluntarily surrender a property back to be resold until we have a formal response.

Yours faithfully

Mr Donald Tjikune
Regional Manager West: Sale and Lending



SWAKOPMUND POLICE DECLARATION

ANNEXURE "N"

CITIZENSHIP: NATURALIZED ... FULL NAME: STANLEY LAFFAS ...
 ID NO. 746165 90976 ... SEX MALE ...
 RESIDENTIAL ADDRESS: EFF. 2023 NAMIBIA ... IC# 0812002717 ...
 EMPLOYED AT: SWAKOPMUND Municipality ... IEL 004 41 00 302 ...
 HOME LANGUAGE: NAMAKA - NAMA ... BUT I STATE IN ENGLISH

I HEREBY DECLARE under oath in the presence of a police officer that I am no longer the owner of EFF. 1359, 6500 plot in Windhoek. I sold it at six per the order from court following my divorce with my wife in 2013 since then from 2018 when I obtained a house from our estate during I never have any other property registered in my name.

I KNOW AND UNDERSTAND THE CONTENTS OF THIS DECLARATION.
 I HAVE NO OBJECTION IN TAKING THE PRESCRIBED OATH.
 I CONSIDER THIS PRESCRIBED OATH TO BE BINDING TO MY CONSCIENCE.

PLACE: Swakopmund
 DATE: 11/05/2021
 TIME: 07H27

SIGNATURE

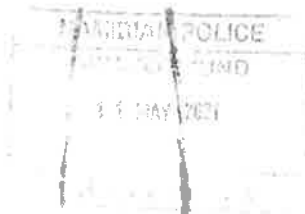
I certify that the deponent acknowledged that he/she know and understand the contents of this declaration, which was read through and sworn/affirmed to before me and signature placed on it in my presence at

Swakopmund on this 11 day of May 2021 at about 07H27

COMMISSIONER OF OATH

NAME: Tawhika Kiamwe
 RANK: CD
 FORCE NO.: 025584

SWAKOPMUND POLICE STATION
 TOBIAS HAINYERKO STREET
 PRIVATE BAG 5016
 SWAKOPMUND



SWORN / AFFIRMED DECLARATION

ANNEXURE "O"

SURNAME: William FULL NAMES: William HenryID NO: 7461056076 SEX: Male AGE: 35OCCUPATION: inc. mngtHOME ADDRESS: HRD 3786, EXT. 1, SWAKOPMUND TEL: 081 700 3039BUSINESS ADDRESS: Swakopmund Municipality TEL: 064 419 371HOME LANGUAGE: Kheekhegowaib BUT I STATE IN ENGLISH

I am hereby declaring under oath that I
 don't own a house or land in
 Swakopmund / Namibia.

I KNOW AND UNDERSTAND THE CONTENTS OF THIS DECLARATION.
 I HAVE NO OBJECTION IN TAKING THE PRESCRIBED OATH.
 I CONSIDER THE PRESCRIBED OATH AS BINDING TO MY CONSCIENCE.

PLACE: Swakopmund
 DATE: 2017-01-19
 TIME: 10:47

SIGNATURE

I certify that the deponent acknowledge that he/she know and understand the contents of this declaration, which was read through, sworn to and signed in my presence at Swakopmund on this 19 day of January 2017 at about 10H47

COMMISSIONER OF OATH

NAME

RANK

FORCE NO

ADDRESS

TEL NO

: Ulrich Fricke: Sergeant: 00000: Swakopmund: 064 419 371

- 11.1.20 **BZN BAR AND RESTAURANT CC: OUTSIDE SEATING - DECK EXPANSION ON LEASE AREA LOCATED ON ERF 228, SWAKOPMUND**
(C/M 2023/10/26 - Erf 228 C, S)

Ordinary Management Committee Meeting of 19 October 2023,
Addendum 8.6 page 53 refers.

- A. This item was submitted to the Management Committee for consideration:

1. **Introduction**

The purpose of this submission is to consider an application received from BZN Bar and Restaurant CC dated **26 April** and **08 August 2023 (Annexure "A")** applying for the expansion of the existing deck located on the lease area adjacent to Erf 228 C, Swakopmund.

BZN Bar and Restaurant CC submitted their proposed plan for expansion of the deck on **26 April 2023**. The building plans indicating the additional lease area is attached as **Annexure "B"**.

Attachments:

Annexure "A"	: Emails dated 26 April & 8 August 2023 from BZN Bar & Restaurant CC
Annexure "B"	: Building plans indicating the additional lease area
Annexure "C"	: Council resolution of 31 August 2022
Annexure "D"	: Copy of current lease agreement
Annexure "E"	: Memo dated 4 July 2023

2. **Brief Background**

On **31 August 2022**, under item 11.1.6 Council approved the extension of the lease period for a further 5 years for BZN Bar and Restaurant CC of which commenced on 01 March 2022 and lapsing on 28 February 2027. The lessee was informed of the Council decision and accepted Council's conditions per email dated 10 October 2022. Council resolution is attached as **Annexure "C"**.

The extended lease period was published for possible objection and no objections were received by the closing date. On **27 February 2023** approval was granted by the Ministry of Urban and Rural Development to proceed with the extension of the lease period. A copy of the signed lease agreement for the period of **01 March 2022 to 28 February 2027** is attached as **Annexure "D"**.

3. **Current Situation**

- 3.1 As per emails dated **27 April** and **08 August 2023** BZN Bar and Restaurant CC submitted a set of concept drawings requesting

Council's permission to expand the deck area in addition to the existing deck.

- 3.2 BZN Bar and Restaurant CC intends to increase the size of the existing deck (which they indicate as measuring 40m²) by ± 48 m². Britt Klews-Stauch Architect confirmed on 08 April 2022 that the size of the deck is 26.29m². Council's decision and rental charge was based on the size being 26.29m² (Annexure "C"). The monthly rental amounts to N\$39.91/m² x 26.29m² = N\$1 050.00 + (15% VAT) N\$157.50 = N\$1 207.50. The rental is based on the 2022/2023 fee structure and a 7% increase was levied July 2023, i.e N\$42.70/m². On **21 September 2023** the lessee confirmed that the actual size of the existing lease area is 40m².

- 3.3 Comments for the proposed expansion of the deck were received from Engineering & Planning Department as per memo dated **4 July 2023** attached as Annexure "E" and is summarized below.

The existing Lease Agreement is only based and approved by Council and the Minister of Urban and Regional Development on the surface area of the current existing deck that is 26.29m².

The new application will not fit within this area. The lease will have to be amended to accommodate the total area as requested by the applicant.

This property on Erf 228 C, Swakopmund is located in the conservation area of Swakopmund and is listed as a Grade C heritage building. It is noted that there are no approvals on the building file record for an Aesthetics Application, Built Heritage Council Application or Building Plans. Neither are there any engineers certification of the structures constructed without approval/inspection by the Building Inspectorate.

Therefore, to get this property in compliance, it is recommended that the application be brought before Council to approve the concept and activity. Once such an approval is obtained, the owner of the property must seek Aesthetics Approval, followed by a Built Heritage Permit. Once such approvals are obtained, a Building Plan Application can be submitted to the Engineering & Planning Services Department and a building permit issued.

It will also be required that a Professional Engineer be appointed to certify the design as safe for occupation and intended use. As it is currently, there is no Engineers Certification, and the collapse of the existing structures may implicate Council in having approved the lease without the required certification.

BZN Bar and Restaurant CC was informed of the above comments per letter dated 18 July 2023.

- 3.4 On **26 January 2017** under item 11.1.3 when considering the initial application for this venture, Council amongst other passed the following decision:

"(f) That it be recorded that no further applications for similar ventures on the northern side of the sidewalk will be considered."

It is not clear whether the above resolution was passed in order not to densify the sloping garden area in which case the decision will also apply to expanding the existing lease areas.

4. Proposal

It is proposed that the application of BZN Bar and Restaurant CC to lease an area measuring 48m² in addition to the existing deck for the customer seating located opposite Erf 228C, Swakopmund be approved subject to the same conditions as contained in the current lease agreement. It is also proposed that Engineering Services Department demarcate the exact size and location of the additional lease area.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That Council approves the application by BZN Bar and Restaurant CC for the expansion of the existing lease area to include an additional lease area measuring 48m² located adjacent to Erf 228C, Swakopmund to provide for customer seating.
 - (b) That the Engineering and Planning Services Department together with the applicant demarcate the exact location and size of the lease area (measuring approximately 88m²) and that the lessee cordon-off the lease area.
 - (c) That the lease be subject to the conditions of the current lease agreement as approved by Council on 31 August 2022 under item 11.1.6; and that the lessee complies with all the requirements for the submission and approval of the expansion of the deck area as conveyed to them under cover of a letter dated 18 July 2023.
 - (d) That it be noted that the lease area approved by Council on 31 August 2022 under item 11.1.6 was incorrectly indicated as 26.29m² and actually measures 40m² in size.
 - (e) That the lessee be levied for the shortfall of 14m² in the rental calculations since 1 March 2022.
 - (f) That the lease tariff of N\$42.70/m² applicable from 1 July 2023 be levied from date of approval by the Minister of Urban and Rural Development for the combined area measuring approximately 88m².
 - (g) That the lease be advertised in terms of Section 63 (2) of the Local Authorities Act 23 of 1992, whereafter an application be submitted to the Minister of Urban and Rural Development for approval of the additional lease area.
 - (h) That an addendum to the lease agreement reflecting the amended and increased lease area be concluded upon approval being granted by the Minister of Urban and Rural Development for the expansion of the lease area.
 - (i) That all costs involved be for the applicant's account.
-

ANNEXURE "A"

From: Jean Punzul <bznswakopmund@gmail.com>
Sent: Tuesday, August 8, 2023 10:32 AM
To: Emilia Nakale <enakale@swkmun.com.na>
Subject: Re: DECK EXPANSION ON ERF 228 SWAKOPMUND

Good Day Mrs. Nakale,

Please find attached the plans with depicted square meters for the new expansion. Kindly advise what the procedure is for the application of a lease agreement for this portion of the erf as stipulated in the letter that you sent me.

Thanks
Best Regards
JP
/BZN

On Thu, Jul 20, 2023 at 3:08 PM Emilia Nakale <enakale@swkmun.com.na> wrote:
Good Afternoon Sir

Please see attached for your attention.

Regards
Emilia

**EMILIA NAKALE**

Property Officer | Corporate Services & Human Capital
Municipality Swakopmund

cnr Rakotoka Street & Daniel Kamho Avenue | Swakopmund
Office: +264 64 410 4217 | Email: enakale@swkmun.com.na

 www.swkmun.com.na

Thank you for considering the environmental impact of printing emails

Matthias Henrichsen | Member of Council | Council Services

From: Jean Punzul <bjnswakopmund@gmail.com>

Sent: Wednesday, April 26, 2023 12:07 PM

To: Alfeus Benjamin <abenjamin@swkmun.com.na>

Cc: Annalize Swart <aswart@swkmun.com.na>; Andre Plaatjie <aplaatjie@swkmun.com.na>; Clarence McClune <cmccclune@swkmun.com.na>

Subject: Request for approval - Deck Expansion

26/04/2023

Mr. Benjamin

Chief Executive Officer

Municipality of Swakopmund

Honourable Mr. Benjamin

I am writing to you as the managing member of BZN Bar and Restaurant CC as a request to your good offices for the approval of the expansion of my deck located at erf 228C. The deck in question is currently used as part of the guest area for my restaurant, which I would like to increase in size.

I believe that an increase in the size of my deck will contribute to the inner city's livelihood and appeal, for locals as well as tourists.

Please find attached plans for the expansion for which I am seeking approval. I have also attached a copy of my lease agreement with the municipality.

If there is anything else you should need, please do not hesitate to contact me immediately.

Thank you in advance.

Sincerely

Jean Pierre Punzul

Mobile: +264 81 429 5396

ANNEXURE "B"



Revision _____



Project
New Deck
SWANSPRING

Client
BDN

Job No
PT-307

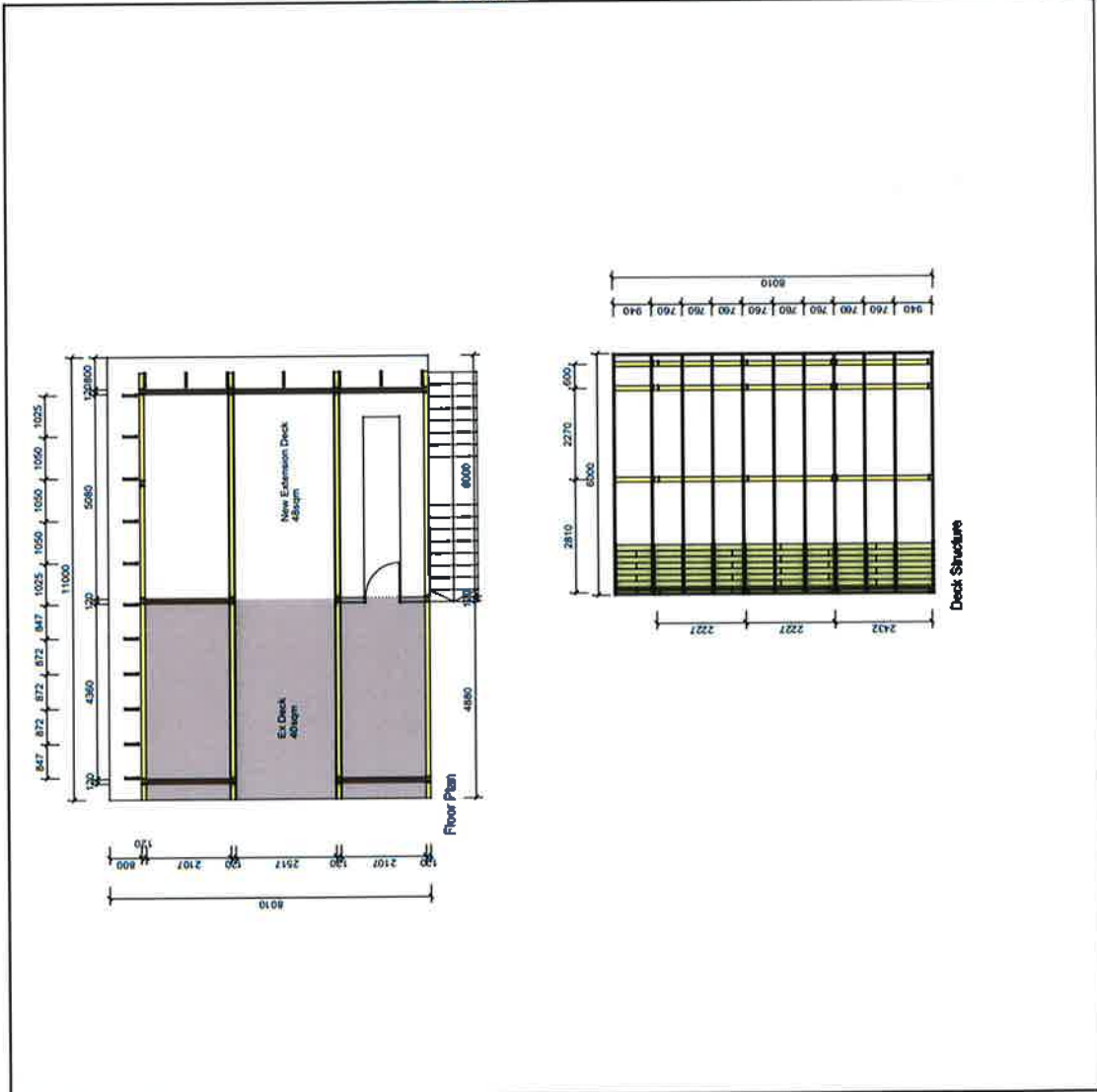
Sheet No
W-01

Scale
1:100

Date
27-03-2023

Drawn By
C.Smit

Checked By _____



Electrical Symbols

	Ceiling Mounted Light Fitting
	Wall Mounted Light Fitting
	Single Outlet @ 1100 AFPL
	Double Outlet @ 1100 AFPL
	Double Outlet @ 300 AFPL
	J.C. Stove Outlet
	Weatherproof Outlet
	Geyser
	Door Bell
	Intercom System
	Television Outlet
	Telephone Outlet
	Switch @ 1100 AFPL
	Two-Way Switch @ 1100 AFPL
	Weatherproof Switch
	Extension Pin Plate
	Distribution Board
	Security Sensor
	Safety Light Fitting
	Pull For Remote Door/Gate Opener
	Downlighter
	12v Transformer
	Pendant Light
	Floor Light
	Stairing Light
	u/f Heated Thermostat Point @ 300 AFPL

Drainage

VP	Vent Pipe
SS	Shut Stack
RE	Roofing Eave
SB	Sub Floor Sill Band
G	Gully
IE	Inspection Eye
CG	Overflow Gully
MCB	Municipal Connection Box
WtB	Wash Hand Basin
WC	Water Closet
S	Sink

All Grey Water Fittings To Be Connected Separately On To Black Water Unit On Same Level As Black Water Unit. When The Two May Be Joined Provided An Overflow Gully Is Installed

W	"SCHELL" 03919 Concealed Washing Machine Connection
GA	"VEGA" 4795.05 40mm PVC Washing Machine Conn.

Drawn By
Floor Plan & Deck Structure

Scale
A3

ANNEXURE "C"

11.1.6

LUMERIS INVESTMENTS 27 CC: OUTSIDE SEATING

- RENEWAL OF LEASE PERIOD
- CHANGE OF IDENTITY OF LESSEE TO BZN
- COVID-19 RELIEF

(C/M 2022/08/31 - Erf 228 C, S)

CO: P
GM: F
Acting GM: CS&HC

RESOLVED:

- (a) That Council approves the lease agreement with BZN Bar and Restaurant CC to lease an area of the pavement opposite Erf 228C as outside seating measuring 26.29m².
- (b) That the approval in point (a) above be subject thereto that Lumeris Investments 27 CC settles the outstanding rental until 28 February 2022.
- (c) That the General Manager: Finance calculates the correct arrears amount by amending the rental levy from 01 February 2019 on a surface area measuring 26.29m² instead of 42m², based on 10% annual increase, no increase for the period 01 July 2020 until 30 June 2021 and thereafter an 7% annual increase.
- (d) That the lease period for BZN Bar and Restaurant CC be 5 years which commenced on 01 March 2022 and lapsing on 28 February 2027.
- (e) That the rental amount of N\$39.91/m² x 26.29m² = N\$1 050.00 + (15% VAT) N\$157.50 = N\$1 207.50 with an annual escalation of 7% starting from 1 July 2023.
 - (i) That no sub-letting be allowed.
 - (ii) That Council reserves the right to cancel the lease if valid objections are received from the public.
 - (iii) That the applicant shall indemnify Council and keep Council indemnified during the full period of this agreement against possible claims, which may arise from the use of the leased area.
 - (iv) That the lease is terminable by either party given or receiving 3 months notice.
 - (v) That the timber deck area used for outside seating not be operated after 22:00 daily.
 - (vi) That a deposit equal to 1 months rental be paid.
 - (v) That all costs involved be for the lessee's account. Should they cease operating they must inform Council in writing and reinstate the area to its original condition at their own cost.
 - (vi) The lease agreement is not transferable and may not form part of an estate.
 - (vii) That Council be informed of any change in membership or shareholding depending on the entity to be established.
- (f) That the lease be advertised in terms of Section 63 (2) of the Local Authorities Act 23 of 1992.
- (g) That Council reserves the right to cancel the lease if valid objections from the public are received during the subsistence of the lease.
- (h) That the General Manager: Engineering & Planning Services determines the value of a refundable deposit payable by the lessee based on an estimate of rehabilitation costs should the lessee not rehabilitate the area on the expiry / cancellation of the lease period.
- (i) That Lumeris Investments 27 CC be granted Council's standard Covid-19 relief as resolved on 27 January 2022 under items 11.1.4 and 11.1.5 for a period of 8 months from 01 April 2020.

ANNEXURE "D"



MUNICIPALITY OF SWAKOPMUND

Ref No: E 228C

Enquiries: Ms E Nakale

(064) 4104217
088 614 514
53 Swakopmund
NAMIBIA
www.swakopmun.com.na
enakale@swkmun.com.na

09 March 2023

BZN Bar and Restaurant CC
P O Box 103
Swakopmund
13001

 bznswakopmund@gmail.com

Attention: Mr J P Punzel

Dear Sir

RENEWAL OF LEASE AGREEMENT: BZN BAR AND RESTAURANT

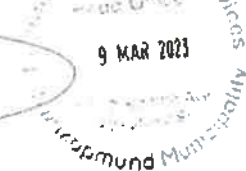

The abovementioned refers.

Attached the Memorandum of Lease. Please initial each page, together with two witnesses and sign on page 5 (five), together with the same two witnesses in full.

Kindly return the duly signed document on/before Friday, 31 March 2023 for completion on behalf of the Municipality, whereafter a copy of the document will be forwarded to you for your records.

Should you require any further information, please do not hesitate to contact Ms E Nakale at ☎ 064-4104217.

Yours faithfully



Mr A Plaattje
GM: CORPORATE SERVICES & HUMAN CAPITAL (ACTING)

/en 

MEMORANDUM OF AGREEMENT

Entered into by and between

THE MUNICIPAL COUNCIL OF SWAKOPMUND

herein represented by

ALFEUS BENJAMIN in his capacity as Chief Executive Officer; or
VILHO SHOONGELENI KAULINGE or **HELLAO INARUSEB** or **CLARENCE CLAUDE**
MCCLUNE or **LYDIA NENGU MUTENDA** in his / her capacity as Acting Chief Executive
Officer

And

WILFRIED GROENEWALD in his capacity as Chairperson of the Management
Committee; or **BLASIUS REINHARDUS GORASEB** in his capacity as Alternate
Chairperson of the Management Committee) acting by virtue of the authority granted in
terms of section 31 A (a) of the Local Authorities Act, 1992 (Act 23 of 1992) as amended)

(hereinafter referred to as the "**LESSOR**")

OF THE ONE PART

and

BZN BAR AND RESTAURANT CC

(represented by **JEAN PIERRE PUNZULE**, duly authorized thereto)

(hereinafter referred to as the **LESSEE**)

OF THE OTHER PART

1
JP
15
Z. (1)

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:**1. SUBJECT MATTER**

The **LESSOR** hereby lets and the **LESSEE** hereby hires a certain portion located on Erf 288C, Swakopmund, measuring approximately 26.29m² (hereinafter referred to as the **HIRED PROPERTY**) – as shown on the drawing attached as Annexure "A".

The **PROPERTY** shall be utilized by the **LESSEE** for the purpose of a bar and an open-air restaurant.

2. DURATION

Irrespective of the date of signature of this agreement the parties record that the lease shall continue for a period of five (5) years commencing on 01 March 2022 until 28 February 2027.

The lease is terminable by either party giving or receiving three (3) months' notice.

3. RENTAL

3.1 The current rental shall be the sum of **N\$ 1 207.50** per month (One Thousand Two Hundred and Seven Namibia Dollar and Fifty Cents), calculated as **N\$ 39.91/m² x 26.29m² = N\$ 1 050.00 + (15% VAT) N\$ 157.50 = N\$ 1 207.50**, subject to an annual escalation of 7% starting from 1 July 2023 and payable in advance on / before the 7th day of each month by the **LESSEE** to the **LESSOR** free of bank commission at the Municipal Offices, Swakopmund. Although the lease starts from 01 June 2022, the rental fee indicated above shall be payable from 01 July 2022.

3.2 The **LESSEE** shall pay a deposit equal to **one (1) months** lease in advance on. The deposit will be refunded subject to compliance with clause 4 and clause 11 below.

4. USE OF PROPERTY

4.1 The **LESSEE** shall be permitted to sell food and liquor at the open-air restaurant subject to the conditions contained in the applicable license required by the **LESSOR** and subject to the applicable Health Regulations.

4.2 The **LESSEE** shall keep the existing sidewalk, between the open-air restaurant and restaurant open for the general public's use.

Handwritten signatures and initials are present in the bottom right corner of the page, including a large signature and several smaller initials.

8. In the event of the breaking of any of the conditions of this agreement, the aforesaid lease may be cancelled at the entire discretion of the LESSOR by giving 30 (thirty) days notice in writing to the LESSEE, and the LESSEE shall restore the HIRED PROPERTY to a proper condition at his own cost and to the satisfaction of the LESSOR within 60 (sixty) days from date of such notification. Whether the lease is terminated by way of expiration or by breach of contract the LESSEE shall on its own account restore the HIRED PROPERTY to its original condition and to the satisfaction of the LESSOR.

9 DOMICILIUM

- 9.1 For the purpose hereof and for any other notice which might be required to be delivered to or served on the LESSEE in terms hereof, the LESSEE chooses the following address as *domicilium citandi et executandi*:

CERTAIN PORTION LOCATED ON ERF 267, SWAKOPMUND

☎ 064 – 402 407

☎ 064 – 402 864

☎ 081 124 9507

✉ bznswakopmund@gmail.com

or such address of which the LESSEE shall inform the LESSOR by registered mail at P O Box 53, Swakopmund. A notice shall be considered duly served if properly addressed, stamped and posted to the aforementioned address, which shall be the LESSOR'S *domicilium citandi et executandi*.

- 9.2 The LESSOR chooses its *domicilium citandi et executandi* for any action, which may arise from this agreement at:

THE MUNICIPAL OFFICES SITUATED AT:

**C/O RAKATOKA STREET & DANIEL KAMHO AVENUE
SWAKOPMUND
NAMIBIA**

or at any other address of which the LESSOR shall from time to time inform the LESSEE in writing. The LESSOR further agrees that a registered letter posted to it to P O Box 53, Swakopmund shall be deemed to have been received by the addressee within 5 (five) days from the date on which it was posted.

Handwritten signatures and initials, including a large signature and the initials 'E. n'.

10. JURISDICTION

The parties hereto agree to the jurisdiction of the Magistrate's Court for the district of Swakopmund for any claim or dispute arising from this agreement.

THUS DONE AND SIGNED at SWAKOPMUND this 26 day of April 2023
in the presence of the subscribing witnesses.

AS WITNESSES ON BEHALF OF THE MUNICIPALITY:

1. [Signature]

[Signature]
CHAIRPERSON: MANAGEMENT COMMITTEE

2. [Signature]

[Signature]
CHIEF EXECUTIVE OFFICER

THUS DONE AND SIGNED at SWAKOPMUND this 17 day of April 2023
in the presence of the subscribing witnesses.

AS WITNESSES ON BEHALF OF THE LESSEE:

1. [Signature]

2. [Signature]

[Signature]
LESSEE

[Signature]

"ANNEXURE E"

memo

Engineering & Planning Services



TO : The GM Corporate Services & Human Capital
 FROM : The GM Finance
 DATE : The GM Engineering & Planning Services
 REF. : 4 July 2023
 SUBJECT : E 228C
 RE: COPY OF THE SIGNED MEMORANDUM OF LEASE – BZN BAR AND RESTURANT CC

This Memo is forwarded in reference to previous Memo received.

The owners of the BZN facility, Jean Punzul has submitted a set of concept drawings via the office of the CEO for an additional 'Deck' that they wish to construct in addition to the existing deck.

This submission was not made through the standard building application process and the request is yet again for a non-permeant facility on Council land.

It is noted that this application is submitted just as the previous application to lease the area has been approved.

The existing Lease Agreement with BZN Bar & Restaurant is only based on the surface area of the current existing deck that is 39.91m². The new application will not fit within this area. The lease will have to be amended to suite the total area as requested on the drawings. This area is roughly double this amount as illustrated, but no area legend is included.

This property is located in the Conservation area of Swakopmund and is a listed as a Grade C heritage building. It is noted that there are no approvals on the building file record for an Aesthetics application, Built Heritage Council application or Building Plans. Neither are there any Engineers certification of the structures constructed without approval/inspection by the Building Inspectorate.

Therefore, to get this property in compliance, it is recommended that the application be brought before council to approve the concept and activity. Once such an approval is obtained, the owner of the property must seek Aesthetics Approval, followed by a Built Heritage Permit. Once such approvals are obtained, a building plan application can be submitted to the Engineering & Planning Services department and a building permit issued.

It will also be required that a Professional Engineer be appointed to certify the design as safe for occupation and intended use. As it is currently, there is no Engineers certification, and the collapse of the existing structures may implicate council in having approved the lease without the required certification.

Attached to this Memo is the written application with the set of concept drawings that applies for the additional lease area. Also attached is the current lease for reference.

Swakopmund Municipality

2023-07-05

 C. McClune
 Engineering & Planning Services

GENERAL MANAGER: ENGINEERING AND PLANNING SERVICES

Corporate Services
 Head Office
 06 JUL 2023
 2 Kribben Ave
 Swakopmund Municipality

Report

AL/

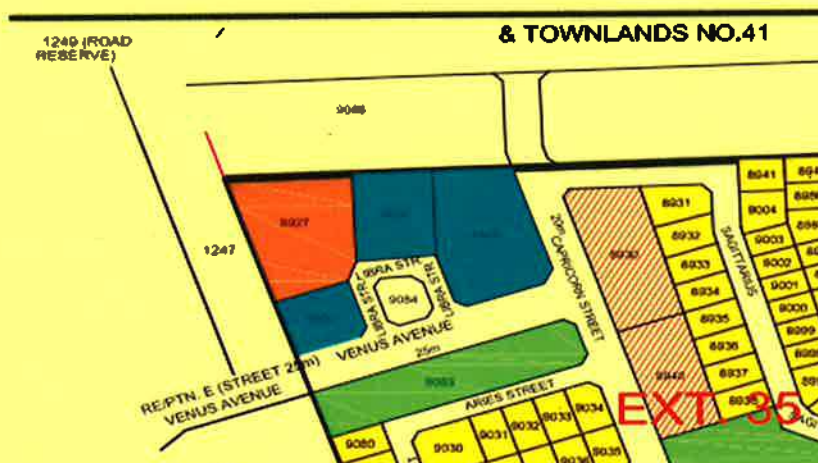
11.1.21 **FUTURE SALE OF ERF 8929, EXTENSION 35, SWAKOPMUND**
(C/M 2023/10/26 - E 8929)

Ordinary Management Committee Meeting of 19 October 2023,
Addendum 8.7 page 66 refers.

A. This item was submitted to the Management Committee for consideration:

1. Introduction

The purpose of this submission is for Council to consider the future sale of Erf 8929, Swakopmund by public closed bid sale. Attached as Annexure "A" is a map indicating the location of Erf 8929, Swakopmund in Extension 35.



2. Brief Background

Erf 8929, Swakopmund (4 261m²) is zoned "General Business" and is located in Extension 35, Swakopmund.

The erf was offered for sale at the closed bid sale of **16 December 2016** at an upset price of N\$ 2 488 605.04 (N\$584.00 / m²) and allocated to Pharlap Investments CC in the bid amount of N\$4 199 999.99 (15% VAT excluded). The purchaser applied for extensions of time which were approved. Eventually, on **25 March 2021** under item 11.1.27 after protracted discussions and presentations, Council cancelled the transaction.

On **07 September 2023** the last qualifying bidder on the list failed to confirm acceptance and did not pay the registration fee.

3. Reduction in the Upset Price

Council called for financing proposals for the infrastructure development for Extensions 34 and 35 which was awarded to First National Bank (hereinafter referred to as "FNB").

The total loan inclusive of accrued interest (*calculated up until July 2017*) amounted to N\$ 49 760 604.64. This amount divided by the total sellable area, equates to an amount of N\$ 292.00 / m² (*rounded off*) for the installation of services. On **27 October 2016** under item 11.1.25 point (f) Council approved the upset price for Erf 8929 at a 100% mark-up on N\$292.00/m², i.e. in the amount of N\$584.00/m²

Taking into consideration the current economic conditions and in an effort to stimulate development and growth, it is proposed that the upset price be reconsidered at a reduced mark-up of 50% on N\$292.00 / m²; i.e. N\$438.00 / m² amount to an upset price of N\$1 866 318.00. The registration fee will be .75% of the upset price, i.e N\$14 000.00.

4. **Proposal**

It is proposed to add Erf 8929, Swakopmund to the list of erven zoned "Business" located in Extension 6, Matutura for sale during 2024 at an upset price of N\$ 1 866 318.00 and payment of a registration fee in the amount of N\$14 000.00.

For ease of reference, on **29 September 2022** under item 11.1.13 Council approved the sale of the following 9 erven zoned "Local" and "General Business" located in Extension 6, Matutura by closed bid sale, subject to the same conditions as approved by Council on 24 May 2022 under item 11.1.15:

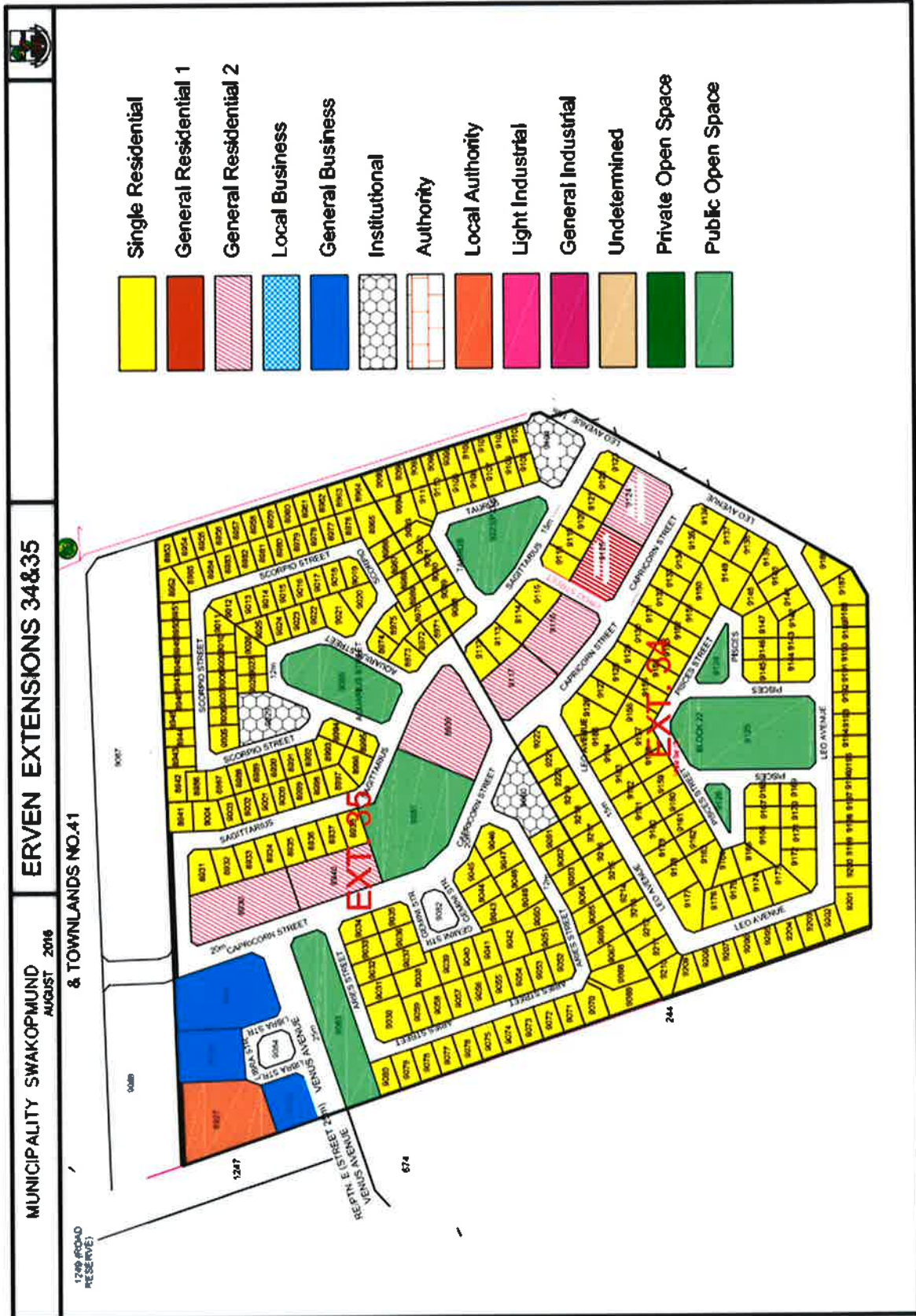
	Erf No	Zoning	m ²	Upset Price @ N\$156.00/m ² (excl 15% VAT)	Comments
1	1008	Local Bus	1 390	216 840.00	Available
2	1009	Local Bus	1 418	221 208.00	Available
3	1010	Gen Bus	1 740	271 440.00	Available
4	1011	Gen Bus	1 717	267 852.00	Available
5	1012	Gen Bus	1 714	267 384.00	Available
6	1018	Local Bus	2 093	326 508.00	Available
7	1019	Local Bus	1 360	212 160.00	Available
8	1020	Local Bus	1 390	216 840.00	Available
9	1021	Local Bus	1 949	304 044.00	Available

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That Council takes note of the availability of Erf 8929, Extension 35, Swakopmund (4 261m²) which is zoned "General Business" after the list of qualifying bidders for the sale of 16 December 2016 was exhausted on 07 September 2023.
- (b) That Council approves the sale of Erf 8929, Swakopmund at an upset price of N\$1 886 318.00 and payment of a registration fee in the amount of N\$14 000.00, subject to Council's standard conditions applicable to the sale of 16 December 2016, i.e. payment of the full purchase price within 120 days from date of sale.
- (c) That point (f) of Council's resolution passed on 27 October 2016 under item 11.1.25 approving the upset price, be repealed.
- (d) That Erf 8929, Swakopmund be offered for sale at a closed bid sale together with the 9 erven zoned "Business" located in Extension 6, Matutura as approved by Council on 29 September 2022 under item 11.1.13.

ANNEXURE "A"



- 11.1.22 **REZONING OF ERF 947, MONDESA, EXTENSION 3 FROM "GENERAL RESIDENTIAL 2" WITH A DENSITY OF 1:250M² TO "INSTITUTIONAL"**
(C/M 2023/10/26 - M 947)

Ordinary Management Committee Meeting of 19 October 2023,
Addendum 8.9 page 71 refers.

