Municipality of Swakopmund

AGENDA
ORDINARY
COUNCIL MEETING

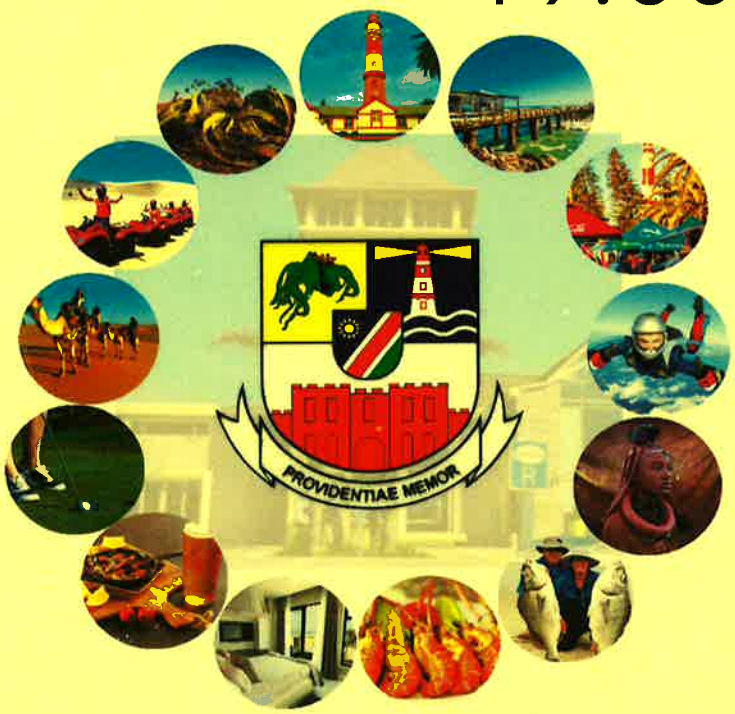
ON

THURSDAY

08 AUGUST 2024

AT

19:00



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SWAKOPMUND
The Centre of Adventure

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Ref No: **5/2/1/1/2**

Enquiries: **Ms A Kahuika**

02 August 2024

The Chairperson and Members
of the Municipal Council
Municipality
SWAKOPMUND

Dear Sir / Madam

NOTICE: ORDINARY COUNCIL MEETING

Notice is hereby given in terms of Section 14 (1) (c) of the Local Authority Act, Act 23 of 1992 as amended, of an **ORDINARY COUNCIL MEETING** to be held:

DATE	:	**THURSDAY, 08 AUGUST 2024**
VENUE	:	**COUNCIL CHAMBERS, MUNICIPAL OFFICE BUILDING, C/O RAKOTOKA STREET AND DANIEL KAMHO AVENUE, SWAKOPMUND**
TIME	:	**19:00**

A Benjamin
CHIEF EXECUTIVE OFFICER
AK/-

☎ (064) 4104206
✉ 53 Swakopmund
NAMIBIA
akahuika@swkmun.com.na

Ref No 5/2/1/1/2

Enquiries: *Aloysia Kahuika*

02 August 2024

The Mayor and Councillors
Municipality
SWAKOPMUND

Dear Sir / Madam

NOTICE: ORDINARY COUNCIL MEETING

Notice is hereby given in terms of Section 14(1)(c) of the Local Authorities Act of 1992, Act 23 of 1992 as amended, of an **ORDINARY COUNCIL MEETING** to be held:

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A Benjamin
CHIEF EXECUTIVE OFFICER

AK/-

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(C/M 2024/08/08 - 5/2/1/1/2)

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None.

6. **PETITIONS**

None.

7. **MOTIONS OF MEMBERS**

None.

8. **ANSWERS TO QUESTIONS OF MEMBERS OF WHICH NOTICE WAS GIVEN**

None.

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12. **REPORTS AND RECOMMENDATIONS OF COMMITTEES OR THE CHIEF EXECUTIVE OFFICER**

None.

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13. **DRAFT REGULATIONS AND TARIFFS, IF ANY**

None.

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MINUTES

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Head Office, Swakopmund on **Thursday, 27 June 2024** at **19:00.**

PRESENT:

Councillor D Namubes	:	Mayor
Councillor B R !Goraseb	:	Chairperson of MC
Councillor W O Groenewald	:	Alternate Chairperson of the Management Committee
Councillor P Shimhanda	:	Member of the Management Committee
Councillor S M Kautondokwa	:	Member of Council
Councillor H H Nghidipaya	:	Member of Council

OFFICIALS:

Mr M Haingura	:	Chief Executive Officer (Acting)
Mr V S Kaulinge	:	GM: Economic Development Services
Mr C McClune	:	GM: Engineering and Planning Services
Mr H !Naruseb	:	GM: Finance
Ms L N Mutenda	:	GM: Health Services and SWM
Mr J Heita	:	Manager: Town Planning
Mr U Tjurutue	:	Corporate Officer: Administration
Ms A Kahuika	:	Administrative Officer: Administration

ALSO PRESENT:

Ten (10) Members of the public.

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1. **OPENING BY PRAYER**

Pastor Stein opened the meeting with scripture reading and prayer.

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2. **ADOPTION OF THE AGENDA OF THE MEETING OF COUNCIL**
(C/M 2024/06/27 - 5/2/1/1/2)

On proposal of Councillor B R !Goraseb seconded by Councillor P Shimhanda, it was:

RESOLVED:

That the agenda be adopted.

CO: A
GM: CS&HC

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3. **APPLICATIONS FOR LEAVE OF ABSENCE AND DECLARATION OF INTEREST BY MEMBERS OF COUNCIL**

3.1 Application for leave of absence:

- Councillor D Am-!Gabeb : Approved
- Councillor C-W Goldbeck : Approved
- *Councillor M Henrichsen : Approved*
- *Councillor E Shitana : Approved*

3.2 Declaration of interest:

None.

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4. **CONFIRMATION OF MINUTES**
(C/M 2024/06/27 - 5/2/1/1/2)

4.1 **MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 04 JUNE 2024**
(C/M 2024/06/27 - 5/2/1/1/2)

On proposal of Councillor B R !Goraseb seconded by Councillor P Shimhanda, it was:

RESOLVED:

That the minutes of the Ordinary Council Meeting held on 04 June 2024, be confirmed as correct.

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5. **INTERVIEWS WITH DEPUTATIONS OR PERSONS SUMMONED OR REQUESTED TO ATTEND THE MEETING OF A COUNCIL**

None.

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6. **PETITIONS**

None.

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7. **MOTIONS OF MEMBERS**

None.

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8. **ANSWERS TO QUESTIONS OF MEMBERS OF WHICH NOTICE WAS GIVEN**

None.

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9. **OFFICIAL ANNOUNCEMENTS, STATEMENTS AND COMMUNICATIONS**
(C/M 2024/06/27 - 5/5/2)

Honourable Councilors, The Acting Chief Executive Officer, Mr. Haingura ,General managers, Managers and officials of Council, Pastor ,Members of the Junior Town council,Members of the community, Members of the media,Ladies and gentlemen

Good evening once again.

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On behalf of Council, I am pleased to provide an update on the activities for the month of June.

Honourable Councillors, Ladies and gentlemen

1. *Housing and development*

On the 17th of June, NHE in partnership with MURD and The Swakopmund Municipality handover a total of 119 houses.

This project is a testament to what can be achieved when we work together. It is the result of a collaborative effort between the government, NHE, New Era Investment and the Municipality of Swakopmund. As Council, we continue to prioritize housing delivery, as we are responsible for ensuring sustainable community and urban development.

2. *Community projects*

On 14 June, I had the pleasure to deliver remarks at the grand opening of the AK Plaza shopping center. The introduction of this shopping centre marks a significant step forward in our efforts to enhance the quality of life in our community and bring services closer to the residents. It will not only bring economic benefits but also foster a sense of unity and shared purpose among us.

Again, earlier today, the Mondesa Choppies shop was launched. As council, we are excited about the diverse range of shops and services that will be available in Mondesa as it is catering to the needs of everyone from young families to our esteemed elders and brining services closer to the people.

3. *Sports and recreation*

Mayoral Cup Tournament

The Mayoral Cup tournament was hosted on the 15-16 June and 22-23 June. We started off with 32 teams and now we are left with 8 teams who will be participating at the finals taking place on 29-30 June 2024. It is an opportunity to showcase the best of our community, to promote healthy lifestyles, and to inspire future generations. Let us celebrate the spirit of sportsmanship, the thrill of the game and the joy of coming together as a community. I would like to invite you to come and watch the games.

Honourable Councillors, Ladies and gentlemen

We will now move on with the agenda and the deliberations. I wish to request that we continue to have a constructive dialogue, recognizing that our diversity of perspectives is a strength that enriches our decision-making process. With that said, may we move on to the agenda points.

I would like to extend my gratitude to all council members and community participants for their contributions and dedication. Together, we are making significant strides toward a brighter future for our community.

Thank you for your attention, and I look forward to our continued collaboration.

MAYOR

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10. **REPORT OF THE MANAGEMENT COMMITTEE REFERRED TO IN SECTION 26(1) (E) OF THE ACT**

10.1 **REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY MANAGEMENT COMMITTEE DURING JUNE 2024**
(C/M 2024/06/27 - 5/2/1/1/2)

CO: A
GM: CS&HC

RESOLVED:

That the report to Council on the resolutions taken by Management Committee meetings held on 13 June 2024 be noted.

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11. **RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE MEETING HELD DURING JUNE 2024**

11.1 **MANAGEMENT COMMITTEE MEETING HELD ON 13 JUNE 2024**

11.1.1 **REQUEST TO SUBLEASE BY MESSRS QUARRY VENTURES ON BEHALF OF AECI MINING AND CHEMICAL SERVICES NAMIBIA (PTY) LTD**
(C/M 2024/06/27 - G 2/2)

RESOLVED:

(a) That Council declines the request from Quarry Ventures on behalf of Messrs AECI Mining and Chemical Services Namibia (Pty) Ltd to sublease.

(b) That upon expiry of the lease agreement Messrs Quarry Ventures be relocated to an alternative suitable erf or site.

11.1.2 **GUESTHOUSE INDONGO TRUST: RENEWAL OF THE LEASE AGREEMENT OF THE PORTION OF A SIDEWALK ADJACENT TO ERF 2200, SWAKOPMUND**
(C/M 2024/06/27 - E 2200)

RESOLVED:

(a) That approves the renewal of the lease of a portion of the sidewalk adjacent to Erf 2200, Swakopmund situated in Moses //Garoëb Street measuring ±85m² to Guesthouse Indongo Trust for a period of nine (9) years and eleven (11) months, commencing 01 October 2024 until 30 September 2033 for the purpose of parking facilities only.

(b) That the lease amount be N$30.13/m² per month x ±85m²=N$2 561.05+ N$384.16 (15% VAT) N$30.13/m²= N$2 945.21, with an annual escalation of 7% starting 1 July 2025.

(c) That the lease be subject to the standard conditions and the following:

(i) That a deposit equal to 1 months lease be paid in advance by the applicant.
(ii) That a notice of termination period of six (6) months for both parties be applicable.
(iii) That the lessee not operates later than 22:00.
(iv) That the lessee shall be permitted to sell food and liquor at the open-air café subject to the conditions contained in the applicable license required by the lessor and subject to the applicable Health Regulations.

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(v) ***That the lessee is responsible to keep and maintain the hired property in a proper condition and to maintain and deliver the same at the termination of this lease in good order and condition, reasonable wear and tear that the lessor shall determine, excluded.***

(vi) ***That during any maintenance work at / to the hired property, Council takes no responsibility for any loss or damage incurred by the lessee arising from such maintenance work or delays in connection with such works.***

(vii) ***That no improvement or changes, or any other work on the hired property may be done by the lessee without the written permission of the lessor first had and obtained.***

(viii) ***That no sub-letting is permitted to cede or assign this agreement or any portion thereof, nor shall it be allowed to sublet in any manner any portion of the property, without the written consent of the lessor first being had and obtained.***

(ix) ***That the lessor or his duly authorized representative, shall at all reasonable time have the right to enter the property for the purpose of carrying out an inspection and to ensure that all applicable regulations and by-laws are being adhered to by the lessee.***

(x) ***That the lessee shall indemnify and keep indemnified the lessor during the full period of this agreement against possible claims, which may arise from the use of the property by the lessee.***

(e) That all costs involved (inclusive of advertising cost) be for the lessee's account.

(f) That should the lessee cease operating or terminates the lease they must reinstate the area to its original layout at their own cost.

(g) That Council reserves the right to terminate the lease if valid objections from the public are received.

(h) That upon acceptance of the lease conditions, the lease be advertised in terms of Section 63 of the Local Authorities Act 1992 (Act 23 of 1992) as amended.

11.1.3 **ERF 8677, SWAKOPMUND – TRANSNAMIB**
(C/M 2024/06/27 - Erf 8677, Erf 3777, S)

During the discussion of the item Councillor W O Groenewald requested an audience with the Deputy Prime Minister and Minister of Works and Transport and Minister of Urban and Rural Development to discuss the dilapidated government buildings.

RESOLVED:

(a) That Council takes note that no feedback was received from TransNamib following the meeting held on 01 November 2022 for the acquisitioning of Erf 8677, Swakopmund and that Engineering & Planning Services issued a letter dated 12 June 2023 requesting consideration of the offer.

(b) That Council approves a delegation to meet and discuss the acquisitioning of Erf 8677, Swakopmund with the Minister of Urban & Rural Development, the Deputy Prime Minister and Minister of Works and Transport and Minister of Works and Transport, the Chief Executive

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Officer of TransNamib, two board members of TransNamib, the Manager Infrastructure and the Manager Properties.

(c) That the following matters be included in the discussion:

- ***State of dilapidated government buildings***
- ***Re-routing of the railway line***
- ***Sale of Woermann Haus***

(c) That Council takes note that a reasonable market value for Erf 8677, Swakopmund was calculated at N$116 000 000.00 and the current arrears on the services account for the erf is in the amount of N$3 244 845.89.

(d) That Council decides the future use of Erf 8677, Swakopmund and a mandate to the delegation to offer a maximum amount of monetary consideration for the acquisition of Erf 8677, Swakopmund and the reasonable recovery of the expense; alternatively the exchange of a portion of land similar in value.

11.1.4 **ERONGO RED: REPRESENTATIVE TO SERVE ON ERONGO RED's CONSUMER LIAISON COMMITTEE - JULY 2024 TO JUNE 2026**
(C/M 2024/06/27 - 5/6/3)

During the discussion of this item the House was divided on this mater and on a vote of 4 against 1, the following was resolved.

RESOLVED:

(a) That it be noted that the current Consumer Liaison Committee's term be extended by an additional four months 30 June 2024 – 30 June 2024.

(b) That Council nominates the following (3) Swakopmund Community members that fulfil the required qualifications of members to represent Swakopmund Community on a voluntary basis on Erongo RED's Consumer Liaison Committee on matters of common concern, interest and to exchange information and views and to give direction on its policies, procedures, and processes as they affect the community of Swakopmund, in the following suburbs:

(i) Mondesa - Ms Sara-Lee Elago
(ii) Tamariskia - Not Nominated
(iii) Vineta - Ms Reiner Horsthemke

11.1.5 **ASSESSMENT OF THE IMPACT UPON INTRODUCING A YOUTH CENTRE IN SWAKOPMUND**
(C/M 2024/06/27 - 14/2/10/2)

RESOLVED:

(a) That the proposal to turn the Tamariskia Town Hall into a Youth Centre not be considered at the moment due to the high demand for events.

(b) That Council takes note of the services that are provided by the Youth Development Office at the Germina Shitaleni Multipurpose Center in Mondesa.

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(c) **That Economic Development Services engage the Ministry of Health and Social Services to collaborate and design tailor-made programs focusing on health-related matters for youth and that information sessions be introduced at the Germina Shitaleni Multipurpose Centre.**

(d) **That the management office, restaurant, hall or any vacant business stall at the Multipurpose Centre be used to accommodate the identified youth programs or sessions.**

(e) **That Economic Development Services and Corporate Services & Human Capital carry out staff need assessment to deploy the Centre staff.**

(f) **That Economic Development Services explore the possibility of strengthening data record, analysis and management in order to measure the impact of the programs.**

(g) **That Economic Development Services be permitted to make budgetary provisions for planning and designing the expansion of the Multipurpose Centre to accommodate the anticipated programs and personnel to run the facility.**

11.1.6 **GENERAL VALUATION COURT 2025**
(C/M 2024/06/27 - 3/6/3)

RESOLVED:

(a) **That in terms of section 66 (1) the necessary publications be approved by Council in order to commence with the preparations for the general valuation for 2025 of approximately 19 500 erven by SBN Property Investments CC:**

(i) publication in the Government Gazette
(ii) notice informing the public of the general valuation site inspections

(b) **That Ms Diana McClune be appointed as Council's representative for the General Valuation Court for 2025.**

(c) **That should the above nominated person be unavailable to attend the General Valuation Court for 2024, Mr Abel Schoeman and or Mr Frank Lohnert be contacted to assist.**

(d) **That the Ministry of Urban and Rural Development be requested to nominate a representative for the General Valuation Court 2025.**

(e) **That the compensation for Council's representative at the Valuation Court be N$500.00 per sitting, per day.**

(f) **That the cost be defrayed from Vote: 101010215900 (Assessment Rates: Valuation Court).**

(g) **That in terms of Section 69 of the Local Authorities Act 23 of 1992, as amended, a notice be published in at least two newspapers on a date not later than 30 days before the date of the Valuation Court.**

(h) **That requirements regarding the general valuation as prescribed in the Local Authorities Act 23 of 1992, (as amended) be dealt with successfully.**

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11.1.7 **IMPLEMENTATION OF SECURITY STRATEGIES TO COMBAT CRIMES IN SWAKOPMUND**
(C/M 2024/06/27 - 13/3/2/1)

RESOLVED:

(a) That Council collaborates with existing security service companies e.g. G4S, etc to fight crime in Swakopmund.

(b) That it be noted that the Swakopmund Municipality is responsible for the safety and security of its residents.

(c) That Council delegate one of the Traffic Officers in each shift to conduct community policing in collaboration with NAMPOL which is constitutionally obligated to uphold law and order.

(d) That the Economic Development Services Department expedite the installation of closed-circuit television (CCTV) cameras in areas designated as *"Crime hotspots"*, while also coordinating with private companies to secure financial support for the execution of this approach.

(e) That the Council encourage the residents of Swakopmund to form neighbourhood watch groups as a means of protecting their communities from criminal issues.

11.1.8 **REVIEW AND APPROVAL OF DRAFT MEMORANDUM OF UNDERSTANDING (MOU) WITH THE UNIVERSITY OF NAMIBIA (UNAM)**
(C/M 2024/06/27 - 7/2/3)

RESOLVED:

(a) That Council reviews and approves the attached Memorandum of Understanding between the Municipality of Swakopmund and UNAM.

(b) That Council authorizes the Chief Executive Officer and the Chairperson of the Management Committee to sign the Memorandum of Understanding on behalf of the Municipality.

(c) That each General Manager selects two (2) representatives from the relevant department to serve as members and alternate members of the Joint Technical Committee.

11.1.9 **REQUEST FOR AUTHORIZATION TO ESTABLISH MICRO SMALL AND MEDIUM ENTERPRISES DEVELOPMENT TRUST FUND**
(C/M 2024/06/27 - 14/1/2/1)

RESOLVED:

(a) That Council authorize the Economic Development Services Department to establish a Swakopmund Municipality Trust Fund to provide financial assistance to the MSME sector.

(b) That due to legal requirements of registration of trust, the Economic Development Services Department be authorised to approach Council's lawyers to assist with the registration of the trust as well drafting the agreement and all relevant legal documents in this respect.

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(c) That Council approve a budget provision of N$200 000.00 as Council annual contribution to the Trust Fund.

(d) That Council approve the following sectors to be represented on the board of trustees of the Trust Fund:

- ***Expertise from financial institutions***
- ***Expertise from Institution of Higher learning (e.g. NIMT, NUST etc.)***
- ***Expertise from Business chamber / Business Support organisation (e.g. SME Compete)***
- ***A representative of Council (i.e. the General Manager: Economic Development Services)***

(e) That the board of trustee be authorised to source external funds for the MSMEs trust Fund.

(f) That Economic Development Office serve as a secretariat to the Board of Trustee.

(g) That the Memorandum of Understanding (MOU) signed between the Dome and the Municipality of Swakopmund, which is set to expire at the end of June 2024 not be renewed and the yearly sum of N$200 000.00 be reallocated to the Swakopmund SME Trust Fund.

(h) That it be noted that Councillor Hafeni H Ngidipaya pledged an amount of N$5 000.00 on behalf of Hafeni Tourism Group upon the establishment of the Trust Fund.

11.1.10 **PROPOSAL TO PROVIDE BEACH UMBRELLA RENTAL SERVICE IN SWAKOPMUND**
(C/M 2024/06/27 - 14/2/4/3)

RESOLVED:

(a) That Council approves the request by Mr Junias Nambundunga to establish a Beach Umbrella Rental Service business at the Swakopmund Mole beach for a pilot period of 12 months from July 2024 to May 2025.

(b) That the identified site measuring 16 m² to 20 m² be allocated for the Beach Umbrella Rental Service business, with site rental fees charged as per the current Public Open Spaces tariff. This includes:

- ***Refundable Deposit: N$724.00***
- ***Rental Fees: N$284.75 per weekend or N$357.52 weekly (Exclusive 15% VAT)***

(c) That only temporary storage units be mounted at the identified site on the beach measuring 16m².

(d) That only temporary storage units be mounted at the identified site on the beach measuring 16m² to 20m².

(e) That the applicant indemnifies Council against all and any claims in respect of damage to property and/or bodily injury to / loss of life of people that may arise from the utilization of the property.

(f) That the applicant restores the area to its normal state after utilization.

(g) That no littering, hubbly, or alcohol will be served at the beach area.

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11.1.11 **TRANSFER OF FUNDS: ROAD MARKING SPRAYER MACHINE**
(C/M 2024/06/27 - 3/1/1/1/1)

RESOLVED:

That the General Manager: Finance be granted permission to transfer the additional amount of N$180 000.00 (VAT excluded) from Vote: 650031026300 – (UPGRADING AND MAINTENANCE OF ROADS) to Vote: 650031026000 - (ROAD MARKING SPRAYER MACHINE) enabling the EPS Department to procure the much-needed equipment.

11.1.12 **THE NAMING OF STREETS, PUBLIC PLACES, NATURAL AREA, AND COUNCIL-OWNED BUILDINGS / FACILITIES ADVISORY COMMITTEE OF SWAKOPMUND**
(C/M 2024/06/27 - 11/1/4/28, 16/1/4/1/5)

RESOLVED:

That the following street names be accepted for newly created streets in Matutura, Extension 7:

- ***Festival Street***
- ***Klein Begin Street***
- ***Artisan Street***

11.1.13 **APPLICATION FOR THE REZONING OF ERF 3654, SWAKOPMUND PROPER FROM *"UNDETERMINED"* TO *"STREET"***
(C/M 2024/06/27 - E 3654)

RESOLVED:

(a) That Erf 3654, Swakopmund Proper be rezoned from *"Undetermined"* to *"Street"* for the continuation of Daniel Tjongarero Avenue and the four-way intersection with Moses //Garoeb Street remains.

(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 deed 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 the objectors be informed of their rights to appeal the Council decision to the Minister of Urban and Rural Development with valid reasons within twenty-one (21) days from the date of the decision in accordance with section 110 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018).

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11.1.14 **APPLICATION FOR RELAXATION OF STREET BUILDING LINES ON ERF 5811, SWAKOPMUND, EXTENSION 18**
(C/M 2024/06/27 - E 5811)

RESOLVED:

(a) That the application for *"Special Consent"* to relax the building line on Erf 5811, Swakopmund, Extension 18 from five (5) metres to zero (0) metres street boundary line be approved.

(b) That the applicant be issued a fine for the construction without approval.

11.1.15 **APPLICATION FOR RELAXATION OF LATERAL BUILDING LINES ON ERF 625, MYL 4, EXTENSION 1**
(C/M 2024/06/27 - M4 625)

RESOLVED:

(a) That the lateral building line on the northeastern boundary of Erf 625, Myl 4, Extension 1 bordering Erf 314, Myl 4, Extension 1 be relaxed from three (3) meters to two (2) metres on both the ground and first floor.

(b) That the balconies on the lateral boundary bordering Erf 314 Myl 4, Extension 1 be closed off.

(c) That the objector be informed of their right to appeal to the Minister against Council's Resolution in terms of Clause 8 of the Swakopmund Town Planning 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.

(d) That the applicant be informed of their right to appeal to the Minister against Council's Resolution in terms of Clause 8 of the Swakopmund Town Planning 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.

11.1.16 **APPLICATION FOR RELAXATION OF LATERAL BUILDING LINES ON ERF 4188, SWAKOPMUND, EXTENSION 12**
(C/M 2024/06/27 - E 4188)

RESOLVED:

(a) That the lateral building line on the eastern boundary of Erf 4188, Swakopmund Extension 12 bordering Erf 4189, Swakopmund, Extension 12 be relaxed from three (3) meters to zero (0) metres on the ground floor.

(b) That the objector be informed of their right to appeal to the Minister against Council's Resolution in terms of Clause 8 of the Swakopmund Town Planning 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.

11.1.17 **APPLICATION FOR THE RELAXATION OF LATERAL BUILD LINES ON ERF 5609, SWAKOPMUND EXTENSION 17**
(C/M 2024/06/27 - E 5609)

RESOLVED:

(a) That the application for relaxation of building lines on Erf 5609, Swakopmund, Extension 17 in terms of Clause 5, Section 2.4 (a)- (b) be turned down.

(b) That the applicant be informed of their right to appeal to the Minister against Council's Resolution 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.

(c) That the Objectors be informed of Council's decision.

11.1.18 **TOWNSHIP ESTABLISHMENT ON PORTION 171 (A PORTION OF PORTION B) OF THE FARM SWAKOPMUND TOWN AND TOWNLANDS NUMBER 41**
(C/M 2024/06/27 - 16/1/4/1/4)

RESOLVED:

(a) That the Need and Desirability for the township establishment on Portion 171, Swakopmund be approved.

(b) That approval be granted for the application to be made in terms of Section 63, 105(b) & 114(b) of the Urban and Regional Planning Act, 2018, (Act 5 of 2018) for the establishment of *"Prestige Valley Extension 2"* on Portion 171, Swakopmund as shown on the attached subdivisional layout plan.

(c) That the subdivisional township layout plan and its zonings shown on the layout plan tabled at the meeting be approved.

(d) That the conditions of Establishment be as follows:

(a) The following conditions shall be registered against the title deeds of all erven except those are zoned as "Public Open Space" and those are zoned "Local Authority":

The erf must only be used or occupied for purposes which are in accordance with and the use or occupation of the erven shall at all times be subject to the provision of the Swakopmund Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act (Act 5 of 2018).

(b) The following conditions shall be registered against the title deeds of "Institutional" zoned erven:

The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least one (1) times the municipal valuation of the erf;

(e) That the Engineering and Planning Services Department proceed with the necessary statutory processes to have the township *"Prestige Valley Extension 2"* established.

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(f) That the Engineering and Planning Services Department be authorized to make minor changes to the layout, to accommodate infrastructure, improve layout dimensions or meet the Urban and Regional Planning Board requirements should it be necessary.

(g) That this decision supersedes previous Council decisions.

11.1.19 **APPLICATION FOR A BUILD TOGETHER LOAN FOR ERF 7184, SWAKOPMUND, EXT. 26- MS LANTINE HAESES**
(C/M 2024/06/27 - E 7184)

RESOLVED:

(a) That Council take note that the request of Mr Lantine Haeses to obtain the Build Together loan to be able to complete the construction of Erf 7184, Swakopmund, Extension 26 was not considered by the Build Together Committee.

(b) That an affordability assessment be made to determine the loan amount that she qualifies for based on her income if Council considers Ms Haeses' request.

11.1.20 **APPLICATION FOR A BUILD TOGETHER LOAN FOR ERF 6979, SWAKOPMUND, EXTENSION 26 - MS INGEBORG GURIRAS**
(C/M 2024/06/27 - E 6979)

RESOLVED:

(a) That Council approves the request of Mr Ingeborg Guriras to obtain the Build Together loan to be able to complete the construction of Erf 6979, Extension 26, Mondesa.

(b) That an affordability assessment be made to only attain a loan based on her income.

(c) That an inspection be carried out by Engineering and Planning Services Department to determine the amount of the loan required to complete the house.

11.1.21 **ERF 4798, SWAKOPMUND: WAIVER OF PRE-EMPTIVE RIGHT - DIANA HUSSLEMANN**
(C/M 2024/06/27 - E 4798)

RESOLVED:

(a) That Council takes note of the application by Muggie Lofty-Eaton, acting on behalf of Ms Diana Husselmann to waive the pre-emtive right registered against Erf 4798, Swakopmund.

(b) That Council waives the restriction registered in the Deed of Transfer T 02672/2014 against Erf 4798, Swakopmund in order to allow Ms D Husselmann as executrix of the estate to sell the property to a third party.

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11.1.22 **RESUBMITTED: MINISTRY OF HEALTH AND SOCIAL SERVICES: DONATION OF A PORTION OF LAND FOR THE CONSTRUCTION OF A REGIONAL REFERRAL HOSPITAL**
(C/M 2024/06/27 - 16/1/4/2/1/14)

RESOLVED:

(a) That Council supports the proposal by the Ministry of Health and Social Services for the establishment of a regional referral hospital and appurtenant buildings.

(b) That Council takes note of the letter received from the Ministry of Health and Social Services dated 01 March 2024 to which the feasibility study report is attached.

(c) That the Management Committee considers whether the letter and the feasibility study report received from the Ministry of Health and Social Services is regarded as sufficient proof that the Ministry is capable to successfully execute the development of the following portions of land:

- ***Regional Referral Hospital (±20ha)***

(d) That Council remains with its decision passed on 26 January 2017 under item 11.1.1 (quoted) in which Council approved the donation of a portion of land measuring 20 ha to the Ministry of Health and Social Services for the construction of a Regional Referral Hospital, based on the fact that the donation was approved by Council and accepted by the Ministry of Health and Social Services:

"(a) That the Ministry of Health and Social Services, Directorate Erongo Region be informed that Council donates the following portion of land as concluded at the meeting held on 02 August 2016:

- *Regional Referral Hospital (±20ha)*

(b) That the basis of the donation be that:

- *That Swakopmund Council donates the land; and*
- *That the central government bears the costs of construction of services to the site."*

(e) That it be noted that the Tamariskia Land that belongs to the Government consists of four (4) Portions namely, Portion 34,47,59 and 104 with a total area of 13.5 hectares.

(f) That it be noted that Portion 34 with a total size of 5 400m² is where the Tamariskia Clinic is built.

(g) That it be noted that portion 47 with a total size of 2 277m² was donated to the Association from the Handicapped in Namibia

(h) That Council approves the allocation of ±20 Hectors portion of land/Erf for the construction of a Regional Referral Hospital by the Ministry of Health and Social Services on condition that the Ministry returns portions 59 & 104 in Tamariskia currently unutilized.

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11.1.23 **ERF 4836, SWAKOPMUND: WAIVER OF PRE-EMPTIVE RIGHT - CHRISTOPHER HARRY KING**
(C/M 2024/06/27 - E 4836)

RESOLVED:

(a) That Council takes note of the application by Mr Christopher Harry King to waive the pre-emtive right registered against Erf 4836, Swakopmund.

(b) That Council waives the restriction registered in the Deed's Office against Erf 4836, Swakopmund in order to allow Mr King to sell his property to a third party based on the property being registered in his personal name and he has reached the age of 60 (is a pensioner as approved by Council on 29 October 2020 under item 11.1.11).

(c) That Council delegates to the Chief Executive Officer the approval of the waiver of the restrictive clause applicable to the sale of erven located in Extension 10, Swakopmund in cases where:

(i) the property was bought in the personal name of a person;
(ii) and the owner reached the age of 60 years.

11.1.24 **PERMISSION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN COUNCIL AND MARITIM BODY CORPORATE / PADDOCK GARDEN TRUST**
(C/M 2024/06/27 - 16/2/5/1/3)

RESOLVED:

(a) That Council grant permission for the Swakopmund Municipality to enter into a memorandum of understanding with Messrs Paddock Garden Trust and the Messrs Maritim Body Corporate.

(b) That both memorandums of understandings mentioned in (a) be revised every 5th year to guarantee that it (MoU) is still fulfilling its intended purpose.

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13. **DRAFT REGULATIONS AND TARIFFS, IF ANY**

None.

The meeting adjourned: **19:47**

Minutes to be confirmed on: **25 July 2024.**

Councillor Dina Namubes
MAYOR

Mr Mpasi Haingura
ACTING CHIEF EXECUTIVE OFFICER

10. **REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY PREVIOUS MANAGEMENT COMMITTEE MEETING HELD DURING JULY 2024**

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10. (A) **MINUTES OF THE MANAGEMENT COMMITTEE MEETING HELD ON 16 JULY 2024**

2. **CONFIRMATION OF MINUTES**
(M/C 2024/07/15 - 5/2/1/1/2)

2.1 **MINUTES OF THE ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 13 JUNE 2024.**

On proposal of Councillor P N Shimhanda. and seconded by Councillor W O Groenewald, it was:

CO: A
GM: CS&HC

RESOLVED:

That the Minutes of the Ordinary Management Committee meeting held on 13 June 2024 be confirmed, with amendment to item 10.1 that the application for a build together loan for Erf 7184 , Extension 26 by Ms Haeses be declined.

7.10 **PROPOSALS TO SALVAGE OLD BROKEN REFUSE BINS AT THE SWAKOPMUND MUNICIPALITY LANDFILL SITE**
(M/C 2024/07/16 - 13/2/4/4/3)

GM: HSSWM

RESOLVED:

That this item be referred back to the Management Committee for consideration.

8.1 **REQUEST TO INSTALL A BILLBOARD**
(M/C 2024/07/16 - E 3723)

CO:M&C
GM: CS&HC

RESOLVED:

That this item be referred back to the Management Committee for consideration.

9.1 **INVITATION: ONGWEDIVA TRADE FAIR 2024**
(M/C 2024/07/16 - 9/4/5)

RESOLVED:

(a) That Council approves participation in the Ongwediva Trade Fair, scheduled to take place from 23 – 31 August 2024 in Ongwediva.

(b) That the General Manager: Finance avails funds for the lease of an 18m stall at the cost of N$11,000.00.

(c) That the following will be required:

1. ***One exhibitor's pass - N$180.00.***
2. ***One vehicle pass at N$180.00.***
3. ***Two access pass booklets (14 pages) at N$480.00 (N$240.00 each).***

4. ***Total: N$840.00***

(d) That permission is granted for the following Municipal officials to represent Council at the Opening Ceremony and throughout the duration of the Trade Fair:

1. ***Public Relations Officer, Office of the CEO- Linda Mupupa***
2. ***Marketing & Communications Officer, CS & HC- Roswitha Kandanga***
3. ***Investment and Tourism Officer, EDS - Oscar Homateni***

(e) That the subsistence and travelling allowances for the officials totalling N$67 200.00 be defrayed from the relevant departmental Conference and Expenses vote and that special leave be granted to the officials as from 21 August 2024 to 01 September 2024.

(f) That Council's minibus be availed to travel to and from Ongwediva.

(g) That permission be granted for procurement of promotional items such as water bottles, pens for the event.

(h) That Local Tourism Operators in Swakopmund be approached to avail prizes that can be won at the exhibitors stand by visitors.

(i) That the stand be decorated with balloons, arts and crafts and refreshment (water and peppermint sweets) expenses be defrayed from the Corporate Services Publicity Vote: 150515533000 where N$30 462.95 is available.

9.2 **HENTIES BAY LAND DEVELOPMENT CONFERENCE**
(M/C 2024/07/16 - 5/1/1)

RESOLVED:

(a) That the permission be granted to the Mayor, the Chairperson of the Management Committee, the Alternate Chairperson of the Management Committee, General Manager: Corporate Services and General Manager: Engineering and Planning to attend the Henties Bay Land Conference held in Henties Bay as from 26-29 June 2024 be condoned.

(b) That the costs for Subsistence and Traveling allowances and the table costs be defrayed from the relevant Conference Expenses Votes where sufficient funds are available.

10.1 **PRESENTATION BY SALT ESSENTIAL IT**
(M/C 2024/07/16 - 8/2/1)

RESOLVED:

(a) That the Management Committee takes note of the presentation by Salt Essential IT.

(b) That the matter be submitted to the next Management Committee for further discussion.

(c) That it be noted that the relevant Procurement Processes need to be followed, should Council consider such services.

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11. **RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE MEETING HELD DURING JULY 2024**

11.1.1.1 **MANAGEMENT COMMITTEE MEETING HELD ON 16 JULY 2024**

11.1.1 **ERONGO RED BOARD OF DIRECTORS // APPOINTMENT OF AN ALTERNATE MEMBER**
(C/M 2024/08/08 - 11/1/4/17)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **7.1** page **03** refers.

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

Erongo RED informed the office of the Chief Executive Officer that Ms Demeon Keulder has relinquished her appointment as the alternate member of Mr Sam Januarie and Council is requested to consider a replacement.

Council at its ordinary meeting held **4 April 2024**, under item **11.1.7**. resolved.

"That this item be referred back to the Management Committee for consideration."

Role of the Board of Directors

1. Approve, monitor, and provide guidance on the strategic planning process. The Chief Executive Officer and the senior management team will have direct responsibility for the ongoing strategic planning process and the establishment of long-term goals for the Corporation, which are to be reviewed and approved not less than annually by the Board of Directors. The Board will provide guidance to the Chief Executive Officer and senior management team on the Corporation's ongoing strategic plan. The Board will establish annual performance objectives against which to measure corporate and executive performance. Based on the reports from the Chief Executive Officer, the Board will monitor the success of management in implementing the approved strategies and goals.

2. Identify the principal risks of the Corporation's business and use reasonable steps to ensure the implementation of appropriate systems to manage these risks and attempting to achieve a proper balance between the risks incurred and the potential return to shareholders.

3. Delegate to the Chief Executive Officer the authority to manage and supervise the business of the Corporation, including making of all decisions regarding the Corporation's operations that are not specifically reserved to the Board of Directors under the terms of that delegation of authority. Determine what, if any, executive limitations may be required in the exercise of the authority delegated to management, and in this regard approve operational policies within which management will operate.

4. Take reasonable steps to ensure the Corporation has management of the highest caliber. The Board of Directors will satisfy itself that executive compensation is linked appropriately to corporate performance. This responsibility is carried out primarily through the appointment of the Chief Executive Officer as the Corporation's business leader. The Board will assess, on an ongoing basis, the Chief Executive Officer's performance against criteria and objectives established by the Board from time to time.

The Board will also use reasonable steps to ensure that the Chief Executive Officer has in place adequate programs to recruit, retain, develop, and assess the performance of senior management.

5. Approve the Corporation's annual financial plans.

6. Oversee the integrity of the Corporation's internal control and management information systems.

7. Ensure that the Chief Executive Officer and the senior officers maintain and monitor compliance with the Corporation's Code of Business Conduct by all employees of the Corporation.

8. Approve the Corporation's communications policy. The Board of Directors will monitor the policies and procedures that are in place to provide for effective and timely communication by the Corporation with its shareholders, the Board and with the public generally, including effective means to enable shareholders to communicate with senior management and the Board. The Board will also monitor the policies and procedures that are in place to maintain a strong, cohesive, and positive image of the Corporation with shareholders, the oil and gas industry, governments and the public generally. The Board will put in place the appropriate measures for the receipt of shareholder feedback;

9. Require that the Board be kept informed of the Corporation's activities and performance and take appropriate action to correct inadequate performance;

10. Provide for the independent functioning of the Board of Directors. The Board will put in place appropriate procedures to enable the Board to function independently of management at such times as is desirable.

11. Require the individual directors to be prepared for each Board of Directors and Committee meeting by having read the reports and background materials provided for the meeting and to maintain an excellent Board of Directors and Committee meeting attendance record (the target is 100%).

12. Consultation with representatives of the Shareholders before a Board of Directors meeting is essential.

13. Feedback by the individual Directors after each Board of Directors meeting is very important to keep the shareholders well-informed of the latest developments.

Timing and Location of Board Meetings, and Time Commitment

The board normally meets as the occasion requires. Meetings take place as indicated per notice with at least one sitting per year.

Remuneration

The board determines the level of remuneration paid to its members within any limitations imposed by shareholders.

Sitting Fees for main Board meeting attendance shall be:

- *N$5 352.00 and N$8 486.00 (Chairperson) per sitting plus traveling at N$7,50/km & accommodation at N$800.00 per night if applicable.*

- *Sitting Fees for Board subcommittee meeting attendance shall be: N$2 648.00 and N$3 956.00 (Chairperson)*

Committee Involvement

Board committees are formed when it is efficient or necessary to facilitate effective decision-making. The board's present standing committees are the audit, remuneration and nomination committees.

Confidentiality

All information acquired during appointment is confidential to the Company an d should not be disclosed either during your appointment or following termination (by whatever means) to third parties except as permitted by law and with prior clearance from the Chairman.

Council recently at its Ordinary Meeting held **2 April 2024**, item 11.1.4 , resolved:

(a) That the information submitted on the appointment Council's Board of Directors, be approved and that feedback be provided to Council on a regular basis.

(b) That the Board of Directors be retained for the final 3-year term.

(c) That, in future, Council's representation in Erongo RED's Board of Directors be advertised with specific criteria.

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

<u>RECOMMENDED</u>:

(a) That Council considers the appointment of an alternate member from the applications/ Curriculum Vitae (CVs), already received.

(b) That Councillors submit the names of potential candidates, along with their respective Curriculum Vitae (CV), to the Chief Executive Officer's Office no later than Friday, 19 July 2024 and that candidates should possess the relevant qualifications, experience, and skills that align with the strategic goals and governance requirements of Council and Erongo RED.

(c) That the submission should include the following:

1. ***The full name of the nominee with a brief statement on why the nominee would be a valuable addition to Council to serve on Erongo RED's Board of Directors and represent Council and the entire community of Swakopmund.***
2. ***A detailed CV highlighting their professional background, relevant experience, and any pertinent achievements.***

11.1.2 **REQUEST FOR THE SUSPENSION OF THE REHABILITATION LEVY BY ONGANJA MINING COMPANY (PTY) LTD**
(C/M 2024/08/08 - 13/3/1/5)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **7.2** page **06** refers.

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

1. **Introduction**

This submission is tabled to Council to consider the application by Onganja Mining Company (Pty) Ltd trading as Quarry Ventures (hereinafter referred to as Onganja) requesting Council for the suspension of the rehabilitation levy in terms of clause 8.4.3 of the lease agreement. The application dated **18 April 2023** which was received via email dated **05 February 2024** is attached as **Annexure "A"**.

2. **Background**

Onganja is leasing a portion of land, measuring 308,4153 hectares of the Remainder of Portion B of Swakopmund Town and Townlands No 41, which is indicated by the figures A B C D E and described as "Lease Area No 1" on the land surveyor's diagram **attached** hereto as **Annexure "B"**.

The current lease period for nine (9) years and eleven (11) months, commenced on **01 July 2017** and will lapse on **31 May 2027**. The premises are exclusively leased for operating a commercial quarry, for the exploitation and supply of quarried and/or crushed rock, gravel, sand waste or any other sediment or material for civil construction and similar work.

Clause 1.1.6 of the lease agreement incorrectly reflects the expiry date as 31 May 2026, i.e. to read **31 May 2027**.

3. **Application**

Onganja submitted an application dated **18 April 2023** which was received via email dated **05 February 2024**, requesting Council for the suspension of the payment of the rehabilitation levy "on account of sufficient funds having accumulated in the rehabilitation fund".

Onganja states in the application that an amount of N$682 999.8.75 in rehabilitation levies has been settled in full. Attached to the application as **Annexure "C"** is a table in which all Rehabilitation Levies (and Royalties) paid to Council are listed since the inception of the agreement from 2007 until 28th February 2023.

Onganja further supports their application that due to the current economic situation in the country that had a negative impact on many businesses he is requesting Council permission that the payments of the rehabilitation levy be suspended in terms of clause 8.4.3 of the lease agreement.

4. **The Rehabilitation Fund**

As per lease agreement signed on **28 June 2018** entered into by and between Onganja and Council, the lease of a portion is subjected to certain conditions, in particular, clause 8.4.3 quoted below:

"The Lessee may during the subsistence of this agreement request the Lessor in writing that the payment of the rehabilitation levy be suspended on account of sufficient funds having accumulated in the Rehabilitation fund. The Lessor's General Manager: Engineering Services (or any other designated official) may, having regard to the anticipated costs for the rehabilitation of the premises, suspend the payment of the rehabilitation levy for a specific period by notice in writing to the lessee and during which period the lessee shall not be obliged to pay the rehabilitation levy. The Lessor's General Manager: Engineering Services (or any other designated official) may, in its sole discretion, at any time thereafter when he or she is satisfied that the anticipated rehabilitation costs warrant the resumption of the rehabilitation levy, instruct the lessee to commence with payment of the rehabilitation levy again, in which instance the Lessee shall be obliged to resume payments of the rehabilitation levy."

Hereto attached as **Annexure "D"** is the complete clauses regarding rehabilitation levy described in terms of clause 8.3 to 8.13.

In view of the above, comments were requested from Engineering & Planning Department as per memo dated **15 February 2024** regarding the application for the suspension of the rehabilitation levy to confirm whether the current fund in the amount of N$ 682 998.75 paid by Onganja is sufficient to rehabilitate the site if mining stopped today.

The General Manager: Engineering and Planning Department responded by email dated **13 June 2024** stating that an assessment must be conducted by engineering official to confirm whether the accumulated levies are sufficient.

Also attached as **Annexure "E"** is the memo dated **15 February 2024** and the email dated **13 June 2024**.

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

RECOMMENDED:

(a) That Council takes note of the application from Onganja Mining Company (Pty) Ltd trading as Quarry Ventures requesting Council for the suspension of the rehabilitation levy in term of clause 8.4.3. of the lease agreement.

(b) That Onganja Mining Company be informed that Council can only attend to the suspension of the payment of the rehabilitation levy after an assessment is conducted by the Engineering & Planning Services Department to confirm if the amount paid is sufficient to rehabilitate the site upon termination.

(c) That it be noted that clause 1.1.6 of the lease agreement incorrectly states the expiry date as 31 May 2026, whereas 01 July 2017 plus 9 (nine) years and 11 (eleven) months is 31 May 2027.

ONGANJA MINING COMPANY (PTY) LTD

Annexure "A"

Telephone: +264 61 234 798
Facsimile: +264 61 232 809
email: onganjamining@iway.na

P.O.Box 5059
WINDHOEK
Republic of Namibia

18th April, 2023

Mr A. Plaatjie
Manager: Corporate Services
Swakopmund Municipality
SWAKOPMUND

Dear Mr Plaatjie

REQUEST FOR THE SUSPENSION OF THE REHABILITATION LEVY

The Agreement between the Municipal Council of Swakopmund and Onganja Mining Company (Pty) Ltd trading as Quarry Ventures, dated 31st July, 2007, as renewed, makes provision under Section 8.4.3 for the suspension of the payment of the Rehabilitation Levy "on account of sufficient funds having accumulated in the fund". To date an amount of N$682 998.75 in Rehabilitation Levies has been paid. The attached table lists all such Rehabilitation Levies (and Royalties) paid to the Municiplity since the inception of the Agreement in 2007, up to 28th February, 2023.

At this point, it is believed that the total paid to date amounts to "sufficient funds having accumulated in the fund", as provided for in the Agreement. On 14th December, 2022, Mr H. Naruseb confirmed by e-mail, that the figures provided by ourselves as per the attached table, were verified by Municipal records.

Owing to the economic downturn in the country, sales of aggregate from the quarry are at an all-time low. This implies that any current sales are drawn from existing aggregate stockpiles, with no quarried rock being loaded and hauled from the pit. This situation is not expected to change in the foreseeable future.

In view of the above, we respectfully request that payments of the Rehabilitation Levy be suspended, as per Section 8.4.3. We would suggest the "specified period" be for an open period, bearing in mind the provision in Section 8.4.3, that the Municipality may require the resumption of Rehabilitation Levy payments, at any time when it is felt that this is warranted.

We trust that this request will receive favourable consideration.

Yours faithfully

Robert Carr
Director

ATTACHMENT

Table of Royalty and Rehabilitation Levy payments to Swakopmund Municipality

Annexure "B"

APPROVED

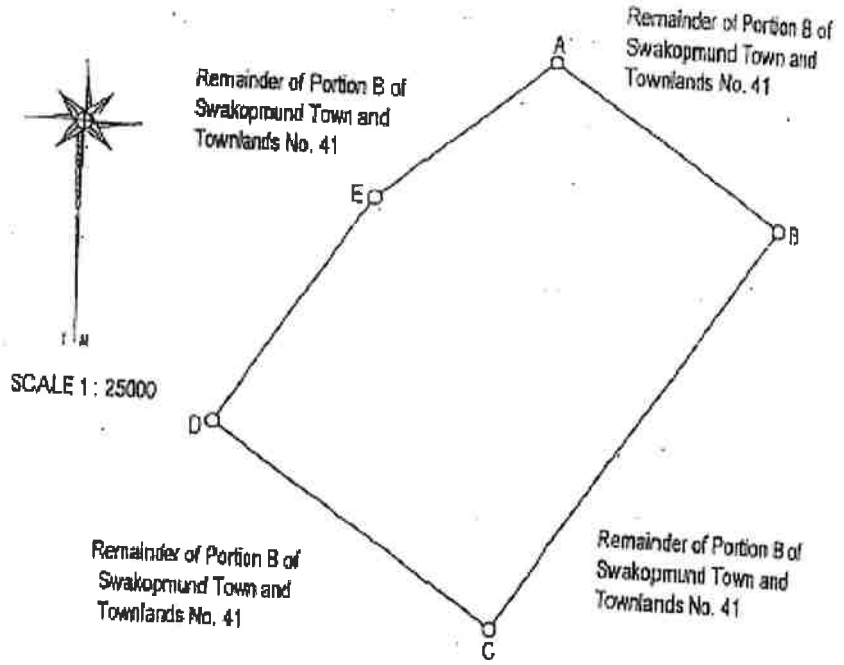
for SURVEYOR-GENERAL 05 JUN 2005

S.G. No. A206/2005

SIDES metres		ANGLES OF DIRECTION	CO-ORDINATES System:22/15	Y	X	Designation
		Constants		0,00	0,00	
AB	1200,00	303:48:50	A	43247,98	67359,23	C
BC	2151,22	33:48:49	B	42250,96	68027,01	B
CD	1500,00	123:48:49	C	43448,09	69814,36	A
DE	1200,00	213:48:50	D	44694,37	68979,64	E
EA	977,41	231:19:00	E	44026,58	67982,61	D

Description of beacons :

A,B,C,D,E ..... 16 mm iron peg in cairn



SCALE 1 : 25000

The figure A B C D E
represents 308,4145 Hectors of land being

Lease Area No. 1 over

Remainder of Portion B of The Farm Swakopmund Town and Townlands No. 41

Situate in the Municipal Area of Swakopmund
Registration Division G, Erongo Region, NAMIBIA

Surveyed in January 2005 by me

Land Surveyor
C.G. Pieterse

This diagram is annexed to	The original diagram is	S.R. No.: E40/2005
No.	SG NO. A50/35	Gen. Plan No.:
d.d	Transfer/Grant	Noting Plan: MD-6C
Registrar of deeds	T25/1935 dated 18 Nov 1935	

Annexure "C"

ROYALTY AND REHABILITATION LEVY PAYMENTS TO SWAKOPMUND MUNICIPALITY

Date of payment to Swakopmund Municipality	Rehabilitation levy amount paid	Royalty amount paid	Photocopies of proof of payments
29.07.2008	100 000.00	-	yes
06.12.2011	46 772.60	-	yes
06.12.2011	-	172 191.65	yes
25.01.2013	1 309.38	-	yes
25.01.2013	-	5 130.80	yes
08.07.2013	51 155.02	-	yes
08.07.2013	-	151 782.42	yes
-	-	-	yes
16.01.2014	45 050.00	-	yes
03.02.2014	-	179 772.03	yes
07.06.2014	25 297.79	-	yes
23.06.2014	-	100 950.78	yes
08.12.2014	25 619.40	-	yes
08.12.2014	-	107 802.43	yes
02.06.2015	13 314.61	-	yes
02.06.2015	-	35 041.19	yes
30.11.2015	27 705.26	-	yes
30.11.2015	-	121 713.60	yes
07.06.2016	9 775.08	-	yes
07.06.2016	-	42 950.27	yes
15.12.2016	40 499.02	-	yes
15.12.2016	-	100 000.00	yes
19.12.2016	-	86 761.23	yes
29.06.2017	11 638.30	-	yes
29.06.2017	-	53 670.02	yes
04.12.2017	44 756.80	-	yes
04.12.2017	-	235 220.20	yes
09.07.2018	55 484.85	-	yes
09.07.2018		291 485.51	yes
04.02.2019	60 267.14	-	yes
04.02.2019	-	304 380.41	yes
10.06.2019	19 638.04	-	yes
10.06.2019	-	107 900.30	yes
02.12.2019	77 889.53	-	yes
02.12.2019	-	440 459.66	yes
-	-	0.00	-
-	0.00	-	-
22.10.2022	15 044.92	-	yes
22.10.2022	-	51 006.72	yes
28.02.2023	3 917.46	-	yes
28.02.2023	-	24 777.03	yes
Total	**582 898.70**	**2 774 090.34**	

Quarry Ventures

Financial Period	Receipt date	Amount	Allocated to Fund
2007 / 2008	27/08/2008	100 000.00	100 000.00
2011 /2012	14/12/2011	48 772.60	48 772.60
	14/12/2011	172 191.66	172 191.66
		220 964.26	**220 964.26**
2012 / 2013	31/01/2013	1 366.38	1 366.38
	31/01/2013	5 133.89	5 133.89
		6 500.27	**6 500.27**
2013 / 2014	12/07/2013	191 782.42	191 782.42
	12/07/2013	51 155.62	51 155.62
	06/02/2014	45 050.00	45 050.00
	18/02/2014	179 771.03	179 772.03
	25/06/2014	25 297.78	25 297.78
	25/06/2014	100 950.78	100 950.78
		594 008.63	**594 008.63**
2014 / 2015	09/12/2014	25 619.49	25 619.49
	09/12/2014	107 832.43	107 832.43
	04/06/2015	13 314.61	13 314.61
	04/06/2015	56 041.19	56 041.19
		202 807.72	**202 807.72**
2015 / 2016	02/12/2015	27 706.26	27 706.26
	02/12/2015	121 713.60	121 713.60
	14/06/2016	9 776.98	9 776.98
	14/06/2016	42 950.27	42 950.27
		202 147.11	**202 147.11**
2016 / 2017	03/01/2017	100 000.00	100 000.00
	03/01/2017	40 499.02	40 499.02
	03/01/2017	86 761.23	86 761.23
	13/06/2017	11 638.30	11 638.30
	13/06/2017	53 670.02	53 670.02
		292 568.57	**292 568.57**
2017 / 2018	07/12/2017	44 756.98	44 756.98
	07/12/2017	235 220.29	235 220.29
		279 977.27	**279 977.27**
2018 / 2019	11/07/2018	55 464.85	55 464.85
	11/07/2018	291 495.51	291 495.51
		346 960.36	**346 960.36**
2018 / 2019	07/02/2019	316 852.53	316 852.53
	07/02/2019	47 527.88	47 527.88
	07/02/2019	66 287.14	66 287.14
	12/06/2019	107 950.30	107 950.30
	12/06/2019	19 538.04	19 538.04
		558 255.89	**558 255.89**
2019/2020	22/12/2020	440 459.66	440 459.66
	22/12/2020	77 689.33	77 689.33
		518 148.99	**518 148.99**
2022/2023	25/10/2022	15 044.92	15 044.92
	25/10/2022	91 006.72	91 006.72
		106 051.64	**106 051.64**
		3 428 393.71	3 428 393.71

Annexure "D"

8.4.3 The Lessee may during the subsistence of this agreement request the Lessor in writing that the payment of the rehabilitation levy be suspended on account of sufficient funds having accumulated in the Rehabilitation Fund. The Lessor's General Manager: Engineering Services (or any other designated official) may, having regard to the anticipated costs for the rehabilitation of the Premises, suspend the payment of the rehabilitation levy for a specified period by notice in writing to the Lessee and during which period the Lessee shall not be obliged to pay the rehabilitation levy. The Lessor's General Manager: Engineering Services (or any other designated official) may, in its sole discretion, at any time thereafter when he or she is satisfied that the anticipated rehabilitation costs warrant the resumption of the rehabilitation levy, instruct the Lessee to commence with payment of the rehabilitation levy again, in which instance the Lessee shall be obliged to resume payments of the rehabilitation levy.