A. This item was submitted to the Management Committee for consideration:

1. Purpose

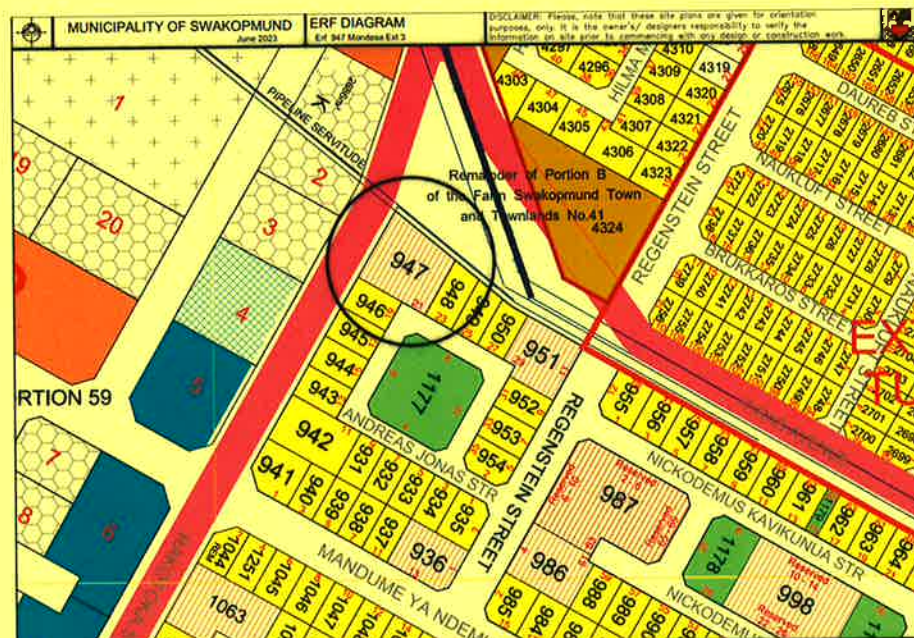
The purpose of this submission is for Council to consider the rezoning of Erf 947, Mondesa Extension 3 from "General Residential 2" with a density of 1:250m² to "Institutional".

2. Introduction and Background

Council on the 8th of September 2008 entered into a Deed of Sale agreement with Jesus Save Ministries for the sale of Erf 947, Mondesa. The agreement is attached as **Annexure A**. The Ministry has made full payment of the property and the property is ready for registration transfer, pending the erection of structures as required in terms of the sale agreement.

3. Zoning, Locality and Size

Erf 947, Mondesa, Extension 3 is zoned "General Residential 2" with a density of 1:250m² and is situated in Mondesa Extension 3 in Andreas Jonas Street. The Erf measures 1902m² in extent.



Locality of Erf 947, Mondesa

4. **Access Municipal Services and Parking**

Access to Erf 947, Mondesa, Extension 3 is obtained from Andreas Jonas Street. The area is already fully serviced. The on-site parking provision should be in accordance with the Swakopmund Zoning Scheme, which is one parking bay per ten seats or ten members (10).

5. **Public Consultation**

The proposed rezoning was advertised in the Namib Times and the Namibian newspapers on the 23rd and 30th June 2023. A notice was also placed on the site and another notice on Municipal notice board. The neighbouring property owners were notified via registered mails. Additionally, a notice was published in the Government Gazette Number 8122, dated 30 June 2023, under General Notice Number 311. The closing date for objections and comments was the 21st of July 2023. Seven (7) objections were received from the neighbouring property owners. See **Annexure B**.

6. **Proposal**

It is proposed to rezone the Erf to Institutional in order to align the sale conditions. The property was sold as a "church" erf for institutional purposes, even though it was initially zoned as general residential 2. It is only fitting that Council rectifies this, hence the proposal.

7. **Discussion/Objections**

There have been complaints against the church activities happening on Erf 947, Mondesa Extension 3. Amongst the objections received, the loud music/excessive noise tops the list. The objectors feel that they are not protected from noise pollution which disturbs them especially at night, that they cannot sleep peacefully and their school-going children. They have indicated that the noise is too loud to an extent that they cannot even hear themselves when talking to each other in their houses.

Another objector is seeking clarity on how it is possible that to invite for comments and objections only now while the church has already been operating from the said premises with a permanent structure.

The last concern of the objectors are the trading hours. It is stated in one of the objections that the music and dancing would go till the early hours of the morning.

8. **Evaluation**

The generic definition of noise is "*unwanted or disturbing sound*". Sound becomes unwanted when it either interferes with normal activities such as sleeping, conversation, or disrupts or diminishes one's quality of life.

The main concern is the continuous excessive noise from the loud music and dancing of the church activities emanating from this premises, which deprives residents in the neighborhood of their peaceful sleep and peace.

There had been noise complaints in the past from the surrounding neighbours. The ministry (church) is aware of these complaints as they were communicated to them and urged to corporate by reducing their volume.

There are legal provisions aim to harmonize the neighbourhood, namely:

Clause 8.2 of the Swakopmund Zoning Scheme Clause 8.2 reads:

"8.2 Removal of Injurious Conditions"

8.2.1 where the amenity in any area is adversely affected by the condition of any building, land or erf, garden or by any activity taking place in the area, the Council may serve notice on the responsible person requiring him, within a specified period of not less than 28 (twenty eight) days from the date on which notice was served to take such action as is necessary to eliminate the source of annoyance."

And Section 56 of the Public and Environmental Health Act, 2015 stipulate that:

"56. A person may not cause a health nuisance or may not permit to exist on a land or premises owned or occupy by him or her, or of which he or she is in charge, a health nuisance or other condition liable to be injurious or dangerous to health."

Council has the rights to look after all its residents without favouring anyone. For Council not to overlook the concerns of the neighbours and also not to cause cession of the church activities, it is suggested that the following conditions be imposed for the operation of the church:

- *Operating hours during weekdays should not exceed 20h00.*
- *The volume should always be kept at an allowable decibel.*
- *Sunday's services from 09h00 to 13h00.*
- *Whenever there are crusades and concepts, consent must be obtained from the surrounding neighbours and the Municipality of Swakopmund must be informed of same.*
- *When the church could not finish the service on time, there should be no use of music instruments and they must close the church to avoid noise, and*
- *Should the church fail to adhere to the above conditions, drastic measures will be taken against the church.*

On the concern of one of the objectors that Council is only calling for comments and objections now while the church has already been operating. As stated above in the background information, the property was sold to the church in 2008, with an impression that it is zoned "*Institutional*" while its correct zoning is general residential 2 with a density of 1:250m². The rezoning of Erf 947,

Mondesa, Extension 3 from "General Residential 2" with a density of 1:250m² to "Institutional" is to align the sales conditions of the property and allow the owner of the property to develop the property for the purpose it was acquired for.

9. **Conclusion**

Erf 947, Mondesa Extension 3 has been sold to Jesus Save Ministries in 2008 as a "church erf". Council is initiating a rezoning process to achieve compliance with its zoning scheme.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That rezoning of Erf 947, Mondesa from "General Residential 2" with a density of 1:250m² to "Institutional" be approved.
 - (b) That all the parking provided on-site be in line with the Swakopmund Zoning Scheme.
 - (c) That the following conditions be imposed for the operation of the church:
 - (i) Operating hours during weekdays should not exceed 20h00.
 - (ii) The volume should always be kept at an allowable decibel.
 - (iii) Sunday's services from 09h00 to 13h00.
 - (iv) Whenever there are crusades and concerts, consent must be obtained from the surrounding neighbours and the Municipality of Swakopmund must be informed of same.
 - (v) When the church could not finish the service on time, there should be no use of music instruments and they must close the church to avoid noise, and
 - (vi) Should the church fail to adhere to the above conditions, drastic measures will be taken against the church.
 - (d) That no compensation (betterment) fee is applicable,
 - (e) That the objectors be informed of Council's decision and their right to appeal to the Minister against Council's Resolution in terms of Section 110 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018) within 21 days of receipt of notice of this Resolution, provided that written notice of such an appeal shall be given to the Ministry, as well as Council within the said period.
-

ANNEXURE A- DEED OF SALE**MUNICIPALITY OF SWAKOPMUND****DEED OF SALE**

MEMORANDUM OF AGREEMENT made and entered into by and between

THE MUNICIPAL COUNCIL OF SWAKOPMUND

(hereinafter referred to as the **SELLER**)

and herein represented by

ECKART ULRICH WILHELM DEMASIUS

And

MARCO PETER CLIFF SWARTS

(In their respective capacities as **CHIEF EXECUTIVE OFFICER** and **GM:**
CORPORATE SERVICES)

(and acting by virtue of the authority granted in terms of section 31(1) of the Local Authorities Act, 1992 (Act 23 of 1992).

OF THE ONE PART

and

JESUS SAVE MINISTRIES

(Herein represented by)

**PASTOR
SISTER**

**KARBIO SEIBES
SALINDE SEIBES**

(hereinafter referred to as the **PURCHASER**)

OF THE OTHER PARTHandwritten signatures and initials of the parties involved in the deed of sale. At the top, there is a large, stylized signature that appears to be 'Eckart'. Below it, the name 'Seibes' is written in cursive. To the right of 'Seibes' is a capital letter 'E'. At the bottom, there are two more signatures: one that looks like 'Marco' and another that is a simple 'D' or 'B' inside a circle.

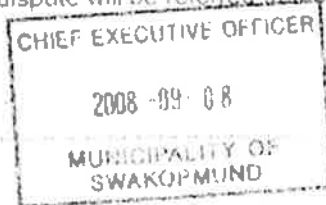
27.

The parties hereby consent to the jurisdiction of the Magistrate's Court for the district of Swakopmund in respect of any claim which may arise from or as resulting from the provisions of this agreement of sale in terms of the stipulations of section 45 of Act 32 of 1944 (Magistrate's Court Act), as amended, notwithstanding the fact that the said Magistrate's Court, otherwise possibly might have had no jurisdiction over such claim, on the distinct understanding that it will nevertheless be in the SELLER's exclusive discretion to decide whether any claim or dispute will be referred to the High Court of Namibia for adjudication

THUS DONE AND SIGNED at
this

day of

2008



AS WITNESSES

1.

2.

ON BEHALF OF THE MUNICIPALITY

GM. CORPORATE SERVICES

CHIEF EXECUTIVE OFFICER

THUS DONE AND SIGNED at Swakopmund on this
3 day of September, 2008

AS WITNESSES

1.

2.

Y

Y

J. Schöen

C

ANNEXURE A

PARAGRAPH 1

1.1 ENTITY JESUS SAVE MINISTRIES

HEREIN REPRESENTED BY

1.1 SURNAMES : ☒ PASTOR SEIBED ☒ SISTER SEIBES
☒ KARBIO ☒ SALINDE

1.3 NAMIBIAN IDENTITY NUMBERS:

☒ K SEIBED 620125 00498☒ S SEIBED 630102 006331.4 DATES OF BIRTH: ☒ K SEIBED 25 JANUARY 1962☒ S SEIBED 02 JANUARY 1963

1.5 IF FEMININE:

1.5.1 MAIDEN NAME:

1.5.2 ARE YOU SINGLE, MARRIED, DIVORCED OR A WIDOW?

1.5.3 IF MARRIED, ARE YOU MARRIED

IN COMMUNITY OF
PROPERTY

OUT OF COMMUNITY OF
PROPERTY

1.5.4 IF MARRIED OUT OF COMMUNITY OF PROPERTY, PLEASE ENCLOSE A
COPY OF THE ANTENUPTIAL CONTRACT

1.5.5 HUSBAND'S FULL NAMES

1.5.6 ALL SURNAMES PREVIOUSLY KNOWN BY

PARAGRAPH 2

2.1 DESCRIPTION OF PROPERTY

2.1.1 ERF NO 947 MONDESA (EXTENSION 3)

2.1.2 TOWN: SWAKOPMUND

2.1.3 SITUATED IN THE MUNICIPAL AREA OF SWAKOPMUND REGISTRATION-
DIVISION "G".



Handwritten signatures and initials, including a large signature at the top and several smaller ones below, some appearing to be 'ddcib' and 'my'.

2.1.4 MEASURING APPROXIMATELY 1902 SQUARE METRES

PARAGRAPH 3

3.1 PURCHASE PRICE IN RESPECT OF PROPERTY N\$67 425.90
 IN WORDS SIXTY SEVEN THOUSAND FOUR HUNDRED AND TWENTY
 FIVE NAMIBIAN DOLLARS AND NINETY CENTS

3.2 WAY OF PAYMENT SEE ANNEXURE "B"

PARAGRAPH 4

4.1 DATE OF SALE IN CASE OF A PUBLIC AUCTION

PARAGRAPH 5

5.1 DATE OF COMPLETION OF MAIN BUILDING (CLAUSE 5(c)) 30 SEPTEMBER
 2013

5.2 BUILDING VALUE OF MAIN BUILDING (CLAUSE 5): N\$228 000,00

PARAGRAPH 6

6.1 GENERAL PLAN NO: G 79/

ALTERNATIVELY

6.2 DIAGRAM NO:

PARAGRAPH 7

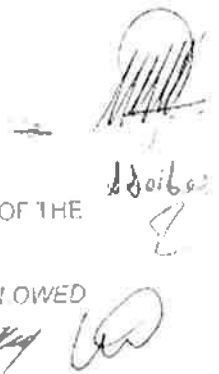
7.1 ADDRESS P O BOX 5019
 SWAKOPMUND

BEING DOMICILIUM CITANDI ET EXECUTANDI

PARAGRAPH 8

8.1 THE FOLLOWING CONDITION SHALL BE REGISTERED IN FAVOUR OF THE
 LOCAL AUTHORITY

NO TREE OF THE PROSOPIS SPECIES MAY BE PLANTED OR IS ALLOWED
 TO GROW ON THE ERF



Handwritten signature and initials, including the word 'Doiber' and a large 'E'.

ANNEXURE B- OBJECTIONS

Carl Hamaseb

P O Box1595

Swakopmund

Namibia

carthamaseb@gmail.com

14 July 2023

Chief Executive Officer

Swakopmund Municipality

P O Box53

Swakopmund

Objection to Rezoning of Erf 947 Mondesa Extension 3 Swakopmund from general residential 2 to Institutional

I herewith object to the rezoning of erf 947 Ext 3 Mondesa in Andreas Jonas Street from residential 2 to Institutional as per the advertisement in the Namibian Newspaper Notice No:30/2023

The reason for the objection is mainly because of the loud music been played

As per the municipal by laws that deals with breach of peace are we the residence in the area not protected and thus is the main reason

Apart from the above mentioned do we have learner that need to concentrate on schoolwork who can't because of loud music

I hope your understanding in this matter

Kind Regards

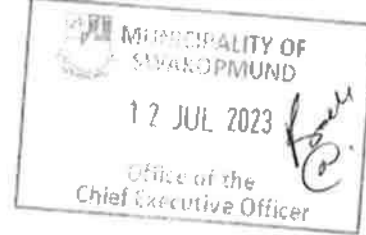


Carl Hamaseb

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

Lorraine Afrikaner
 P. O. Box 1973
 Swakopmund
 07 July 2023
classylorraine12@gmail.com

Chief Executive Officer
 Municipality of Swakopmund
 P. O. Box 53
 Swakopmund



Dear Sir

OBJECTION TO REZONING OF ERF 947 MONDESA EXTENSION 3 FROM GENERAL RESIDENTIAL WITH THE DENSITY OF 1:250M² TO INSTITUTIONAL. NOTICE NUMBER 30/2023

I hereby wish to tender my strongest objection to the rezoning of Erf 947 from residential to institutional as advertised under notice 30/ 2023 in the Namibian.

I am an effected neighbour residing at Erf 944. The church has already a permanent concrete structure at this premises and church activities are conducted every weekend. They make excessive noise. We cannot sleep at night, as some weekends the screaming and shouting will last until late at night. The noise pollution becomes unbearable. Despite numeral complaints, the Municipality has done nothing to stop them from operating.

My Constitutional right to privacy, as provided for in article 13 (1) of the Namibian Constitution is currently being infringed by the operation of this church. This church is in close proximity of our residences and proper noise control will always be a problem. There are other institutional erven available where they can apply for church activities.

I therefor strongly object to the granting of this application for the rezoning of Erf 947.

Yours faithfully

L. Afrikaner

Bennie Pretorius
Erf 946, Andreas Jonas Str
Extension 3, Mondesa
Swakopmund

The Chief Executive Officer
Municipality of Swakopmund
P O Box 53
Swakopmund
Namibia



Dear Mr. A Benjamin

**OBJECTION TO NOTICE NO: 30/2023 - THE REZONING OF ERF 947 ANDREAS JONAS
MONDESA STREET EXTENSION 3 - FROM GENERAL RESIDENTIAL 2 TO "INSTITUTIONAL"**

The above matter and our various correspondence to the Municipality of Swakopmund have reference.

We as a family does not have any bad feelings towards our neighbors or any church, but what does bother us, is the fact that our neighbors on Erf 947, Andreas Jonas Street, is not considerate, does not show kindness and have no respect for us, their neighbors.

For years (13 yrs) we have had to accept the noise pollution that came from the church activities over weekends and or during the week from Erf 947. When this happened, music and dancing would go on until the early morning hours. When we would request in an orderly and polite manner, our requests have been ignored. In some cases; we had to call in the help of the police. Whilst the police officers would be on the premises, the volume of the speakers would be lowered, but as soon as the police left the premises, the sound volume is raised again to such an extent that we in our own house, could not hear one another talk, or sleep peacefully.

The not so nice part for us is that our bedrooms and living room is built next to the side of the church "hall". During examinations our children could not study properly when the church planned a "celebration" / conference weekend or week. Some of the other houses have people working for the mines and are working shifts.

Our complaints were not just taken to the police station, but to the municipality as well. We were send back and forth as the one institution informed us that the other is to deal with the matter.

When we finally could not take it anymore and the fact that the music would be so loud that it had a bad effect on our mental health; we started a petition and gave it to the Swakopmund Municipality.

In addition, for the above reasons, the following reasons is our motivation to object the rezoning of Erf 947 and that council does not give permission for a church building to be erected, but that Council relocate the Jesus Ministries Members to the industrial area or to an area where the church can have their services without being a "disturbance" to the neighbors.

We have to keep in mind, that not all members of the community practice or except the same religious believes or denominations and their way of religion practices.

REASONS NOT TO REZONE

1. Erf 947 is a residential 2 erf and therefore cannot operate a church or business
2. Rezone should have been before building plans were approved
3. Before rezone can be applied for, consent from surrounding neighbors should be obtained – no requests were made to the neighbors
4. Council gave instructions in October 2022 to cease illegal church operations, but in June 2023 applies for rezoning? This is a big question of concern. Seems like things are done backwards
5. How was plans approved for a church building on a residential 2 erf?

A lot of questions are raised. Is it the right practice to do things backwards?

To avoid unnecessary 'bad atmospheres' amongst communities and especially neighbors, our plea is not to approve the rezoning of erf 947

Yours sincerely,



Bennie Pretorius & Family

Cell: 061 212 1701

Email: benniepretorius3@gmail.com

Echell De Waal

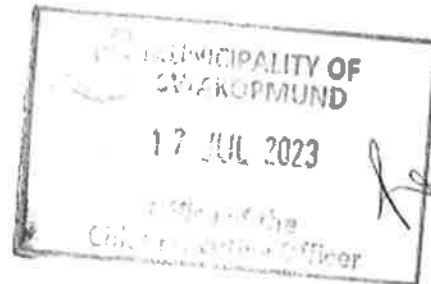
P.O BOX 993

Swakopmund

12 July 2023



Chief Executive Officer
Municipality of Swakopmund
P.O Box 53
Swakopmund



Dear Sir

Objection to Rezoning of ERF 947 Mondesa Extension 3 from General Residential 2 with a density of 1:250 M² to Institutional.

I hereby object to the rezoning of ERF 947 from General Residential 2 to Institutional as advertised in the Namibian newspaper NOTICE NO: 30/2023

With only one ERF between me (ERF 945) and ERF 947 already operating as a church during the week and weekends, the excessive noise is becoming vexatious. I am a shift worker and the music and screaming when services are conducted makes it difficult to sleep during the day and night. Multiple complaints were made but till date nothing has been done.

The most worrisome part of the REZONING of ERF 947 is that a CONCRETE STRUCTURE (Church Building already operating) was already built on plans approved by the Municipality but only now application for Rezoning is done.

I therefore **OBJECT** to this application for the REZONING OF ERF 947 MONDESA EXTENSION 3 TO INSTITUTIONAL.

Regards

Echell De Waal

Gregory Benjamin
P O Box 3479
Vineta, Swakopmund
Namibia
E-mail: queries@benguellabutchery.com

07 July 2023

The Chief Executive Officer
Municipality of Swakopmund
P O Box 53
Swakopmund
Namibia



Dear Sir

RE: OBJECTION TO REZONING OF ERF 947 MONDESA EXTENSION 3 FROM GENERAL RESIDENTIAL WITH THE DENSITY OF 1:250M² TO INSTITUTIONAL. NOTICE NUMBER 30/2023

I herewith would like to raise my concern and object to the rezoning of Erf 947 as per Notice Number 30/2023 advertised in the Namibian dated 23 June 2023.

Being the owner of Erf 954, I provide secure and safe residential dwellings to 10 different families on my property. Having heard their concerns regarding the noise obstruction caused by Erf 947 it has come to my attention that Erf 947 is conducting church activities and this is resulting to the fact that I am experiencing difficulty to maintain a fixed tenant basis. A lot of my tenants have moved out as the noise is unbearable and one does not feel at home, safe, relaxed and at ease in your own comfortable home.

Having tenant complains on a regular basis, having tenants moving in and out on a regular basis is of utmost concern.

The church is in close proximity of our residences and noise control will always be a problem.

It is of great concern that it is respectfully requested to review and reconsider the rezoning of Erf 947.

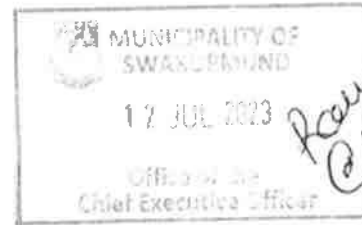
I strongly object to the granting of the application for the rezoning of Erf 947.

Yours faithfully,

Gregory Benjamin
Erf 954, Mondesa, Swakopmund, Namibia

Thomas van Rooyen
Swakopmund
07 July 2023
vanrooyenthomas015@gmail.com

Chief Executive Officer
Municipality of Swakopmund
P. O. Box 53
Swakopmund



Dear Sir

OBJECTION TO REZONING OF ERF 947 MONDESA EXTENSION 3 FROM GENERAL RESIDENTIAL WITH THE DENSITY OF 1:250M² TO INSTITUTIONAL. NOTICE NUMBER 30/2023

I hereby wish to express my strongest objection to the rezoning of Erf 947 from Residential to Institutional.

My reasons for the objection are as follow.

1. The reality is that there is already a permanent concrete structure erected on Erf 947. This structure is currently use for church activities. The existence of this non - complying church activities was confirmed by the municipality on a letter dated 11 October 2022, reference number M947 in which Council states the following and I quote:

"Council has not receive any application for consent to operate a place of public worship (church) on the said Erf and as such neighbours were not consulted. You are therefor cordially requested to seize the church activities within 28 days from date of this letter. Failure to comply with this instruction within 28 days, (on or before the 8th November 2022) shall leave no option but to take more drastic measures to ensure compliance".

It is however regrettable that since this letter, Council has done absolutely nothing to stop this non-complying church from operating. My inference is that Council negligently failed n their administrative duties or alternatively provides preferential treatment to this church called, "Jesus Saves Ministries". This specific non complying church has a long history, which Municipality failed to address and solve decisively. Petitions signed by affected neighbours were never responded to. Personal visits to the Municipality offices did also not result in any action against this church. In desperation the Office of the Ombudsman was also consulted in order to intervene on behalf of affected neighbours and interested persons like me.

The last option will be to petition the relevant Minister to intervene and by conducting an independent investigation to establish the reasons why this non complying church structure was allowed to be built in the first place on a residential 2 Erf. And also why this church is currently still allowed to operate despite serious complaints by affected parties. There is a clear disregard of Article 18 of the Constitution, which

deals with administrative justice. My contention is that the Municipality failed to apply their own laws consistently and fairly in this particular matter. How is it possible to invite for objections regarding the rezoning of Erf 947 Mondosa to Institutional, but at the same time that "Institutional" (which is the church) is already operating from the said premises, with a permanent concrete structure used as a church? This current status quo makes our objections useless and I regard it as an afterthought formality which the Municipality tries to introduce retrospectively after failing to follow and apply its own laws dealing with rezoning.

2. Secondly, the church makes loud noise till late at night and the noise pollution becomes unbearable for neighbors. The location of Erf 947 is also very close to neighbors and therefore noise pollution will always be a problem.

It is therefore my submission that the application for the rezoning of Erf 947 Mondosa should not be granted.

Yours faithfully,

Mr. L. van Rooyen



ANNEXURE C- PUBLIC CONSULTATIONS

No. 311

2023

REZONING OF ERF 947, ANDREAS JONAS STREET, MONDESA EXTENSION 3

Notice is hereby given in terms of Section 107(b) of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) that the **Swakopmund Municipality**, intends to apply to the Urban and Regional Planning Board for the:

- **Rezoning of Erf 947, Andreas Jonas Street, Mondesa Extension 3 from "General Residential 2" with a density of 1:250m² to "Institutional".**

12

Government Gazette 30 June 2023

8122

The application and locality plans are available and open for inspection during working hours at the Swakopmund Municipality: Town Planning Division.

Any person having any objections or wish to comment on the statutory procedures as set above, may lodge such objections to the Chief Executive Officer, P. O. Box 53, Swakopmund, within 14 days after appearance of this notice, duly motivated in writing, on or before **20 July 2023**.

B. ALFEUS
CHIEF EXECUTIVE OFFICER
MUNICIPALITY OF SWAKOPMUND

14 June 2023

30 JUNE 2023

NAMIB TIMES 13

KINGLAW**ESTATE NOTICE**

In the estate of the late **MAGDALENA SIFAFAURE**, Identity Number 680618 0923 3, married in community of property to **PAULUS KATANGA SIFAFAURE**, Identity Number 680123 0938 5 of ERF NO 5, MONDESA, SWAKOPMUND, NAMIBIA, who died on 23 JUNE 2021 (Master's Reference E 666/2022)

In terms of Section 35 (5) of Act 66 of 1965, notice is hereby given that the FINAL Liquidation and Distribution Account in the above estate will be open for inspection of all persons interested therein for a period of twenty one (21) days from date of publication hereof at the office of the Master of the High Court **WINDHOEK** and the Magistrate's Court **SWAKOPMUND**, NAMIBIA.

Should no objection thereto be lodged with the Master concerned during the specified period, the executor will proceed to make payment in accordance with the account.

H. VISSER (Mrs)
AGENT OF THE
EXECUTRIX
c/o KINGHORN
ASSOCIATES INC
HAUS ALTONA
2 - 6 TOBIAS
HAINYERKE STREET
SWAKOPMUND
TEL (064) - 405051
(REFERENCE: HVALM-EST26A000170)

Notices & Vacancies

**MUNICIPALITY OF SWAKOPMUND****CONSENT USES, ERECTION OF BUILDINGS AND USE OF LAND IN TERMS OF THE SWAKOPMUND ZONING SCHEME**

Notice is hereby given in terms of Clause 6 of the Swakopmund Zoning Scheme that the Municipal Council considers the following consent uses, erection of buildings and use of land, details of which are obtainable from the General Manager: Engineering & Planning Services.

1. Erf 3601, Mondesa Extension 2 (Abraham Kandeume Street): Special consent for a Resident Occupation - Administrative Office.
2. Erf 426, Swakopmund Proper (26 Rhode Alley Street): Special consent to operate a Residential Guesthouse.
3. Erf 624, Mondesa Extension 1 (Nelson Mandela Avenue): Special consent to operate an Administrative Office.
4. Erf 1476, Mondesa (c/o Vrede Rede & Julianne Tjongarero Street): Special consent for a Resident Occupation - Administrative Office.

Contact Person: Mr. J. Heita (Manager: Town Planning)
Tel: +264 (64) 4104403

Any person having any objections to the proposed activities may lodge such objections, duly motivated in writing, with the Chief Executive Officer before or on 21st July 2023.

NOTICE: 37/2023

A BENJAMIN
Chief Executive Officer

Visit our Swakop
Branch at
Amé Court no.13
opposite
Namib High School

**MUNICIPALITY OF SWAKOPMUND**

Notice is hereby given in terms of Section 107 (b) of the Urban and Regional Planning Act, 2018 (Act 5 of 2018) that the Swakopmund Municipality, intends to apply to the Urban and Regional Planning Board for the:

- **REZONING OF ERF 947 MONDESA EXTENSION 3 FROM "GENERAL RESIDENTIAL 2" WITH A DENSITY OF 1:250M² TO "INSTITUTIONAL"**

Locality plans are available and open for inspection during working hours at the Swakopmund Municipality: Town Planning Division.

Contact Person: JT Heita Tel: 410 4403 (Manager: Town Planning).

Any person having any objections or wish to comment on the statutory procedures as set above, may lodge such objections to the Chief Executive Officer, P. O. Box 53, Swakopmund, within 14 days after the last appearance of this notice, duly motivated in writing, on or before 26th July 2023.

Notice No: 30/2023

A BENJAMIN
Chief Executive Officer**Municipality of Swakopmund****VACANCY**

Applications are hereby invited from Namibian citizens for appointment in the following vacancy:

RESERVATION CLERK/CASHIER (Paterson 83 Band)

Remuneration and Benefits: Minimum (N\$1165 884.00)

Market related salary package, Medical Aid, Pension Fund, Housing Allowance/Subsidy, Transport allowance, 35 m³ free water per month and 20 statutory annual leave days & 8 gratuity bonus leave days per annum.

Main purpose of the job: To deal with all reservations, process payments received, and the welcoming of visitors in the Municipal Bungalows and to perform clerical duties.

Key performance areas: Responsible to handle all reservations, welcome and attend to visitors/guests, handle daily income and perform various clerical duties.

Requirements:

- Grade 12 (pass mark of 20 points over 5 subjects which must include an E symbol in English); and
- One (1) year relevant experience in similar environment.

Contact person: Mrs G. Mulane (Tel no: 4104302) or Ms M. Namand (Tel no: 4104225)

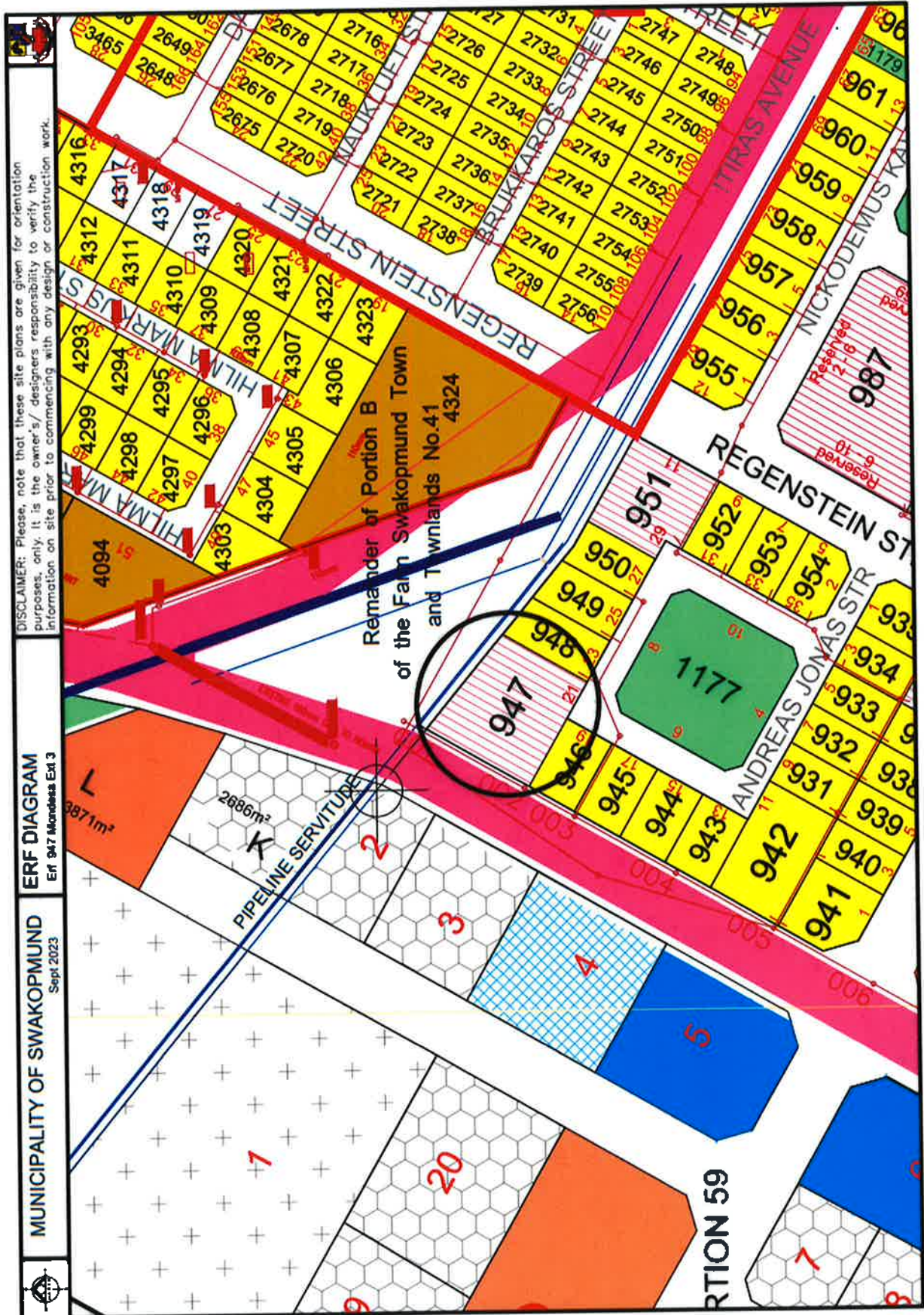
Applicants should complete Council's prescribed application form which can be obtained from our website (<http://www.swakopmund.com.na>), together with certified documentary evidence to show the compliance with the requirements stipulated for the position: the nature, scope and period of previous positions held, and the work experience gained; and all material facts should accompany the application form. Complete application forms should be directed to the Human Capital Manager, P. O. Box 53, Swakopmund or placed in the **mailbox** **before Friday, 28 July 2023 @ 11:00**.

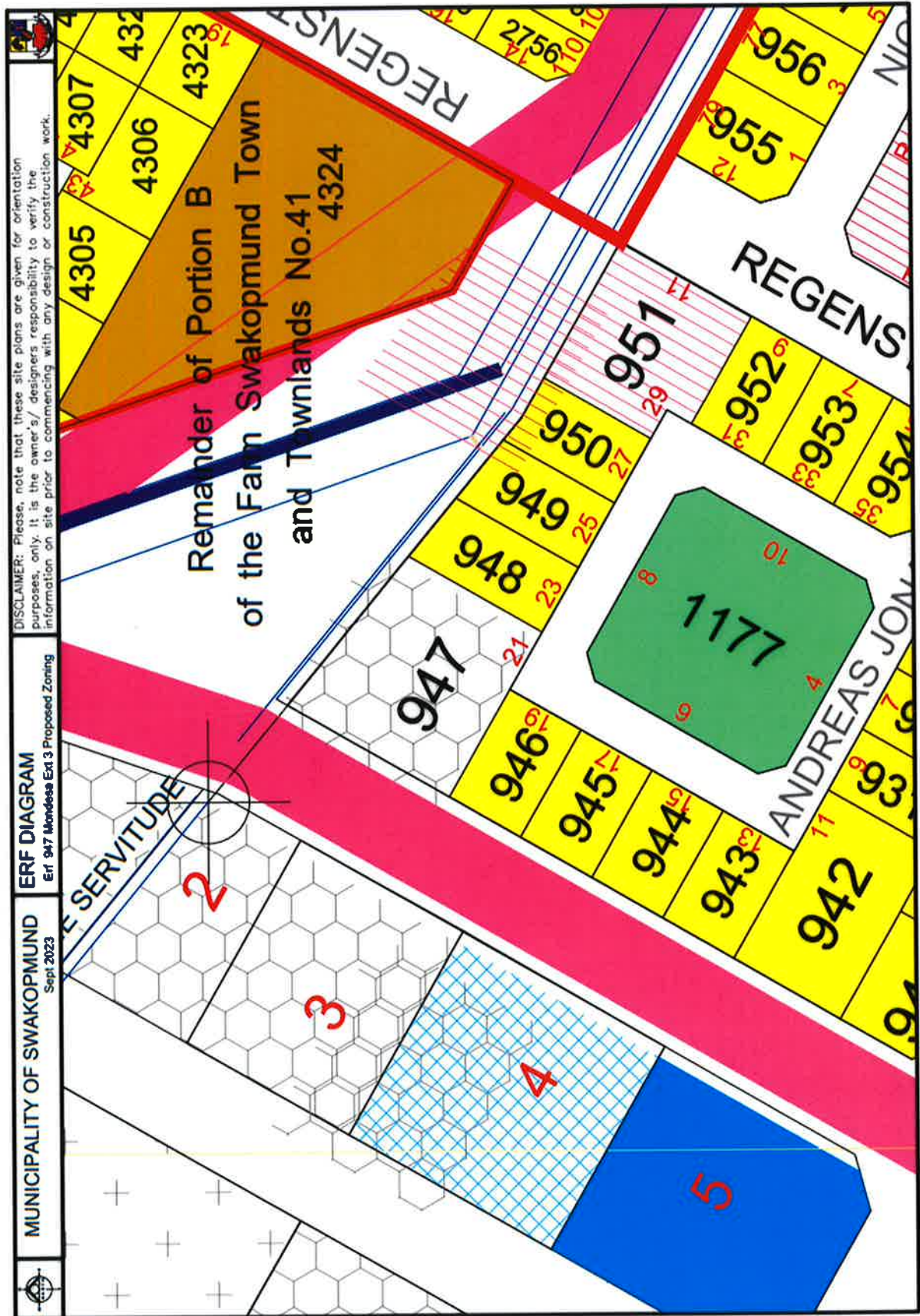
Only shortlisted candidates will be contacted.

THE MUNICIPALITY OF SWAKOPMUND IS AN EQUAL OPPORTUNITY EMPLOYER

Notice: 9/2023.07.28

A BENJAMIN
Chief Executive Officer





11.1.23 **REZONING OF ERF 1266 MATUTURA EXTENSION 7 FROM GENERAL RESIDENTIAL 2 WITH A DENSITY OF 1:250M² TO SINGLE RESIDENTIAL WITH A DENSITY OF 1:300M² AND SUBSEQUENT SUBDIVISION INTO ELEVEN (11) PORTIONS AND REMAINDER**

(C/M 2023/10/26 - E 1266 M)

Ordinary Management Committee Meeting of 19 October 2023, Addendum 8.10 page 95 refers.

A. This item was submitted to the Management Committee for consideration:

1. Purpose

The purpose of this submission is for Council to consider the application for the rezoning of Erf 1266, Matutura Extension 7 from "General Residential 2" with a density of 1:250 m² to "single residential" with a density of 1:300m² and subsequent subdivision into eleven (11) portions and the Remainder.

2. Introduction and Background

An application was received by the Engineering and Planning Services Department for the rezoning and subdivision of Erf 1266, Matutura Extension 7 into eleven (11) portions and remainder from Stewart Planning Town and Regional Planners on behalf of the registered owners. The application is attached as Annexure A.

3. Zoning, Size and Locality

Erf 1266, Matutura Extension 7 is zoned "General Residential 2" with a density of 1:250m² and is situated in the northeastern side of Matutura Extension 7 towards the MR 44 Road. The Erf is located along three (3) streets namely, Kauna Asino street on the northern boundary, Isabella Bock Street and an unnamed street. Erf 1266, Matutura Extension 7 measures 3925m² in extent and is currently vacant.



4. **Ownership**

The ownership of Erf 1266, Matutura Extension 7 vests in Hendrick Cronje van Niekerk, the transfer of the property was registered in the Deeds Office on the 7th September 2023. See **Annexure B**.

5. **Access, Municipal Services and Parking**

Access to Erf 1266, Matutura Extension 7 is currently obtained from Kauna Asino, Isabella Bock or and an unnamed street. Access to the newly created erven will be provided via the same streets. All the properties are connected to the existing bulk and internal municipal services. Parking will be provided in terms of the Swakopmund Zooning Scheme.

Due to the fact that the subdivision will result into twelve portions, it is suggested that the connection of the newly created erven to the existing bulk municipal services be provided at the cost of the applicant.

6. **Notice and Neighbour's Consent**

The proposed rezoning and subdivision was advertised in the Namibian Newspaper on the 30th June 2023 and the 7th July 2023. The notice was however only published in the Namib Times newspaper on the 7th of July 2023 due to an error by the Namib Times. The applicant expressed that the public was sufficiently consulted and as a result they will request for an exemption from the Minister in terms of section 127 of the Urban and Regional Planning Act (Act No. 5 of 2018) due to the omission by the Namib Times Newspaper.

Two (2) notices were placed on site and one (1) notice was displayed on the municipal notice board. Additionally, a notice was published in the Government Gazette, dated 30th June 2023. The neighbouring property owners were notified in writing of the intent by registered mail and two of the neighbouring property owners who do not have postal addresses were informed via WhatsApp. The last date for the submission of comments and objections was the 27th July 2023.

No objections were received. Please see proof of notice report attached as **Annexure E**.

7. **Subdivision and Rezoning**

It is the intention of the owner to rezone Erf 1266, Matutura, Extension 7 from "*General residential*" with a density of 1:250 m² to "*Single residential*" with a density of 1: 300m²" and to subsequently subdivide the erf into 11 portions and remainder.

In its current state, the general residential erf can accommodate fifteen (15) dwelling units, the applicant however identified a need in the market and wishes to provide smaller, more affordable

freehold detached houses. The proposed subdivision for Erf 1266, Matutura, Extension 7 will have the following effect:

| PTN numbers | Proposed Sizes (m²) | Zoning |
|--------------------|---------------------------------------|--------------------|
| Portion 1 | 301m ² | Single Residential |
| Portion 2 | 305m ² | Single Residential |
| Portion 3 | 301m ² | Single Residential |
| Portion 4 | 304m ² | Single Residential |
| Portion 5 | 301m ² | Single Residential |
| Portion 6 | 301m ² | Single Residential |
| Portion 7 | 318m ² | Single Residential |
| Portion 8 | 307m ² | Single Residential |
| Portion 9 | 300m ² | Single Residential |
| Portion 10 | 311m ² | Single Residential |
| Portion 11 | 440m ² | Single Residential |
| Rem 1266 | 436m ² | Single Residential |
| Total | 3 925m² | |

The layout is attached as **Annexure C**.

8. Discussion and Evaluation

Matutura Extension 7 was proclaimed in May 2019, consisting of predominant single residential and several general residential erven. Since 2019, the general residential erven have not been developed. In December 2022, Council resolved in terms of C/M 2022/09/29, Section 11.1.2 to sell five (5) general residential erven by closed bid,

- (f) *That the following 5 erven be sold at a closed bid sale at an upset price of N\$156.00/m, but the two largest (Erf 1439 and 1440) be sold with conditional consent to subdivide these into single residential erven with required roads and upgrading of services at the cost of the purchasers:*

This marked the inception of development proposals for the general residential erven in the area. This also demonstrated that in concurrence with Council's decision to give conditional consent to subdivide Erven 1439 and 1440, Matutura Extension 7, the need for single residential erven outweighed the need for the development of housing schemes on the general residential erven.

A proposal was also received from the owners of Erf 1440, Matutura Extension 7 for the rezoning and subdivision of the erf into single residential properties. Additionally, Council is in the process of rezoning and subdividing Erven 1444 and 1445, Matutura Extension 7 to the same effect. The services in this area are sufficient as at the time of servicing, Erven 1444 and 1445, Matutura Extension 7 was envisaged to be zoned "single residential, the proposed subdivision will therefore only have a minimal to no impact on the services. The proposed development will tie well into the area given the residential character thereof.

8.1 Compensation

The proposed rezoning of Erf 1266, Matutura Extension 7 is not subject to a compensation fee with respect to

betterment as the initial density will be downscaled. The subdivision of Erf 1266, Matutura Extension 7 into 11 portions and remainder is, however, subject to a 7.5% compensation fee with respect to endowment calculated according to Regulation 9 (b) relating to the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) read in conjunction with the Swakopmund Municipality Property Policy.

A compensation fee is an amount usually payable to a local authority upon approval of a rezoning, or subdivision by the Urban and Rural Planning Board for the upgrading of services necessitated by the coming into operation of any provision contained in the zoning Scheme.

8.2 Conditions to be Registered.

It is recommended that the conditions registered against Erf 1266, Matutura Extension 7 be cancelled and that the following conditions be registered against Portions 1 to 11 and the Remainder of Erf 1266, Matutura Extension 7. See **Annexure D**.

- (i) *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 Swakopmund zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018 (Act 5 of 2018);*
- (ii) *The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least two times the municipal valuation of the erf.*

9. Conclusion

The rezoning and subdivision of Erf 1266, Matutura Extension 7 is not foreseen to have any adverse impacts on the area as it is supported by the Zoning Scheme and is in line with the Swakopmund Structure Plan 2020-2040.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That the rezoning of Erf 1266, Matutura, Extension 7 from "General residential 2" with a density of 1:250m² to "Single residential" with a density of 1:300m² be approved.
- (b) That the rezoning of Erf 1266, Matutura, Extension 7 from "General Residential 2" with a density of 1:250m² to "Single Residential" with a density of 1:300 is not subject to a compensation fee with respect to betterment.
- (c) That the subdivision of Erf 1266, Matutura, Extension 7 into 11 Portions and Remainder be approved as per the table below on:

| PTN NUMBERS | PROPOSED SIZES (M²) | ZONING |
|--------------------|---------------------------------------|--------------------|
| Portion 1 | 301m ² | Single Residential |
| Portion 2 | 305m ² | Single Residential |
| Portion 3 | 301m ² | Single Residential |
| Portion 4 | 304m ² | Single Residential |
| Portion 5 | 301m ² | Single Residential |
| Portion 6 | 301m ² | Single Residential |
| Portion 7 | 318m ² | Single Residential |
| Portion 8 | 307m ² | Single Residential |
| Portion 9 | 300m ² | Single Residential |
| Portion 10 | 311m ² | Single Residential |
| Portion 11 | 440m ² | Single Residential |
| Rem 1266 | 436m ² | Single Residential |
| Total | 3 925m² | |

- (d) That the provision of municipal services to the newly created erven be for the account of the applicant to the satisfaction of the General Manager: Engineering and Planning Services.
- (e) That the subdivision of Erf 1266, Matutura, Extension 7 be subject to a 7.5% compensation fee with respect to Endowment calculated according to Section 9 (b) of Regulations relating to the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) in conjunction with the Swakopmund Municipality Property Policy.
- (f) That all the parking be provided on-site in line with the Swakopmund Zoning Scheme and no parking on street reserve; shall be tolerated.
- (g) That the conditions registered against Erf 1266, Matutura, Extension 7 be cancelled and that the following conditions be registered against Portions 1 to 11 (portions of Erf 1266 Matutura, Extension 7) and the Remainder of Erf 1266 Matutura, Extension 7 as follows:
- (i) *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 Swakopmund zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018 (Act 5 of 2018);*
 - (ii) *The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least two times the municipal valuation of the erf.*
-



STEWART PLANNING

TOWN & REGIONAL PLANNERS

First Floor CLA Building
84 Theo Ben Gurion Street
Walvis Bay

P.O. Box 2095
Tel: (064) 280 770
Email: melissa@sp.com.na

ANNEXURE A

Reference: 1266_M

30 June 2023

APPLICATION TO REZONE & SUBDIVIDE ERF 1266 MATUTURA EXTENSION 7

Rezoning from General Residential 2 (1:250m²) to Single Residential (1:300m²) and subsequent subdivision into 12 Erven (11 Portions and the Remainder).

Submission to:

Chief Executive Officer
Municipal Council of Swakopmund
c/o Rakotoka Street and Daniel Kamho Avenue
PO Box 53
Swakopmund

Prepared for:

Hendrik Cronje van Niekerk
PO Box 2239
Swakopmund

Prepared by:

Stewart Planning
Town & Regional Planners
First Floor CLA Building
84 Theo Ben Gurion Avenue
P.O. Box 2095
Walvis Bay

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ATTACHMENTS

- Annexure A: Copy of the Power of Attorney form
- Annexure B: Copy of the Deed of Sale
- Annexure C: Locality Map
- Annexure D: Zoning Plan
- Annexure E: Subdivision Plan
- Annexure F: Conditions to be registered



1. INTRODUCTION

It is the intent of this report to apply for the rezoning of Erf 1266 Matutura Extension 7 (the site) from General Residential 2 with a zoning density of 1:250m² to Single Residential with a zoning density of 1:300m² and subsequent subdivision of the site into 12 Erven (11 Portions and the Remainder) as there is a need to utilise the land for more affordable freehold title detached housing.



Application is made in terms of the Urban and Regional Planning Act, Act no. 5 of 2018 under Section:

1. 105(1)(a) for the **REZONING** of Erf 1266 Matutura Extension 7 from General Residential 2 (1:250m²) to Single Residential (1:300m²) and;
2. 105(1)(e) for the **SUBDIVISION** of Erf 1266 Matutura Extension 7 into 12 Erven (11 Portions & the Remainder).

2. PROPERTY DESCRIPTION

The property description is given in the table below:

Table 1: Erf 1266, Matutura Extension 7 – Property Description.

| ERF 1266 MATUTURA EXTENSION 7 | |
|-------------------------------|---|
| Local Authority | Municipal Council of Swakopmund |
| Township | Matutura |
| Extension | 7 |
| Size | 3 925m ² |
| Owner | Mr. Hendrik Cronje van Niekerk has recently purchased the property from the Municipal Council of Swakopmund.
- Copy of the Power of Attorney (POA) form is attached as Annexure A .
- Copy of the Deed of Sale is attached as Annexure B . |
| Zoning | General Residential 2 with a zoning density of 1:250m ²
 |
| Site Description | 
Erf 1266 Matutura Extension 7 is vacant and undeveloped. The site is flat and level with the surrounding streets. There are no physical constraints on site that will prohibit development. |



3. LOCALITY

The site is situated in the northeastern corner of Matutura Extension 7 in Swakopmund, towards the MR44 Road (back road between Walvis Bay and Swakopmund). The site is highly accessible due to its location along 3 streets; Kauna Asino Street on the northern boundary, Isabella Bock Street on the eastern boundary, and an unnamed Street on the southern boundary. Figure 1 below shows the locality of the property. The Locality Map is attached as Annexure C.

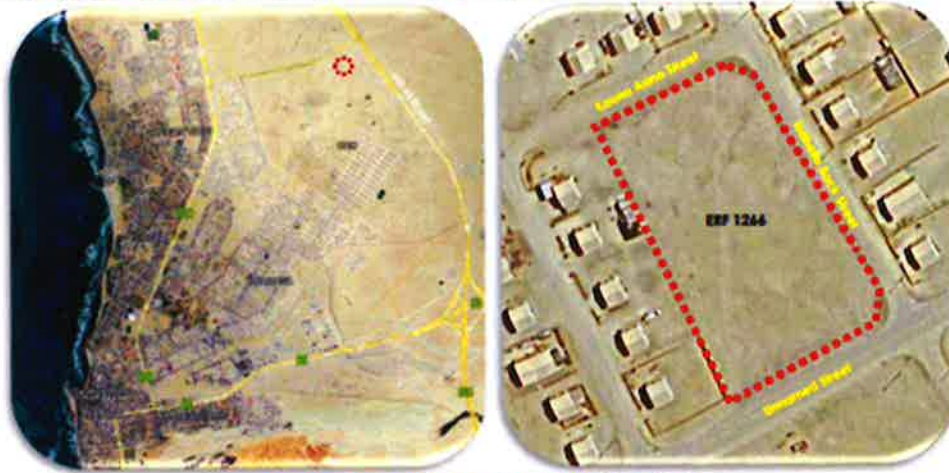


Figure 1: Locality of Erf 1266, Matutura Extension 7.

The site is ideally located in terms of its size, shape, access to streets, and compatibility with the surrounding residential area to be utilised for the provision of affordable freehold title detached housing in Swakopmund, and in particular Matutura Extension 7.

4. PROPOSED REZONING AND SUBDIVISION

Given the current General Residential 2 zoning with a density of 1:250m², Erf 1266 Matutura Extension 7 has the potential to be theoretically developed for 15 dwelling units through a sectional title scheme. However, there is a need for smaller, more affordable erven to be utilised for freehold title detached housing in this residential neighbourhood, therefore the need for rezoning and subdivision. Table 2 below represents the proposed rezoning.

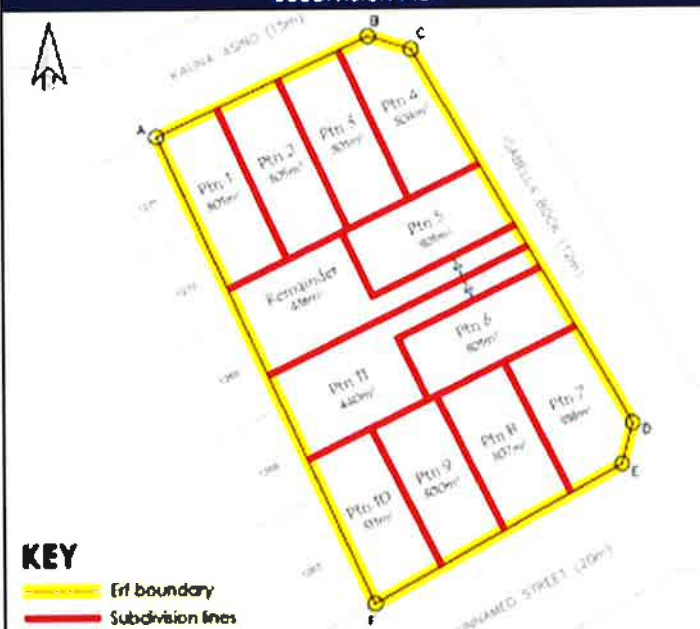
Table 2: Proposed rezoning of Erf 1266, Matutura Extension 7.

| BEFORE REZONING | AFTER REZONING |
|--|---|
| General Residential 2 (1:250m ²) | Single Residential (1:300m ²) |
| | |
| The Zoning Plan is attached as Annexure D. | |



Table 3 below represents the proposed subdivision.

Table 3: Erf 1258, Meersig – Proposed Subdivision.

| Subdivision Plan | | Land Parcel | Area (m ²) |
|---|--|--------------|------------------------|
|  <p>KEY</p> <p>Yellow line: Erf boundary</p> <p>Red line: Subdivision lines</p> | | Portion 1 | 301 |
| | | Portion 2 | 305 |
| | | Portion 3 | 301 |
| | | Portion 4 | 304 |
| | | Portion 5 | 301 |
| | | Portion 6 | 301 |
| | | Portion 7 | 318 |
| | | Portion 8 | 307 |
| | | Portion 9 | 300 |
| | | Portion 10 | 311 |
| | | Portion 11 | 440 |
| | | Remainder | 436 |
| | | Total | 3 925 |
| The Subdivision Plan is attached as Annexure E. | | | |

Given the size and shape of Erf 1266 Matutura Extension 7, 12 Erven (11 Portions and the Remainder) can be created of which the majority has a regular rectangular shape that is preferred for the Single Residential land use zone.

The conditions to be registered are attached as Annexure F.

4.1. ACCESS AND PARKING

As mentioned in the Locality Section of this report (Section 3 on page 4), the site is highly accessible due to its location along 3 Streets. Below is a description of how each newly created portion will receive suitable access, which is shown in Figure 2:

- Portions 1, 2, and 3 will receive access from Kauna Asino Street;
- Portion 4 will receive access from either Kauna Asino Street or Isabella Bock Street;
- Portions 5 and 6 will receive access from Isabella Bock Street;
- Portion 11 and the Remainder will receive access from Isabella Bock Street by means of panhandle access;
- Portion 7 will receive access from either Isabella Bock Street or the unnamed Street;
- Portions 8, 9, and 10 will receive access from the unnamed Street.

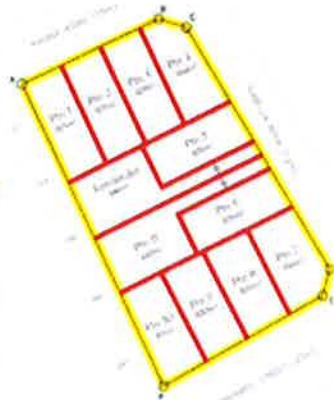


Figure 2: Access to newly created portions.

Kauna Asino Street (15m), Isabella Brock Street (12m), and the unnamed Street (20m) are all wide enough to accommodate residential traffic and are considered suitable to provide safe and easy access to the newly created portions. Furthermore, sufficient space will be available and planned for suitable parking on all the newly created portions which will be evaluated with the submission of the building plans.

In conclusion, safe and suitable access to each new portion can be achieved without causing traffic congestion or negatively affecting the future amenity of the area.

4.2. SERVICES

The provision of services is compensated for in the following manner:

- 1) Payment of a once-off 7.5% endowment fee for every new Portion will help the Swakopmund Municipality to upgrade and/or maintain its overall bulk infrastructure and;
- 2) Provision and installation of service connections to each new Erf, at the developer's cost, to the satisfaction of the Local Authority, Erongo RED, and Telecom Namibia.

The current zoning and density allow up to 15 dwelling units on Erf 1266, Matutura Extension 7. Thus, there is sufficient capacity to serve the proposed 12 dwelling units that will be developed on the newly created erven.

5. DEMAND, NEED, AND DESIRABILITY

There is a need in the market for smaller, more affordable freehold title detached housing. Due to the size, shape, and accessibility of Erf 1266 Matutura Extension 7, the site is considered suitable and ideal for the purpose of delivering smaller, more affordable freehold title detached housing.

Erf 1266 Matutura Extension 7 measures 3 925m² and is zoned General Residential 2 with a density of 1:250m², and can therefore be theoretically developed for 15 dwelling units through a sectional title scheme. Although the provision of a different housing type (freehold title) than initially planned (sectional title) is proposed, it should be noted that layout planning is not an exact science, but rather a dynamic process of systems and methods. Standards and Guidelines cannot be cast in stone when it comes to human settlement planning, as human settlements develop and grow over time as a result of political, social, economic, and environmental changes. The principle of spatial resilience, whereby flexibility in spatial plans, policies, and land use management should be applied within township establishments to ensure sustainable livelihoods. Flexibility in spatial plans, policies, and land use management can help communities not only survive, but conquer economic and/or environmental changes, and in this case the demanding housing market changes.

No development has taken place on the site in terms of its current General Residential 2 zoning since the establishment of the Matutura Extension 7 Township in May 2019. As there is now a need to develop the property for the provision of 12 freehold title detached dwelling units, it must be considered that the utilisation of the property for this purpose is more in demand than the utilisation of the site for the provision of dwelling units within a housing scheme. None of the identified General Residential zoned erven within Matutura Extension 7 has been developed, therefore sufficient General Residential zoned land remains to accommodate any future need for dwelling units within a housing scheme.



When considering the compatibility of the proposed development with the surrounding properties, it can be seen from Figure 3 below that the layout and shape of the newly created erven fit in and are complementary to the layout design of the surrounding residential erven.



Figure 3: Compatibility of the proposed development with surrounding residential area.

Through the proposed development, temporary employment during the construction phase will be provided. The proposed development will also generate an increase in monthly payments of service charges by each owner of the newly created erven. The proposed development will have a direct/indirect positive impact on economic growth, which is much needed in light of the Country's current economic status.

In conclusion, the proposed development will address the demand, need, and desirability for smaller, more affordable freehold title detached housing in Matutura Extension 7, and Swakopmund in general.

6. STATUTORY/POLICY SUPPORT

6.1. Swakopmund Zoning Scheme

The table below shows how the proposed rezoning of Erf 1266 Matutura Extension 7 from General Residential 2 (1:250m²) to Single Residential (1:300m²) and subsequent subdivision into 12 Erven (11 Portions and Remainder), will comply with the clauses/provisions/restrictions set out in the Swakopmund Zoning Scheme for Single Residential zoned land:

Table 4: Compliance with Clause 5A of the Swakopmund Zoning Scheme.

| Single Residential Requirements | Compliance |
|--|---|
| <u>Primary Uses</u>
"Dwelling Unit" | The newly created properties as a result of the subdivision, will each be developed with a dwelling unit. |



| | |
|---|--|
| Definition
Dwelling Unit means: "a dwelling with or without an outbuilding consisting of mutually adjacent rooms with a kitchen and with at least a bathroom and toilet facilities, and designed for occupation by a single household....." | All dwelling units will be designed for occupation by a single household and will provide the associated facilities as defined. |
| Minimum erf size
No newly created single residential erf shall be smaller than 300m ² | All 12 newly created erven will be a minimum of 300m ² . |
| Density
No buildings in the Single Residential zone may exceed the densities specified in Table A1 | The density zone of 1:300m ² will be complied with. |
| Parking
As determined by Council | Suitable on-site parking will be provided on each newly created portion. 1 parking bay per dwelling unit is generally accepted. |
| Height, Coverage, Bulk, Building lines & Additional land-use restrictions | These development parameters will be evaluated with the submission of building plans for the dwelling units and the necessary consent uses/relaxations (if any) will be applied for. |
| Betterment Fee
Not applicable when rezoning from General Residential to Single Residential | N.A. |

6.2. Swakopmund Urban Structure Plan 2020-2040

Erf 1266 Matutura Extension 7 is situated in the residential area identified as H2, which has an existing low and medium residential density character as indicated in Figure 4 below.



Figure 4: Location of Erf 1266 Matutura Extension 7 in the identified residential Zone H2 as per the Swakopmund Urban Structure Plan 2020-2040.

The proposed development will not change the character of the residential neighbourhood and will rather strengthen the residential character by providing affordable freehold title housing on available land within an existing township. The site is earmarked for the provision of housing which is achieved with the proposed development. The only change is in the type of housing: 12 freehold title erven instead of 15 sectional title dwelling units. Although mixed housing typologies are identified as a spatial strategy for the future Swakopmund, the implementation thereof will naturally occur/be preferred near existing nodes throughout the town. Matutura Extension 7 is a relatively new township establishment with no current nodes within or near the township. As the township grows and becomes more developed, the need for mixed housing typologies might start to develop and 5 large General Residential erven remain to accommodate this future need.



6.3. ALAN Panhandle

In order to comply with the minimum 300m² residential erf size requirement and the creation of rectangular shaped erven which is preferred for Single Residential zoned erven, it is necessary and possible for 2 Erven (Portion 11 and the Remainder) to receive access via a panhandle. With reference to the ALAN Panhandle policy for panhandle widths in residential subdivisions, the proposed panhandle accesses to Portion 11 and the Remainder complies with the guidelines as indicated below:

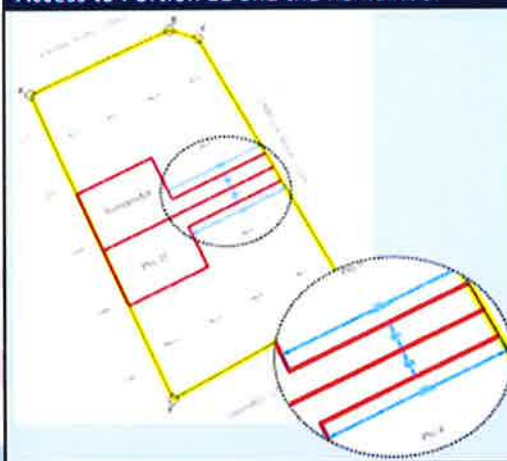
| Access to Portion 11 and the Remainder | | | | |
|--|----------------|----|---------|----|
|  | | | | |
| Distance | Dwelling Units | | | |
| | 1 | 2 | ≥3 to 6 | ≥7 |
| ≤30 | 4m | 4m | 6m | 6m |
| ≤45 | 4m | 6m | 6m | 6m |
| >45 | 6m | 6m | 6m | 6m |

Table 5: Compliance with ALAN Panhandle Policy

The proposed panhandle access can be favourably considered as it allows the creation of 2 more Erven. Furthermore, it helps to create erven on the site with a similar shape and size as the surrounding residential erven.

6.4. MURD Town Planning Standards and Urban Design Guidelines

The table below shows how the proposed subdivision and rezoning are in accordance with the Ministerial Town Planning Standards and Urban Design Guidelines of 2013.

Table 6: Evaluation of application i.t.o. the Ministerial Town Planning Standards and Urban Design Guidelines.

| Policy Directive | Evaluation |
|--|---|
| Minimum erf sizes | All 11 Portions and the Remainder are larger than the required 300m ² minimum erf size for single-family housing. |
| General street layout and width | Suitable access to each new portion can be obtained from the adjacent 3 streets; Kauna Asino Street (15m), Isabella Bock Street (12m), and the unnamed Street (20m). All streets are wide enough to provide easy and safe access to each newly created portion. All portions can receive individual access, while Portion 11 and the Remainder will each be accessed via a 4m wide panhandle. The street width remains sufficient in size to accommodate space for pedestrians, landscaping, street furniture, parking, and municipal services. |



| | |
|--|--|
| Open Spaces | No new open spaces are created with the rezoning and subdivision. Sufficient Open Spaces were created with the establishment of the Matutura Extension 7 Township. |
| Main roads/Bypass roads | No access is taken from a Main or Bypass road, but rather from urban streets. Therefore no building restrictions in this regard apply. |
| Stormwater & Environmental Management | The property is not situated inside a natural watercourse and the site is level with adjacent streets. All stormwater drainage, if it rains at the coast, will form part of the street network. No environmental clearance certificate is required in terms of the Environmental Management Act (No. 7 of 2007). |
| Legislative Procedures | Application for rezoning and subdivision is made in terms of Section 105(1)(a) & 105(1)(e) of the Urban and Regional Planning Act, Act no. 5 of 2018, and all legislative procedures in terms of this Act will be followed. |
| Local Economic Development | The rezoning and subdivision will have a direct and indirect positive impact on economic growth and employment creation during the construction phase of the dwelling units, which are much needed in light of the current economic recession. The rezoning and subdivision can be regarded as local economic development, in the form of housing provision, which will contribute to the overall improvement of the Matutura Extension 7 residential neighbourhood. |
| Principles for town planning and design | With the proposed rezoning and subdivision, spatial justice and good governance are promoted in ensuring that the use of the property for freehold title detached housing corresponds with the Single Residential zoning of the property. |

From the above, it can be concluded that the proposed application is in accordance with the Ministerial Town Planning Standards and Urban Design Guidelines.

7. SUMMARY

The proposed rezoning and subdivision of Erf 1266 Matutura Extension 7 as motivated in this report, can be favourably considered for the following reasons:

- ✓ The site is ideally located in terms of its size, shape, access to streets, and compatibility with the surrounding residential area to be utilised for the provision of affordable freehold title detached housing in Swakopmund, and in particular Matutura Extension 7;
- ✓ Safe and suitable access to each newly created portion will be achieved and there is sufficient capacity for adequate service provision;
- ✓ All the newly created portions are larger than the required 300m² minimum size for single-family housing;
- ✓ The town planning principle of Spatial Resilience is applied by promoting flexibility in spatial plans to accommodate the current need of communities;
- ✓ The proposed development will provide housing on existing land that is available and suitable for this purpose and will strengthen the residential character of the neighbourhood;
- ✓ There remains more than sufficient General Residential land if there might be a need in the future for more densified development and/or mixed housing typologies;
- ✓ The proposed development is supported in terms of the applicable town planning statutory/policy guidelines.

Due to the above reasons, the Council can favourably consider the proposed rezoning and subdivision application.



8. PUBLIC CONSULTATION

The public will be notified of the application in terms of Section 107(1) of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) and Section 10 of the Act Regulations. A notice will be published in the Government Gazette and two newspapers for two consecutive weeks and a notice will be put up at site and at the Municipality's notice board. Notice letters will also be given out to identified neighbouring landowners. The deadline for comments/objections is Thursday, 27 July 2023. Once the deadline has been reached, the Proof of giving notice report will be submitted to the Swakopmund Municipality.

9. RECOMMENDATION

Given the need, desirability, and relevant policy alignment, it is recommended to support the following applications in terms of the Urban and Regional Planning Act, Act no. 5 of 2018 under Section:

1. 105(1)(a) for the **REZONING** of Erf 1266 Matutura Extension 7 from General Residential 2 (1:250m²) to Single Residential (1:300m²) and;
2. 105(1)(e) for the **SUBDIVISION** of Erf 1266 Matutura Extension 7 into 12 Erven (11 Portions & the Remainder).

I trust the above recommendation for the proposed rezoning and subdivision application meets your favourable consideration. Please do not hesitate to contact me should you need additional information.

Yours faithfully,


 Melissa Krcon
 Town Planner

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 Bruce Stewart
 Town Planner

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SPECIAL POWER OF ATTORNEY

I, the undersigned,

Hendrik Cronje van Niekerk

in my capacity as the OWNER OF ERF 1266, MATUTURA EXTENSION 7

do hereby nominate, constitute and appoint

STEWART PLANNING – TOWN AND REGIONAL PLANNERS
P.O. BOX 2095, WALVIS BAY, NAMIBIA

with full power of substitution, to be my true and lawful Attorney and Agent for me and in my name, place and stead, to make the necessary application to the Municipality of Swakopmund, and/or Urban and Regional Planning Board for the:

REZONING OF ERF 1266, MATUTURA EXTENSION 7 FROM GENERAL RESIDENTIAL 2 (1:250M²) TO SINGLE RESIDENTIAL (1:300M²) AND SUBSEQUENT SUBDIVISION INTO 12 ERVEN (11 PORTIONS AND REMAINDER)

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

thus done and signed at Swakopmund this 28th day of May 2023

in the presence of the undersigned witnesses:

Signature:

HENDRIK CRONJE VAN NIEKERK

Witness 1

Name:

D.J. Venter

Signature:

Witness 2

Name:

J.H. van Smaun

Signature:



**ANNEXURE B**

Shop 2 Ground Floor Alkaidhof
cni Libertina Amathila Avenue and Bismarck Street
Swakopmund Namibia
P O Box 2934 Swakopmund Namibia
tel +264 64 415380
infoNAM@ENSAfrica.com

our ref: 0624597

your ref: ERF 1266 M

07 SEPTEMBER 2023

TO WHOM IT MAY CONCERN

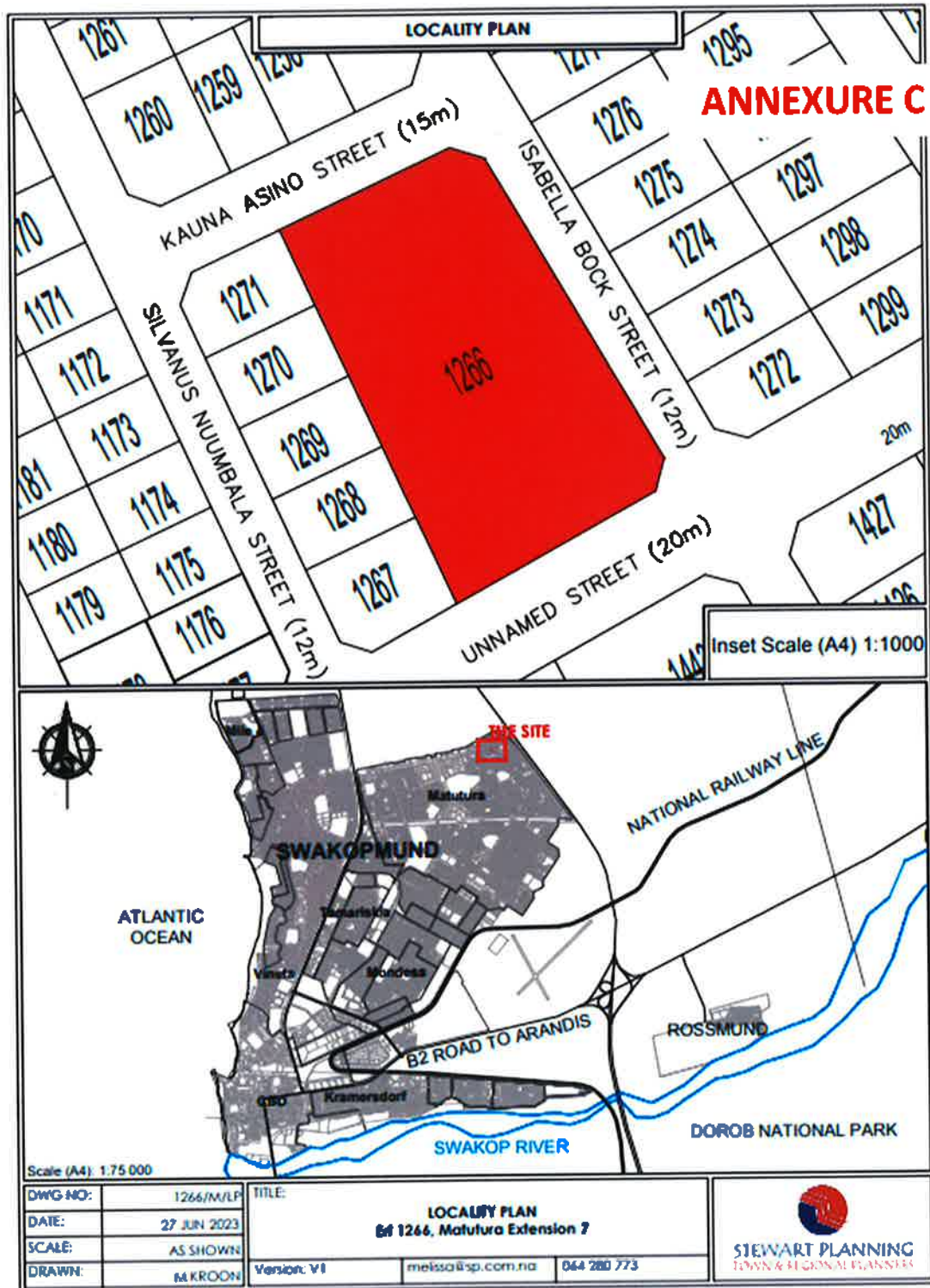
**OUR TRANSFER OF REMAINDER ERF NO. 1266 MATUTURA (EXT 7) FROM THE MUNICIPAL COUNCIL
OF SWAKOPMUND TO H.C. VAN NIEKERK**

We refer to the above and herewith confirm that the Transfer was duly registered in the Deeds Office today, the
07TH SEPTEMBER 2023.