8.5 The Rehabilitation Fund shall be administered by the Lessor who shall keep or procure the keeping of accurate and updated financial records of the fund, fairly reflecting the financial position of the fund and recording and account for, *inter alia*: all payments made to and from the fund; the investments and re-investments of funds; any income accrued to and expenses incurred on behalf of the fund; any payments made from the fund towards the rehabilitation of the Premises and the final financial records of the fund.

8.6 The Lessor may procure the administration of the fund or financial record keeping of the fund by an external party whereto the Lessee has consented in writing and which consent the Lessee shall not withhold unreasonably. The costs so incurred shall be borne by the fund.

8.7 In administering the Rehabilitation Fund, the Lessor shall exercise its functions with the utmost good faith towards the protection of the fund and shall have the powers to:

8.7.1 open and operate a bank account at a registered bank in Namibia; and

8.7.2 invest and re-invest the funds of the rehabilitation fund with any registered bank in Namibia or in any financial or insurance institution or investment house registered as such in Namibia.

8.8 Save where the Lessee consents thereto in writing, the Lessor shall not invest any of the funds by any other means, manner or in any other investment product.

7.6 In the event of the Lessee's failure to comply with the provisions of this clause 7.5 above, the Lessor shall, in addition to any other remedy it may have, be entitled to cancel the lease, provided it has given the Lessee fourteen days written notice to rectify its breach.

8. REHABILITATION OF THE PREMISES

Introduction

8.1 The Premises are situated in an area that, although already environmentally compromised by material from the old dump site, is environmentally sensitive and in proximity to the current and the probable future expansion and development of Swakopmund town. The parties record that it shall be a material term of this lease that quarrying activities on the Premises shall be conducted according to accepted best quarrying practice or as may be agreed upon between the parties from time to time.

8.2 Upon the termination of this agreement for whatsoever reason, the Premises shall be rehabilitated as recorded below. The rehabilitation shall take place in compliance with any legislation that may exist at the time, the terms of this agreement, the directions, if any, given by the Environmental Expert and the prevailing general environmental management practices, pertaining to quarrying operations.

The Rehabilitation Fund

8.3 The parties have established a Rehabilitation Fund ("the fund") for the purpose of having at the disposal of the Lessee or the Lessor, as the case may be, funds to finance (partly or completely) the rehabilitation of the Premises.

8.4 The Lessee shall make payments towards the Rehabilitation Fund, without deduction or set-off, as follows:

8.4.1 An initial payment of N$100 000,00 (one hundred thousand Namibia Dollar), payable to the Lessor for payment to the fund and which amount the parties record has already been paid during the Initial Period; and

8.4.2 A rehabilitation levy, which shall be payable in six monthly instalments, equal to the amount of N$1,00 (one Namibia Dollar) per bench cubic meter of rock exploited on the Premises ("the rehabilitation levy"). The volumes of rock exploited shall be determined in accordance with the Land Surveyor's Certificate

7. **QUARRY ACTIVITES**

Fencing, Warning signs and Entrance

7.1 The Premises shall be clearly marked and suitably fenced by the Lessee, to the satisfaction of the Lessor. The Lessee shall, as a minimum be required to:

7.1.1 Place and maintain corner beacons in the form of 210 litre drums filled with gravel on each of the corners of the Premises, being the points depicted as A, B, C, D and E on annexure "A" hereto;

7.1.2 Place and maintain line beacons in the form of 210 litre drums filled with gravel, 500 (five hundred) meters apart on the boundary of the Premises; and

7.1.3 Place and maintain a fence of over-sized rock on the perimeter of the area within the Premises where the quarrying activities take place, the rock being of sufficient size and placed in such proximity of each other to hedge any form of vehicular traffic (including motor cycles and quad bikes) from passing through.

7.2 Appropriate and adequate warning signs, containing a clear and suitable warning to the Premises and the activities conducted thereon, shall be erected and maintained by the Lessee. Such warning signs shall contain appropriate symbols and signs to enable understanding by illiterate persons. The nature and content of the warning signs shall be approved by the Lessor's General Manager: Engineering Services (or any other responsible or designated official).

7.3 There shall be only one controlled entrance to the Premises and to each area where quarrying activities take place.

Blasting activities

7.5 In operating its quarry the Lessee may use explosives for blasting activities. The Lessee shall strictly adhere to the provisions of the Explosives Act and its regulations or any other applicable legislation and best practices and fully comply with any instructions or directions given by the Chief Inspector of Explosives.

issued in terms of clause 5.6 above. The rehabilitation levy shall be payable within 14 days after receipt by the Lessee of the Land Surveyor's Certificate recording the volumes exploited.

8.4.3 The Lessee may during the subsistence of this agreement request the Lessor in writing that the payment of the rehabilitation levy be suspended on account of sufficient funds having accumulated in the Rehabilitation Fund. The Lessor's General Manager: Engineering Services (or any other designated official) may, having regard to the anticipated costs for the rehabilitation of the Premises, suspend the payment of the rehabilitation levy for a specified period by notice in writing to the Lessee and during which period the Lessee shall not be obliged to pay the rehabilitation levy. The Lessor's General Manager: Engineering Services (or any other designated official) may, in its sole discretion, at any time thereafter when he or she is satisfied that the anticipated rehabilitation costs warrant the resumption of the rehabilitation levy, instruct the Lessee to commence with payment of the rehabilitation levy again, in which instance the Lessee shall be obliged to resume payments of the rehabilitation levy.

8.5 The Rehabilitation Fund shall be administered by the Lessor who shall keep or procure the keeping of accurate and updated financial records of the fund, fairly reflecting the financial position of the fund and recording and account for, *inter alia*: all payments made to and from the fund; the investments and re-investments of funds; any income accrued to and expenses incurred on behalf of the fund; any payments made from the fund towards the rehabilitation of the Premises and the final financial records of the fund.

8.6 The Lessor may procure the administration of the fund or financial record keeping of the fund by an external party whereto the Lessee has consented in writing and which consent the Lessee shall not withhold unreasonably. The costs so incurred shall be borne by the fund.

8.7 In administering the Rehabilitation Fund, the Lessor shall exercise its functions with the utmost good faith towards the protection of the fund and shall have the powers to:

8.7.1 open and operate a bank account at a registered bank in Namibia; and

8.7.2 invest and re-invest the funds of the rehabilitation fund with any registered bank in Namibia or in any financial or insurance institution or investment house

registered as such in Namibia.

8.8 Save where the Lessee consents thereto in writing, the Lessor shall not invest any of the funds by any other means, manner or in any other investment product.

8.9 No payments shall be made from the Rehabilitation Fund without the prior written consent or on application of the Lessor, for payments not being authorized investments, payment of the reasonable costs to administer the fund or payments alike, payments to the Lessee or its contractors in accordance with clause 8.12 below or payments to the Lessor or its contractors in accordance with clause 8.21 below.

8.10 All the Rehabilitation Fund's financial records shall be made available for inspection by the Lessee during business hours and upon request thereto.

8.11 Should the Lessee require payments to be made from the Rehabilitation Fund for the costs of rehabilitation of the Premises, it may request payment in writing from the Lessor, recording in its request:

8.11.1 the nature, extent, purpose and method of the planned rehabilitation;

8.11.2 the amount(s) requested, having regard to the total anticipated rehabilitation costs; and

8.11.3 the cost components allocated to and the total costs of the planned rehabilitation.

8.12 Having satisfied itself of the nature, extent, purpose, method, necessity and costs of the planned rehabilitation, the Lessor shall advance payments to the Lessee or its contractors, as the case may be, of the anticipated rehabilitation costs.

8.13 Upon expiry of this agreement and provided that:

8.13.1 the rehabilitation has been satisfactorily completed and a Rehabilitation Certificate has been issued by the Environmental Expert; and

8.13.2 the Lessor is not in breach of any of its other obligations in terms of this agreement,

the Lessor shall make payment to the Lessee of all the funds or investments then still held in the Rehabilitation Fund, if any, and shall procure the completion of final financial

Annexure "E"

SWAKOPMUND
MUNICIPALITY

+264 64 410 4200 | mhaingura@swakmun.com.na | P.O.Box 53, Swakopmund, Namibia

Internal Memorandum

TO	:	The General Manager: Engineering & Planning Services
FROM	:	The General Manager: Corporate Services and HC
DATE	:	15 February 2024
REF.	:	13/3/1/5 & 16/1/4/2/1/13
SUBJECT	:	**ONGANJA MINING COMPANY (PTY) LTD – SUSPENSION OF REHABILITATION LEVY**

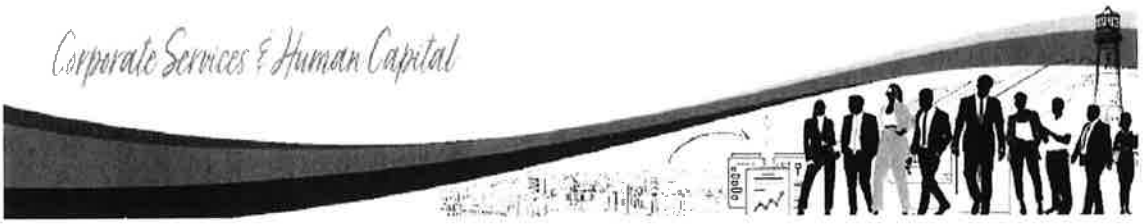
The attached letter dated **18 April 2023** was received via e-mail dated **05 February 2024**.

In order for Council to consider the application by Onganja Mining Company (Pty) Ltd for the suspension of the accumulating payment of the rehabilitation levy, please confirm whether the current fund in the amount of N$ 682 998.75 is sufficient to rehabilitate the site if mining stopped today.

If the amount is regarded as insufficient to cover rehabilitation costs, please provide an estimation of what funds would be required.

Mpasi Haingura
General Manager: Corporate Services & HC

/sb



Emilia Nakale

Subject: FW: Suspension of rehabilitation levy

From: Stephny Bruwer <sbruwer@swkmun.com.na>
Sent: Thursday, June 13, 2024 3:25 PM
To: Emilia Nakale <enakale@swkmun.com.na>
Subject: FW: Suspension of rehabilitation levy

Stephny Bruwer | Corporate Officer: Property | Corporate Services & Human Capital | +264 64 410 4212

From: Clarence McClune <cmcclune@swkmun.com.na>
Sent: Thursday, June 13, 2024 2:45 PM
To: Stephny Bruwer <sbruwer@swkmun.com.na>
Subject: RE: Suspension of rehabilitation levy

Yes is according to the agreed fee in the agreement.

But I cannot say if this will be enough or not until an assessment is conducted.

Regards.

Clarence McClun e | General Manager: Engineering & Planning Serv ices | Engineering & Planning Servic es | +264 64 410 440 1

From: Stephny Bruwer <sbruwer@swkmun.com.na>
Sent: Thursday, June 13, 2024 2:42 PM
To: Clarence McClune <cmcclune@swkmun.com.na>
Subject: FW: Suspension of rehabilitation levy

Good Afternoon

The rehabilitation amount to date is N$ 682 998.00.

Kind regards

Stephny Bruwer | Corporate Officer: Property | Corporate Services & Human Capital | +264 64 410 4212

11.1.3 **APPLICATION BY MESSRS ANDREAS HAMUNYELA LEGAL PRACTITIONERS TO APPROVE THE EVICTION PROCEEDINGS AGAINST MR AND MRS NARIB OF ERF 2283 MATUTURA, EXTENSION 10**
(C/M 2024/08/08 - E 2283)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **7.3** page **20** refers.

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

1. **INTRODUCTION**

This submission serves to request Council for approval to proceed with the eviction proceedings against Mr and Mrs Narib of Erf 2283 Matutura, Ext 10.

2. **BACKGROUND**

Mr and Ms Narib did not secure funds to pay the bond as required in terms of clause 4.3. of the tri-partite agreement, signed on **09 November 2018 (Annexure "A").** A notice of cancellation dated **01 September 2021 (Annexure "B")** was sent to the Narib couple, whereafter they responded on **13 September 2021** (**Annexure "C")** requesting Council not to cancel the transaction.

The matter was tabled to Council and on **25 November 2021** the following was resolved under item 11.1.19:

(a) That the Acting General Manager: Corporate Services & Human Capital consults with the attorneys to confirm whether Council can cede its rights to Messrs National Housing Enterprise to take the necessary action.

(b) That it be recorded that Council does not support evictions of families from their houses.

(c) That the Acting General Manager: Corporate Services & Human Capital obtains a legal opinion for the transfer of National Housing Enterprise to Council to prevent evictions of families.

On **11 November 2022** National Housing Enterprise (NHE) sent a letter requesting Council to disconnect the water of Erf 2283, Matutura attached as (**Annexure** "**D**").

Messrs Kinghorn Associates provided a legal opinion on **01 December 2022** stating that Council must proceed with cancellation of the transaction. The matter was tabled to the Management Committee meeting and on **09 February 2023** the following was resolved under item 10.9:

(a) That the matter be referred back to the Special Management Committee Meeting on 21 February 2023.

(b) That Mr Williward Narib and Rina Naris be informed that they must submit a letter of explanation or motivation of why they failed to pay their Municipal debts.

(c) *That Mr Williward Narib and Rina Naris be informed that the consideration will only be regarding their Municipal account and not NHE.*

On **09 February 2023** Mr and Mrs Narib wrote a letter to Council (**Annexure "E"**) requesting that Council accept their new instalment method based on their current financial position and they are willing to pay N$ 2 200.00 a month towards the bond. They stated that they spend sleepless nights to make it count in their favour and as parents they are aware that they should take care of their children's needs in any given situation.

On **04 April 2023** Mr and Ms Narib resubmitted a letter (**Annexure "F"**) stating that they are willing to recommit themselves to the monthly instalments of N$ 2 200.00 to the bond. Mr and Ms Narib further stated they will also pay monthly instalments of a N$ 1000.00 towards rates and taxes as per agreement with the Finance Department.

3. **APPLICATION**

A letter attached dated **05 March 2024** was received from Messrs Andreas Hamunyela legal practitioners on behalf of National Housing Enterprise (NHE). They request the following:

(i) *That Council issues a letter to the beneficiary informing him that the tri-party agreement is cancelled as a result of breach of the agreement.*

(ii) *That Council informs the beneficiary to vacate the property in order for NHE to re-sell and re-allocate the property to others in need.*

Messrs Andreas Hamunyela legal practitioners further stated that once the cancellation notice has been issued, NHE will institute the following:

(i) *the eviction proceedings and (ii) also seek an order confirming the cancellation of the tri-party agreement,*

(ii) *claim occupational rental/interest and rates and taxes payable to Council.*

In light of the above, it is advisable that Council and NHE be cited as plaintiffs in these proceedings to avoid unnecessary technical legal points from being raised by the defendant. In the circumstances, Council should pass a resolution authorizing the institution of these proceedings against the beneficiary.

4. **CURRENT SITUATION**

Mr Narib and Mrs Naris are still residing on Erf 2283 Matutura and have paid some of the outstanding debt towards the rate and taxes as per **Annexure "H",** up to May 2023.

5. **DISCUSSION**

Council's policy of not evicting families was first intended for people who didn't pay their rates and taxes, or municipal services on time. The notion was that these debts needed to be paid off using means other than judicial

property sales and subsequent evictions. This makes sense if the debt is municipal debt, which includes rates and taxes, however the Narib couple have a separate debt owing to NHE in addition to the rates and rates and municipal services. Thus, it is not fair to allow a family to stay in a house without paying the bond whilst there are beneficiaries on the waiting list who are willing to acquire a house and can afford to pay the monthly bond instalments including rates and taxes.

6. **PROPOSAL**

It is therefore proposed that Council authorises the issuing of summons and the ejectment of Erf 2283, Ext 10, Matutura from Mr Narib and Mrs Naris.

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

RECOMMENDED:

That the matter be referred to NHE to negotiate for an affordable instalment with the affected party as a last resort.

ANNEXURE "B"

MUNICIPALITY OF SWAKOPMUND

(064) 4104230
063 614 514
53 Swakopmund
NAMIBIA
www.swakmun.com.na
bramosvlegas@swkmun.com.na

E 2283 M

Enquiries: **Ms B Ramos Vlegas**

01 September 2021

Mr W Naib & Ms R Naris
P O Box 4116
VINETA
13003

Dear Sir & Madam

MASS HOUSING TRANSACTION:
TRI-PARTY CONDITIONAL DONATION AGREEMENT: TRANSFER OF ERF 2283 MATUTURA (EXT 10)

• NOTICE TO RECTIFY BREACH: ERF 2283 MATUTURA (EXT 10)

A Memorandum of Agreement was signed between yourself, Messrs NHE and the Municipal of Swakopmund during November and December 2018 and January 2019 respectively to purchase a house on Erf 2283, Matutura (Ext 10).

On **09 September 2021** Messrs Kinghorn Associates informed this office that you are unable to secure financing to fund the improvement of the properties, amounting to a material breach of the Beneficiaries' obligations under the donation agreement.

You are herewith given 21 days' notice of in terms of clause 9 of the donation agreement to rectify the breach by **Friday, 01 October 2021**, by obtaining financing by entering into a loan agreement with a suitable financial institution. Should you fail to provide proof that a home-loan has been obtained from a registered financial institution by **Friday, 01 October 2021**, the transaction will be cancelled.

Should you have any further enquiries, please do not hesitate to contact **Ms B Ramos Vlegas** at ☎ 064-4104230.

Yours faithfully

Mr A Plaatjie
General Manager: Corporate Services & HC (Acting)

/BRV

Copy: NUS – Mr Tilkens

ANNEXURE "C"

From: Mr. W Narib Mrs. R. Naris
Box 4116 Venita
Swakopmund
E: mail-wnmission@gmail.com

REF: E 2283 M

To: Municipality of Swakopmund
Box 53
Tel: (064) 410 42 30
Swakopmund
Namibia
www.swkmun.com.na

Date: 2021 September 13

RE: RECALLING THE CANCELLATION OF TRANSACTION ON ERF 2283 MATUTURA (EXT 10)

We are hereby writing to inform the TRI-PARTY, that as husband and wife Mr. W. Narib and Mrs. R. Naris, our financial status has not improve yet, to be able to approach any financial institutions to acquire such, so recall your intention, this situation is beyond our control.

Before the cancellation of the transactions we will politely also, ask you to revisit and consult the Namibian Constitutions on the citizens human fundament rights, which we all know that you are aware of it:

We want to bring it also under your attention; that neither me W. Narib or Mrs. R .Naris has a piece of land or a house anywhere in Namibia or in the world we can call home, apart from 2283 Matutura, and we would not allow the only chance which is presented to us slip through, we are first time buyers.

Municipality and MHE of all the people who is in business of housing, you should be the last person to even think of cancellation of such transactions, we all are aware of the global economic crises, and unplanted situations brought about by corona/covid 19 which is still hovering over us worldwide, no country has recovered yet from any economical distractions cast by this pandemics, and this is the season which as visionary leaders, should sent and brainstorm as to how we can solves this situation at hand, instead of opting to evicting people who is already stranded to nowhere.

As insotutions by name Municipality and NHE who is in the business for so many years should have already the plans and the means in place, and the know how to handle this type of situations positively without pushing it down to the men who is already on the ground.

NB: We know and we are sure that we are not the only one's involved or affected by this situation, so call us all in for a day workshop and let's put brains together as affected parties, direct and indirectly and work out a lasting positive result. Don't forget that, the sick man knows where the pain is in him.

Mr. PJ Burger as counsellor, let's put humanity first, when it comes to housing issues, as an adviser please revisited the old Municipality bylaws, and advise them accordingly, demonstrated to them how people used to pay off their houses during the former administration.

Let's work out any other useful or meaningful salutations for this case, I'm able man, made disable by the current pandemic season, if given any productive chance I will make it count.

So as it stand I, Mr. Willward Narib and Mrs. Rina Naris, we will not even accept any default judgments on this property Erf 2283 Matutura (Ext 10).

We remain hopeful, that any miracle out there in the form of money will come before hand, you don't need to believe it; we do.

Best regards

Yours faithful citizen of Namibia.

Mr. Mrs. W, R NAMIB'S & CHILDREN FROM THEIR DWELLING 2283 Ext 10 Matutura.

Mr. W. Narib..... Mrs. R. Naris.....

ANNEXURE "D"

Affordable and Quality Housing

National Housing Enterprise

Head Office
7 Gen. Muriala Muhammed Ave, Eros
PO Box 20182, Windhoek
Tel:+264 (61) 292 7111
Fax:+264 (61) 272 301

Head Office Fax Numbers
CEO: +264 61 292 7271
Main Reception: 264 61 222 301
Technical Services +264 61 292 7270
Finance: +264 61 232 301

Regional Office - Central
Katutura - Independence Ave
PO Box 20182, Windhoek
Tel: +264 (61) 276 100
Fax: +264 (61) 276 120

Regional Office - South
Cor Sam Nujoma & 2 Avenue
PO Box 904, Keetmanshoop
Tel: +264 (63) 222 096
Fax: +264 (63) 223 282

Regional Office - West
[illegible]

Regional Office - North
[illegible]

11 November 2022

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

Attention: Mr A Plaatjie

REQUEST TO DISCONNECT WATER ACCOUNT – ERF 2283 MATUTURA

Dear Mr Plaatjie

Kindly herewith receive official request to disconnect water of Erf 2283, Matutura as per your conversation and arrangement of yesterday, the 10th of November 2022 with our Acting Executive: Sales and Lending Ms Ludwina Alex.

Kind Regards

West Regional Manager
West Regional Office
2022 -11- 11
Tel: 064 - 2[illegible]
Fax: 064 - [illegible]
PO Box 7240, Walvis Bay

Mr Donald Tjikune
Regional Manager West: Sales and Lending

Cc Ms Ludwina Alex
Acting Executive: Sales and Lending

ANNEXURE "H"

BO080-Current Account Details

Owner | Erf | Acct | O/T | Meter/r | Age A | Sum | CR

76228300024 OWNER W NARIB ENG

Stand No: 001 078 00002263 00000 0000 0000

2283 2283 MATUTURA MATUTURA

Postal Address: P O BOX 4116 VINETA 3003

Tel-(H) **(W)** **(C)** 0812720192

ID-No: 73083000324

Interim Elec **Water** **Dep** 440.00 **Guarantee**

Tran Date	Bal B/F	Debits	Credits	Bal C/F
202209	18185.27	895.89	5500.00	13581.16
202210	13581.16	822.18	583.20	13820.14
202211	13820.14	797.61		14617.75
202212	14617.75	797.61	500.00	14915.36
202301	14915.36	846.75	550.00	15212.11
202302	15212.11	773.04	500.00	15485.15
202303	15485.15	797.61	1000.00	15282.76
202304	15282.76	822.18	1000.00	15104.94
202305	15104.94	822.18	1000.00	14927.12

BO080-Current Account Details

Owner | Erf | Acct | O/T | Meterlr | Age A | Sum | CR

78228300024 OWNER W NARIB ENG

Stand No: 001 078 00002283 00000 0000 0000

2283 2283 MATUTURA MATUTURA

Postal Address: P O BOX 4116 VINETA 3003

Tel-(H) **(W)** **(C)** 0812720192

ID-No: 73083000324

Interim Elec **Water** **Dep** 440.00 **Guarantee**

Tran Date	Bal B/F	Debits	Credits	Bal C/F
202306	14927.12	822.09	1000.00	14749.21
202307	14749.21	944.33	1000.00	14693.54
202308	14693.54	767.16	1000.00	14460.70
202309	14460.70	817.78	1000.00	14278.48
202310	14278.48	792.47	1000.00	14070.95
202311	14070.95	843.09	1000.00	13914.04
202312	13914.04	893.71	1000.00	13807.75
202401	13807.75	868.40	1000.00	13676.15
202402	13676.15	843.09		14519.24

BO080-Current Account Details

Owner | Erf | Acct | O/T | Meter/r | Age A | Sum | CR

78228300024 OWNER W NARIB ENG

Stand No: 001 078 00002283 00000 0000 0000

2283 2283 MATUTURA MATUTURA

Postal Address: P O BOX 4116 VINETA 3003

Tel-(H) **(W)** **(C)** 0812720192

ID-No: 73083000324

Interim Elec **Water** **Dep** 440.00 **Guarantee**

Tran Date	Bal B/F	Debits	Credits	Bal C/F
202403	14519.24		1500.00	13019.24

Documents Containing Personal Information Are Removed From The Agenda As Directed By MANAGEMENT.

11.1.4 **HOSTING OF THE 2024 MATUTURA CULTURAL FESTIVAL**
(C/M 2024/08/08 - 9/3/1/2)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **7.4** page **48** refers.

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

1. Introduction

This submission aims to inform and seeking Council's approval to host the annual Matutura Cultural Festival which is scheduled for **6 to 7 September 2024 at Erf 2349, Extension 11, Matutura,** under the theme *"Our Culture, Our Pride"*.

The festival will be preceded by the Cultural Fashion Show planned for **23 August 2024** to raise funds for the cultural groups in preparation for the annual Matutura Cultural Festival.

2. Background

To unify Swakopmund's community and create a sense of belonging, Council has created a platform for various cultural groups to showcase their traditional food, activities and performances. The Matutura Cultural Festival aims to promote cultural diversity, exhibit cultural goods to boost the local economy and revive cultural values and norms.

Nine (9) different cultural groups viz. Ovaherero, Basters, Batswana, Ovawambo, Kavango, Ovahimba, Zambezi, Nama and Damara were represented and participated since the establishment of the Matutura Cultural Festival. The groups used the platform to showcase their traditional food, art and performances in an impactful manner. This year the Matutura Cultural Festival will welcome the Hoi//om Cultural group.

3. Proposal

Experience over the past two years has revealed that some cultural groups found it difficult to fully participate in the festival due to financial constraints. Some cultural groups had no funds to import traditional food, costumes, artisanal handicraft and materials from their regions of origin, which makes it difficult to fully represent their respective cultures.

To address the issue of scarcity of funds, the Matutura Cultural Festival Preparatory Committee (represented by cultural group leaders) as listed below, has proposed to host the Cultural Fashion Show preceding the Matutura Cultural Festival.

GROUP	***CONTACT PERSON***	***CONTACT NUMBER***
Ovaherero	*Mr. Male Hange*	*081 794 8595*
Damara	*Mr. B. Uiseb*	*081 737 0912*
Nama	*Mr. M. Rooi*	*081 258 3089*
Ovawambo	*Mrs R. Noabes*	*081 268 8282*
Zambezi	*Mrs. R. Sikopo*	*081 559 9283*
Kavango	*Ms P. Kapango*	*081 222 9202*
Batswana	*Ms M. Tebele*	*081 768 1322*
Ovahimba	*Mr. N. Mupurua*	*081 491 4560*
Basters	*Mrs. D. Hercules*	*081 385 8444*
Hai//om	*Mr. S. !Hoaeb*	*081 339 9875*

The Fashion Show is scheduled to take place on **23 August 2024** at the Multipurpose Centre Hall.

The aim of the Cultural Fashion Show is as follows:

- *To raise funds for Cultural Groups in preparation for the Matutura Cultural group.*
- *To display traditional and contemporary attire from various cultural groups*
- *To promote and support local talents i.e. designers and models*
- *To unite communities and highlight the beauty and significance of cultural attire.*

To ensure the success of the Fashion show, the support in the following manner is sought from Council:

- *Permission to host the third Matutura Cultural Festival to be held on 6 to 7 September 2024 at erf 2349, Extension 11, Matutura.*
- *Permission to host the Cultural Fashion Show as a fundraising event in preparation of the Matutura Cultural Festival*
- *Venue to host the Fashion show i.e. Multipurpose Centre Hall*
- *Cultural groups to collect money by means of selling tickets as a fundraising event and must indemnify themselves against Council during the fundraising activities.*
- *Advertise and promote the Cultural Fashion Show on Council's social media*

4. Discussion

The planned Cultural Fashion Show is just not a display of garments, it is a bridge connecting people, promoting unity and demonstrating the positive change that can be achieved when art of fashion and compassion come together.

Considering the above, the Economic Development Services department, which is spearheading the Matutura Cultural Festival, supports the fundraising event hoping that sufficient funds will be generated through the selling of entry tickets and shared between all cultural groups. The event will promote our local designers and models, nurture talents and provide avenues to market cultural activities.

Lastly, the Fashion Show is the Matutura Cultural Group initiative, and they are collecting their funds through tickets independently. It was thus highlighted that the Cultural groups **must** indemnify the Council against any claims that may result from the organization of this event including funds collected through the selling of entry tickets.

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

RECOMMENDED:

(a) **That Council approves the third Matutura Cultural Festival to be held on 6 to 7 September 2024 at erf 2349, Extension 11, Matutura.**

(b) **That Council take note of the upcoming Cultural Fashion Show to be held on 23 August 2024 to raise funds to purchase consumes and artisanal handicraft for their group.**

(i) ***That Council approve the sponsorship of the Multipurpose Centre Hall for the Cultural Fashion show.***

(ii) ***That the Fashion Show Preparatory Committee must indemnify the Council against any claims that may result from the organization of this event.***

(c) **That security be beefed up during the festival period.**

(d) **That reasonable mobile sanitation facilities be provided during the festival period.**

11.1.5 **DEVELOPMENT WORKSHOP OF NAMIBIA (DWN) REQUEST APPROVAL FOR TWO SIGNATORIES FOR MANAGING OF A JOINT REVOLVING FUND BANK ACCOUNT**
(C/M 2024/08/08 - 14/2/1/2)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **7.5** page **50** refers.

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

1. **INTRODUCTION**

The purpose of this submission is to seek Council's approval for the appointment of two signatories to manage a joint revolving bank account established with Development Workshop of Namibia (DWN). This account will facilitate the development of low and ultra-low-cost housing in extension 42, 43, and 44, as per the Council resolutions passed on the Council meeting of **30 August 2021,** item 11.1.18 and **12 December 2023,** item 11.1.31.

2. **BACKGROUND**

The proposal by DWN was discussed at the Council meeting of **30 August 2021** whereafter the following was resolved under item 11.1.18:

(a) That Council approves the concept of Development Workshop Namibia for servicing of a portion of land and the construction of low and ultra-low-cost housing.

(b) That Council approves the proposal of Development Workshop Namibia to be implemented on portions 42, 43 and 82-84.

(c) That based on point (a) above a Memorandum of Understanding be compiled by Council's attorneys.

The above resolution was communicated to DWN on **10 September 202 (Annexure "A")**, whereafter the Memorandum of Understanding (MOU) was drafted and submitted to Council for approval. It was approved at the Council meeting of **12 December 2023** under item 11.1.31 as follows:

(a) That Council approves the Memorandum of Understanding of Development Workshop Namibia (hereinafter referred to as DWN).

(b) That an addendum to the Memorandum of Understanding be compiled dealing with:

(i) the sharing of cost of the installation of water and electricity in the Development Plan in the Progressive Area.

(c) That the selection of contractors be a mutual decision.

(d) That an office be identified and made available for one of the staff members of DWN.

(e) That it be noted that DWN can assist beneficiaries to obtain an unsecured loan in the amount of N$50 000.00, payable over 20-50 months.

(f) That DWN be part of the selection of beneficiaries and the decision-making process.

(g) That DWN be informed that Council will attend to the town planning and surveying.

(h) That it be noted that DWN will provide manpower for the registration process:

- *interviewing beneficiaries and manage payment with bookkeeping system*
- *sending of mass / bulk sms*
- *will reimburse the beneficiaries who are excluded in terms of affordability.*

(i) That no groups will be considered for mass transfers since DWN will only communicate with the individual beneficiaries.

(j) That the Ministry of Finance be requested to exempt this project from the Public Procurement Act, Act No.15 of 2015.

The above resolution was communicated to Development Workshop of Namibia on **28 December 2023 (Annexure "B")** and subsequent in an email dated **30 April 2024** (**Annexure "C"**), Development Workshop of Namibia requested the appointment of two signatories that will represent Council in managing of the FNB joint account.

3. **Proposal**

It is proposed that the General Manager of Corporate Services and Human Capital and the General Manager of Finance be appointed as the two signatories on behalf of Council to manage the joint revolving bank account together with the two representatives of Development Workshop Namibia.

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

RECOMMENDED:

(a) That Council approves the appointment of the two following signatories to manage the FNB joint bank account:

1. ***Mr Mpasi Haingura in his capacity as General Manager: Corporate Services and Human Capital.***
2. ***Mr Hellao !Naruseb in his capacity as General Manager: Finance.***

(b) To represent the Council in the management of the joint revolving bank account, with the 2 signatories of the Development Workshop of Namibia (DWN):

1. ***Mr Beat Weber in his capacity as Executive Director of Development Workshop of Namibia.***
2. ***Ms Ester Tuwilika Veiko in her capacity as Programme Manager of Development Workshop of Namibia.***

ANNEXURE "A"

MUNICIPALITY OF SWAKOPMUND

(064) 4104230
088 614 514
53 Swakopmund
NAMIBIA
www.swkmun.com.na
bramosviegas@swkmun.com.na

14/2/1/2

Enquiries: Ms B Ramos Viegas

10 September 2021

The Executive Director
Development Workshop Namibia
P O Box 40723
Ausspannplatz
10017

Attention: **Dr B Weber**

Dear Sir

APPLICATION BY DEVELOPMENT WORKSHOP NAMIBIA (DWN) FOR:

- **SERVICING OF LAND**
- **CONSTRUCTION OF LOW AND ULTRA-LOW COST HOUSING WITH A MEMORANDUM OF UNDERSTANDING (PARTNERSHIP AGREEMENT)**

Your email dated **09 June 2021** regarding the above subject and the subsequent meeting held on **15 July 2021** with representatives of Development Workshop Namibia and municipal officials refers.

The proposal was discussed at the Council meeting of **30 August 2021** under item 11.1.18 which passed the following resolution:

(a) That Council approves the concept of Development Workshop Namibia for servicing of a portion of land and the construction of low and ultra-low cost housing.

(b) That Council approves the the proposal of Development Workshop Namibia to be implemented on portions 42, 43 and 82-84.

(c) That based on point (a) above a Memorandum of Understanding be compiled by Council's attorneys.

Attached are the location maps of the relevant sites. We wish to meet for further discussions on the way forward. Kindly confirm a suitable date and time to schedule a meeting with you and your team.

A submission regarding the conditions of sale will be submitted to Council for consideration after the meeting.

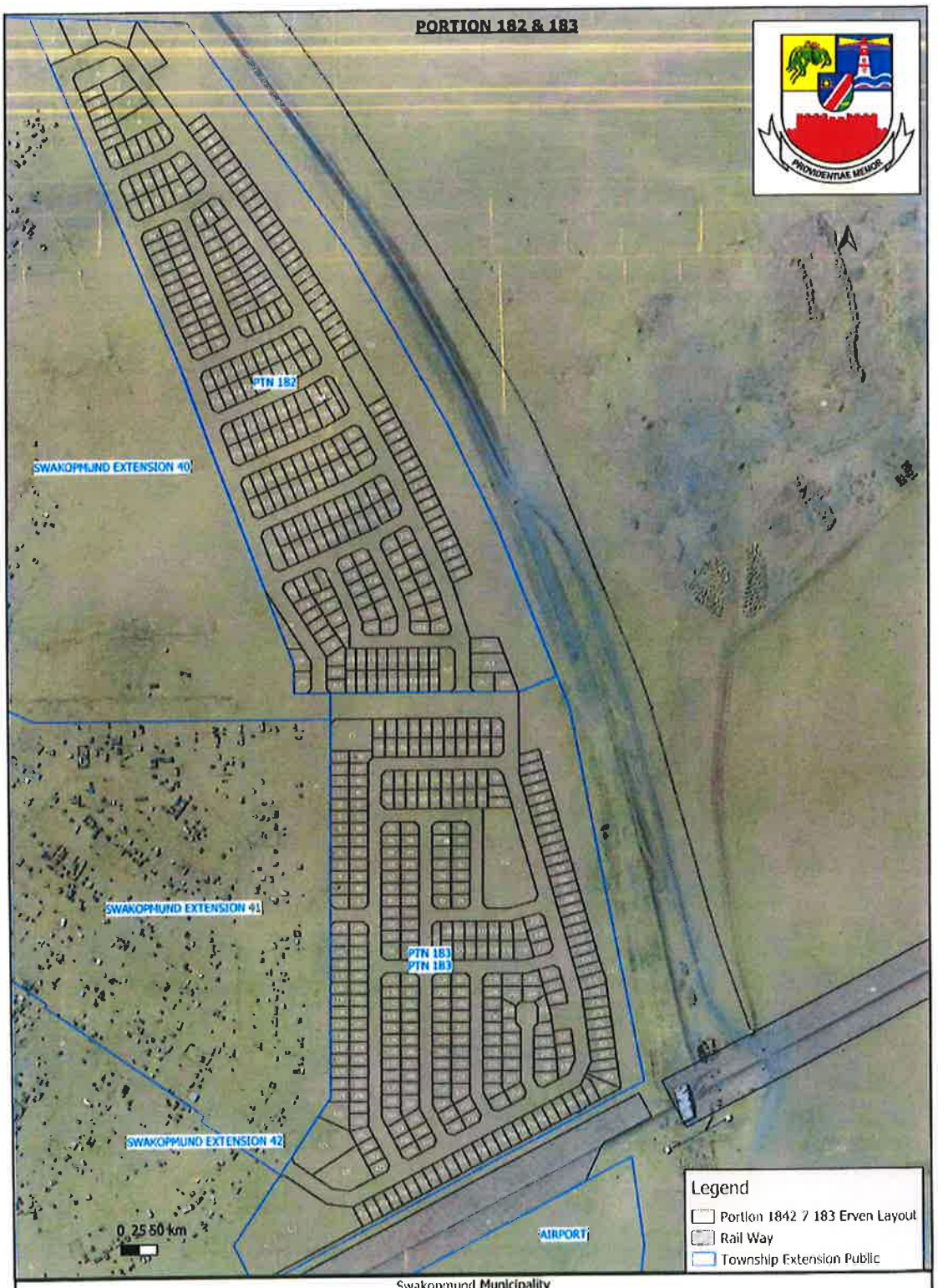
Should you have any further enquiries, please do not hesitate to contact Ms B Ramos Viegas at ☎ 064-4104230.

Yours faithfully

Mr A Plaatjie
General Manager: Corporate Services & HC (Acting)

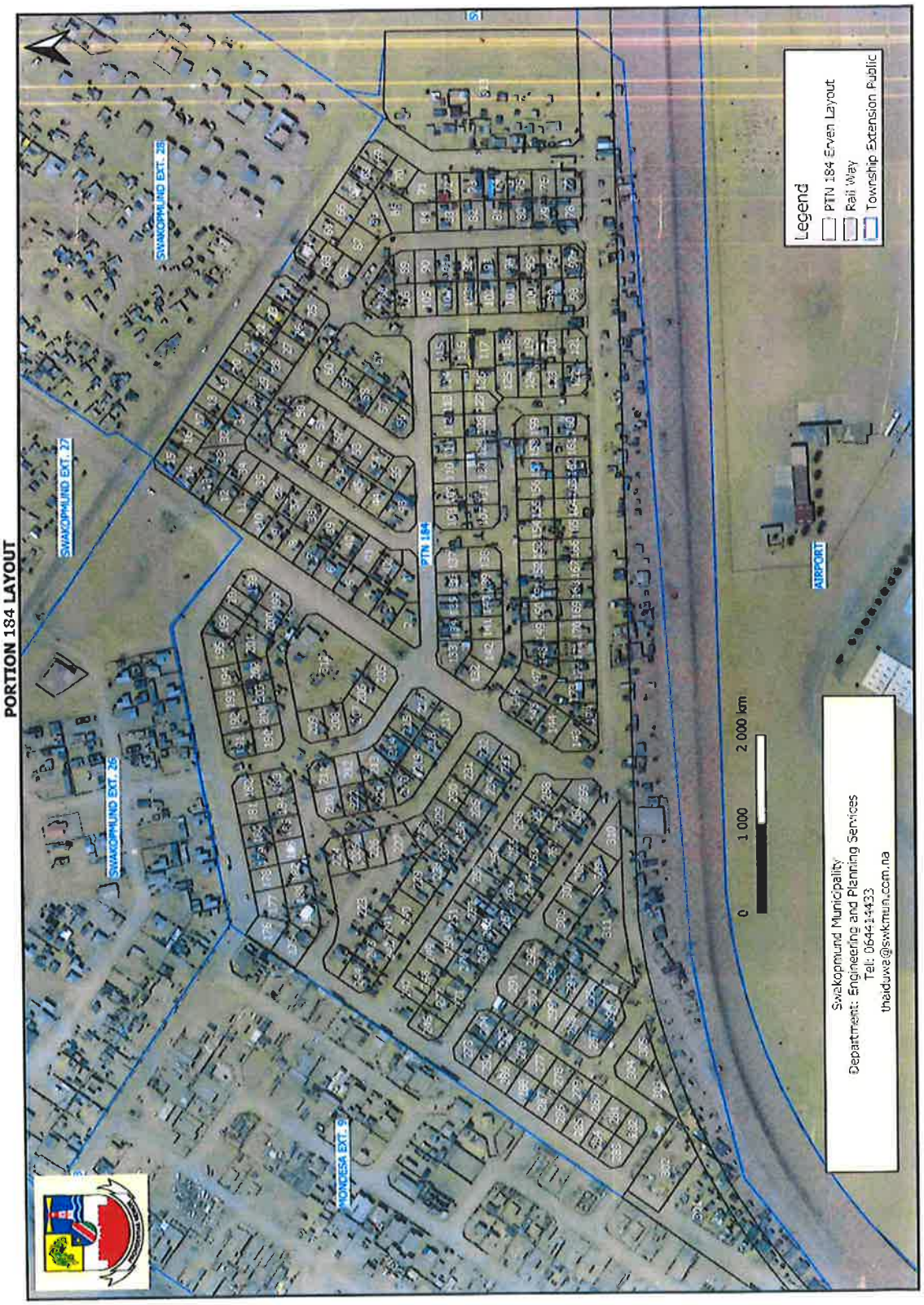
/brv

Copy: GM: Engineering & Planning Services
Copy: GM: Finance



Swakopmund Municipality
Department: Engineering and Planning Services
Tel: 064414433

PORTION 184 LAYOUT



ANNEXURE "B"

MUNICIPALITY OF SWAKOPMUND

(064) 4104230
088 614 514
53 Swakopmund
NAMIBIA
swakopmun.com
bramosviegas@swkmun.com.na

Ref No: **14/2/1/2**

Enquiries: **Ms B Ramos Viegas**

28 December 2023

The Executive Director
Development Workshop Namibia
P O Box 40723
Ausspannplatz
10017

Attention: **Dr B Weber**

Dear Sir

MEMORANDUM OF UNDERSTANDING(MOU): DEVELOPMENT WORKSHOP NAMIBIA TRUST (DWN)

The proposed Memorandum of Understanding (MOU) between Council and the Development Workshop Namibia Trust (hereinafter DWN) and for installation of services in Ext 43 (portion 182) and Ext 44 (portion 183) and the construction of houses for the ultra-low-income earners in Swakopmund was discussed at the Council meeting of 12 December 2023.

At its meeting of **12 December 2023**, the following was resolved under item 11.1.31:

(a) That Council approves the Memorandum of Understanding of Development Workshop Namibia (hereinafter referred to as DWN).

(b) That an addendum to the Memorandum of Understanding be compiled dealing with:

(i) the sharing of cost of the installation of water and electricity in the Development Plan in the Progressive Area.

(c) That the selection of contractors be a mutual decision.

(d) That an office be identified and made available for one of the staff members of DWN.

(e) That it be noted that DWN can assist beneficiaries to obtain an unsecured loan in the amount of N$50 000.00, payable over 20-50 months.

(f) That DWN be part of the selection of beneficiaries and the decision-making process.

(g) That DWN be informed that Council will attend to the town planning and surveying.

(h) That it be noted that DWN will provide manpower for the registration process:
- ***interviewing beneficiaries and manage payment with bookkeeping system***
- ***sending of mass / bulk sms***
- ***will reimburse the beneficiaries who are excluded in terms of affordability.***

(i) That no groups will be considered for mass transfers since DWN will only communicate with the individual beneficiaries.

(j) That the Ministry of Finance be requested to exempt this project from the Public Procurement Act, Act No.15 of 2015.

Please familiarise yourself with the above decision. In terms of point (b) above, an addendum to the Memorandum of Understanding will be compiled once the details of the financial contribution by the beneficiaries are known and shared with DWN. Once the documents have been signed by all parties, a copy will be sent to you for your records.

With reference to (c) above, kindly liaise with the Engineering and Planning Department for the selection of the contractors.

Attached a list of the names of the beneficiaries of the 3 Housings groups with the erven allocated to them as per Council resolution of **31 August 2023**, item 11.1.31. Kindly, contact the beneficiaries in terms of (e) and (h) above.

Should you have any enquiries, please do not hesitate to contact Ms B Ramos Viegas at ☎ 064-4104230.

Yours faithfully

GENERAL MANAGER Corporate Services
2023 -12- 28
MUNICIPALITY OF SWAKOPMUND

Mpasi Haingura
General Manager: Corporate Services & HC

/brv

Copy: GM: Engineering & Planning Services, please take note of the resolution for further engagement with DWN

ANNEXURE "C"

Barbara Ramos Viegas

From:	Erastus Kashuupulwa <e.kashuupulwa@dw-namibia.org>
Sent:	Tuesday, 30 April 2024 13:08
To:	Alfeus Benjamin; Barbara Ramos Viegas
Cc:	'Ester Veiko'; 'Beat Weber'; 'Ambrose Wohler'; Mpasi Haingura; 'Sam Mengela'; 'Adam Ndahalele'; Andre Plaatjie; Sharon D. Pogisho; Charles Awaseb; Nikolas Ndeikonghola; Clarence McClune; Andre Louw; Dinina Hamupembe
Subject:	RE: Swakopmund Municipality// Development Workshop Namibia Collaboration
Attachments:	Letter to FNB for opening of bank account - Swakopmund.docx

Dear Mr Benjamin,

Following my earlier email, kindly find attached the resolution for the appointment of the two signatories for the project joint bank account that needs to be opened.

Kind regards,

Erastus T. Kashuupulwa
Operations Manager: Land & Housing

Development Workshop Namibia
161 Mandume Ndemufayo Avenue
PO Box 40723, Ausspannplatz
Windhoek, Namibia
Tel: +264 (0)81 7422 422
e.kashuupulwa@dw-namibia.org
www.dw-namibia.org

From: Erastus Kashuupulwa <e.kashuupulwa@dw-namibia.org>
Sent: Tuesday, 30 April 2024 11:48 am
To: 'abenjamin@swkmun.com.na' <abenjamin@swkmun.com.na>; 'Barbara Ramos Viegas' <bramosviegas@swkmun.com.na>
Cc: 'Ester Veiko' <e.veiko@dw-namibia.org>; 'Beat Weber' <b.weber@dw-namibia.org>; 'Ambrose Wohler' <a.wohler@dw-namibia.org>; 'mhaingura@swkmun.com.na' <mhaingura@swkmun.com.na>; 'Sam Mengela' <s.mengela@dw-namibia.org>; 'Adam Ndahalele' <a.ndahalele@dw-namibia.org>; 'aplaatjie@swkmun.com.na' <aplaatjie@swkmun.com.na>; 'spogisho@swkmun.com.na' <spogisho@swkmun.com.na>; 'cawaseb@swkmun.com.na' <cawaseb@swkmun.com.na>; 'nndeikonghola@swkmun.com.na' <nndeikonghola@swkmun.com.na>; 'cmcclune@swkmun.com.na' <cmcclune@swkmun.com.na>; 'alouw@swkmun.com.na' <alouw@swkmun.com.na>; 'dhamupembe@swkmun.com.na' <dhamupembe@swkmun.com.na>
Subject: Swakopmund Municipality// Development Workshop Namibia Collaboration

Dear Mr. Benjamin,

My Name is Erastus Kashuupulwa, the Operations Manager for the Housing For All Programme implemented by Development Workshop. Kindly find attached a letter about a meeting held between Development Workshop Namibia and Swakopmund Municipalities Corporate Services & HC and Engineering and Planning Services Departments on the 25th of April 2024.

Please do not hesitate to contact me should you require any further clarification or information.

Thank you for your attention to this matter.

Kind regards,

Erastus T. Kashuupulwa
Operations Manager: Land & Housing

Development Workshop Namibia
161 Mandume Ndemufayo Avenue
PO Box 40723, Ausspannplatz
Windhoek, Namibia
Tel: +264 (0)81 7422 422
e.kashuupulwa@dw-namibia.org
www.dw-namibia.org

DEVELOPMENT WORKSHOP
Community Development
Human Settlements and Development

20 Nachtigal Street, PO Box 40723
Ausspannplatz, Windhoek, Namibia
Email: b.weber@dw-namibia.org
Tel: ++264 (061) 240 140
www.dw-namibia.org

Resolution: Opening for a revolving fund bank account in Swakopmund

Programme for the provision of low-cost land for housing

Swakopmund Municipality has signed a MoU with Development Workshop Namibia (DWN) for the implementation of a not for profit and donor funded project for the development of low-cost land for housing. For the purpose of this project only, Swakopmund Municipality and DWN have resolved to request First National Bank (FNB) to open a local bank account to receive the donor funding, pay service providers, and hold receipts of the sales of the erven. The account will be jointly managed by Swakopmund Municipality and DWN.

The fund works as follows:

- The Namibian Chamber of Environment (NCE), who holds the donor funds, transfers a previously agreed amount to the account;
- DWN and Swakopmund Municipality use the amount to develop the new neighborhood with low cost land for housing;
- Beneficiaries pay of their plots and deposit money into the account;
- DWN and Swakopmund Municipality develop more low-cost land for housing with the amounts available on the account.

The account has four signatories. For any transaction, one signatory from Swakopmund Municipality and one signatory from DWN must sign. For the detailed regulations of the bank account please refer to Annexure I of this document. Following are the four signatories:

Name	Position	ID number	Signature
Ester Tuwilika Veiko	Programme Manager, DW Namibia	94063000605	
Beat Weber	Executive Director, DW Namibia	75020810417	

This resolution is signed by:

Senior Manager: Finance, Swakopmund Town Council

Beat Weber,

Executive Director, DW Namibia

11.1.6 **ACCEPTANCE LETTER: PARTNERSHIP BETWEEN SWAKOPMUND MUNICIPALITY AND THE ZANZIBAR URBAN MUNICIPAL COUNCIL (TANZANIA)**
(C/M 2024/08/08 - 5/2/4/5)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **7.6** page **61** refers.

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

1. **Introduction**

This submission serves to give feedback to the Council regarding the proposal for collaboration between the Zanzibar Urban Municipal Council and the Swakopmund Municipality.

2. **Background**

The Mayor of Zanzibar Urban Municipal Council, His Worship Mr Aili Haji Haji through the Office of the High Commissioner of Namibia proposed to collaborate with the Swakopmund Municipal Council in several key areas.

Council resolved on **31 March 2022** under item 11.1.25 as follows:

(a) *That Council approves the collaboration between the Zanzibar Urban Municipal Council and the Swakopmund Council.*

(b) *That a Memorandum of Understanding be compiled and signed by both parties which will include the cooperation in the following areas:*

1. *Revenue Collection*
2. *Investment*
3. *Training for Capacity Building*
4. *Town Planning*
5. *Economic Activities*
6. *Culture*

(c) *That the Office of the Mayor liaises with the Zanzibar Urban Municipal Council through the Ministry of International Relations and Cooperation.*

3. **Discussion**

The Corporate Officer: Marketing & Communications was in continuous contact with the Ministry of International Relations and Cooperation since 2022 in order to finalize the proposal for twinning.

The High Commissioner of the Republic of Namibia forwarded the acceptance letter dated **21 February 2024** from the Zanzibar Urban Municipal Council.

The High Commissioner of the Republic of Namibia requested that the Office of the Mayor should start the process of official communication progress and information to Zanzibar Urban Municipal Council through the Ministry of International Relations and Cooperation.

4. **Draft Memorandum of Understanding (MoU) - Zanzibar Urban Municipal Council**

The High Commissioner of the Republic of Namibia forwarded the draft Memorandum of Understanding (MoU) dated **12 March 2024** from the Zanzibar Urban Municipal Council.

It appears from Article 3, that Zanzibar is expecting the Council to carry the cost of travel of all visitors from Zanzibar and Swakopmund.
The Memorandum of Understanding will include the cooperation in the following areas of interest:

1. *Revenue Collection*
2. *Investment*
3. *Training for Capacity Building*
4. *Town Planning*
5. *Economic Activities*
6. *Culture*
7. *Waste Management*

It should be noted that a few terms, conditions, and clauses/articles in the draft MoU from the Zanzibar Urban Municipal Council have been amended. The amended draft copy of the MoU is attached for Council's consideration.

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

RECOMMENDED:

(a) That it be noted that the Zanzibar Urban Municipal Council has approved the collaboration with the Swakopmund Municipality.

(b) That the draft Memorandum of Understanding (MoU) from Zanzibar Urban Municipal Council be considered and amended where applicable.

(c) That the Office of the Mayor liaises with the Zanzibar Urban Municipal Council through the Ministry of International Relations and Cooperation.

(d) That the Memorandum of Understanding (MoU) be signed in Swakopmund, after it is approved by both parties.

(e) That a plan of action based on the areas of interest below be agreed on with the Zanzibar Urban Municipal Council:

1. ***Revenue Collection***
2. ***Investment***
3. ***Training for Capacity Building***
4. ***Town Planning***
5. ***Economic Activities***
6. ***Culture***
7. ***Waste Management***

URBAN MUNICIPAL COUNCIL

THE MEMORANDUM OF UNDERSTANDING

Between

URBAN MUNICIPAL COUNCIL

And

SWAKOPMUND MUNICIPALITY

FOR

ESTABLISHING OF THE PARTINARSHIP BETWEEN URBAN MUNICIPAL COUNCIL ZANZIBAR AND SWAKOPMUND MUNICIPAL

Drawn by;

The Legal Unit

Urban Municipal Council

Zanzibar.
March, 2024

THE MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is made this.....day of.....2024

Between

Urban Municipal Council (UMC) of P.O. BOX 1288, Malindi, Zanzibar, a Public Corporation established under the Local Government Authority Act, No.7 of 2014 of the Law of Zanzibar (hereinafter referred to as "the Municipality") of one part.

And

Swakopmund Municipality P.O.BOX....., ... a Local Government Authority under the Law of ..... (hereinafter referred to as "the Municipality") of the other party.

WHEREAS:

A. The Urban Municipal Council" and "the Municipality of Swakopmund" are the institutions initiated and vested with different functions and responsibilities and they

intend, through this Memorandum of Understanding to establish the partnership between Zanzibar urban Municipal Council and Swakopmund Municipality according to their laws.

B. The Municipality and Swakopmund Municipality both were seat together and to declared that to Establish this sister city with the aim of partnership between Zanzibar Urban Municipal Council and Swakopmund Municipality.

C. The Municipality according to Act no 7/2014 have the responsibility to formulate, co-ordinate and supervise the implementation of plans for economic, commercial, industrial and social development. And the City also according to their Law have the responsibility to implementation of plans for economic, commercial, industrial and social development.

D. The Municipality and City establish the Sister city development strategy in order for Urban developing, investment, municipal issues and conservation for Traditional and cultural heritage to increase efficiency of both parties institutions

NOW THEREFORE THIS MEMORANDUM OF UNDERSTANDING WITNESS AS FOLLOWS:

Article 1.0: THE PURPOSE OF THE MOU

a) The Purpose of this Memorandum of Understanding is to develop a sister cities relationship to promote and broaden economic and scientific, social, municipal, environmental, professional, cultural cooperation and cultural exchanges between the two cities.

b) This Memorandum of Understanding intends to provide a collaborative arrangement between the parties for the

purposes of having mutual Exchanges will be promoted in education and the establishment of contacts within educational institution encouraged.

c) That this MoU represent a non-binding expression of intent between the parties to work together in institutions.

Article 2.0 INITIAL SISTER CITY PREPARATION

a) The parties hereby agree that after signing of this MoU shall sit and agree on the whole arrangement for the execution of the herein referred Sister City.

b) Both parties shall use its necessary and reasonable efforts in developing and protect Sister City in preparation Arrangement of Technical, economic, scientific, social, municipal, environmental, professional, cultural cooperation and cultural exchanges between the two cities.

Article 3.0 SISTER CITY COSTS AND FUND

a) The part between the cities able to facilitate fund in education, culture, trade, tourism, municipal and environment

b) Swakopmund support the partnership visiting and facilitating funds for project if voted by Municipal council

Articles 4.0: THE CONTRIBUTION AND THE ROLES OF URBAN MUNICIPAL COUNCIL

Under this MoU as the strategic mutual relationship, The Urban Municipal Council shall have and play the following roles:

a) Facilitate all joint activities between the partners
b) Facilitate transport if needed Zanzibar visiting
c) To allow relevant actors/cooperation partner/networking's in pursuit of the partner works
d) To hold regular planning, feedback and monitoring talks with the development of partnership
e) Willing to cooperate with international partnership project between the parties
f) To participate in sectorial dialogue between partners
g) Facilitate equipment meeting

Article 5.0: THE ROLES OF SWAKOPMUND MUNICIPALITY

Under this MoU as the strategic mutual relationship, Swakopmund shall play very crucial roles which among others roles will include the following:

a) Facilitate transport if needed Swakopmund Municipality official visiting
b) Support the partnership visiting and facilitating funds if voted by Municipal council
c) To promote exchanges in fields science and technology, sport, health, youth and any area that will contribute to prosperity and the further development of the friendship between people of two cities
d) Capacity needs, buildings and capacity development e.g. training on job
e) To allow relevant actors/cooperation partner/networking's in pursuit of the partner works
f) To hold regular planning, feedback and monitoring talks with the development of partnership
g) Willing to cooperate with international partnership project between the parties
h) To participate in sectorial dialogue between partners

i) Facilitate equipment meeting

Article 6: THE COMMON AND GENERAL OBLIGATION OF THE PARTIES

Notwithstanding the roles of each party as stipulated under article 4 and 5 of this MoU, the parties shall have the following common and general obligation: -

a) Strengthening the partnership
b) Investment in both areas
c) To plan together with development of partnership
d) Both sister cities relationship to promote Revenue Collection, Investment, Training for Capacity Building, Town Planning, Economic Activities and Culture
e) Exchange will be promoted in education and establishment of contracts within educational institutions encouraged

Article 7: ESTABLISHMENT OF JOINT CONSULTATIVE &TECHNICAL TEAM

a) That the parties shall have the Joint Consultative and Technical Team to work out for the execution of the Project

b) That the parties shall have regular consultation and meeting to ensure good follow up and implementation of the goals of this MoU.

c) That the parties through the Joint Consultative and Technical Team shall have the overall responsibility for the planning, administration and implementation of the agreed construction of the Market including but not limited designing of proposed market and to procurement of contractor.

Article 8: DURATION OF THE MoU

The duration of the MoU is the entire duration of the existence of the ten year.

Article 9: TERMINATION OF THE MoU

This Memorandum of Understanding shall come in to effect on the date of its signing and will come to an end when the central government decides otherwise.

Termination of this MoU shall not affect the rights and obligations of Parties that has been accrued at the time of Termination.

Article 10: CONFIDENTIALITY UNDERTAKING

The Normal rules of Non-disclosure shall apply to this MoU. Either party shall not be allowed to disclose any information with regard to this MoU to the third party without the approval of the Sister City institution.

Article 11: ASSIGNMENT

A party to this Memorandum of Understanding shall not assign or contract all or any part of the liability, obligation or benefit under this Memorandum of Understanding without the express prior written consent of the other party.

Article 12: VARIATIONS

a) This Memorandum of Understanding may be amended at any time by written agreement of the parties.

b) No variations to this Memorandum of Understanding shall be of effect unless in writing signed by a duly authorized officer of each of the parties.

Article 13: FORCE MAJEURE

a) All parties shall be absolved of their obligations in terms of this MoU for as long as they are prevented from performing such obligations as a result of any cause beyond their reasonable control and including but not limited to acts of governments, war, lockouts, strikes and labour disputes of whatsoever cause, action by trade unions of whatsoever cause, changes to any Act and or statutory concessions which may affect the services to be rendered, expropriations or forfeiture of facilities, machines or equipment, embargoes or sanctions, fuel or water being rationed by a competent authority or which may not be made available to them for any reason whatsoever.

b) The party obligation shall continue immediately after the settlement of the occurrence of any force majeure act.

Article 16: NOTICE

Any notice required or permitted to be given hereunder shall be in writing and sent by registered mail or by electronic means or any other acceptable means of communication and shall be addressed to the Parties at the following addresses as either of the Parties may from time to time designate by notice in writing to the other. The Notice shall be deemed to be served when received.

Article 17: COMMUNICATION

The communication language shall be English and Kiswahili

FOR THE URBAN MUNICIPAL COUNCIL

Director,
P.O.BOX 1288,
Zanzibar.

FOR THE MAMOUDZOU CITY

General Deputy Director
P.O.Box .....
Swakopmund

Article 18: DISPUTE SETTLEMENT

In case of any differences or dispute arising on issue relating to this MoU, its implementation or interpretation between the parties, the efforts will be made to resolve the same through mutual discussion and the parties shall consult each other to settle the matter amicably.

Article 19: GOVERNING LAW:

This Memorandum of Understanding shall be construed and shall take effects in all respect in accordance with the laws of Zanzibar.

IN WITNESS WHEREOF the parties hereto have executed this Memorandum of Understanding in the day and manner hereinafter appearing.

Signed, Sealed and Delivered for and on behalf of
..... by the said;

Name :.....

Designation: .....

Signature: .....

Date : .....

In the presence of:

Name: .....

Designation: .....

Signature: .....

Date : .....

Signed, Sealed and delivered for and on behalf
Urban Municipal Council by the said;

Name: .....

Designation: .....

Signature: .....

Date : .....

In the presence of:

Name: .....

Designation: .....

Signature: .....

Date: .....

HIGH COMMISSION OF THE REPUBLIC OF NAMIBIA

Tel: (255) 0222601903
Fax: (255) 0222602003
daressalaam@mirco.gov.na
namhcdar@gmail.com

P.O. Box 80211
3 Rufiji Street
Masaki,
Dar es Salaam
Tanzania

Ref: 6/20/5

12 March 2024

Mr. Alfeus Benjamin
Chief Executive Officer
Municipality of Swakopmund
Corner of Rakutuka & Daniel Kamho Street
P.O Box 53
SWAKOPMUND

Dear Mr. Benjamin,

DRAFT MOU BETWEEN ZANZIBAR URBAN MUNICIPAL COUNCIL IN THE UNITED REPUBLIC OF TANZANIA AND SWAKOPMUND MUNICIPALITY IN THE REPUBLIC OF NAMIBIA

The Mission is pleased to forward herewith a draft Memorandum of Understanding (MoU) received from Zanzibar Municipal Council, for the establishment of partnership with Swakopmund Municipality Council.

Attached is the draft plus the word document for your comments.

Yours Sincerely,

Lebbius Tangeni Tobias
High Commissioner

HIGH COMMISSION OF THE REPUBLIC OF NAMIBIA

Tel: (255) 0222601903
Fax: (255) 0222602003
daressalaam@mirco.gov.na
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P.O. Box 80211
3 Rufiji Street
Masaki,
Dar es Salaam
Tanzania

Ref: 6/20/5

12 March 2024

Mr. Alfeus Benjamin
Chief Executive Officer
Municipality of Swakopmund
Corner of Rakutuka & Daniel Kamho Street
P.O Box 53
SWAKOPMUND

Dear Mr. Benjamin,

DRAFT MOU BETWEEN ZANZIBAR URBAN MUNICIPAL COUNCIL IN THE UNITED REPUBLIC OF TANZANIA AND SWAKOPMUND MUNICIPALITY IN THE REPUBLIC OF NAMIBIA

The Mission is pleased to forward herewith a draft Memorandum of Understanding (MoU) received from Zanzibar Municipal Council, for the establishment of partnership with Swakopmund Municipality Council.

Attached is the draft plus the word document for your comments.

Yours Sincerely,

Lebbius Tangeni Tobias
High Commissioner

All official correspondence must be addressed to the High Commissioner

SWAKOPMUND
The Centre of Adventure

+264 64 410 4200 | swkmun@swkmun.com.na | P O Box 53, Swakopmund, Namibia

Ref: 5/2/4/5

Enquiries: *Mpasi Haingura*

17 April 2024

Acting Executive Director
Ministry of International Relations and Cooperation
Private Bag 13347
WINDHOEK

Tel: +264 61 223937/+264 61 221145
Email: headquarters@mfa.gov.na / daressalaam@mirco.gov.na / namhedar@gmail.com

Dear Ms Iyambo

UPDATE: DRAFT MEMORANDUM OF UNDERSTANDING BETWEEN MUNICIPALITY OF SWAKOPMUND IN THE REPUBLIC OF NAMIBIA AND ZANZIBAR URBAN MUNICIPAL COUNCIL IN THE UNITED REPUBLIC OF TANZANIA

Herewith find attached letter addressed to the High Commissioner of the Republic of Namibia in Tanzania, Mr Lebbius Tangeni Tobias for onward transmission.

Yours sincerely,

MUNICIPALITY OF SWAKOPMUND
2024-04-17
Chief Executive Officer

Alfeus Benjamin
Chief Executive Officer

SWAKOPMUND
The Centre of Adventure

+264 64 410 4200 | swkmun@swkmun.com.na | P.O Box 53, Swakopmund, Namibia

Ref: 5/2/4/5

Enquiries: *Mpasi Haingura*

17 April 2024

Lebbius Tangeni Tobias
High Commissioner
High Commission of the Republic of Namibia in Tanzania
P.O Box 80211
3 Rufiji Street, Masaki
DAR ES SALAAM

Tel: +255 0222601903
Email: daressalaam@mirco.gov.na / namhedar@gmail.com

Your Excellency Tobias

UPDATE: DRAFT MEMORANDUM OF UNDERSTANDING BETWEEN MUNICIPALITY OF SWAKOPMUND IN THE REPUBLIC OF NAMIBIA AND ZANZIBAR URBAN MUNICIPAL COUNCIL IN THE UNITED REPUBLIC OF TANZANIA

Your letter dated **12 March 2024** refers.

The Municipality of Swakopmund has received the draft Memorandum of Understanding (MoU) and it is submitted to the Management Committee for consideration.

Please accept, your Excellency, the assurances of my highest consideration.

Yours sincerely

MUNICIPALITY OF SWAKOPMUND
2024-04-17
Chief Executive Officer

Alfeus Benjamin
Chief Executive Officer

SWAKOPMUND
The Centre of Adventure

+264 64 410 4200 | swkmun@swkmun.com.na | P O Box 53, Swakopmund, Namibia

Ref: 5/2/4/5

Enquiries: *Mpasi Haingura*

29 February 2024

Ambassador Naanda
Executive Director
Ministry of International Relations and Cooperation
Private Bag 13347
WINDHOEK

Tel: +264 61 223937/+264 61 221145
Email: headquarters@mfa.gov.na / daressalaam@mirco.gov.na / namhedar@gmail.com

Dear Ambassador Naanda

ACCEPTANCE OF PARTNERSHIP BETWEEN MUNICIPALITY OF SWAKOPMUND IN THE REPUBLIC OF NAMIBIA AND ZANZIBAR URBAN MUNICIPAL COUNCIL IN THE UNITED REPUBLIC OF TANZANIA

Herewith find attached letter addressed to the Acting High Commissioner of the Republic of Namibia in Tanzania, Mr T K Shikongo for onward transmission.

Yours sincerely,

MUNICIPALITY OF SWAKOPMUND
Alfeus Benjamin
Chief Executive Officer
Chief Executive Officer

SWAKOPMUND
The Centre of Adventure
+264 64 410 4200 | swkmun@swkmun.com.na | P.O Box 53, Swakopmund, Namibia

Ref: 5/2/4/5

Enquiries: *Mpasi Haingura*

29 February 2024

Titus K Shikongo
Acting High Commissioner
High Commission of the Republic of Namibia in Tanzania
P.O Box 80211
3 Rufiji Street, Masaki
DAR ES SALAAM

Tel: +255 0222601903
Email: daressalaam@mirco.gov.na / namhedar@gmail.com

Dear Mr T K Shikongo

ACCEPTANCE OF PARTNERSHIP BETWEEN MUNICIPALITY OF SWAKOPMUND IN THE REPUBLIC OF NAMIBIA AND ZANZIBAR URBAN MUNICIPAL COUNCIL IN THE UNITED REPUBLIC OF TANZANIA

Your letter dated **21 February 2024** refers.

The Municipality of Swakopmund express its gratitude for your acceptance of partnership proposal between the two municipalities.

Your acceptance letter together with the draft Memorandum of Understanding (MoU), will be submitted to the Management Committee for consideration.

Please accept, your Excellency, the assurances of my highest consideration.

Yours sincerely

MUNICIPALITY OF SWAKOPMUND
Chief Executive Officer

Alfeus Benjamin
Chief Executive Officer

HIGH COMMISSION OF THE REPUBLIC OF NAMIBIA

Tel: (255) 0222601903
Fax: (255) 0222602003
daressalaam@mirco.gov.na
namhcdar@gmail.com

P.O. Box 80211
3 Rufiji Street
Masaki,
Dar es Salaam
Tanzania

21 February 2024

The Executive Director
Ministry of International Relations and Cooperation
Private Bag 13347
WINDHOEK

Dear Ambassador Naanda,

ACCEPTANCE OF PARTNERSHIP BETWEEN ZANZIBAR URBAN MUNICIPAL COUNCIL AND SWAKOPMUND MUNICIPALITY

Herewith find attached a letter addressed to Mr. Alfeus Benjamin, Chief Executive Officer of Swakopmund Municipality for onward transmission.

Yours Sincerely,

Titus K. Shikongo
Acting High Commissioner

HIGH COMMISSION OF THE REPUBLIC OF NAMIBIA

Tel: (255) 0222601903
Fax: (255) 0222602003
daressalaam@mirco.gov.na
namhcdar@gmail.com

P.O. Box 80211
3 Rufiji Street
Masaki,
Dar es Salaam
Tanzania

Ref: 6/20/5

21 February 2024

Mr. Alfeus Benjamin
Chief Executive Officer
Municipality of Swakopmund
Corner of Rakutuka & Daniel Kamho Street
P.O Box 53
SWAKOPMUND

Dear Mr. Benjamin,

ACCEPTANCE OF PARTNERSHIP BETWEEN ZANZIBAR URBAN MUNICIPAL COUNCIL IN THE UNITED REPUBLIC OF TANZANIA AND SWAKOPMUND MUNICIPALITY IN THE REPUBLIC OF NAMIBIA

The Mission is pleased to have received a response from Zanzibar Municipal Council, and they have agreed to establishing partnership with Swakopmund Municipality Council.

The partnership will be based on the below areas:

- Revenue Collection
- Investment
- Training for Capacity Building
- Town Planning
- Economic Activities
- Culture and
- Waste Management

The Zanzibar Urban Municipal further propose that both Municipalities to prepare the Memorandum of Understanding (MoU) of partnership so as to be signed by both parties.

Yours Sincerely,

Titus K. Shikongo
Acting High Commissioner

All official correspondence must be addressed to the High Commissioner

MUNICIPALITY OF SWAKOPMUND

(064) 4104218
088 814 514
53 Swakopmund
NAMIBIA
swakopmund@swakopmund.com.na

Ref No: 5/2/4/5

Enquiries: *Alli Gebhardt*

14 April 2022

The Ministry of International Relations and Cooperation
The High Commission of the Republic of Namibia
Mr Lebbuis Tangeni Tobias
Private Bag 13347
WINDHOEK

Tel: 061 223937 / 221145
Email: headquarters@mfa.gov.na

Dear I. T Tobias

REQUEST FOR PARTNERSHIP BETWEEN SWAKOPMUND MUNICIPALITY AND ZANZIBAR URBAN MUNICIPAL COUNCIL (TANZANIA)

I refer to the above subject and your letter dated 26 **November 2021.**

Council on **31 March 2022** under item 11.1.25 resolved as follows:

(a) **That Council approves the collaboration between the Zanzibar Urban Municipal Council and the Swakopmund Council.**

(b) **That a Memorandum of Understanding be compiled and signed by both parties which will include the cooperation in the following areas:**

1. **Revenue Collection**
2. **Investment**
3. **Training for Capacity Building**
4. **Town Planning**
5. **Economic Activities**
6. **Culture**

(c) **That the Office of the Mayor liaises with the Zanzibar Urban Municipal Council through the Ministry of International Relations and Cooperation.**

We look forward to a long and fruitful cooperation between our respective cities.

Kindly advise on the way forward in regards to the signing of a Memorandum of Understanding and for reciprocal visits.

Should you require more information, please feel free to contact the undersigned at telephone 064 4104202.

Yours faithfully,

A Plaatjie
General Manager: Corporate Services & HC (Acting)

CC: Chief Executive Officer
CC: Office of the Mayor

REPUBLIC OF NAMIBIA

MINISTRY OF INTERNATIONAL RELATIONS AND COOPERATION

Tel : (061) 2829111
Telegram: MINFORA
Fax: (061) 223937/221145/220265
E-mail: headquarters@mfa.gov.na
Ref: 1/1/159/1
Enquiries: M. Shiweda

Private Bag 13347
WINDHOEK

26 November 2021

Her Worship, Cllr. Louisa Kativa
Mayor
PO Box 53
Municipal Offices
Swakopmund
Namibia

Your Worship,

PARTNERSHIP BETWEEN SWAKOPMUND MUNICIPALITY IN THE REPUBLIC OF NAMIBIA AND ZANZIBAR URBAN MUNICIPAL COUNCIL IN THE UNITED REPUBLIC OF TANZANIA

I have the honour to forward herewith for consideration, a letter dated 25 November 2021, received from H.E. Mr. Lebbius Tangeni Tobias, High Commissioner of the Republic of Namibia in the United Republic of Tanzania, proposing to your good office a possible municipal partnership between Swakopmund Municipality and Zanzibar Urban Municipal Council in the United Republic of Tanzania.

Counting on your usual cooperation and understanding.

Yours sincerely,

Penda Naanda
Executive Director

HIGH COMMISSION OF THE REPUBLIC OF NAMIBIA

Tel: (255) 0222601903
Fax: (255) 0222602003
daressalaam@mirco.gov.na
namhcdar@gmail.com

P.O. Box 80211
3 Rufiji Street
Masaki,
Dar es Salaam
Tanzania

Ref:

25 November 2021

Councillor Louisa Kativa
Her Worship the Mayor
Corner of Rakutuka & Daniel Kamho Street
P.O Box 53
SWAKOPMUND

Dear Worship Louisa Kativa,

PARTNERSHIP BETWEEN ZANZIBAR URBAN MUNICIPAL COUNCIL IN THE UNITED REPUBLIC OF TANZANIA AND SWAKOPMUND MUNICIPALITY IN THE REPUBLIC OF NAMIBIA

I am writing to inform your worship Louisa Kativa that on the 19th November 2021, I have visited the Lord Mayor Mr. Ali Haji Haji of the Zanzibar Urban Municipal Council.

We have discussed a number of issues regarding economic upliftment between our two countries. We have further discussed about partnerships of our towns or cities in our countries. I have during our discussion proposed a partnership between Swakopmund Municipality and Zanzibar Urban Municipal Council. The Lord Mayor with his delegation welcomed the proposal and agreed to it.

The Lord Mayor and his delegation have indicated some of the areas in which they want to cooperate which they said will be included in a Memorandum of Understanding that the two parties will sign at a later stage when the process of partnership kicks off. These areas are as follows:

- Revenue collection;
- Investment;
- Training - for capacity building;
- Planning;
- Economic activities;
- Culture

Basing on that, I am therefore hereby officially informing Your Worship Councillor Louisa Kativa about the partnership between Swakopmund Municipality, in the Republic of Namibia and Zanzibar Urban Municipal Council in the United Republic of Tanzania

I wish to further encourage your worship the Mayor and your team to please commit yourself to this partnership and keep it effective for the benefit of our people from both countries. Swakopmund Municipality through the office of the Mayor can as soon as possible start the process of the official communication through the Ministry of International Relations to the Zanzibar Urban Municipal Council.

Your worship the contact details of the Lord Mayor are as follow:

Mr. Ali Haji Haji
The Lord Mayor
Zanzibar Urban Municipal Council
P.O Box 1288
ZANZIBAR

Email: mayor@zmc.go.tz
Office email: info@zmc.go.tz
Tel: +255242231330
Mobile: +255773906917

Please accept Your Worship, the assurances of my highest consideration.

Yours Sincerely,

Lebbius Tangeni Tobias
High Commissioner

Cc. Mr. Alfeus Benjamin
The Chief Executive Officer
Swakopmund Municipality

Cc. Hon. Neville Andre
Governor of Erongo Region

Documents Containing Personal Information Are Removed From The Agenda As Directed By MANAGEMENT.

11.1.7 **SUBDIVISION OF ERF 113, VINETA PROPER INTO PORTION A AND REMAINDER AND SUBSEQUENT REZONING OF PORTION A FROM *LOCAL BUSINESS* TO *PARASTATAL* AND REGISTRATION OF A 4M RIGHT OF WAY SERVITUDE**
(C/M 2024/08/08 - V 113)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **7.7** page **99** refers.

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

1. **Purpose**

The purpose of this submission is to rectify technical errors on the Council Resolution Number 11.1.7 (M/C 2024/04/25-V113) which was resolved during the Council Meeting held on the 25th of April 2024.

2. **Background**

On the **25th April 2024**, Council resolved under item 11.1.7 that Erf 113, Vineta be subdivided into Portion A and Remainder as well as to subsequently rezone Portion A from special to Parastatal and to register a 4m right of way servitude as per resolution below.

(a) That the subdivision of Erf 113, Vineta Proper into Portion A and Remainder be approved.

(b) That the rezoning of Portion A from "Special" to "Parastatal" be approved.

(c) That a 4m right of way servitude be registered over the Erf 113, Vineta Proper in favour of Portion A and Erf 31, Vineta Proper.

(d) That the applicant provides proof that the rezoning has been approved by the Minister and promulgated before submission of any business registration and / or building plans to the Engineering and Planning Services Department for approval,

(e) That the title deed conditions registered against Erf 113, Vineta Proper be retained for the Remainder of Erf 113, Vineta 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); and

(ii) That a 4m right of way servitude be registered over the Erf 113, Vineta Proper in favour of Portion A.

(f) That upon completion of all the statutory procedures, the newly created erf be transferred to Erongo Regional Electrical Distributor.

After the Council resolution was passed, the Engineering and Planning Department noticed that point (b) of the aforementioned Council resolution does not reflect the correct zoning from which Portion A is being rezoned. It is thus against this background that this submission is brought before the Council for consideration.

3. **Correct version**

The correct version of the Council resolution should read as follows:

(a) That the subdivision of Erf 113, Vineta Proper into Portion A and Remainder be approved.

(b) That the rezoning of Portion A from "Local Business" to "Parastatal" be approved.

(c) That a 4m right of way servitude be registered over the Erf 113, Vineta Proper in favour of Portion A and Erf 31, Vineta Proper.

(d) That the applicant provides proof that the rezoning has been approved by the Minister and promulgated before submission of any business registration and / or building plans to the Engineering and Planning Services Department for approval,

(e) That the title deed conditions registered against Erf 113, Vineta Proper be retained for the Remainder of Erf 113, Vineta Proper, as follows:

(iii) 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); and

(iv) That a 4m right of way servitude be registered over the Erf 113, Vineta Proper in favour of Portion A.

(f) That upon completion of all the statutory procedures, the newly created erf be transferred to Erongo Regional Electrical Distributor.

4. **Conclusion**

The rectification of the aforesaid Council Decision would reflect the correct zoning from which the erf is being rezoned and should therefore be supported.

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

<u>RECOMMENDED</u>:

That the Council Resolution Number 11.1.7 (M/C 2024/04/25-V113) be revoked and be replaced with the following:

(a) That the subdivision of Erf 113, Vineta Proper into Portion A and Remainder be approved.

(b) That the rezoning of Portion A from *"Local Business"* to *"Parastatal"* be approved.

(c) That a 4m right of way servitude be registered over the Erf 113, Vineta Proper in favour of Portion A and Erf 31, Vineta Proper.

(d) That the applicant provides proof that the rezoning has been approved by the Minister and promulgated before submission of any business registration and / or building plans to the Engineering and Planning Services Department for approval,

(e) That the title deed conditions registered against Erf 113, Vineta Proper be retained for the Remainder of Erf 113, Vineta Proper, as follows:

(v) 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); and

(vi) That a 4m right of way servitude be registered over the Erf 113, Vineta Proper in favour of Portion A.

(f) That upon completion of all the statutory procedures, the newly created erf be transferred to Erongo Regional Electrical Distributor.

11.1.8 **APPLICATION FOR THE SUBDIVISION OF ERF 4666, SWAKOPMUND, EXTENSION 9 INTO PORTIONS A, B AND REMAINDER**
(C/M 2024/08/08 - E 4666)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **7.8** page **101** 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 4666, Swakopmund Extension 9 into Portion A, B and Remainder.

2. **Introduction and Background**

As per the Council Resolution of **12 December 2023**, resolved via C/M 2023/12/12 Item 11.1.1:

> *(b) That the Engineering and Planning Services Department attends to the subdivision of a portion measuring 3 000m² from Erf 4666, Swakopmund (a power of attorney to be obtained from School of Excellence CC).*
>
> *1. School of Excellence CC is responsible for 50% of the costs and expenses pertaining to the subdivision (clause 5.2).*

Although the above resolution mentions that only one (1) portion be subdivided, an additional portion must be divided from Erf 4666, Swakopmund Extension 9, making the subdivision into Portion A, B and remainder instead. The additional portion referred to as Portion A, accommodates the existing Erongo RED substation and Portion B is earmarked for the Swakopmund School of Excellence and measures 3 000m² as resolved by Council in December 2023. The Remainder Erf 4666, Swakopmund Extension 9 will be retransferred to the Swakopmund Municipality in accordance with the aforesaid Council decision.

3. **Ownership**

The ownership of Erf 4666, Swakopmund Extension 9 currently vests in the Swakopmund School of Excellence CC as endorsed under the Deed of Transfer No. T4438/2015. See **Annexure A**.

4. **Zoning and Locality**

Erf 4666, Swakopmund Extension 9 is located along Dr Eugen Müller, Maple and Acacia Streets. The Erf is zoned "Institutional" and measures 73 192m² in extent. See insert on the next page.

Figure 1: Location of Erf 4666, Swakopmund Extension 9

5. **Access and Infrastructure services**

Access to Erf 4666, Swakopmund Extension 9 is currently obtained from the existing street network at the corner of Dr. Eugen Müller Street (25m wide) and Maple (20m wide).

Parking for the proposed development will be provided on-site in accordance with the provision of the Swakopmund Zoning Scheme. All proposed portions and remainder are connected to the existing bulk and internal municipal services.

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.

Twenty-five (25) neighbouring property owners were notified of the intention to subdivide Erf 4666, Swakopmund Extension 9. Eighteen (18) of these by registered letters and seven (7) letters were hand delivered to neighbours who reside in Swakopmund.

The closing date for comments and/or objections was on the **26 April 2024**. Attached as **Annexure B** is the list of neighbours consulted via registered mail as well as the delivery notes. No objections have been received after lapsing of the closing date.

7. **Proposal**

The Municipal Council of Swakopmund intends to subdivide Erf 4666, Swakopmund Extension 9 into Portion A, B and Remainder. The mandate was to subdivide 3 000m² from Erf 4666, Swakopmund Extension 9 for the execution of the settlement agreement between Council and the School of Excellence.

However, note should be taken that Portion A which accommodates the existing substation needed to also be created to ensure that the cadastral orientation is maintained. Erongo Red will be responsible to finalise the rest of the statutory procedures such as rezoning the portion form *"Institutional"* to *"Parastatal"*.

Figure 2: Aerial image indicating the existing situation and proposed subdivision on Erf 4666, Swakopmund Extension 9

8. **Discussion**

8.1 Subdivision

Erf 4666, Swakopmund Extension 9 will be subdivided into Portion A, B and Remainder whereby Portion A accommodates the existing Erongo- Red substation and Portion B measuring 3 000m² is earmarked for the Swakopmund School of Excellence CC.

The portions will be subdivided as per table below:

PORTION NUMBER	***APPROXIMATE AREA (m²) AND USE***
Portion A	*132 (Erongo RED substation)*
Portion B	*3 000 (Institutional)*
Remainder/4666	*70 060 (Institutional)*

See subdivision plans attached as **Annexure C1**.

8.2 Financial implications

The proposed subdivision is subject to endowment fee, surveying and registration costs.

The subdivision of Erf 4666, Swakopmund Extension 9 into Portion A and B is subject to a 7.5% subject to a 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.

In addition, the surveying cost is estimated to be approximately N$20 000.00. 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.

8.3 Title Conditions

The current title deed conditions of Erf 4666, Swakopmund be retained and registered against the title deeds for Portion A, B and Remainder Erf 4666, Swakopmund Extension 9:

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),*

2. *The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least four times the municipal valuation of the erf.*

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 4666, Swakopmund Extension 9 be subdivided into Portion A, B and Remainder.

(b) That the current title deed conditions registered against Erf 4666, Swakopmund Extension 9 be retained, and the following title deed conditions be registered against the title deeds of Portion A, B and the Remainder of Erf 4666, Swakopmund Extension 9:

(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 four times the municipal valuation of the erf.

(c) The costs involved be defrayed from Vote Number 5000-3-10-143-00 where an amount of N$1 400 000. 00, is available.

(d) That the subdivision of Erf 4666, Swakopmund Extension 9 into Portion A, B and Remainder be subject to a 7.5% subject to a 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.

ANNEXURE A

AVW/lm/V15242 2015 -07- 21

DEED OF TRANSFER

No. T 4438 2015

Between

MUNICIPAL COUNCIL OF SWAKOPMUND

and

SWAKOPMUND SCHOOL OF EXCELLENCE CC

REGISTRATION NUMBER: CC/2011/5107

ERF NO. 4666 (A PORTION OF ERF 1534)

SWAKOPMUND

EXTENSION 9

Received 23/09/2015
by [illegible]

Marinda Coleman Attorneys

Haus Hartmann 1964
22 Robert Mugabe Ave.
P.O Box 325

AND THAT APPEARER DECLARED THAT her said principal had on the 17th day of December 2014 sold, and that she in her capacity as Attorney aforesaid, did by these presents, cede and transfer, in full and free property to and on behalf of

SWAKOPMUND SCHOOL OF EXCELLENCE CC
Registration Number: CC/2011/5107

(hereinafter styled the **TRANSFEREE**)

Its Successors-in-title or Assigns,

CERTAIN	Erf No. 4666 (a Portion of Erf No. 1534) Swakopmund, Extension No. 9
SITUATE	In the Municipality of SWAKOPMUND Registration Division "G" ERONGO Region
EXTENT	7, 3192 (Seven Comma Three One Nine Two) ~~Square metres~~ hectares as will appear on General Plan No. A.491/2004
HELD BY	Certificate of Registered Title No. T.924/2006

SUBJECT to the following conditions imposed in terms of the Town Planning Ordinance, Ordinance 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.

ANNEXURE B

LIST OF REGISTERED ITEMS POSTED

nampost

by [illegible] 15 April 2024

Sender's reference no.	Addressee's name and address	Registration no.
1	[illegible] Africa Box [illegible] Windhoek	RR 015 068 622 NA
2	TLP Properties - Windhoek Box 91177 Windhoek	RR 015 068 429 NA
3	TLP Properties - Windhoek Box 91177 Windhoek	RR 015 068 432 NA
4	Humbolt Trust Independent Trustee Box 3177 Windhoek	RR 015 068 446 NA
5	Kuttners Corporate Consultants Box 2723 Swakopmund	RR 015 068 450 NA
6	Ghaseb-Nazawi Lawyers Box 1947 Swakopmund	RR 015 068 463 NA
7	Fanuel Hero Daniel Box 43 Khorixas	RR 015 068 477 NA
8	Marius Cos Box 21729 Windhoek	RR 015 068 494 NA
9	Marasch Alexander Vincent Box 190 Windhoek	RR 015 068 485 NA
10	Eureka Court Litigation Box 4580 Swakopmund	RR 015 068 503 NA
11	Eagle Christian Centre Box 2371 Swakopmund	RR 015 068 517 NA
12	Windhoek Walk Tours Box 1276 Swakopmund	RR 015 068 525 NA
13	Dr. Iei. Nia Kurkutte Box 22624 Windhoek	RR 015 068 534 NA

studio print 28054

Number of items 13 Received by [signature]

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

LIST OF REGISTERED ITEMS POSTED

nampost

by [illegible] Municipality – 10 Apr. 2024

Sender's reference no.	Addressee's name and address	Registration no.
1	Mainstay Properties Box 598 Swakopmund	RR 015 068 565 NA
2	Oliver Tu Box 4233 Windhoek	RR 015 068 551 NA
3	Mr Clive Rutty Box 11510 Windhoek	RR 015 068 548 NA
4	John Thurstmann & Partner Box 1164 Otjiwarongo	RR 015 068 562 NA
5	Von Royen, Jacobus Louis Box 1139 Mariental	RR 015 068 579 NA

studio print 28054

Number of Items 5 Received by [signature]

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

MUNICIPALITY OF SWAKOPMUND

(064) 4104400
(064) 4104125
Fax2email: 0886519137
53 Swakopmund
NAMIBIA
www.swkmun.com.na
townengineer@swkmun.com.na

Ref No: E 4666 & E 4434

5 April 2024

Visagie Raymond
The owner of Erf 4434, Swakopmund Ext 9
P O Box 4319
VINETA
13003
Namibia

BY HAND

Dear Sir,

APPLICATION FOR THE SUBDIVISION OF ERF 4666, SWAKOPMUND EXTENSION 9 INTO PORTIONS A, B AND REMAINDER

Yours faithfully

R. Eiki
Town Planning Technician
RE

Receipt of the above-mentioned application

9th April 2024
DATE

Visagie
SIGNATURE

MUNICIPALITY OF SWAKOPMUND

(064) 4104400
(064) 4104125
Fax2email: 0886519137
53 Swakopmund
NAMIBIA
www.swkmun.com.na
townengineer@swkmun.com.na

Ref No: E 4666 & E 4650

5 April 2024

Stepping Stone Trust
Almarie & Divan Mostert
The owner of Erf 4650, Swakopmund Ext 9
P O Box 8247
SWAKOPMUND
13001
Namibia

BY HAND

Dear Sir,

APPLICATION FOR THE SUBDIVISION OF ERF 4666, SWAKOPMUND EXTENSION 9 INTO PORTIONS A, B AND REMAINDER

Yours faithfully

R. Eiki
Town Planning Technician
RE

Receipt of the above-mentioned application

9.4.2023
DATE

SIGNATURE

MUNICIPALITY OF SWAKOPMUND

(064) 4104400
(064) 4104125
Fax2email: 0886519137
53 Swakopmund
NAMIBIA
www.swkmun.com.na
townengineer@swkmun.com.na

Ref No: E 4666 & E 4488

5 April 2024

Nieuwoudt Helena
The owner of Erf 4488, Swakopmund Ext 9
P O Box 3615
WINDHOEK
10000
Namibia

lananieuwoudt@gmail.com

BY HAND

Dear Sir,

APPLICATION FOR THE SUBDIVISION OF ERF 4666, SWAKOPMUND EXTENSION 9 INTO PORTIONS A, B AND REMAINDER

Yours faithfully

PP
R. Eiki
Town Planning Technician
RE

Receipt of the above-mentioned application

9/4/2024
DATE

Nieuwoudt
SIGNATURE

MUNICIPALITY OF SWAKOPMUND

(064) 4104400
(064) 4104125
Fax2email: 0886519137
53 Swakopmund
NAMIBIA
www.swkmun.com.na
townengineer@swkmun.com.na

Ref No: E 4666 & E 4453

5 April 2024

Crawford Ian
The owner of Erf 4453, Swakopmund Ext 9
P O Box 3778
VINETA
13003
Namibia

twinkle@iway.na

BY HAND

Dear Sir,

APPLICATION FOR THE SUBDIVISION OF ERF 4666, SWAKOPMUND EXTENSION 9 INTO PORTIONS A, B AND REMAINDER

Yours faithfully

PP
R. Eiki
Town Planning Technician
RE

Receipt of the above-mentioned application

09 April 2024
DATE

J. Jowes
SIGNATURE

MUNICIPALITY OF SWAKOPMUND

(064) 4104400
(064) 4104125
Fax2email: 0886519137
53 Swakopmund
NAMIBIA
www.swkmun.com.na
townengineer@swkmun.com.na

Ref No: E 4666 & E 4452

5 April 2024

Viviers Chris
The owner of Erf 4452, Swakopmund Ext 9
P O Box 4376
VINETA
13003
Namibia

jaricaviviers@yahoo.com

BY HAND

Dear Sir,

APPLICATION FOR THE SUBDIVISION OF ERF 4666, SWAKOPMUND EXTENSION 9 INTO PORTIONS A, B AND REMAINDER

Yours faithfully

R. Eiki
Town Planning Technician
RE

Receipt of the above-mentioned application

09-04-2024
DATE

SIGNATURE

MUNICIPALITY OF SWAKOPMUND

(064) 4104400
(064) 4104125
Fax2email: 0886519137
53 Swakopmund
NAMIBIA
www.swkmun.com.na
townengineer@swkmun.com.na

Ref No: E 4666 & E 3345

5 April 2024

Andrico Investments 12 CC
R Du Preez, I Raes & I Weakley
The owner of Erf 3345, Swakopmund Ext 9
P O Box 8393
SWAKOPMUND
13001
Namibia

BY HAND

Dear Sir,

APPLICATION FOR THE SUBDIVISION OF ERF 4666, SWAKOPMUND EXTENSION 9 INTO PORTIONS A, B AND REMAINDER

Yours faithfully

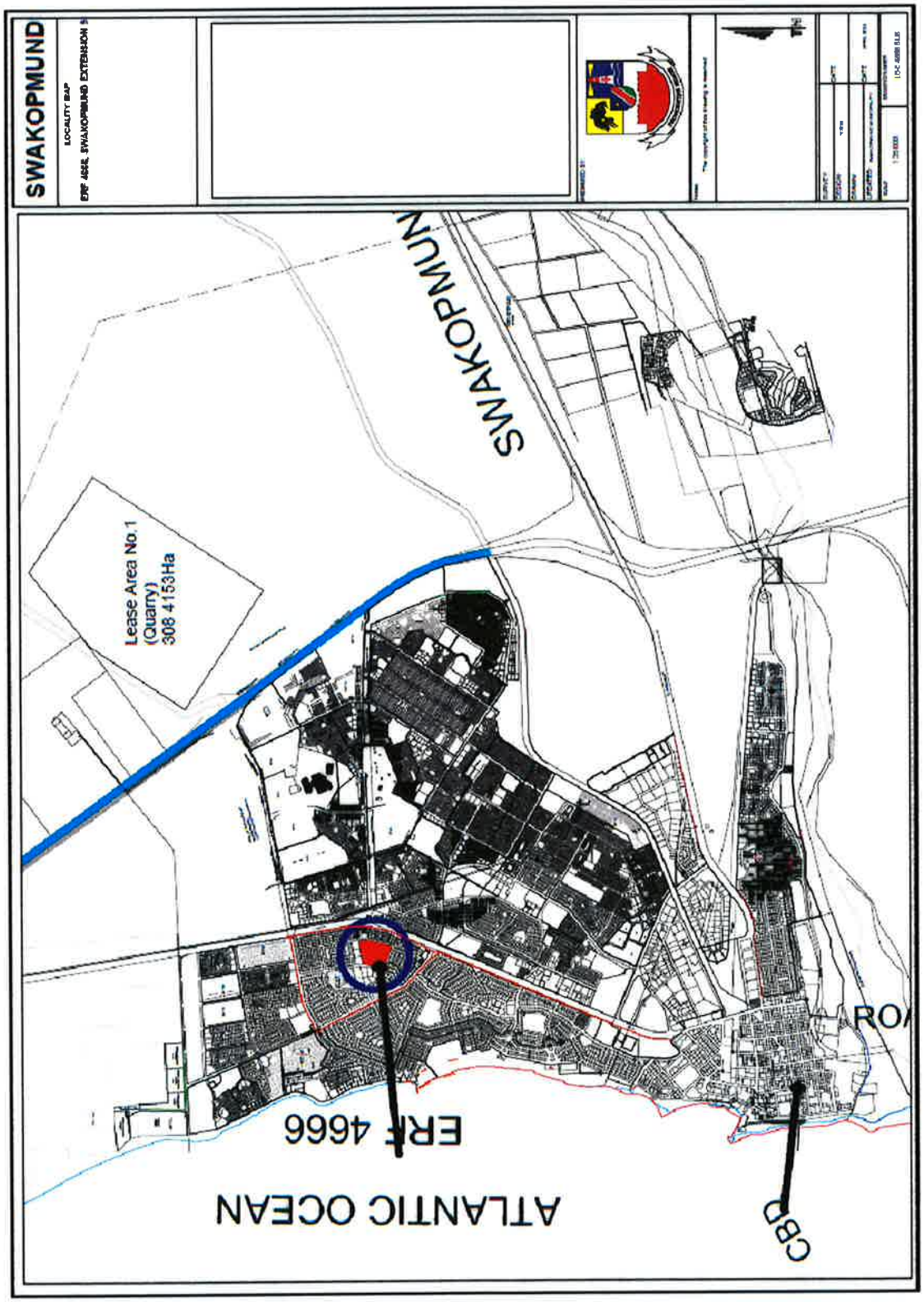
R. Eiki
Town Planning Technician
RE

Receipt of the above-mentioned application

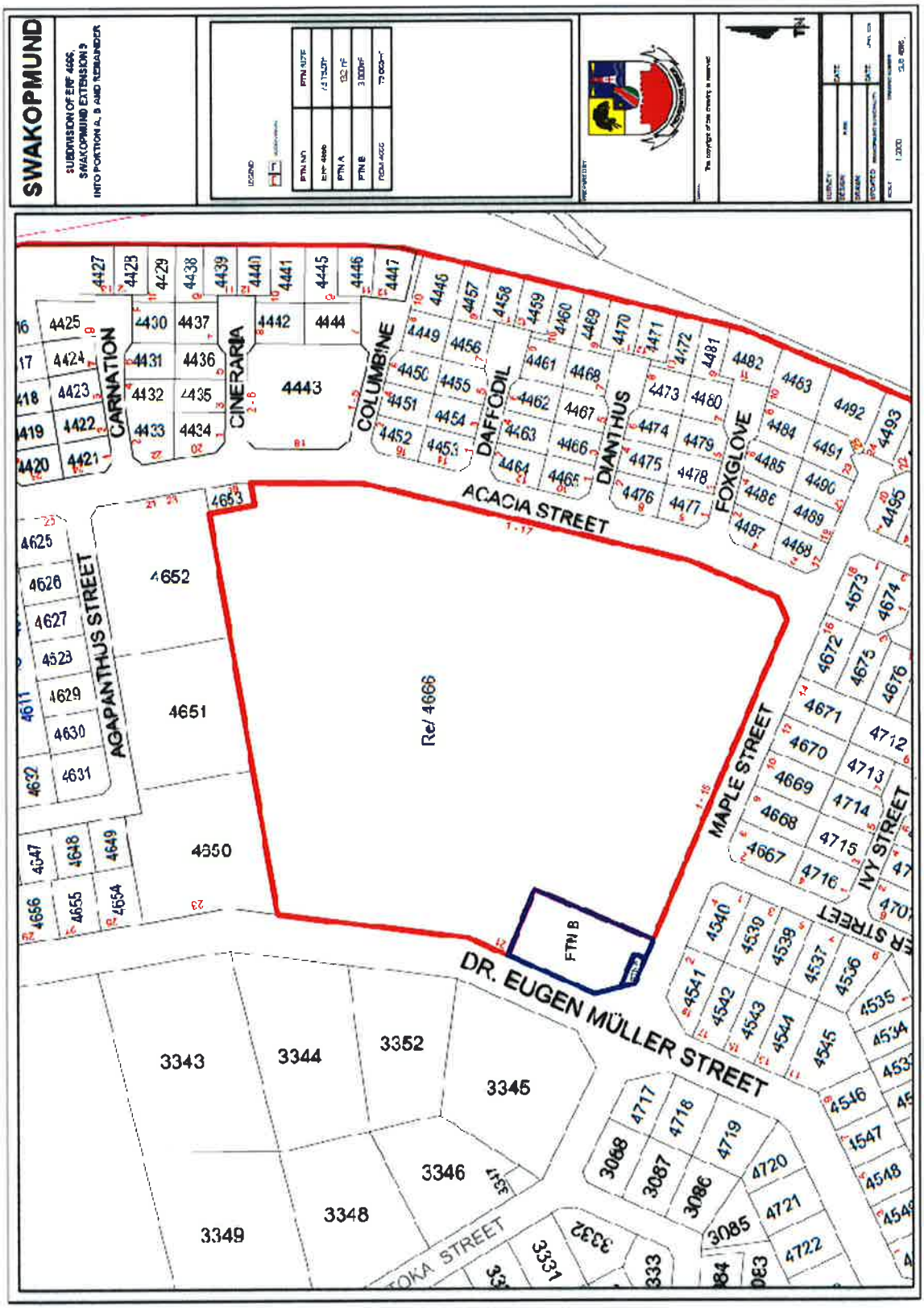
9/4/24
DATE

SIGNATURE

ANNEXURE C


SWAKOPMUND
LOCALITY MAP
Lease Area No.1
(Quarry)
308.4153Ha
SWAKOPMUN
ERF 4666
ATLANTIC OCEAN
CBD

ANNEXURE C1


SWAKOPMUND
SUBDIVISION OF ERF 4666, SWAKOPMUND EXTENSION 3 INTO PORTION A, B AND REMAINDER
LEGEND
PTN NO
ERF 4666
PTN A
PTN B
REM 4666
The copyright of this drawing is reserved
1:2000
ACACIA STREET
DR. EUGEN MÜLLER STREET
MAPLE STREET
IVY STREET
AGAPANTHUS STREET
CARNATION
CINERARIA
COLUMBINE
DAFFODIL
DIANTHUS
FOXGLOVE
Re/ 4666
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11.1.9 **EXEMPTION FROM PAYMENT OF ASSESSMENT RATES**
(C/M 2024/08/08 - 3/4/1/2)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **7.9** page **114** refers.