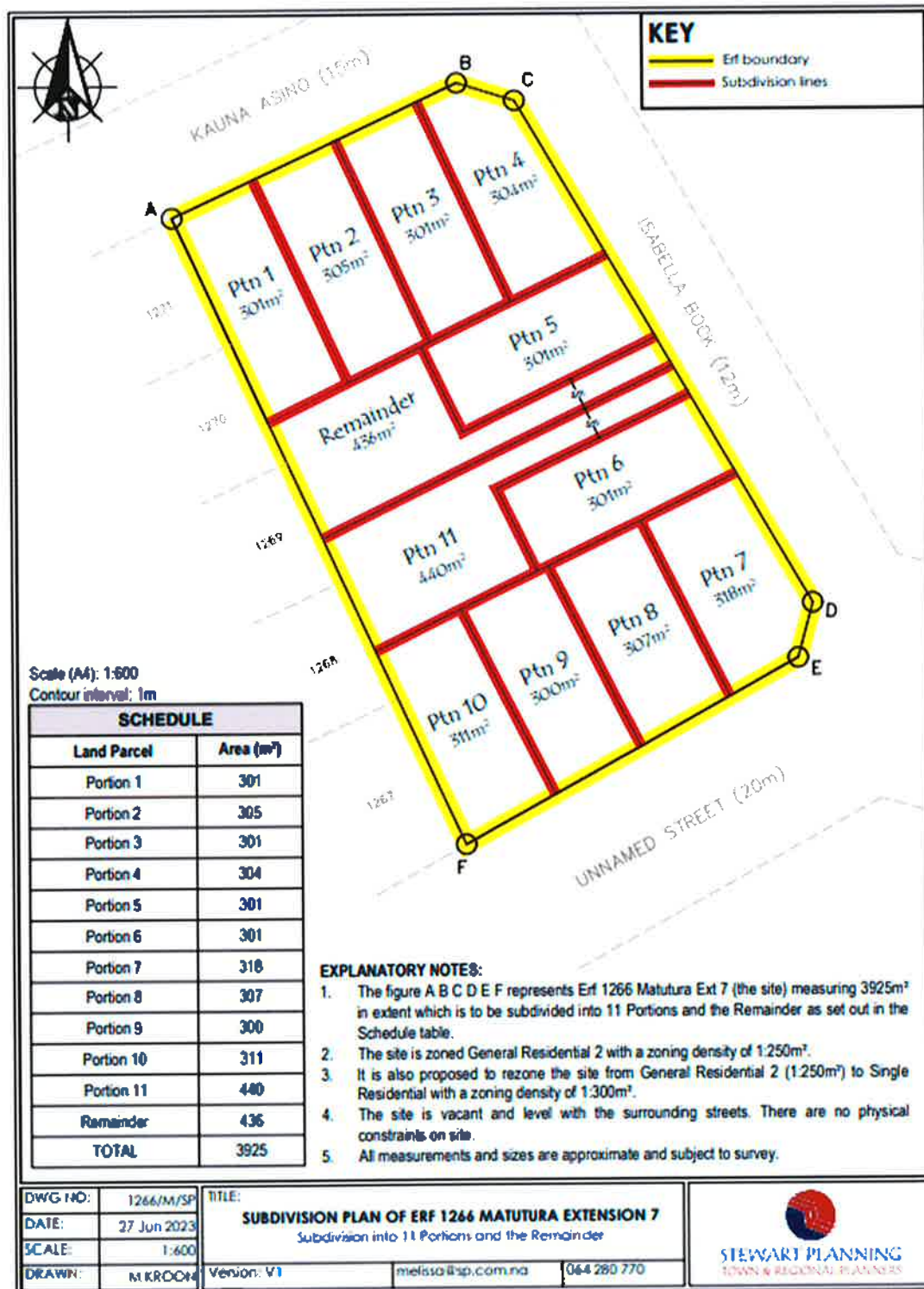
ENSAfrica / Namibia

Sent electronically

**PER R RUKORO
DIRECTOR**







ANNEXURE D**CONDITIONS TO BE REGISTERED****REZONING AND SUBDIVISION OF ERF 1266 MATUTURA EXTENSION 7**

It is recommended that the conditions registered against Erf 1266 Matutura Extension 7 be cancelled and that the following conditions be registered against Portions 1 to 11 (portions of Erf 1266 Matutura Extension 7) and the Remainder of Erf 1266 Matutura Extension 7.

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 Swakopmund Zoning Scheme, prepared and approved in terms of the Urban and Regional Planning Act, 2018 (No.5 of 2018).
- b) The building value of the main building, including the outbuilding to be erected on the erf, shall be at least two times the municipal valuation of the erf.

**STEWART PLANNING**
TOWN & REGIONAL PLANNERS

First Floor CLA Building
84 Theo Ben Gurion Street
Walvis Bay

ANNEXURE E

www.sp.com.na
Tel: (064) 280 770
Email: melissa@sp.com.na

Our reference: 1266_M**28 August 2023**

Chief Executive Officer
Municipal Council of Swakopmund
c/o Rekotoka Street and Daniel Kamho Avenue
PO Box 53
Swakopmund

Attention: Mr John Heits

**ERF 1266 MATUTURA EXTENSION 7: REZONING AND SUBDIVISION APPLICATION:
PROOF OF GIVING NOTICE REPORT**

Reference is made to our rezoning and subdivision application for Erf 1266 Matutura Extension 7 dated 30 June 2023.

In this letter, we provide proof of giving notice in terms of Section 107(1) of the Urban and Regional Planning Act (Act No.5 of 2018) and the Regulations as published in Government Gazette No.7327 of 3 September 2020 (hereinafter referred to as "the Act").

1. Proof of Notice

The application was advertised in the following manner.

- **Regulation 10(1): Notice in the Gazette for 1 Week.**
A notice was published in Government Gazette No. 8122 of 30 June 2023, Notice No.312. (see Annexure A).
- **Regulation 10(2): Notices in 2x Newspapers for 2 Weeks.**
Notices were published in the Namibian and the Namib Times. The first notice were only published in the Namibian on 30 June 2023 and the second notices were published in the Namibian and Namib Times on 7 July 2023. (see Annexure B).

The Namib Times confirmed that the first notice was received and booked but was unfortunately not published due to an error on their part (see Annexure C). Given that the notice was published in three newspaper editions (rather than four) and it generally met the purpose of public consultation, exemption will be made to the Minister in terms of Section 127 of the Act. The exemption clause makes provision for cases like this where human error with no significant impact occurs from time to time.

- **Regulation 12(a): Notice(s) on Site.**

Two notices (sized A2) were placed on the corners of the site and were on display from 30 June 2023 (see Figures 1 and 2 below). The site notices were on display until 17 August 2023 and meets the requirements set by the Act.



Figure 1: Photo of the site notice placed.



Figure 2: Photo of site notice.

- **Regulation 12(b): Notice at the Local Authority.**

A notice was prepared and provided to the Swakopmund Municipality to be placed on the notice board from 3 July 2023 until 17 August 2023 (See Figure 3 below).



Figure 3: Photo of board notice that was put up.

- **Regulation 10(4): Notice to neighbouring landowners.**

Notice was given to neighbouring landowners via registered mail and 2 neighbours without a postal address by electronic notification (Whatsapp) as illustrated in Figure 4 below and Table 1 on the next page. An example of the notice letters is provided as Annexure D and proof of registered post as Annexure E.

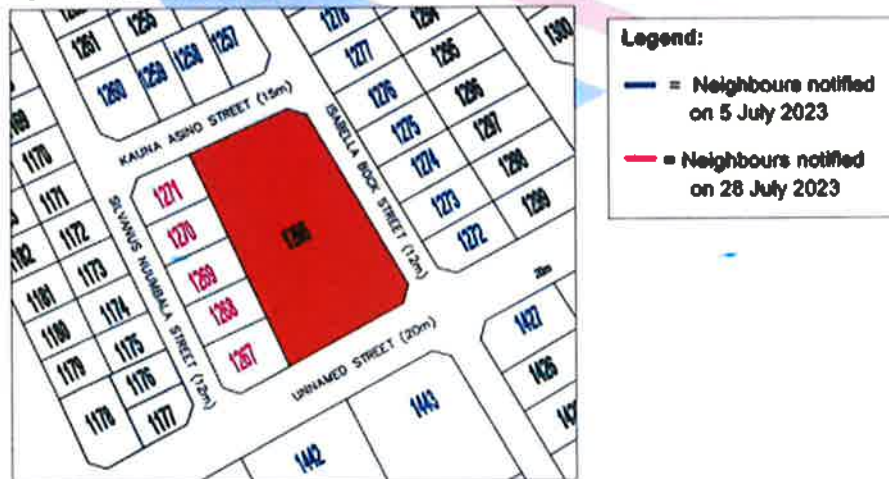


Figure 4: Neighbouring landowners notified.

- **Regulation 12(b): Notice at the Local Authority.**

A notice was prepared and provided to the Swakopmund Municipality to be placed on the notice board from 3 July 2023 until 17 August 2023 (See Figure 3 below).



Figure 3: Photo of board notice that was put up.

- **Regulation 10(4): Notice to neighbouring landowners.**

Notice was given to neighbouring landowners via registered mail and 2 neighbours without a postal address by electronic notification (Whatsapp) as illustrated in Figure 4 below and Table 1 on the next page. An example of the notice letters is provided as Annexure D and proof of registered post as Annexure E.

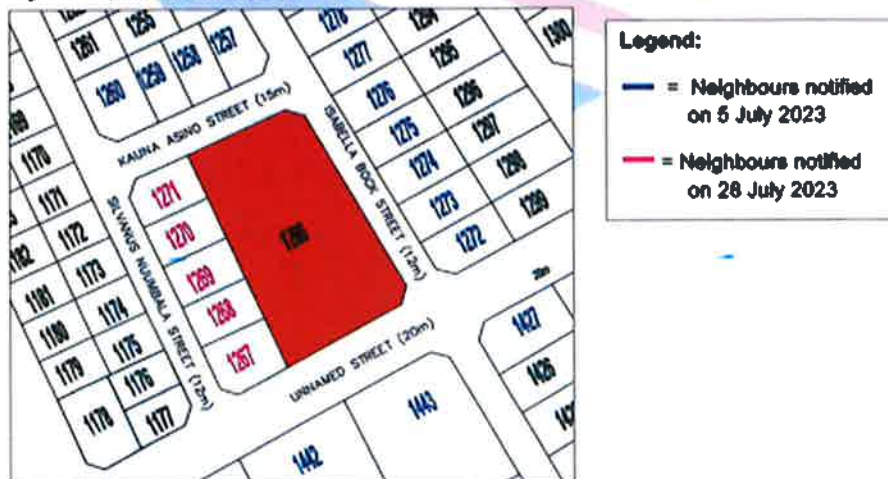


Figure 4: Neighbouring landowners notified.

Table 1: Neighbouring landowners were notified as per the owner information received from the Swakopmund Municipality:

| No. | Erf, Matuturs
Ext 7 | Owner's Name | Postal Address | Contact |
|-----|------------------------|---------------|--------------------------------|------------|
| 1 | 1442 | AMADHILA LT | P O BOX 22198
WINHOEK | |
| 2 | 1443 | SWART JP | P O BOX 7247
SWAKOPMUND | |
| 3 | 1427 | VLERMUIS E | P O BOX 4800
VINETA | |
| 4 | 1272 | HOESES LH | P O BOX 4814
VINETA | |
| 5 | 1273 | TSAUBES V | PRIVATE BAG 5004
SWAKOPMUND | |
| 6 | 1274 | KANDUME G | P BOX 8280
SWAKOPMUND | |
| 7 | 1275 | NTINDA JM | P O BOX 137
VINETA | |
| 8 | 1276 | KEEJA EK & IK | SELF COLLECT
WALVIS BAY | 0817100022 |
| 9 | 1277 | SEIBES R | P O BOX 8419
SWAKOPMUND | |
| 10 | 1278 | KAPYE L&E | P O BOX 181
ARANDIS | |
| 11 | 1257 | NAMBADJA SN | P O BOX 42
SWAKOPMUND | |
| 12 | 1258 | NUMBEMBE M | P O BOX 8721
SWAKOPMUND | |
| 13 | 1259 | ELIEASER OC | SELF COLLECT
SWAKOPMUND | 0813148739 |
| 14 | 1280 | HANSEN IC&FJP | P O BOX 123
WALVIS BAY | |
| 15 | 1271 | FILLIPUS M | P O BOX 7161
SWAKOPMUND | |
| 16 | 1270 | GAWASES E | P O BOX 1788
SWAKOPMUND | |
| 17 | 1269 | ISAK A | P O BOX 7162
SWAKOPMUND | |
| 18 | 1268 | MUNGATEKA L | P O BOX 888
SWAKOPMUND | |
| 19 | 1287 | NAKASHONA F | P O BOX 3433
VINETA | |

- Regulation 12(c): Additional method of giving notice (optional). Interested and affected parties were given the opportunity to download the complete application from www.sp.com.na/projects or to inspect the complete application at the local authority.

The initial public participation period started on 7 July 2023 and the deadline for objections was before or on 17:00, 27 July 2023. This afforded interested and affected parties a total of 15 working days (the minimum is 14 working days) to provide comments and/or objections.

However, when the deadline was reached it was noticed that an additional 6 neighbours also needed to be notified and therefore the public participation period was extended until 17 August 2023 to allow the 6 additional identified neighbours the opportunity to provide comments/objections within 14 working days (28 July 2023 – 17 August 2023).

2. Comments and objections

No written comments or objections to the proposed rezoning and subdivision application were received by the initial or extended public participation period deadline.

3. Recommendation

Due to receiving no objections, it is recommended that the Municipal Council of Swakopmund proceed with the processing of the application and recommend the approval of the application to the Urban and Regional Planning Board.

Yours faithfully,



Melissa Kroon
Town Planning Officer



STEWART PLANNING
TOWN & REGIONAL PLANNERS

Tel: +264 04 980 773 | Email: melissa@sp.com.na

4. Attachments

- Annexure A: Gazette notice dated 30 June 2023
- Annexure B: Newspaper notices dated 30 June 2023 and 7 July 2023
- Annexure C: Namib Times omission error letter dated 3 July 2023
- Annexure D: Example of notice letters sent 5 July 2023 and 28 July 2023
- Annexure E: Proof of registered post sent on 5 July 2023 and 28 July 2023

12

Government Gazette 30 June 2023

8122

The application and locality plans are available and open for inspection during working hours at the Swakopmund Municipality: Town Planning Division.

Any person having any objections or wish to comment on the statutory procedures as set above, may lodge such objections to the Chief Executive Officer, P. O. Box 53, Swakopmund, within 14 days after appearance of this notice, duly motivated in writing, on or before 20 July 2023.

B. ALPEUS
CHIEF EXECUTIVE OFFICER
MUNICIPALITY OF SWAKOPMUND

14 June 2023

No. 312

2023

REZONING AND SUBDIVISION OF ERF 1266, MATUTURA EXTENSION 7

Stewart Planning - Town & Regional Planners intends to apply, on behalf of the registered owner, to the Municipal Council of Swakopmund, the Urban and Regional Planning Board, and the Ministry of Urban and Rural Development for the following:

Erf 1266, Matutura Extension 7: Rezoning from General Residential 2 with a density of 1:250m² to Single Residential with a density of 1:300m² and subsequent subdivision into 12 Erven (11 Portions and the Remainder).

The aforementioned application is submitted in terms of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) and the Swakopmund Zoning Scheme.

Take note that -

- (a) the complete application lies open for inspection at the Town Planning Department of the Swakopmund Municipality, on the corner of Rakotoka and Daniel Kamho Street, Swakopmund, or can be downloaded from www.sp.com.na/projects.
- any person having comments or objections to the application, may in writing lodge such objections and comments, together with the grounds thereof, with the Chief Executive Officer of the Swakopmund Municipality and with Stewart Planning within 14 days of the last publication of this notice.
- Written objections must be submitted before or on 17h00, Thursday, 27 July 2023.

Local Authority:
Chief Executive Officer
Municipality of Swakopmund
P.O. Box 53, Swakopmund
Email: jheita@swkmun.com.na
064 410 4403

Applicant:
Stewart Planning
Town & Regional Planners
P.O. Box 2095, Walvis Bay
Email: melissa@sp.com.na
064 280 773

No. 313

2023

REZONING OF ERF 928, VOLGELSANG STREET, LÖDERITZ

Plan Africa Consulting CC, Town and Regional Planners, on behalf of the owners of the respective erf, intends to apply to the Löderitz Town Council for:

For dependent trust income by check or
electronically on or before 4 August 2021.

[illegible]

Call today to learn more about this exciting opportunity. Call 1-800-855-8555 or visit our website at www.1000000.com. We are looking for people who are motivated, hardworking, and have a strong desire to succeed. If you are ready to take the next step in your career, we want to hear from you. Contact us today!

Any algorithm to the rule of any of the listed properties should be done in a way that does not affect the rule of the game.

1000, of the international property
collection at the University of
the United Kingdom, London.

NO. 1 SOUTHERN STREET ANGLERS,
HUNTERDON, N.J. 08822

THE HAMBURG

Friday 30 June 2023 31

| Notice | Notice | Notice | Notice | Notice | Notice | Notice |
|--|--|--|--|--|--|--|
| <p>NOTICE
OF THE
HAMBURG</p> <p>1. I, DR. WIDDER, KAU-
TA & HOFER, INC. MARIT-
TIME BUILDING, THEO-BEN
GURRUS, STREET WILHELM
BAY, Period allowed for in-
tervention of claims if other than
30 days: N/A. Address, and
address: WIDDER, KAU-
TA & HOFER, INC. MARIT-
TIME BUILDING, P.O. BOX 4058
WILHELM BAY, Date: 14 JUNE
2023. Tel: 211480. Notice for
publication in the HAMBURG
ON FRIDAY 30 JUNE 2023.
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2023. Tel: 211480. Notice for
publication in the HAMBURG
ON FRIDAY 30 JUNE 2023.
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ANNEXURE C

namib times

SERVING THE COASTAL COMMUNITY SINCE 1958

Tel: 064 - 205894 / 064 - 461866 / Fax: 064 - 204813 / 064 - 451524 / Website: www.namibtimes.net

3 July 2023

Att: Melissa Kroon
STEWART PLANNING
84 Theo Ben Gurirab Avenue
Box 2095 Walvis Bay
Tel: (064) 280 770

TO WHOM IT MAY CONCERN

Dear Melissa

We trust this letter finds you well.

We refer to your email sent on Monday 26 June 2023, requesting for your Rezoning and Subdivision Notice of Erf 1266 Matutura Extension 7, to appear in the Namib Times of Friday 30 June 2023 and Friday 7 July 2023.

We unfortunately missed the first edition, 30 June 2023 but will print the second edition on Friday 7 July 2023.

We regret this error and wish to extend our sincere apologies to your organisation.

Once, again our sincerest apologies for any delays this might have caused.

Kind regards

Mikkie Kriel
Namib Times Marketing
Cell: +264 81 725 8070 - Work
Cell: +264 81 286 9519 - Private
email: mikkie@namibtimes.net



STEWART PLANNING

TOWN & REGIONAL PLANNERS

First Floor CLA Building
84 Theo Ben Gurrah Street
Walvis Bay

P.O. Box 2095
Tel: (064) 280 770
Email: melissa@sp.com.na

Reference: 1266M

5 July 2023

NOTICE TO NEIGHBOURS: PROPOSED REZONING AND SUBDIVISION ERF 1266 MATUTURA EXTENSION 7

Take note that Stewart Planning – Town & Regional Planners intends to apply, on behalf of the owner of Erf 1266, Matutura Extension 7 for the rezoning of the property from General Residential 2 (1:250m²) to Single Residential (1:300m²) and subsequent subdivision into 12 Erven (11 Portions and the Remainder).

Erf 1266 Matutura Extension 7 is a vacant property situated along Kauna Asino Street, Isabella Bock Street, and an unnamed Street. The purpose of the application is to provide affordable freehold title detached housing, in accordance with the Single Residential development parameters set out in the Swakopmund Zoning Scheme.

The application is submitted in terms of the Urban and Regional Planning Act, 2018 (No.5 of 2018) and in terms of the Swakopmund Zoning Scheme. The full application is available to download from www.sp.com.na/projects or can be inspected at the Town Planning Department of the Municipality of Swakopmund, corner of Rakotoka and Daniel Kamho Avenue, Swakopmund.

Take note that any person having objections or comments to the application must lodge such objections or comments, together with the grounds thereof, in writing with the Chief Executive Officer of the Municipality of Swakopmund and Stewart Planning within fourteen (14) days of the last publication of this notice to the address provided below. Written objections or comments must be submitted before 17:00, Thursday, 27 July 2023.

Chief Executive Officer
Municipality of Swakopmund
PO Box 53, Swakopmund
Tel: 064 410 4403
Email: jheita@swkmun.com.na

Applicant
Stewart Planning
P.O. Box 2095, Walvis Bay
Tel: 064 280 770
Email: melissa@sp.com.na

If you have any questions regarding the proposed rezoning and subdivision, please do not hesitate to contact my office.

Yours faithfully,


Melissa Kroon
Town Planner

 **STEWART PLANNING**
TOWN & REGIONAL PLANNERS
Tel: +264 84 280 770 | Email: melissa@sp.com.na

ANNEXURE E

LIST OF REGISTERED ITEMS POSTED

5 July 2023

by Melissa Keron, Stewart Planning, PO Box 2035, Waiuku Bay

nzpost®

| Sender's reference no. | Addressee's name and address | Registration no. |
|------------------------|--|-------------------|
| 1 | AMADHILA, LT
PO Box 22196
Windsor | BA 000 731 098 NA |
| 2 | SWART, JP
PO Box 7247
Swakopmund | BA 000 731 107 NA |
| 3 | VIERMUS, E
PO Box 4300
Vineba | BA 000 731 115 NA |
| 4 | HOESER, LH
PO Box 4616
Vineba | BA 000 731 124 NA |
| 5 | TSAUSE, V
Private Bag 5000
Swakopmund | BA 000 731 138 NA |
| 6 | KANDIME, G
PO Box 8280
Swakopmund | BA 000 731 141 NA |
| 7 | NTINDA, JN
PO Box 137
Vineba | BA 000 731 189 NA |
| 8 | KAPIYE, L&E
PO Box 181
Arandis | BA 000 731 172 NA |
| 9 | SEIKES, R
PO Box 8419
Swakopmund | BA 000 731 186 NA |
| 10 | NAKUBAIA, SN
PO Box 42
Swakopmund | BA 000 731 180 NA |
| 11 | NUMBEMBE, M
PO Box 5721
Swakopmund | BA 000 731 209 NA |
| 12 | HANSEN, JC & FSP
PO Box 123
Waiuku Bay | BA 000 731 212 NA |

shippo price 20034

Number of items

12

Received by

Chelben Hambers

Date stamp



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

P1/185

ANNEXURE E



LIST OF REGISTERED ITEMS POSTED

28 July 2023

by Melissa Keon, Stuart Penning Turner Regional Planner

[illegible]

studio per il 12647

Number of Items

5

Received by

Date-stamp



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

11.1.24 **REZONING OF PORTION 42 OF FARM 163 FROM AGRICULTURE TO SPECIAL AND CONSENT TO CONSTRUCT ADDITIONAL UNITS AND A RESTAURANT FOR A TOURIST ESTABLISHMENT WHILE THE REZONING IS IN PROCESS**
(C/M 2023/10/26 - PTN 42)

Ordinary Management Committee Meeting of 19 October 2023,
Addendum 8.11 page 130 refers.

A. This item was submitted to the Management Committee for consideration:

1. Purpose

The purpose of this submission is for Council to consider the application for the rezoning of Portion 42 of Farm 162 from "agriculture" to "special" and consent to construct additional units and a restaurant for a tourist establishment while the rezoning is in process.

2. Introduction and Background

An application for the rezoning of Portion 42 of Farm 162 from "Agriculture" to "Special" and consent to construct additional units and a restaurant for a tourist establishment while the rezoning is in process was received by the Engineering and Planning Services Department from Stewart Planning Town and Regional Planners applying on behalf of the owners. The application is attached as **Annexure A**.

On the **24th of February 2022** Council resolved to grant consent use for a Tourist Establishment on Portion 42, Smallholdings subject to the following conditions:

- (a) That consent to operate a Tourist Establishment on Portion 42, Smallholdings be approved subject to the following conditions:
 - (i) That the owner of Portion 42 of the Farm No 163, Swakopmund be requested to specify the type of the desired tourist establishment or facility in writing to the satisfaction of the General Manager: Engineering and Planning Services before the registration certificate is issued by the Health Department.
 - (ii) That the owner provides plans to indicate which building will be utilised for the "Tourist Establishment" activity as to be specified in (a) above.
 - (iii) Note should be taken that the applicant is limited to not more than 10% the size of the portion to be utilised for the "Tourist Establishment" activity. If the applicant would like to extend the activities within their allowable size as stated, it is still subjected to the existing consent process that allows them to construct additional dwellings.
 - (iv) That Council reserves the right to cancel a consent use should there be valid complaints.
 - (v) That the applicant registers with the Health Services Department and that the standard Health Regulations will apply.
 - (vi) That the applicant must operate within the Swakopmund Zoning Scheme provisions.
 - (vii) That consent is not transferable.

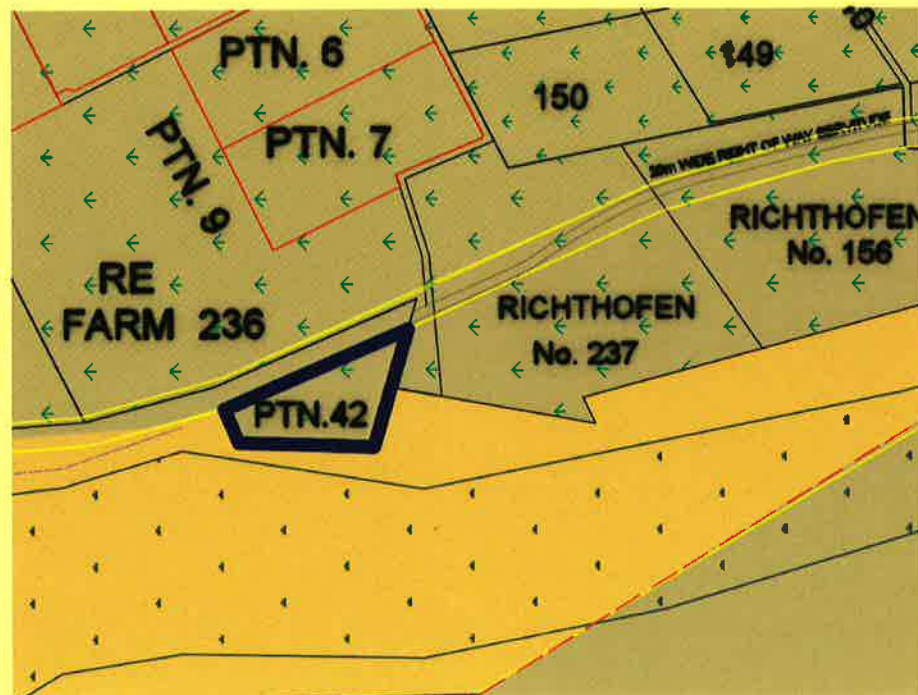
Building plans for additional self-catering units and the restaurant were submitted and it was picked up at this point that the applicant failed to comply with condition (iii) above which states that any extension of activities is subject to another consent use. The building plans are on hold, pending the approval for the extension of consent. The consent granted was to operate and not consent to construct. Hence the need to re-apply for consent to construct and operate a tourist establishment.

3. **Locality, Zoning and Size**

Portion 42 of Farm 163, Small Holdings is zoned "Agricultural" and is located at the river plots. The portion measures 5.0019 hectares in extent.

4. **Ownership**

The ownership of Portion 42 of Farm 163 vests in Mr. Martin Ignatius Karsten in terms of Deeds of Transfer No. T 3116/2020.



Locality map: Portion 42 of Farm 163

5. **Access, municipal services, and parking**

Access to Portion 42 is obtained from the public gravel road D01901. The property is connected to the municipal waterline. Additionally, there are three septic tanks on the premises. A new (forth one) septic tank together with an on-site sewer-line will be built to accommodate the increase in sewerage volume by the potential number of occupants on site.

Obviously, the proposed development will result in an increased demand and load in terms of water consumption, sewerage and refuse removal. Thus, the compensation fee must be levied. The provision and installation of any additional on-site services

should be for the account of the owner, to the satisfaction of the General Manager of the Engineering and Planning Services.

6. **Advertisement**

The proposed development was advertised in the Namib Times and the Namibian newspapers on the 6th and 14th April 2023. A notice was also placed on the site and another notice on Municipal notice board. The neighbouring property owners were notified, and the consultant held a public meeting with them. Additionally, a notice was published in the Government Gazette Number 8066, dated 14 April 2023, under General Notice Number 173. The closing date for objections and comments was the 9th May 2023. Seven (7) objections were received from the neighbouring property owners. See **Annexure B**.

7. **Proposal**

The applicant intends to rezone Portion 42 from "agriculture" to "special" for tourism and agricultural purposes. Moreover, the applicant would like to be granted consent to construct additional dwelling units and a public restaurant and consent to operate tourist establishment in a form of a lodge or resort.

In details, for tourist establishment, the applicant wishes to provide accommodation to guests and tourists in a form of self-catering units and campsites, a public restaurant, a bar, a swimming pool, wedding conference, braai area, petting zoo, horse/pony rides, river hiking and self-drive tours.

8. **Discussion**

8.1 **Objection**

As mentioned earlier in section 6 above, seven (7) objections were received. One of the concerns raised is a potential increased in noise pollution by open air live entertainment.

Another objection raised is against the self-drive 4x4 in the Swakop River, which is believed to damage the natural plants/species growing in the river and disturbance of the wildlife.

One of the immediate neighbours alluded in his objection that they experience a lot of annoyance caused by extremely loud music often in the evenings and goes on till the early morning hours. The noise pollution hinders their sleep and additionally they would like to enjoy the quiet and peaceful area. According to the objector, although friendly requests have been made to the owner in order to lower the noise, this did not yield any results but rather got aggressive and impolite reactions from the owner of Portion 42.

The objector further confirms that at the moment the noise situation has reduced, the volume of the music is no longer disturbing. However, he fears that with an expansion to the

already existing tourist establishment, the same problem might resurface, and could be even worse.

Another concern raised is about the size of the proposed development, that it will attract too many people and traffic which will negatively affect the roads, animals and neighbours.

Some of the objectors questioned why did the owner apply for rezoning if the intended tourism activities can still be done on an agricultural zoned property. They further indicated that they would support the consent use but not the rezoning.

The neighbours are not happy with the fact that he has already obtained the liquor license without careful consideration of their objections by the approving authorities.

8.2 Evaluation

There is no standard zoning which permits the combination of all the above-mentioned land uses, hence the proposal by the applicant to rezone to special, for agriculture and tourism.

Potential noise from live entertainment and the bar is the real concern and have been experienced in the past by the neighbours. The applicant should have to play the music within the allowable decibels (dB) to avoid the noise pollution. Additionally, to help mitigate and address the noise-related impact, the applicant must prove that indeed noise proofing has been done and a report by a certified sound engineer to that effect has been submitted to both the Engineering and Planning Services Department as well as the Health Services and Solid Waste Management Department.

Section 56 the Public and Environmental Health Act, 2015 stipulates that *"56. A person may not cause a health nuisance or may not permit to exist on a land or premises owned or occupy by him or her, or of which he or she is in charge, a health nuisance or other condition liable to be injurious or dangerous to health"*.

For the proposed river hiking, self-drive tours or any other activity the applicant intends to conduct in the river, the permission has to be obtained from the Ministry of Environment Forestry and Tourism to authorise such activities in the Dorob National Park as this is a protected and sensitive area. Council will not issue any Fitness Certificate without approval by the Ministry of Environment Forestry and Tourism.

On the objection about the size, to ensure that the primary purpose of agricultural land is uphold, Council confined the tourist establishment to 10% coverage of the total area of Portion 42. Note should also be taken that tourism is seasonal. It is not expected that the facilities will be utilized to their full capacity throughout the year.

On the liquor license, that is being handled by the Ministry of Justice and the normal procedures are that it is advertised in local newspapers for objections/comments. It is believed to be the same procedures in this case. The neighbours had an opportunity to object to the liquor license.

In terms of the Swakopmund Structure Plan, Portion 42 falls within the Urban Agriculture 5Ha zone. Thus, the agricultural activities remain the large proportion on the property. Yet, the Structure Plan promotes employment creation, recreation and tourism within Swakopmund Smallholdings.

Therefore, the envisaged development is in line and supported by the plans and regulations of Council. The proposed tourism activities will not have significant negative impact on the area as the nature of the proposed development is compatible to the zoning and area. During these daring economic times, people are encouraged to explore different economic prospects and have activities that restore life into the area. However, noise pollution will not be tolerated and will be dealt with accordingly should excessive noise be experienced.

According to the betterment fee policy, the rezoning from any zone to special has a betterment fee of up to 50% on own merits. Seeing that the proposed development will increase the load on the municipal infrastructure, a considerable percentage must be charged for compensation. However, note should also be taken that the proposed development is confined to a 10% only of the total floor area plus the fact that septic tanks will be used instead of sewer system. Therefore, 30% in respect of the compensation fee is fairly considered.

9. Conclusion

It is suggested that Council consider the application for the operation of a Tourist Establishment on Portion 42, Smallholdings.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That the rezoning of Portion 42 Smallholdings from "*Agriculture*" to "*Special*" for: Agriculture and Tourism be approved.
- (b) That consent to construct additional dwelling units and a public restaurant while the rezoning is in progress be turned down taking into consideration the possibility of appeals.
- (c) That the rezoning of Portion 42 Smallholdings is subject to a compensation fee of 30% calculated according to Section 9 (b) of Regulations relating to the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), in conjunction with the Betterment Fee Policy of 2009 and be paid by the

applicant before any approval of building plans or any renewal of the fitness certificate by the Engineering and Planning Department can be considered.

- (d) That the applicant provides proof that the rezoning has been approved by the Minister and promulgated before any business registration and/or submission of building plans to the Engineering and Planning Services Department for approval.
 - (e) That an Environmental Clearance Certificate be obtained before submission of building plans to construct any recreational, camping, leisure, or tourism facilities.
 - (f) That no Fitness Certificate be issued for river-hiking and / or river self-drive tours without approval by the Ministry of Environmental Forestry and Tourism.
 - (g) That the tourism activities be limited to 10% coverage of the size of the portion.
 - (h) That the applicant registers with the Health Services Department and that the standard Health Regulations will apply.
 - (i) That Council reserves the right to withdraw the Fitness Certificate should there be valid complaints.
 - (j) That the applicant must operate within the Swakopmund Zoning Scheme provisions.
 - (k) That the approval of the rezoning of Portion 42 is subject to the submission of a report that is to the satisfaction of the General Manager: Engineering and Planning Services Department as well as General Manager: Health Services and Solid Waste Management certifying that the area from which the proposed place of amusement will be conducted from is soundproof.
 - (l) That the objectors be informed of Council's decision and their right to appeal to the Minister against Council's Resolution in respect of resolution (a) above in terms of Clause 8 of the Swakopmund Zoning Scheme within 28 days of receipt of notice of this Resolution, provided that written notice of such an appeal shall be given to the Ministry, as well as Council within the said period.
-

ANNEXURE A- APPLICATION

17-03-01-Town 4

42(36)

8


STEWART PLANNING
 TOWN & REGIONAL PLANNERS

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Date: 06 April 2023

PORTION 42 OF THE FARM NO.163 (PLOT 42 SWAKOPMUND)

- Rezoning from "Agriculture" to "Special".
- Consent for a "Tourist Establishment" to construct additional guest units and a restaurant while the rezoning is in progress.

Submission to:

Chief Executive Officer
 Municipality of Swakopmund
 PO Box 53
 Swakopmund
 13001

Prepared for:

Martin Karsten
 Pompstasie
 ML Investments CC
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POMPSTASIE
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STEWART PLANNING
 TOWN & REGIONAL PLANNERS



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Attachments

- Annexure A Council Consent dated 5 April 2022
- Annexure B Locality and Zoning Plans
- Annexure C Special Power of Attorney
- Annexure D Deed of Transfer No. T3116/2020

1. Introduction

The owner has appointed Stewart Planning to apply for the rezoning and consent use application. Application is hereby made on behalf of the registered owner to obtain approval from the Municipal Council of Swakopmund for the following:

- [1] Consent for a "Tourist Establishment" on Portion 42 of the Farm No. 163 to construct additional guest units and a restaurant while the rezoning is in progress;
- [2] Rezoning of Portion 42 of the Farm No. 163 from "Agriculture" to "Special" to permit an Agricultural Building, Tourist Establishment, (Lodge/Resort and/or Campsites), Public Restaurant, Staff Quarters, Ancillary Recreational Facilities and Events (Bar and Entertainment Area, Swimming Pool, Petting Zoo, Wedding and Conference Venue, Live Entertainment and Social Events), provided that all buildings shall not cover more than 10% of the land parcel area in terms of Section 105(a) of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018) and its Regulations and in terms of the Swakopmund Zoning Scheme, as amended;
- [3] That a betterment fee of not more than 30% be charged for the rezoning in terms of the Ministerial Betterment Fee Policy of 2009.

This report will discuss the development, the site description, and the proposed rezoning in light of relevant policy and legislation, followed by the intended public consultation that will be followed as part of the rezoning/consent use process.

2. Background

On 5 April 2022, the Swakopmund Municipality granted consent (see **Annexure A**) for a "Tourist Establishment" on Portion 42 of the Farm No.163 (hereinafter referred to as Plot 42 or *Pompstasie*). Consequently, the owner's architect submitted building plans to build a restaurant and additional guest units.

The building plans were not approved as the consent approval was for the existing buildings and not for the proposed buildings. By implication, it means a new consent application will be required for each new building phase, to permit further development within the allowable 10% coverage.

It also became clear that the proposed restaurant will not only serve guests but the public as well, and public restaurants are not permitted under the "Tourist Establishment" definition. Due to this, it was thought best to apply to rezone the property to permit a public restaurant, additional guest units, and all proposed recreational facilities and events.

The owner appointed Stewart Planning to apply for such consent and rezoning hence the background to this application.

3. Development Proposal

The proposal for Plot 42 is best described as a lodge/resort that will provide self-catering units and campsites for the accommodation of guests or tourists. It will have a public restaurant and bar, and facilities such as a swimming pool, a braai area, and a petting zoo. Recreational activities such as horse/pony rides, river hiking or self-drive tours, and river camping will be provided for the enjoyment of guests. In addition, the lodge/resort will have a conference and wedding venue and host a variety of entertainment events and competitions.

Figure 1 shows the location of existing and proposed buildings in grey and red, respectively.