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

1. **Introduction**

1.1 Provision is made in Section 75 of the Local Authorities Act 23 of 1992, as amended, that the Council, subject to certain conditions, may exempt certain organizations or institutions from the payment of assessment rates.

The definition of "rateable property" and Section 75 are **attached** as **Annexure "A"**

1.2 According to the stipulations of subsection (3) of the Local Authorities Act (as amended), a local authority *shall not grant* any exemption under subsection (1), *unless* the application referred to in that subsection has been lodged to, or actually received by it on or before **31 May** in the year immediately preceding the financial year to which the application relates.

2. **Proposed Amendments to the Local Authorities Act, Act 23 of 1992 as amended**

As previously stated Council on **31 March 2010** under item 11.1.18 resolved to propose the following amendment to the Local Authorities Act, Act 23 of 1992, as amended, to the Minister of Regional and Local Government, Housing and Rural Development:

That the proposed amendments be submitted to the Permanent Secretary of the Ministry of Regional and Local Government, Housing and Rural Development for consideration, subject to the following corrections:

(i) ...

(ii) ...

(iii) *Section 75 be amended as: That only those rectories which are registered in the name of the church / mission be exempted.*

Should the above proposed amendment be approved, pastors / reverends / priests / preachers will no longer be able to claim exemption for private residences as manses / parsonages / rectories. To date, no reply has been received from the said Ministry. And the said amendment was not included in the amended act (25 April 2018).

3. **Applications Received**

A notice was published in the **Namib Times** and **The Namibian** newspaper respectively as prescribed in the Local Authorities Act 23 of 1992 with a closing date of **31 May 2024**.

The relevant application form was also posted to those organizations or institutions that previously applied for exemption from the payment of assessment rates.

The applications listed under the recommendation were received in terms of Section 75 (3) of the Local Authorities Act 23 of 1992 (as amended), for the exemption from payment of Assessment Rates for 2024/2025.

The forms received will be available at the Management Committee Meeting for scrutiny.

In terms of section 75 of the Local Authorities Act, Act 23 of 1992 no late applications may be considered:

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

RECOMMENDED:

(a) **That exemption from payment of assessment rates in terms of Section 75 of the Local Authorities Act, Act 23 of 1992 (as amended), be granted in respect of the following properties:**

Erf Number	*Organisation / Body*	*Purpose for which the Erf is Used*
Erf 3355, Swk	*Palm Court Retirement Village*	*Retirement Village*
Erven 4264 & 1729	*Swakopmund Baptist Church*	*Place of Worship*
Erven 1772 & 1774	*Private School Swakopmund*	*Educational*
Erf 8159 & 9104,	*DRC School Project and Community/ Tangeni Shilongo Namibia*	*Educational*
Ext 21, Erven 4235, 4236 & 4237	*Pro-Ed Akademie*	*Educational*
Erf 1613	*Scientific Society Swakopmund*	*Scientific Development & Educational*
Erf 183	*Evangelical Luth Gemeinde*	*Church*
1111	*Evangelical Mission*	*Church*
Erven 614 & 567,5088,	*A F M Tamariskia*	*Place of Worship*
Erf 449	*Owato Parish*	*Place of Worship*
Erf 4650	*Stepping Stone School*	*Educational*
Erf 8680	*A G S Filadelfia Swakopmund*	*Place of Worship*
Erf 782, T	*Jehovah's Witnesses*	*Place of Worship*
Erf 3534 & 4234	*Deutsche Pfadfinder*	*Youth Organisation*
Erven 236 & 612	*Full Gospel Church of God*	*Place of Worship*
Erven 723, 724, 725, 726 & 728	*Deutscher Schulverein Swk*	*Hostel*
Erf 2781, 801 & 4200	*Wo13 Lions Old Age Home*	*Old Age Home*
Erf 763	*New Apostolic Church*	*Place of Worship*
Erf 4324	*Happy Du Children Charity Organisation*	*Welfare Purposes*
Erven 3668 & 3669	*Antonius Residence Trust*	*Old Age Home*
Erf 356 A	*Prinzessin Rupprecht Heim Foundation*	*A retirement Home & Frail Care Centre*
Erf 63	*Mondesa Youth Opportunities Trust*	*Educational*
Erven 195 & 196 A, 5063, 5064 & 5065	*The Mission Benedictine Sister's*	*Sisters Living Quatres*
Erven 305, 588, 800 & 801	*United Reformed Church*	*Place of Worship*
Erf 2709	*Vineta Seventh-day Adventist Church*	*Place of Worship*
Erf 5158	*Nederduitsh Hervormdkerk van Afrika*	*Place of Worship*
Erf 6645	*DRC Women's Community Project*	*Welfare Purposes*

Erf Number	Organisation / Body	Purpose for which the Erf is Used
Erf 4347 M,1544	Swakopmund COSDEC	Institutional Training Centre
1544 Mondesa	Mahetago Cosdef	Educational
Erf 508	Ned Geref Kerk Swakopmund	Place of worship
Erf 1514	Swakopmund Christian Academy	Educational
Erf 5229	Promiseland Trust	Educational & School Hostel
1239 Tamariskia	Namibia Training Foundation	Educational
4268 Mondesa	Back to Christ Movement Church	Church
604 Mondesa	Anglikaanse Kerk (ST. RAPHAEL)	Church
2709	SDA Church Vineta	Church
4369	Morewag Church of Namibia	Church
5845	Believer Fellowship Church	Church
42 Dr Libertina Amadhila	Destiny Life Church	Church
776,787 Mondesa	African Methodist Episcopal Church	Church
949,24,284	Holly Rosary	Church
455	St Boniface Anglican Church	Church
3572	Reiterverein Swakopmund	Church
783,622	Rhenish Church in Namibia	Church
4368	Ebenezer Christian Church	Church
5824	Shofar Christian Swakopmund	Church

(b) That the exemption of payment of assessment rates be credited with effect 1 July 2024 where applicable.

ANNEXURE "A"

Definitions

"rateable property" means any immovable property situated within a local authority area, except any-

(a) land of which the ownership and control vests in the Government of Namibia or a regional council and on which no buildings have been constructed or other improvements have been effected;

(b) fixed improvement, other than a dwelling, of which the ownership vests in the Government of Namibia or a regional council and which is used or occupied for public purposes, including the land on which any such fixed improvement is actually constructed and any other land actually occupied for purposes of such fixed improvement;

(c) Immovable property used exclusively as-

(i) a place of worship registered with a local authority on conditions prescribed by the Minister;
(ii) a school or hostel other than a school or hostel which has been established and is maintained and managed by any person for profit or gain whether directly or indirectly;
(iii) a library or museum which has been established and is maintained and managed by the State; or
(iv) a hospital, an institution as defined in section 1 of the Mental Health Act, 1973 (Act No. 18 of 1973), an institution for the care of juveniles or similar institution aided by the State or any charitable institution.

(d) any immovable property of which the ownership vests in a local authority council; or

(e) any immovable property which has been, exempted from the payment of rates in terms of section 75 or any other law;"; and
Definition substituted by Act 3/2018 s1 (e)

Exemption from rates levied on rateable property

75. (1) A local authority council may, upon an application made to it in respect of any financial year in such form as my be determined by the Minister, exempt in respect of such financial year from any rates levied under section 73 –

(a) any land or building or any part of such land or building used exclusively for purposes of the principal activities of –

(i) any church, mission, hospital, school or hostel other than a church, mission, hospital, school or hostel which has been established and is maintained and managed by any person for profit or gain, whether directly or indirectly;
(ii) any amateur sporting organization;
(iii) any State-aided institution or institution aided by any charitable institution;

or any portion of such land or building, or any land set aside for any such purposes;

(b) any land or building –

(i) used wholly and exclusively for the residence of any priest or minister employed on a fulltime basis by any church or mission referred to in paragraph (a)(i);
(ii) used for the boarding and lodging of persons employed on a full-time basis on the medical, nursing and maintenance staff of any hospital referred to in the said paragraph;
(iii) used for the boarding and lodging of any pupils of, or persons employed on a full-time basis as teachers or other members of the staff by, any school or hostel referred to in the said paragraph;

(c) any land or building –

(i) of which ownership vests in, or is occupied by any non-political youth organization –
(aa) which has as its aim the education of the youth or any particular group of youth and to develop amongst such youth the qualities of citizenship; and
(bb) which has, upon an application made by the local authority council in question, been approved by the Minister for purposes of this paragraph; and;

(ii) which is used by such organization exclusively for purposes of its aim or let for an amount not exceeding an amount necessary to maintain such immovable property or to raise funds in order to achieve such aims.

(2) The provisions of subsection (1) shall not apply in relation to any land or building used by an amateur sporting organization on which any trade is carried on for gain.

subsection (2) subsection By Act 24 of 2000

(3) A local authority council shall not grant any exemption under subsection (1), unless the application referred to in that subsection has been lodged to, or actually received by, it on or before 31 May in the year immediately preceding the financial year to which the application relates.

Documents Containing Personal Information Are Removed From The Agenda As Directed By MANAGEMENT.

11.1.10 **APPLICATION FOR THE BUILD TOGETHER LOAN OF ERF 6965, EXTENSION 26, SWAKOPMUND: MR HELSTER GAWANAB**
(C/M 2024/08/08 - E 6965)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **8.2** page **12** refers.

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

1. **PURPOSE**

The purpose of this submission is to request Council to approve the application by Mr Helster Gawanab for a Build Together loan. Mr Gawanab is the surviving spouse of the late Ms. Renate Uiras who was allocated Erf 6965, Extension 26, Swakopmund through the Build Together Programme (Phase III). The map of Erf 6965, Swakopmund is attached as **Annexure "A".**

This item was discussed at the Build Together Committee meeting of **12 June 2024** under item 6.1 and is now submitted to the Council for approval.

2. **INTRODUCTION**

Erf 6965, Extension 26, Swakopmund, measuring 400m² zoned as single residential is part of the 80 erven allocated to Build Together Phase III. This property is developed with a permanent structure, approximately 80% completed. Pictures of the house constructed on Erf 6965, Swakopmund, Ext. 26 are attached as **Annexure "B".**

3. **BACKGROUND**

Erf 6965, Swakopmund was allocated to Renate Uiras in 2017, who signed the Deed of Sale on **17 March 2017** (**Annexure "C"**), however, no Build Together loan agreement has been signed.

On **19 November 2018**, Mrs Uiras passed away and is survived by her husband Mr Helster Gawanab, who is the rightful heir as per a letter of authority from the Master of High Court (**Annexure "D"**). A copy of the death certificate is attached as **Annexure "E"**.

On **4 February 2020**, Mr Gawanab wrote a letter to inform Council that he will be constructing a house on Erf 6965, Swakopmund with his own building design, and not the typical Build Together designs (**Annexure "F"**). The letter was acknowledged on **24 February 2020 (Annexure "G"),** and he was informed that the matter would be referred to the Build Together committee (BTC).

The Finance Department record shows that the Build Together loan was not issued by the time of Ms Uiras's passing, hence the insurance was not effective (**Annexure "H"**).

4. **DISCUSSION**

On **19 April 2023**, Mr Gawanab wrote a letter (**Annexure "I"**) to the Council, requesting a Build Together loan to complete the structure on Erf 6965, Ext 26, Swakopmund because he depleted his funds due to economic

factors. He has also attached proof of monthly income (**Annexure "J"**) to support his application.

The Engineering and Planning Services Department conducted a site visit and confirmed in a memorandum dated **10 April 2024** (**Annexure "K"**), that building level 1, 2 and 3 have been completed, while level 4 remains outstanding.

5. **PROPOSAL**

Mr Gawanab is applying for the Build Together loan, which may be approved, considering that the late Ms Uiras's loan was already approved to be allocated Erf 6965, Ext 26 Swakopmund to improve it through the Build Together Programme before her passing.

The surviving spouse as the rightful heir in terms of the letter of authority from the Master of the High Court is requesting to take over the Build Together loan and will be responsible for the repayment of the loan.

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

RECOMMENDED:

(a) That Council take note that the Build Together Committee approved the application of Mr Gawanab the surviving spouse of the late Ms Renathe Uiras who was allocated Erf 6965, Ext 26, Swakopmund through the Build Together Programme (Phase III) to obtain the Build Together loan to complete the construction of the house on the said erf.

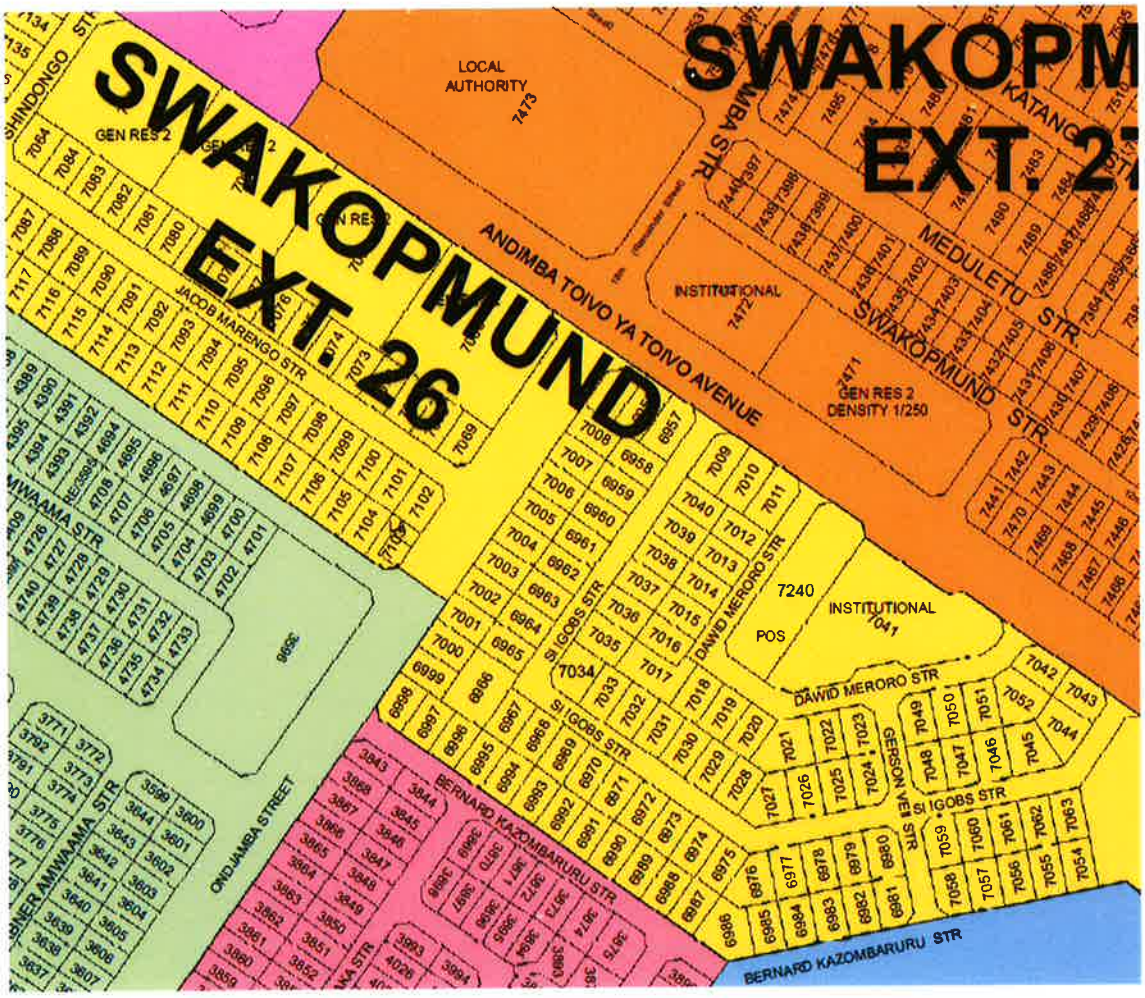
(b) That Council take note of the passing of the late Ms Renate Uiras on 19 November 2018.

(c) That Council takes note that the surviving spouse is the rightful heir of Erf 6965, Ext 26 Swakopmund as per the letter of Authority from the Master of High Court.

(d) That Council approves the allocation of the Build Together loan of N$80,000.00 as per the other beneficiaries of Build Together Phase III for Mr Helster Gawanab to complete the construction of the house on Erf 6965 Extension 26, Swakopmund.

(e) That the land purchase price of N$9 200.00 must be deducted from the loan amount.

ANNEXURE "A"


SWAKOPMUND
EXT. 26
SWAKOPM
EXT. 27
LOCAL AUTHORITY
7473
GEN RES 2
INSTITUTIONAL
7472
7471
GEN RES 2
DENSITY 1/250
ANDIMBA TOIVO YA TOIVO AVENUE
MEDULETU STR
SWAKOPMUND STR
JACOB MARENGO STR
MWAAMA STR
ONDJAMBA STREET
SI IGOBS STR
DAWID MERORO STR
7240
POS
INSTITUTIONAL
7041
7034
GERSON VEI STR
BERNARD KAZOMBARURU STR
KATANGA STR
9656

ANNEXURE "B"

ANNEXURE "C"

Erf No 6965,Mondesa
(Conradie & Damaseb Attorneys)

81251826 3

DEED OF SALE

BUILD TOGETHER PROGRAMME

ENTERED INTO BY AND BETWEEN:

THE COUNCIL FOR THE MUNICIPALITY OF SWAKOPMUND
of P O Box 53, SWAKOPMUND
Telephone Number: 064-410 4100
Facsimile Number: 088 614 514

and herein duly represented by

MARCO SWARTS
and
ERKKIE SHITANA
(in their respective capacities as **ACTING CHIEF EXECUTIVE OFFICER** and **CHAIRPERSON OF THE MANAGEMENT COMMITTEE)**

duly authorized thereto in terms of section 31 A (a) the Local Authorities Act, Act 23 of 1992

(hereinafter referred to as "**the COUNCIL**")
on the one part
and

Renathe Frieda Uiras

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

on the other part

R.F U

15.4 No indulgence, forbearance or latitude granted by the COUNCIL in favour of the PURCHASER in respect of the fulfilment of any of its obligations to the COUNCIL, irrespective of the source of such obligation, shall affect the rights and obligations of the COUNCIL in terms of this Agreement

SIGNED at SWAKOPMUND on this 17 day of March 2017

Witnesses on behalf of the Council for the Municipality of Swakopmund:

1. .....

2 .....

.....
CHAIRPERSON MANAGEMENT COMMITTEE

.....
ACTING CHIEF EXECUTIVE OFFICER

SIGNED at SWAKOPMUND on this ..... day of 2017

Witnesses on behalf of the PURCHASER:

1. .....

2. .....

R.F. Uiras
.....
PURCHASER

SWAKOPMUND
2017-08-17
Office of the Chief Executive Officer

R F U

ANNEXURE "G"

(064) 4104232
0886519133
53 Swakopmund
NAMIBIA
www.swkmun.com.na
ldupiessis@swkmun.com.na

Ref No: M 6965

Enquiries: LC Du Plessis

24 February 2020

Mr. H Gawanab
P.O. Box 62325
KATUTURA
10028

Dear Mr. H Gawanab

RE: BUILD TOGETHER PROGRAMM: BUILDING WITH OWN PLANS AND COST:

We refer to your letter dated 04 February 2020 regarding the above subject matter.

Your request will be forwarded to the Build Together Committee for consideration after which we will write back to you.

For any further enquiries please contact our office at the contact details provide above

Yours faithfully,

M P C Swarts
General Manager: Corporate Services & Human Capital
/lcdp

ANNEXURE "H"

SWAKOPMUND
MUNICIPALITY

+264 64 410 4300 | hinaruseb@swkmun.com.na | P O Box 53, Swakopmund, Namibia

Internal Memorandum

TO : General Manager: Corporate Services and Human Capital
FROM : General Manager: Finance
DATE : 15 April 2024
REF : Erf 6965 Mondesa
SUBJECT : Request for Proof of Loan Redemption for Erf 6965 Mondesa - Ext 26

Reference is made to your memorandum dated 13 March 2024 and of the same reference and subject matter.

Upon further investigation it transpired that Ms Renate Ulras passed away before allocation of the actual loan to her, of which was redeemed as previously communicated.

Herewith attached is a system supporting screenshot in respect of the above stated.

Kind regards

Mr Hellao !Naruseb
General Manager: Finance Department

Municipality of Swakopmund
16 APR 2024
Office of the General manager Finance

Finance Department

MEMBERS OF PARLIAMENT AND OTHER OFFICE BEARERS PENSION FUND (MPF)

1st Floor, GIPF House
Corner of
Dr. Kenneth David Kaunda & Goethe Streets
Windhoek
Namibia

P O Box 23500
Windhoek
Namibia
Tel: +264 61 205 1757
Fax: +264 61 205 1323

GAWANAB N
P O BOX 62325
KATUTURA

Banking Details: Bank **Standard Bank**
Branch **Katutura**
Acc No: **240646665**

Date of Statement **Jan-24**
Salary number **P071**

Identity Number: **700722100844**

The following is an exposition of your earnings and deductions

Income	N$	Deductions	N$
Monthly Pension	9,392.58	P A Y E	1,014.81
Pension Backpay	-	Medical Aid	480.00
		Other	-
Gross earnings	9,392.58	Total deductions	1,494.81

Net Pay	7,897.77

Funeral Benefit		
Member	N$	35,000.00
Spouse	N$	25,000.00
Children 14-21 years	N$	25,000.00
Children 6-13 years	N$	12,500.00
Children 1-5 years	N$	6,500.00
Aged 0-11 months	N$	1,750.00
Stillborn	N$	1,750.00

Kuleni Financial Services (Pty) Ltd
P.O. Box 23500, Windhoek
Tel: 061 205 1757 · Fax: 061 205 1323
2024 -01- 30

All correspondence to be directed to the Principal Officer

ANNEXURE "K"

SWAKOPMUND
MUNICIPALITY

+264 64 410 4400 | cmcclune@swkmun.com.na | P O Box 53, Swakopmund, Namibia

Internal Memorandum

TO : General Manager: Corporate Services & Human Capital
FROM : General Manager: Engineering & Planning Services
DATE : 10 April 2024
REF : 14/2/1/2 - Build Together Houses (Phase III) Erf 6965
SUBJECT : Request For An Assessment On Erf 6965 Mondesa Ext. 26

The above subject matter has reference of your memo dated 13 March 2024.

We are writing to provide an update on the completion status of the house located on Erf 6965 Ext. 26 Mondesa, which is part of the Build Together project. Our recent assessment indicates the following:

The house in question is a three-bedroom structure featuring a lounge, kitchen, two bathrooms, and a single garage. The structural aspects of the house are completed. However, outstanding items necessary for the house's completion include floor and wall tiling, installations of toilet fixtures, basins, bathtub, sink, built-in cupboards, and external works.

Based on this assessment, it has been determined that levels 1, 2, and 3 are completed, while level 4 remains outstanding. Therefore, we recommend compensating the beneficiary for material and labor up to level 3. Compensation for level 4 will be processed upon its completion.

During our inspection, it was evident that the beneficiary has exerted significant effort to advance the completion of the house. However, financial constraints have hindered further progress. Hence, we can only provide a cost estimate based on the Build Together budget.

It is important to note that the cost of materials and labor will align with the beneficiaries of Build Together Phase 3. Accordingly, payment for materials will amount to N$ 54 206.86, and for labor, N$ 6 600.00. The beneficiary will receive compensation for the remaining level 4 upon the full completion of the house.

Your faithfully
Swakopmund Municipality

Clarence McClune
GENERAL MANAGER: ENGINEERING AND PLANNING SERVICES

Engineering & Planning Services

Manager Corporate Services
Head Office
10 APR 2024
P.O. Box 53
Swakopmund
Swakopmund Municipality

Engineering & Planning Services

Documents Containing Personal Information Are Removed From The Agenda As Directed By MANAGEMENT.

11.1.11 **BUILD TOGETHER PROGRAMME (PHASE III): BENEFICIARIES WITH SERVICES ACCOUNTS IN ARREARS**
(C/M 2024/08/08 - 14/2/1/1)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **8.3** page **27** 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 **14 March 2024** under item 6.6 and is now submitted to Council for approval.

On **24 January 2024** at the Build Together Committee meeting, there was a point raised about beneficiaries in arrears of the services accounts. The beneficiaries affected were advised to visit the office and make arrangements towards settling the debt, before they can be granted a Build Together loan.

2. **CURRENT STATUS**

There are **27**/76 beneficiaries in arrears with their services accounts, who have not made payment arrangements with the Finance Department (**Annexure "A"**).

A total of **70/**76 beneficiaries signed the amended Deeds of Sales and Loan Agreements. Below is a summary of the construction process of Build Together Phase III:

68 of the 76 beneficiaries signed the cession agreement for the supply of building material by Pupkewitz & Sons (PTY) LTD (Megabuild) and a summary of the construction is as follows:

- *Beneficiaries at phase 1:* ***45****/76 invoices*
- *Beneficiaries at phase 2:* ***39****/76 invoices*
- *Beneficiaries at phase 3:* ***32****/76 invoices*
- ***42*** *beneficiaries signed the consent agreement to allow Council to pay their builders the remaining loan amount and* ***5*** *of the* ***42*** *beneficiaries resigned the consent agreement to change builders.*

A total of **29** letters were sent out to beneficiaries who are in arrears of their services accounts (as indicated on **Annexure "A"**). On **26 March 2024**, letters (**Annexure "B"**) were sent to the beneficiaries to visit the office before **19 April 2024** to make payment arrangements for down payment of the services accounts before construction can commence. After payment arrangements are made, beneficiaries are given 3 months to make payment arrangements and those showing commitment may begin with construction and if not, it will result in the cancellation of the Build Together loan. Below is a summary of the beneficiaries in arrears:

- ***19****/29 beneficiaries collected their letters.*
- ***10****/29 letters were given to the committee member (Mr Aibeb) to assist with delivering the letters to the beneficiaries. All efforts to locate and contact the beneficiaries were unsuccessful.*
- ***4****/29 beneficiaries visited the office to sign the amended Deed of Sale & Loan Agreement.*

- ***20**/76 beneficiaries made arrangements.*
- ***1**/29 beneficiary (7070- Ms E Aebes) paid off their arrears.*
- ***1**/29 beneficiary (3844- Ms Goreseb) debt written off.*
- ***1**/29 beneficiary (7093-Ms K Gomusas) made payment arrangements.*
- ***1** beneficiary Mr Karel of Erf 7091- wrote a letter to be given until end of May to settle his arrears and to date no payment arrangements were made.*
- *In total there are **27** beneficiaries in arrears, but they never made any payment arrangements.*

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

RECOMMENDED:

(a) **That Council take note that there are 27 beneficiaries of Build Together Phase III who are in arrears with their services accounts, who have not made payment arrangements with the Finance Department.**

(b) **That it be noted that 29 letters of demand were issued to the Build Together beneficiaries who are in arrears and requested to show their commitment towards settling the debt in a timeframe of not less than 3 (three) consecutive months before they can be considered for a Build Together loan, and construction of a house.**

(c) **That beneficiaries who made payment arrangements before 19 April 2024 have until 19 July 2024 to perform according to their arrangements.**

(d) **That the following beneficiaries who have not performed according to their payment arrangements before 19 July 2024, be referred to NHE for debt consolidation and possible access to building loan facility for the construction of their houses:**

NO	ERF	SURNAME	NAME	NO	ERF	SURNAME	NAME
1	3255	Wasserfall	Berry Aventura	14	7071	Aron	Filemon
2	3322	Francis	Henly Bartlomeus	15	7073	Pienaar	Gerhard
3	3632	Haoseb	Ignatius	16	7076	Katukui	Gideon
4	3718	Jekonia	Sylvia	17	7082	Tjikaravize	Hosea U
5	3843	Kazeundja	Andrew	18	7084	Richter	Ingrid
6	3848	Stoffel	Anna Maria	19	7091	Kameya	Karel Kangandi
7	3863	Tjomita	Engenesia	20	7093	Gomusas	Kronieke Dolly
8	3880	Muheua	Guiney Muheua	21	7097	Araes	Liselothe
9	3892	Hilifilwa	Denesius	22	7098	Nawases	Dina
10	3918	Thomas	Gabriel	23	7100	Nashia	David N
11	3923	Eino	Abisai	24	7125	Dandu	Hanelore Ritha
12	4024	Kaumbi	Lucrecia	25	7218	Oaeb	Simson
13	7005	Hoaeb	Alberth	27	7219	Richter	Simson

ANNEXURE "A"

SWAKOPMUND
MUNICIPALITY

+264 64 410 4300 | hinaruseb@swkmun.com.na | P O Box 53, Swakopmund, Namibia

Internal Memorandum

TO : General Manager: Corporate Services & Human Capital
FROM : General Manager: Finance
DATE : 19 February 2024
REF : 14/2/1/1
SUBJECT : Build Together Phase 3 – Request for an Updated List of Beneficiaries in Arrears

Reference is made to your memorandum dated 1 February 2024 and of the same reference number and subject matter.

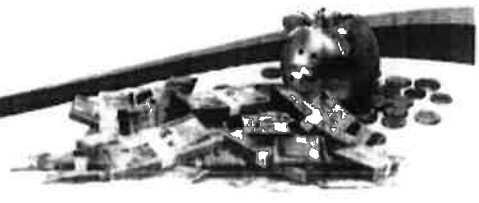
Attached hereto is the updated list of Build Together Phase 3 Beneficiaries, with accounts that are in arrears.

Kind regards

Mr Hellao !Naruseb
General Manager: Finance Department

TO : MANAGER CS
CC - CORPORATE OFFICE - HOUSING
KINDLY RECEIVE THE ATTACHED COMMUNIQUE FOR YOUR URGENT ATTENTION 28/02/2024

Finance Department



ANNEXURE "B"

SWAKOPMUND
The Centre of Adventure

+264 64 410 4111 | swkmun@swkmun.com.na | P O Box 53, Swakopmund, Namibia

Ref No: 14/2/1/1; M 3718; M 3844; M 3848; M 3892; E 7084

Enquiries: *Nikolas Ndeikonghola*

26 March 2024

<Initial> <Surname>
P O Box…….
<Town>
<postcode>

Tel: …….
Email: ……

Dear Sir/ Madam

BUILD TOGETHER PHASE III: PENSIONERS IN ARREARS AND CONTRUCTION OF DWELLING

We refer to the above subject matter.

This communique serves as a reminder that you form part of the Build Together Programme Phase III. Please be informed that our office has made several attempts to contact you to sign the Deed of Sale and Loan Agreement to start with construction of your house. You are requested to visit the Housing Section on/before **19 Apil 2023** to sign the said documents.

Take note that your services account is in arrears, as a result you do not qualify to construct your house before settling or making the necessary written arrangements to clear the debt.

If you still intend to construct your house kindly visit Ms D Khunuxas at the Finance Department on/before **19 April 2023**, to make written arrangements to pay off the debt.

Should no response be received on **19 April 2024**, a submission will be tabled to Council to cancel the transaction and the erf be allocated to the next qualifying beneficiary.

Should you have any enquiries, do not hesitate to contact Mr N Ndeikonghola at 064 410 4232/ nndeikonghola@swkmun.com.na.

Yours sincerely,

Mpasi Haingura
GENERAL MANAGER: CORPORATE SERVICES & HC
/asn

CC: **GENERAL MANAGER: FINANCE DEPARTMENT**

SWAKOPMUND
The Centre of Adventure

+264 64 410 4111 | swkmun@swkmun.com.na | P O Box 53, Swakopmund, Namibia

Ref No: 14/2/1/1; M 3255; M 3322; M 3632; M 3843; M 3863; M 3880; M 3918; M 3923; M 3931; M 4024; E 7005; E 7070; E 7071; E 7073; E 7076; E 7082; E 7091; E 7093; E 7097; E 7098; E 7100; E 7105; E 7125; E 7218; E 7219

Enquiries: *Nikolas Ndeikonghola*

26 March 2024

<Initial> <Surname>
P O Box.....
<Town>
<postcode>

Tel: .....
Email: .....

Dear Sir/ Madam

BUILD TOGETHER PHASE III: ARREARS AND CONTRUCTION OF DWELLING

We refer to the above subject matter.

This communique serves as a reminder that you form part of the Build Together Programme Phase III. Please be informed that our office has made several attempts to contact you to sign the Deed of Sale and Loan Agreement to start with construction of your house. You are requested to visit the Housing Section on/before **19 Apil 2023** to sign the said documents.

Take note that your services account is also in arrears, as a result you do not qualify to construct your house before having a written arrangement and showing commitment of paying within a period of 3 consecutive months.

If you still intend to construct your house kindly visit Ms D Khunuxas at the Finance Department on/before **19 April 2023**, to make written arrangements to pay off the debt.

Should no response be received on **19 April 2023**, a submission will be tabled to Council to cancel the transaction and the erf be allocated to the next qualifying beneficiary.

Should you have any enquiries, do not hesitate to contact Mr N Ndeikonghola at 064 410 4232/ nndeikonghola@swkmun.com.na.

Yours sincerely,

Mpasi Haingura
GENERAL MANAGER: CORPORATE SERVICES & HC
/asn

CC: **GENERAL MANAGER: FINANCE DEPARTMENT**

Documents Containing Personal Information Are Removed From The Agenda As Directed By MANAGEMENT.

11.1.12 **ALLOCATION OF ERVEN TO DISTANT RELATIVES IN DRC**
(C/M 2024/08/08 - 14/2/1/2)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **8.4** page **34** refers.

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

1. **INTRODUCTION**

This submission serves to inform Council of the outcome on the efforts made by the Housing Section in tracing direct relatives of deceased persons who were allocated erven.

2. **BACKGROUND**

On **01 July 2021** Council adopted the following DRC Planning Committee resolution under item 11.1.9:

(a) That Council considers adopting the resolution of the previous DRC Planning Committee as follows:

That the committee approves the transfer of use of rights where an applicant is deceased to the following family members on condition that sufficient proof be provided:

(i) Spouse
(ii) Adult children
(iii) Legal guardian of minor children who resides with them on the same erf
(iv) Dependant parents

(b) .....

(c) That Council approves the transfer of the following erven, to distant relatives who have occupied the erven for many years after it is determined that there are no direct relatives, as per the table below:

3. **APPLICATION OF DISTANT RELATIVES**

The following applications were received from distant relatives who have resided on the erven for many years that were tabled to Council at its meeting of **02 April 2024** resolved under point (c) that a notice be placed for 30 consecutive days to allow direct family to visit the Housing Section to claim the erf.

No.	ERF	NAME OF DECEASED	NAME & SURNAME OF APPLICANT	RELATION SHIP TO THE DECEASED	SUPPORTING DOCUMENTS	CURRENT RESIDENCE	MASTER WAITING LIST: Y/N	ANNEXURE
1	137	Jesaya Uule	Johannes Angwala Shiimbi	Brother	Death cert, ID copy, sworn declaration, letter of residence	E 137 DRC	No	B
2	322	Steven Aixab	Michael Eigab	Brother	Death cert, ID copy, Full birth cert, letter of residence	E 322 DRC	No	C
3	508	Naftal Mwaninga nge Shakella	Nelson Tweulongelw a Eliaser	Brother	Death cert, ID copy, sworn declaration, letter of residence	E 508 DRC	Yes	D
4	527	Matheus Namolo	Matheus Hamadila	Cousin	Death cert, ID copy, sworn declaration, letter of residence	E 527 DRC	Yes	E

No.	ERF	NAME OF DECEASED	NAME & SURNAME OF APPLICANT	RELATION SHIP TO THE DECEASED	SUPPORTING DOCUMENTS	CURRENT RESIDENCE	MASTER WAITING LIST: Y/N	ANNEXURE
5	546	Djonisiu Malisalinu	Jonas Shihepo Hangula	Cousin	Death cert, ID copy, sworn declaration, letter	E 546 DRC	Yes	F
6	618	Alexander Nghisile	Herman Hatutale Alfeus	Nephew	Death cert, ID copy, Full Birth cert, letter of residence	E 618 DRC	No	G
7	733	Josef Henog	Lydia Magano	Niece	Death cert, ID copy, sworn declaration, letter of residence	E 733 DRC	No	H
8	979	Paulus Kamuhonise	Mersia Ochurus	Niece	Death cert, ID copy, sworn declaration by spouse, letter of residence	E 979 DRC	Yes	I
9	1051	Lukas Japhet	Shangelao Kaulinge	Nephew	Death cert, ID copy, sworn declaration, letter of residence	E 1051 DRC	Yes	J
10	1054	Halweendo Hankondo	Hilma Nangula Kangudo	Niece	Death cert, ID copy, sworn declaration, letter	E 1054 DRC	No	K
11	1149	Sanna Haraes	Matias Haneb	Cousin	Death cert, ID copy, sworn declaration, letter of residence	E 1149 DRC	No	L
12	1264	Malegie Taniseb	Alberth Gowaseb	Nephew	Death cert, ID copy, sworn declaration, letter	E 1264 DRC	Yes	M
13	68	Adelheid Kavendjii	Johannes Kavendjii	Nephew	Death cert, ID copy, sworn declaration, letter	E 68 DRC	Yes	N
14	637	Petrus Lungameni Simon	Teofelus Weyulu Shafeheke	Brother	Death cert, ID copy, sworn declaration, letter	E 637 DRC	Yes	O

The advertisements (**Annexure "A"**) were placed on **15 April 2024** and **19 April 2024** inviting any direct relatives as described in point (b)(i) to (iv) of the resolution of **02 April 2024**, and who are residing in Swakopmund to visit the office for verification purposes.

On the closing date i.e. **30 April 2024**, no direct relatives of the deceased persons listed above responded to claim the erven.

Listed below is the table of the income of distant relatives who applied for the change of ownership of the following erven.

INCOME OF DISTANT RELATIVES

NO.	ERF NO.	NAME & SURNAME OF APPLICANT	SALARY / INCOME	AFFORDABLE	Total Qualification
1	137	Johannes Angwala Shiimbi	-	-	-
2	322	Michael Eigab	N$ 19 873.26	N$ 4 968.32	N$ 752 825.49
3	508	Nelson Tweulongelwa Eliaser	N$ 4 400.00	N$ 1 100.00	N$ 166 677.84
4	527	Matheus Hamadila	N$ 3 762.05	N$ 940.51	N$ 142 511.45
5	546	Jonas Shihepo Hangula	N$ 6 345.00	N$ 1 586.25	N$ 240 357.03
6	618	Herman Hatutale Alfeus	N$ 3 700.00	N$925.00	N$140 160.91
7	733	Lydia Magano	N$ 3 500.00	N$ 875.00	N$ 131 584.65
8	979	Mersia Ochurus	N$ 3 900.00	N$ 975.00	N$ 147 737.18
9	1051	Shangelao Kaulinge	N$ 3 064.86	N$ 766.22	N$ 116 100.97
10	1054	Hilma Nangula Kangudo	N$ 4 930.30	N$ 1 232.58	N$ 186 766.31
11	1149	Matias Haneb	N$ 6 443.22	N$ 1 610.81	N$ 244 077.73
12	1264	Alberth Gowaseb	N$ 3 434.42	N$ 858.61	N$ 130 100.39
13	68	Johannes Kavendjii	N$ 3 745.00	N$ 936.25	N$ 141 865.57
14	637	Teofelus Weyulu Shafeheke	N$ 3 750.00	N$ 937.50	N$ 142 054.98

4. **PROPOSAL**

It is proposed that the Council approves the allocation of erven to the abovementioned distant relatives who reside on the erven with a household income above N$2,600.00.

It is further proposed that Mr Johannes Angwala Shiimbi who failed to submit his proof of income be requested to sign a lease agreement with the Council for 5 years which is renewable.

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

RECOMMENDED:

(a) That Council takes note that no direct relative responded after the placement of the advert in the newspapers of 15 April and 19 April 2024.

(b) That Council approves the allocation of the erven to distant relatives who reside on the erven with a household income of N$ 2 600.00 as per the table below:

No.	ERF	NAME OF DECEASED	NAME & SURNAME OF APPLICANT	RELATIONSHIP TO THE DECEASED	SUPPORTING DOCUMENTS	CURRENT RESIDENCE	MASTER WAITING LIST: Y/N	ANNEXURE
1	137	Jesaya Uule	Johannes Angwala Shiimbi	Brother	Death cert, ID copy, sworn declaration, letter of residence	E 137 DRC	No	B
2	322	Steven Aixab	Michael Eigab	Brother	Death cert, ID copy, Full birth cert, letter of residence	E 322 DRC	No	C
3	508	Naftal Mwaninganga Shakella	Nelson Tweulongelwa Eliaser	Brother	Death cert, ID copy, sworn declaration, letter of residence	E 508 DRC	Yes	D
4	527	Matheus Namolo	Matheus Hamadila	Cousin	Death cert, ID copy, sworn declaration, letter of residence	E 527 DRC	Yes	E
5	546	Djonisiu Malisalinu	Jonas Shihepo Hangula	Cousin	Death cert, ID copy, sworn declaration, letter	E 546 DRC	Yes	F
6	618	Alexander Nghisile	Herman Hatutale Alfeus	Nephew	Death cert, ID copy, Full Birth cert, letter of residence	E 618 DRC	No	G
7	733	Josef Henog	Lydia Magano	Niece	Death cert, ID copy, sworn declaration, letter of residence	E 733 DRC	No	H
8	979	Paulus Kamuhonise	Mersia Ochurus	Niece	Death cert, ID copy, sworn declaration by spouse, letter of residence	E 979 DRC	Yes	I
9	1051	Lukas Japhet	Shangelao Kaulinge	Nephew	Death cert, ID copy, sworn declaration, letter of residence	E 1051 DRC	Yes	J
10	1054	Halweendo Hankondo	Hilma Nangula Kangudo	Niece	Death cert, ID copy, sworn declaration, letter	E 1054 DRC	No	K

No.	ERF	NAME OF DECEASED	NAME & SURNAME OF APPLICANT	RELATIONSHIP TO THE DECEASED	SUPPORTING DOCUMENTS	CURRENT RESIDENCE	MASTER WAITING LIST: Y/N	ANNEXURE
11	1149	Sanna Haraes	Matias Haneb	Cousin	Death cert, ID copy, sworn declaration, letter of residence	E 1149 DRC	No	L
12	1264	Malegie Taniseb	Alberth Gowaseb	Nephew	Death cert, ID copy, sworn declaration, letter	E 1264 DRC	Yes	M
13	68	Adelheid Kavendjii	Johannes Kavendjii	Nephew	Death cert, ID copy, sworn declaration, letter	E 68 DRC	Yes	N
14	637	Petrus Lungamen i Simon	Teofelus Weyulu Shafeheke	Brother	Death cert, ID copy, sworn declaration, letter	E 637 DRC	Yes	O

(c) That the applicants be informed that should they fail to occupy the erven for <u>six (6) consecutive months</u> these erven be re-allocated to other residents in need of settlement.

(d) That the distant relatives earning below N$2 600.00 be requested to sign the lease agreement once the draft is finalized.

(e) That the lease amount of N$ 150.00 inclusive of VAT be payable per month by distant relatives earning below N$ 2 600.00.

(f) That the following distant relatives who have been occupying the erven for many years be approved to continue residing on the erven:

INCOME OF DISTANT RELATIVES

NO.	ERF NO.	NAME & SURNAME OF APPLICANT	SALARY / INCOME	AFFORDABLE	TOTAL QUALIFICATION
1	137	Johannes Angwala Shiimbi	-	-	-
2	322	Michael Eigab	N$ 19 873.26	N$ 4 968.32	N$ 752 825.49
3	508	Nelson Tweulongelwa Eliaser	N$ 4 400.00	N$ 1 100.00	N$ 166 677.84
4	527	Matheus Hamadila	N$ 3 762.05	N$ 940.51	N$ 142 511.45
5	546	Jonas Shihepo Hangula	N$ 6 345.00	N$ 1 586.25	N$ 240 357.03
6	618	Herman Hatutale Alfeus	N$ 3 700.00	N$925.00	N$140 160.91
7	733	Lydia Magano	N$ 3 500.00	N$ 875.00	N$ 131 584.65
8	979	Mersia Ochurus	N$ 3 900.00	N$ 975.00	N$ 147 737.18
9	1051	Shangelao Kaulinge	N$ 3 064.86	N$ 766.22	N$ 116 100.97
10	1054	Hilma Nangula Kangudo	N$ 4 930.30	N$ 1 232.58	N$ 186 766.31
11	1149	Matias Haneb	N$ 6 443.22	N$ 1 610.81	N$ 244 077.73
12	1264	Alberth Gowaseb	N$ 3 434.42	N$ 858.61	N$ 130 100.39
13	68	Johannes Kavendjii	N$ 3 745.00	N$ 936.25	N$ 141 865.57
14	637	Teofelus Weyulu Shafeheke	N$ 3 750.00	N$ 937.50	N$ 142 054.98

(g) That Mr Johannes Angwala Shiimbi's income affordability assessment be carried out for re-consideration by Council.

(h) That Council approves that a standard condition of 3 months' notice be sent to renew the lease period for another 5 years, should the lessee be interested.

ANNEXURE "A"

MUNICIPALITY OF SWAKOPMUND

NOTICE FOR DIRECT RELATIVES TO REPORT TO THE MUNICIPALITY OF SWAKOPMUND, HOUSING SECTION

Council herewith invites the direct relatives of the deceased persons listed below to contact Housing Officer, Mr C Awaseb at 064 4104231 or report to the Municipality of Swakopmund, Housing Section at the Cnr of Rakotoka Street and Daniel Kamho Avenue before 30th April 2024.

Direct relatives includes: spouse or children or legal guardians of minor children or dependent parents.

Jesaya Uula,	76051500227	Erf 137 DRC
Steven Abrab	80081500033	Erf 322 DRC
Matheus Namholo	62060201047	Erf 827 DRC
Ndjonislu Malisalinu	67100100070	Erf 546 DRC
Alexander Nghisile	71081500891	Erf 616 DRC
Josef Honog	64062801162	Erf 733 DRC
Paulus Kamuhonise	65032900516	Erf 979 DRC
Lucas Japhet	69010102270	Erf 1051 DRC
Hankondo Halweendo	4010101100281	Erf 1064 DRC
Sanna Hanes	77040400537	Erf 1149 DRC
Maleagi Taniseb	73030400956	Erf 1204 DRC
Adelheid Kavendjii	6006140600281	Erf 68 DRC
Petrus Lungameni Simon	71090200730	Erf 637 DRC

Consideration will be given to direct relatives of the deceased residing in Swakopmund only.

Notice: 34/2024

A Benjamin
Chief Executive Officer

NAM 19.04.24

MUNICIPALITY OF SWAKOPMUND

NOTICE FOR DIRECT RELATIVES TO REPORT TO THE MUNICIPALITY OF SWAKOPMUND, HOUSING SECTION

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Consideration will be given to direct relatives of the deceased residing in Swakopmund only.

Notice: 34/2024

A Benjamin
Chief Executive Officer

NT 19.04.24

Documents Containing Personal Information Are Removed From The Agenda As Directed By MANAGEMENT.

11.1.13 **PROPOSAL TO ISSUE CARD PERMITS TO AERODROME HANGAR TENANTS AT A FEE AND REQUEST FOR AFTER-HOURS FLIGHT OPERATION**
(C/M 2024/08/08 - 18/1/1/1)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **8.5** page **96** refers.

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

INTRODUCTION

The purpose of this submission is to propose the implementation of a fee structure for after-hours flight operations and airport access permits at Swakopmund Municipal Aerodrome.

BACKGROUND

In early 2024, car permits were introduced at the Swakopmund Municipal Aerodrome to regulate the movement of tenants and cars within the aerodrome premises due to the number of cars entering and parking in areas used by aircraft for taxiing to and from their hangars, thereby reducing the danger posed by vehicles obstructing aircraft movement and to minimize and control reports of theft and to make sure that airport tenants property remains safe and secure. However, the current permit system has proven unsustainable, with reports of misuse, forgery, and duplication of permits.
Additionally, the need for after-hours flight operations has been raised, primarily by commercial and training flight operators who are willing to pay an additional fee to cover costs. Currently, the aerodrome operates from 05h00 to 17h00 UTC as listed in our Aeronautical Information Publication (AIP). However, the need for after-hours flight operations has been raised, primarily by commercial flight operators who require flexibility to accommodate return flights and logistical constraints.

DISCUSSION

To address the challenges posed by the current permit system and ensure sustainable access control, the aerodrome management proposes migrating to a cardholder system. This system will assign a single card to each operator, linked to their identity and authorized premises access, facilitating easy identification and access management. Each permit holder will be required to provide a passport photo, which will be attached to the permit and laminated to prevent swapping of photos or cards.

As part of our ongoing efforts to upgrade the airport to meet standardized requirements, cardholder system will serve officially as the mode of entry for anyone making use of the airport, including staff, just like systems that are in place at other international airports. The cards will be color-coded to indicate the specific areas each individual is authorized to access. A fee of N$200.00 will be charged per card to cover procurement, printing, and administrative expenses.

Regarding after-hours flight (early departures/after hour arrivals) operations, it is proposed that such operations be permitted with a structured fee to cover the overtime costs/damages etc incurred, excluding the normal landing fee. To provide context, current NAC airports charge based on airport category, with e.g. Eros Airport charging N$ 4770 per hour for domestic flights and N$ 4148 per hour for international flights. It is suggested that we engage with Payroll to determine the appropriate overtime rate for airport assistants and establish a fee that reflects

our specific situation. After consultation with payroll a proposed fee of N$ 1500.00 per hour would safely cover all expanses that the Municipal Aerodrome experience with an after our request.

CONCLUSION

The proposed fee structures for after-hours operations and gate access permits are essential for enhancing the efficiency, security, and sustainability of operations at Swakopmund Municipal Aerodrome. Agreement and cooperation from all stakeholders are crucial for the successful implementation of these measures for the benefit of the aerodrome community.

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

RECOMMENDED:

(a) Cardholder Permit System:

(i) Implement a cardholder permit system with a fee of N$ 200.00 per card.
(ii) Implement the cardholder system as the mode of entry for anyone using the airport, including staff, with color-coded cards to indicate authorized access areas.
(iii) Require all permit holders to provide passport photos for inclusion on their laminated permits to prevent misuse.

(b) After-Hours Flight Operation Fees:

(i) Implement after-hour flight operations.
(ii) A recommended fee of N$2 000.00 - N$2 500.00 per hour to be charged for an after-hour flight operation.
(iii) Applicant must complete an after-hour flight operation form at the apron office on or before 16h00 each day to ensure that approval is granted before flight can commence.

11.1.14 **REQUEST FOR INVESTIGATION AND AUDIENCE WITH MANAGEMENT COMMITTEE: UNJUSTIFIED CLAIM FOR 75% BETTERMENT OR COMPENSATION FEE AGAINST THE REZONING OF ERF 325, SWAKOPMUND**
(C/M 2024/08/08 - E 325)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **8.6** page **98** refers.

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

1. Purpose

The purpose of this submission is for the Council to deliberate on the betterment fee levied for the rezoning of Erf 325, Swakopmund.

2. Introduction and Background

In July 2023, Swakopmund Municipal Council determined the betterment fee applicable to the rezoning of Erf 325, Swakopmund from "single "residential" to "*General Residential* 2" in accordance with the National Betterment Fee Policy provisions and applied to the Minister of Urban and Rural Development (MURD) for approval to levy this amount.

During the process of applying to the Minister of Urban and Rural Development for the approval to a betterment, it should be acknowledged that two letters were prepared. The first letter dated 14th July 2023, erroneously reflected twenty percent (20%) as the applicable betterment fee levy for the rezoning of Erf 325, Swakopmund. However, that error rectified by second letter dated 26th July 2023, reflecting seventy five percent (75%) which was sent to the Minister of Urban and Rural Development for approval **Annexure B.** The 75% represents a penalty amount applicable for all rezonings when a property owner has illegally used the property for uses not authorized by the actual legal zoning.

The Minister of Urban and Rural Development as per the letter dated the 29th August 2023, granted approval to levy a betterment fee amounting to N$351 750.00 for the rezoning of Erf 325, Swakopmund. The ministerial approval is attached as **Annexure C.**

On the 1st of September 2023, the General Manager: Engineering and Planning Services informed the applicant of the applicable betterment fee levied (**Annexure D)**. The applicant now argues that the fee levied is unfairly high and should be reviewed by Council.

3. Sequence of events

As mentioned previously, the Council applied to the Ministry of Urban and Rural Development for the approval of a betterment fee levy as indicated in a letter dated 26th July 2023. However, it should be noted that the applicant made a payment of N$93 800.00 dated 24 July 2023, before the Council's application to the Minister of Urban and Rural Development and the granting of a betterment fee levy. (Proof of Payment is attached as **Annexure E**)

The applicant claims that *"payment was done without ministerial approval"* and from information obtained informally pending approval or official communiqué from Council.

The applicable betterment fee levy has been provided to the applicant through the letter signed by the General Manager: Engineering and Planning Services (**Annexure C**). Unofficial or verbal communications between officials and consultants cannot be claimed as valid and use as they have no official standing and may not be verified.

Additionally, as has been clearly stated in the applicants' aforesaid letter that *"the use was in operation for 15 years without any complication or a need for upgraded services that has to date been proven".*

The above statement is a clear indication that the owners of Erf 325, Swakopmund have for the last 15 years benefitted from utilizing the services and property for a use that was not permitted in terms of the Zoning Scheme and making additional development changes without Councils' approval. They have benefited from lower municipal taxation since Erf 325, Swakopmund was valued in accordance with the legally applicable zoning.

It is concluded that unauthorized activities have been undertaken on the property for many years. Charging of betterment fees should not be seen as a punishment to clients, however it is important to note that it is raised for the on-going process of upgrading services required in response to cumulative rezonings in town fairly and consistently as set out in the National Betterment Fee Policy.

Offences and penalties as provided for in terms of Section 130 of the Urban and Regional Planning Act, 2018, are subject to court process and procedures, and only convicts as per competent court verdict liable to fines and imprisonment terms. A rezoning aimed at legalising an unauthorized activity is not an offence as there has been no conviction. Since the applicant is not a convict, provisions of the aforementioned section are not applicable.

4. Betterment Fee Policy Provisions

The National Betterment Fee Policy provided for the pre-determined betterment fee percentages applicable to various land use changes so as to reduce uncertainty by property owners as well as maintain consistency and compliance with Ministerial policy. The table below is an extract from the Betterment Fee Policy on applicable fees per category.

In terms of Section 59(1)(a & b) of the Urban and Regional Planning Act, 2018, (Act 5 of 2018), states that *"if at the coming into operation of a zoning scheme or by the execution of work by a local authority under a zoning scheme which came into operation, any land or building is increased in value, the local authority responsible for the enforcement of that zoning scheme may within twelve months after the date of coming into operation of that scheme or within twelve months after the completion of the work, recover from the owner whose land or building is so increased in value an amount prescribed by the Minister".*

As a result, the provisions and the overall objective of the Betterment Fee Policy is to regulate and maintain consistency in charging betterment fees.

MAXIMUM BETTERMENT FEES FOR LOCAL AUTHORITIES

ZONING		MAXIMUM BETTERMENT FEES (%)
Previous zoning	***New zoning***	***Windhoek***
Institutional, private open space- no subsidized price	Residential General Residential	50%
Institutional, private open space – no subsidized price.	Office, Business	50%
Institutional, private open space – subsidized price applicable	Any other zoning	75% Where land had been provided at a subsidised value which is not going to be recovered in any other way.
Residential	Higher densities residential	20%
Residential	General Residential	20%
Residential, general residential	Office or Business	40%
Residential, general residential, business	Industrial	30%
Office	Business	30%
Office or Business	Increase in bulk	30%
Any zone	Institutional	No betterment fee
Any zone	Special	On own merits up to 50%
Undetermined Agriculture	Any zone	30%
Special	Any zone	No betterment
Any zone - where an unauthorised activity or illegal building works is being legalised	Any zone	75% Only when legalized use is authorized in terms of the scheme. (Unauthorized uses to be terminated if not compatible with surrounding land uses).
State (owned by Government)	Any zone	No betterment fee payable provided land is and remains in State ownership.
State (state owned enterprises)	Any zone	Betterment fee to be based on existing legal usage before rezoning.
Municipal	Any zone	No betterment fee.
Township development on private land	Any zone	30%

Levying of betterment fees *"whereon unauthorized activity or illegal building works is being legalized"* for any zone has been consistently charged at the pre-set percentage of 75% as indicated in the table above.

It is taken that the applicant is not disputing that their property or land has increased in value because of the rezoning and deemed that there is no need for any upgrading of services because the property has operated illegally for more than 15 years.

However, as stated above, claiming betterment fees is determined by the increase in value of any land or building. Since the applicants' land and building have increased in value due to the rezoning, in accordance with the provisions of the Urban and Regional Planning Act, 2018, the applicant is obliged to pay the betterment fee with or without any further development and impact on municipal services.

The conversion of the illegal structures to conform to the legal zoning is a decision that the owners could have made before embarking on the rezoning process.

Additionally, the owners are in a position to venture into other business opportunities and aren't solely confined to only operating a guesthouse.

In 2021, the owners of Erf 5856, Swakopmund (The Scientific Society) as per their letter dated 2nd December 2021, requested for the betterment fee levy to be lowered. A response was given informing the Society that the betterment fee levies are being determined in compliance with the National Betterment Fee Policy as approved by the Minister of Urban and Rural

Development in 2009. It has been pointed out in the aforesaid response letter that the Municipality has no jurisdiction to the reduction of the betterment fees and it was advised that they approach the Minister of the Urban and Rural Development.

On the 24th February and 24th March 2022, the Society submitted a request to the Deputy Minister of Urban and Rural Development for the waiving or lowering the betterment fee for the rezoning of Erf 5856, Swakopmund and possible reduction of the bulk factor from 2 to 1 (another rezoning).

In April 2022, a response was received from MURD to the Scientific Society informing them that the request for the lowering of the betterment fee levy must be referred to the Municipality of Swakopmund. The Board's formal decision dated 20th June 2022 is attached as **Annexure F.**

The above outcome is an indication that the MURD, also does not contest the methodology used by Council in applying the betterment fee table.

As a result of the above, for the sake of maintaining consistency, Council will maintain charging betterment fee as per the Betterment fee Policy table.

5. The request

The request from the applicant is that the matter be presented to the Management Committee for investigation, discussion, and deliberation.

Additionally, they request for an opportunity to address the Management Committee on the issue.

6. Conclusion

The applicant claims that it was not stated that the rezoning is as a result of the illegal activities on the property but note should be taken that the original application was attached thereto for Council's consideration.

Additionally, taking into consideration that the owners of Erf 325, Swakopmund had developed and have been utilising the property for many years without Council approval is an indication that the authority of Council is being undermined, and the applicant seek consideration of their view only.

The applicants have already settled the full amount levied as a betterment fee for the rezoning of Erf 325, Swakopmund. Reducing the current approved betterment fee may set a precedent that would be difficult to manage.

Note should be taken that all the rezoning submissions that serve at Council, do not outline in the recommendations a percentage (%) to be charged, as the Betterment Fee Policy table already has the various percentages in place.

Levying of betterment fees has been consistently charged at the maximum percentage over the years for all similar rezonings. It should be noted that experience has shown on previous similar requests that the Board despite having the power to do so, did not require that the betterment fee be reduced.

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

RECOMMENDED:

(a) **That Council uphold the betterment fee percentage levied at 75% for the rezoning of Erf 325, Swakopmund as approved by the Minister of Urban and Rural Development in August 2023.**

(b) **That the applicant be informed that the matter at hand is clear and that there is no need for any direct representation to address the Management Committee.**

(c) **That for all future rezonings, Council upholds percentages as outlined in the National Betterment Fee Policy, unless otherwise pronounced by the Minister of Urban and Rural Development.**

ANNEXURE A

TOWN PLANNING & PROPERTIES

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SWAKOPMUND , NAMIBIA
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andrew@vcwtp.com

Chief Executive Officer
Municipality of Swakopmund
PO Box 53
Swakopmund
Namibia

2 May 2024

Dear Sir,

REQUEST FOR INVESTIGATION AND AUDIENCE WITH MANAGEMENT COMMITTEE: UNJUSTIFIED CLAIM FOR 75% BETTERMENT/COMPENSATION FEE AGAINST THE REZONING OF ERF 325 SWAKOPMUND

Our client, the previous Owner of Erf 325 Mr I Smit, has instructed our company the engage with the Municipality of Swakopmund regarding the betterment fee that was levied against the rezoning of the property.

We wish to bring to the attention of Council the following writings as an argument for a review of the matter concerning the betterment fee levied against the rezoning of Erf 325, Swakopmund.

1. Background

Our Company, previously applied for the rezoning of Erf 325, Swakopmund, from Single Residential with a density of 1:900m² to General Residential 2 with a density of 1:250m². This application was approved by Council **(Annexure A)** and ultimately approved by the Ministry of Urban and Rural Development.

After the MURD approval was obtained the Municipality issued a 20% betterment fee that amounted to **N$ 93 800.00**, which was settled immediately due to the fact that the transfer is pending a compliance certificate **(Annexure B)**. It should however be noted that the betterment fee was not yet approved by the Ministry of Urban and Rural Development. We merely enquired the amount that was to be applied in order to settle and have to Compliance issued. Without the betterment fee being settled no building plans may be approved and no compliance be given for the property. We consulted with the Engineering Department and it was communicated to us what the proposed betterment fee we will be. We accepted the 20% betterment fee and settled the amount in order to obtain the compliance certificate.

When we enquired about the compliance certificate it was then indicated to us that the betterment fee was now subsequently changed to a 75% Betterment / Compensation Fee **(Annexure C)**. We agree with the 20% betterment fee, but what we do not agree with, is the fact that that the Municipality changed the betterment fee to 75% amounting to **N$ 351 750.00**. Upon querying this issue, it was indicated that the increase in betterment fee is due to the outbuilding that was seen as an illegal use. Although contesting this issue, the owner was forced to pay the additional amount

in order to proceed with the already delayed transfer of the property to the new owner. It was indicated by Mr Smith that we should settle the amount and then take the case to Council for review. The amount Settled for the increase from 20% to 75% was **N$ 257 950.00 (Annexure D)**. The Total amount paid in Betterment Fees paid by Mr. Smit was **N$ 351 750.00**.

2. Our Argument for a review of the case, reduced compensation and reimbursement of Mr Smit

The Outbuilding, which was initially designed as a Garage was converted into a flat approximately 15 years ago. The builder at the time informed our client that all is in order and that the conversion is legal and no plans are needed and as such the conversion was done.

We would like to draw your attention to the Council Resolution dated 24 January 2024, whereby it states, according to Council decision, that the rezoning be subject to a betterment. Note should be taken that no percentage is included in the Council resolution. Taking the history of events into consideration we feel that the sudden increase of betterment fees defies the purpose for which the policy was created. The decision of what percentage is to be levied, according to the Council Resolution, is left to the officials to make. After the submission was read in the Council Agenda it became clear that Council was never informed to treat the rezoning as illegal case nor were the facts presented to justify a 75% betterment fee.

We feel that the current use/administration of the Betterment Policy **(Annexure E)** is done in a way to punish the public. It should be pointed out that the policy does not state that the local authority has to claim a betterment fee and that it has to be 75%. The Policy is a guideline that indicates the maximum betterment fees to be claimed and it does not state that only those percentages (%) have to be applied. Council may at its own discretion decide the percentage fitting for the situation. This can only be done if the facts are presented. In this case the facts were not presented as such but rather a mere rezoning from one zone to another to enable the owner to use the whole of the property for a Residential Guesthouse.

With reference to Erf 325, Swakopmund, it can be well established that it would have been cheaper to reconvert the unit to a garage and then rezone property. We feel that the merits surrounding the actual facts do not warrant a drastic Betterment fee of 75%. The seriousness of this offence is not of such nature that it warrants such extreme measures. In fact, the use was in operation for 15 years without any complication or a need for upgraded services that has to date been proven.

Also of importance to note is the fact that no mention is made in the in the submission to Council about any illegal activity nor has council pronounced itself on such matter. Also of concern is the fact that the officials can use their own discretion as to the betterment fee applicable. We reiterate the fact that Council did not pronounce itself on neither the "illegal" use nor the amount of betterment fee. We feel that there seems to be some sort of unwarranted decision-making powers being exercised by the officials within the institution. Council and Council alone can pronounce itself on the matter and not the Municipal Officials and as such we formally request a review of the matter.

3. To reflect of the Betterment fee policy:

In the policy it is indicated that the local authority **may** recover a betterment fee not exceeding 75% from any person rezoning a property. It further states that: ***"The purpose of levying betterment fees by a local authority is to enable it to recover costs for the upgrading of services necessitated by the coming into operation of any provision contained in a scheme"***.

We wish to draw your attention to the word **"May"** in terms of the recovering of a betterment fee not exceeding 75%. It is our opinion that it means that Council reserves the right to use its own

discretion in terms of determining the betterment fee. In all fairness, any transgression should be dealt with by Council to conform to a regulated built-up environment. With this responsibility of Council comes the responsibility to justify any actions to be taken, in terms of fairness and reasonability.

In this case, Council only approved the intention to claim a betterment fee but did not stipulate the amount to be charged. Council was also not presented with the facts surrounding the situation and did not assess the monetary value coupled with the situation to justify a 75% betterment fee. These facts were never presented to Council and as such we feel that the excessive action taken by the Local Authority is concerning. This decision by the Local Authority cannot be considered as responsible, fair or reasonable.

We are also of the opinion that the betterment fee policy indicates the maximum betterment fee that a Local Authority may claim and that it is not compulsory to levy only a maximum betterment fee or compensation fee. Council may at its own discretion adopt its own policy that stipulates its own percentages for each type of rezoning and should be adjustable by Council fitting the situation. The general consensus from the public is that the Municipality is using this as a source of income at the expense of the public with the unjustified betterment fee percentages. It should be noted that there exist numerous situations like this.

In terms of services, the structure has been operating for many years as a flat and not a garage without any complications service wise. There is also no upgrading needed for any services due to the nature of events. The Zoning requested and approved only covers the existing situation on the land that was of minimal impact. The main reason for the rezoning was to enable the use all the structures for Guesthouse purposes as opposed to the 40% limitation set by the Single Residential zoning.

We are of the opinion that if the true facts were presented to Council, with the monetary impact of the situation, Council would not have suggested such 75% Betterment fee. It is the opinion that if Council considered all the facts the betterment fee would still be 20% or a fair 30% due to the minority of the transgression. It is also our opinion that the general administration of the betterment fee, in terms of transgressions, are in most cases not justifiable. We feel that the situation with regard to Erf 325, Swakopmund, was dealt with incorrectly and the facts not presented correctly to the decision makers.

Such high betterments fees should only be applied if it can be proven that the "illegal use" is of such nature that it has severely infringed on the land use rights, and to such an extent that the land use rights have to amended to higher zonings to accommodate the uses, and if upgrading of services has to be done as a result of such transgression and change of zoning. There is no discretion given by the Local Authority in term of the administration of the 75% betterment fee when concerned with "illegal" uses or structures. It is the opinion that the Municipality of Swakopmund can do more in this department to better serve the rates and taxpayers of the town. Not all situations are in need of the same treatment or remedies.

4. Example to justify 75% Compensation Fee

A good example of such situation would be the use of a Residential or General Residential property for purely business-related activities with a number of illegal unapproved structures present. This coupled with the need for upgrading of services to accommodate the transgression will then, and only if decided upon by Council, warrant a 75%.

We once again reiterate the fact that the administration of the betterment fee, as in this case, is being done in a manner that can be considered as reckless.

In this case, the property was single residential with a density of 1:900m² and used for residential purposes (Bush Babies Self-Catering). The garage was changed to a flat and used for many years without any complains of service infrastructure problems or the need for upgrading. The need for upgrading as a result of the rezoning has to date not been proven and cannot be proven. The rezoning to general residential is also for the purpose of residential and is of a very minor extent. The rezoning was done purely to use the whole property for a guesthouse and legalize the converted garage. We feel that the 20% betterment fee as initially indicated and paid should be the correct betterment fee that should have been approved by means of the resolution by Council.

As mentioned before, we have also noted that numerous other applications were also given a 75% Betterment fee for their rezoning applications and transgressions. It is our opinion that the current use of the betterment fee policy is rather reckless and also very irresponsible by the Local Authority. From an economical point of view the Municipality should be careful with these high betterment fees as it restricts development potential that is much needed by the town. The betterment fee policy should not be used a beating stick nor as a source of income for the Municipality but as a tool to recover real costs from any upgrading needed.

The Municipality may at its own discretion create its own betterment fee policy that is fair and fixed. Such policy should be designed and adopted by Council with the aim of promoting development and fitting the economic situation and capabilities of its residents.

5. The Act and Offences and Penalties

The Urban and Reginal Planning Act states the following under Section 130:

"Offences and penalties

130. (1) A person commits an offence, if that person-

(a) in respect of an application under this Act, provides information which is false or misleading, knowing that it is false or misleading;

(b) develops, subdivides or consolidates land contrary to a provision of a zoning scheme;

(c) develops land without having obtained approval in terms of this Act;

(d) subdivides or consolidates land without having obtained approval in terms of this Act;

(e) develops, subdivides or consolidates land contrary to a condition, including a condition of approval

(i) for rezoning;

(ii) for the subdivision or consolidation of land; or

(iii) for the alteration, suspension or deletion of conditions in

relation to land.

(2) A person convicted of an offence under subsection (1) is liable to a fine not exceeding N$ 100 000 or to imprisonment for a period not exceeding 10 years or to both such fine and such imprisonment".

Taking the above in consideration, even a fine if convicted is less than the betterment fee charged in this case. We reiterate the importance of careful consideration in terms of the administration of betterment fees.

The purpose of levying betterment fees by a local authority is to enable it to recover costs for the upgrading of services necessitated by the coming in to operation of any provision contained in a scheme. The Betterment fee / Compensation fee should however be done in a manner that is fair and reasonable.

Not even the financial penalties if convicted are as harsh as the "betterment fees" imposed. We feel that the current Betterment/Compensation fees as administered are out of context and not in line with the penalties if convicted. This point can be argued in many ways but the reality of the situation is that the fees are too high and must be brought down by the Local Authority.

6. The Current Betterment Fee Policy and Free Proposal for Consideration

The betterment fee policy in its current form **(Annexure E)** is an outdated guideline that should be addressed by the Municipality as a matter of urgency. The Policy itself is not compulsory to implement but a mere guideline for Local Authorities to utilise in order to recover some relief in terms of compensation towards the future infrastructure needs of the Town. Some towns do not even charge a betterment fee in order to attract investment.

Although it is recognised that a "Compensation Fee" is necessary to an extent it should however be noted that the general public do not agree with the Compensation/Betterment fees as currently administered by the Municipality of Swakopmund.

As a matter of fact, we have to acknowledge the limitation that these exorbitant Compensation/Betterment fees imposed on the general public. We do understand the need for some sort of compensation fee but it should be kept realistic and in good faith towards the rates and taxpayers of the town. We do agree with the various uses having different compensation/betterment fees due to the increase of development potential for erven with the new "higher" zoning, but once again it should be done realistically.

If the Municipality of Swakopmund wish to encourage growth and development it is highly recommended that it adjusts its current Betterment Fee/Compensation Fee structure as currently used. The Municipality should make the development environment attractive for the investors and residents to develop or redevelop. The Municipality should consider an alternative Compensation Policy the is to be tested with the general public. Such Proposal is given below for the Municipality of Swakopmund to consider if it wishes to act in the best interest of the public.

Proposed Compensation Fee Policy for Swakopmund Municipality

ZONING		**Compenstion Fee (% of the amount of the increase in Municipal Value of the property)**
Pre-zoning / Current Zoning	**Post-Zoning/New Zoning**	
Institutional Private Open Space – no subsidized price	Residential General Residential	30%
Institutional Private Open Space – no subsidized price	Office Business	30%
Institutional Private Open Space - subsidized price applicable	Any other zoning	75% Where land had been provided at a subsidized value which is not going to be recovered in any other way.

Residential	Higher densities residential	20%
Residential	General Residential	20%
Residential General Residential	Office Business	30%
Residential General Residential Business	Industrial	30%
Office	Business	20%
Office Business	Increase in Bulk	20%
Any zone	Institutional	No Compensation Fee Payable
Any zone	Special	On own merits up to 30%
Undetermined Agriculture	Any zone	On own merits up to 30%
Special	Any zone	No Compensation Fee Payable
Any zone Where an unauthorized activity or illegal building works is being legalized	Any zone (in order to bring the use of the property in line with the provisions of the Scheme)	20% for the Rezoning and an additional % for the transgression of Density or Bulk, after consideration of merits by Council. **For Illegal Structures and Uses resulting in Density change and Bulk Change (Minor Transgression):** 10% Density Change 20% Bulk Change **Major Transgressions** 40% - 75% Only in cases where the transgression is of such nature that the surrounding area is negatively affected in terms of its use and impact on services. (Council's Discretion based on merits) (Unauthorized uses to be terminated if not compatible with surrounding land uses).
State (owned by Government)	Any zone	No betterment fee payable provided land is and remains in State ownership.
State (state owned enterprises)	Any zone	Betterment fee to be based on existing legal usage before rezoning.
Local Authority	Any zone	No betterment fee payable
Township development on private land	Any zone	30%

The above is a Compensation Fee Policy/Guideline that has been slightly adjusted to cap the maximum fee that may be charged can be explored by Council to see the public response to the matter. Also, some note should be given to the sections dealing with illegal structures and uses

mainly concerned with Transgressions. The suggested will as a matter of fact be more justifiable in the eyes of the Public.

7. The Current Public View on the "Betterment Fees"

It is a well-known fact that there exists many illegal land uses and structures scattered all over the Town of Swakopmund.

Currently there is the general notion of the public that they will just continue with the irregularities as it will be financially not possible to set the irregularities right. The Compensation Fees imposed by the local Authority, excluding professional fees for specialized work, are of such magnitude that it deters the general public from attempting to rectify any irregularities.

The aim of the policy should not be to punish the general public but rather encourage to rectify past mistakes. This can only be achieved if the Local Authority makes it financially possible and viable to the general public to bring the use of their properties in line with the scheme.

The Policy as currently administered by the Municipality of Swakopmund is simply just not working and there is a general public outcry to have these fees reviewed to fit the pocket of the rates and taxpayers.

The Municipal Council of Swakopmund has an obligation towards its residents to act in the best interest of the public and general welfare of the community and as such should consider its position of the current "Betterment Fee Policy" being used or misused.

Consultations with the General Manager Engineering Services highlighted the relative high number of issues surrounding the fees and as such also agrees that the true values be determined. When the policy was compiled, the 75% as indicated, was a thumb suck figure that cannot be justified. The only way for the Municipality to effectively deal with the betterment fees is to do an actual cost analysis of what certain types of upgrades will cost and use this as a means to justify the recovery of fees.

8. Our Request

We request that the matter be brought before the Management Committee of the Swakopmund Municipality for investigation, discussion and deliberation. We also formally request an opportunity to address the Management Committee on the issue at their earliest convenience.

Yours Faithfully,

A R VAN DER WESTHUIZEN

ANNEXURE B

MUNICIPALITY OF SWAKOPMUND

(064) 4104400
(064) 4104125
Fax2email: 0886519137
53 Swakopmund
NAMIBIA
www.swkmun.com.na
townengineer@swkmun.com.na

Ref No: E 9644, E 325, E 779 & E 697

Enquiries: J Angolo

14 July 2023

The Executive Director
Ministry of Urban and Rural Development
Private Bag 13289
WINDHOEK
10005
Namibia

tnewaya@murd.gov.na

Attention: Mr.T Newaya

Dear Sir,

APPLICATION TO LEVY COMPENSATION (BETTERMENT) FEES

In terms of Section 59 (1) and Section 9 of the Regulations of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), Swakopmund Municipal Council, as a local authority, is responsible for the enforcement of its zoning scheme and obliged to ensure that within a period of 12 months after the date of coming into operation of that scheme or within twelve months after the completion of the work, recovers from the owner whose land or building is so increased in value, an amount not exceeding seventy five percent (75%) of the amount of such increase.

The Minister of Urban and Rural Development in terms of Section 113 (1)(a) of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018), approved four (4) rezonings in June 2023, which amendments relates to the rezoning of the below that will be promulgated in the Government Gazette in August 2023:

- Rezoning of Erf 9644, Swakopmund Extension 18 from "Single Residential" with a density of 1:600 to "General Residential 2" with a density of 1:300;
- Rezoning of Erf 325, Swakopmund from "Single Residential" with a density of 1:900 to "General Residential 2" with a density of 1:250;
- Rezoning of Erf 779, Swakopmund from "Single Residential" with a density of 1:900 to "General Business" with a bulk of 1.0;
- Rezoning of Erf 697, Swakopmund from Single Residential" with a density of 1:900 to "General Business" with a bulk of 2.0;

Erf No	Township /Area	Previous Zoning	New Zoning	Old Land Value (N$)	New Land Value (N$)	Increase in Land Value (N$)	Compensation Fees	
							%	N$
325	Swakopmund	Single Residential (1: 900)	General Residential 2 (1:250)	471 000.00	940 000.00	469,000.00	20	93,800.00
9644	Swakopmund	Single Residential (1:600)	General Residential 2 (1:300)	1 385 000.00	1 812 000.00	427 000.00	20	85 400.00
779	Swakopmund	Single Residential (1:900)	General Business (Bulk 1.0)	1 269 000.00	1 950,000.00	681 000.00	40	272 400.00
697	Swakopmund	Single Residential 2 (1:900)	General Business (Bulk 2.0)	455,000.00	1 200 000.00	745 000.00	40	298,000.00

In terms of 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, the Honorable Minister's approval is hereby requested for the levying of betterment fees, not exceeding 75% of the increase in value in respect of the above-mentioned properties.

Attached are the Council Resolutions approving the rezonings as well as the valuations as obtained from Council's valuer: Messrs. The Trust & Estate Co. (Pty) Ltd.

Yours faithfully,

C McClune
GENERAL MANAGER: ENGINEERING SERVICES

RE/

Swakopmund Municipality

2023 -07- 18

General Manager
Engineering & Planning Services

MUNICIPALITY OF SWAKOPMUND

(064) 4104400
(064) 4104125
Fax2email: 0886519137
53 Swakopmund
NAMIBIA
www.swkmun.com.na
townengineer@swkmun.com.na

Ref No: E9644, E325, E779 & E697

Enquiries: JT Heita

26 July 2023

The Executive Director
Ministry of Urban and Rural Development
Private Bag 13289
WINDHOEK
10005
Namibia

tnewaya@murd.gov.na

Attention: Mr. T. Newaya

Dear Sir,

APPLICATION TO LEVY COMPENSATION (BETTERMENT)

In terms of Section 59 (1) and Section 9 of the Regulations of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), Swakopmund Municipal Council, as a local authority, is responsible for the enforcement of its zoning scheme and obliged to ensure that within a period of 12 months after the date of coming into operation of that scheme or within twelve months after the completion of the work, recovers from the owner whose land or building is so increased in value, an amount not exceeding seventy five percent (75%) of the amount of such increase.

The Minister of Urban and Rural Development in terms of Section 113 (1)(a) of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018), approved four (4) rezonings in June 2023, which amendments relates to the rezoning of the below that will be promulgated in the Government Gazette in August 2023:

- Rezoning of Erf 9644, Swakopmund Extension 18 from "Single Residential" with a density of 1:600 to "General Residential 2" with a density of 1:300;
- Rezoning of Erf 325, Swakopmund from "Single Residential" with a density of 1:900 to "General Residential 2" with a density of 1:250;
- Rezoning of Erf 779, Swakopmund from "Single Residential" with a density of 1:900 to "General Business" with a bulk of 1.0;
- Rezoning of Erf 697, Swakopmund from Single Residential" with a density of 1:900 to "General Business" with a bulk of 2.0;

Erf No	Pre-Zoning	Post Zoning	Difference	20% of the difference
Erf 9644, Swakopmund Extension 18	1 385 000.00	1 812 000.00	427 000.00	85 400.00

Erf No	Pre-Zoning	Post Zoning	Difference	40% of the difference
Erf 779, Swakopmund	1 269 000.00	1 950 000.00	681 000.00	272 400.00
Erf 3289, Swakopmund	455 000.00	1 200 000.00	745 000.00	298 000.00

Erf No	Pre-Zoning	Post Zoning	Difference	75% of the difference
Erf 325, Swakopmund	471 000.00	940 000.00	469 000.00	351 750.00

In terms of 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, the Honorable Minister's approval is hereby requested for the levying of betterment fees, not exceeding 75% of the increase in value in respect of the above-mentioned properties.

Attached are the Council Resolutions approving the rezonings as well as the valuations as obtained from Council's valuer: Messrs. The Trust & Estate Co. (Pty) Ltd.

Yours faithfully,

C McClune
GENERAL MANAGER: ENGINEERING AND PLANNING SERVICES
RE/

Swakopmund Municipality
2023 -07- 28
General Manager
Engineering & Planning Services

ANNEXURE C

Republic of Namibia

Ministry of Urban and Rural Development

Enquiries: Mr. T. Newaya
Tel: (+264+61) 297-5228
Fax: (+264+61) 297-5305

Government Office Park
Luther Street

Private Bag 13289
Windhoek, Namibia

Our Ref.: 1/1/
Your Ref.:

Mr. A. Benjamin
Chief Executive Officer
Municipality of Swakopmund
Private Bag 53
Swakopmund

Dear Mr. Benjamin,

SUBJECT: APPROVAL FOR LEVYING COMPENSATION FEES FOR ERVEN 325, 9644, 779 AND 697 SWAKOPMUND

The Minister has on 17th August 2023, approved your application for levying Compensation Fees (Betterment Fees) for Erven 325, 9644, 779 and 697 Swakopmund as indicated in the table below;

Erf No	Township /Area	Previous Zoning	New Zoning	Value before Rezoning (N$)	Value after Rezoning (N$)	Increase in Land Value (N$)/ Difference	Percentage change%	Compensation Fees N$
325	Swakopmund	Single Residential (1: 900)	General Residential 2 (1:250)	471,000.00	940,000.00	469,000.00	75	351,750.00
9644	Swakopmund	Single Residential (1:600)	General Residential 2 (1:300)	1,385,000.00	1,812,000.00	427,000.00	20	85,200.00
779	Swakopmund	Single Residential (1:900)	General Business (Bulk 1.0)	1,269,000.00	1,950,000.00	681,000.00	40	272,400.00
697	Swakopmund	Single Residential (1:900)	General Business (Bulk 1.0)	455,000.00	1,200,000.00	745,000.00	40	298,000.00

Yours Sincerely,

NGHIDINUA DANIEL
EXECUTIVE DIRECTOR

MINISTRY OF URBAN AND RURAL DEVELOPMENT
EXECUTIVE DIRECTOR
29 AUG 2023
PRIVATE BAG 12239
WINDHOEK

All official correspondence must be addressed to the Executive Director

ANNEXURE D

MUNICIPALITY OF SWAKOPMUND

(064) 410 4400
(064) 410 4125
Fax2email: 0886519137
53 Swakopmund
NAMIBIA
www.swkmun.com.na
townengineer@swkmun.com.na

Ref No: 16/1/4/1/1
E 325

Enquiries: J. Heita

1 September 2023

Managing Director
Van der Westhuizen Town Planning & Properties
P. O. Box 1598
SWAKOPMUND
10005
Namibia

andrew.namfu@gmail.com

Attention: Mr Van der Westhuizen

Dear Sir,

LEVY COMPENSATION (BETTERMENT): REZONING ERF 325, SWAKOPMUND

The above mentioned subject matter bears reference.

- Kindly be informed that the levying of compensation (betterment fees) for above-mentioned erf from "Single Residential" with a density of 1:900 to "General Residential 2" with a density of 1:250; was approved by the Ministry of Urban and Rural Development on **28th August 2023** (copy attached) and is now payable.

Erf No	Pre-Zoning	Post Zoning	Difference	75% of the difference
Erf 325, Swakopmund	471 000.00	940 000.00	469 000.00	351 750.00

Municipal Bank Details :
Swakopmund Municipality
FNB Swakopmund Branch
Acc. No. 62249603300
Branch Code 280472
Cheque Account
Swift code FIRNNAXX

Please email proof of payment to jangolo@swmun.com.na or jbatley@swkmun.com.na.

Should you have any further queries, please do not hesitate to contact the General Manager: Engineering and Planning Services, Mr. C McClune, at telephone number (064) 410 4400 or email at townengineer@swkmun.com.na.

Yours faithfully,

C McClune
GENERAL MANAGER: ENGINEERING AND PLANNING SERVICES

Re/

Copy: GM: Finance Department
: Building Inspectorate

Swakopmund Municipality
2024 -09- 04
General Manager
Engineering & Planning Services

ANNEXURE E

NOTIFICATION OF PAYMENT

Dear: To Whom It May Concern

First National Bank Namibia hereby confirms that the following payment instruction has been received:

Date Actioned	: 2023/07/24
Time Actioned	: 11:12:52
Trace ID	: WW7W79LB

Payer Details

Payment From	FNB CUSTOMER
Curr/Amount	NAD93800.00

Payee Details

Recipient/Account no	: ..603300
Name	: SWAKOPMUND MUNICIPALITY
Bank	: FNB
Branch Code	: 282672
Reference	: ERF 325 BETTERMENT B

END OF NOTIFICATION

To authenticate this Payment Notification please visit the First National Bank of Namibia Limited website at fnbnamibia.com.na, select the "Verify Payment" link and follow the on-screen instructions.

Our customer (the payer) has requested First National Bank of Namibia Limited to send this notification of payment to you. Should you have any queries regarding the contents of this notice, please contact the payer. First National Bank of Namibia Limited does not guarantee or warrant the accuracy and integrity of the information and data transmitted electronically and we accept no liability whatsoever for any loss, expense, claim or damage, whether direct, indirect or consequential, arising from the transmission of the information and data.

NOTIFICATION OF PAYMENT

Dear: Null

First National Bank Namibia hereby confirms that the following payment instruction has been received:

Date Actioned	: 2023/09/07
Time Actioned	: 12:29:06
Trace ID	: 8HFTJKMB
Payer Details	
Payment From	FNB CUSTOMER
Cur/Amount	NAD257850.00
Payee Details	
Recipient/Account no	: ..603300
Name	: Swakopmund Municipal
Bank	: FIRST NATIONAL BANK
Branch Code	: 282672
Reference	: Betterment Erf 325

END OF NOTIFICATION

To authenticate this Payment Notification please visit the First National Bank of Namibia Limited website at fnbnamibia.com.na, select the "Verify Payment" link and follow the on-screen instructions.

Our customer (the payer) has requested First National Bank of Namibia Limited to send this notification of payment to you. Should you have any queries regarding the contents of this notice, please contact the payer. First National Bank of Namibia Limited does not guarantee or warrant the accuracy and integrity of the information and data transmitted electronically and we accept no liability whatsoever for any loss, expense, claim or damage, whether direct, indirect or consequential, arising from the transmission of the information and data.

ANNEXURE F

Republic of Namibia

Ministry of Urban and Rural Development

Enquiries: T. Newaya
Tel: (+264+61) 297-5186
Fax: (+264+61) 297-5305

Government Office Park
Luther Street

Private Bag 13289
Windhoek, 10001
Namibia

Our Ref.:
Your Ref.:

The Chairperson
Scientific Society Swakopmund
PO Box 361
Swakopmund
NAMIBIA

Dear Mr. Ulli Grosse-Weischede,

SUBJECT: REQUEST FOR WAIVING / LOWERING THE BETTERMENT FEE LEVY OF ERF 5856, SWAKOPMUND TOWN PLANNING AMENDMENT SCHEME NO. 70 AND REDUCING OF BULK TO 1.0

Your letters dated 24 February 2022 and 24 March 2022 have reference.

The Board took note of the above mentioned letters addressed to the Ministry of Urban and Rural Development on the above subject matter. The Board, at its meeting held on 20 and 21 April 2022, recommended that the Scientific Society of Swakopmund make a formal application through its registered Town Planner for the rezoning of the said erf.

With regard to the request for lowering of the betterment fee levy, it is recommended that the Society must refer the application to the Municipality of Swakopmund.

Yours faithfully,

SECRETARIAT
URBAN AND REGIONAL PLANNING BOARD

Ministry of Urban and Rural Development
Division: Planning
20 JUN 2022
P / Bag 13289
WINDHOEK

Cc: Prof. G. Tötemeyer
Vice-Chairperson: Scientific Society Swakopmund

Cc: Mr. A. Benjamin
Chief Executive Officer: Municipality of Swakopmund

8. ANY OTHER BUSINESS

8.1 REQUEST FOR WAIVING/LOWERING THE BETTERMENT FEE LEVY OF ERF 5856, SWAKOPMUND TOWN PLANNING AMENDMENT SCHEME NO. 70 AND REDUCING OF BULK TO 1.0

The Board took note of the letter dated 24 March 2022 addressed to the Ministry of Urban and Rural Development on the above subject matter. The Board recommended that the Scientific Society of Swakopmund make a formal application through its registered Town Planner for the rezoning of the said erf.

With regard to the request/lowering of the betterment fee levy, the Society must refer the application to the Municipality of Swakopmund.

8.2 ITEM 259/2016: NARRAVILLE EXTENSION 9: ESTABLISHMENT OF THE TOWNSHIP AND LAYOUT APPROVAL ON FARM NO. 63, A PORTION OF THE FARM WANDERDÜNEN NO. 23 (MUNICIPAL COUNCIL OF WALVIS BAY) (Nar.A/9-MD-8CC-V2)

The Board recommended that the matter be approved.

8.3 ITEM 28/2018: NARRAVILLE EXTENSION 10: ESTABLISHMENT OF THE TOWNSHIP AND LAYOUT APPROVAL ON FARM NO. 64, A PORTION OF THE FARM WANDERDÜNEN NO. 23 (MUNICIPAL COUNCIL OF WALVIS BAY) (Nar.A/10-MD-8CC-V2)

The Board recommended that the matter be approved.

8.4 WITHDRAWAL OF APPROVAL OF ITEM 204/2019 DATED 16 JUNE 2021: ONETHINDI EXTENSION 1: AMENDMENT OF CONDITIONS OF ERF 486 IN GOVERNMENT GAZETTE NO. 3632 DATED 15 MAY 2006

The Board took note of the double approvals and recommended that the application under Item No. 204/2019 dated 16 June 2021 be withdrawn.

The Board recommended that the decision of Item No. 204/2019 dated 10 September 2019 remains.

8.5 DORADO PARK EXTENSION 1: REZONING OF ERF 1488 (MUNICIPAL COUNCIL OF WINDHOEK / PLAN AFRICA CONSULTING CC)

The Board recommended that the matter be deferred to a next meeting. The Secretary of the Board must request the withdrawal of this case from our government attorney.

11.1.15 **WRITING OFF OF REDUNDANT EQUIPMENT: OFFICE OF THE MAYOR / CHIEF EXECUTIVE OFFICER**
(C/M 2024/08/08 - 3/18/1, 16/2/6/1)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **8.7** page **121** refers.

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

The following items have become redundant and therefore need to be written off:

Description	Serial Number	Reason
Samsung Lazer Multifunction Fax/Printer Model: SF-650P + Cartridge	*Z2VOBFBB600211Z*	*The fax machine is not in use anymore*
Nikon CoolPix L810 Camera	*18208925353 / 90004203*	*Not Functioning anymore*
Panasonic Video Camera + Battery + Bag and strap + Charger – Model NV-RX2B	*I6HC00486*	*Not in use anymore & Outdated*
HP Officejet 7110	*CN31L1TGHD*	*IT confirmed and tested that the printer is not functional anymore*

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

RECOMMENDED:

(a) **That approval be given that the following items being redundant and inoperative on the inventory of the Mayor/Chief Executive Officer's Office be writing-off:**

Description	Serial Number	Reason
Samsung Lazer Multifunction Fax/Printer Model: SF-650P + Cartridge	***Z2VOBFBB600211Z***	***The fax machine is not in use anymore***
Nikon CoolPix L810 Camera	***18208925353 / 90004203***	***Not Functioning anymore***
Panasonic Video Camera + Battery + Bag and strap + Charger – Model NV-RX2B	***I6HC00486***	***Not in use anymore & Outdated***
HP Officejet 7110	***CN31L1TGHD***	***IT confirmed and tested that the printer is not functional anymore***

(b) **That the Chief Executive Officer and the Chairperson of the Management Committee determine the upset prices for the redundant items.**

11.1.16 **REQUEST FOR FUNDS TO CONSTRUCT RAISED INTERSECTIONS ON REGENSTEIN STREET**
(C/M 2024/08/08 - 16/1/6/1)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **8.8** page **122** refers.

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

1. INTRODUCTION

Regenstein Street has been plagued by a persistent problem of reckless driving, endangering the lives of its residents and causing damage to both public and private property. This street, primarily residential, sees a high volume of traffic with drivers often exceeding speed limits, posing significant safety risks. In response to this ongoing issue, residents have taken matters into their own hands by digging trenches across the road. These temporary deterrents, while highlighting the urgency of the problem, are not sustainable or safe solutions.

The current gravel road condition further complicates the situation. Standard traffic calming measures, such as speed bumps and pre-warning traffic markings, are impractical due to the lack of a paved surface. The maintenance costs associated with gravel roads, combined with insufficient sidewalk infrastructure and inadequate street lighting, aggravate the problem, making it clear that a more permanent and effective solution is required.

To address these challenges comprehensively, we propose the construction of four raised intersections along Regenstein Street. Raised intersections function similarly to speed humps but cover the entire intersection, providing a more substantial deterrent to speeding while enhancing pedestrian safety and accessibility.

2. PROPOSAL

This submission seeks Council approval for the allocation of N$1.2 million to construct four raised intersections in Regenstein Street. This measure is intended to reduce speeding, enhance safety, and improve the overall quality of life for residents.

3. PROBLEM STATEMENT

The current gravel road conditions on Regenstein Street make it challenging to implement standard traffic calming measures. The following factors limit the effectiveness of conventional traffic calming methods:

(a) ***Pre-Warning Road Traffic Markings***: *The gravel surface is not suitable for durable traffic markings, reducing the visibility and effectiveness of pre-warning signals.*
(b) ***Maintenance Costs***: *Gravel roads require frequent and costly maintenance, escalating the long-term financial burden on the Council.*
(c) ***Sidewalk Infrastructure***: *The absence of proper sidewalks increases pedestrian vulnerability and complicates the implementation of standard calming measures.*
(d) ***Street Lights***: *Poor lighting conditions contribute to the hazards faced by pedestrians and drivers alike.*

4. PROPOSED SOLUTION: RAISED INTERSECTIONS

Raised intersections are a strategic traffic calming measure that covers an entire intersection, featuring ramps on all approaches and a flat-top area typically made from textured material. They are effective in reducing vehicle speeds and enhancing pedestrian safety. The flat-top area rises to sidewalk level, or slightly below, aiding visually impaired pedestrians and ensuring accessibility.

4.1 Advantages

- ***Effective Speed Reduction**: The raised design naturally slows down vehicles without the need for extensive road markings.*
- ***Safety for Pedestrians**: The elevation improves pedestrian visibility and crossing safety.*
- ***Durability**: Raised intersections are more durable than temporary measures and require less frequent maintenance.*
- ***Minimal Impact on Parking**: They maintain on-street parking availability, which is critical in residential areas.*

4.2 Disadvantages

- ***Initial Cost**: The initial construction cost is higher compared to some temporary measures.*
- ***Potential Noise**: Vehicles passing over raised intersections may generate more noise, which can affect nearby residents.*
- ***Construction Disruption**: Temporary road closures during construction can inconvenience residents and drivers.*

5. FINANCIAL IMPLICATIONS

The total cost for constructing four raised intersections, including the installation of street lights, is estimated at N$ 1.2 million. This cost includes materials, labor, and necessary roadwork adjustments to ensure the intersections meet safety standards.

6. CONCLUSION

Investing in raised intersections on Regenstein Street is a proactive approach to address the ongoing issues of reckless driving and improve safety for all residents. The long-term benefits of reduced maintenance costs, enhanced safety, and improved community well-being justify the initial investment.

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

RECOMMENDED:

That the Management Committee approves funds to allow the General Manager: Engineering & Planning Services to start with the construction of traffic calming measures in Regenstein Street to improve traffic and pedestrian safety.

11.1.17 **ACCOUNT HOLDERS RECEIVING SOCIAL AND DISABILITY GRANTS**
(C/M 2024/08/08 - 3/11/1/2/1/6)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **8.9** page **124** refers.

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

INTRODUCTION

With the registration exercise for writing off bad debts for Senior Citizens, the Council has also and is still receiving applications from account holders receiving social and disability grants from the Central Government. The emphasis being that the amount they receive in the form of the social grant is their only means to sustain their livelihood. **(Annexure "1")**

STATUS QUO:

Currently there are no rebates or special tariffs for a Debtor Type of any account holder categorized under the Social or Disability Grant status.

DELIBERATION:

This submission proposes the implementation of such special tariffs for account holders receiving social and disability grants. The initiative aims to provide financial relief to vulnerable members of our community who rely on these grants for their basic needs. Furthermore, the purpose of this submission is for the Council to take note of these applications and cogitate how best the Council can attend to their plea in respect of their service account outstanding balances. Resultantly, the Council will play a vital role to improve the financial well-being and promote greater financial inclusion within the community at large. As part of the Council's corporate social responsibility, thus a recommendation that the Council pursue the idea of introducing a reduced basic tariff or special tariff for these categories of account holders. Hereunder are the proposed special tariffs, being the same tariffs as those for the Senior Citizens.

No.	***Proposed Special Tariff***	***Rate (N$)***
1.	*Water*	*25-00*
2.	*Waste (Refuse Removal)*	*71-00*
3.	*Waste (Sewerage)*	*168-40*

In order for the account holders to qualify for the above-stated, the property / erf must be registered in their respective names. Implementing special tariffs for social and disability grant recipients demonstrates the Council's commitment to supporting the vulnerable population.

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

RECOMMENDED:

(a) That Council approves the special tariffs for the Account Holders receiving Social and Disability grants, with registered Properties in their names.

NO.	PROPOSED SPECIAL TARIFF	RATE (N$)
1.	Water	25-00
2.	Waste (Refuse Removal)	71-00
3.	Waste (Sewerage)	168-40

(b) That those Account Holders renting properties must submit their rental agreements in order to qualify for the special tariffs.

(c) That the General Manager: Finance start with the registration of the permanently disabled account holders receiving social grants from the Central Government with properties registered in their names and that their service account balances be submitted to Council.

ANNEXURE "1"

OFFICE OF THE CEO
MUNICIPALITY
SWAKOPMUND
NAMIBIA

24 June 2024

DEAR SIR/MADAM

REQUESTING FOR CANCELLATION OF WATERBILLS DEBT OF DISABILITY GRANT RECEIVER MUNICIPALITY CLIENTS

I greet you and thank you for your transparency and inclusivity, and I appreciate your effort and hard work to advance the development and economy of our town, job creation and eradicate poverty. I am a disability grant receiver due to a chronic sickness, me and my wife own a house in Swakopmund, Matutura, erf 2252, Linea Edwards street and we have accumulated water bills during corona epidemic that is beyond us settling it with Municipality over the past four years now.

I have approach the Municipality finance head and department concerning my issue; who refer me to CEO or Council. If I recall well recently we witness the Municipality cancelling the pensioner's house owner water bills debts in Swakopmund in the beginning of these year. In this light I am humbly requesting for the CEO or Council to consider cancelling or reduce water bills for the disability grant receivers who owns houses including myself in Swakopmund and give the disability grant receivers lower tariffs for water bills, just like the Erongo Red in electricity tariffs to the pensioners.

Thank you so much for your consideration, humbly waiting for your reply.

Yours sincerely

Mr. Benjamin Vetjoza
Email: bvetjoza@gmail.com
Contact: +264 81 673 3497

FW: Disability grant Water bills

AS Annalize Swart
To Hellao Naruseb
Cc Gaudensia Mukena; Alina Flower N. Shikongo

Public

OFFICE OF THE CEO LETTER.docx
15 KB

GM:Finance

1. *Correspondence for your kind attention, action, and response.*
2. *Correspondence acknowledged.*
3. *Correspondence recorded.*

Annalize Swart | Executive Assistant to the Chief Executive Officer | Chief Executive Office | +264 64 410 4100

From: Benjamin Vetjoza <bvetjoza@gmail.com>
Sent: Monday, June 24, 2024 2:07 PM
To: Annalize Swart <aswart@swkmun.com.na>
Subject: Disability grant Water bills

Afternoon

Sir/Madam
Please find attached.

Thank you

BO080-Current Account Details

Owner | Erf | Acct | O/T | Meter | Age A | Sum | CR

```
Account Number:          70328500016  OWNER          DP TSAMASES
Term-D:                               Stand:         001 070 00003285 00000 0000 0000
Clearance Appl.Date:                  Addr:          3285 BENGUELLA GROUP
Clear Cert.Print:        N            Post.Add:      P O BOX 8045
Sect-Title:                                          SWAKOPMUND
Clear.Dates from:
to:                                                  13001
ID:                      84011610240  Cmplx:
Total H/O:                            Coll:                                  HO C - PAID UP
Deb Tp:                  40 - BENGUELLA H
```

202406 PENDING / UNALLOCATED Receipts 0.00

Options	Tran Date	Description	Reference	Tariff	Debit	Credit	Vat
Option		TOTAL			70647.71		
Option			CURRENT	BAL:	70647.71		
Option		CASH UNTIL-	20240626				
Option							
Option							
Option							
Option							
Option							
Option							
Option							

No-Dep: 1 No-Notes: 165 No-Ext/Arr: Due-Date: 20240708

OK | Home | Quit | More

REPUBLIC OF NAMIBIA

MINISTRY OF HEALTH AND SOCIAL SERVICES

State Hospital
Rakotoka Street
Private Bag 5001
Swakopmund

Enquiries: Ms Gaeses

Date: 16 January 2021

OFFICE OF SWAKOPMUND DISTRICT SOCIAL WELFARE SERVICES

SOCIAL CIRCUMSTANCES ASSESSMENT REPORT

DETAILS OF PROFESSIONAL WHO PROVIDED PSYCHOSOCIAL SUPPORT SERVICES TO THE CLIENT

NAME: Petronella Haresta Gaeses

Profession: Social Worker

HPCNA Registration No: SWO-00949

Employer: Ministry of Health and Social Services

Duty Station: Swakopmund State Hospital

Town: Swakopmund

Region: Erongo

Telephone Contact: 0644106075

1. CLIENTS IDENTIFYING INFORMATION

1.1 Name: Desiree Esamases

1.2 D.O.B: 16.01.1981

1.3 Gender: Female

1.4 Marital Status: Single

1.5 Residential Address: 3285 Regenstein Street, Tobias

1.6 Postal Address: N/A

1.7 Employment Status: Unemployed

1.8 Contact number: 0813032874

2. BACKGOUND INFORMATION

2.1 The client (Ms Desiree Isaaks) came to the Social Workers office on the 20th of September 2022 to seek assistance from the Social Worker. Amongst various issues,the client shared the struggle of keeping her water bill up to date due to financial constraints. The client was born in Swakopmund and she completed her grade 12 in Swakopmund. The client was employed as a domestic worker but prior to the medical diagnosis (Attention Deficit Hyperactivity Disorder (ADHD) and Autism Spectrum Disorder) of her twin children this leading to loss of employment.

During 2018 the client wrote a letter to the Municipality of Swakopmund as she was unable to pay for her water bill due to financial constraints as the twins needed to be in special school. Furthermore: in 2019 the client went on a television interview to seek assistance from the nation however people only promised to render assistance and did not deliver. In 2020 the client was assisted by a good samaritan to install prepaid electricity as the client was unable to pay [illegible]

Since seeking assistance from the Social Worker the client has made strides to help [illegible] of self sustainability of which she decided to build two (2) shacks to rent out as a tuck shop. The client at times helps the previous employer when she is in a dire need in exchange for making ends meet but this is only for a period of eight (8) days a month.