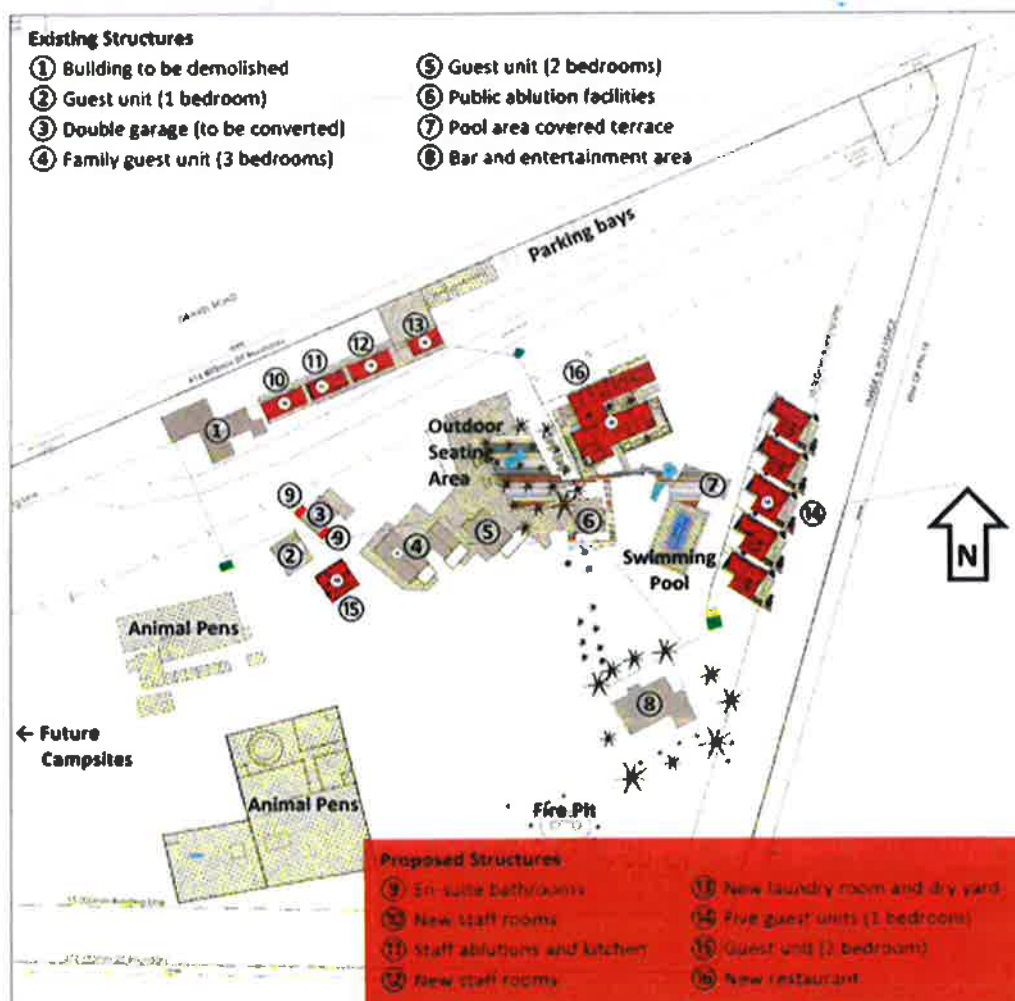


Figure 1: Plan dated 4 August 2022 depicting existing buildings in grey and proposed buildings in red (Credit: Konsep Architectural Design Consulting Studio).

The plot was inspected on 23 March 2023 and photos of the existing buildings and structures are shown as Figures 9 to 29 on pages 12 to 21 of this report

3.1. Existing Buildings and Land Use

Existing Self-Catering Units

The owner has developed 2 self-catering units as denoted by (2) and (5) in Figure 1, and a self-catering family unit (4) that can be used as two separate units. There is a total of 7 bedrooms available for the accommodation of guests.

The old house/building shown as (1) will be demolished and the existing double garage (3) will be converted into two units. On inspection, no guest was present and no rooms were occupied thus the plot is not open for business yet.

Recreational Facilities

Facilities in support of the lodge/resort have been built such as the outdoor seating area with braai facilities, public ablution facilities (6), water features, deck walkways, suspended bridges, a covered terrace and swimming pool (7), a bar and entertainment area (8), and a fire pit area/boma.

Animal Pens

Animal pens have been built which currently contain horses, donkeys, cows, mountain goats, pigs and all sorts of birds such as chickens, geese, pigeons, ostriches, parrots, peacocks and turkeys. These will be used for farming purposes but also as a future petting zoo.

3.2. Proposed Buildings and Land Use

Proposed Self-Catering Units

The owner intends to build 5 self-catering units (each with 1 bedroom) close to the eastern boundary as denoted by (14) and 1 double-bedroom self-catering unit indicated as (15) in Figure 1. The double garage will be converted into 2 units (each with 1 bedroom) and en-suite bathrooms will be built for each unit as shown by (9).

In the future, and not shown on the site development plan, is the intention to construct additional accommodation with at least 40 bedrooms of which at least 25 are en suite bedrooms.

Public Restaurant

The intention is to build a restaurant (numbered (16) on Figure 1) which will serve meals and drinks to overnight guests but also to day visitors so it will be open to the general public. The detailed floor plan is shown in Figure 2.

The restaurant will contain the usual indoor and outdoor dining area, kitchen, wash area, storage rooms and a reception. The restaurant will also have a bar, office and deli shop which will be ancillary and secondary to the primary operation of the restaurant.



Figure 2: Floor plan for the proposed public restaurant (Credit: Konsep Architectural Design Consulting Studio).

The restaurant will contain approximately 35 tables or 124 seats and the development area will measure 333m² in extent. The bar and lounge will have a total of 18 seats.

The deli shop will have takeaway foods, gifts and essential grocery items like milk, bread, and ice to serve the local plot community.

Staff Quarters

Staff will be required to assist with the day-to-day management of the lodge/resort such as serving guests, cleaning rooms, and washing the beds and linens. Some staff may prefer to stay on-site rather than travel back and forth from town.

The staff quarters (indicated as ⑩ and ⑫ on Figures 1 and 3) will have a total of 6 rooms (or 12 single beds) with a communal ablution and kitchen block numbered ⑪. If required, additional staff quarters may be built in the foreseeable future. A laundry room and outdoor dry yard will also be built which is indicated as ⑬ on Figure 3 below.

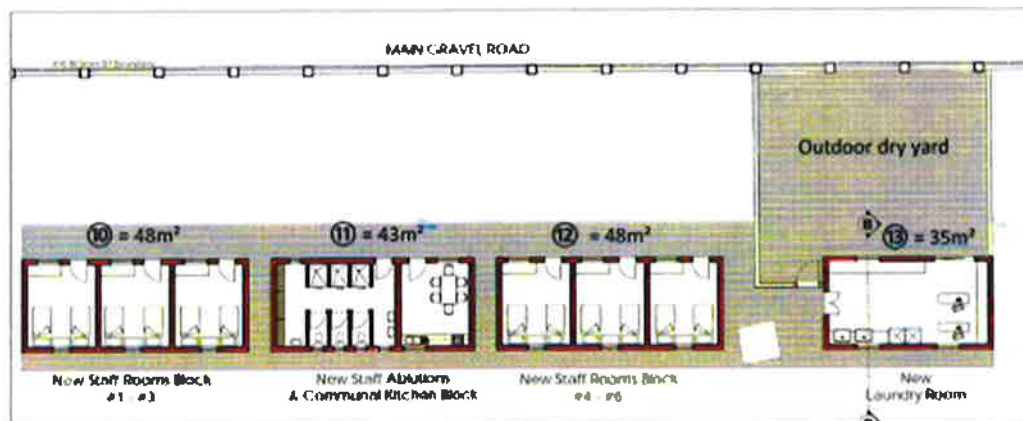


Figure 3: Proposed staff rooms, communal ablution and kitchen block, and laundry room. (Credit: Konsep Architectural Design Consulting Studio).

Petting Zoo

The existing animal pens will be converted into a petting zoo and additional pens may be built to house more animals. Horse and pony rides will be provided for families and children and educational information/tours will be offered to teach guests about the animals and their behaviour. The petting zoo will be an important attraction for the lodge/resort.

Proposed Recreational Activities and Events

In addition to the petting zoo activities, the lodge/resort will also offer river hiking trips and self-drive trips to show guests beautiful spots in the river like the *Flintstone Caves*. Special overnight river camping trips will also be provided.

The lodge/resort will also host various social events such as braai and potjiekos competitions or live entertainment at the outdoor seating area or the bar and entertainment area. The intention is also to host conferences, weddings and birthday events in the foreseeable future. Existing facilities will be used but the owner may want to build a dedicated hall to host these events, however, the location on-site has not been determined to date (nor is it shown on Figure 1 or Figure 4).

Campsites

Some guests may prefer to camp with ablution and other recreational facilities, thus the long-term intention is to build campsites on the western side of the plot. Detailed plans for the campsites and ablution blocks have not been prepared to date and are thus not shown on the site development plan, but the general area is indicated on Figure 4 on page 9.

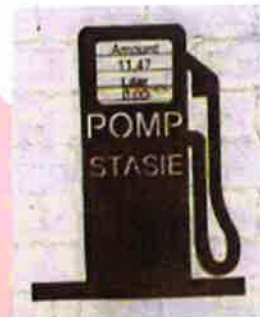
6. Ownership & Conditions of Title

In terms of Deed of Transfer No. T3116/2020, the registered owner of Portion 42 of the Farm No.163 is Martin Ignatius Karsten (see *Annexure D*). There are no restrictive conditions which prohibit or prevent the property from being rezoned.

Stewart Planning has permission to act on behalf of the registered owner for the proposed rezoning and consent use application by way of a signed Special Power of Attorney (see *Annexure C*).

7. Need and Desirability

The applicant has identified a need to establish a lodge/resort called *Pompstasie*. The term refers to a pump station found at any service station and is for thematic purposes only (see picture on the right). There is no intention to establish an actual service station.



The development proposal is comparable to *Windpomp 14* or *Goanikontes Oasis* which are great destinations to visit with the family – either a day visit at the public restaurant/bar or to spend overnight at a campsite or in a luxury guest unit.

Swakopmund River Plots have existing tourist establishments with the likes of *Sophia Dale Base Camp*, *Namib River Camp*, *Gecko Ridge Lodge*, the *Gut Richthofen Hotel*, and the former *Moonlight Resort*. These establishments are desirable and operate in harmony with the agricultural and residential use of the river plots. *Pompstasie* is expected to operate in harmony with the local area and to become the next exciting destination to visit.

Like with many plots, the harsh climate coupled with rocky outcrops and poor soil conditions reduces the land potential for farming or agricultural use. The scenic view of the Swakop river and moon landscape has made certain plots desirable to be used as accommodation establishments/tourist destinations. More establishments will likely be developed in the foreseeable future.

From a planning point of view, the river plots have the best potential for farming activity in an otherwise desert environment. Farming and locally grown produce must be promoted as a means to improve food security in the region. Any portion of land that is built is no longer suitable for farming, so over-development of the river plots can indirectly hamper food security.

However, the development will be restricted to 10% of the plot size. So 90% of the land will remain undeveloped/open for potential farming activity and/or to retain the rural aesthetic and amenity of the river plots. Thus development is not expected to negatively affect the residential and agricultural amenities of the river plots.

New tourist establishments, like *Pompstasie*, will generate temporary employment during the construction phase, and long term employment in the tourism industry. Construction will also generate sales in local wholesale and retail outlets, specially for building materials, furniture and goods. The deli shop will also support local producers and crafters by selling/promoting their products and gifts.

Great care has been given to the appearance of buildings and features, already giving the impression of a genuine upmarket lodge/resort.

In conclusion, the proposed development is considered needed and desirable, and subject to the 10% coverage restriction, it can be supported in principle like with many other existing establishments at the Swakopmund River Plots.

8. Potential Negative Impacts

8.1. Noise Impacts

The river plots have a quiet environment and this peaceful amenity is potentially disturbed by loud music from wedding or birthday events which usually continue past midnight. Although these events only occur on weekends, there is a need to limit loud music after certain hours as a means not to disturb guests staying at *Pompstasie* and surrounding plot owners.

Once the lodge/resort is operational, it will be an incentive to the owner to lower music volumes at late night to obtain favourable reviews from guests. This in itself becomes a mitigating factor to objectional noise.

Objectional noise can also be managed and controlled by the relevant authorities. With the previously issued consent, it was subject to a condition which stated: "That Council reserves the right to cancel a consent use should there be valid complaints". Concerned neighbours were also happy with this condition as it puts the Local Authority in control.

Once a property is rezoned, the land use rights become permanent and it is more complicated to cancel a zoning like a consent use. However, there are other legal means for a Local Authority to control and manage development, even if the property is rezoned.

For example, in terms of Clause 8.9 of the Swakopmund Zoning Scheme, the Council may impose any condition as it deems necessary, and such condition shall have the same force and effect as if they were part of the Swakopmund Zoning Scheme (see below).

| | |
|--------------|---|
| 8.9 | BINDING FORCE OF CONDITIONS IMPOSED |
| 8.9.1 | Where permission to erect any building, execute any works or to use any building or land for any particular purpose or to do any other act or thing, is granted under this scheme, and conditions have been imposed, the conditions shall have the same force and effect as if they were part of this scheme. |
| 8.9 | COUNCIL MAY IMPOSE CONDITIONS ON WARRANTING CONSENT |
| 8.9.1 | In giving its approval, authority, permission or consent under any clause in this scheme, Council may impose such conditions, as it deems necessary. |

For example, the Council may reserve the right to suspend the business registration certificate should there be valid noise complaints. Once such contravention is rectified by the owner to the satisfaction of the Local Authority, then the business registration certificate may be re-issued.

It is further noted that operating hours will also be attached to the liquor license which will be issued in terms of the Liquor Act of 1998 (Act No 6 of 1998), as amended. Therefore, the Regional Liquor Licensing Committee may suspend the liquor licence if valid objections are received.

In conclusion, objectional noise can be mitigated by the following factors:

- The owner will limit excessive noise for their guests that will be staying at *Pompstasie*.
- The Council can attach a condition reserving their right to suspend the business registration certificate if valid noise complaints are received; and
- The Regional Liquor Licensing Committee may suspend a liquor license if liquor is sold after certain operating hours.

Thus the owner, guests, neighbours and the Local Authority need to work together to manage and address noise complaints.

8.2. Impacts on General Amenity

The rural aesthetic and low residential density are an amenity attached to the river plots. Over-development will potentially change this character and result in a loss of this amenity. To preserve this amenity, building coverage must be restricted to some extent.

The Council attached the following condition to the previously issued consent:

- (iii) *Note should be taken that the applicant is limited to not more than 10% the size of the portion to be utilised for the "Tourist Establishment" activity. If the applicant would like to extend the activities within their allowable size as stated, it is still subjected to the existing consent process that allows them to construct additional dwellings.*

According to the Council Agenda Report (Swakopmund Municipality, 2022a:97), the 10% coverage restriction was implemented with a previous application submitted to the Council for Plot 48. Future applications will be considered on the same merits for consistency and to ensure the smallholding area maintain their original primary land use.

We are of opinion that this is a reasonable condition which should be attached to the rezoning application for Plot 42 as provided in the recommendation.

8.3. Traffic and Parking Impacts

Plot 42 has two entrances which take access from the D1901 Road. This gravel road is well maintained by the Roads Authority and maintenance expenses are not expected from the Local Authority.

The potential increase in traffic moving between Swakopmund and the plot is not expected to create a traffic hazard or negatively affect other property owners. The road is wide enough to accommodate additional traffic volumes.

There is sufficient space on the plot for on-site parking, therefore, no parking will occur off-site or within the road reserve.

8.4. Service Impacts

The development of Plot 42 will increase the load on services such as water consumption, sewerage, refuse removal, and electricity. This is compensated through the payment of the once-off betterment fee (see page 31) and monthly municipal bill payments to the Local Authority.

The owner will make suitable arrangements for the provision and installation of additional on-site services to the satisfaction of the Local Authority and Erongo RED. The plot is connected to a municipal water line, serving the wider smallholding area.

The plot contains three septic tanks. A new septic tank and on-site sewer lines will be built to accommodate the increase in sewerage generation and the potential number of people.

The plot ties into an existing main powerline which runs across the property. No additional electrical infrastructure is planned or required.

9. Proposed Consent Use

On 5 April 2022, the Council granted consent for a "Tourist Establishment" on Plot 42 subject to the following conditions (see Annexure A):

- (i) That the owner of Portion 42 of the Farm No 183, Swakopmund be requested to specify the type of the desired tourist establishment or facility in writing to the satisfaction of the General Manager: Engineering and Planning Services before the registration certificate is issued by the Health Department.
- (ii) That the owner provides plans to indicate which building will be utilised for the "Tourist Establishment" activity as to be specified in (a) above.
- (iii) Note should be taken that the applicant is limited to not more than 10% the size of the portion to be utilised for the "Tourist Establishment" activity. If the applicant would like to extend the activities within their allowable size as stated, it is still subjected to the existing consent process that allows them to construct additional dwellings.
- (iv) That Council reserves the right to cancel a consent use should there be valid complaints.
- (v) That the applicant registers with the Health Services Department and that the standard Health Regulations will apply.
- (vi) That the applicant must operate within the Swakopmund Zoning Scheme provisions.
- (vii) That consent is not transferable.

Building plans for additional self-catering units and the restaurant were submitted but not approved by the Local Authority. This is due to condition (iii) which states that any extension of activities (building work) is subject to another consent use process.

The consent did not include the proposed buildings and restaurant, therefore the need to re-apply for consent for a "Tourist Establishment" to obtain building plan approval for the new buildings.

A "Tourist Establishment" is defined as follows:

"TOURIST ESTABLISHMENT" means a building designed and or used as an accommodation establishment which is not a hotel and includes a pension, a caravan park, a guest house, a lodge, a backpackers lodge, a motel and all other establishments referred to in the definitions of 'Accommodation Establishments and Tourism Ordinance, 20 of 1973, as well as the regulations made thereunder, the Liquor Act 6 of 1998 and the Namibian tourism Act 21 of 2000.

The development proposal is considered a lodge and/or resort which is not defined in the Swakopmund Zoning Scheme. However, these classes of accommodation are referred to in terms of the Namibia Tourism Board Act of 2000 and the Regulations¹.

To register as a lodge and/or resort with the Namibia Tourism Board, it must have a dining room or restaurant for the service of meals to guests. In this context, a guest is any bona fide person who against payment stays and sleeps in an accommodation establishment. Thus by implication, a "Tourist Establishment" may contain a restaurant but it is only available for guests and not the general public.

The long-term intention is to operate a public restaurant which will be authorised by the rezoning application, however, this process is expected to take between 9 to 14 months to complete. It will delay the construction of the restaurant and additional guest units.

To start with the construction of the additional guest units and restaurant sooner, it is desirable to reapply for Council's consent for a "Tourist Establishment" for the existing and proposed buildings as described under the development proposal (see pages 5 to 10).

With Council's consent, the restaurant will only provide meals to guests as this is permitted under the "Tourist Establishment" definition, and once the rezoning is finalised, it will provide meals to the public as well.

10. Proposed Rezoning

Plot 42 is currently zoned "Agriculture" which permits the following primary and consent uses in terms of the Swakopmund Zoning Scheme:

K. AGRICULTURE

- | | | |
|----|------------------|--|
| 1. | Colour Notation: | Green Outline |
| | Primary Uses: | Agricultural Building |
| | Consent Uses: | Tourist Facilities, Dwelling Houses, Farm Stall, Place of Instruction, Place of Public Worship, Shop, Tourist Establishment, Private Open Space. |

Taking into account the development proposal set out on pages 5 to 10, it is clear that the overall development is considered a tourist establishment (either a lodge and/or resort and/or campsite, or a combination of these) with a public restaurant and bar, recreational facilities, quarters for staff housing, and agricultural use.

There is no standard zoning which permits the above combination of land uses. For example, the "General Business" zone may permit a public restaurant but it does not permit a lodge/resort/campsites with an agricultural building. It is also not desirable to rezone to such zoning as it will permit other land uses which are not desirable for the smallholding area.

If special factors justify the creation of a new zone on the zoning map for a site or sites without justifying the creation of a new zone in the scheme clauses, such a site shall be zoned as a special zone on the zoning map.

Certain plots have been rezoned to "Special"; for example Plot 175 (the plot next to *Namib River Camp*) is zoned "Special" for *Tourism and Agriculture*. The Moonlight Resort (on the Remainder of the Farm Douglas No.184) is zoned "Special" for *Recreation and Accommodation*.

Taking into account the development proposal for Plot 42 the existing and proposed land uses can be described as follows (in no particular order of importance):

1. The proposed farming activities fall under the "Agricultural Building" definition:

"AGRICULTURAL BUILDING" means a building designed and/or used in connection with, and which would ordinarily be incidental to, or reasonably necessary in connection with the use of the site as agricultural land and includes one dwelling house.

2. The existing and proposed self-catering units and campsites, located in a rural environment, are classified as a lodge or resort under the "Tourist Establishment" definition (see next page):

"TOURIST ESTABLISHMENT" means a building designed and or used as an accommodation establishment which is not a hotel and includes a pension, a caravan park, a guest house, a lodge, a backpackers lodge, a motel and all other establishments referred to in the definitions of 'Accommodation Establishments and Tourism Ordinance, 20 of 1973, as well as the regulations made thereunder, the Liquor Act 6 of 1998 and the Namibian tourism Act 21 of 2000.

3. The proposed public restaurant, including the ancillary bar, deli shop, and office, does not fall within an existing definition and thus it is proposed to include **"Public Restaurant"** in the special zoning.
4. The proposed staff rooms, communal ablution and kitchen block, and laundry room will be ancillary and related to the lodge/resort and does not fall in any particular definition, and thus it is proposed to include **"Staff Quarters"** in the special zoning.
5. The bar and entertainment area, swimming pool, petting zoo, wedding and conference venue, river hiking tours, horse and pony rides, and planned live entertainment and social events and competitions are all ancillary and related to the lodge/resort and can be grouped under **"Ancillary Recreational Facilities and Events"**.
6. Last but not least, a 10% building coverage must be applied to restrict development potential and to promote the rural/farming aesthetic of the river plots.

Taking into account the above, it is recommended to include the following permitted uses in the "Special" zoning:

Table 2: Recommended uses to include in the "Special" zoning for Plot 42.

| (1)
Number
on map | (2)
Number of erf
zoned "special" | (3)
Uses permitted with the special consent of the local
authority |
|-------------------------|---|---|
| 20 | Portion 42 of Farm
No. 163 | Agricultural Building, Tourist Establishment (Lodge/Resort and/or Campsites), Public Restaurant, Staff Quarters, Ancillary Recreational Facilities and Events, provided that all buildings shall not cover more than 10% of the land parcel area. |

11. Legislation Overview

The application will be implemented and/or evaluated in terms of the following legislation/statutory provisions:

- Urban and Regional Planning Act of 2018 (see page 29);
- Namibia Tourism Board Act of 2000 (see page 30);
- Liquor Act of 1998 (see page 30);
- Environmental Management Act of 2007 (see page 30);
- Endowment Fee (see page 31); and
- Betterment Fee (see page 31).

11.1. Urban and Regional Planning Act of 2018

Rezoning requires public consultation and permission/approval of the Local Authority and the Urban and Regional Planning Board. This application is submitted to obtain approval from the Local Authority in accordance with the provisions of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018).

Furthermore, under Section 3(2), the Act provides for principles of spatial planning which is evaluated in Table 3:

Table 3: Evaluation of proposal in terms of the spatial principles of the URP Act of 2018.

| Principles of Spatial Planning | Evaluation |
|---|--|
| <i>"Spatial planning must be aimed at redressing past imbalances in respect of access to land, land ownership and land allocation."</i> | This application is for an upmarket lodge/resort rather than a new housing scheme, therefore, this spatial principle does not apply. |
| <i>"Spatial planning must contribute to sustainable development by enhancing the natural environment."</i> | The lodge/resort will retain a farming component in order to produce locally grown food and to maintain the rural character of the natural environment. Therefore, it will meet this spatial principle. |
| <i>"Spatial planning must be aimed at protecting and respecting Namibia's environment, its cultural and natural heritage including its biological diversity, for the benefit of present and future generations."</i> | The lodge/resort will be developed to complement the existing farming and tourism character of the smallholding area, to benefit both present and future generations, therefore, it will meet this spatial principle. |
| <i>"During the preparation, amendment and review of policies and plans dealing with spatial planning a transparent process of public participation must be followed which process must afford the general public and persons affected by such policies and plans, access to the relevant information in order to provide inputs on matters affecting them."</i> | The public consultation plan is provided on page 33 which set out how public consultation will be followed and how interested and affected parties can participate in the process. This report is made publicly accessible for transparency to all parties involved, therefore, it will meet this spatial principle. |
| <i>"Spatial planning must optimise the use of existing resources and infrastructure and decision-making procedures relating to spatial planning must minimise negative financial, social, economic or environmental impacts."</i> | Any negative financial, social, economic or environmental impacts that are raised will be considered and suitable mitigations will be proposed to minimise such impacts. Some of the negative impacts have already been identified and been addressed on page 23. Ultimately, the process will meet this spatial principle. |
| <i>"Spatial planning must follow an integrated approach to land use and land development."</i> | The smallholding area was identified to have potential for agricultural and tourism related land uses in terms of the Swakopmund Urban Structure Plan which followed an integrated approach to spatial planning. This application aims to implement such a land use and development and will meet this spatial principle. |
| <i>"Policies, plans and laws, at national, regional and local level of government which are dealing with spatial planning must be harmonised and streamlined to the extent possible and those involved in the implementation of such policies and plans and laws must cooperate in order to avoid land use conflicts, delays in decision making and to minimise negative financial, social, economic or environmental impacts."</i> | This application will implement a tourism/agriculture development in accordance with the Swakopmund Urban Structure Plan. It will also address any land use conflicts to help improve the decision process at the relevant authorities. Therefore, the application will meet this spatial principle. |

In conclusion, the application will meet the principles of spatial planning and is in accordance with the provisions of the Urban and Regional Planning Act of 2018.

11.2. Namibia Tourism Board Act of 2000

The owner will register the lodge/resort with the Namibia Tourism Board as required by the Namibia Tourism Board Act, 2000 (Act No 21 of 2000) and will continue to keep the accommodation establishment registered. This registration will occur after the restaurant has been built as this is a requirement in the regulations². Registration with NTB is not a prerequisite for a consent and/or rezoning application.

11.3. Liquor Act of 1998

Once the rezoning is finalised and the public restaurant and bar becomes operational, the owner will apply for the relevant liquor license in terms of the Liquor Act, 1998 (Act No 6 of 1998), as amended and the applicable Regulations. It is not necessary to obtain a liquor license as a prerequisite for a consent and/or rezoning application.

The holder of the liquor license will adhere to the imposed conditions and operating hours as prescribed by the Regional Liquor Licensing Committee. Failing to do so will result in the suspension of the liquor license.

Unless determined otherwise, in terms of Regulation 77(1), the holder of a restaurant on-consumption liquor licence may sell liquor –

- (a) on any day, excluding a Sunday, from 10:00 to 24:00
- (b) on a Sunday, from 10:00 to 14:30 and from 18:00 to 24:00

Notwithstanding the above, a licensee may sell liquor to a guest lodging at the establishment for consumption in the room by the guest, including visitors of the guest –

- (a) if the establishment is graded as a one-star, a two-star or three-star establishment, on any day from 10:00 to 02:00 the following day, irrespective if any such day is a closed day, or
- (b) if the establishment is graded as a four-star, or a five-star establishment, at any time on any day, including a closed day

11.4. Environmental Management Act of 2007

The rezoning of land from agricultural use to special is not a listed activity in terms of the Environmental Management Act (No 7 of 2007) as amended.

² In terms of Sections 26 and 21 of the Namibian Tourism Board Regulations, to register a lodge or resort, it must have a dining room or restaurant for the service of meals to guests.

However, the construction of resorts, lodges, hotels or other tourism and hospitality facilities are a listed activity. The owner will obtain the necessary LCC for the construction of a resort/lodge which is not a prerequisite for a consent/rezoning application.

11.5. Endowment Fee

Endowment fees do not apply to rezoning applications.

11.6. Betterment Fee

In terms of the Ministerial Betterment Fee Policy of 2009, when rezoning from any zone to special, a betterment fee of up to 50% (on its own merits) is recommended. In this case the proposed development will increase the load on municipal services so to charge no betterment would not be sustainable.

At the same time, the plot will make use of septic tanks, and developmental coverage is restricted to 10% thus it would also not be reasonable to charge the maximum of 50%.

In this case, it is recommended to charge a betterment fee of not more than 30% as this was the recommended betterment fee for the rezoning of Plot 48 as resolved under condition (a) of Council Item 11.1.10 of 27 May 2021 (SM, 2021:104).

In conclusion, it is recommended to charge a betterment fee of not more than 30% for the rezoning of Plot 42.

12. Policy Overview

The proposed application has been evaluated in terms of the following policies/guidelines:

- Swakopmund Strategic Plan (see page 31);
- Swakopmund Urban Structure Plan (see page 32);
- Accommodation Establishment Policy of 2011 (see page 32); and
- Ministerial Town Planning Standards and Guidelines (see page 32).

12.1. Swakopmund Strategic Plan

The Municipality of Swakopmund has prepared a Strategic Plan for 2022 – 2026 which describes the long term goals and the specific priorities and objectives that the municipality will work towards to over a five year period.

Tourism and Investment Promotion is one of the five strategic pillars and priorities for the Local Authority (SM, 2022b:23-24). In this pillar, the priority is to promote tourism and to attract investors in tourism related developments.

Therefore, granting approval to the consent and rezoning application means the Local Authority will meet their objective of promoting tourism and supporting investors in tourism related developments.

In conclusion, the proposed development will help meet some objectives of the Strategic Plan for 2022 – 2026.

12.2. Swakopmund Urban Structure Plan

Table 4 evaluates the development proposal in terms of the Swakopmund Urban Structure Plan which provide long-term development objectives for Swakopmund, including the smallholding area.

Table 4: Evaluation of proposal in terms of the Swakopmund Urban Structure Plan.

| Development Objective of Swakopmund | Evaluation |
|---|---|
| <i>"Maintain the general status of the Swakopmund Smallholding area as an area which contributes to food security and employment creation. The development of alternate agricultural industries such as horticulture, hydroponic gardens, fodder banks for animal husbandry, community projects, recreation and tourism-related activities are to be encouraged within this area." (SM, 2019:78).</i> | <p>The proposed rezoning will permit both agricultural and tourism-related activities and does conform with this development objective.</p> <p>The 10% building coverage restriction will help maintain the general agricultural status to contribute to food security.</p> |
| <i>"This area (Zone B) can be utilised for market gardens, poultry or pig farms, feedlots, hydroponic and ornamental gardens, horticulture, mariculture/aquaculture or then similar uses." (SM, 2019:112).</i> | <p>The owner will also engage in farming activity with animals. The animal pens will also be used as a petting zoo to serve a multifunctional purpose. In future, the owners want to explore opportunities in hydroponics and/or aquaponics as soil conditions are not suitable for typical farming.</p> <p>The proposed development, future land use, and rezoning do conform with Policy Zone B.</p> |

In conclusion, the proposed development and rezoning are fully supported in terms of the Swakopmund Urban Structure Plan.

12.3. Accommodation Establishment Policy of 2011

This policy only applies to "Single Residential" erven within the urban built-up area and does not apply to smallholding areas.

12.4. Ministerial Town Planning Standards and Guidelines

The proposed rezoning is in accordance with the Ministerial Town Planning Standards and Urban Design Guidelines as summarised in Table 5.

Table 5: Evaluation in terms of Town Planning Standards and Urban Design Guidelines.

| Policy Directives | Evaluation |
|----------------------|--|
| 1. Minimum Erf Sizes | The 300m ² minimum erf size is only applicable to single family housing and is not applicable to Plot 42. |

15. Summary

The following provides a summary of the application:

- The owner of Portion 42 of Farm No. 163 (or Plot 42 *Pompstasie*) has appointed Stewart Planning to apply for consent for a 'Tourist Establishment' and rezoning to 'Special' to permit a lodge/resort and/or campsite with a public restaurant, staff quarters, and ancillary recreational facilities and events.
- Recreational facilities and events include a bar and entertainment area, a petting zoo, a swimming pool, horse and pony rides, river hiking and self-drive tours, and a wedding and conference venue, as described in detail on pages 5 to 10 of this report.
- The Swakopmund Council has previously issued consent for a 'Tourist Establishment' for the existing self-catering units and buildings as shown in the site photos from pages 12 to 22. This consent does not include the additional guest units and restaurant, therefore the need to submit the proposed consent and rezoning application.
- It is clear from the photos that great care has been given to the appearance of buildings and features, already giving the impression of a genuine upmarket lodge or resort.
- The proposed lodge/resort is fully in accordance with the National and Local Laws/Policies (see pages 28 to 32) which promote recreation and tourism-related activities in the smallholding area.
- Due to the potential load on services, it is recommended that the Local Authority should charge a betterment fee of not more than 30% against the rezoning as this was previously charged against Plot 48 in 2021 (see page 31).
- Written comments, representations or objections to the proposed development and rezoning/consent application should be submitted to the CEO and Stewart Planning. Contact details are provided on page 3.

16. Recommendation

Application is hereby made to the Municipal Council of Swakopmund for the following:

- [1] Consent for a "Tourist Establishment" on Portion 42 of the Farm No. 163 to construct additional guest units and a restaurant while the rezoning is in progress;
- [2] Rezoning of Portion 42 of the Farm No. 163 from "Agriculture" to "Special" to permit an Agricultural Building, Tourist Establishment, (Lodge/Resort and/or Campsites), Public Restaurant, Staff Quarters, Ancillary Recreational Facilities and Events (Bar and Entertainment Area, Swimming Pool, Petting Zoo, Wedding and Conference Venue, Live Entertainment and Social Events), provided that all buildings shall not cover more than 10% of the land parcel area in terms of Section 105(a) of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018) and its Regulations and in terms of the Swakopmund Zoning Scheme, as amended;
- [3] That a betterment fee of not more than 30% be charged for the rezoning in terms of the Ministerial Betterment Fee Policy of 2009.

We trust the above recommendation meets your favourable approval. Should you require any additional information, please do not hesitate to contact our offices.

Yours faithfully,



Johann Otto

Registered Town & Regional Planner in Training (NCTRP)



Tel: +264 64 280 773 | Email: otto@sq.com.na



Bruce Stewart

Registered Town & Regional Planner (NCTRP)



Tel: +264 64 280 770 | Email: bruce@sq.com.na

SPECIAL POWER OF ATTORNEY

I, the undersigned

MARTIN IGNATIUS KARSTEN
IDENTITY NUMBER: 700707 0085 0in my capacity as the registered owner of **PORTION 42 OF THE FARM NO.163 (SWAKOPMUND RIVER PLOT 42)** do hereby nominate, constitute and appoint**BRUCE STEWART**
STEWART TOWN PLANNING CC
PO BOX 2095
WALVIS BAY

with the power of substitution, to be my lawful Attorney and Agent in my name, place and stead, to make the necessary application to the Local Authority and/or Authorised Planning Authority and/or Urban and Regional Planning Board and/or Appeal Committee for the following:

1. Rezoning of Portion 42 of the Farm No.163 from "Agriculture" to "Special" in terms of the Swakopmund Zoning Scheme and the Urban and Regional Planning Act of 2018; and
2. Consent for building plan approval and to commence with construction while the rezoning is in progress;

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

Signed at Swakopmund on 7 March 2023, in the presence of the undersigned witnesses.**MARTIN IGNATIUS KARSTEN****WITNESS 1**Name Orchid
MARTIN**WITNESS 2**Name Yolanda
(Signature)

11.1.25 **SUBDIVISION OF ERF 4374 MONDESA PROPER INTO PORTION A AND REMAINDER AND SUBSEQUENT REZONING OF PORTION A FROM LOCAL AUTHORITY TO PARASTATAL**
(C/M 2023/10/26 - M 4374)

Ordinary Management Committee Meeting of 19 October 2023,
Addendum 8.12 page 157 refers.

A. This item was submitted to the Management Committee for consideration:

1. Purpose

The purpose of this submission is for Council to consider the subdivision of Erf 4374, Mondesa Proper into Portion A and Remainder and subsequent rezoning of Portion A from "Local Authority" to "Parastatal".

2. Introduction and Background

An application was received by the Engineering and Planning Services Department, from van der Westhuizen Town Planning and Properties, applying for the subdivision of Erf 4374, Mondesa Proper into Portion A and Remainder and subsequent rezoning of Portion A from "Local Authority" to "Parastatal". The application is attached as **Annexure A**.

3. Zoning, Size and Locality

Erf 4374, Mondesa Proper is located along Mandume Ndemufayo Street, in the vicinity of the open market. It measures 333m², while the proposed Portion A will be approximately 202m² in extent. The erf is zoned "Local Authority" and accommodates a telecommunication tower and an electrical substation.