The Social Worker conducted a home visit on the 08th of December 2023 to assess the [illegible] circumstances of the client in order to render the best possible service to the client and her family. The report entails the findings of the home visit that was conducted as well as the sessions held with the client thus far.

3. HOUSING CONDITION AND ENVIRONMENT

3.1 There are a total of twelve (12) people living in the yard of which two (2) are adults (the client and her younger sister) and ten (10), the client's five (5) children and the younger sister's five (5) children) living in the Tulinawa settlement, in Mondesa in a house owned by the client. The house is build with hardboard, it has one (1) large room which is divided with curtains into four (4) rooms of which three (3) are bedrooms and one (1) is used as a kitchen and living room. Furthermore

there is a toilet build of hardboard outside as well as prepaid electricity and clean tap water which is cut off currently due to a high water bill. Additionally, there are three (3) shacks in the yard of which two (2) are rented out as tuck shops and one (1) is occupied by the client's sister and her children.

3.2 The client shares her room with two (2) of her youngest children, while the son has his own room as well as the two (2) eldest daughters, however the rooms are not spacious enough as only beds are able to fit in the bedrooms with a tiny space for movement. The client has a double bed whilst the three (3) eldest children each have a single bed of their own.

3.3 The yard is not so spacious as there are a total of five (5) shacks build in the same yard however the yard and houses are fairly kempt.

3.4 The neighborhood is peaceful and there are no shebeens in the surrounding or street neither is the house situated on the main road. The client resides next to a soup kitchen and it only gets busy on the days the soup is offered to the community. The client stated the family has good communication with the neighbours from the time the house was built up-to date and is currently being assisted with water by the one of the neighbours".

4. SOCIAL CIRCUMSTANCES

4.1 The client is a forty (46) year old single parent of a total of five (5) children which are sixteen (16) year old female twins named "Faith Tsamases and Grace Tsamases, a fifteen (15) year old male named Gift Tsamaseb, a nine (9) year old female by the name Fortune Tsamases and a three (3) year old female named Elsie Tsamases. She is unemployed due to the medical diagnosis of her eldest twin daughters however she is the sole breadwinner. As per the client the father of the children abandoned her and they are not in any contact neither does she get any financial assistance from him. The client completed her grade twelve (12) however she is unemployed due to the medical diagnosis of her twin children. The client's younger sister also does domestic work and is responsible for her five (5) children. From the ten (10) children living at the client's house, seven (7) are still in school while three (3) are minor children that are not in school.

4.2 The only source of fixed income is the disability grant (N$ 2800.00) for the twins and N$ 1400.00 from renting out the two (2) shacks for the tuck shops which was built in November 2023 which brings the total monthly income to N$ 4200.00. The expenses were stated as follows:

water from the neighbour	N$ 400.00
groceries for	N$ 1800.00
funeral cover for the family for	N$ 185.00
Home Choice account for	N$ 100.00
Electricity	N$ 500.00
Total expenses	N$ 2985.00

- Additionally the twins had to drop out of special school due to the financial constraints that the client is experiencing. The special school is private thus the cost of school and transport was beyond what the client earned however it is the wish of the client to get the twins back to school.

4.3 The family is from the Tuberculosis house and most of the time the "alcohol choice" [illegible] on Sundays. According to the client she does not have any leadership positions or committees as she barely has time due to taking care of the twins.

4.4 Due to the nature of the twins medical diagnosis the client stated the family does not [illegible] offer to do social activities as a family. As per the client she is unable to go to the park or the beach [illegible] a year.

5. FAMILY RELATIONS AND SUPPORT

5.1 The client is the first (1st) born child of her parents and she has three (3) [illegible] resides with her younger sister who does domestic work and [illegible] constraints. Furthermore the client stated that majority of the relatives lives in Windhoek however she is only assisted by two (2) of her maternal uncles when she is in a dire need. The client has no other support except the mentioned two (2) uncles.

6. PROFESSIONAL EVALUATION

6.1 According to the client getting water in a small tank from the neighbour is a [illegible] as a assistance as she has to use the water sparingly to avoid being cut off by the neighbour.

6.2 In the professional opinion of the Social Worker the client has [illegible] to support herself and the children such as renting out of shacks and the use of tuck shops for an extra income. The presence of strangers in the yard from the operation of tuck shops can also be a stressful factor for the twins as they get uncomfortable with strangers.

7. RECOMMENDATIONS

7.1 The Social Worker recommends that the Municipality of Swakopmund renders assistance to the client to pay for the water bill with a lower premium as it will be agreed upon by the client and the Municipality of Swakopmund.

7.2 The Social Workers from the Ministry Of Gender Equality, Poverty Eradication and Social Welfare, Ministry of Health and Social Services as well as the family [illegible] organisations stakeholders to seek for assistance to help the children and the client.

8. CONCLUSION

8.1 In conclusion, equality and equity needs to be considered when decisions are taken in the best interest of the stakeholders as well as the client involved in service provision [illegible] the client's ability to pay for the water bill at a [illegible] and [illegible] allowing her to do so.

9. Report Compiled by:

9.1 Signature:

Ms. Petronella Fiaresta Gaeses
Medical Social Worker
Swakopmund District Hospital
Erongo Region

Verified by
Mr. Martin Nimo
Senior Social Worker
Swakopmund District Hospital
Erongo Region

11.1.18 **RE-PURCHASING OF ERF 3193, MONDESA FOR INFORMAL TRADING ACTIVITIES**
(C/M 2024/08/08 - 14/1/3/1, 3193, 1183, 1152 M)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **10.2** page **06** refers.

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

1. Introduction

This submission is seeking the Council's approval to repurchase Erf 3193, Mondesa from the current owners offering the Council a price of N$5 Million excluding transfer costs (**Annexure "A"**). It further requests the Council to approve the planning and development of trading facilities at Erven 1183 & 1152, Mondesa.

2. Background

The Council considered the proposal to rearrange informal vendors trading from street corners/pavements and passed the following decision on **30 July 2020** under item 11.1.8:

(a) That the approval of the minimum requirements as Annexure "A" (on file) for informal trading activities in Swakopmund be condoned.

(b) That these minimum requirements be incorporated into the informal Trading by-law.

(c) That Council approves the repurchasing of Erf 1152, Mondesa, measuring 600 m², at a market-related price or exchange the erf with an appropriate business erf in Matutura.

(d) That Council approves the repurchasing of Erf 3193, Mondesa at a market related price or exchange the erf with an appropriate business erf in Matutura.

(e) That upon Council approval of repurchasing / exchanging of erven 1152 and 3193, Mondesa, Corporate Service and Human Capital department engages the property owners and ensures that all statutory procedures are followed.

(f) That once purchased / exchanged, Erf 1152 and Erf 1183 be consolidated and rezoned into a Local Authority.

(g) That Engineering and Town Planning Services provide cost estimates of the projects.

(h) That Engineering and Town Planning Services assist with the design and planning of the permanent Open Market Structure.

(i) That committees be establish amongst all groups.

After the above Council resolution passed, Corporate Service and Human Capital (property section) engaged the owners of both properties (i.e. 1152 & 3193, Mondesa). The exchange process of Erf 1152 was implemented and successfully done, however, efforts to get an offer from the owners of Erf 3193 proved futile for the past three years after the Council resolution above. It was further noted that in the case of Erf 3193, there was no other alternative property in Matutura to exchange, hence the option of repurchasing the erf.

Erf 3193, Mondesa, measuring 1679m² was initially owned by PUMA Energy (Namibia) Pty Ltd, however, the property was sold to the new owner, ACER Petroleum Namibia Pty Ltd in November 2019. The property has lied idle for decades and informal traders have been trading from this property for many years. The proximity of this erf to the current open markets makes it a

suitable area to develop an open market trading facility to accommodate vendors currently trading from that area and surrounding.

The issue of controlling informal street vendors was again submitted to the Council with some additional proposals in February 2024 which Council resolved the following under item 11.1.25:

(a) That the Economic Development Services Department be given permission to carry out the scoping exercise to ascertain whether the locations listed below are suitable and appropriate for use as trading area, where street vendors may be temporary or permanently relocated:

- *Erf 8665, Extension 31, DRC*
- *Erf 1145, Extension 6, Matutura*
- *Erf 2461, Extension 10, Matutura*
- *Erf 2856, Mondesa*
- *Erf 4369, Mondesa*
- *Erf 4370, Mondesa, Extension 7*
- *Erf 4372, Mondesa, Extension 7*
- *Erf 4371, Mondesa, Extension 8*
- *Erf 6928, Block 3, Mondesa*
- *Central Business District*

(b) That the Economic Development Services Department investigates the appropriate rental fees which must be in line with the current fees charged for open markets and business trading facilities as gazetted.

(c) That Council explore the possibility of deploying the service of security companies to monitor and help curb illegal street vendors around Swakopmund.

(d) That Council submit the matter regarding minor children operating illegally on the streets at the Safety and Security Forum where various stakeholders are involved to seek for an amicable solution.

3. Discussion

The Economic Development Service Department (EDS) started with its investigation to ascertain the availability as well as the suitability of identified erven to accommodate and control the informal trading vendors. It has been identified that most street vendors are concentrated in Mondesa surrounding the main retail shops such as Woermann Brock, and Usave Shoprite as well as on undeveloped properties such as Erf 3193 and 4790 (belongs to Immanuel Lutheran Parish) along Mandume Ndemufayo avenue.

It is vital that the issues of street vendors receive the Council's utmost attention as more complaints are being received from business owners who are badly affected by these informal trading activities. **Annexure "C"** is a letter received from Woerman Brock Mondesa management highlighting the unhygienic and unsafe trading conditions in which the street vendors are conducting business in front of their properties. Another complaint (**Annexure "D")** has been received from Mr Shitaleni threating to take legal action against the Council regarding the vendors trading in front of their property Erf 525 in Mandume Ndemufayo.

Although efforts have been done in the past to provide trading cubicles on the pavement to improve the image and hygienic condition of the informal vendors, the situation has attracted more vendors trading in the area, and becoming a bigger challenge to control these activities.

EDS thus engaged the owner of Erf 3193, Mondesa, Mr Pollais who eventually responded and willingly offered Council a repurchase price of **N$ 5 million excluding transferring costs**. The owner indicated that this

price of the property was determined based on the costs incurred in environmental and feasibility studies conducted in terms of developing a filling station at the erf. According to the Council valuator, Trust & Estate Co, the current market value of the erf is **N$ 3 million** taking into consideration the 20% decrease in property prices from 2019 - 2023.

It has been noted that Acer Petroleum Pty Ltd has an outstanding Municipal account as of 22 May 2024 of **N$38 143.58**.

Proposal

Given the background above and in an effort to address the issues of informal trading activities in Mondesa, the Economic Development Service Department proposes the following short to long-term solutions to controlling informal traders in Swakopmund, particularly in Mondesa:

1. *Council accepts the offer to repurchase Erf 3193, Mondesa, at price of N$ 5 million minus all the outstanding Municipal fees.*
2. *Once repurchased, the area be flattened and temporary demarcated for the vendors.*
3. *Council start with the development of erf 1183 & 1152 to establish the market site and accommodate all vendors trading in surrounding streets and pavement in front of Woerman Brock Mondesa*
4. *Provision be made for the basic services (i.e. ablution facilities and water), particularly at the market site near Woerman Brock Mondesa.*
5. *Engineering Services assist with paving the area and installing an ablution facility at the market area.*
6. *A monthly rental price be determined for the vendors at all the market sites once established.*

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

RECOMMENDED:

(a) That Council authorises the Economic Development Services Department and the Corporate Services and Human Capital to negotiate with the owner of Erf 3193, Mondesa for a possible reduction in price; whereafter Council will decide whether or not to purchase the erf.

(b) That provision for a minimum of five (5) toilets as well as freshwater tap be developed for the Open Market facility on Erven 1183 & 1152, Mondesa

(c) That the Engineering and Planning Services Department assists with the temporary planning and preparation of the market sites on all 3 Erven (i.e. 1183 & 1152 and 3193, Mondesa).

ANNEXURE "A" - OFFER PURCHASE PRICE

From: Rauna Shipunda
Sent: Thursday, 13 June 2024 09:58
To: Lucia Kaulinge
Subject: FW: Property Sale (Erf 3193 Mondesa)

RECORDS & ARCHIVES
13 JUN 2024
MUNICIPALITY OF SWAKOPMUND

Good Morning Mee Lucy

I am currently compiling a submission regarding the property in subject matter. Kindly confirm if the correspondence below is already recorded, if not please record and forward me the recorded copy so I can attach it to the submission.

I trust the above is in good order,

Best regards

Rauna Shipunda | Economic Development Officer | Economic Development Services | +264 64 410 4612

From: Vilho Kaulinge <vkaulinge@swkmun.com.na>
Sent: Monday, May 20, 2024 11:01 AM
To: Rauna Shipunda <rshipunda@swkmun.com.na>
Subject: FW: Property Sale (Erf 3193 Mondesa)

fyi

Vilho Kaulinge | General Manager: Community & ECO | Economic Development Services | +264 64 410 4601

From: Vilho Kaulinge <vkaulinge@swkmun.com.na>
Sent: Thursday, 16 May 2024 10:15 am
To: Vernon Pollais <vtpconsult@gmail.com>
Subject: Re: Property Sale (Erf 3193 Mondesa)

I will do that as soon as possible sir.
Thanks

Get Outlook for iOS

SWAKOPMUND

VILHO KAULINGE
General Manager: Community & ECO | Economic Development Services
Municipality Swakopmund

cnr Rakotoka Street & Daniel Kamho Avenue | Swakopmund
Office: +264 64 410 4601 | Email: vkaulinge@swkmun.com.na
www.swkmun.com.na

From: Vernon Pollais <vtpconsult@gmail.com>
Sent: Thursday, May 16, 2024 10:08:04 AM
To: Vilho Kaulinge <vkaulinge@swkmun.com.na>
Subject: Fwd: Property Sale (Erf 3193 Mondesa)

Date: Mon, May 13, 2024 at 1:31 PM
Subject: Re: Property Sale (Erf 3193 Mondesa)
To: Vilho Kaulinge <vkaulinge@swkmun.com.na>

Good Day Mr. Kaulinge

Herewith a kind request to revert to me as soon as you are done with the Consultation with the Council regarding the Procurement of Erf 3193 in Mondesa.

Regards

Vernon

On Fri, May 10, 2024 at 12:47 PM mayank@mountmerugroup.com <mayank@mountmerugroup.com> wrote:

Dear Mr Kalunge,

Hope you would be doing fine.

We were looking at 5.6 million NAD for that ERF but in interest of business and to cover our cost/financial implications /paper work done to deploy filling service station with MME and environment Ministry. So after couple of iterations with you and Vernon, we finalized the last price for this ERF would be 5 million NAD and transfer cost on buyer.

We are sending this email after our concall and wanted to keep it on records.

rgds,
Mayank

From: Vernon Pollais <vtpconsult@gmail.com>
Sent: 10 May 2024 10:40
To: Vilho Kaulinge <vkaulinge@swkmun.com.na>
Subject: Property Sale (Erf 3193 Mondesa)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Subject: Follow-Up on Commercial Property Sale

Good Day Mr. Kaulinge

I hope this email finds you well. Following our recent discussion regarding the Commercial Property Erf 3193 in Swakopmund, Mondesa, I wanted to provide you with further details regarding the Sales price and Additional value added to the Property by Acer Petroleum Namibia (Pty) Ltd.

As mentioned during our conversation, the Sales price for the property stands at 5 million Namibian dollars (N$5 000 000.00). This Valuation reflects the added value brought about by various factors, including a Successful Environmental Impact Study conducted by Acer Petroleum Namibia, among other innovative business strategies.

Furthermore, I would like to inform you that our discussion will continue in the presence of the Managing Director of Acer Petroleum Namibia. We can arrange a telephone conversation as soon as I am with the Managing Director to further explore the details and potential opportunities associated with this property.

Should you have any questions or require additional information in the meantime, feel free to reach out to me directly.

Thank you for your attention to this matter, and I look forward to our continued collaboration.

Best regards

Vernon Theo Pollais

HR/IR and Legal Compliance Manager

of Acer Petroleum Namibia

ANNEXURE "B" - CURRENT MARKET VALUE OF ERF 3193 MONDESA

The Trust & Estate Co
PROPERTY VALUERS & ESTATE AGENTS

Offices: Windhoek | Coastal | Gobabis **Tel:** 061 231 224 **Email:** dhite@afol.com.na

CHIEF EXECUTIVE OFFICER
MUNICIPALITY OF SWAKOPMUND
P. O. BOX 53
SWAKOPMUND

24th May, 2024

ATT : S. BRUWER

RE : MARKET VALUE OF ERF 3193 MONDESA

Your email refers.

To determine the probable market value of a property, one must look at comparable sales.

I will make use of the **Comparable Sales Method** to determine the probable market value of the subject property.

The Comparable Sales Method is used where there is evidence of actual recent sales where the sales are analysed to produce rates which are then applied to value the subject property.

The following comparable properties were sold recently in the vicinity of the subject property namely:

ERF	SUBURB	ERF SIZE	DATE OF SALE	SALES PRICE	SELL OUT RATE – N$/M²	ZONING
4327	Mondesa	1 192 m²	16/06/2023	N$ 503 000	N$ 420	Business
4330	Mondesa	600 m²	23/09/2020	N$ 1 000 000	N$ 1 670	Business
8442	Swakop/Matatura	2 917 m²	02/10/2023	N$ 876 000	N$ 300	Business
8926	Swakop/Matatura	1 506 m²	06/05/2021	N$ 1 466 000	N$ 970	Business
8939	Swakop/Matatura	4 412 m²	22/01/2024	N$ 1 933 000	N$ 440	Gen Res
8940	Swakop/Matatura	2 617 m²	22/01/2024	N$ 1 231 000	N$ 470	Gen Res

2/

The above comparable sales were sold for an average price of **N$ 710 per m²**.
Also take note from above that property prices has decreased from 2019 - 2023 with ± 20 %.

Taking all the above into consideration, I estimate the probable market value of the subject property, as follows:

Erf 3193 Mondesa:

1 679 m²	@	N$ 1 775	=	**N$ 2 980 225**
Rounded Off				**N$ 3 000 000**

If you need any further information please contact me.

Kind regards,

D HITE/VALUER
24th May, 2024

ANNEXURE "C"
14/1/3/1

13

Annalize Swart

From:	Bernice Kisting <propadmin@yourwoermann.com>
Sent:	Tuesday, May 28, 2024 12:59 PM
To:	Thomas Shindume; Rosalia Neshuku; Abel Kationdorozu; Robeam Ujaha; Lydia Mutenda
Cc:	Annalize Swart; 'Andre Madison'; 'Andre Swart'; 'Diffie Henning'; 'Jemimah Tjivikua'; 'Security Supervisor'
Subject:	FW:
Attachments:	IMG-20240510-WA0011.jpg; IMG-20240510-WA0012.jpg; IMG-20240510-WA0008.jpg; IMG-20240510-WA0013.jpg; IMG-20240510-WA0016.jpg; IMG-20240510-WA0009.jpg; IMG-20240510-WA0005.jpg; IMG-20240510-WA0014.jpg; IMG-20240510-WA0018.jpg; IMG-20240510-WA0019.jpg; IMG-20240510-WA0004.jpg; IMG-20240510-WA0002.jpg; IMG-20240510-WA0017.jpg; IMG-20240510-WA0015.jpg; IMG-20240510-WA0006.jpg; IMG-20240510-WA0007.jpg; IMG-20240510-WA0008.jpg; IMG-20240510-WA0001.jpg; IMG-20240510-WA0020.jpg; IMG-20240510-WA0010.jpg; IMG-20240510-WA0003.jpg; RE: Street vendors - Mondesa

MONDESA MUNICIPALITY
28 MAY 2024
Office of the
Chief Executive Officer

Good day Everyone,

I am addressing the following matter to your office again after several attemps to get assistance. Kinldy refer to previous communictions attached as well is recent email received below.

We need to find a solution for this situation:

1. Hawkers next to the wall of the Supermarket - blocking the way as per email below also blocking the trucks that needs to collect waste etc, this is a constant battle – They are also sitting right next to the tenant doors and leaving the place dirty.
2. Certain spots were allocated to them to sell but no furhter facilities was provided, they make use of our palm trees as a toilet and to dump their waste water, causing horrible smells and attracing flies etc.

As mentioned all this has been brought under the attention of your office, we went as far as a site visite with promises to get solutions without any further assistance.

Kinldy advise on the way forward to get this resolved soonest.

Thanks,

From: Security Supervisor [mailto:secsup@yourwoermann.com]
Sent: Thursday, May 16, 2024 3:41 PM
To: Andre Madison <swakopregmgr@yourwoermann.com>; Andre Swart <butcheries@yourwoermann.com>; Diffie Henning <genmgr@yourwoermann.com>; Helena Mupupa <mondesabm@yourwoermann.com>; Bernice Kisting <propadmin@yourwoermann.com>; Jemimah Tjivikua <osheofficer@yourwoermann.com>
Subject: Fwd:

Hello Mr. ANDRE MADISON,

I hope this message finds you well. I'm writing to address a concern regarding the back area of our shop at MONDESA. Currently, the space is being occupied by hawkers, causing some problems. They're positioned in a way that blocks the pavement, making it difficult for pedestrians to pass safely. This congestion has forced people to walk closer to the road, leading to a recent close call involving a school child and a vehicle.

Moreover, the customers of these hawkers often obstruct the pathway, making navigation challenging. Additionally, the hawkers conduct their business right next to the building, worsening the crowding issue.

I've discussed this matter with Senior Superintendent Mr. TOMAS Shindume from the traffic department, and he suggested involving the Municipality health department for intervention.

Therefore, I'm bringing this matter to your attention and kindly requesting your office's assistance in handling it. Below are the email contact details for the officials from the Municipality health department.

tshindume@swkmun.com.na,meshuku@swkmun.com.na ,akationdorozu@swkmun.com.na,rujaha@swkmun.com.na,lmutenda@swkmun.com.na

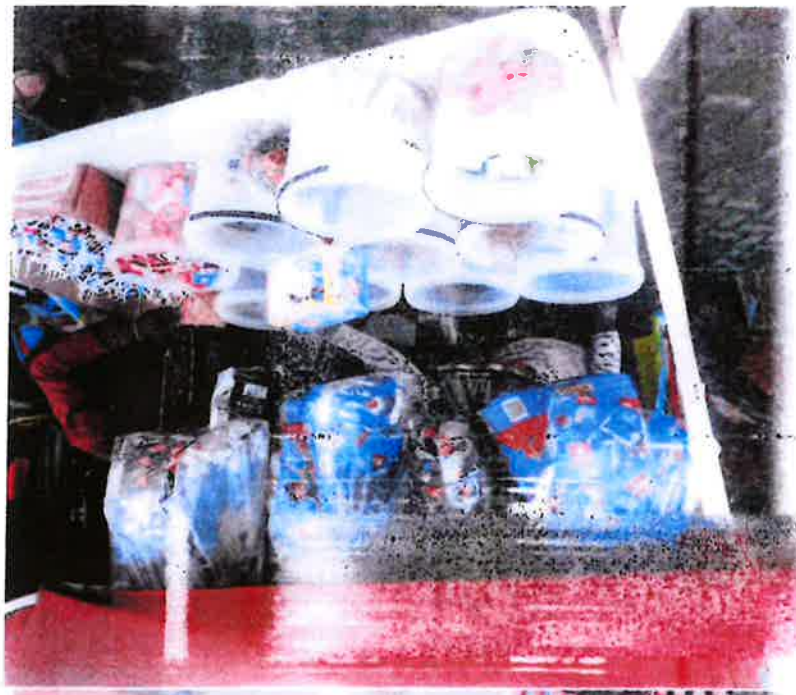
--

Kind Regards,

Johannes Amwaama
WB Snr Security Supervisor

0816592133 | 0644135246
secsup@yourwoermann.com
www.yourwoermann.com

Please consider the environment before printing this email.



ANNEXURE "D" – LETTER OF COMPLAINTS SHITALENI

The Chief Executive Officer

Municipality of Swakopmund

P O Box 53, SWAKOPMUND

Namibia, 13001

Letter for the Municipality of Swakopmund to Address it carelessness and irresponsible actions.

I Amandla Owetu Shitaleni owner of erf 525 Mandume Ndemufayo street, Mondesa, Swakopmund, would like to send a strong message of disappointment in the irresponsible behavior of the Swakopmund Municipality. If the municipality do not take remedial action, I will open a case against the Swakopmund Municipality and all the political parties with councilors within the Swakopmund municipality.

1. How does the municipality allocate vendors in-front of my business property without consulting me? Personally I do not have a problem with that as a community member.
2. When you allocated the vendors space in front of my property, did you give them toilets to defecate and urinate? Because this people are defecating and urinating all over my building. I have attach pictures. The tenants have complained.
3. How does the municipality allow Squatters to squat next to my building? Here I am referring to the squatters selling clothes from bags to the right of Owetu complex. Municipality did not provide any toilets to the people, they are also defecating all over the building, pictures are attached. But municipality was there to move them deeper and next to my building when they were selling close to the road. So they did not see that this people are defecating all over a business.
4. This illegal structures also create cover for the property to burgled by burglars. Tenants are complaining of their business being broken into. In fact, the last burglary was in July 2023. And there is numerous attempts. See attach

Business has suffered for the past years and tenants are complaining. I had to drop the rent and I have to pay someone to clean that shit and pee all over the building every day. The building is stinging, the people inside the business can smell the shit and urine from within the building. This people are peeing holes in the wall of my building. In fact, I had to close the doors of one tenant because he is unable to make a profit and pay municipal bills such as water and his place has been burgled a lot of times. Last was in July 2023, they took all his stock, equipment, broke other equipment to remove money.

If it was in the CBD in town would you have allowed that. In fact, behind strand hotel, the municipality build big toilets. Are you undermining me because it is a black owned business? You are putting interlocks all over town but you are neglecting that area which is the first CBD of Mondesa. In fact, you extended the pavement with interlocks to accommodate vendors you put in front of my building but you could not interlock the parking in front of my business? The municipality and councilors is creating that stinking environment and I can proof that. Just stand there and look around

I am giving you until the 30th September 2021 to respond to this letter, after the 30th September 2021 I will be taking my own action and will breakdown all those things in front and next to my building. In

AO Shitaleni

additions I have taken pictures and will also take legal against the municipality and the councillors if no action is taken from your side to fix this mess by the said date.

This letters comes from disgruntled resident and property owner in the municipality and community. This is absolutely rubbish, you expect me to pay rates and taxes with such neglect from your side?

In fact, currently I am doing renovation to that building now, and I am sending a stern warning that if your people you put there, pee and defecate on my building again, all hell will break loose. Enough is enough, do your work. Even if you build the toilets on my property it is fine, as long as your people don't pee and defecate on my walls

Please come and fix your mess before I take action on my own.

Amavella Owetu Shitalani

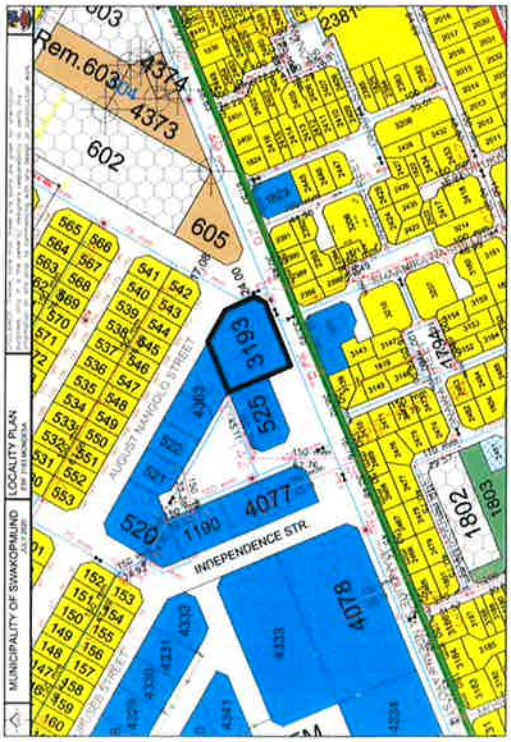
AO Shitalani.


TRADING HOURS

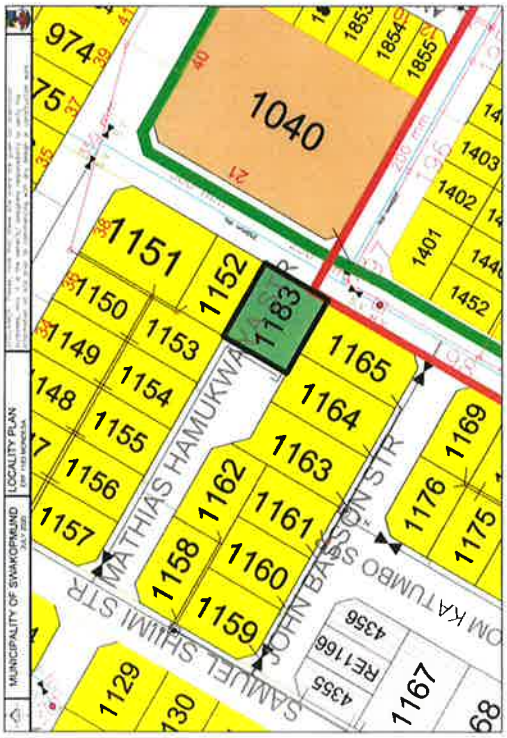

MIC

SITE MAPS for Erven in the subject matter.

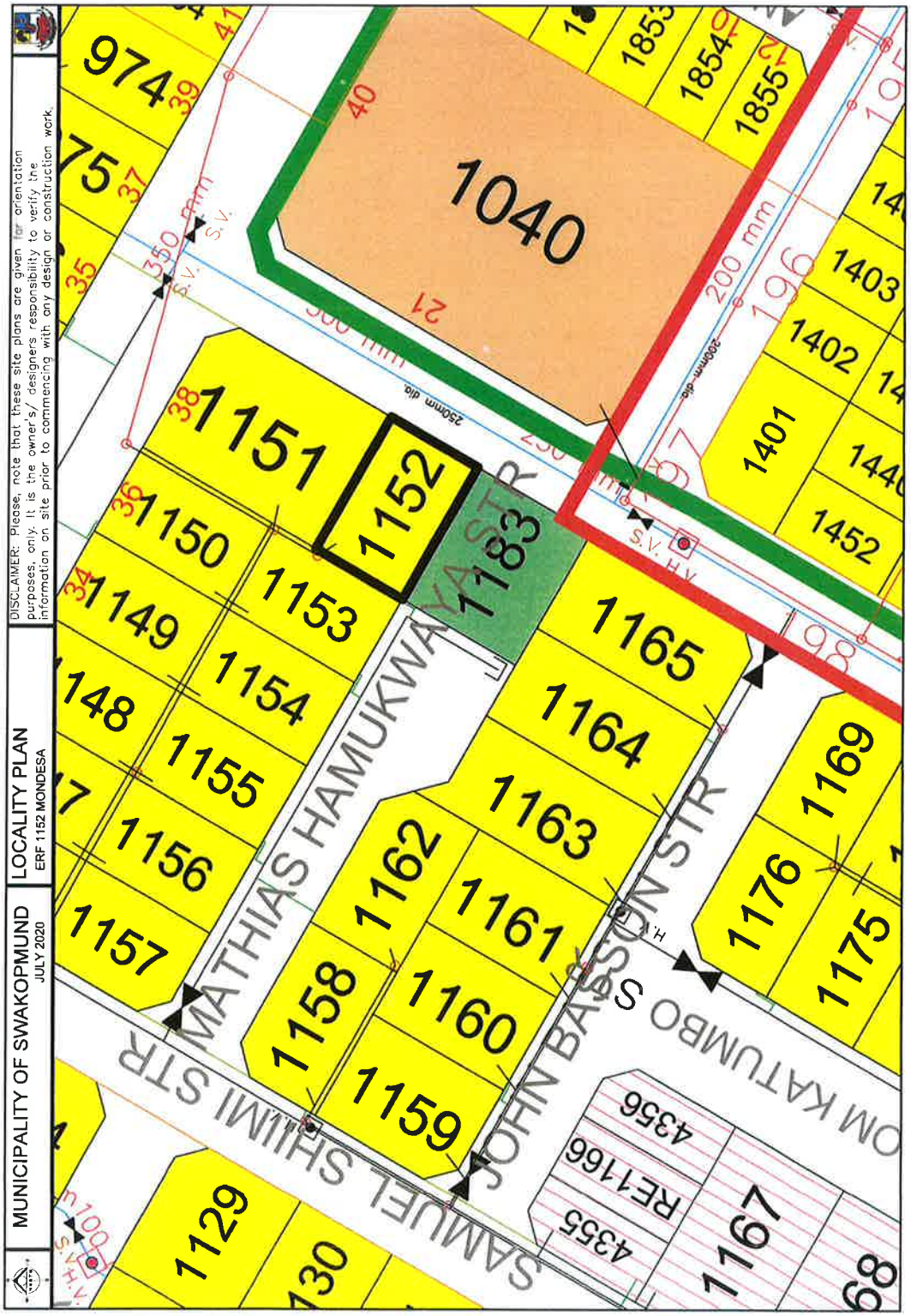
1. **Erf 3193 (opposite Owetu Market)**



Erf 1183 Mondesa (opposite Woermanbrock)



Erf 1152 Mondesa (opposite Woermanbrock)



11.1.19 **ERF 8443, EXTENSION 31, SWAKOPMUND (DONATION FOR CONSTRUCTION OF POLICE STATION): APPROVAL TO COMMENCE WITH CONSTRUCTION WHILE THE REZONING AND TRANSFER OF OWNERSHIP IS BEING ATTENDED TO**
(C/M 2024/08/08 - Erf 8443, Ext 31, Swk)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **10.3** page **26** refers.

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

1. **Introduction**

This submission serves to request Council's permission in order for CNNC Rössing Uranium Limited to proceed with the construction of a police station on Erf 8443, Extension 31, Swakopmund whilst the following statutory processes are being attended to:

*1.1 Rezoning of Erf 8443, Extension 31, Swakopmund from "local authority" to an appropriate zoning (see point (c) of Council's resolution passed on **04 June 2024** under item 11.1.26 (attached); and*

1.2 the transfer of ownership following the signing of a deed of donation. CNNC Rössing Uranium Limited was requested to provide a power of attorney of a duly authorized government official to sign the deed of donation on behalf of Ministry of Home Affairs, Immigration, Safety & Security. No reply was received to date.

Attached in this regard is an explanatory e-mail from the General Manager: Engineering & Planning Services dated **09 July 2024** (**Annexure "A"**).

2. **Current Situation**

Following Council's resolution passed on **04 June 2024** under item 11.1.26, the statutory publication process was successfully finalized, and the Minister of Urban and Rural Development approved the donation on **23 May 2024** (**Annexure "B"**). The groundbreaking event was held on **02 July 2024**. In accordance with building regulations and procedure, for building activity to take place on a property, the application to be in the name of the owner.

It is crucial that the construction of the police station be commenced with in order to be finalized promptly. The statutory process of rezoning and transfer of ownership might take up to 8 months to finalize and will delay the completion of the project, which is of immense importance to the safety, security, reduction of crime, improved quality and enjoyment of life to the local communities.

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

RECOMMENDED:

(a) That Council approves the commencement of construction of the police station on Erf 8443, Extension 31, Swakopmund by CNNC Rössing Uranium Limited whilst the following statutory processes are being attended to:

(i) Rezoning of Erf 8443, Extension 31, Swakopmund from "local authority" to an appropriate zoning; and

(ii) the transfer of ownership following the signing of a deed of donation with a duly authorized government official (power of attorney) on behalf of the Ministry of Home Affairs, Immigration, Safety & Security.

(b) That the above approval is granted at the sole risk of CNNC Rössing Uranium Limited and Council be indemnified of all and any claims.

11.1.26 **APPLICATION FOR THE DONATION OF LAND:CNNC RÖSSING URANIUM ON BEHALF OF THE GOVERNMENT OF NAMIBIA - POLICE STATION IN DRC**
(C/M 2024/06/04 - E 8443; E 8570; E 8665)

RESOLVED:

(a) That following points of Council's resolution passed on 12 December 2023, item 11.1.29 be repealed:

(c) That Council donates a portion of land measuring approximately 1 000m² of Erf 8443 Swakopmund zoned "Local Authority" to the Ministry of Home Affairs, Immigration, Safety & Security for the construction and donation a Police Station by CNNC.

and replaced with

That Council donates the entire Erf 8443, Swakopmund, measuring 2 482m² zoned *"Local Authority"* to the Ministry of Home Affairs, Immigration, Safety & Security for the construction and donation a Police Station by CNNC.

Point (d) repealed

(d) That Council further takes note that:

(iii) Council's pay-point is located on Erf 8443, Extension 31, Swakopmund;

(v) based on the cost of installation of services the value of the donation of the land by Council will be in the amount of 1 000m² x N$125.00/m² = N$125 000.00.

and replaced with

That Council further takes note that:

(iii) Council's pay-point located on Erf 8443, Extension 31, Swakopmund be relocated to Erf 8665, Swakopmund.

(v) Based on the cost of installation of services the value of the donation of the land by Council will be in the amount of 2 482m² x N$125.00/m² = N$310 250.00.

(b) That CNNC Rössing Uranium pays another deposit of N$10 000.00 within 90 days of Council's decision approving the donation of entire Erf 8443 Swakopmund, in order to proceed with the publication of Council's intention to donate the portion of land as required in terms of the Local Authorities Act, Act 23 of 1992, as amended.

(c) That as part of the donation, Council attends to the rezoning of Erf 8443, Swakopmund to an appropriate zoning for the use as a police station, i.e. point (g) of Council's resolution passed on 12 December 2023 under item 11.1.29 is no longer relevant.

ANNEXURE "B"

~~8443M~~

Republic of Namibia

Ministry of Urban and Rural Development

Enquiries: E.M. Gende
Tel: (+264+61) 297-5175
Fax: (+264+61) 297-5096

Government Office Park
Luther Street

Private Bag 13289
Windhoek, Namibia

Our Ref.: 14/14/1/S2
Your Ref.

Mr. Alfeus Benjamin
Chief Executive Officer
Swakopmund Municipality
P.O. Box 53
SWAKOPMUND

Dear Mr. Benjamin,

RE: DONATION OF LAND: CNNC RÖSSING URANIUM ON BEHALF OF THE GOVERNMENT OF NAMIBIA

Your letter dated 15 May 2024 has reference.

The Honourable Minister has, in terms of Section 30 (1) (z) of the Local Authorities Act, 1992 (Act No. 23 of 1992) as amended, granted approval to the Council to donate the immovable property indicated in the table below, subject to the conditions of the respective Council condition numbers.

BENEFICIARY	ERF NUMBER	SIZE	SUBURB	ZONING	LAND VALUE
Ministry of Home Affairs, Immigration, Safety & Security	8443	2 482m²	Extension 31	Local Authority	N$310 250.00

Yours faithfully,

NGHIDINUA DANIEL
EXECUTIVE DIRECTOR

MINISTRY OF URBAN AND RURAL DEVELOPMENT
EXECUTIVE DIRECTOR
23 MAY 2024
PRIVATE BAG 13289
WINDHOEK

Documents Containing Personal Information Are Removed From The Agenda As Directed By MANAGEMENT.

11.1.20 **APPLICATION FOR THE REZONING OF ERF 1184, TAMARISKIA, EXTENSION 3 FROM *SINGLE RESIDENTIAL* WITH A DENSITY OF 1:600 TO *GENERAL RESIDENTIAL* WITH A DENSITY OF 1:200 AND CONSENT TO PROCEED WITH THE DEVELOPMENT WHILE REZONING IS IN PROGRESS**
(C/M 2024/08/08 - T 1184)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **10.4** page **28** 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 rezoning of Erf 1184, Tamariskia Extension 3 from *"Single Residential"* with a density of 1:600 to *"General Residential 1"* with a density of 1:200 and consent to proceed with development while the rezoning is in progress.

2. **Introduction and Background**

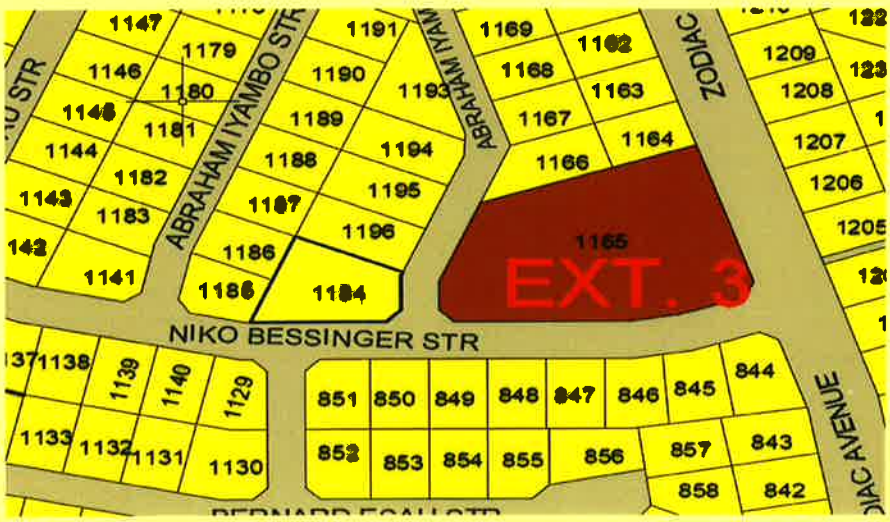
An application for the rezoning of Erf 1184, Tamariskia, Extension 3 was received by the Engineering and Planning Services Department from Plan Africa Consulting cc Town and Regional Planners on behalf of the registered owner. The application is attached as **Annexure A.**

3. **Ownership**

Ownership of Erf 1184, Tamariskia, Extension 3 vests in Nikola Conradie Fashions CC as per Title Deed No. T 6203/2017. Proof of ownership has been attached as **Annexure B**.

4. **Zoning, Locality and Size**

Erf 1184, Tamariskia Extension 3 is zoned *"Single Residential"* with a density of 1:600. The erf is situated on the corner of Niko Bessinger Street and Abraham Iyambo Street. Tamariskia Extension 3 is located particularly in the north-central parts of the larger town of Swakopmund. The erf measures 1 310m² in extent and currently accommodates an Erongo RED substation.



Locality of Erf 1184, Tamariskia Extension 3

5. **Access Municipal Services and parking**

Access to Erf 1184, Tamariskia, Extension 3 will be obtained from the existing street network.

Parking for the proposed development will be provided on-site in accordance with the provision of the Swakopmund Zoning Scheme. The property is connected to the existing bulk and internal municipal services.

6. **Public consultation**

The public consultation for the rezoning has been made in terms of Section 107 and Regulation 10 of the Urban and Regional Planning Act (**Annexure C**).

The neighbouring property owners were notified in writing via registered mail, informing them of the intent to rezone the property. The proposed rezoning was advertised on the 17th & 24th of May 2024 in the Republiken and Sun (Market Watch) newspapers. A notice was placed on the Council's notice board as well as on-site. The last date to submit objections and comments was 14 June 2024.

Additionally, a notice was published in the Government Gazette Number 8375, Notice No. 251 dated 31 May 2024, and the closing date for comments or objections was 21 June 2024.

No comments or objections were received against the proposed rezoning from any of the various notices served.

7. **Proposal**

The owner intends to maximise the development potential of the erf by developing multiple units on the property. The erf is in a well-developed neighbourhood and the proposed development will allow for the best possible use of the land in a sufficient and equitable manner without deterring from the residential character of the neighbourhood.

The proposed development creates access to affordable accommodation/housing options and also creates income for the owner and in turn additional revenue for Council through rates and taxes.

Although the neighbourhood is a low-density suburb, it can still be used for high density living. Increasing the intensity of development within the existing urban set up will effectively utilise the existing services and improve the urban area.

Tamariskia, Extension 3 is currently predominantly characterised by single residential erven, therefore, the proposed development would result in the urban renewal and upgrading of the already monotonous environment without compromising the quality of the living environment, as it remains residential.

Therefore, the proposed rezoning will complement and contribute to the mixed-use neighbourhood.

8. **Evaluation**

Given that the immediate surrounding area accommodates mostly a residential character, the rezoning will not have detrimental effects to the surrounding neighbourhood as it remains residential.

Additionally, the proposed development will contribute to the Council's vision of maximising the built-up area by promoting mixed uses in the area.

The applicant's request to have the property rezoned from *"Single Residential"* with a density of 1:600 to *"General Residential"* with a density of 1:200 cannot be accommodated as it does not exist in the current Swakopmund operative Zoning Scheme. Instead of the requested density, a density of 1:250 is proposed.

Similarly, the request for consent to proceed with development while the rezoning is in progress, cannot be supported because it will with be contrary to the zoning scheme provisions and ministerial directives. Only once the rezoning process is completed, including full payment of the betterment fee, then development proposals in accordance with the new zoning and density may be submitted for consideration.

4.1 Compensation

The rezoning of Erf 1184, Tamariskia Extension 3 from *"Single Residential"* with a density of 1:600 to *"General residential 1"* with a density of 1:250 is subject to compensation fee with respect to Betterment fee calculated in accordance with Section 9 (b) of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) Regulations in conjunction with the national betterment fee policy of 2009.

9. **Conclusion**

The rezoning of Erf 1184, Tamariskia Extension 3 from "Single Residential" with a density of 1:600 to "General residential 1" with a density of 1:250 is not foreseen to have any negative 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 the Erf 1184, Tamariskia Extension 3 from *Single Residential* with a density of 1:600 to *General Residential* with a density of 1:200 and consent to proceed with development while the rezoning is in progress be turned down,

(b) That Erf 1184, Tamariskia, Extension 3 be rezoned from *Single Residential* with a density of 1:600 to *General Residential 1* with a density of 1:250,

(c) That the rezoning of Erf 1184, Tamariskia, Extension 3 be subject to a betterment fee calculated according to the betterment fee policy of 2009 and be paid in full by the applicant (owner) before submission of any business registration application, building line relaxation

application and/or building plans submission to the Engineering and Planning Services Department for approval,

(d) That all the parking be provided on-site in line with the Swakopmund Zoning Scheme and no parking on street reserve; shall be tolerated,

(e) That the applicant provides proof that the rezoning has been approved by the Minister and promulgated,

(f) That the title deed conditions registered against Erf 1184, Tamariskia, Extension 3 be retained 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 four times the municipal valuation of the erf.

(g) That the applicant 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 stipulated period.

PLAN AFRICA CONSULTING CC
TOWN AND REGIONAL PLANNERS

Box 4114
WINDHOEK
Tel: (061) 21205
Fax

ANNEXURE A

Enquiries: Ilanza Awasman
ilawasman@gmail.com

DATE: 08 April 2024

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

Attention: J Helta

Dear Sir

- **REZONING OF ERF 1184 TAMARISKIA, EXTENSION 3 C/O NIKO BESSINGER AND ABRAHAM IYAMBO STREET FROM RESIDENTIAL WITH A DENSITY OF 1:600 TO GENERAL RESIDENTIAL WITH A DENSITY OF 1:200**
- **CONSENT TO PROCEED WITH DEVELOPMENT WHILE REZONING IS IN PROGRESS**

1. Appointment

Plan Africa Consulting CC by virtue of the Power of Attorney attached as an annexure has been appointed by the Managing Member and sole member of Nikola Conradie Fashions Close Corporation, owner of Erf 1184 Tamariskia Extension 3, to submit an application to the Municipality of Swakopmund for and subsequently to the Urban and Regional Planning Board for the:

- Rezoning of Erf 1184 Tamariskia, Extension 3 c/o Niko Bessinger and Abraham Iyambo Street from residential with a density of 1:600 to general residential with a density of 1:100 or 1:200
- Consent to proceed with development while rezoning is in progress

2. Erf Information

Erf 1184 is located in Tamariskia Extension 3 along the C34 Road to Henties Baai and a suburb in the coastal town of Swakopmund. Swakopmund is the capital of Erongo Region and a resort for Namibians as well as international visitors on holiday. The town lies on the B2 road and the Trans-Namib Railway from Windhoek to Walvis Bay, surrounded by the Namib Desert on three sides and the cold Atlantic waters to the west. . Uranium was discovered at Rossing 70km outside of Swakopmund in 1928, which is the world's largest open cast uranium mine and had and still have a major impact on the economy, employment and modern infrastructure development of the town. The main industries of employed population in Swakopmund include mining and quarrying, construction, wholesale and retail, administration and support service activities as well as accommodation and food service activities.

Erf 1184 is currently zoned residential with a density of 1:600 and measures 1 310m². The immediate surrounding urban area is characterized by a dominant residential nature. The erf has no permanent structures erected on it.

Figure 1: Erf 1184 Tamariskia Ext 3 (zoning)

Figure 2: Erf 1184 Tamariskia Ext 3 (Aerial

3. Proposed Development

In order to maximize the development potential of the erf, the owner intends to rezone Erf 1184 Tamariskia, Extension 3, Swakopmund from 'residential' with a density of 1:600 to 'general residential' with a density of 1:200 and consent to proceed with development while the rezoning is in process. The proposed zoning and density will enable the owner to construct 13 residential dwelling units, however the moment the owner wishes to develop only 5 units. The erf is in a well-developed neighbourhood and the proposed development will allow for the best possible

use of land in the most sufficient and equitable manner without deterring from the residential character of the neighbourhood.

According to 4.2 of the Swakopmund Zoning Scheme 'general residential' is defined as follows:

ZONE	PRIMARY USE	CONSENT USE
General Residential	Dwelling house, dwelling unit, residential building, accommodation establishment	Other uses not mentioned in column 3 excluding industry, transport services, and noxious industry

Swakopmund is a sought-after town, with its coast, architecture, business opportunities and variety of activities to keep individuals as well as families occupied. According to the 2011 census data, there are approximately 108.000 people in the Erongo Region and the region has the highest population growth rate of 5.39% of the years since 2001. This is an indication that not only is the region growing but the town of Swakopmund as well. This creates a space of economic growth not only for its municipality but for individuals that wish to invest in the town. Furthermore, the development creates access to affordable accommodation/housing options, creates income for the owner and in turn creates revenue for the municipality via rates and taxes.

The extension within which Erf 1184 is located is predominantly single residential with just one general residential erf and no other types of land uses. Additionally, Swakopmund is a growing town and the proposal of additional housing units can only be a plus. For the most part, low-density neighborhoods offer more expensive housing then high-density areas. Detached homes cost much more than apartments and semi-detached housing.

The respective neighbourhood is a low density suburb, which can be used for high density living. Increasing the intensity of development within the existing urban areas will effectively utilize existing services and improve the urban area. The development/redevelopment will spark interest and make local residents optimistic about their town. It will help revitalize the area and increase property values in the surrounding environs. It will also be complementary to the broader surrounding recreational facilities and services in the vicinity.

The proposal supports the efficient use of existing resources and infrastructure where decision-making procedures are designed to minimize negative financial, social, economic or environmental impacts. The positive consideration of the application will contribute to the efficient use of serviced urban land with minimal negative impact. Lastly, it would result in the urban renewal and upgrading of the already monotonous environment without compromising the quality of the living environment.

4. **Access and Parking**
   The erf is well linked with the exiting internal streets and therefore creates excellent accessibility. Parking will be provided in accordance with the Swakopmund Zoning Scheme.

5. **Infrastructure**
   Water, electricity and garbage removal services are all provided for by the Municipality of Swakopmund.

6. **Public Support**
   The proposed rezoning will be advertised in terms of Section 107 of the Act once informed by the local authority to do so in terms of Section 108 of the Act. The neighbors will be consulted accordingly.

7. **Application**
   - That Erf 1184 Tamariskia, Extension 3 c/o Niko Bessinger and Abraham Iyambo Street be rezoned from residential with a density of 1:600 to general residential with a density of 1:200
   - Consent to proceed with development while rezoning is in progress

In support of my application the following is included:

1. Locality Plan
2. Existing Zoning and Intended Zoning
3. Power of Attorney
4. Title Deed

Yours in Faithfully

.....

HA KROHNE

ANNEXURE B

2017 -09- 08

TUT1/0002

T 6203. /2017

DEED OF TRANSFER NO.

ERF NO 1184 TAMARISKIA (EXT 3)

TUT1/0002

Prepared by me

CONVEYANCER
STOLZE H D

DEED OF TRANSFER

T 6203 /2017

Be it hereby made known :

THAT HELMUT DEVILLIERS STOLZE

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

TUTUNGENI PROPERTIES (PROPRIETARY) LIMITED
COMPANY NUMBER 2005/753

dated the 12TH day of DECEMBER 2016, and signed at WINDHOEK

2.