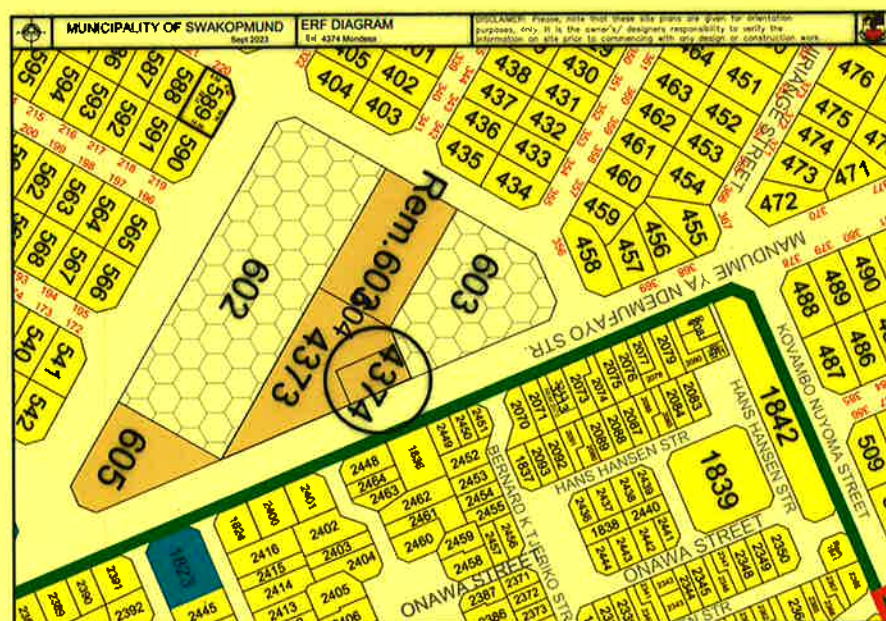


Figure 1: Erf 4374 Mondesa locality plan

4. **Ownership**

Erf 4374, Mondesa Proper is registered in the name of Council of the Municipality of Swakopmund as contained in the Certificate of Registered Title Number 1066/83. Attached as **Annexure B**.

5. **Access, municipal services**

Access to Erf 4374, Mondesa Proper is obtained from Mandume Ndemufayo Street. The proposed Portion A will be accessed from the same street. The area is already fully serviced. However, the newly created erf will not require connection to any municipal services due to the nature of its use, being an electrical substation.

6. **Notice and Neighbour's Consent**

The subdivision and rezoning of Erf 4374, Mondesa Proper was published in the New Era and the Namibian on the 24th and 31st of July 2023. Property owners of the affected properties were also notified in writing. In addition, a notice was displayed on site and another notice was placed in the Government Gazette Number 8162 on the 1 August 2023. The closing date for objections was 15th August 2023 and no objections were received.

7. **Proposal**

Erf 4374, Mondesa Proper will be subdivided into Portion A and Remainder. The subdivided Portion A is to be rezoned from "Local Authority" to "Parastatal". Portion A accommodates the existing electrical substation, and it will be transferred from Council to Erongo Regional Electrical Distributors.

The proposed subdivision will have the following effect:

| Erf numbers | Proposed Sizes in m² | Zoning |
|---------------------------|--|------------------------|
| Portion A | 202 | Parastatal |
| Remainder Erf 4374 | 131 | Local Authority |
| Total for Erf 4374 | 333 | Local Authority |

8. **Evaluation**

Council and Erongo Regional Electrical Distributors Pty Ltd entered into agreement which allows Erongo Red to transfer the substations listed in the agreement into their name. The subdivision of Erf 4374, Mondesa Proper aims to create a standalone erf for the electrical substation. Once the statutory procedures are finalized, Portion A will be transferred and will be registered into the name of Erongo RED, whilst the Remainder Erf will retain Council ownership.

The proposed development does not have any negative impact on the neighbourhood, instead, it secures the electricity supply in the area.

9. Conclusion

The proposed subdivision and rezoning of Erf 4374, Mondesa Proper is not foreseen to have any adverse impacts on the area, the application can therefore be supported.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That the subdivision of Erf 4374, Mondesa Proper into Portion A and Remainder be approved as follow:

| <i>Erf numbers</i> | <i>Proposed Sizes in m²</i> | <i>Zoning</i> |
|---------------------------|--|------------------------|
| Portion A | 202 | Parastatal |
| Remainder Erf 4374 | 131 | Local Authority |
| Total for Erf 4374 | 333 | Local Authority |

- (b) That the rezoning of Portion A from local authority to parastatal be approved.
- (c) That the applicant provides proof that the rezoning has been approved by the Minister and promulgated before any business registration and / or submission of building plans to the Engineering and Planning Services Department for approval.
- (d) That the proposed Portion A be registered to Erongo Regional Electricity Distributors (Pty) Ltd's once statutory procedures are finalized.
- (e) That the Remainder of Erf 4374, Mondesa Proper be registered into the Municipal Council of Swakopmund's name once statutory procedures are finalized.
- (f) That the title deed conditions registered against Erf 4374, Mondesa Proper be retained and be registered on both title deeds of Portion A of Erf 4374, Mondesa and the Remainder Erf 4374, Mondesa Proper, as follows:
- (i) *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 Swakopmund zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018 (Act 5 of 2018);*
-

ANNEXURE A- APPLICATION**TOWN PLANNING & PROPERTIES**PO BOX 1598
SWAKOPMUND - NAMIBIANumber: 111/2023
Date: 17 AUG 2023
Author: [illegible]

Chief Executive Officer
Municipality of Swakopmund
PO Box 53
Swakopmund
Namibia



16 August 2023

Dear Sir,

APPLICATION FOR THE SUBDIVISION OF ERF 4374, MONDESA, PROPER, SWAKOPMUND, INTO PROPOSED PORTION A AND REMAINDER; AND THE SUBSEQUENT REZONING OF PORTION A FROM LOCAL AUTHORITY TO PARASTATAL.

Van der Westhulzen Town Planning & Properties cc has been appointed by our client, the owner of Erf 4374, Mondesa, Proper, Swakopmund, to undertake all necessary statutory steps for the:

- **SUBDIVISION OF ERF 4374, MONDESA, PROPER, SWAKOPMUND, INTO PORTION "A" AND REMAINDER; AND**
- **REZONING OF PROPOSED PORTION A FROM LOCAL AUTHORITY TO PARASTATAL**

Application is herewith made in terms of Section 105 (1) of the Urban and Regional Planning Act of 2018 to the Municipality of Swakopmund for statutory approval of the processes indicated above.

1. BACKGROUND

The Municipality of Swakopmund and Erongo Red Electrical Distributors entered into an agreement which will allow Erongo Red to transfer all substation into their name. Due to the complexity of historical events it is in most cases necessary to subdivide both Municipal owned and privately owned properties in order to create a separate property for the substations. Only once the properties have been subdivided and rezoned can the transfer of the substations be affected.

2. LOCALITY AND SIZE

Erf 4374, is located along Mandume Ya Ndemufayo Street in the in the Mondesa Proper area. (Annexure A). The area is considered as an already established township with mixed uses along Mandume Ya Ndemufayo Street. Erf 4374, Mondesa, Proper, Swakopmund, currently

measures approximately 333m² in extent. The proposed Portion "A" to be created will measure approximately 202m².

3. OWNERSHIP

Erf 4374 is yet to be registered in the name of Municipality of Swakopmund although it is already the owner by means of Certificate of Registered Title No. 1086/1983 (Annexure B). Erf 4374, Mondesa Proper was created by the Subdivision of Erf 604, Mondesa, Proper. Attached as Annexure B1 please find the Approved Erf Diagram for Erf 4374. Once the Subdivision and Rezoning is concluded the erven will be transferred and registered in the names of the respective parties. The Power of Attorney's for the proposed intentions were also given by the owners and is attached as "Annexure C" (Absent as Council owner).

4. INTENTION OF THE CLIENT FOR PROPOSED SUBDIVISION AND REZONING

It is the intention of the owners to Subdivide Erf 4374, Mondesa, Proper, Swakopmund, into Portion "A" and the Remainder in order to create two (2) individual erven (Annexure D1). Portion A will be 202m² in extent and the Rem/4374 will be 131 m². Portion A will be rezoned from "Local Authority" (Annexure D2) to "Parastatal" (Annexure D3), in order to accommodate an existing electrical substation. Portion A will, after the statutory processes have been completed, be transferred into the name of Erongo Red Electrical Distributors. The Remainder of Erf 4374 will remain with the Municipality of Swakopmund and be subject to further development at a later stage.

According to the Deed of Transfer (Annexure C) Erf 4374 measures 333 m² in extent and is suitable for the intended subdivision due the current size of the property and the intentions in terms of usage.

The proposed subdivision will be as follows:

| Proposed Portions | Portion Sizes in m ² |
|-----------------------|---------------------------------|
| Portion A | 202 m ² |
| Remainder of Erf 4374 | 131 m ² |
| Total | 333 m ² |

5. TOPOGRAPHY

Erf 4374, Mondesa, is relatively flat with no gradient visible on the property. The Erf is currently being used for the purposes of the existing Erongo Red Substation and MTC Town. The property is already developed and highly disturbed by human activity. There exist no natural features on the property that will impact on the intentions of our client.

6. ACCESS AND SERVICES

Access to the newly proposed Portion A shall be obtained from the existing internal road network being Mandume Ya Ndemufayo Street. The newly created property will not require connection to any Municipal services due to the nature of its use being an electrical substation and situated

along the street frontage of Mandume Ya Ndemulayo Street. Any further needs that might be required in terms of access and services shall be communicated between all parties and be dealt with accordingly.

7. PUBLIC PARTICIPATION

Advertisements for the subdivision and rezoning of Erf 4374, Mondesa, Proper, Swakopmund, was placed in the New Era and the Namibian on 24 & 31 July 2023 (**Annexure E**). Neighboring properties have also been requested for their comments. Attached please find copies of letters to neighbors via registered post (**Annexure F**). Notice was also placed on the erf for public comments (**Annexure G**). Copy of advertisement placed in the in the Government Gazette (**Annexure H**). Closing dates for objections was on the 11 August 2023 for newspaper adverts and 15 August for Government Gazette.

It should be noted that the owner of Erf 2448, Mondesa Proper, could not be reached. Several attempts have been made to obtain the whereabouts of the contact person for Estate Late N lithete, without success. The contact number that was provided by the Municipality is out of service.

8. NEIGHBOURS AND PUBLIC COMMENTS

No response was received from the neighbours and the Public. Confirmation received from the Municipality that no objections were submitted is attached as **Annexure I**.

9. CONDITIONS TO BE REGISTERED

That the current condition registered against the Rem/4374, Mondesa, Proper, Swakopmund, be retained.

That the following conditions be registered against Proposed Portion A:

CONDITIONS TO BE REGISTERED AGAINST NEWLY CREATED PORTION A 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 Swakopmund Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018 (Act No 5 of 2018).

10. APPLICATION

On behalf of our client, Municipality of Swakopmund, we herewith formally apply to Council for approval of the:

- **SUBDIVISION OF ERF 4374, MONDESA, PROPER, SWAKOPMUND, INTO PORTION "A" AND REMAINDER; AND**
- **REZONING OF PROPOSED PORTION A FROM LOCAL AUTHORITY TO PARASTATAL**

It is trusted that you find the above application in order and should any uncertainties arise please do not hesitate to contact us at the details provided.

Yours Faithfully



A R VAN DER WESTHUIZEN

APPROVED *[Signature]* No. A 1305/2015
BY SURVEYOR GENERAL

| SIDES
metres | ANGLES OF
DIRECTION | CO-ORDINATES
System 2011 | | Designation | |
|-----------------|------------------------|-----------------------------|------------|-------------|-----|
| | | Y | X | | |
| A B 24.40 | 245°39'00" | A | +46 415.13 | +73 618.73 | CD |
| B C 13.76 | 337°16'20" | B | +46 392.73 | +73 609.06 | 3B |
| C D 24.39 | 67°17'30" | C | +46 387.41 | +73 621.77 | 604 |
| D A 13.61 | 157°16'20" | D | +46 409.91 | +73 631.18 | 8H2 |

Constants

SCALE = 1:500

Description of bearings
A B and D 16mm iron peg in cement
C 16mm iron peg in concrete

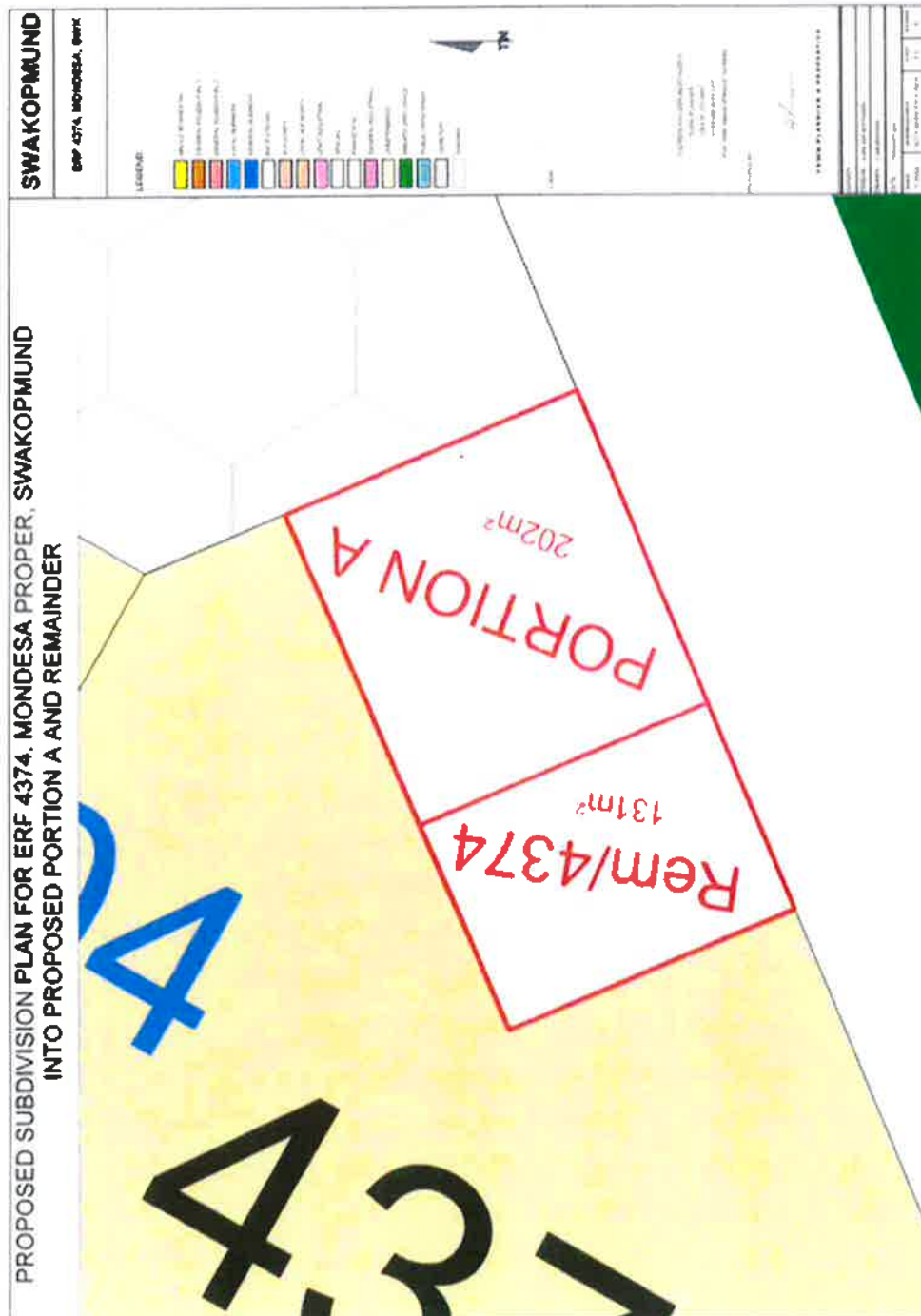
The figure A B C D
represents 333 square metres of and being
ERF 4374 (a Portion of Erf 604) Mondesa

Situate in the Municipality of Swakopmund
Registration Division G, Erongo Region, Namibia

Surveyed on October 2016 by me *[Signature]*
D/S Pieterse
Land Surveyor

| | | |
|---|---|---|
| This diagram is annexed to
No.
do | The original diagram is
Transfer Grant | S.R. No. E 3402015
Gen Plan No. GP
Mortg Plan MD-604/15
File No. Mondesa |
|---|---|---|

Registrar of Deeds





JCQ/BL/16212



ANNEXURE A- OWNERSHIP

[illegible]

Opgesteld door my
Aktevervaarmer

SERTIFIKAAT VAN OEREGISTRATIE

(Uitgereikt krachtens de bepalingen van Artikel 43 van die Registratie
van Aktes Wet 1937) (No 47 van 1937)

NADEMAAL: JURG UWS HENRICHSEN en JAMES ANDRIES IAKH LAUBSCHER,
in hulle onderskeie hoedanighede as Burgermeester en
voornemende Stadsklerk van die Raad van die Munispaliteit
van SWAKOPMUND, en as sulke handelende vir en namens die
regeerde -

MUNISIPALITEIT VAN SWAKOPMUND

Kragtens Artikel 267 van die Municipale Ordonnansie, 1963, saansoek gedoen het om die uitreiking aan die genoemde Munisipaliteit van Eksempand, van 'n Sertifikant van Geregistreerde Titel kragtens Artikel 43 (Drie-en-Veertig) van die Registrasie van Akte Wet 1937, ten opsigte van die hierondergenoemde grond synde gedeelte van die grond

pereregistro

© 2011 by John Wiley & Sons, Inc.

00147 92-1006 "New York Times has said that Nixon
must now step out of the White House's door."
Re N. 100-100 at above address of defendant.
Investigative File No. 67-1000.

[illegible]
$$\frac{d}{dt} \left(\frac{\partial L}{\partial \dot{x}} \right) = \frac{\partial L}{\partial x}$$

40

17. There is a further question as to whether the

18. The following is a summary of the

19. The following is a summary of the

20. The following is a summary of the

21. The following is a summary of the

22. The following is a summary of the

11.1.26 **SUBDIVISION OF ERF 1910, SWAKOPMUND, EXTENSION 1 INTO PORTION A AND REMAINDER AND SUBSEQUENT REZONING OF PORTION A FROM LOCAL AUTHORITY TO PARASTATAL**
(C/M 2023/10/26 - E 1910)

Ordinary Management Committee Meeting of 19 October 2023, Addendum 8.13 page 170 refers.

A. This item was submitted to the Management Committee for consideration:

1. Purpose

The purpose of this submission is for Council to consider the subdivision of Erf 1910, Swakopmund Extension 1 into Portion A and Remainder and subsequent rezoning of Portion A from local authority to parastatal.

2. Introduction and Background

An application was received by the Engineering and Planning Services Department, from van der Westhuizen Town Planning and Properties, applying for the subdivision of Erf 1910, Swakopmund Extension 1 into Portion A and Remainder and subsequent rezoning of Portion A from local authority to parastatal. The application is attached as **Annexure A**.

3. Zoning, Size and Locality

Erf 1910, Swakopmund Extension 1 is located along Franke Street. It measures 730m², while the proposed Portion A would measure approximately 297m². The erf is zoned "Local Authority and accommodates public parking and an electrical substation.

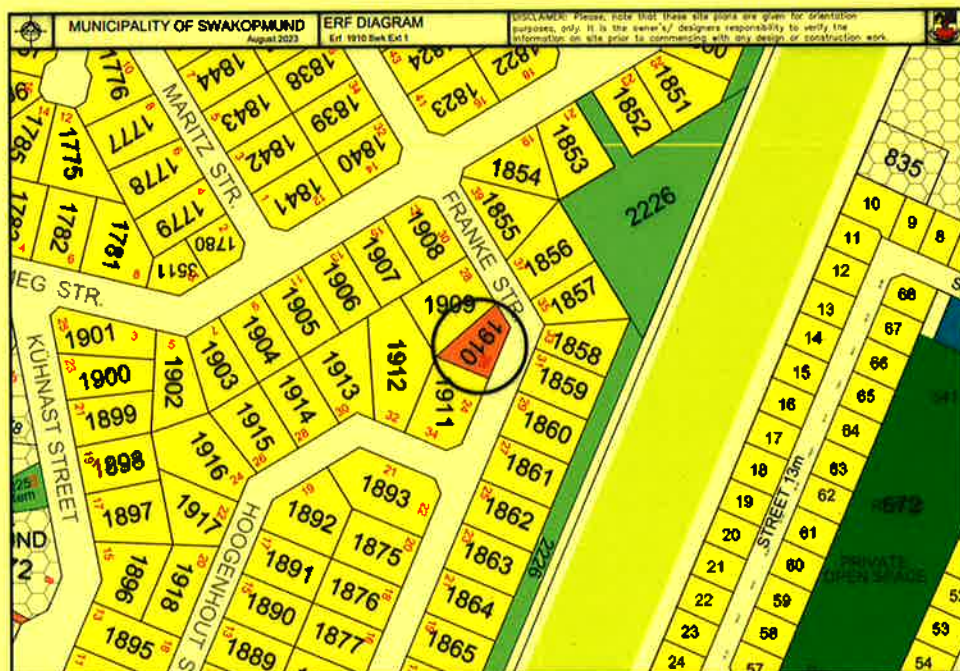


Figure 1: Erf 1910 locality plan

4. Ownership

Erf 1910, Swakopmund Extension 1 is registered in the name of Council of the Municipality of Swakopmund at the township register of Swakopmund Extension 1 as contained in the CCT 2401/73. It was never registered as an individual title.

5. Access, municipal services

Access to Erf 1910, Swakopmund Extension 1 is obtained from the existing Franke Street. The proposed Portion A would get direct access from the same street. The area is already fully serviced. However, the newly created erf will not require connection to any municipal services due to the nature of its use, being an electrical substation.

6. Notice and Neighbour's Consent

The subdivision and rezoning of Erf 1910, Swakopmund Extension 1 was published in the New Era and the Namibian on the 20th and 27th of June 2023. Property owners of the affected properties were also notified in writing. In addition, a notice was displayed on site and another notice was placed in the Government Gazette Number 8122 on the 30 June 2023. The closing date for objections was 14th July 2023 and no objections were received.

7. Proposal

Erf 1910, Swakopmund, Extension 1 will be subdivided into Portion A and Remainder. The subdivided Portion A is to be rezoned from "Local Authority" to "Parastatal". Portion A accommodates the existing electrical substation, and it will be transferred from Council to Erongo Regional Electrical Distributors. The proposed subdivision will have the following effect:

| <i>Erf numbers</i> | <i>Proposed Sizes in m²</i> | <i>Zoning</i> |
|---------------------------|--|------------------------|
| <i>Portion A</i> | <i>297.4</i> | <i>Parastatal</i> |
| <i>Remainder Erf 1910</i> | <i>432.6</i> | <i>Local Authority</i> |
| <i>Total for Erf 1910</i> | <i>730</i> | <i>Local Authority</i> |

8. Evaluation

Council and Erongo Regional Electrical Distributors Pty Ltd entered into agreement which allows Erongo Red to transfer the substations listed in the agreement into their name. The subdivision of Erf 1910, Swakopmund Extension 1 aims to create a standalone erf for the electrical substation. Once the statutory procedures are finalized, Portion A will be transferred and will be registered into the name of Erongo Red, whilst the remainder will be registered into Council's name. The proposed development does not have any negative impact on the neighbourhood, instead, it secures the electricity supply in the area.

9. Conclusion

The proposed subdivision and rezoning of Erf 1910, Swakopmund Proper is not foreseen to have any adverse impacts on the area, the application can therefore be supported.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That the subdivision of Erf 1910, Swakopmund Extension 1 into Portion A and Remainder be approved as follow:

| <i>Erf numbers</i> | <i>Proposed Sizes in m²</i> | <i>Zoning</i> |
|---------------------------|--|------------------------|
| <i>Portion A</i> | <i>297.4</i> | <i>Parastatal</i> |
| <i>Remainder Erf 1910</i> | <i>432.6</i> | <i>Local Authority</i> |
| <i>Total for Erf 1910</i> | <i>730</i> | <i>Local Authority</i> |

- (b) That the rezoning of Portion A from local authority to parastatal be approved.
- (c) That the applicant provides proof that the rezoning has been approved by the Minister and promulgated before any business registration and/or submission of building plans to the Engineering and Planning Services Department for approval.
- (d) That the proposed Portion A be registered into Erongo Regional Distributors (Pty) Ltd's name once statutory procedures are finalized.
- (e) That the Remainder of Erf 1910, Swakopmund Extension 1 be registered into the Municipal Council of Swakopmund's name once statutory procedures are finalized.
- (f) That the title deed conditions registered against Erf 1910, Swakopmund Extension 1 be retained for the Remainder Erf 1910, Swakopmund Extension 1, as follows:
- (ii) *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 Swakopmund zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018 (Act 5 of 2018);*
-

56

*[Handwritten signature]***ANNEXURE A- APPLICATION****TOWN PLANNING & PROPERTIES**PO BOX 1598
SWAKOPMUND, NAMIBIATel: +264 91 52 29 00
Fax: +264 91 52 29 01
Email: info@tppswakopmund.com

Chief Executive Officer
Municipality of Swakopmund
PO Box 53
Swakopmund
Namibia



17 July 2023

Dear Sir,

APPLICATION FOR THE SUBDIVISION OF ERF 1910, SWAKOPMUND, EXTENSION NO.1, INTO PORTION "A" AND REMAINDER; AND THE SUBSEQUENT REZONING OF PROPOSED PORTION "A" FROM LOCAL AUTHORITY TO PARASTATAL

Van der Westhuizen Town Planning & Properties cc has been appointed by our client, the owner of Erf 1910, Swakopmund, Extension No. 1, to undertake all necessary statutory steps for the:

- SUBDIVISION OF ERF 1910, SWAKOPMUND, EXTENSION NO.1, INTO PORTION "A" AND REMAINDER; AND
- REZONING OF PROPOSED PORTION A FROM LOCAL AUTHORITY TO PARASTATAL

Application is herewith made in terms of Section 105 (1) of the Urban and Regional Planning Act of 2018 to the Municipality of Swakopmund for statutory approval of the processes indicated above.

1. BACKGROUND

The Municipality of Swakopmund and Erongo Red Electrical Distributors entered into an agreement which will allow Erongo Red to transfer all substation into their name. Due to the complexity of historical events it is in most cases necessary to subdivide both Municipal owned and privately owned properties in order to create a separate property for the substations. Only once the properties have been subdivided and rezoned can the transfer of the substations be affected.

2. LOCALITY AND SIZE

Erf 1910, is located along Franke Street in Swakopmund, Extension No. 1 (Annexure A). The area is already considered as a well-established area as it forms part of the older residential oriented neighborhoods of Swakopmund. Erf 1910, Swakopmund, currently measures approximately 730m² in extent. The proposed Portion "A" to be created will measure approximately 297.4m².

3. OWNERSHIP

The property is registered in the name of Municipality of Swakopmund as indicated in the Condition of Establishment of **Government Gazette date 15 December 1973 and General Plan G 61, Swakopmund Extension No. 1 (Annexure B)** Power of Attorney's for the proposed intentions were also given by the owners and is attached as "**Annexure C**" (**Absent as Council is the client**).

4. INTENTION OF THE CLIENT FOR PROPOSED SUBDIVISION AND REZONING

It is the intention of the owners to Subdivide Erf 1910 Swakopmund, Extension No. 1, into Portion "A" and the Remainder in order to create two (2) individual erven (**Annexure D1**). Portion A will be 297 4m² in extent and the Remainder will be 432 6m² in extent. Portion A will be rezoned from "Local Authority" (**Annexure D2**) to "Parastatal" (**Annexure D3**), in order to accommodate an existing electrical substation. Portion A will, after the statutory processes have been completed, be transferred into the name of Erongo Red Electrical Distributors. The Remainder of Erf 1910 will remain with the Municipality of Swakopmund and be subject to further development at a later stage.

According to the General Plan (**Annexure B**) Erf 1910, Swakopmund, measures 730m² in extent and is suitable for the intended subdivision due the current size of the property.

Erf 1910 was never registered and once the subdivision is concluded the different portions will be registered in the names of the two parties involved.

The proposed subdivision will be as follows:

| Proposed Portions | Portion Sizes in m ² |
|-----------------------|---------------------------------|
| Portion A | 297 4m ² |
| Remainder of Erf 1910 | 432 6m ² |
| Total | 730 m² |

5. TOPOGRAPHY

The erf is relatively flat with no gradient visible on the property. Erf 1910, Swakopmund, is currently lying vacant and disturbed. There are no fauna and flora present on the property that is in need of protection. There exists no physical factors that will prohibit the proposed subdivision of the property as per the subdivision plan attached hereto as **Annexure D1**.

6. ACCESS AND SERVICES

Access for the newly proposed Portion A shall be obtained from the existing internal road network with specific reference to Franke Street. The newly created property will not require connection to any Municipal services due to the nature of its use being an electrical substation and situated on the erf boundary. Direct access to the portion will be obtained as currently being done. Any further needs that might be required in terms of access and services shall be communicated between all parties and be dealt with accordingly.

7. PUBLIC PARTICIPATION

Advertisements for the Subdivision and Rezoning of Erf 1910, Swakopmund, Extension No. 1, was placed in the New Era and the Namibian on the 20th and 27th of June 2023 (**Annexure E**). Neighboring properties have also been requested for their comments. Attached please find copies of letters to neighbors via registered post (**Annexure F**). Notice was also placed on the erf for public comments (**Annexure G**). Copy of advertisement placed in the in the Government Gazette (**Annexure H**). Closing dates for objections was on the 11 July 2023 for newspaper adverts and 14 July 2023 for Government Gazette.

8. NEIGHBOURS AND PUBLIC COMMENTS

No response was received from the neighbours and the Public. Confirmation received from the Municipality that no objections were submitted is attached as **Annexure I**.

9. CONDITIONS TO BE REGISTERED

That the current condition registered against the Rem/1910 be retained.

That the following conditions be registered against Proposed Portion A.

**CONDITIONS TO BE REGISTERED AGAINST NEWLY CREATED PORTION A
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 Swakopmund Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018).

10. APPLICATION

On behalf of our client, Municipality of Swakopmund, we herewith formally apply to Council for approval of the:

- **SUBDIVISION OF ERF 1910, SWAKOPMUND, EXTENSION NO.1, INTO PORTION "A" AND REMAINDER; AND**
- **REZONING OF PROPOSED PORTION A FROM LOCAL AUTHORITY TO PARASTATAL**

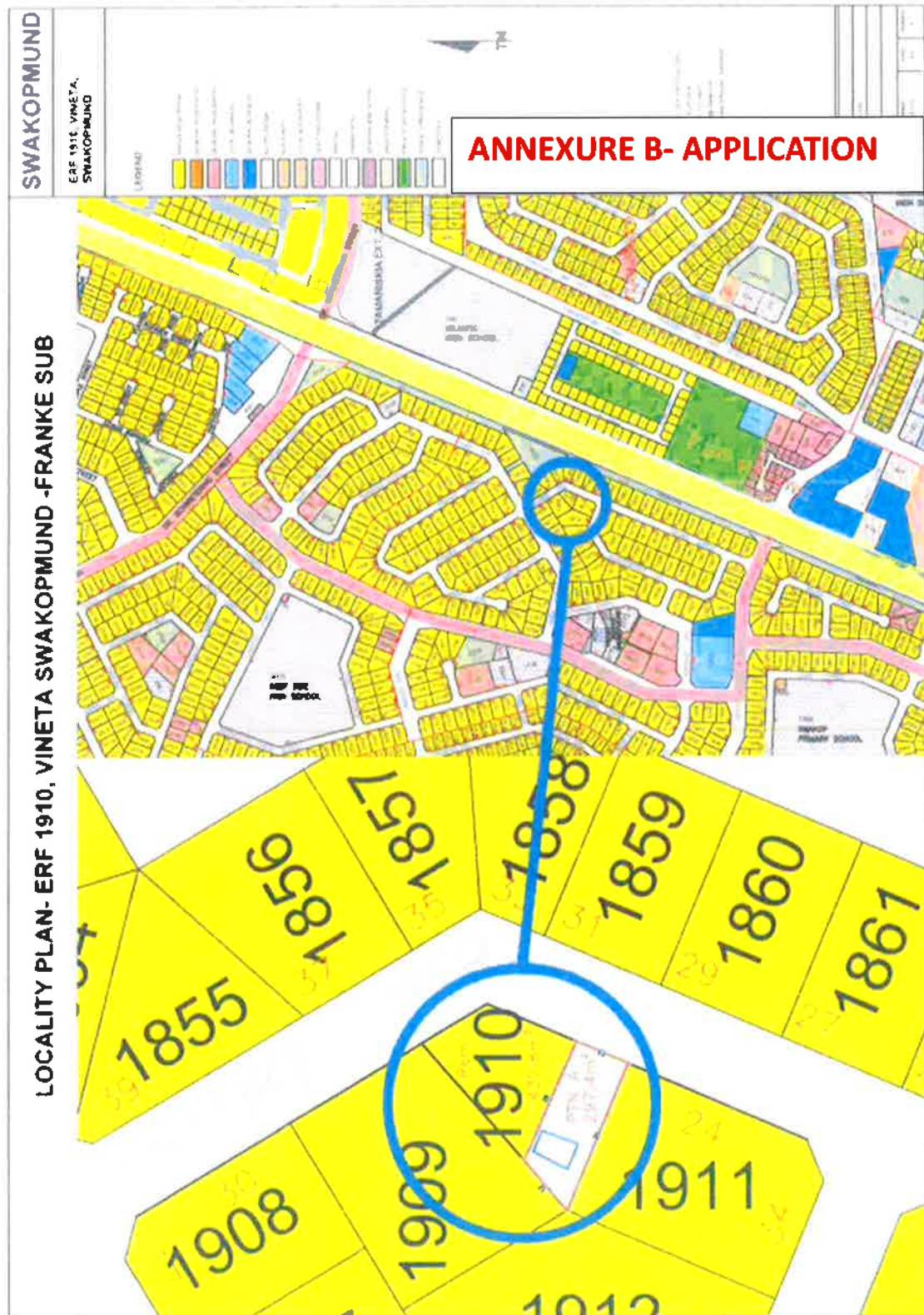
It is trusted that you find the above application in order and should any uncertainties arise, please do not hesitate to contact us at the details provided.

Yours Faithfully,



A R VAN DER WESTHUIZEN

Page 4 of 6



11.1.27 **APPLICATION FOR CONSENT TO OPERATE A PLACE OF AMUSEMENT ON ERF 3739, MONDESA, EXTENSION 8**
(C/M 2023/10/26 - M 373)

Ordinary Management Committee Meeting of 19 October 2023,
Addendum 8.14 page 177 refers.

A. This item was submitted to the Management Committee for consideration:

1. Purpose

The purpose of this submission is to seek Council's consideration for the operation of a place of amusement on Erf 3739, Mondesa Extension 8.

2. Introduction and Background

An application was received from Paradise Entertainment Two cc for consent to operate a place of amusement on the premises of Erf 3739, Mondesa, Extension 8 from shop No.2 A, (labelled shop 1 on the attached plan) of the building on the premises. The applicant wishes to operate a betting shop, place of entertainment, pub and bar. The application is attached as **Annexure A**.

3. Ownership

The ownership of Erf 3739, Mondesa Extension 8 vests in Mr. Luka Shilongo in terms of Deeds of Transfer No. T 2056/2015. The applicant, Paradise Entertainment Two cc is leasing from the owner as per the lease agreement attached as **Annexure B**.

4. Locality, Zoning and Size

Erf 3739, Mondesa is located in Mondesa Extension 8 along Waterberg Street. The Erf is zoned local Business. See locality map below:



Locality plan: Erf 3739, Mondesa Extension 8

5. Advertisement of Intended consent

A notice for the proposed consent was placed in the Namib Times newspaper on the 9th and 16th June 2023. The intent was also displayed on site and neighbouring property owners were consulted, see **Annexure C**. The closing date for objections to the proposal was the 3rd July 2023. One objection was received from the owner of Erf 3739, Mondesa Extension 8.

6. Objection

An objection was received from the owner of Erf 3740, Mondesa Extension 8, see **Annexure F**. The objector raised the following concerns:

- *They have school kids that study day and night and will not be able to concentrate with too much noise coming from the bar. They further stated that they would not want their children growing up in an environment where there is a bar as it is not safe.*

7. Discussion

In 2009, under Council resolution C/M 2009/01/29 under item No 11.1.10, Council resolved to call for proposals for the sales of business erven in Mondesa Extension 8. Erf 3739, Mondesa Extension 8 was part of the erven to be sold. These erven were then sold with the following conditions attached to them:

- Council confirms that the business erven in the PDA will be sold by calling for development proposals when the erven are ready for sale.*
- That Council limits the type of business activity to be approved on the business erven considering their proximity to schools and public open spaces,*
- That the invitation for development proposals clearly states that preference will no Shebeens, places of amusement or liquor stores will be considered.*

In a letter dated **25 September 2015**, Council reminded the owner of the aforementioned resolution especially point (c) and reminded them to comply with the resolution and that they stick to the business proposal that they had submitted. See **Annexure D**.

8. Evaluation

Upon evaluation of the floor layout of the shop where the proposed activity is anticipated to take place, it is noticeable that there is a liquor store, see **Annexure E**. In terms of the aforementioned council resolution, liquor stores are prohibited on these erven. This store is ancillary to the proposed bar and as a result of this prohibition, this activity can also not be considered. The shop, however, can be permitted because Erf 3739, Mondesa Extension 8 is a "local business" zoned Erf, where business activities can take place, additionally, there are shops of a similar nature on two other erven where betting is also done

on computers. Having taken the conditions of sale as well as the objection into consideration, the application cannot be supported.

9. Conclusion

The proposed activities cannot be considered in its entirety due to the conditions attached to the sales of Erf 3739, Mondesa Extension 8, however, the betting shop can be permitted as it is considered as a normal shop. Additionally, there are shops of a similar nature on Erven 3736 and 3738, Mondesa, Extension 8.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That the application for a place of amusement on Erf 3739, Mondesa, Extension 8 be turned down, in compliance with the conditions of sale and Council Resolution of 29 January 2009.
 - (b) That the applicant be informed of their rights to appeal with valid reasons against Council's decision in respect of this resolution, to the Minister of Urban and Rural Development within twenty-one (21) days from the date of receipt of the notice of this resolution in accordance with section 110 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018).
 - (c) That the objector be informed of Council's decision and the right of the applicant to appeal with valid reasons against Council's decision in respect of this resolution, to the Minister of Urban and Rural Development within twenty-one (21) days from the date of receipt of the notice of this resolution in accordance with section 110 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018).
-

ANNEXURE A

Page 1

Paradise
ENTERTAINMENT TWO CC
C.C. 12923/015/17

c | +264 81 476 8788
e | francoisoosthuizen93@gmail.com

5788 Zambesi Street
Kramersdorf, Swakopmund
P O Box 3360, Walvis Bay
Republic of Namibia

Date :

07/07/2023

Dear Sir / Madam

To Whom this may concern:

Shop 2A Erf 3739 Mondesa

We would like to apply for a betting Fitness and business wiles the current application goes to council for judgment for a place of amusement regarding the objection of Erf 3740 Mondesa.