And the said Appearer declared that his Principal truly and lawfully donated the within mentioned property on **12TH DECEMBER 2016** which donation was accepted by the Transferee on the **12TH DECEMBER 2016**

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

NIKOLA CONRADIE FASHIONS CLOSE CORPORATION
REGISTRATION NUMBER CC/2012/1976

Its Successors-in-Title or Assigns,

CERTAIN	**Erf No. 1184 TAMARISKIA** **Extension No. 3**
SITUATE	**in the Municipality of SWAKOPMUND** **Registration Division "G"** **Erongo Region**
MEASURING	**1310 (One Three One Nil) Square Metres**
FIRST TRANSFERRED	**and still held by Deed of Transfer No. T 670/2014 with General Plan S.G No A 548/2012 relating thereto**
SUBJECT	**to the following conditions in terms of the Town Planning Ordinance No 18 of 1954 as amended, and created in Deed of Transfer No. T 670/2014, 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 outbuildings to be erected on the erf shall be at least four times the municipal valuation of the erf.

Wherefore the Appearer, renouncing all the Right and Title which the said Transferor heretofore had to the premises, did, in consequence also acknowledge the said Transferor to be entirely dispossessed of, and disentitled to, the same; and that, by virtue of these Presents, the said Transferee

Its Successors-in-Title or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, The State, however, reserving its rights, and finally acknowledging the value of the properties to be sum of N$196 000.00.

Signed at WINDHOEK, on 2017 -09- 19 , together with the appearer, and confirmed with my seal of office

SIGNATURE OF APPEARER

In my Presence,

DEPUTY REGISTRAR OF DEEDS
MINISTRY OF LAND REFORM

REGISTRAR OF DEEDS

NAMIBIA
REVENUE
N$5

"SPECIAL POWER OF ATTORNEY"

I, the undersigned **Nikola Conradie** in my capacity as **Managing Member of Nikola Conradie Fashions Close Corporation**, owner of Erf 1184 Tamariskia, Extension 3 hereby nominates, constitute and appoint,

PLAN AFRICA CONSULTING CC

8 DELUIS STREET

WINDHOEK WEST

P.O. BOX 4114

WINDHOEK

With power of Substitution, to be my lawful Attorney and Agent in my name, place and stead, to make the necessary application to Municipality of Swakopmund and Urban and Regional Planning Board, Ministry of Urban and Rural Development for the

- **REZONING OF ERF 1184 TAMARISKIA, EXTENSION 3 FROM RESIDENTIAL WITH A DENSITY O 1:600 TO GENERAL RESIDENTIAL WITH A DENSITY OF 1:200**
- **CONSENT TO PROCEED WITH DEVELOPMENT WHILE REZONING IS IN PROGRESS**

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

Singed at **Swakopmund** this 12th day of **March 2024**, in the presence of the undersigned witnesses.

N. Conradie
.....
Nikola Conradie

WITNESSES:

..... 2. .....

CC 1

- 8 -

REPUBLIC OF NAMIBIA

CLOSE CORPORATIONS ACT, 1988
(Section 13, 14, 27 and 60)
(Regulations 3, 10 and 13)

(To be lodged in triplicate together with the Founding Statement

Certificate of Incorporation

REGISTRATION NUMBER OF CORPORATION
CC / 2012/1976

This is to certify that the Founding Statement (CC1) of

NIKOLA CONRADIE FASHIONS CLOSE CORPORATION

has been registered and the above-named close corporation was this day incorporated in terms of the Close Corporation Act, 1988

* The above-named corporation has been converted from a company.

N/A

(Reg. No

Signed at Windhoek this 9th day of March

2012

REGISTRAR OF CLOSE CORPORATIONS

* *(Delete if not applicable)*

ANNEXURE C

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

The plan of the erf lies for inspection on the Town Planning Notice Board at the Rehoboth Town Council and at Harmonic Town Planning Offices, 768 Pasteur Street, Windhoek West.

Any person objecting to the proposed use of the land as set out above may lodge such objection together with the grounds thereof, with the Rehoboth Town Council and with the Applicant in writing within 14 days of the last publication of this notice (final date for objections is **Thursday, 20 June 2024**).

Contact: H. Kisting
Harmonic Town Planning Consultants cc
Town and Regional Planners
P. O. Box 3216, Windhoek
Cell: 081 127 5879

No. 251 2024

REZONING OF ERF 1184, TAMARISKIA EXTENSION 3, CORNER OF NIKO BESSINGER AND ABRAHAM IYAMBO STREETS, SWAKOPMUND

Plan Africa Consulting cc, Town and Regional Planners, on behalf of the owner of the respective erf, intends to apply to the Municipality of Swakopmund for:

- **Rezoning of Erf 1184, Tamariskia Extension 3, corner of Niko Bessinger and Abraham Iyambo Streets, Swakopmund from residential with a density of 1:600 to general residential with a density of 1:200; and**
- **Consent to proceed with development while rezoning is in progress.**

Erf 1184, Tamariskia Extension 3 is 1 310m² in extent. The proposed zoning and density will enable the owner to construct 13 residential dwelling units, however at the moment the owner wishes to develop only 6 units.

The plan of the erf lies for inspection on the Town Planning Notice Board at the Municipality of Swakopmund and at Plan Africa Consulting CC, No. 8 Delius Street, Windhoek West.

Any person objecting to the proposed use of the land as set out above may lodge such objection together with the grounds thereof, with the Municipality of Swakopmund and with the applicant (Plan Africa Consulting CC) in writing within 14 days of the last publication of this notice (final date for objections is **21 June 2024**).

Applicant:
Plan Africa Consulting cc
Town and Regional Planners
Delius Street, Windhoek (West)
Tel: (061) 212096, Cell: 0812716189
Fax: (061) 213051
Email:pafrica@mweb.com.na

Regskennisgewings Legal Notices

KENNISGEWING AAN KREDITEURE AVROY SHLAIN COSMETICS PLATINUM BK (IN LIKWIDASIE)
MEESTERS VERWYSINGSNOMMER: W16/2024
Kennis geskied hiermee dat die EERSTE EN TWEEDE VERGADERING VAN SKULDEISERS in die bogenoemde aangelentheid gehou sal word op Woensdag, 12 Junie 2024 om 10h00 voor die Meester van die Hooggeregshof, Windhoek vir die bewys van eise teen die beslote korporasie, voorlegging van die likwidateurs se verslag in terme van die sake van die beslote korporasie, die aanvaarding van resolusies, ondervraging aangaande die sake van die beslote korporasie (indien nodig) en om die likwidateurs instruksies te gee aangaande verdere administrasie van die beslote korporasie.
Likwidateur:
J. Oosthuizen
P. O. Box 29704
Windhoek
DM0202400405869

NOTICE TO CREDITORS AVROY SHLAIN COSMETICS PLATINUM CC (IN LIQUIDATION)
MASTER'S REFERENCE NUMBER W16/2024
Notice is hereby given that the FIRST AND SECOND MEETING OF CREDITORS, in the above matter, will be held before the Master of the High Court, Windhoek, Republic of Namibia on WEDNESDAY, 12 June 2024 at 10:00, for the purposes of proving claims against the close corporation, receiving the liquidators' report, adoption of the resolutions, enquiry as to the affairs of the close corporation (if required) and giving directions as to the further winding up of the close corporation to the liquidators
Liquidator:
J. Oosthuizen
P. O. Box 29704
Windhoek
DM0202400415870

NOTICE TO CREDITORS ESTATE LATE MENKONO VICTORIA - E 665/2204
Creditors of the estate are called upon to lodge their claims against the estate within a period of 30 days from the date of publication hereof.
Estate of the Late Menkono Victoria, ID No. 63080901436 born on 8 August 1963, a major female, residing at Erf 11261, Okandjengedi Informal Settlement, Oshana Region, Republic of Namibia, who died on 15 April 2023
Per: Francois Bangammabo
FB LAW CHAMBERS
35 SCHUBERT STREET
WINDHOEK WEST
WINDHOEK
DM0202400415753

NOTICE Take notice that PLAN AFRICA CONSULTING CC, TOWN AND REGIONAL PLANNERS, intends to apply to the City of Windhoek for: CONSENT TO USE ERF 1330 KLEINE KUPPE, ZONED "BUSINESS" FORPURPOSE OFA RESTAURANT, CLUBHOUSE AND PADEL COURTS Erf 1330 is 3715m2 in extent. The respective erf is currentlyzoned as 'Business'with a bulk of 1.0. The owner intends to use the respective erf for the purposes of a restaurant,clubhouse and paddle courts in terms on the Windhoek Town Planning Scheme. The proposed land uses are notprimary uses in terms of the Windhoek Zoning Scheme.
Further take notice that the plan of the erf lies for inspection on the town planning notice board at the City ofWindhoek and at Plan Africa Consulting CC, No 8 Delius Street, Windhoek West.
Further take notice that any person objecting to the proposed use of the land as set out above may lodge suchobjection together with the grounds thereof, with the City of Windhoek and with the applicant (Plan Africa ConsultingCC) in writing within 14 days of the last publication of this notice (final date for objections is the 20th of June 2024).
PLAN AFRICA CONSULTING CC TOWN and Regional Planners.
P.O.Box 41148
Delius Street
Windhoek (West)
Tel: (061) 212096
Cell: 0812716189
Fax: (061) 213051
Email:pafrica@mweb.com.na
DM0202400415937

NOTICE Take notice that PLAN AFRICA CONSULTING CC, TOWN AND REGIONAL PLANNERS, on behalf of the owner of the respective erf, intends to apply to the Municipality of Swakopmund for:
* REZONING OF ERF 1184 TAMARISKIA, EXTENSION 3 C/O NIKO BESSINGER AND ABRAHAM IYAMBO STREET FROM RESIDENTIAL WITH A DENSITY OF 1:600 TO GENERAL RESIDENTIAL WITH A DENSITY OF 1:200
* CONSENT TO PROCEED WITH DEVELOPMENT WHILE REZONING IS IN PROGRESS
Erf 1184 Tamariskia Extension 3 is 1 310m² in extent. The proposed zoning and density will enable the owner to construct 13 residential dwelling units, however the moment the owner wishes to develop only 6 units.
Further take notice that the plan of the erf lies for inspection on the Town Planning Notice Board at the Municipality of Swakopmund and at Plan Africa Consulting CC, No 8 Delius Street, Windhoek West.
Further take notice that any person objecting to the proposed use of the land as set out above may lodge such objection together with the grounds thereof, with the Municipality of Swakopmund and with the applicant (Plan Africa Consulting CC) in writing within 14 days of the last publication of this notice(final date for objections is 14 June 2024).
PLAN AFRICA CONSULTING CC
TOWN and Regional Planners
Box 4114
8 Delius Street
Windhoek (West)
Tel: (061) 212096 Cell: 0812716189
Fax: (061) 213051
Email: pafrica@mweb com na
DM0202400415774

IN THE High Court of Namibia (Main Division)
Case Number: HC-MD-CIV-ACT-CON-2022/03568
In the matter between:
EAGLE ROCK BODY CORPORATE, Execution Creditor
AND
UNOMENGI KAUAPIRURA, Execution Debtor
NOTICE OF SALE IN EXECUTION
IN EXECUTION OF A JUDGMENT of the High Court Main Division, given on the 09thof November 2022 in the abovementioned case, a judicial sale by public auction will be held at the premises of the Deputy Sheriff and Messenger of the Court Windhoek, starting at 09:00 on the 01st of June 2024 at 422 INDEPENDENCE AVENUE, WINDHOEK of the following movable property:
1x De ep Freezer, 2x Anvil Stoves, 1x Steel Table, 1x Trojan Bench, 1x Trojan Bike, 1x Samsung Fridge, 1x Gas Stove Stand.
TERMS: "Voetstoots" - Cash to the Highest Bidder
DATED at WINDHOEK on this 10th day of MAY 2024
PHILIP SWANEPOEL LEGAL PRACTITIONERS
Legal practitioners for the Plaintiff
Eros Airport
Aviation Road
Windhoek
Namibia
REF: EAGL/0001
DM0202400415794

KENNISGEWING AAN KREDITEURE RADICAL TYRE TECH BK (IN LIKWIDASIE)
MEESTER SE VERWYSINGS NOMMER: W11/2024
Kennis geskied hiermee dat die EERSTE EN TWEEDE VERGADERING VAN SKULDEISERS indie bogenoemde aangelentheid gehou sal word op Woensdag, 12 Junie 2024 om 10h00 voor die Meester van die Hooggeregshof, Windhoek vir die bewys van eise teen die beslote korporasie, voorlegging van die likwidateurs se verslag in terme van die sake van die beslote korporasie, die aanvaarding van resolusies, ondervraging aangaande die sake van die beslote korporasie (indien nodig) en om die likwidateurs instruksies te gee aangaande verdere administrasie van die beslote korporasie.
Likwidateur:
J. Oosthuizen
P. O. Box 29704
Windhoek
DM0202400415805

IN THE High Court of Namibia (Main Division)
Case Number: HC-MD-CIV-ACT-CON-2022/02645
In the matter between:
1010 HARMONY COURT BODY CORPORATE, Execution Creditor
And
SAKEUS BENJAMIN SHIVUTE, 1ST Execution Debtor
LUENDA KAUNAFAWA TUNGA NELL, 2nd Execution Debtor
NOTICE OF SALE IN EXECUTION
IN EXECUTION OF A JUDGMENT of the High Court Main Division held at WINDHOEK, given on 08th of September 2022 in the abovementioned case, a judicial sale by public auction will be held at 09:00 on the 01st of June 2024 at the premises of the Deputy Sheriff and Messenger of the Court Windhoek - 422 Independence Avenue, Windhoek, of the following property:
2x Bar Chairs, 2x Black Couches, 1x TV Unit, 1x Wooden Table, 4x Chairs, 1x Samsung Flat Screen TV, 1x Black Couch.
TERMS: "Voetstoots" - cash to the highest bidder.
Dated at Windhoek on this 10th day of MAY 2024.
PHILIP SWANEPOEL LEGAL PRACTITIONERS
Legal practitioners for the Plaintiff
Eros Airport
Aviation Road
Windhoek
Namibia
REF: EON48/0001
DM0202400415795

NOTICE TO CREDITORS RADICAL TYRE TECH CC (IN LIQUIDATION)
MASTER'S REFERENCE NUMBER W11/2024
Notice is hereby given that the FIRST AND SECOND MEETING OF CREDITORS, in the above matter, will be held before the Master of the High Court, Windhoek, Republic of Namibia on WEDNESDAY, 12 June 2024 at 10:00, for the purposes of proving claims against the close corporation, receiving the liquidators' report, adoption of the resolutions, enquiry as to the affairs of the close corporation (if required) and giving directions as to the further winding up of the close corporation to the liquidators.
Liquidator:
J. Oosthuizen
P. O. Box 29704
Windhoek
DM0202400415808

IN THE High Court of Namibia
Case No. HC-MD-CIV-ACT-CON-2021/02262
In the matter between:
FIRST NATIONAL BANK OF NAMIBIA LIMITED, Plaintiff
and
MARTIN TANGENI MBANGO, Defendant
NOTICE OF SALE IN EXECUTION
In pursuance of a judgment in the High Court of Namibia on the 15th day of July 2021 and 3 (three) Writs of Execution dated the 15th day of July 2021, the following goods will be sold in Execution on Saturday, the 1st day of June 2024 at 09h00 at the premises of the Deputy Sheriff and Messenger of Court Windhoek, being No. 422 Independence Avenue, Windhoek, Republic of Namibia:
1x Lounge, 1x dining table with 6 chairs, 1x microwave, 1x flat screen TV, 1x fridge, 2x bar chairs, 1x TV-unit.
Dated at Windhoek this 13th day of May 2024.
THEUNISSEN, LOUW AND PARTNERS
LEGAL PRACTITIONER FOR PLAINTIFF
SCHITZEN HAUS, NO 1
SCHITZEN STREET
WINDHOEK
REF. TL/wk/MAT2286
DM0202400415829

IN THE High Court Of Namibia
Held At Main Division Windhoek
Case Number: I 2780/2011
In the matter between:
NEDBANK NAMIBIA LIMITED, Plaintiff and
DESIREE FRANCIS LOUW, Defendant
NOTICE OF SALE IN EXECUTION
Pursuant to a Judgement of the above Honourable Court granted on the 6th OCTOBER 2023, the following immovable property will be sold "voetstoots" by the DEPUTY SHERIFF for the District of WINDHOEK on Thursday, the 6th day of June 2024, at 12:00 at Erf 4262, Unit No. 24, City Heights, Auspannplatz, Windhoek , Namibia.
CERTAIN: Erf 4262, Unit No 24, City Heights, Auspannplatz, Windhoek , Namibia
SITUATED: In the Municipality of Windhoek, Registration Division "K"
RESERVE PRICE: (a) The property will be sold by the deputy sheriff of HIGH COURT OF NAMIBIA, WINDHOEK to the highest bidder in terms of Rule 110(10a), in terms of which the property will be sold at no less than 75% of: the established municipal value; alternatively,
established market value market value should it be established that it is a primary residence. The valuation will be held with the Deputy Sheriff for inspection together with these conditions.
(b) Plus interest at 16.80% interest per annum from 30 days after sale to date of full and final payment;
(c) Deputy Sheriff's fees
IMPROVEMENTS: 1x Bedroom, 1x Full Bathroom, Open Plan Kitchen/ Lounge
The "Conditions of Sale In Execution" will lie for inspection at the office of the Deputy Sheriff of Windhoek, and at the Head Office of Plaintiff in Windhoek at Plaintiff's Attorneys, Koep & Partners at the undermentioned address.
DATED at WINDHOEK this 12th day of APRIL 2024.
KOEP & PARTNERS
LEGAL PRACTITIONERS FOR PLAINTIFF
33 SCHANZEN ROAD
WINDHOEK
REF: OD/ma/56739/DEB406
DM0202400415484

IN THE High Court of Namibia
Main Division
Case No: HC-MD-CIV-ACT-CON 2018/00054
In the matter between:
FIRST NATIONAL BANK OF NAMIBIA LIMITED, Plaintiff and
DONATHA INGINOVANDU (PREVIOUSLY GAYWANAB), Defendant
NOTICE OF SALE IN EXECUTION
In pursuance of a judgment in the High Court of Namibia on the 1st day of March 2018 and 2 (two) Writs of Execution dated the 7th day of March 2018, the following goods will be sold in Execution on Friday, the 31st day of MAY 2024 at 10h00 at the premises of the Deputy Sheriff and Messenger of Court Windhoek, being No. 163 Rerstburger Street, Lafrenz, Windhoek, Republic of Namibia:
1 x FORD ECOBOOST with Registration Number N 173-738 W
Dated at Windhoek this 13th day of May 2024.
THEUNISSEN, LOUW AND PARTNERS
LEGAL PRACTITIONER FOR PLAINTIFF
SCHITZEN HAUS,
NO.1 SCHITZEN STREET
WINDHOEK
REF. TL/wk/MAT21900
DM0202400415830

IN THE High Court Of Namibia
Case No. HC-MD-CIV-ACT-CON-2020/01994
In the matter between:
STANDARD BANK NAMIBIA LTD, Plaintiff and
SIEGFRIEDT PICKY KAUMUNIKA, Defendant
NOTICE OF SALE IN EXECUTION OF IMMOVABLE PROPERTY
In Execution of a Judgment of the above Honourable Court in the above mentioned suit, a sale will be held on Friday, the7th June 2024 at 12:00 at Erf 1770, Witvalk Court Section 1, Khomasdal(Extension No 9), Windhoek:
CERTAIN: SECTION 1 as shown and more fully described on Sectional Plan No82/1995 in the building or buildings known as Witvalk Court situated in Khomasdal(Extension No 9)
SITUATED: In the Town of Windhoek, Khomas Region. Registration Division "K"
MEASURING: 97 (nine seven) square metres
HELD BY: Certificate of Registered Sectional Title 82/2995 (1) (UNIT)
SUBJECT: to all the conditions contained therein
ALLEGED IMPROVEMENTS
DESCRIPTION: the following improvements are on the property (although nothing in this respect is guaranteed) The building comprising of:
1x Flat with two bedrooms and toilet, 1x flat with one bedroom and toilet, 1shall built house (no roof).
The property shall be sold by the Deputy Sheriff of WINDHOEK subject to the Conditions of Sale that may be inspected at the Offices of the Deputy Sheriff to the highest bidder on the auction and furthermore subject to approval by the preferent claimant.
The sale is subject to the provisions of the High Court Act No 16 of 1990, as amended, and the property will be sold "voetstoots" according to the existing title deed.
10% of the purchase price to be paid in cash on the date of the sale, the balance to be paid against transfer, to be secured by a Bank or Building Society or other acceptable guarantee to be furnished to the Deputy-Sheriff within 14 (fourteen) days after the date of Sale.
The full Conditions of Sale will be read out by the Deputy-Sheriff on the day of the sale, but may be inspected at any time prior to the sale at the offices of the Deputy-Sheriff or at the office of the Plaintiff's attorneys.
Dated at Windhoek this day of April 2024.
ENGLING STRITTER & PARTNERS
Attorneys for Plaintiff
12 LOVE STREET
WINDHOEK
EY/bp/sd8705
DM0202400415571

IN THE High Court Of Namibia
Case No.: HC-MD-CIV-ACT-CON-2021/1567
In the matter between:
STANDARD BANK NAMIBIA LTD, Plaintiff and
VILHO SHUUTAMEKA ANDREAS, Defendant
NOTICE OF SALE IN EXECUTION OF IMMOVABLE PROPERTY
In Execution of a Judgment of the above Honourable Court in the above mentioned suit, a sale will be held on Friday, the 7th of June 2024 at 10:00, Erf No 255, Osona Village (Extension 1), Eden Gardens, Section 2, Otjahandja
CERTAIN: Section No 7 as shown and more fully, described on Sectional Plan No 55 38/2019 in the Development Scheme known as Eden Gardens in respect of the Land and Buildings situated at Erf No 255, Osona Village (Extension 1)
SITUATE: In the town of Okahandja, Registration Division, "J" Otjozondjupa Region
MEASURING: 76 (seven six square metres)
HELD BY: Deed Of Transfer NO ST947/2019
SUBJECT: to the conditions therein contained.
ALLEGED IMPROVEMENTS
DESCRIPTION: The following improvements are on the property (although nothing in this respect is guaranteed). The building comprising of:
1x Master bedroom with built-in cupboards and en-suite bathroom, 2x bedrooms both with built-in cupboards, x1 bathroom with basin, bath and toilet, 1x open-plan kitchen-living room with built-in cupboards and stove, 1x Carport.
1. The property shall be sold by the Deputy-Sheriff of OKAHANDJA subject to the Conditions of Sale that may be inspected at the Offices of the Deputy-Sheriff to the highest bidder on the auction and furthermore subject to approval by the preferent claimant.
2. The sale is subject to the provisions of the High Court Act No 16 of 1990,as amended, and the property will be sold "voetstoots" according to the existing title deed.
3. 10% of the purchase price to be paid in cash on the date of the sale, the balance to be paid against transfer, to be secured by a Bank or Building Society or other acceptable guarantee to be furnished to the Deputy-Sheriff within 14(fourteen) days after the date of Sale.
4. The full Conditions of Sale will be read out by the Deputy-Sheriff, on the day of the sale, but may be inspected at any time prior to the sale at the offices of the Deputy-Sheriff or at the office of the Plaintiff's attorneys.
Dated at Windhoek this day of April 2024.
ENGLING STRITTER & PARTNERS
Attorneys for Plaintiff
12 LOVE STREET
WINDHOEK
EY/bp/sd8788
DM0202400415642

IN THE Magistrate Court
For the District of Oshakati
Held At Oshakati
Case No: 52/2020
In the matter between
JOHAN VAN DER MERWE, Plaintiff and
FABIANUS PAULUS, Defendant
NOTICE OF SALE
In pursuance of a judgment in the Magistrate's Court granted on the 12 June 2020 and Warrant of Execution dated 12 June 2020 the following goods will be sold in execution on 12 June 2024 at 12H00 at MAVINGA LODGE, RUACANA, REPUBLICOF NAMIBIA.
GOODS:
3x round tables, 12x chairs, 10x tables, 21x chairs, 1x Bain Marl, 1x water machine, 1x double door fridge (Hisense), 3x deep freezers, 3x tables +4 chairs, various mattresses, various linen, 2x boats (no engines), 1x lawn mower, 11x wooden benches, 18x flat screen TVs, 18x bar fridges, 18x wood tables + 36 chairs, 18x clothes cupboards, 8x single beds, 10x double beds, 1x diesel generator with switch gear complete, 1x red beach buggy, 3x office tables, 1x cupboard, 1x couch + 6x chairs, 7x Bar chairs, 1x Samsung Flat Screen TV, 1x Double Door Fridge, quantity of Alcohol and cool drink, 1x Washing Machine, 1x Cupboard, 1x Table, quantity of Crockery, 3x Steel Tables, 1x Double Door Fridge, 1x gas stove, 1x Four Gas Burner, 1x wooden cupboard, 1x Toaster, 1xGriller, 1x Anvil Deep Fryer single, 2x Deep Freezer, 3x Tables, 1x Cupboard, Various pots.
CONDITION OF SALE: Voetstoots
DATED at OSHAKATI on this 03TH day of MAY 2024.
MUGAVIRI ATTORNEYS
Legal Practitioners for Plaintiff
Kalahari Business Centre
Office No. 9
OSHAKATI
(Our ref: MER 001 GNM/frt)
TO: DEPUTY SHERIFF
OSHAKATI
AND TO:
THE CLERK OF THE CIVIL COURT
Magistrate Court, OSHAKATI
DM0202400415873

IN THE High Court of Namibia
Main Division - Windhoek
Case Number: HC-MD-CIV-ACT-OTH-2023/05093
In the matter between:
TALENI AFRICA TOURISM HOLDINGS (PTY) T/A SOSSUS OASIS SERVICE STATION, Execution Creditor
and
NDES TRADING ENTERPRISES CC, Execution Debtor
NOTICE OF SALE IN EXECUTION
IN THE EXECUTION of a Judgment granted by the High Court signed by the Registrar of Court on 15 FEBRUARY 2024, the following movable property will be sold on 5 JUNE 2023 at 17:00 in Erf 92 c/o Martin Neib Street, Okahandja: 1x Toyota Hilux, Single Cab Pick-up, 2400CC Diesel Turbo, 2021 Model, 1x Fridge/Freezer, 1x Hisense Washing Machine, 1x 3 Piece Lounge Suite with a coffee table, 1x 6-Piece Dining Set, 1x Hisense flat Screen TV.
"CONDITIONS OF SALE: "Voetstoots" cash to the highest bidder
Dated at Windhoek this day of May 2024.
KOMPLIGER BOTMAN VAN GREUNEN
LEGAL PRACTITIONERS
FOR EXECUTION CREDITOR
PER: N NEL
NO. 10 JAKARANDA STREET
WINDHOEK
(N23076)
DM0202400415838

035 Regskennisgewings / Legal Notices

KENNISGEWING AAN KREDITEURE AVROY SHLAIN COSMETICS PLATINUM BK (IN LIKWIDASIE)
MEESTERS VERWYSINGSNOMMER: W16/2024
Kennis geskied hiermee dat die EERSTE EN TWEEDE VERGADERING VAN SKULDEISERS in die bogenoemde aangeleenthaid gehou sal word op Woensdag 12 Junie 2024 om 10h00 voor die Meester van die Hooggeregshof, Windhoek vir die bewys van eise teen die beslote korporasie, voorlegging van die likwidateurs se verslag in terme van die sake van die beslote korporasie, die aanvaarding van resolusies, ondervraging aangaande die sake van die beslote korporasie (indien nodig) en om die likwidateurs instruksies te gee aangaande verdere administrasie van die beslote korporasie.
Likwidateur:
J. Oosthuizen
P. O. Box 29704
Windhoek
DM0202400415869

NOTICE TO CREDITORS AVROY SHLAIN COSMETICS PLATINUM CC (IN LIQUIDATION)
MASTER'S REFERENCE NUMBER W16/2024
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Liquidator:
J. Oosthuizen
P. O. Box 29704
Windhoek
DM0202400415870

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Per: Francois Bangamwabo
FB LAW CHAMBERS
35 SCHUBERT STREET
WINDHOEK WEST
WINDHOEK
DM0202400415753

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Further take notice that the plan of the erf lies for inspection on the town planning notice board at the City ofWindhoek and at Plan Africa Consulting CC, No 8 Delius Street, Windhoek West. Further take notice that any person objecting to the proposed use of the land as set out above may lodge suchobjection together with the grounds thereof, with the City of Windhoek and with the applicant (Plan Africa ConsultingCC) in writing within 14 days of the last publication of this notice (final date for objections is the 20th of June 2024).
PLAN AFRICA CONSULTING CC TOWN and Regional Planners.
P.O.Box 41148
Delius Street
Windhoek (West)
Tel: (061) 212096
Cell: 0812716189
Fax: (061) 21305)
Email:pafrica@mweb.com.na
DM0202400415937

NOTICE Take notice that PLAN AFRICA CONSULTING CC, TOWN AND REGIONAL PLANNERS, on behalf of the owner of the respective erf, intends to apply to the Municipality of Swakopmund for:
* REZONING OF ERF 1184 TAMARISKIA, EXTENSION 3 C/O NIKO BESSINGER AND ABRAHAM IYAMBO STREET FROM RESIDENTIAL WITH A DENSITY OF 1:600 TO GENERAL RESIDENTIAL WITH A DENSITY OF 1:200
* CONSENT TO PROCEED WITH DEVELOPMENT WHILE REZONING IS IN PROGRESS
Erf 1184 Tamariskia Extension 3 is 1 310m² in extent. The proposed zoning and density will enable the owner to construct 13 residential dwelling units, however the moment the owner wishes to develop only 6 units.
Further take notice that the plan of the erf lies for inspection on the Town Planning Notice Board at the Municipality of Swakopmund and at Plan Africa Consulting CC, No 8 Delius Street, Windhoek West.
Further take notice that any person objecting to the proposed use of the land as set out above may lodge such objection together with the grounds thereof, with the Municipality of Swakopmund and with the applicant (Plan Africa Consulting CC) in writing within 14 days of the last publication of this notice(final date for objections is 14 June 2024).
PLAN AFRICA CONSULTING CC
TOWN and Regional Planners
Box 4114
8 Delius Street
Windhoek (West)
Tel: (061) 212096 Cell: 0812716189
Fax: (061) 21305)
Email: pafrica@mweb.com.na
DM0202400415794

IN THE High Court of Namibia (Main Division)
Case Number: HC-MD-CIV-ACT-CON-2022/03568
In the matter between:
EAGLE ROCK BODY CORPORATE, Execution Creditor
AND
UNOMENGI KAUAPIRURA, Execution Debtor
NOTICE OF SALE IN EXECUTION
IN EXECUTION OF A JUDGMENT of the High Court Main Division, given on the 09thof November 2022 in the abovementioned case, a judicial sale by public auction will be held at the premises of the Deputy Sheriff and Messenger of the Court Windhoek, starting at 09:00 on the 01st of June 2024 at 422 INDEPENDENCE AVENUE, WINDHOEK of the following movable property:
1x De ep Freezer, 2x Anvil Staves, 1x Steel Table, 1x Trojan Bench, 1x Trojan Bike, 1x Samsung Fridge, 1x Gas Stove Stand.
TERM S: "Voetstoots" - Cash to the Highest Bidder
DATED at WINDHOEK on this 10th day of MAY 2024.
PHILIP SWANEPOEL LEGAL PRACTITIONERS
Legal practitioners for the Plaintiff
Eros Airport
Aviation Road
Windhoek
Namibia
REF: EAGI/0001
DM0202400415794

KENNISGEWING AAN KREDITEURE RADICAL TYRE TECH BK (IN LIKWIDASIE)
MEESTER SE VERWYSINGSNOMMER: W11/2024
Kennis geskied hiermee dat die EERSTE EN TWEEDE VERGADERING VAN SKULDEISERS indie bogenoemde aangeleenthaid gehou sal word op Woensdag, 12 Junie 2024 om 10h00 voor die Meester van die Hooggeregshof, Windhoek vir die bewys van eise teen die beslote korporasie, voorlegging van die likwidateurs se verslag in terme van die sake van die beslote korporasie, die aanvaarding van resolusies, ondervraging aangaande die sake van die beslote korporasie (indien nodig) en om die likwidateurs instruksies te gee aangaande verdere administrasie van die beslote korporasie.
Likwidateur:
J. Oosthuizen
P. O. Box 29704
Windhoek
DM0202400415805

IN THE High Court of Namibia (Main Division)
Case Number: HC-MD-CIV-ACT-CON-2022/02645
In the matter between:
1010 HARMONY COURT BODY CORPORATE, Execution Creditor
And
SAKEUS BENJAMIN SHIVUTE, 1ST Execution Debtor
LUCINDA KAUNAPAWA TUNGA NELL, 2nd Execution Debtor
NOTICE OF SALE IN EXECUTION
IN EXECUTION OF A JUDGMENT of the High Court Main Division held at WINDHOEK, given on 08th of September 2022 in the abovementioned case, a judicial sale by public auction will be held at 09:00 on the 01st of June 2024 at the premises of the Deputy Sheriff and Messenger of the Court Windhoek - 422 Independence Avenue, Windhoek, of the following property:
2x Bar Chairs, 2x Black Couches, 1x TV Unit, 1x Wooden Table, 4x Chairs, 1x Samsung Flat Screen TV, 1x Black Couch.
TERMS: "Voetstoots" - cash to the highest bidder.
Dated at Windhoek on this 10th day of MAY 2024.
PHILIP SWANEPOEL LEGAL PRACTITIONERS
Legal practitioners for the Plaintiff
Eros Airport
Aviation Road
Windhoek
Namibia
REF: EON48/0001
DM0202400415795

NOTICE TO CREDITORS RADICAL TYRE TECH CC (IN LIQUIDATION)
MASTER'S REFERENCE NUMBER W11/2024
Notice is hereby given that the FIRST AND SECOND MEETING OF CREDITORS, in the above matter, will be held before the Master of the High Court, Windhoek, Republic of Namibia on WEDNESDAY, 12 June 2024 at 10:00, for the purposes of proving claims against the close corporation, receiving the liquidators' report, adoption of the resolutions, enquiry as to the affairs of the close corporation (if required) and giving directions as to the further winding up of the close corporation to the liquidators.
Liquidator:
J. Oosthuizen
P. O. Box 29704
Windhoek
DM0202400415808

IN THE High Court of Namibia
Main Division
Case No. HC-MD-CIV-ACT-CON-2021/02262
In the matter between:
FIRST NATIONAL BANK OF NAMIBIA LIMITED, Plaintiff
and
MARTIN TANGENI MBANGO, Defendant
NOTICE OF SALE IN EXECUTION
In pursuance of a judgment in the High Court of Namibia on the 15th day of July 2021 and 3 (three) Writs of Execution dated the 15th day of July 2021, the following goods will be sold in Execution on Saturday, the 1st day of June 2024 at 09h00 at the premises of the Deputy Sheriff and Messenger of Court Windhoek, being No. 422 Independence Avenue, Windhoek, Republic of Namibia:
1x Lounge, 1x dining table with 6 chairs, 1x microwave, 1x flat screen TV, 1x fridge, 2x bar chairs, 1x TV-unit.
Dated at Windhoek this 13th day of May 2024.
THELNISSEN, LOUW AND PARTNERS
LEGAL PRACTITIONER FOR PLAINTIFF
SCHÜTZEN HAUS, NO. 1
SCHÜTZEN STREET
WINDHOEK
REF. TL/wk/MAT2286
DM0202400415829

IN THE High Court Of Namibia
Held At Main Division Windhoek
Case Number: I 2780/2011
In the matter between:
NEDBANK NAMIBIA LIMITED, Plaintiff and
DESIREE FRANCIS LOUW, Defendant
NOTICE OF SALE IN EXECUTION
Pursuant to a Judgement of the above Honourable Court granted on the 6th OCTOBER 2023, the following immovable property will be sold "voetstoots" by the DEPUTY SHERIFF for the District of WINDHOEK, on Thursday, the 6th day of June 2024, at 12:00 at Erf 4262, Unit No. 24, City Heights, Aussanplatz, Windhoek , Namibia.
CERTAIN: Erf 4262, Unit No. 24, City Heights, Aussanplatz, Windhoek , Namibia
SITUATED: In the Municipality of Windhoek, Registration Division "K"
RESERVE PRICE: (a) The property will be sold by the deputy-sheriff of HIGH COURT OF NAMIBIA, WINDHOEK to the highest bidder in terms of Rule 110(1)(a), in terms of which the property will be sold at no less than 75% of the established municipal value; alternatively,
established market value market value should it be established that it is a primary residence. The valuation will behold with the Deputy Sheriff for inspection together with these conditions.
(b) Plus interest at 16.80% interest per annum from 30 days after sale to date of full and final payment;
(c) Deputy Sheriff's fees
IMPROVEMENTS: 1x Bedroom, 1x Full Bathroom, Open Plan Kitchen/ Lounge
The "Conditions of Sale in Execution" will lie for inspection at the office of the Deputy Sheriff of Windhoek, and at the Head Office of Plaintiff in Windhoek at Plaintiff's Attorneys, Koep & Partners at the undermentioned address.
DATED at WINDHOEK this 12th day of APRIL 2024.
KOEP & PARTNERS
LEGAL PRACTITIONERS FOR PLAINTIFF
33 SCHANZEN ROAD
WINDHOEK
REF: OD/mia/56739/DEB406
DM0202400415484

IN THE High Court of Namibia
Main Division
Case No. HC-MD-CIV-ACT-CON-2018/00054
In the matter between:
FIRST NATIONAL BANK OF NAMIBIA LIMITED, Plaintiff and
DONATHA NGUNOVANDU (PREVIOUSLY GAWANAB), Defendant
NOTICE OF SALE IN EXECUTION
In pursuance of a judgment in the High Court of Namibia on the 1st day of March 2018 and 2 (two) Writs of Execution dated the 7th day of March 2018, the following goods will be sold in Execution on Friday, the 31st day of MAY 2024 at 10h00 at the premises of the Deputy Sheriff and Messenger of Court Windhoek, being No. 163 Rensburger Street, Lafrenz, Windhoek, Republic of Namibia:
1 x FORD ECOBOOST with Registration Number N 173-738 W
Dated at Windhoek this 13th day of May 2024
THELNISSEN, LOUW AND PARTNERS
LEGAL PRACTITIONER FOR PLAINTIFF
SCHÜTZEN HAUS,
NO.1 SCHÜTZEN STREET
WINDHOEK
REF. TL/wk/MAT21900
DM0202400415830

IN THE High Court of Namibia
Case No. HC-MD-CIV-ACT-CON-2020/01994
In the matter between:
STANDARD BANK NAMIBIA LTD, Plaintiff and
SIEGFRIEDT PICKY KAUMUNIKA, Defendant
NOTICE OF SALE IN EXECUTION OF IMMOVABLE PROPERTY
In Execution of a Judgment of the above Honourable Court in the above mentioned suit, a sale will be held on Friday, the7th June 2024 at 12:00 at Erf 1770, Witvaik Court, Section 1, Khomasdal(Extension No 9), Windhoek:
CERTAIN: SECTION 1 as shown and more fully described on Sectional Plan No82/1995 in the building or buildings known as Witvaik Court situated in Khomasdal(Extension No 9)
SITUATED: In the Town of Windhoek, Khomas Region, Registration Division "K"
MEASURING: 97 (nine seven) square metres
HELD BY: Certificate of Registered Sectional Title 82/2995 (1) (UNIT)
SUBJECT: to all the conditions contained therein
ALLEGED IMPROVEMENTS
DESCRIPTION the following improvements are on the property (although nothing in this respect is guaranteed). The building comprising of:
1x Flat with two bedrooms and toilet, 1x flat with one bedroom and toilet, 1x half-built house (no roof).
The property shall be sold by the Deputy-Sheriff of WINDHOEK subject to the Conditions of Sale that may be inspected at the Offices of the Deputy-Sheriff to the highest bidder on the auction and furthermore subject to approval by the preferent claimant.
The sale is subject to the provisions of the High Court Act No 16 of 1990, as amended, and the property will be sold "voetstoots" according to the existing title deed.
10% of the purchase price to be paid in cash on the date of the sale, the balance to be paid against transfer, to be secured by a Bank or Building Society or other acceptable guarantee to be furnished to the Deputy-Sheriff within 14 (fourteen) days after the date of Sale.
The full Conditions of Sale will be read out by the Deputy-Sheriff on the day of the sale, but may be inspected at any time prior to the sale at the offices of the Deputy-Sheriff or at the office of the Plaintiff's attorneys.
Dated at Windhoek this day of April 2024.
ENGLING STRITTER & PARTNERS
Attorneys for Plaintiff
12 LOVE STREET
WINDHOEK
EY/bp/s68705
DM0202400415521

IN THE High Court Of Namibia
Case No.: HC-MD-CIV-ACT-CON-2021/1567
In the matter between:
STANDARD BANK NAMIBIA LTD, Plaintiff and
VILHO SHUUTAMEKA ANDREAS, Defendant
NOTICE OF SALE IN EXECUTION OF IMMOVABLE PROPERTY
In Execution of a Judgment of the above Honourable Court in the above mentioned suit, a sale will be held on Friday, the 7th of June 2024 at 10:00, Erf No 255, Osona Village (Extension 1), Eden Gardens, Section 7, Okahandja:.
CERTAIN: Section No 7 as shown and more fully, described on Sectional Plan No SS 38/2019 in the Development Scheme known as Eden Gardens in respect of the Land and Buildings situated at Erf No 255, Osona Village (Extension 1)
SITUATE: In the town of Okahandja, Registration Division, "F" Otjozondjupa Region
MEASURING: 76 (seven six square metres)
HELD BY: Deed Of Transfer NO ST947/2019
SUBJECT: to the conditions therein contained.
ALLEGED IMPROVEMENTS
DESCRIPTION: The following improvements are on the property (although nothing in this respect is guaranteed). The building comprising of:
1x Master bedroom with built-in cupboards and en-suite bathroom, 2x bedrooms both with built-in cupboards, x1 bathroom with basin, bath and toilet, 1x open-plan kitchen-living room with built-in cupboards and stove. 1x Carport.
1. The property shall be sold by the Deputy-Sheriff of OKAHANDJA subject to the Conditions of Sale that may be inspected at the Offices of the Deputy-Sheriff to the highest bidder on the auction and furthermore subject to approval by the preferent claimant.
2. The sale is subject to the provisions of the High Court Act No 16 of 1990,as amended, and the property will be sold "voetstoots" according to the existing title deed.
3. 10% of the purchase price to be paid in cash on the date of the sale, the balance to be paid against transfer, to be secured by a Bank or Building Society or other acceptable guarantee to be furnished to the Deputy-Sheriff within 14(fourteen) days after the date of Sale.
4. The full Conditions of Sale will be read out by the Deputy-Sheriff on the day of the sale, but may be inspected at any time prior to the sale at the offices of the Deputy-Sheriff or at the office of the Plaintiff's attorneys.
Dated at Windhoek this day of April 2024.
ENGLING STRITTER & PARTNERS
Attorneys for Plaintiff
12 LOVE STREET
WINDHOEK
EY/bp/s68788
DM0202400415642

IN THE Magistrate Court
For the District of Oshakati
Held At Oshakati
Case No: 52/2020
In the matter between
JOHAN VAN DER MERWE, Plaintiff and
FABIANUS PAULUS, Defendant
NOTICE OF SALE
In pursuance of a Judgment in the Magistrate's Court granted on the 12 June 2020 and Warrant of Execution dated 12 June 2020 the following goods will be sold in execution on 12 June 2024 at 12H00 at MAVINGA LODGE, RUACANA, REPUBLICOF NAMIBIA.
GOODS:
3x round tables, 12x chairs, 10x tables, 21x chairs, 1x Bain-Marr, 1x water machine, 3x double door fridge (Hisense), 3x deep freezers, 3x tables +4 chairs, various mattresses, various linen, 2x boats (no engines), 1x lawn mower, 11x wooden benches, 18x flat screen TVs, 18x bar fridges, 18x wood tables + 36 chairs, 18x clothes cupboards, 8x single beds, 10x double beds, 1x diesel generator with switch gear complete, 1x red beach buggy, 3x office tables, 1x cupboard, 1x couch + 6x chairs, 7x Bar chairs, 1x Samsung Flat Screen TV, 1x Double Door Fridge, quantity of Alcohol and cool drink, 1x Washing Machine, 1x Cupboard, 1x Table, quantity of Crockery, 3x Steel Tables, 1x Double Door Fridge, 1x gas stove, 1x Four Gas Burner, 1x wooden cupboard, 1x Toaster, 1xGriller, 1x Anvil Deep fryer single, 2x Deep Freezer, 3x Tables, 1x Cupboard, Various pots.
CONDITION OF SALE: Voetstoots
DATED at OSHAKATI on this 03TH day of MAY 2024.
MUSAVIRI ATTORNEYS
Legal Practitioners for Plaintiff
Kalahari Business Centre
Office No. 9
OSHAKATI
(Our ref: MER 001 GNM/MJ)
TO: DEPUTY SHERIFF
OSHAKATI
AND TO:
THE CLERK OF THE CIVIL COURT
Magistrate Court, OSHAKATI
DM0202400415872

IN THE High Court of Namibia
Main Division - Windhoek
Case Number: HC-MD-CIV-ACT-OTH-2023/05093
In the matter between:
TALENI AFRICA TOURISM HOLDINGS (PTY) T/A SOSSUS OASIS SERVICE STATION, Execution Creditor
and
NDES TRADING ENTERPRISES CC, Execution Debtor
NOTICE OF SALE IN EXECUTION
IN THE EXECUTION of a Judgment granted by the High Court signed by the Registrar of Court on 15 FEBRUARY 2024, the following movable property will be sold on 5 JUNE 2023 at 17:00 in Erf 92 c/o Martin Naib Street, Okahandja: 1x Toyota Hilux, Single Cab Pick-up, 2400CC Diesel Turbo, 2021 Model, 1x Fridge/Freezer, 1x Hisense Washing Machine, 1x 3-Piece Lounge Suite with a coffee table, 1x 6-Piece Dining Set, 1x Hisense Flat Screen TV.
"CONDITIONS OF SALE: "Voetstoots"; cash to the highest bidder
Dated at Windhoek this day of May 2024.
KOPMUNDER BOUMAN VAN GRÜNEN
LEGAL PRACTITIONERS
FOR EXECUTION CREDITOR
PER: N NEL
NO. 10 JAKARANDA STREET
WINDHOEK
(N23076)
DM0202400415838

035 Regskennisgewings Legal Notices

PUBLIC NOTICE

Permanent closure of a portion of Duine Road (remainder of the farm Hentiesbaai No.125). Hentiesbaai as 'street' (the portion is ±1 144m² in extent and will be sold to the owner of Erf 619 Hentiesbaai for consolidation purposes). ERF 619 IS ZONED GENERAL BUSINESS.

Notice is hereby given in terms of Section 50 (1) (a) (ii) of the Local Authorities Act of 1992 (Act 23 of 1992) that the Hentiesbaai Municipality proposes to **Permanently** close the under-mentioned portion as indicated on locality plan, which lies for inspection during office hours at the, Municipal Offices, c/o Jakkalsputz Road & Nicky Iyambo Avenue.

PERMANENT CLOSURE OF A PORTION OF DUINE ROAD (REMAINDER OF THE FARM HENTIESBAAI NO.125, HENTIESBAAI AS 'STREET' (THE PORTION IS ±1 144M² IN EXTENT AND WILL BE SOLD TO THE OWNER OF ERF 619 HENTIESBAAI FOR CONSOLIDATION PURPOSES). ERF 619 IS ZONED GENERAL BUSINESS.