The reason:

We have put in a lot of money into this new business and would like to make money to profit and pay back the loans and rent that is due every month, as the application needs to go to council and that itself is a lengthy proses.

Shop 03 on this same property is already operating on the same principals as a betting shop.
Name: All bet

Thus we ask if we may have the permission to open as a Betting shop whiles the application to open a place of amusement/bar/pub is on going.

Co owner of Paradise two entertainment cc

Yours faithfully


F. Oosthuizen

Paradise
ENTERTAINMENT TWO



MUNICIPALITY OF SWAKOPMUND

☎ (064) 4104317
 📠 080 681 9142
 ✉ 63 Swakopmund
 NAMIBIA
 📧 andhweke@swkmun.com.na

APPLICATION FOR BUSINESS REGISTRATION

| | | | |
|---|-------------------------------------|--|--------------------------|
| New Application (Consult Town Planner) | <input checked="" type="checkbox"/> | Change of Trade Name | <input type="checkbox"/> |
| Renewal (On or before 31 March) | <input type="checkbox"/> | Change of Ownership (Consult Town Planner) | <input type="checkbox"/> |
| Removal (Move to new Premises) (Consult Town Planner) | <input type="checkbox"/> | Business Closure | <input type="checkbox"/> |
| Transfer (New Owner) | <input type="checkbox"/> | Postal Address Change | <input type="checkbox"/> |
| | | Lost or Stolen & Duplicate of Certificate | <input type="checkbox"/> |

NAME OF BUSINESS : Paradise 2 Entertainment for Big Boss Gambling
 NAME OF OWNER : Francois Oosthuizen
 NAME OF MANAGER : Chrisman Oosthuizen
 BUSINESS ADDRESS : PO BOX: 1543 TELEPHONE: —
 TOWN : Swak MOBILE: 081 431 9292
 E MAIL ADDRESS : chrismaridewit@gmail.com
 ADDRESS OF BUSINESS : NO 2A Kleofas Kuruseb STREET
 ERF NO : 3739 Mondesa

A. TYPE OF REGISTRATION REQUIRED:

| | | | | |
|--|----------------------------|-------------------------|-----------------------|-------------------------------------|
| Restaurant & Take Away | Manufacturing / Production | Educational Institution | Entertainment | <input checked="" type="checkbox"/> |
| General Dealer | Child Care | Accommodation | Financial Institution | <input type="checkbox"/> |
| Administrative Office | Hospitality | Health & Beauty | Home Occupation | <input type="checkbox"/> |
| Medical Practice | Service Industry | Warehouse | Workshop | <input type="checkbox"/> |
| Home Shop | Other | | | <input type="checkbox"/> |
| Detailed Scope of Business
i.e. Construction, Shebeen, Hair salon | | | | |
| <u>Place of entertainment, Pub/Bar.</u> | | | | |

B. CERTIFICATE OF OWNER/AGENT IN RESPECT OF PREMISES (FOR ALL NEW BUSINESSES AS WELL AS BUSINESS MOVING TO NEW PREMISES)

I hereby declare that I have granted permission to the above applicant to conduct the business for which they have applied on the said Erf.

Lukas Shilongo
 NAME (owner of property) (Please print)

SIGNATURE OF APPLICANT

[Signature]
 SIGNATURE (owner of property)

31.05.2023
 DATE

ANNEXURE B

AVW/jm/V1579

27 MAR 2015

13 APR 2015

DEED OF TRANSFER

No. T 2056 /2015

*Between**MUNICIPAL COUNCIL OF SWAKOPMUND**And**LUKAS SHILONGO**ERF NO. 3739 MONDESA**EXTENSION 8*

Angula Coleman

ATTORNEYS - NOTARIES - CONVEYANCERS

Haus Hartmann 1084
22 Robert Mugabe Ave.

P O Box 325

1. To receive and
2. To receive and
3. To receive and
4. To receive and

1. To receive and
2. To receive and
3. To receive and
4. To receive and

DEED OF TRANSFER

BEFORE US, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

My commission expires _____.

Witness my hand and seal of office this _____ day of _____, 20____.

Notary Public for the State of _____

My commission expires _____.

1. The Council is requested to consider the proposed amendments to the Council's Policy on the Management of the Council's Assets and to approve the amendments.

The Council is requested to consider the proposed amendments to the Council's Policy on the Management of the Council's Assets and to approve the amendments.

2. Unless the proposed amendments are approved, the Council is requested to consider the proposed amendments to the Council's Policy on the Management of the Council's Assets and to approve the amendments.



LEASE AGREEMENT MADE AND ENTERED INTO BY AND BETWEEN

1. DETAILS

1.1 LESSOR:

NAME: LUKAS SHILONGO
 ID NUMBER: 66122100420
 ADDRESS: Erf 1076, Mathias Hamukwaya Street, Mondesa, Swakopmund
 CONTACT: (EMAIL) lshilongo55@gmail.com (CELL) 081 143 7271

1.2 LESSEE:

PARADISE TWO ENTERTAINMENT CC (CC/2023/01917)
 P.O. Box 4630 WALVIS BAY Cell 081 476 8788
 Email: francoisoosthuizen@gmail.com

Herein represented
by

NAME: FRANCOIS OOSTHUIZEN
 ID NUMBER: 93101100119
 ADDRESS: Erf 5786, KRAHNSDOORF, Swakopmund
 CONTACT: (EMAIL) francoisoosthuizen@gmail.com (CELL) 081 476 8708

NAME: MARTIN KIRSTEN SPANGENBERG
 ID NUMBER: 66082200473
 ADDRESS: RD 4, ANTILLES STREET, Swakopmund
 CONTACT: (EMAIL) bookings@rentacarnam.com

1.3 1.3 LEASE

STREET ADDRESS: KLEOFAS KURUSEB STREET, MONDESA, SWAKOPMUND
 COMPLEX NAME: SHILONGO SHOPPING COMPLEX
 PLOT/ERF NUMBER: Unit 3A, 3730

2. PERIOD OF LEASE AND OPTION OF RENEWAL

This lease shall commence on 01/02/2023 and will endure for a period of 5 years until 01/02/2028.

The TENANT shall have the right to rent renew this lease after the expiry date of this lease, provided that all the terms of this lease shall continue to apply during the renewal period, save that -

RENTAL PER MONTH:

The rental is N\$8,000.00 (Eight Thousand Namibia Dollars) payable monthly in advance on or before the first (1) day of each calendar month, free from any deduction or bank exchange, to the Lessor;

Pay: Lukas Shilongo
 Bank: FNB Namibia
 Account Number: 62250206436
 Branch code: 280-472

SIGNATURE HERE

Handwritten signature and initials (Lsh) over the signature line.

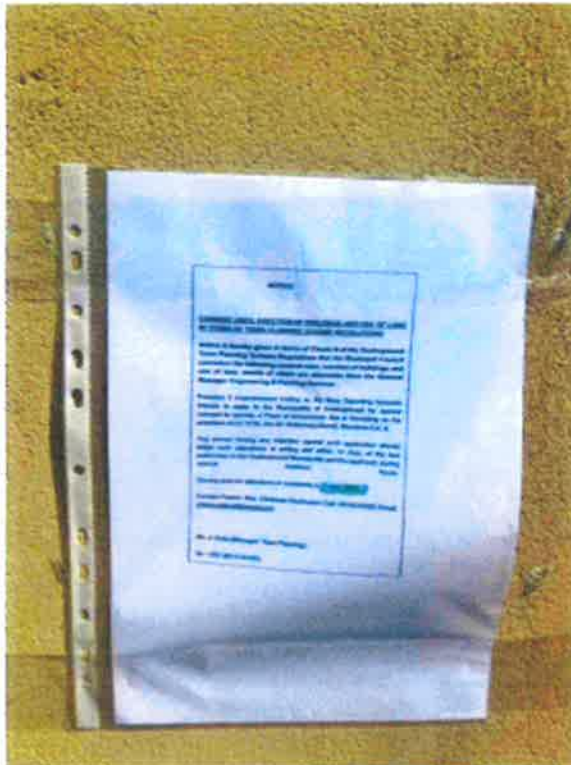
ANNEXURE C











12 NAMIB TIMES

16 JUNE 2023

ENVIRONMENTAL CONSULTING & TRAINING CC
PUBLIC PARTICIPATIONS/SCOPING
ENVIRONMENTAL IMPACT ASSESSMENT FOR
THE PROPOSED CONSTRUCTION AND
OPERATION OF A FISH SHOP AT ERF. 2004
(MONDESA EXT. 4), ERONGOMBO REGION, NAMIBIA

MONDESA FISH SHOP (or the Proponent) intends to construct and
operate a fish shop at Erf. 2004 (Mondesa Ext. 4) within the
Swakopmund Municipal boundaries (Erongo Region, Namibia). Erf
2004 has been reserved for this activity; however, the activity may not
be undertaken without an Environmental Clearance Certificate
(ECC).

PUBLIC NOTICE: This public notice in terms of the Environmental
Management Act (No. 1 of 2007) and its Regulations of 2012 that
application for an Environmental Clearance Certificate (ECC) will be
launched with the Environmental Commission/Ministry of
Environment, Forestry and Tourism.

APPOINTED CONSULTANT: The appointed Consultant
(ENVIRONMENTAL CONSULTING & TRAINING CC) shall facilitate public
consultations and prepare Reports required to support an application
to the ECC.

INTENTION TO PARTICIPATE: Interested & Affected Parties (I & A
Parties) are invited to register in order to participate in the public
participation process.

In order to receive information about this project, kindly register at 18
Apts 201/202, 18, Namibia.

Environmental Consulting & Training Solutions cc
P.O. Box 4120, Swakopmund
Email: pearl@etcc.com Website: +264 615343173

NOTICE
**CONSENT USES, ERECTION OF BUILDING AND USE OF
LAND IN TERMS OF SWAKOPMUND TOWN PLANNING
SCHEME REGULATIONS**

Notice is hereby given in terms of Clause 6 of the Swakopmund Town
Planning Scheme Regulations that the Municipal Council considers the
following consent uses, erection of buildings and use of land, details of
which are obtainable from the General Manager: Engineering and
Planning Services.

Paradise 2 Entertainment trading as Big Boss Gambling herewith intends to
apply to the Municipality of Swakopmund for special consent to operate a
Place of Amusement- Bar & Gambling on the premises of erf 3739, (No 38,
Waterberg Street) Mondesa Ext. 8.

Any person having any objections against such application should lodge
such objections in writing and within 14 days of the last publication to the
Swakopmund Municipality and the applicant, during normal business
hours.

Closing date for objections or comments is 3 July 2023.

Contact person: Mrs Christman Gashoben Cell: 081 431 9292
Email: christmanidew@swakopmund.na
Mr. J. Heita (Manager: Town Planning)
Tel: +264 (64) 4104403.

Swakopmund Municipality
Procurement Management Unit
OPEN NATIONAL BID INVITATION

PROCUREMENT NO: CS/PPM-002/2023

DESCRIPTION: Request For Proposal for the
Provision of Organizational
Development Consultancy
Services

SCOPE: The Research and review the
current structure plan,
strategic plan, Internal Audit
report, and organisational
structure.

CLOSING DATE: Monday, 31 July 2023 at 11:00

DOCUMENTS: Documents are available on the
Municipal website at
www.swakopmund.na or
Electronic Government Portal (e-
GPT) and no documents will be
handed out or collected from the
MUP until further notice

LEVY: N/A

ENQUIRIES ADMINISTRATIVE: Mr. Martinus Bahr
mah@swakopmund.na
TEL: +264 - 64 - 410 4321

The bids (1 original + 1 copy) must be in sealed envelopes
and clearly marked on the front CS/PPM-002/2023 -
Request For Proposal for the Provision of Organizational
Development Consultancy Services
and submitted to the Head of the Procurement
Management Unit (Bids) name & address must be clearly
marked on the back of the sealed envelopes. Bids must be
placed in the MUP bid box on the Ground Floor of the
Swakopmund Municipal Office, 10 Namibia Street &
Corner Kertze Avenue, Swakopmund or posted to the Head of
the Procurement Management Unit, P.O. Box 53,
Swakopmund.

Notice No: 27/2023
Mr. A. Burjeman
Chief Executive Officer

TENDER

First date of publication 15 June 2023

TENDER NO: DBMNE0460. PROVISION OF TELEMEDICINE SERVICES

DESCRIPTION:
Debmarmine Namibia is seeking a capable and experienced service provider to provide
telemedicine services.

SCOPE OF WORK:
The scope of the tender without limitation includes the provision of virtual remote medical
services by the contractor to all Debmarmine Namibia owned and contracted vessels in
accordance with the requirements of the tender documentation.

CLOSING DATE: 14 July 2023 at 12:00.

Registered businesses Interested in providing such services are requested to obtain a
tender document with reference number DBMNE0460 Provision of Telemedicine Services.

REQUEST FOR ELECTRONIC TENDER DOCUMENT:
Tender documents should be requested by the above date and time.
Email Address: Tenders@debmarine.com
Subject line: DBMNE0460 PROVISION OF TELEMEDICINE SERVICES

ENQUIRIES:
The Procurement Officer
Tel: +264 61 297 8460
Email: Tenders@debmarine.com
Subject line: DBMNE0460 PROVISION OF TELEMEDICINE SERVICES

DISCLAIMER:
Debmarmine Namibia shall not be responsible for any costs incurred in the preparation and
submission of a response to this tender and furthermore reserves the right not to extend
this tender into any future tenders, negotiations and or engagements.

Debmarmine Namibia shall not accept submissions rendered after the closing date and time.

DEBMARINE
NAMIBIA

Swakopmund Municipality
Procurement Management Unit
OPEN NATIONAL BID INVITATION

PROCUREMENT NO: CS/PPM-003/2023

DESCRIPTION: Request for Proposal to provide
DISC Assessment and Team
Building Services

SCOPE: Consultant to perform DISC
assessments, interpret the
results to the team, conduct a 360
degree assessment, and use
the information during a session
to enhance employee
engagement, enhance teamwork
and raise self-awareness

CLOSING DATE: Monday, 31 July 2023 at 11:00

DOCUMENTS: Documents are available on the
Municipal website at
www.swakopmund.na or Electronic
Government Portal (e-GPT) and no
documents will be handed out or
collected from the MUP until further
notice.

LEVY: N/A

ENQUIRIES ADMINISTRATIVE: Mr. Martinus Bahr
mah@swakopmund.na
TEL: +264 - 64 - 410 4321

The bids (1 original + 1 copy) must be in sealed envelopes and
clearly marked on the front CS/PPM-003/2023 - Request for
Proposal to provide DISC Assessment and Team Building
Services and submitted to the Head of the Procurement
Management Unit (Bids) name & address must be clearly
marked on the back of the sealed envelopes. Bids must be
placed in the MUP bid box on the Ground Floor of the
Swakopmund Municipal Office, 10 Namibia Street &
Corner Kertze Avenue, Swakopmund or posted to the Head of
the Procurement Management Unit, P.O. Box 53, Swakopmund.

Notice No: 31/2023
Mr. A. Burjeman
Chief Executive Officer

Visit our
Swakopmund
Branch at Ane Court
no. 13 opposite
Namib High School

10 NAME TIMES

9 JUNE 2023

NOTICES & VACANCIES

WALLET DOCTOR INVESTMENTS CC
ENVIRONMENTAL CONSULTING & TRAINING SOLUTIONS CC
PUBLIC PARTICIPATION/SCOPING
ENVIRONMENTAL IMPACT ASSESSMENT FOR THE PROPOSED CONSTRUCTION AND OPERATION OF A FISH SHOP AT ERF 2604 (MONDESA EXT. 4), ERONGO REGION, NAMIBIA
MONDESA FISH SHOP (Pty) Ltd (the Proponent) intends to construct and operate a fish shop at Erf 2604 (Mondesa Ext. 4) within the Erongo Regional Municipality boundaries (Erongo Region, Namibia). Erf 2604 has been reserved for this activity; however, the activity may not be undertaken without an Environmental Clearance Certificate (ECC) issued in terms of the Environmental Management Act 2012 (Act No. 107 of 2012) and its Regulations of 2012 that application for an Environmental Clearance Certificate (ECC) will be provided with the Environmental Clearance Certificate (ECC) to the Environmental Commission (EC) of the Erongo Region.
APPOINTED CONSULTANT: The appointed consultant, ENVIRONMENTAL CONSULTING & TRAINING SOLUTIONS CC, is hereby invited to participate in the public participation process.
APPOINTED CONSULTANT: The appointed consultant, ENVIRONMENTAL CONSULTING & TRAINING SOLUTIONS CC, is hereby invited to participate in the public participation process.
In order to receive information about this project, kindly register at the following website:
Website: www.environmentalconsulting.co.na
P.O. Box 4128, Swakopmund
Email: info@environmentalconsulting.co.na / info@etd.co.na
Mobile: +264 81 210 1179

PUBLIC NOTICE
ENVIRONMENTAL IMPACT ASSESSMENT FOR EXPLORATION ACTIVITIES (EPL No. 8801)
Notice is hereby placed to inform all potentially interested and affected parties (IAPs) that an application for Environmental Clearance Certificate will be made to the Environmental Commission, in line with the provisions of the Environmental Management Act 7 of 2007 and its Regulations of 2012, in respect of the envisaged exploration activities for industrial minerals, dimension stone, precious metals, base and rare metals and nuclear fuel minerals.
Project Location: EPL 8801 is located 15km north of Arandis town in Erongo Region and falls largely on state land and partly within the Erongo Region.
Proponent: Chariot Investment (Pty) Ltd.
All Interested and Affected Parties (IAPs) are cordially invited to participate in public consultation meeting on the 17th of June 2023 in Arandis Community Town Hall. Registration, as well as submission of IAPs comments (including the request for the Background Information Document), must be done on or before 16th June 2023, to:
ES Consultants CC
Cell: 881 2409124
Email: admin@esconsultants.co

NOTICE IN TERMS OF THE URBAN AND REGIONAL PLANNING ACT, 2018 AND THE ENVIRONMENTAL MANAGEMENT ACT, 2007
Please take note that Stewart Planning - Town & Regional Planners intends to apply, on behalf of registered owner, to the Municipal Council of Walvis Bay, the Urban and Regional Planning Board and the Environmental Commission for permission for the following:
Re-zoning of Erf 1462 Krauseboom (C/o Dorrenboschland and Gold Street) from "General Residential Z" (1:150m) to "General Business" to permit the redevelopment of the erf into a grocery shop with a liquor store. Applications for an Environmental Clearance Certificate for the above re-zoning.
The aforementioned application is submitted in terms of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018) and the Walvis Bay Zoning Scheme. The re-zoning of land from residential to commercial use is a listed activity, and an application for an Environmental Clearance Certificate will be made in terms of the Environmental Management Act, 2007 (Act No.7 of 2007).
Please take note that:-
(a) the re-zoning application lies open for inspection at Room 101 of the Roads and Building Control Department of the Municipality of Walvis Bay situated at Civic Centre, Walvis Bay or can be downloaded from www.walvisbay.na/projects.
(b) Potential interested and affected parties are invited to register with Stewart Planning, and any person having comments or objections to the application, may in writing lodge such objections and comments, together with the grounds thereof, with the Chief Executive Officer of the Municipality of Walvis Bay and with Stewart Planning within 14 days of the last publication of this notice.
c) Registration and written comments or objections must be submitted before or on 17:00 Thursday, 8 July 2023.
Applicant: Stewart Planning
Zone & Regional Planners
P.O. Box 2091 Walvis Bay
info@stewartplanning.co.na
Tel: 24 775
Local Authority: Chief Executive Officer
Municipality of Walvis Bay
Private Bag 201 / Walvis Bay
info@walvisbay.na
Tel: 24 1129

MUNICIPALITY OF SWAKOPMUND
CONSENT USES, ERECTION OF BUILDINGS AND USE OF LAND IN TERMS OF THE SWAKOPMUND TOWN PLANNING SCHEME
Notice is hereby given in terms of Clause 6 of the Swakopmund Town Planning Scheme that the Municipal Council considers the following consent uses, erection of buildings and use of land, details of which are obtainable from the General Manager: Engineering & Planning Services:
1. Erf 3773, Swakopmund Extension 2 (Playground Street) - Special consent for a Restaurant / Occupation - Administrative Office.
2. Erf 150, Swakopmund Extension 2 (Playground Street) - Special consent for a Restaurant / Occupation - Administrative Office.
3. Erf 150, Swakopmund Extension 2 (Playground Street) - Special consent for a Restaurant / Occupation - Administrative Office.
4. Erf 150, Swakopmund Extension 2 (Playground Street) - Special consent for a Restaurant / Occupation - Administrative Office.
5. Erf 2095, Swakopmund Extension 2 (Playground Street) - Special consent for a Restaurant / Occupation - Administrative Office.
6. Erf 4183, Swakopmund Extension 2 (Playground Street) - Special consent for a Restaurant / Occupation - Administrative Office.
Contact Person: Mr. J. Heits (Manager: Town Planning)
Tel: +264 81 210 1179
Any person having any objections to the proposed activities may lodge such objections, duly motivated in writing, with the Chief Executive Officer before or on 24 July 2023.
NOTICE NO. 2023/01
A Swakopmund
Chief Executive Officer

NOTICE
CONSENT USES, ERECTION OF BUILDING AND USE OF LAND IN TERMS OF THE SWAKOPMUND TOWN PLANNING SCHEME, REGULATIONS
Notice is hereby given in terms of Clause 6 of the Swakopmund Town Planning Scheme Regulations that the Municipal Council considers the following consent uses, erection of buildings and use of land, details of which are obtainable from the General Manager: Engineering & Planning Services:
Paragraph 2: Entertainment trading in Big Boat Gambling kiosk with intend to apply to the Municipality of Swakopmund for special consent to operate a Place of Amusement - Bar & Gambling on the premises of erf 3734, C/o 58, Waterbury Street / Mondesa Ext. 4.
Any person having any objections against such application should lodge such objections in writing and within 14 days of the last publication to the Swakopmund Municipality and the applicant, during normal business hours.
Closing date for objections or comments is 3 July 2023.
Contact person: Mrs. (Mrs.) Christa van der Merwe
081 411 0262
Email: christa@swakopmund.na
Mr. J. Heits (Manager: Town Planning)
Tel: +264 (64) 4104403.

SWAKOPMUND
We are an Equal Opportunity Employer seeking to employ an
HUMAN RESOURCES PRACTITIONER
(Grade D1)
We are seeking a motivated individual to join our Human Resources Practitioner team. As a member of the team, you will oversee and manage the Human Resources and Payroll departments to ensure the efficient and effective management of the organization's workforce. Key responsibilities include: strategic management, budget and forecasting, HR reporting and payroll, recruitment process, performance management, training, employee relations, policy development, implementation and communication, AA reporting, and other HR related tasks.
If you honor our values:
We prove the service, the best service, the best people, the best to each other, the best to the top.
And have the following skills:
A Degree in Human Resources Management
Minimum of 6 years' experience as HR Practitioner in a manufacturing environment
Good computer skills at an advanced level (MS Office & ERP)
Good knowledge of various legislations
Must be able to manage a small team
High ability to think analytically and creatively to resolve problems
Able to take initiative and decisions
Have a high attention to detail and accuracy
Excellent interpersonal and communication skills
Have high integrity and adhere to principles and values
Be able to cope with a demanding work life
Must have excellent numerical and verbal abilities (preferably multi-lingual)
Must have excellent planning, organizational and administrative abilities
Must be able to cope with pressure and setbacks
Must be a Namibian citizen with a valid driver's license
Please email your resume, cover letter and any relevant supporting documents to hr@swakopmund.na by no later than 23 June 2023.
IN THE SECOND ROUND, CANDIDATES WILL BE INTERVIEWED.
NO DOCUMENTS WILL BE RETURNED.



PARTNERS IN POTENTIAL.

As pioneers in mining, we produce materials essential to human progress. Our talented workforce uses industry-leading mining processes and technology to ensure our operations are safe, low cost and efficient. We have an opportunity available:

ROSSING URANIUM VACANCY

- Blasters- Fixed Term Contract
- Skills Trainer (Processing)

The closing date for applications is 23 June 2023.

Find out more at www.rossing.com (vacancies)

Learn more about Rossing in our Reports & Research section at www.rossing.com

ANNEXURE D



MUNICIPALITY OF SWAKOPMUND

Ref No: M 3739

Enquiries: R N Shipunda (Ms)

☎ (064) 410 4612
 📠 0886519135
 📧 63 Swakopmund
 NAMIBIA
 🌐 www.swkmun.com.na
 ✉ rshipunda@swkmun.com.na

26 September 2016

Mr L. Shilongo
 P. O. Box 8106
 SWAKOPMUND

Dear Sir,

SALE OF BUSINESS ERVEN AT THE PDA MONDESA – ERF 3739

We refer to the Council resolution of 29 January 2009, resolved under Item 11.1.10.

- (a) That Council confirms that the business erven in the PDA will be sold by calling for development proposals when the erven are ready for sale.
- (b) That Council limits the type of business activity to be approved on the business erven considering their proximity to schools and public open spaces.
- (c) That the invitation for development proposals clearly states that preference will be given to Small and Medium Enterprises and that no Shebeens, places of amusement or liquor stores will be considered.

Your attention is hereby drawn to point (c) of the above resolution which prohibit construction of liquor outlets and places of amusements at the allocated erven. You are therefore kindly reminded to comply with the above resolution and stick to your business proposal.

In case you have any queries, please do not hesitate to contact our office at the above contact details.

Yours faithfully

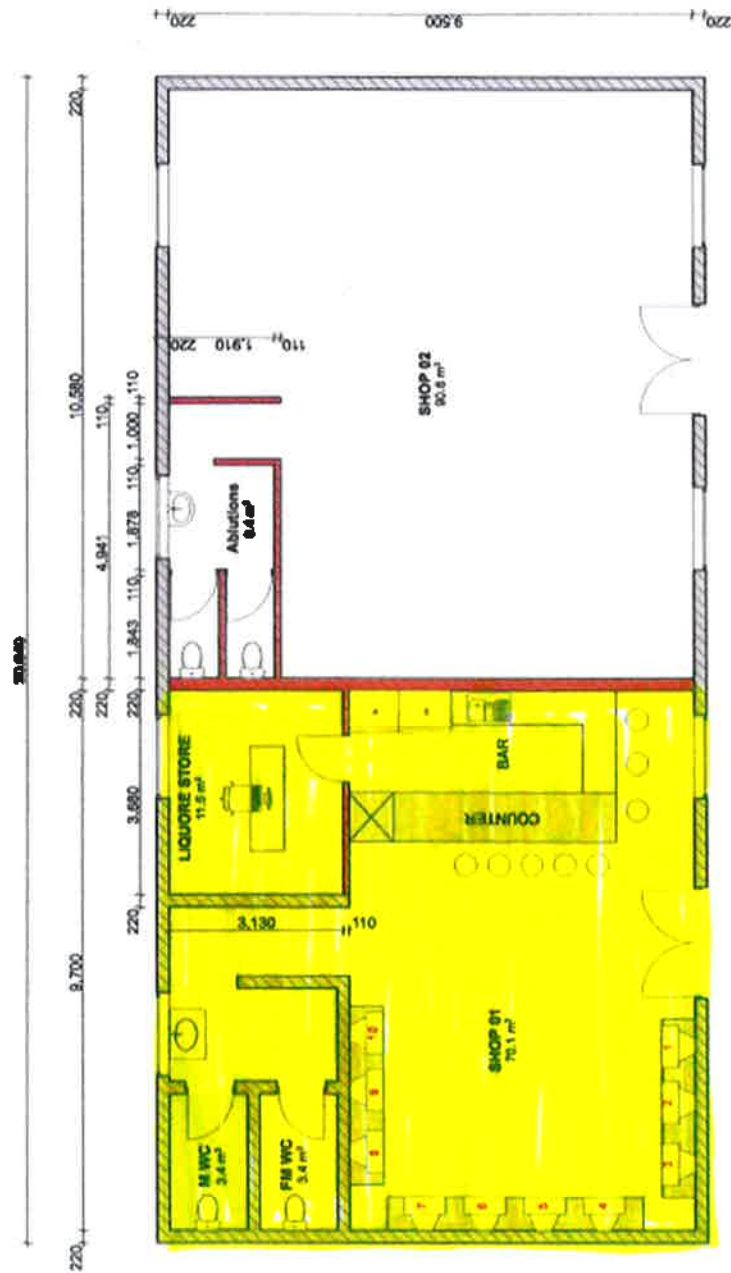
MN/PINGE
 GM: COMMUNITY DEVELOPMENT SERVICES

/rs

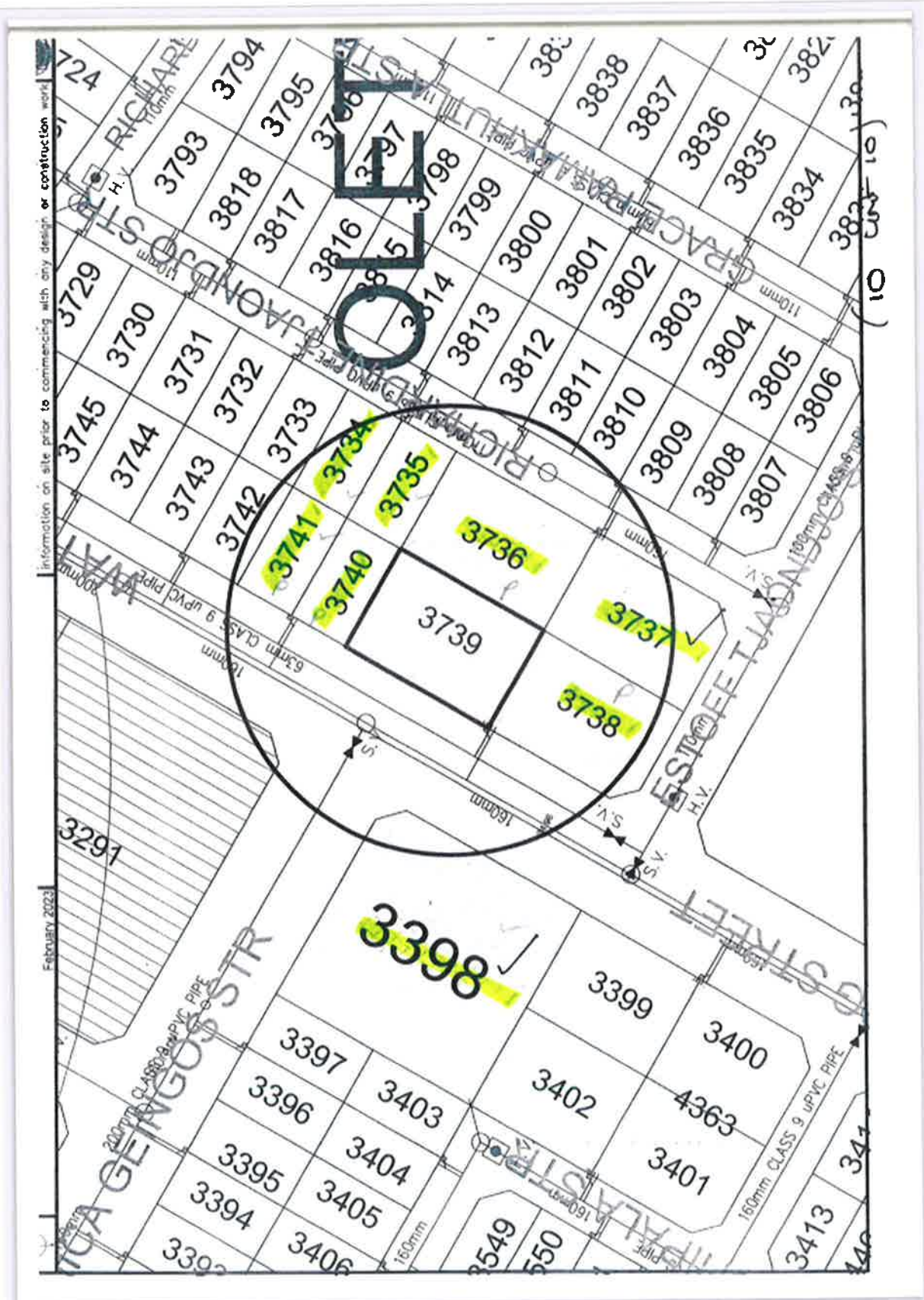
All correspondence must be addressed to the Chief Executive Officer

ANNEXURE E

NEW Bar



GROUND FLOOR PLAN (M2) GROUND FLOOR PLAN (M2)
Scale 1:500, 1/20



ANNEXURE F



MUNICIPALITY SWAKOPMUND

 0848 4104421
 0848 519137

 53 SWAKOPMUND
 Namibia

 Consent from adjoining owner/neighbours for Business Registration
 and/or Consent Use

 I, David Hinkel, the owner of Erf 3740

| | |
|----------------|----------------------------------|
| Street Address | <u>Waterberg</u> |
| Postal Address | <u>115 Swakopmund</u> |
| Tel No. | <u>084 2182513 or 0812467154</u> |
| E-mail Address | <u>N/A</u> |

 Am aware that an application for a Place of
Amusement / Pub / Bar

 on Erf 3739 By Messrs Francois Oosthuizen
 has been applied for, at the Municipality of Swakopmund and have the
 following to respond:

☐ No objection

Signature of Owner

☒ Objection

Hinkel
 Signature of Owner

 (Please mark which ever is applicable in the block)
 against the proposed consent use:

(If you have an objection please stipulate your reasons/remarks below)

| REMARKS/REASONS |
|--|
| <u>we are having School kids that study day and night</u> |
| <u>they can't concentrate with too much noise from the bar and</u> |
| <u>it's extra cost for our local kids going to the</u> |
| <u>entertainment near by the bar.</u> |

Hinkel
 SIGNATURE

David Hinkel David
 FULL NAME

10-05-2023
 DATE

Contact Details: Tel. No / Cell Phone:

Please attach certified copy of identity (signature) of the neighbour (owner of the erf).

VNB/200



\mathbb{Z}_2 and \mathbb{Z}_3 are the cyclic groups of order 2 and 3, respectively.

Consent from adjoining owner neighbours for Business Registration
and/or Consent Use

Abed J. the owner of Erl 3734

Street Address 7122 Swirkepmund
Postal Address
Tel. No. 081 4620580
E-mail Address

Am aware that an application for a Place of

Amusement / Pub / Bar

an Erf 3739 By Messrs. Francois Oosthuizen
has been applied for at the Municipality of Swakopmund and have the
following to respond:

Signature of Owner

Literature of Dance

Signature of Owner _____

(Please mark which ever is applicable in the block)
against the proposed consent use:

(if you have an objection please stipulate your reasons/remarks below)

REMARKS/REASONS

| If you have an objection, please explain your reasons below | REMARKS/REASONS |
|---|-----------------|
| | |
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| | |
| | |
| | |

AKW

SIGNATURE

Abel Jacob

FULL NAME

11/03/202

DATE _____

Contact Details: Tel. No. / Cell Phone:

Please attach certified copy of Identity (signature) of the neighbour (owner of the erf).



THE UNIVERSITY OF CHICAGO

Amusement / Pub / Bar.

At the City of San Francisco, California, this 10th day of May, 1900, before me, the undersigned, a Notary Public in and for the State of California, personally appeared Francis Coghizer, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Signature of Officer: _____

REMARKS REASONS

Ulag, A.K. = *Akshaya Venkatesh*

Contact Details Tel. No. Cell Phone:

Please attach a signed copy of Identity Signature of the neighbor/owner of the art.



MUNICIPALITY SWAKOPMUND

Consent from adjoining owner neighbours for Business Registration
and or Consent Use

Applicant:

Postal Address:

Town:

Plot No. Address:

Am aware that an application for a

Business Registration / Consent Use

has been applied for in the Municipality of Swakopmund and that I hereby
consent to the proposed use.

Signature of Owner

Signature of Owner

Signature

Signature of Owner

Please note: Where applicable, the Council
against the proposed consent use.

Please provide an explanation with signature, if reasons return below.

REMARKS/REASONS

Signature: _____ F.R. NAME: _____ DATE: _____

Contact Details: Tel. No. / Cell Phone: _____

Please attach certified copy of identity (signature) of the neighbour (owner of the erf).



3398

U. B. 3739 By Messrs.

REMARKS REASONS

5474

— 121 —

Contact Details: Tel. No. Cell Phone

Please affix a written copy of identity signature of the neighbour/owner of the ed.

11.1.28 **APPLICATION FOR THE SUBDIVISION OF ERF 3654, SWAKOPMUND PROPER INTO PORTION A AND REMAINDER**
(C/M 2023/10/26 - E 3654)

Ordinary Management Committee Meeting of 19 October 2023,
Addendum 8.15 page 03 refers.

A. This item was submitted to the Management Committee for consideration:

1. Purpose

The purpose of this submission is for the Council to consider the application for the subdivision of Erf 3654, Swakopmund Proper into Portion A and Remainder for the purpose of formalising the existing street and the garden.

2. Introduction and Background

An application to purchase Erf 3654, Swakopmund Proper was received by Messrs All-Safe Training & Consulting on the **6 November 2011**. The applicant intended to build a training centre and subsequently develop a small play park for children entertainment while their parents or guardians attend classes. The applicant was informed that Management Committee on the 12 October 2006, under item 8.16 resolved to reserve the erf for future parking.

Shortly thereafter, the applicant submitted another letter, requesting Council to reconsider its decision as it was resolved a long time ago. See the applicant's request, attached as Annexure A. However, management resolved via Item 11.1.4:

- (a) *That Messrs All-Safe Training & Consulting be informed that their application to purchase Erf 3654, Swakopmund was considered, but is turned down.*
- (b) *That Messrs All-Safe Training & Consulting be offered a portion of Portion 5 as per Annexure "D" (on file), subject thereto that proof of registration as a welfare organisation is submitted.*
- (c) *That the Management Committee resolution passed on 12 October 2006 under item 8.16 be repealed.*
- (d) *That the Engineering Services Department attends to the proper layout, subdivision and rezoning of Erf 3654, Swakopmund to accommodate the extension of Daniel Tjongarero Street and that the remainder be public open space and gardens be established to beautify the area.*

3. Ownership

The ownership of Erf 3654, Swakopmund Proper currently vests in the Municipal Council of Swakopmund as endorsed under the Deed of Transfer No. T4644/1999. See **Annexure B**.

4. Zoning and Locality

Erf 3654, Swakopmund Proper is located along Moses //Garoeb Street. According to the Zoning Scheme, Erf 3654 is currently

zoned "Undetermined" and measures 2 441m² in extent. See insert on the next page.



Figure 1: Location of Erf 3654, Swakopmund

5. Infrastructure services and Access

The proposed portion A is already connected to the existing infrastructural services and the remainder has been utilised as a street access to all the existing erven for many years.

6. Public consultation

In terms of the Urban and Regional Planning Act, Section 107, a subdivision is subjected to the public consultation process of the surrounding neighbouring properties.

Six neighbouring property owners were notified by registered letters being Erven 652, 773, 3770, 3642, 3625 and 3626, Swakopmund. The closing date for comments and/or objections was on the 11 August 2023. Attached as **Annexure C** is the list of neighbours consulted via registered mail as well as the emails which were received from the objectors.

Four objections were received from the owners of Erven 3526, 3627, 3629 and 3630, Swakopmund, after lapsing of the closing date. These objections are based on assumptions that cannot be validated and cannot be considered as they were late two weeks and are not valid.

It should be noted that Section 110 of the Urban and Regional Planning Act, (Act No. 5 of 2018) makes provision for objectors to be given an opportunity to appeal should their objections be received on time.

It is against this background that it is suggested that should the Appeals Committee may wish to consider such appeals as a discretion matter in accordance with its powers.

7. Proposal

Erf 3654, Swakopmund Proper will be subdivided into Portion A and Remainder. The Remainder of Erf 3654, Swakopmund will accommodate the extension of Daniel Tjongarero Street, a 30-metre-wide Street. Note should be taken that the proposed subdivision is merely to formalise the existing cadastral situation on the ground as the road already exists and the proposed garden on Portion A will be established merely to beautify the area that remains undetermined. See image below.



8. Discussion

8.1 Subdivision

Erf 3654, Swakopmund Proper will be subdivided into Portion A and Remainder whereby Portion A will be earmarked for public open space purposes. The portions will be subdivided as per table below:

| PORTION NUMBER | APPROXIMATE AREA (m²) AND USE |
|-----------------------|---|
| Portion A | 687 (Public Garden) |
| Remainder/3654 | 1 754 (Extension of street) |

See subdivision plans attached as **Annexure D1**.

8.2 Environmental Clearance Certification

In terms of Section 27 of the Environmental Management Act, Act 7 of 2007, in conjunction with Section 5.1 (d) of the Environmental Impact Assessment Regulations, closure of public open space and streets has been listed as one of the activities that cannot be undertaken without environmental clearance certificate. Therefore, the closure is subject to an environmental impact assessment, of which a certificate was obtained February 2023 (See **Annexure E**).

8.3 Financial implications

The proposed subdivision is subject to surveying and registration costs. In addition, the surveying cost is estimated to be approximately N\$10 000.00.

Registration fees are unknown at this stage; however, it is not anticipated to be significant in terms of the total cost of the process. Funds should be defrayed from Vote Number 5000-3-10-143-00 where an amount of N\$ 1 400 000. 00, is available.

8.4 Title Conditions

The current title deed conditions should be cancelled and be replaced with the following conditions to be registered against the title deeds for the Remainder Erf 3654 and Portion A, Swakopmund:

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 Swakopmund Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018 (Act 5 of 2018)*

9. Conclusion

The proposal complies with the Swakopmund Zoning Scheme and should therefore be favourably considered.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) **That Erf 3654, Swakopmund Proper be subdivided into Portion A for the extension of the existing street.**
 - (b) **That the current title deed conditions registered against Erf 3654, Swakopmund Proper be cancelled and the following title deed conditions be registered against the title deeds of Portion A of Erf 3654, Swakopmund:**
 - (i) *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 Swakopmund Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018 (Act 5 of 2018);*
 - (c) **The costs involved be defrayed from Vote: 500031014300 where an amount of N\$1 400 000. 00, is available.**
 - (d) **That it be noted that objections were received after the closing date, however, the objectors be informed of Council's decision.**
 - (e) **That should the objectors appeal against Council's decision in respect of this resolution, to the Minister of Urban and Rural Development within twenty-one (21) days from the date of receipt of the notice of this resolution in accordance with section 110 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018), the admissibility of such appeals be at the discretion of the Appeals committee and as it may deem appropriate.**
-

ANNEXURE A



ALL-SAFE
Training & Consulting

✓ P O Box 3821

Swakopmund

Tel: 081 247 4911

Email: info@allsafenamibia.com

Hon. Mayor Rosina //Hoabes
Swakopmund Municipality
11 February 2012

| |
|--------------|
| MUNICIPALITY |
| 2012-02-13 |
| SWAKOPMUND |

Dear Mrs. //Hoabes

It was such an honour to meet you in person on Wednesday; I thank you so much for taking the time to listen to my plight for a property to erect a Community Training Centre here in my hometown, Swakopmund.

I have initiated a community project called Essentials, where I received sponsorship for local schools to teach grade 7's about first aid, personal hygiene, food hygiene, HIV and nutrition amongst other subjects. The project has been very well received and the children just love it! In 2011, I managed to get sponsorship and taught classes in 9 schools locally, I will continue to hunt for sponsorship for more schools this year. I just feel that there is such a gap between school and long term tertiary institutions, hence this passion I have for the Community Training Centre.

So far for the Community Training Centre, I have a few institutions that are interested in being part of this great venture, namely;

The Goethe-Zentrum/NaDS and Alliance Francaise for the languages; including English, German, French, Spanish, Afrikaans;

Institute for Information Technology for various computer and management studies;

All-Safe Training & Consulting would be for health studies, first aid, hygiene, safety, budgeting;

Mrs C Roberts, restaurant owner with years of experience, would become responsible for the service industry training.

We would also like to have courses in presenting yourself for job applications, how to write your Curriculum Vitae correctly, etc

We would have longer courses and short course to meet the needs of different students, not everyone can go for long studies, not many can afford it either. There would also be a micro-lending scheme where students could pay off small amounts monthly, as well as a play area for women with young children. I strongly feel that we need to assist young mothers here, I meet so many of them, who desperately want to better their circumstances, they just need a chance. I want to give them that chance with this centre.

Other people who I have contacted regarding the centre are Governor Nujoma and Mr Elia Manga, they are also very much in favour of the idea for a community training centre here, and mentioned that they would gladly assist me where they can.

I have attached some of our research that was collected of names of people who are in favour of or who might utilise such a centre. This data was collected by Shandy Adries and Silvanus Paulus, on some sheets Silvanus wrote the names of individuals himself and they signed, as they mentioned to Silvanus that they could not write very well.

I also attached the letters to and from the Municipality of Swakopmund, which includes a picture of the property. The property is small, however ideally situated as many potential students pass it on their way into town and from town.

I was supplied an incorrect map at one point in time, but later saw on another map that the road now does not run through the middle of the land, but rather takes up the whole northern portion of Erf 3654, leaving a small section that is unutilised.

I felt positive feedback from you regarding this centre, and I hope you realised my passion for it, I want this to be a place where everyone who wants to better their education can come, there are so many we could assist.

The Planning Forum meet on the 14th February and the Council in March, if you could assist me in anyway, I will be forever grateful.

Please do not hesitate to contact me should you require any further details of the institutions who would like to join.

Kind Regards



Georgina Strzelecki



MUNICIPALITY OF SWAKOPMUND

Ref No: Erf 3654, Swk & G 4/1/1

Enquiries: Ms S Bruwer

(064) 4104219
088 614 514
53 Swakopmund
NAMIBIA
www.swkmun.com.na
sbruwer@swkmun.com.na

11 November 2011

Ms Georgina Strzelecki
All-Safe Training & Consulting
P O Box 3821
SWAKOPMUND

Dear Madam

APPLICATION TO PURCHASE PROPERTY

I acknowledge receipt of your letter dated **06 November 2011** and wish to inform you that the Management Committee on **12 October 2006**, under item 8.16 resolved to reserve the area you applied for, for future parking.

Therefore your application to purchase the land can not be considered.

A map indicating the street portion, known as Erf 3654, Swakopmund is attached.

Should you have any further enquiries, please do not hesitate to contact Ms S Bruwer at ☎ 064-4104219.

Yours faithfully

M P C Swarts
GM: CORPORATE SERVICES & HR

/sb

Copy: Acting GM: Engineering Services



P O Box 3821

Swakopmund

Tel: 081 247 4911

Email: info@allsafenamibia.com

Mr. De Masius
Chief Executive Officer
Municipality of Swakopmund
Namibia
Tel: 064 410 4111
06 December 2011

Dear Mr. De Masius

Re: Application to Purchase Property Erf 3654

I acknowledge receipt of the reply from the Municipality of Swakopmund regarding my application, dated 6 November 2011.

Taking into account that the decision taken by the Management Committee was a number of years ago, I believe the needs of local residents in Swakopmund for training in all areas have become more apparent since then.

I would like to continue my application and would like to appeal to the Municipality to reconsider the decision taken in 2006 to reserve the property for parking.

A community orientated training centre is much needed in Swakopmund, our community will greatly benefit from this centre. We (my colleagues and I) are conducting research into the matter, and already have a substantial list, growing by the day, with names and contact details of community members who support the idea for this training centre and would utilise it. We also have various registered institutions that are interested in joining this wonderful venture, allowing for different faculties such as Languages, Service Industry and Information Technology.

Namibia's unemployment rate being so high, this centre would give people the opportunity to learn something that would definitely increase their likelihood of securing employment. This in turn would have a great impact on the nation as a whole. I, personally come across many, many people who are in situations they find almost impossible to improve. I find this tragic, I was born here and simply feel I must contribute to raising standards for local residents from all walks of life, this will be through education.

Due to the fact that the property is split in two by the road now, one could propose different phases of development. I am sure there could be some kind of middle ground whereby one part of the property would be built, maintained and kept by us for the use of parking accessible to the public, as well as the erection of toilets for use by the public.

I can only hope that the goals of All-Safe Training & Consulting are seen favourably, and that the Municipality is willing to assist in turning this great proposal into a reality for Swakopmund. While continuing my application, I will be looking into the possibility of leasing to officially begin the centre, Swakopmund Training Centre.

Kind regards

Georgina Strzelecki

Copy



MUNICIPALITY OF SWAKOPMUND

Ref No: Erf 3654, Swk & G 4/1/1

Enquiries: Ms S Bruwer

(064) 4104212
088 614 514
53 Swakopmund
NAMIBIA
www.swkmun.com.na
sbruwer@swkmun.com.na

9 January 2012

Ms Georgina Strzelecki
All-Safe Training & Consulting
P O Box 3821
SWAKOPMUND

Dear Madam

APPLICATION TO PURCHASE PROPERTY

I acknowledge receipt of your letter dated **06 December 2011** and wish to inform you that Council is annually in recess during December, therefore your application will be discussed by the Planning Forum during **February 2012**.

In the meantime you are kindly requested to submit a list of the names and contact details of the community members who support the project and also the details of the various registered institutions that are interested in your venture.

A further correspondence will be addressed to you as soon as circumstances permit.

Should you have any further enquiries, please do not hesitate to contact Ms S Bruwer at ☎ 064-4104212.

Yours faithfully

M P C Swarts
GM: CORPORATE SERVICES & HR

/sb

RESEARCH FOR TRAINING CENTRE IN SWAKOPMUND

We would like to open a community orientated training centre in Swakopmund. This centre would like to provide different training courses, long and shorter courses, including subjects such as:
General Safety; Food Safety; Basic Hygiene; First Aid; Computer Literacy, Information Technology;
Business Management; different Languages; Service in Restaurants and Hotels. We envision a micro-lending scheme for students that have limited funds.

If you agree that Swakopmund is in need of such a training centre, please write your details below.

| | NAME | CONTACT No / POSTAL ADDRESS | SIGNATURE |
|----|--------------------------|-----------------------------|---------------------|
| 1 | KARINA Cloete | P.O. Box 155/0813319756 | Kloete |
| 2 | Journa De Kleik | 0816651159 | De Kleik |
| 3 | Cilly Ann Cloete | ✓ | Cloete |
| 4 | PETER - JOAN VISSEK | 0811491670 | P.J. Vissek |
| 5 | Albertus Johannes | 0816749770 | Albertus Johannes |
| 6 | HENDRIK VAN NIK | P.O. Box 612 | Van Nijk |
| 7 | Christophell Christiaans | P.O. Box 827 | Christiaans |
| 8 | Anzelle Christiaans | " | Anzelle Christiaans |
| 9 | NIEL #GROSES | 0812361197 | Niel Grose |
| 10 | Johannes Isaacs | P.O. Box 110 | Isaacs |
| 11 | MONZIEL GASEB | 0812217752 | Monziel Gaseb |
| 12 | Mogelina Steffelia Aren | ✓ | Mogelina |
| 13 | MEV. WENDELLEN | @yohoo.com | MEV. WENDELLEN |
| 14 | Melene Christiaans | ✓ | Christiaans |
| 15 | Charmoney Siebert | 0816109851 | Siebert |
| 16 | Clodys Vries-Cloete | 0811206457 | Cloete |
| 17 | COTTAGE MEDI-CLINIC | 0614412260 | COTTAGE! |
| 18 | DIDI LEWIS | 0812182252 | DIDI LEWIS |
| 19 | Elsabe Witbooi | ✓ | E. Witbooi |
| 20 | Mrs. E. BASSSEN | ✓ | E. Bassen |



Prepared by me:

[Signature]
CONVEYANCER
COLEMAN, M

LORENTZ & BONE
Attorneys, Notaries & Conveyancers
12th Floor Frans Indongo Gardens
P O Box 85, WINDHOEK

4644 99

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN:

THAT

CAREL JACOBUS WICHARD VAN DER MERWE

~~MARINDA COLEMAN~~

DEPUTY

appeared before me the Registrar of Deeds, at Windhoek, she the said Appearer,
being duly authorised thereto by a Power of Attorney granted to her by the

TRANSNAMIB LIMITED
INCORPORATED IN TERMS OF ACT 21 OF 1987

(hereinafter styled the TRANSFEROR)

dated the 28th day of June 1999 and signed at Windhoek.

|

AND THAT APPEARER DECLARED THAT:

WHEREAS Transnamib Limited, Incorporated in terms of Act 21 of 1987, did on the 4th November 1998 agree to transfer to the Municipal Council of Swakopmund the properties hereby transferred in exchange for -

CERTAIN Erf No. 3651 (formerly street)(a Portion of Erf No. 1023) Swakopmund

SITUATE In the Municipality of SWAKOPMUND
Registration Division "G"

EXTENT 9618 (Nine Six One Eight) Square metres, as will more fully appear from Diagram No. A, 113/96

HELD BY Government Grant No 56/57 122/1969

NOW THEREFORE the Appearer did by these presents cede and transfer in full and free property, to and on behalf of the

MUNICIPAL COUNCIL OF SWAKOPMUND

(hereinafter styled the TRANSFEREE)

It's successors-in-title, Administrators or Assigns,

1. **CERTAIN** Erf No. 3654 (a Portion of Erf No. 444) Swakopmund

SITUATE In the Municipality of SWAKOPMUND
Registration Division "G"

EXTENT 2441 (Two Thousand Four Hundred and Forty One) Square metres, as will appear from Annexed Diagram No. A, 116/96

HELD BY Government Grant No 56/57


SUBJECT to the following conditions imposed in terms of Section 19 of Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963), to wit -

IN FAVOUR OF THE LOCAL AUTHORITY:

- (A) The erf shall only be used or occupied for purposes which are in accordance with, and subject to, the provisions of the Swakopmund Town Planning Scheme approved in terms of the Town Planning Ordinance, 1954 (18/1954), as amended.
- (B) The minimum building value of the main building, excluding the outbuildings, must be three times the municipal valuation of the erf.

WHEREFORE the Appearer, renouncing all the Right and Title the TRANSFEROR heretofore had to the premises; did, in consequence, also acknowledge the TRANSFEROR to be entirely dispossessed of and disentitled to, the same, and that, by virtue of these Presents, the said TRANSFEREE, It's successors-in-title, 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 value of the property for transfer duty purposes to be the sum of N\$32 070,00.

SIGNED AT WINDHOEK on 24 SEP 1999
together with the Appearer, and confirmed with my Seal of Office


SIGNATURE OF APPEARER

In my presence
DEPUTY 
PRIVATE BAG 13250
REGISTRAR OF DEEDS
WINDHOEK
REPUBLIC OF NAMIBIA

20

LIST OF REGISTERED ITEMS POSTED

by

[illegible]

Studio print 2005-4

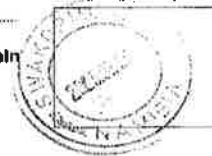
Number of Items

Received by

Date-stamp

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

P1/186



From: Renata Schmidt <renata.schmidt@cityofwindsor.com>
 Sent: Thursday, August 24, 2023 5:01 PM
 To: Johannes Heide <johannes.heide@cityofwindsor.com>
 Subject: Erf F-3653 Subdivision into Portion A and Remainder
 Importance: High

Dear Sir,

Your letter Application for the subdivision of erf 3654 by registered mail was only received on 23.08.2023. Therefore the due date for the objection could not be met.

You agreed on the telephone today, that you will except a late response.

I, Renata Schmidt, the owner of erf 3526, Swabymund herewith object to your proposal.

Reason for Objection:

1. At present pedestrians are walking along the boundary of my erf and not crossing the main street at the traffic light, this is a safety hazard.

The pedestrians also crossing the entrance road to our houses in Alantit street without the necessary care, with a garden opposite the entrance

Road it will be even more dangerous for pedestrians and drivers.

2. I assume that the garden is planned for Portion A of erf 3654 and the road reserve in Remainder Erf 3654 will still be used to enter Moses Earned Street at the 4 way stop as present ; only a walkway is intended along the boundary line of our even without an extra road opening into the main street.
3. A garden will attract possibly squatters / loitering and we as residents will be subject to noise pollution at night and safety is a big concern in that area.
4. Maintenance and clearing of the area will be an issue due to possible littering and defecation / urinating. Gardening will need water for the plants, which has to be maintained properly.
5. The 1st Floor bedroom windows will be most affected by the noise and smell from the proposed garden area.

Signed at Windhoek on this 23rd day of August 2023



Signature of the property owner

From: derbohm@gmx.de <derbohm@gmx.de>

Sent: Sunday, August 27, 2023 7:41 PM

To: Johannes Heita <jheita@svkmmun.com.na>

Subject: Garden on the Erf 3654

Dear Jon T Heita.

My name is Maik Bohm and I live with my mother Lore Bohm in Haus Erf. 3630.

Yesterday I received a message from a neighbor in which my neighbors drew my attention to your project. Furthermore, my neighbors drew my attention to writing on the lantern. This lantern, with the fact sheet not visible at all, is so far from our living quarters that you might as well put the notice up at Shoprite. Why not on a wall in our living quarters? Why did only 2 residents get a letter? Questions upon questions, but these are not the points of my concern.

You are planning on the Erf. 3654 to create a garden and I would like to oppose the creation of a garden. There are several reasons for not creating this garden!

We already have big garbage problems with the 2 small "green areas" (the small areas on which the palm trees are, at the entrance to our residential area), because the people take a break there and are too lazy to put the garbage in a garbage can 30 m away. Bones, packaging and bottles are simply thrown on the ground and I don't want to imagine what the garden will look like after a month.

The next negative point would be that thieves could stay there during the day to spy on our habits. This is an important point as I have been told by my neighbors that a gate cannot be approved. The connection for the fire brigade is with us and it is public space. The garden would accordingly make our living quarters much more unsafe, which I don't really approve of.

I was also informed that we had to take care of the garden and that we also had to water the garden. If that were to be the case, that would be the next point that speaks against the construction of a garden for me. I don't own a 280m garden hose (I will not buy one) and I use city water. This would result in considerable additional costs for me, which I cannot bear and, above all, do not want to.

I won't even begin to talk about the people who let their dogs shit everywhere.

Those would be the main points I would like to make against the creation of the "Garden on Erf. 3654" project.

Thank you for your attention and I remain, with best regards.

Maik Bohm

From: Susanne zu Bentheim <zubentheim.susanne126@gmail.com>
Sent: Monday, August 28, 2023 9:38 AM
To: Johannes Heita <jheita@swkmun.com.na>
Subject: Subdivision of Erf3654

Good day to you,

With regard to your proposal of the park / garden, I wish to record the following objections:

1. This will most possibly increase crime and attract indecent behavioural activities.
2. Having future traffic flow limited to the southern direction only would be inconvenient, to say the least.

Thank you for your due consideration of the above.

Yours faithfully,

S zu Bentheim (Mrs)
001 295 4205

Erf no. 3627

P O Box 1703
Swakopmund
28 August 2023

Municipality of Swakopmund
P O Box 53
Swakopmund

Dear John

OBJECTION TO ERECTION OF A PARK OPPOSITE SHOPRITE CENTRE DANIEL TJONGARERO STREET -
RESIDENT ACCOUNT NUMBER :10362900029 – Hartog & Rhode HJ & A :

We first and foremost want to thank you for the amazing service you deliver to all of us living in Swakopmund! Indeed with beaming pride we love to sing your praises to our families and friends living in other parts of the country!

As residents living at stand no: 00003629, we respectfully object to the erecting of a park opposite the Shoprite Centre. The reasons being: the park will be right next to some very busy roads such as the Daniel Tjongarero road and the gravel (Atlantic road) used not only by all the sectional title residents in this area, but also by big trucks that use the gravel road to skip the intersection in front of Shoprite. This will make the park a very dangerous place for playing children.

The park will also be on the spot used by many pedestrians living in Mondesa walking to and from work. Children running and playing around this heavy walking traffic can potentially also be hazardous.

As someone who also walks to work and walk my dog daily in this area, I would rather suggest that the gravel (Atlantic road) road be made more speed-proof as trucks, Lorries and even residents speed on this gravel road. I myself am witness to many speeding vehicles on an almost daily basis and have witnessed a lady whose dog was knocked on that road. Hence my concern that children unattended might be in real danger playing in the planned park which is so close to heavy and speeding traffic all around.

I do personally want to thank you for the nice park in Japonica street, I love taking my sisters grand children to play there. From youngsters to teenagers use the park either to play or have their "get togethers" as they enjoy sitting on the grass under the palm trees with their dogs, refreshments and of course their cell phones.....

I thank you so much for your time and wish for you, dear Municipality Team, to just rise ever higher and become ever better.

Warmest regards



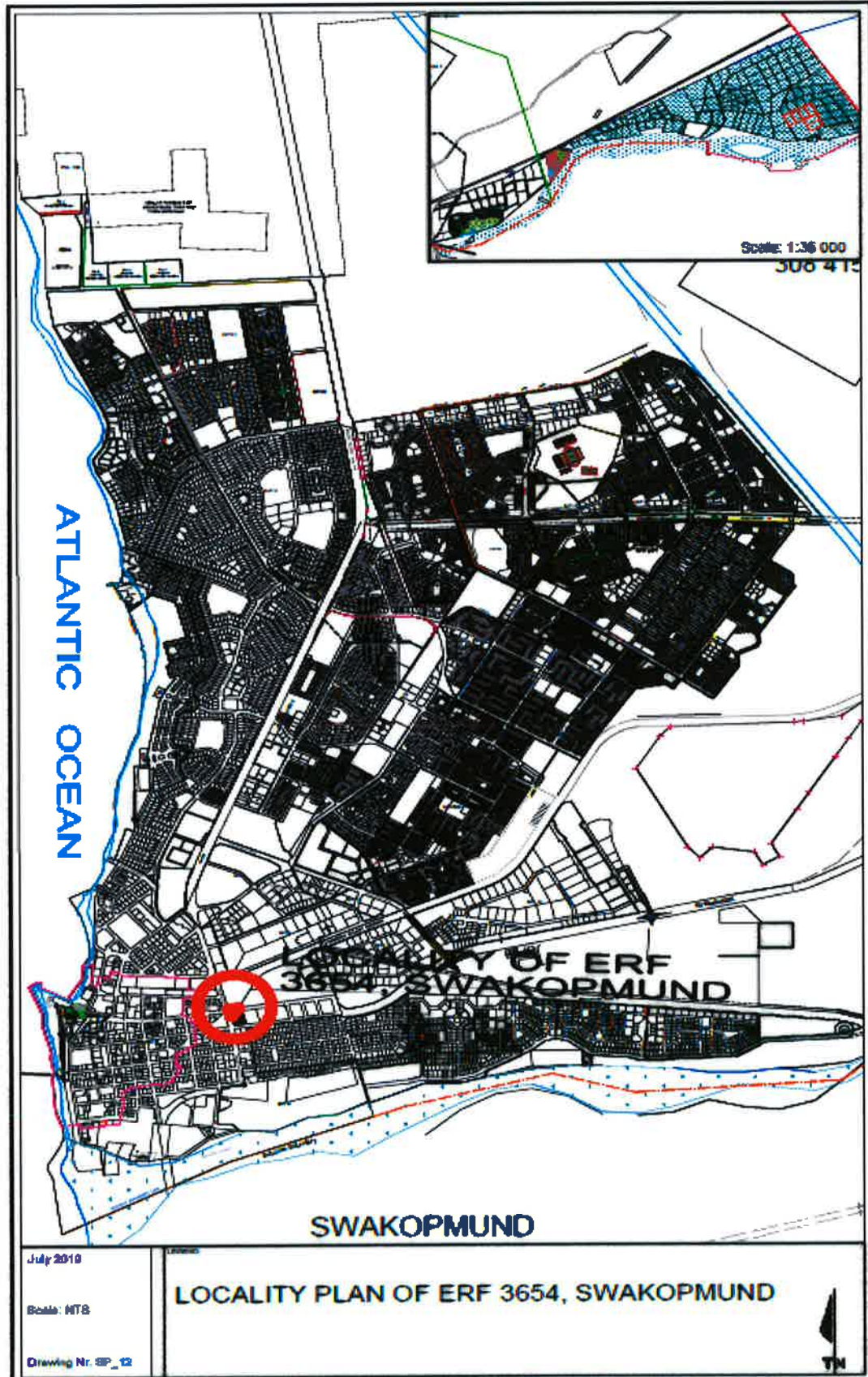
Amanda Rhode

and

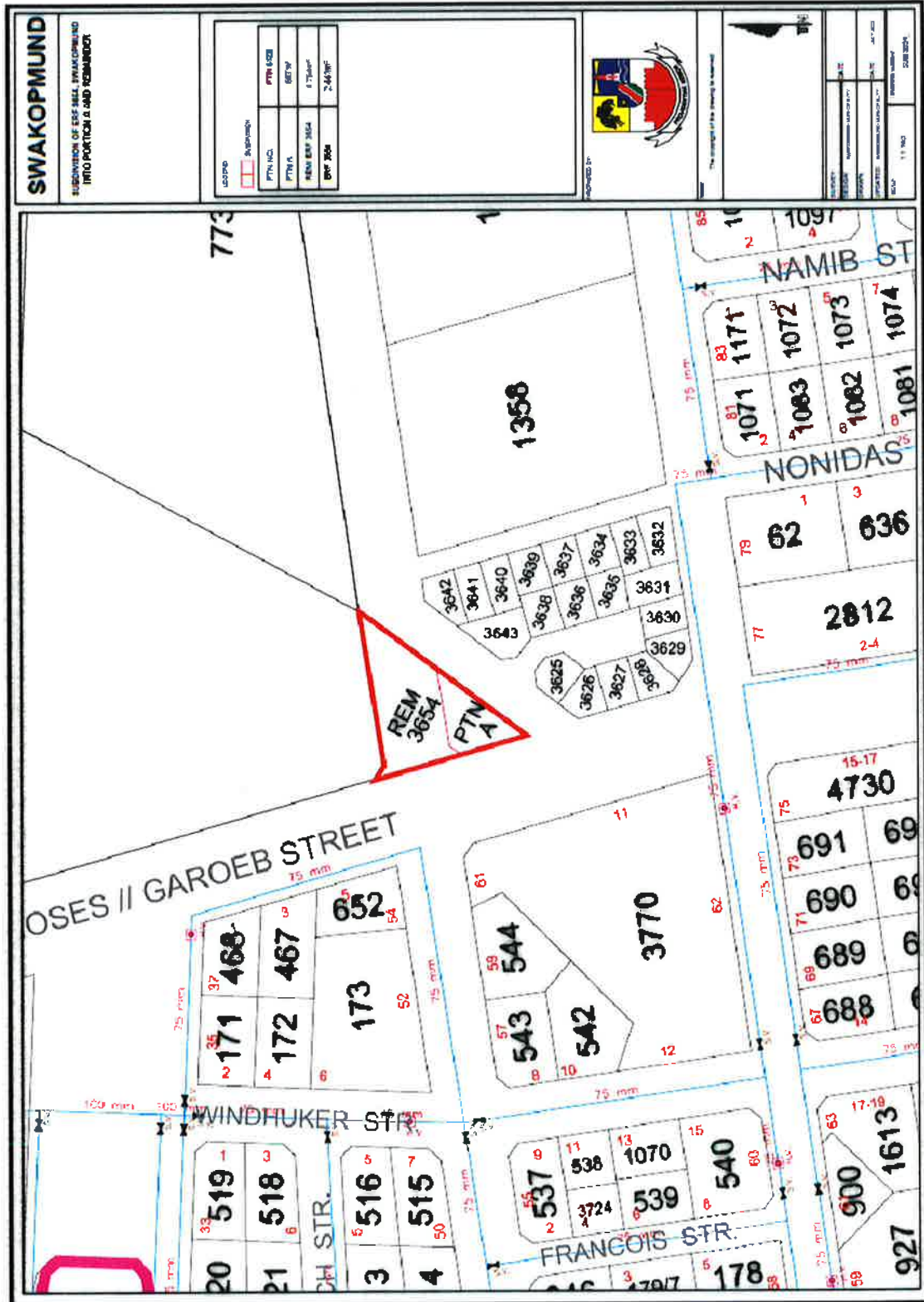


Theresa Theisinger

ANNEXURE D



ANNEXURE D1



ECC – 2300119

Serial: 23pdT36119



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

Municipality of Swakopmund
P. O. Box 63, Swakopmund

TO UNDERTAKE THE FOLLOWING LISTED ACTIVITY

**Proposed Subdivision, Closure, and Rezoning of portions; "A & B" of Erf
1023 and portion "C" of Erf 3778 and Creation of a street at Erf 3654,
Swakopmund, Erongo region**

Issued on the date: 2023-02-03
Expires on this date: 2026-02-03

(See conditions printed over leaf)

This certificate is printed without erasures or alterations



Reuse
Recycle





REPUBLIC OF NAMIBIA

MINISTRY OF ENVIRONMENT, FORESTRY AND TOURISM

Tel: (00 26461) 284 2111
Fax: (00 26461) 232 057

Cnr Robert Mugabe &
Dr Kenneth Kaunda Street
Private Bag 13306
Windhoek
Namibia

OFFICE OF THE ENVIRONMENTAL COMMISSIONER**NOTIFICATION OF DECISION****REF NUMBER: ECC23000119****DATE OF ISSUE: 03 February 2023****DETAILS OF PROPONENT:**

Municipality of Swakopmund
P O Box 53
Swakopmund

Dear Sir/ Madam

SUBJECT: NOTIFICATION ON APPLICATION FOR ENVIRONMENTAL CLEARANCE TO UNDERTAKE THE PROPOSED LISTED ACTIVITY: PROPOSED SUBDIVISION, CLOSURE, AND REZONING OF PORTIONS; "A & B" OF ERF 1023 AND PORTION "C" OF ERF 3778 AND CREATION OF A STREET AT ERF 3654, SWAKOPMUND

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 221230000739 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 November 2022, is granted (ECC23000119). The applicant / proponent is therefore advised to comply with conditions of approval set out in Section C of this notification.

1
"Stop the poaching of our rhinos"

All official correspondence must be addressed to the Executive Director



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.




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
ENVIRONMENTAL COMMISSIONER



PIN A/3681



11.1.29 **OLD AND REDUNDANT ITEMS/EQUIPMENT: ENGINEERING SERVICES DEPARTMENT – OFFICE**
(C/M 2023/10/26 - 16/2/6/1)

Ordinary Management Committee Meeting of 19 October 2023, Addendum 8.16 page 226 refers.

A. This item was submitted to the Management Committee for consideration:

The following old/broken equipment have become redundant and thus need to be written off and sold at the next public auction.

| TOTAL | DESCRIPTION | SECTION |
|--------------|--|----------------|
| 1 | HP Officejet 7612 – CN85J4R03R – Manager: TP | Town Planning |
| 1 | HP CN7166R02K – Administrative Officer | Town Planning |
| 1 | 1 x chair | Building |
| 1 | Microwave | Office |
| 1 | HP 1280 Printer -CN73AJZ0D3 - Technician: Roads & Special Projects | Project |

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That the following old and redundant equipment be written off and sold at the next public auction:

| TOTAL | DESCRIPTION | SECTION |
|--------------|--|----------------|
| 1 | HP Officejet 7612 - CN85J4R03R - Manager: TP | Town Planning |
| 1 | HP CN7166R02K - Administrative Officer | Town Planning |
| 1 | 1 x chair | Building |
| 1 | Microwave | Office |
| 1 | HP 1280 Printer -CN73AJZ0D3 - Technician: Roads & Special Projects | Project |

- (b) That the Chief Executive Officer and the Chairperson of the Management Committee determine the upset prices for the above-mentioned redundant equipment.

11.1.30 **REQUEST FOR SPONSORSHIP OF HYGIENIC PACKS TO THE SWAKOPMUND CORRECTIONAL FACILITY**

(C/M 2023/10/26 - 3/15/1/6/1)

Ordinary Management Committee Meeting of 19 October 2023, Addendum 8.17 page 227 refers.

- A. This item was submitted to the Management Committee for consideration:

Introduction

Attached is an application from Ms P Haimbodi, the Project Coordinator of Uhili Necessity Wellness Trust (UNWT), which is a project that serves to rehabilitate offenders to better transition into communities' post-release. Council is required to sponsor hygienic packs for 102 male offenders that will consist of soap, body lotion, toothpaste, toothbrushes, and deodorant.

UNWT is a non-profit organisation that serves offenders through facilitation, reintegration, supervision, identification of offenders' needs, education, and training offenders to reduce recidivism and improve employment outcomes post-release. UNWT hosted a cognitive behaviour life skills programme inside the Swakopmund Correctional Facility, where sixteen (16) offenders graduated on **01 September 2023**.

Request from UNWT

UNWT encouraged offenders to list their basic needs on paper, of which hygienic products was the most required. The Project Coordinator hereby wishes to hand over the hygienic packs to the offenders as gift. Assistance in procuring the hygiene packs. Three (3) quotations for the hygienic products were submitted for Council's consideration in procuring the products. The total costs vary from **N\$10 704.90 to N\$12 500.00**.

The item was discussed at the Sponsorship Committee on **28 August 2023**, and they approved the sponsorship amount of **N\$10 000.00** as per the guidelines in the Sponsorship & Donation Policy although the lowest total cost as per the quotation is **N\$10 704.90**. It is recommended that Council gives a special exemption and approve the excess amount of **N\$704.90**, bringing the total amount to **N\$10 704.90**.

- B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That Council approves the sponsorship of 102 hygienic packs to the Swakopmund Correctional Facility for the offenders.
- (b) That it be noted that the Sponsorship Committee approved the sponsorship to the value of **N\$10 000.00**. However, Council may give a special exemption and approve the excess amount of **N\$ 704.90**, bringing the total amount to **N\$ 10 704.90**, as per quotation from Model Pick & Pay.
- (c) That the funds be defrayed from the Corporate Services Publicity vote 150515533000 where **N\$141 191.30**, is available.



PO Box 2700, Swakopmund, Namibia
Postal code: 13001
Phone: 0812785903/0812087291
Email: tuufilwahaimbodi@gmail.com

14 August 2023

To: A. Benjamin

PO Box 53
Swakopmund
Namibia
Tel: (064) 4104100
Fax: (064) 4104120
Web: www.swkmun.com.na
Email: swkmun@swkmun.com.na
Reference: 3/15/1/6/1

Dear Mr. Benjamin

RE: SPONSORSHIP REQUEST – HYGIENIC PACKS

Uhili Necessity Wellness Trust (UNWT) appreciates your response regarding the identified needs from the offenders. Your favorable response serves as motivation towards our endeavors and it is highly regarded.

UNWT strives continuously to serve the offenders through facilitation, reintegration, supervision, identification of offenders' needs, sensitize the community and mobilize to the stakeholders who believe that reintegrated offenders can become useful citizens within the community. Educating and training offenders helps them to better transition into communities upon release. This is one avenue to reducing recidivism and improving employment outcomes post-release. Offering this kind of service we believe will make an impact among offenders to reduce the repetition of offense. In this way, we contribute to the economy of the country, through reducing the correctional facility population.

1. SPONSORSHIP MOTIVATION

During facilitation inside the correctional facility, many participants of the program wrote their needs in the paper. Reading the paper, all their needs are the same, hence, these needs represent many offenders within the correctional. Consequently, the thought of reaching out to other stakeholders was born. The information was shared with the office of the CEO, hoping there would be a solution. This is how UNWT was motivated to write this letter.

2. THE EVENT – Cognitive Behavior Life Skills Program inside the Swakopmund Correctional Facility

- Graduation of sixteen (16) offenders