Objections to the proposed closing are to be served on the Secretary: Townships Board, Private Bag 13289, and the Chief Executive Officer, P.O. Box 59, Windhoek, within 14 days after the appearance of this notice in accordance with Section 50 (1) (c) of the above Act

Contact person: department: Mr. Gift Sinyepe (Division: Town Planning)

NOTICE OF LOST LAND TITLE No.: T.3306/2008 Notice is hereby given that THE TRUSTEES FOR THE TIME BEING OF THE GREEN HOUSE TRUST intend to apply for a certified copy of Deed of Transfer No. T.3306/2008 in respect of CERTAIN: Erf No. 1869 (a Portion of Erf 887) TSUMEB
SITUATED: In the Municipality of TSUMEB, Registration Division "B", OSHIKOTO REGION
MEASURING: 1826 (One Eight Two Six) square metres
The property of THE TRUSTEES FOR THE TIME BEING OF THE GREEN HOUSE TRUST
All persons who object to the issue of such copy are hereby required to lodge their objections in writing with Registrar within six weeks from the first publication of this notice during which period any person may object to the issue of the Title Deed.
Dated at the 15th of April 2024
HELMUT BASSON AS TRUSTEE
CHRISTINE BASSON AS TRUSTEE
P O BOX 552
TSUMEB
TEL.NO.: 081 314 4835
DM0202400415496

035 Regskennisgewings Legal Notices

IN THE High Court of Namibia (Main Division)
Case Number: HC-MD-CIV-ACT-CON-2023/04069
In the matter between:
KRUPP STREET PROPERTIES (PTY) LTD, Execution Creditor
and
BLACK GOLD ENGINEERING (PTY) LTD, 1st Execution Debtor
PEDRO DA FONSECA, 2nd Execution Debtor
NOTICE OF SALE IN EXECUTION OF MOVABLE PROPERTY
BE PLEASED to take notice that the under-mentioned assets, in execution of a Judgement granted on 25 JANUARY 2024 against the DEBTORS, will be sold inexecution by the Deputy Sheriff for the district of WINDHOEK, on SATURDAY, 1 JUNE 2024 at 09:00 at 422 INDEPENDENCE AVENUE, WINDHOEK.
6x tables with standing lamp, 8x office chairs, various LED High Bay Lights, 8xwooden chairs, 1 white fridge, plastic table and 8 chairs, 1x computer screen, small silver fridge, small wooden units, 2x wooden drawers, office table, small bed wooden, safe, 12x street lights, 2x wooden shelves, 2x steel drawers, 1x wooden bed, 1x small wooden drawer, 1x blue shelve, 1x water dispenser, 1x white table.
TERMS: Voetstoots and cash to the highest bidder.
Dated at Windhoek on 30th day of April 2024.
ETZOLD – DUVENHAGE
PER: MS J BARKHUIZEN
LEGAL PRACTITIONER FOR CREDITOR
NO. 33 FELD STREET
WINDHOEK
JB/lnb/KRU41/0002
DM0202400425657

NOTICE Take notice that PLAN AFRICA CONSULTING CC, TOWN AND REGIONAL PLANNERS, on behalf of the owner of the respective erf, intends to apply to the Municipality of Swakopmund for:
* REZONING OF ERF 1184 TAMARISKIA, EXTENSION 3 C/O NIXO BESSINGER AND ABRAHAM IVAMBO STREET FROM RESIDENTIAL WITH A DENSITY OF 1:600 TO GENERAL RESIDENTIAL WITH A DENSITY OF 1:200
* CONSENT TO PROCEED WITH DEVELOPMENT WHILE REZONING IS IN PROGRESS
Erf 1184 Tamariskia Extension 3 is 1 310m² in extent. The proposed zoning and density will enable the owner to construct 13 residential dwelling units, however the moment the owner wishes to develop only 6 units.
Further take notice that the plan of the erf lies for inspection on the town planning notice board at the Municipality of Swakopmund and at Plan Africa Consulting CC, No 8 Delius Street, Windhoek West.
Further take notice that any person objecting to the proposed use of the land as set out above may lodge such objection together with the grounds thereof, with the Municipality of Swakopmund and with the applicant (Plan Africa Consulting CC) in writing within 14 days of the last publication of this notice(final date for objections is 14 June 2024).
PLAN AFRICA CONSULTING CC
TOWN and Regional Planners
Box 4114
8 Delius Street
Windhoek (West)
Tel: (061) 212096 Cell: 0812716189
Fax: (061) 213051
Email: pafrica@mweb.com.na
DM0202400415774

NOTICE TO CREDITORS TECNYFARMA REFITTING SOLUTIONS NAMIBIA (PTY) LTD (IN LIQUIDATION)
MASTER'S REFERENCE NUMBER W17/2023
Notice is hereby given that SECOND MEETING OF CREDITORS, in the above matter, will be held before the Master of the High Court, Windhoek, Republic of Namibia on WEDNESDAY, 05 June 2024 at 10:00, for the purposes of proving claims against the company, receiving the liquidator's report, adoption of the resolutions, enquiry as to the affairs of the company (if required) and giving directions as to the further winding up of the company to the liquidator.
Liquidator:
Jacques Oosthuizen
P O Box 29704
Windhoek

035 Regskennisgewings Legal Notices

IN THE HIGH COURT OF NAMIBIA MAIN DIVISION WINDHOEK Case Number: HC-MD-CIV-ACT-CON-2023/05197
In the matter between: AUBREY ROLAND BOTHA IN HIS CAPACITY AS TRUSTEE OF A.R BOTHA FAMILY TRUST Plaintiff and HSK ENGINEERING AND WEDING SERVICES CC-First Defendant HAROLD SYDNEY KISTING-Second Defendant
NOTICE OF SALE IN EXECUTION
In the execution of a Writ of Execution issued out of the High Court of Namibia, signed by the Registrar of the High Court on 07 February 2024 the following movable property will be sold live on Friday, 07 June 2024 at 10h00 at Unit 11, Factory Park, C/O 10th street East & Grand Avenue, Old Industrial Area, Walvis Bay,. Republic of Namibia:
A: Assets to be sold in Execution 1x Toyota Station Wagon, Licence No: N13655W, Vin Nr: ZGM100020273, Engine Nr: 2ZR0697917, 1x Steel Work Bench, 1x Grey Bench grinder, 1x Red Ryobi welding machine, 4x Grinders, 1x Red car jack 3ton assorted hand tools,1x light brown office desk, 1x light brown filling rack, 1x blue gas bottle, 1x black gas bottle, 1x blue camp chair, 2x yellow plastic chairs, 1x green tool holder, 1x pedelstal drill machine, 2x trolleys, 9x 12 meter red steel pipes, 6x red 6 meter steel pipes,21x 6 meter grey steel pipes, 4x 6 meter grey steel pipes, 12x 200SCH 40 Bending pipes, 8x 200SCh 40 Bending pipes, 28x Flenches/plates, 1x Red Steel drum,1x blue toobox with welding tools, 3x Boxes for rapping for pipes, Red/Blue pipes, 6x Rappings.
B: Conditions of Sale:
"Voetstoots" Cash to the highest bidder:
Date at Walvis Bay on this 30st day of April 2024.
DELPORT LEGAL PRACTITIONERS
Legal Practitioners for Plaintiff
Unit 7, No 51 on Lazarett
Julius Ngwarere Street
Windhoek
DM0202400415776

IN THE High Court of Namibia
Main Division – Windhoek
Case No: HC-MD-CIV-ACT-CON-2022/01380
In the matter between:
FIRST NATIONAL BANK OF NAMIBIA LIMITED, Plaintiff
and
TOBIAS NICO STEPHANUS, Defendant
NOTICE OF SALE IN EXECUTION
In execution of a Judgement of the above Honourable Court in the above action, a sale without reserve will be held by the Deputy-Sheriff, Walvis Bay, at Section 97 and Section 163, Lalandi, Portion 2 of Farm Langstrand No 42, Walvis Bay, on 29 MAY 2024, at 10h00, of the undermentioned property:
1. Certain: Section No 97, Lalandi, Portion 2 of Farm Langstrand No 42
Situated: In the Municipality of Walvis Bay, Registration Division "F", Erongo Region.
Measuring: 43 (Forty three) square metres
Held: by Deed of Transfer No. ST 373/2019
PROPERTY DESCRIPTION: One bedroom sectional title with lounge, kitchen, bathroom and WC
AND
2. Certain: Section No 163, Lalandi, Portion 2 of Farm Langstrand No 42
Situated: In the Municipality of Walvis Bay, Registration Division "F", Erongo Region.
Measuring: 21 (Forty three) square metres
Held: by Deed of Transfer No. ST 373/2019
PROPERTY DESCRIPTION: Garage
TERMS 10% of the purchase price and the auctioneers' commission must be paid on the day of the sale. The further terms and conditions of the sale will be read prior to the auction and lie for inspection at the office of the Deputy-Sheriff, Walvis Bay and at the offices of the execution creditor's attorneys.
DATED at WINDHOEK this 29TH day of MARCH 2024
DR WEDER KAUTA & HOVEKA INC
Legal Practitioner for Plaintiff
WHK House
Jan Jonker Road
WINDHOEK
REF: MAT65039

035 Regskennisgewings Legal Notices

IN THE High Court of Namibia (Main Division – Windhoek)
Case No: HC-MD-CIV-ACT-CON-2023/03987
In the matter between:
FIRST NATIONAL BANK OF NAMIBIA LIMITED, Execution Creditor
and
LADIA GLENDA PIETERS, Execution Debtor
NOTICE OF SALE IN EXECUTION
IN EXECUTION OF COURT ORDER of THE HIGH COURT OF NAMIBIA, given on 11th day of JANUARY 2024 in the above mentioned case, a judicial sale by public auction will be held on the 31st day of May 2024, Unit 11, Factory Park, corner of 10th Street East & Grand Avenue, Old Industrial Area, Walvis Bay, Republic of Namibia, for the following:
GOODS: 1x black dining table + 3 chairs, 1x black glass TV stand, 1x mirror, 1xdark brown 7-seater lounge suite, x1 Samsung Flat screen TV, x1 grey Hisense Top Loader wash machine, 1x grey box type Defy deepfreeze, 1x grey Bosch 2-door fridge, 1xgrey Defy Microwave, 1x dark brown wooden table + 3 wooden chairs, 1x black chest drawers, 2x black cubes, 1x mirror.
CONDITIONS OF SALE:
1. The sale will be held without reserve and goods will be sold to the highest bidder.
2. The goods will be sold "voetstoots".
3. Payment shall be made in cash or by EFT.
DATED AT WINDHOEK THIS day of APRIL2024.
REGISTRAR OF THE HIGH COURT
KATJAERUA INCORPORATED
Legal Practitioner for Judgement Creditor
No: 63, Nelson Mandela Avenue
Klein-Windhoek
WINDHOEK
(Ref: FIRI/0995)
DM0202400415771

IN THE High Court Of Namibia (Main Division – Windhoek)
Case No: HC-MD-CIV-ACT-CON-2021/00944
In the matter between:
DEVELOPMENT BANK OF NAMIBIA LIMITED, Execution Creditor
and
ANALYTICAL TECHNOLOGY AND CHEMICAL SUPPLY, (PROPRIETARY) LIMITED, 1st Execution Debtor
GEOFREY KAUTA, 2nd Execution Debtor
JULIA IPAWA SHIMWINO, 3rd Execution Debtor
BV INVESTMENT EIGHT HUNDRED AND FORTY-TWO CLOSE CORPORATION, 4th Execution Debtor
NOTICE OF SALE IN EXECUTION
In Execution of a Court Order of the High Court of Namibia, given on 19th day of May 2021 in the abovementioned case, a judicial sale by public auction will be held on the 1st day of June 2024, 163, Rensburger Street, Lafrenz, Windhoek, Republic of Namibia, for the following:
GOODS: 1x HP Printer, 3x display cupboards, 1x round table, 4x chairs, 5x lounge suites, 10x bar chairs, 1x Profoam Machine, 2x Master Fridges, 1x LGTV flat screen, 2x Sony Sound System, 1x Defy Fridge, 1x Defy Fridge, 1x Defy Microwave, 1x SMEG Dishwasher, 1x Samsung TV.
CONDITIONS OF SALE:
The sale will be held without reserve and goods will be sold to the highest bidder.
The goods will be sold "voetstoots".
Payment shall be made in cash or by EFT.
DATED AT WINDHOEK THIS 03 day of MAY 2024.
REGISTRAR OF THE HIGH COURT
KATJAERUA INCORPORATED
Legal Practitioner for Judgement Creditor
No: 63, Nelson Mandela Avenue
Klein-Windhoek
WINDHOEK
(Ref: DEVI/0004)
DM0202400415784

035 Regskennisgewings Legal Notices

IN THE High Court of Namibia
Main Local Division
Windhoek
Case NO. HC-MD-CIV-ACT-CON-2019/04850
In the matter between:
FIRST NATIONAL BANK OF NAMIBIA LIMITED, Plaintiff and
BONSEC INVESTMENTS TWO ONE NINE CC, First Defendant
JOAO WALTER PERESTRELO, Second Defendant
JULIA PAULINA PERESTRELO, NOTICE OF SALE IN EXECUTION
In EXECUTION of a Judgment of the High Court of Namibia, given on the 14th day of July 2023, a Judicial Sale by PUBLIC AUCTION will be held of and at the undermentioned immovable property on 27 MAY 2024 at 09:00 at ERF 314, SECTION-NR. 4, VILLAS ERICKSEN, cnr of Eriksson & Trift Streets, WINDHOEK of
A unit consisting of-
(a) Section No. 4 as shown and more fully described on Sectional Plan No.25/2012 in the building or buildings known as VILLAS ERICKSEN, situated at KLEIN WINDHOEK, in the Municipality of WINDHOEK, Registration Division K,KHOMAS Region, of which the floor area, according to the said Sectional Plan is186 (ONE HUNDRED AND EIGHTY SIX) square metres in extent; and
(b) An undivided share in the common property in the land and building or buildings as shown and more fully described on the said Sectional Plan, apportioned to the said section in accordance with the participation quota as the said section specified in a schedule endorsed on the said Sectional Plan, HELD under Certificate of Registered Sectional Title No. 25/2012 (4) (UNIT) dated 19JUNE 2012
Subject to the conditions therein contained.
The following improvements are on the property (although nothing in this respect is guaranteed): 3x bedrooms; 1xlounge; 1x kitchen; 2x bathrooms; 2x showers; 2x wc; 1x out garage and 1xcarport.
The property will be sold by the Deputy Sheriff to the highest bidder subject to the conditions of sale.
The conditions of sale to be read out by the Deputy Sheriff of Windhoek, at the time of the sale and which conditions may be inspected prior to the sale at the offices of the Deputy Sheriff of Windhoek, and at the offices of ENSafrica Namibia (incorporated as Lorentz Angula Inc.), Ground Floor, Unit 4, Aussspann Plaza, Dr. Agostinho Neto Road, Windhoek.
Dated at WINDHOEK on this 20th day of MARCH 2024.
Legal Practitioner for Plaintiff
ENSafrica Namibia
(Incorporated as LorentzAngula Inc.)
Ground Floor, Unit 4, Aussspann Plaza
Dr, Agostinho Neto Street
WINDHOEK
(Ref: MB19046)
DM0202400415729

IN THE High Court Of Namibia
Case No: HC-MD-CIV-ACT-CON-2020/03103
In the matter between:
FIRST NATIONAL BANK OF NAMIBIA LIMITED, Plaintiff
and
OMONDILI HILENI NAHAMBO, First Defendant
VILHO KALITHENI NAHAMBO, Second Defendant
NOTICE OF SALE IN EXECUTION
In execution of a judgement against the above Defendants granted by the above Honourable Court on the 13 October 2020, the following will be sold by public/online auction as from the 1 June 2024 at 09:00 at 422 Independence Avenue, Windhoek, by the Deputy Sheriff, Windhoek:
3x Box freezers, 1x Juke Box, 1x Gambling machine, 5x Bar chairs, 1x Stove, 1xFridge, 1x Lounge suite, 1x TV, 1x Washing machine, 10x Plastic chairs.
TERMS OF SALE: Voetstoots Cash to the highest bidder.
DATED at WINDHOEK this 2nd day of APRIL 2024
DR WEDER KAUTA & HOVEKA INC
WKH HOUSE
JAN JONKER ROAD
WINDHOEK
REF: MAT53292/CP/av

035 Regskennisgewings Legal Notices

IN THE High Court of Namibia (Main Division)
Case No.: HC-MD-CIV-ACT-CON-2022/03531
In the matter between:
FIRST NATIONAL BANK OF NAMIBIA LIMITED, Plaintiff and
ANDREAS AMADHILA, Defendant
NOTICE OF SALE IN EXECUTION OF IMMOVABLE PROPERTY
In Execution of a Judgement of the above Honourable Court in the above mentioned suit, a sale will be held on 30 MAY 2024 at 11H00 at the under mentioned property of the Defendants:
A Unit consisting of:
1.1. Section No. 3 as shown and more fully described on Sectional Plan No. SS47/2010 in the building or buildings known as MONDI HAVEN situate at ERF NO.4375 MONDESA (EXTENSION NO. 3), in the Municipality of SWAKOPMUND, Registration Division "G", ERONGO Region of which the floor area, according to the sectional plan is 80 (EIGHTY) square metres in extent;
1.2. an undivided share in the common property in the land and building or buildings as shown and more fully described on the said sectional plan, apportioned to the said section in accordance with the participation quota of the said section and HELD under Certificate of Registered Sectional Title No.43/2010(3)(UNIT) which immovable property has been bonded in favour of the plaintiff under the mortgage bond bearing number SB 1400/2012 (UNIT) as a first mortgage.
The following improvements are on the property (although nothing in this respect is guaranteed)
MAIN DWELLING: 1x lounge, 1x kitchen, 2x bedrooms, 1x bathroom, 1x shower, 2x water closets, 1x garage.
1. The Sale is subject to provisions of the High Court Act No. 16 of 1990, as amended, and the property will be sold "voetstoots" according to the existing title deed.
2. The property shall be sold by the Deputy Sheriff of Swakopmund to the highest bidder.
3. The purchaser must pay a deposit of 10% of the purchase price in cash on the day of sale, the balance against transfer to be secured by a bank or building society guarantee, to be approved by execution creditor's legal practitioner, to be furnished to the deputy sheriff within 4 (fourteen) days after the date of sale.
4. If transfer of the property is not registered within one month after the sale, the purchaser is liable for payment of interest to the execution creditor (bondholder) at a rate equal to the Home Loan Base Rate (currently 12.50%) per annum on the respective amounts of the award to the execution creditor(bondholder) in the plan of distribution as from the expiration of one month after the sale to date of transfer.
5. The complete Conditions of Sale will be read out at the time of the sale, but may be inspected beforehand at the offices of the Deputy Sheriff or First National Bank of Namibia Ltd. Windhoek, or at the offices of the Plaintiff's Attorneys at the under mentioned address.
DATED at WINDHOEK on this 08TH day of APRIL 2024.
PER: T J A LOUW
THEUNISSEN, LOUW & PARTNERS
SCHÜTZEN HAUS,
NO. 1 SCHÜTZEN STREET
WINDHOEK, NAMIBIA
MAT3009 TL/WK
DM0202400415656

IN THE HIGH COURT OF NAMIBIA (MAIN DIVISION)
CASE NO: HC-MD-CIV-ACT-CON-2021/01714
In the matter between:
NORTHERN FUEL DISTRIBUTORS CC, Plaintiff and
MARINA TOYOTA CC, 1st Defendant
FREDERIK DEON SWART, 2nd Defendant
NOTICE OF SALE IN EXECUTION
Pursuant to a Judgement of the above Honourable Court granted on the 22ND DAY OF JUNE 2022, the following goods will be sold in execution by public auction on the 1ST OF JUNE 2024 at 09:00 at 422 INDEPENDENCE AVENUE, WINDHOEK, namely:
100% MEMBER'S INTEREST OF FREDERIK DEON SWART, IDENTITY NUMBER 6904120127 0 IN THE CLOSE CORPORATION CC/97/1265 KNOWN AS OTJIWARONGO TRUCKPORT CC
TERMS : CASH to the highest bidder or a guarantee on the purchase price must be given to the deputy sheriff within seven (7) days after the sale.
DATED AT WINDHOEK THIS 15th of April 2024
FISHER, QUARMBY & PFEIFER
Legal Practitioners for Plaintiff
Corner of Robert Mugabe Ave, & Thorer Street
(Entrance 43 Burg Street)
P O Box 37, WINDHOEK
(Ref. : AAH/is/243567)
DM0202400415737

035 Regskennisgewings Legal Notices

IN THE High Court of Namibia (Main Division)
Case No.: HC-MD-CIV-ACT-CON-2023/02966
In the matter between:
FIRST NATIONAL BANK OF NAMIBIA LIMITED, Plaintiff and
TOIVO LUNGAMENI NDAPWOITA, 1st Defendant
ELIZABETH KATENDA, 2nd Defendant
NOTICE OF SALE IN EXECUTION OF IMMOVABLE PROPERTY
In Execution of a Judgement of the above Honourable Court in the above mentioned suit, a sale will be held on 28 MAY 2024 at 11h30 at the under mentioned property of the Defendants:
Certain: ERF NO. 4025 OSHAKATI (EXTENSION NO.16)
Situated: In the town of Oshakati, Registration Division "A" Oshana Region.
Measuring: 912 (nine one two) square meters
Held by: Deed of Transfer No. T 6321/2020
Subject to: the conditions contained therein,- which immovable property has been bonded in favour of the plaintiff under the mortgage bond bearing number B5063/2020 as a first mortgage.
The following improvements are on the property (although nothing in this respect is guaranteed)
MAIN DWELLING: 1x lounge, 1x kitchen, 3x bedrooms, 2 x bathrooms, 1 x garage
1. The Sale is subject to provisions of the High Court Act No. 16 of 1990, as amended, and the property will be sold "voetstoots" according to the existing title deed.
2. The property shall be sold by the Deputy Sheriff of OSHAKATI to the highest bidder.
3. The purchaser must pay a deposit of 10% of the purchase price in cash on the day of sale, the balance against transfer to be secured by a bank or building society guarantee, to be approved by execution creditor's legal practitioner, to be furnished to the deputy sheriff within 14 (FOURTEEN)days after the date of sale.
4. If transfer of the property is not registered within one month after the sale, the purchaser is liable for payment of interest to the execution creditor (bondholder) at a rate equal to the Home Loan Base Rate (currently 12.50%) per annum on the respective amounts of the award to the execution creditor(bondholder) in the plan of distribution as from the expiration of one month after the sale to date of transfer.
5. The complete Conditions of Sale will be read out at the time of the sale, but may be inspected beforehand at the offices of the Deputy Sheriff or FIRSTNATIONAL BANK OF NAMIBIA LIMITED Windhoek or at the offices of the Plaintiff's Attorneys at the undermentioned address.
DATED at WINDHOEK on this 08TH day of APRIL 2024.
PER: T J A LOUW
THEUNISSEN, LOUW & PARTNERS
SCHÜTZEN HAUS,
NO. 1 SCHÜTZEN STREET
WINDHOEK, NAMIBIA
MAT3489 TL/WK
DM0202400415657

IN THE High Court of Namibia
Main Division Windhoek
Case No: HC-MD-CIV-ACT-CON-2023/02190
In the matter between:
FIRST NATIONAL BANK NAMIBIA, Plaintiff and
COLLINS CHRISTIAANS, 1st Defendant
THIFFANY TALIZA CHRISTIAANS, 2nd Defendant
NOTICE OF SALE IN EXECUTION
In execution of an order handed down by the above Honourable Court on the 7th of July 2022 in the abovementioned case, a judicial sale by public auction of the following will be held by the Deputy Sheriff of Windhoek. Auction starts the 1st of June 2024 at 09H00, at the Premises of the Deputy Sheriff, 422 Independence Ave, Windhoek Republic of Namibia.
List of Goods to be sold:
1 x White Corolla Reg No: N 17670 W
Dated at Windhoek on this the 9th day of April 2024
KOEP & PARTNERS
LEGAL PRACTITIONERS FOR PLAINTIFF
33 SCHANZEN ROAD
WINDHOEK
(OD/um/80507/DEB957)

Regskennisgewings Legal Notices

PUBLIC NOTICE

Permanent closure of a portion of Duine Road (remainder of the farm Hentiesbaai No.125). Hentiesbaai as 'street' (the portion is ±1 144m² in extent and will be sold to the owner of Erf 619 Hentiesbaai for consolidation purposes). ERF 619 IS ZONED GENERAL BUSINESS.

Notice is hereby given in terms of Section 50 (1) (a) (ii) of the Local Authorities Act of 1992 (Act 23 of 1992) that the Hentiesbaai Municipality proposes to **Permanently** close the under-mentioned portion as indicated on locality plan, which lies for inspection during office hours at the, Municipal Offices, c/o Jakkalsputz Road & Nicky Iyambo Avenue.

PERMANENT CLOSURE OF A PORTION OF DUINE ROAD (REMAINDER OF THE FARM HENTIESBAAI NO.125, HENTIESBAAI AS 'STREET' (THE PORTION IS ±1 144M² IN EXTENT AND WILL BE SOLD TO THE OWNER OF ERF 619 HENTIESBAAI FOR CONSOLIDATION PURPOSES). ERF 619 IS ZONED GENERAL BUSINESS.

Objections to the proposed closing are to be served on the Secretary: Townships Board, Private Bag 13289, and the Chief Executive Officer, P.O. Box 59, Windhoek, within 14 days after the appearance of this notice in accordance with Section 50 (1) (c) of the above Act

Contact person: department: Mr. Gift Sinyepe (Division: Town Planning)

NOTICE OF LOST LAND TITLE No.: T.3306/2008 Notice is hereby given that THE TRUSTEES FOR THE TIME BEING OF THE GREEN HOUSE TRUST intend to apply for a certified copy of Deed of Transfer No. T.3306/2008 in respect of CERTAIN: Erf No. 1869 (a Portion of Erf 887) TSUMEB
SITUATED: In the Municipality of TSUMEB, Registration Division "B", OSHIKOTO REGION
MEASURING: 1826 (One Eight Two Six) square metres
The property of THE TRUSTEES FOR THE TIME BEING OF THE GREEN HOUSE TRUST
All persons who object to the issue of such copy are hereby required to lodge their objections in writing with Registrar within six weeks from the first publication of this notice during which period any person may object to the issue of the Title Deed.
Dated at the 15th of April 2024
HELMUT BASSON AS TRUSTEE
CHRISTINE BASSON AS TRUSTEE
P O BOX 552
TSUMEB
TEL.NO.: 081 314 4835
DM0202400415496

IN THE High Court of Namibia (Main Division)
Case Number: HC-MD-CIV-ACT-CON-2023/04069
In the matter between:
KRUPP STREET PROPERTIES (PTY) LTD, Execution Creditor
and
BLACK GOLD ENGINEERING (PTY) LTD, 1st Execution Debtor
PEDRO DA FONSECA, 2nd Execution Debtor
NOTICE OF SALE IN EXECUTION OF MOVABLE PROPERTY
BE PLEASED to take notice that the under-mentioned assets, in execution of a Judgement granted on 25 JANUARY 2024 against the DEBTORS, will be sold inexecution by the Deputy Sheriff for the district of WINDHOEK, on SATURDAY, 1 JUNE 2024 at 09:00 at 422 INDEPENDENCE AVENUE, WINDHOEK.
6x tables with standing lamp, 8x office chairs, various LED High Bay Lights, 8xwooden chairs, 1 white fridge, plastic table and 8 chairs, 1x computer screen, small silver fridge, small wooden units, 2x wooden drawers, office table, small bed wooden, safe, 12x street lights, 2x wooden shelves, 2x steel drawers, 1x wooden bed, 1x small wooden drawer, 1x blue shelve, 1x water dispenser, 1x white table.
TERMS: Voetstoots and cash to the highest bidder.
Dated at Windhoek on 30th day of April 2024.
ETZOLD - DUVENHAGE
PER: MS J BARKHUIZEN
LEGAL PRACTITIONER FOR CREDITOR
NO. 33 FELD STREET
WINDHOEK
JB/lrb/KRU41/0002
DM0202400415551

NOTICE Take notice that PLAN AFRICA CONSULTING CC, TOWN AND REGIONAL PLANNERS, on behalf of the owner of the respective erf, intends to apply to the Municipality of Swakopmund for:
* REZONING OF ERF 1184 TAMARISKIA, EXTENSION 3 C/O NIKO BESSINGER AND ABRAHAM IYAMBO STREET FROM RESIDENTIAL WITH A DENSITY OF 1:600 TO GENERAL RESIDENTIAL WITH A DENSITY OF 1:200
* CONSENT TO PROCEED WITH DEVELOPMENT WHILE REZONING IS IN PROGRESS
Erf 1184 Tamariskia Extension 3 is 1 310m² in extent. The proposed zoning and density will enable the owner to construct 13 residential dwelling units, however the moment the owner wishes to develop only 6 units.
Further take notice that the plan of the erf lies for inspection on the town planning notice board at the Municipality of Swakopmund and at Plan Africa Consulting CC, No 8 Delius Street, Windhoek West.
Further take notice that any person objecting to the proposed use of the land as set out above may lodge such objection together with the grounds thereof, with the Municipality of Swakopmund and with the applicant (Plan Africa Consulting CC) in writing within 14 days of the last publication of this notice(final date for objections is 14 June 2024).
PLAN AFRICA CONSULTING CC
TOWN and Regional Planners
Box 4114
8 Delius Street
Windhoek (West)
Tel: (061) 212096 Cell: 0812716189
Fax: (061) 213051
Email: pafrica@mweb.com.na
DM0202400415274

NOTICE TO CREDITORS TECNYFARMA REFITTING SOLUTIONS NAMIBIA (PTY) LTD (IN LIQUIDATION)
MASTER'S REFERENCE NUMBER W17/2023
Notice is hereby given that SECOND MEETING OF CREDITORS, in the above matter, will be held before the Master of the High Court, Windhoek, Republic of Namibia on WEDNESDAY, 05 June 2024 at 10:00, for the purposes of proving claims against the company, receiving the liquidator's report, adoption of the resolutions, enquiry as to the affairs of the company (if required) and giving directions as to the further winding up of the company to the liquidator.
Liquidator:
Jacques Oosthuizen
P O Box 29704
Windhoek

IN THE HIGH COURT OF NAMIBIA MAIN DIVISION WINDHOEK Case Number: HC-MD-CIV-ACT-CON-2023/05197
In the matter between: AUBREY ROLAND BOTHA IN HIS CAPACITY AS TRUSTEE OF A.R BOTHA FAMILY TRUST Plaintiff and HSK ENGINEERING AND WEDING SERVICES CC-First Defendant HAROLD SYDNEY KISTING-Second Defendant
NOTICE OF SALE IN EXECUTION
In the execution of a Writ of Execution issued out of the High Court of Namibia, signed by the Registrar of the High Court on 07 February 2024 the following movable property will be sold live on Friday, 07 June 2024 at 10h00 at Unit 11, Factory Park, C/O 10th street East & Grand Avenue, Old Industrial area, Walvis Bay, Republic of Namibia:
A: Assets to be sold in Execution 1x Toyota Station Wagon, Licence No: N13655W, Vin Nr: ZGM100020273, Engine Nr: 2ZR0697917, 1x Steel Work Bench, 1x Grey Bench grinder, 1x Red Ryobi welding machine, 4x Grinders, 1x Red car jack 3ton assorted hand tools,1x light brown office desk, 1x light brown filling rack, 1x blue gas bottle, 1x black gas bottle, 1x blue camp chair, 2x yellow plastic chairs, 1x green tool holder, 1x pedelstal drill machine, 2x trolleys, 9x 12 meter red steel pipes, 6x red 6 meter steel pipes,21x 6 meter grey steel pipes, 4x 6 meter grey steel pipes, 12x 200SCH 40 Bending pipes, 8x 200Sch 40 Bending pipes, 28x Flenches/plates, 1x Red Steel drum,1x blue toolbox with welding tools, 3x Bezzas for rapping for pipes, Red/Blue pipes, 6x Rappings.
B: Conditions of Sale:
"Voetstoots" Cash to the highest bidder:
Date at Walvis Bay on this 30st day of April 2024.
DELPORT LEGAL PRACTITIONERS
Legal Practitioners for Plaintiff
Unit 7, No 51 on Lazarett
Julius Ngerere Street
Windhoek
DM0202400415776

IN THE High Court of Namibia
Main Division - Windhoek
Case No: HC-MD-CIV-ACT-CON-2022/01380
In the matter between:
FIRST NATIONAL BANK OF NAMIBIA LIMITED, Plaintiff
and
TOBIAS NICO STEPHANUS, Defendant
NOTICE OF SALE IN EXECUTION
In execution of a Judgement of the above Honourable Court in the above action, a sale without reserve will be held by the Deputy-Sheriff, Walvis Bay, at Section 97 and Section 163, Lalandi, Portion 2 of Farm Langstrand No 42, Walvis Bay, on 29 MAY 2024, at 10h00, of the undermentioned property:
1. Certain: Section No 97, Lalandi, Portion 2 of Farm Langstrand No 42
Situated: in the Municipality of Walvis Bay, Registration Division "F", Erongo Region.
Measuring: 43 (Forty three) square metres
Held: by Deed of Transfer No. ST 373/2019
PROPERTY DESCRIPTION: One bedroom sectional title with lounge, kitchen, bathroom and WC
AND
2. Certain: Section No 163, Lalandi, Portion 2 of Farm Langstrand No 42
Situated: in the Municipality of Walvis Bay, Registration Division "F", Erongo Region.
Measuring: 21 (Forty three) square metres
Held: by Deed of Transfer No. ST 373/2019
PROPERTY DESCRIPTION: Garage
TERMS 10% of the purchase price and the auctioneers' commission must be paid on the date of the sale. The further terms and conditions of the sale will be read prior to the auction and lie for inspection at the office of the Deputy-Sheriff, Walvis Bay and at the offices of the execution creditor's attorneys.
DATED at WINDHOEK this 29TH day of MARCH 2024
DR WEDER KAUTA & HOVEKA INC
Legal Practitioner for Plaintiff
WHK House
Jan Jonker Road
WINDHOEK
REF: MAT6503/9

IN THE High Court of Namibia (Main Division - Windhoek)
Case No: HC-MD-CIV-ACT-CON-2023/03987
In the matter between:
FIRST NATIONAL BANK OF NAMIBIA LIMITED, Execution Creditor
and
LADIA GLENDA PIETERS, Execution Debtor
NOTICE OF SALE IN EXECUTION
IN EXECUTION OF COURT ORDER of THE HIGH COURT OF NAMIBIA, given on 11th day of JANUARY 2024 in the above mentioned case, a judicial sale by public auction will be held on the 31st day of May 2024, Unit 11, Factory Park, corner of 10th Street East & Grand Avenue, Old Industrial Area, Walvis Bay, Republic of Namibia, for the following:
GOODS: 1x black dining table + 3 chairs, 1x black glass TV stand, 1x mirror, 1xdark brown 7-seater lounge suite, x1 Samsung Flat screen TV, x1 grey Hisense Top Loader wash machine, 1x Red Ryobi welding machine, 4x grey box type Defy deepfreeze, 1x grey Bosch 2-door fridge, 1xgrey Defy Microwave, 1x dark brown wooden table + 3 wooden chairs, 1x black chest drawers, 2x black cubes, 1x mirror.
CONDITIONS OF SALE:
1. The sale will be held without reserve and goods will be sold to the highest bidder.
2. The goods will be sold "voetstoots".
3. Payment shall be made in cash or by EFT.
DATED AT WINDHOEK THIS day of APRIL2024.
REGISTRAR OF THE HIGH COURT
KATJAERUA INCORPORATED
Legal Practitioner for Judgement Creditor
No: 63, Nelson Mandela Avenue
Klein-Windhoek
WINDHOEK
(Ref: FIR1/0995)
DM0202400415721

IN THE High Court Of Namibia (Main Division - Windhoek)
Case No: HC-MD-CIV-ACT-CON-2021/00944
In the matter between:
DEVELOPMENT BANK OF NAMIBIA LIMITED, Execution Creditor
and
ANALYTICAL TECHNOLOGY AND CHEMICAL SUPPLY, (PROPRIETARY) LIMITED, 1st Execution Debtor
GEOFREY KAUTA, 2nd Execution Debtor
JULIA IPAWA SHIMWINO, 3rd Execution Debtor
BV INVESTMENT EIGHT HUNDRED AND FORTY-TWO CLOSE CORPORATION, 4th Execution Debtor
NOTICE OF SALE IN EXECUTION
In Execution of a Court Order of the High Court of Namibia, given on 19th day of May 2021 in the abovementioned case, a judicial sale by public auction will be held on the 1st day of June 2024, 163, Rensburger Street, Lafrenz, Windhoek, Republic of Namibia, for the following:
GOODS: 1x HP Printer, 3x display cupboards, 1x round table, 4x chairs, 5x lounge suites, 10x bar chairs, 1x Profoam Machine, 2x Master Fridges, 1x LGTV flat screen, 2x Sony Sound System, 1x Defy Fridge, 1x Defy Fridge, 1x Defy Microwave, 1x SMEG Dishwasher, 1x Samsung TV.
CONDITIONS OF SALE:
The sale will be held without reserve and goods will be sold to the highest bidder.
The goods will be sold "voetstoots".
Payment shall be made in cash or by EFT.
DATED AT WINDHOEK THIS 03 day of MAY 2024.
REGISTRAR OF THE HIGH COURT
KATJAERUA INCORPORATED
Legal Practitioner for Judgement Creditor
No: 63, Nelson Mandela Avenue
Klein-Windhoek
WINDHOEK
(Ref: DEV1/0004)
DM0202400415734

IN THE High Court of Namibia
Main Local Division
Windhoek
Case NO. HC-MD-CIV-ACT-CON-2019/04850
In the matter between:
FIRST NATIONAL BANK OF NAMIBIA LIMITED, Plaintiff and BONSEC INVESTMENTS TWO ONE NINE CC, First Defendant
JOAO WALTER PERESTRELO, Second Defendant
JULIA PAULINA PERESTRELO,
NOTICE OF SALE IN EXECUTION
In EXECUTION of a Judgment of the High Court of Namibia, given on the 14th day of July 2023, a Judicial Sale by PUBLIC AUCTION will be held of and at the undermentioned immovable property on 27 MAY 2024 at 09:00 at ERF 314, SECTION-NR. 4, VILLAS ERICKSEN, cnr of Erikson & Trift Streets, WINDHOEK of
A unit consisting of-
(a) Section No. 4 as shown and more fully described on Sectional Plan No.25/2012 in the building or buildings known as VILLAS ERICKSEN, situated at KLEIN WINDHOEK, in the Municipality of WINDHOEK, Registration Division K,KHOMAS Region, of which the floor area, according to the said Sectional Plan is186 (ONE HUNDRED AND EIGHTY SIX) square metres in extent; and
(b) An undivided share in the common property in the land and building or buildings as shown and more fully described on the said Sectional Plan, apportioned to the said section in accordance with the participation quota as the said section specified in a schedule endorsed on the said Sectional Plan, HELD under Certificate of Registered Sectional Title No. 25/2012 (4) (UNIT) dated 19JUNE 2012
Subject to the conditions therein contained.
The following improvements are on the property (although nothing in this respect is guaranteed): 3x bedrooms; 1xlounge; 1x kitchen; 2x bathrooms; 2x showers; 2x wc; 1x out garage and 1xcarport.
The property will be sold by the Deputy Sheriff to the highest bidder subject to the conditions of sale.
The conditions of sale to be read out by the Deputy Sheriff of Windhoek, at the time of the sale and which conditions may be inspected prior to the sale at the offices of the Deputy Sheriff of Windhoek, and at the offices of ENSafrica Namibia (incorporated as Lorentz Angula Inc.), Ground Floor, Unit 4, Ausspann Plaza, Dr. Agostinho Neto Road, Windhoek.
Dated at WINDHOEK on this 20th day of MARCH 2024.
Legal Practitioner for Plaintiff
ENSafrica Namibia
(incorporated as LorentzAngula Inc.)
Ground Floor, Unit 4, Ausspann Plaza
Dr. Agostinho Neto Street
WINDHOEK
(Ref: MB19046)
DM0202400415729

IN THE High Court Of Namibia
Case No: HC-MD-CIV-ACT-CON-2020/03103
In the matter between:
FIRST NATIONAL BANK OF NAMIBIA LIMITED, Plaintiff
and
OMONDILI HILENI NAHAMBO, First Defendant
VILHO KALITHENI NAHAMBO, Second Defendant
NOTICE OF SALE IN EXECUTION
In execution of a judgement against the above Defendants granted by the above Honourable Court on the 13 October 2020, the following will be sold by public/online auction as from the 1 June 2024 at 09h00 at 422 Independence Avenue, Windhoek, by the Deputy Sheriff, Windhoek:
3x Box freezers, 1x Juice Box, 1x Gambling machine, 5x Bar chairs, 1x Stove. 1xFridge, 1x Lounge suite, 1x TV, 1x Washing machine, 10x Plastic chairs,
TERMS OF SALE: Voetstoots and cash to the highest bidder.
DATED at WINDHOEK this 2nd day of APRIL 2024
DR WEDER KAUTA & HOVEKA INC
WKH HOUSE
JAN JONKER ROAD
WINDHOEK
REF: MAT5329 2/CP/av

IN THE High Court of Namibia (Main Division)
Case No: HC-MD-CIV-ACT-CON-2022/03531
In the matter between:
FIRST NATIONAL BANK OF NAMIBIA LIMITED, Plaintiff and
ANDREAS AMADHILA, Defendant
NOTICE OF SALE IN EXECUTION OF IMMOVABLE PROPERTY
In Execution of a Judgement of the above Honourable Court in the above mentioned suit, a sale will be held on 30 MAY 2024 at 11h00 at the under mentioned property of the Defendants:
A Unit consisting of:
1.1. Section No. 3 as shown and more fully described on Sectional Plan No. SS47/2010 in the building or buildings known as MONDI HAVEN situate at ERF NO.4375 MONDESA (EXTENSION NO. 3), in the Municipality of SWAKOPMUND, Registration Division "G", ERONGO Region of which the floor area, according to the sectional plan is 80 (EIGHTY) square metres in extent;
1.2. an undivided share in the common property in the land and building or buildings as shown and more fully described on the said sectional plan, apportioned to the said section in accordance with the participation quota of the said section and HELD under Certificate of Registered Sectional Title No.43/2010(3)(UNIT) which immovable property has been bonded in favour of the plaintiff under the mortgage bond bearing number SB 1400/2012 (UNIT) as a first mortgage.
The following improvements are on the property (although nothing in this respect is guaranteed)
MAIN DWELLING: 1x lounge, 1x kitchen, 2x bedrooms, 1x bathroom, 1x shower, 2x water closets, 1x garage.
1. The Sale is subject to provisions of the High Court Act No. 16 of 1990, as amended, and the property will be sold "voetstoots" according to the existing Title Deed.
2. The property shall be sold by the Deputy Sheriff of Swakopmund to the highest bidder.
3. The purchaser must pay a deposit of 10% of the purchase price in cash on the day of sale, the balance against transfer to be secured by a bank or building society guarantee, to be approved by execution creditor's legal practitioner, to be furnished to the deputy sheriff within 14 (fourteen) days after the date of sale.
4. If transfer of the property is not registered within one month after the sale, the purchaser is liable for payment of interest to the execution creditor (bondholder) at a rate equal to the Home Loan Base Rate (currently 12.50%) per annum on the respective amounts of the award to the execution creditor(bondholder) in the plan of distribution as from the expiration of one month after the sale to date of transfer.
5. The complete Conditions of Sale will be read out at the time of the sale, but may be inspected beforehand at the offices of the Deputy Sheriff or at First National Bank of Namibia Ltd. Windhoek, or at the offices of the Plaintiff's Attorneys at the under mentioned address.
DATED at WINDHOEK on this 08TH day of APRIL 2024.
PER: T J A LOUW
THEUNISSEN, LOUW & PARTNERS
SCHÜTZEN HAUS,
NO. 1 SCHÜTZEN STREET
WINDHOEK, NAMIBIA
MAT3009 TL/WK
DM0202400415656

IN THE HIGH COURT OF NAMIBIA
(MAIN DIVISION)
CASE NO: HC-MD-CIV-ACT-CON-2021/01714
In the matter between:
NORTHERN FUEL DISTRIBUTORS CC, Plaintiff and
MARINA TOYOTA CC, 1st Defendant
FREDERIK DEON SWART, 2nd Defendant
NOTICE OF SALE IN EXECUTION
Pursuant to a Judgement of the above Honourable Court granted on the 22ND DAY OF JUNE 2022, the following goods will be sold in execution by public auction on the 1ST OF JUNE 2024 at 09:00 at 422 INDEPENDENCE AVENUE, WINDHOEK, namely:
100% MEMBER'S INTEREST OF FREDERIK DEON SWART, IDENTITY NUMBER 6904120270 IN THE CLOSE CORPORATION CC/91/1265 KNOWN AS OTJIWARONGO TRUCKPORT CC
TERMS: CASH to the highest bidder or a guarantee on the purchase price must be given to the deputy sheriff within seven (7) days after the sale.
DATED AT WINDHOEK THIS 15th of April 2024
FISHER, QUARMBY & PFEIFER
Legal Practitioners for Plaintiff
Corner of Robert Mugabe Ave. & Thorer Street
(Entrance 43 Burg Street)
P O Box 37, WINDHOEK
(Ref.: AAH/is/243567)

IN THE High Court of Namibia (Main Division)
Case No.: HC-MD-CIV-ACT-CON-2023/02966
In the matter between:
FIRST NATIONAL BANK OF NAMIBIA LIMITED, Plaintiff and
TOIVO LUNGAMENI NDAPWOITA, 1st Defendant
ELIZABETH KATENDA, 2nd Defendant
NOTICE OF SALE IN EXECUTION OF IMMOVABLE PROPERTY
In Execution of a Judgement of the above Honourable Court in the above mentioned suit, a sale will be held on 28 MAY 2024 at 11h30 at the under mentioned property of the Defendants:
Certain: ERF NO. 4025 OSHAKATI (EXTENSION NO.16)
Situated: In the town of Oshakati, Registration Division "A" Oshana Region.
Measuring: 912 (nine one two) square meters
Held by: Deed of Transfer No. T 6321/2020
Subject to: the conditions contained therein,- which immovable property has been bonded in favour of the plaintiff under the mortgage bond bearing number 85063/2020 as a first mortgage.
The following improvements are on the property (although nothing in this respect is guaranteed)
MAIN DWELLING: 1x lounge, 1x kitchen, 3x bedrooms, 2 x bathrooms, 1 x garage
1. The Sale is subject to provisions of the High Court Act No. 16 of 1990, as amended, and the property will be sold "voetstoots" according to the existing title deed.
2. The property shall be sold by the Deputy Sheriff of OSHAKATI to the highest bidder.
3. The purchaser must pay a deposit of 10% of the purchase price in cash on the day of sale, the balance against transfer to be secured by a bank or building society guarantee, to be approved by execution creditor's legal practitioner, to be furnished to the deputy sheriff within 14 (FOURTEEN)days after the date of sale.
4. If transfer of the property is not registered within one month after the sale, the purchaser is liable for payment of interest to the execution creditor (bondholder) at a rate equal to the Home Loan Base Rate (currently 12.50%) per annum on the respective amounts of the award to the execution creditor(bondholder) in the plan of distribution as from the expiration of one month after the sale to date of transfer.
5. The complete Conditions of Sale will be read out at the time of the sale, but may be inspected beforehand at the offices of the Deputy Sheriff or FIRSTNATIONAL BANK OF NAMIBIA LIMITED Windhoek or at the offices of the Plaintiff's Attorneys at the undermentioned address.
DATED at WINDHOEK on this 08TH day of APRIL 2024.
PER: T J A LOUW
THEUNISSEN, LOUW & PARTNERS
SCHÜTZEN HAUS,
NO. 1 SCHÜTZEN STREET
WINDHOEK, NAMIBIA
MAT3489 TL/WK
DM0202400415657

IN THE High Court of Namibia
Main Division Windhoek
Case No: HC-MD-CIV-ACT-CON-2023/02190
In the matter between:
FIRST NATIONAL BANK NAMIBIA, Plaintiff and
COLLINS CHRISTIAANS, 1st Defendant
THIFFANY TALIZA CHRISTIAANS, 2nd Defendant
NOTICE OF SALE IN EXECUTION
In execution of an order handed down by the above Honourable Court on the 7th of July 2022 in the abovementioned case, a judicial sale by public auction of the following will be held by the Deputy Sheriff of Windhoek. Auction starts the 1st of June 2024 at 09H00, at the Premises of the Deputy Sheriff, 422 Independence Ave, Windhoek Republic of Namibia.
List of Goods to be sold:
1 x White Corolla Reg No: N 17670 W
Dated at Windhoek on this the 9th day of April 2024
KOEP & PARTNERS
LEGAL PRACTITIONERS FOR PLAINTIFF
33 SCHANZEN ROAD
WINDHOEK
(OD/um/80507/DEB957)

PLAN AFRICA CONSULTING CC
TOWN AND REGIONAL PLANNERS
Box 4114
WINDHOEK
8 Delius Street
Tel: (061) 212096 Cell: 081271 6189
Fax: (061) 213051
e-mail: pafrica@mweb.com.na

24.05.17

15/05/2024

Certified Mail:

- **REZONING OF ERF 1184 TAMARISKIA, EXTENSION 3 C/O NIKO BESSINGER AND ABRAHAM IYAMBO STREET FROM RESIDENTIAL WITH A DENSITY OF 1:600 TO GENERAL RESIDENTIAL WITH A DENSITY OF 1:200**
- **CONSENT TO PROCEED WITH DEVELOPMENT WHILE REZONING IS IN PROGRESS**

Erf 1185 Tamariskia Ext 3: **J & J Wedeinge**
P.O. BOX 4024
Vineta

№ 182413
CERTIFIED MAIL
P1/98

Erf 1186 Tamariskia Ext 3: **Gariseb Stefanus**
P.O. BOX 1990
Walvis Bay

№ 182414
CERTIFIED MAIL

Erf 1187 Tamariskia Ext 3: **Nangolo JTT & V**
P.O. BOX 3515
Vineta

№ 182415
CERTIFIED MAIL

Erf 1196 Tamariskia Ext 3: **Goamub Abraham**
P.O. BOX 8144
Swakopund

№ 182416
CERTIFIED MAIL
P1/98

Erf 1165 Tamariskia Ext 3: **Tutugeni Properties**
P.O. BOX 8900
Swakopmund

№ 182407
CERTIFIED MAIL

Erf 1129 Tamariskia Ext 3: **Hendricks Zeta**
P.O. BOX 2727
Swakopmund

№ 182433
CERTIFIED MAIL

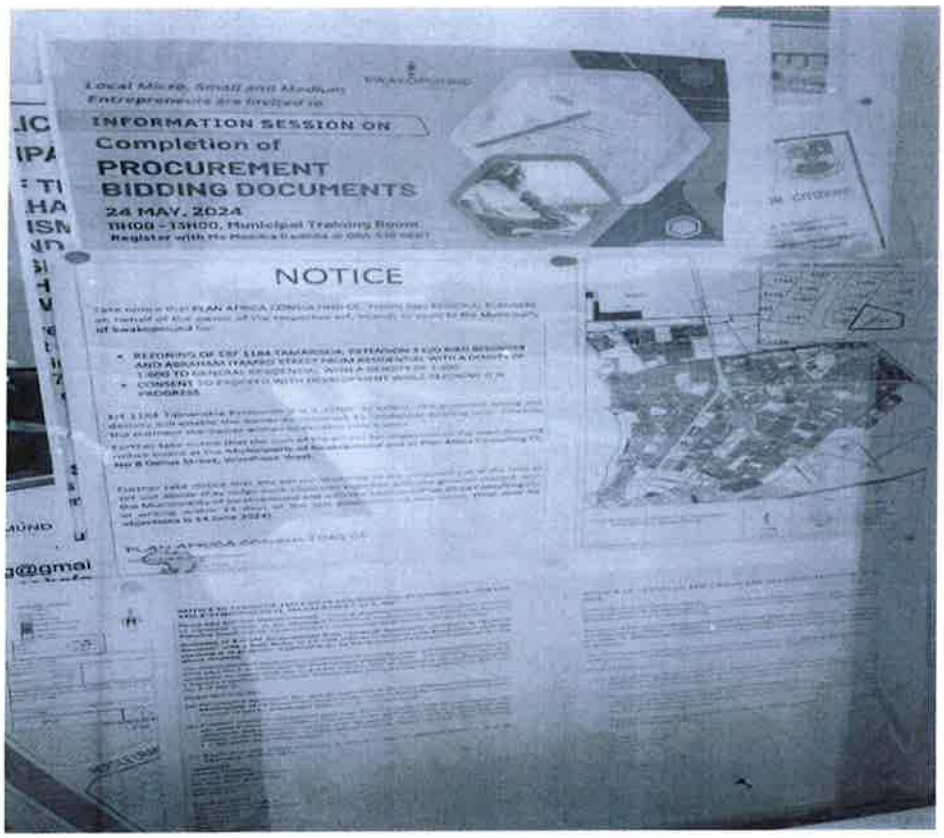
Erf 851 Tamariskia Ext 3: **Noabes M**
P.O. BOX 4525
Vineta

№ 182434
CERTIFIED MAIL
P1/98

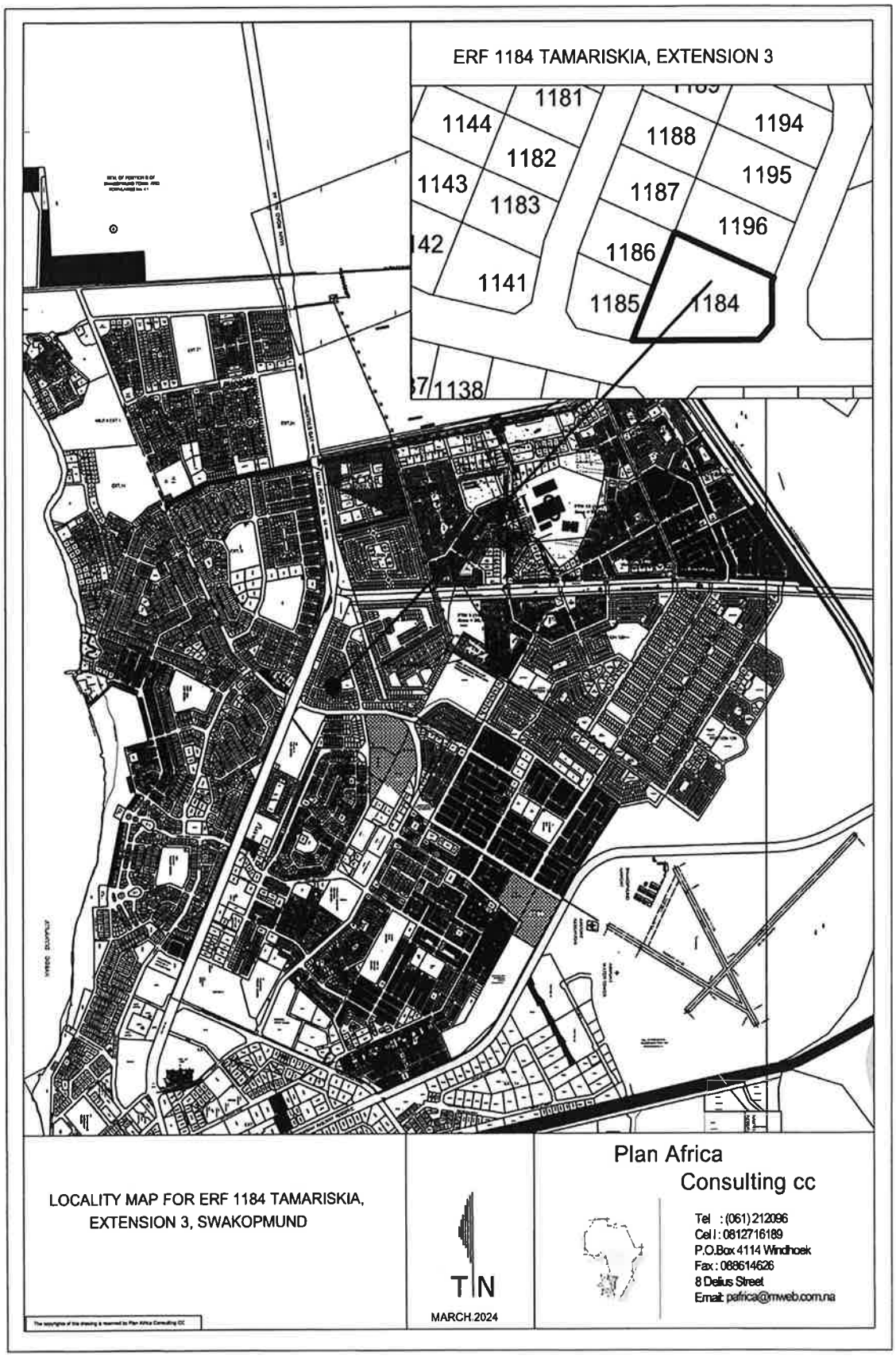
Erf 850 Tamariskia Ext 3: **Tom Reinders Dihno & Ruhonga Tjinouhona**
P.O. BOX 3613
Vineta

№ 182408
CERTIFIED MAIL
P1/98

24.05.17


INFORMATION SESSION ON
Completion of
PROCUREMENT
BIDDING DOCUMENTS
24 MAY, 2024
NOTICE

ANNEXURE D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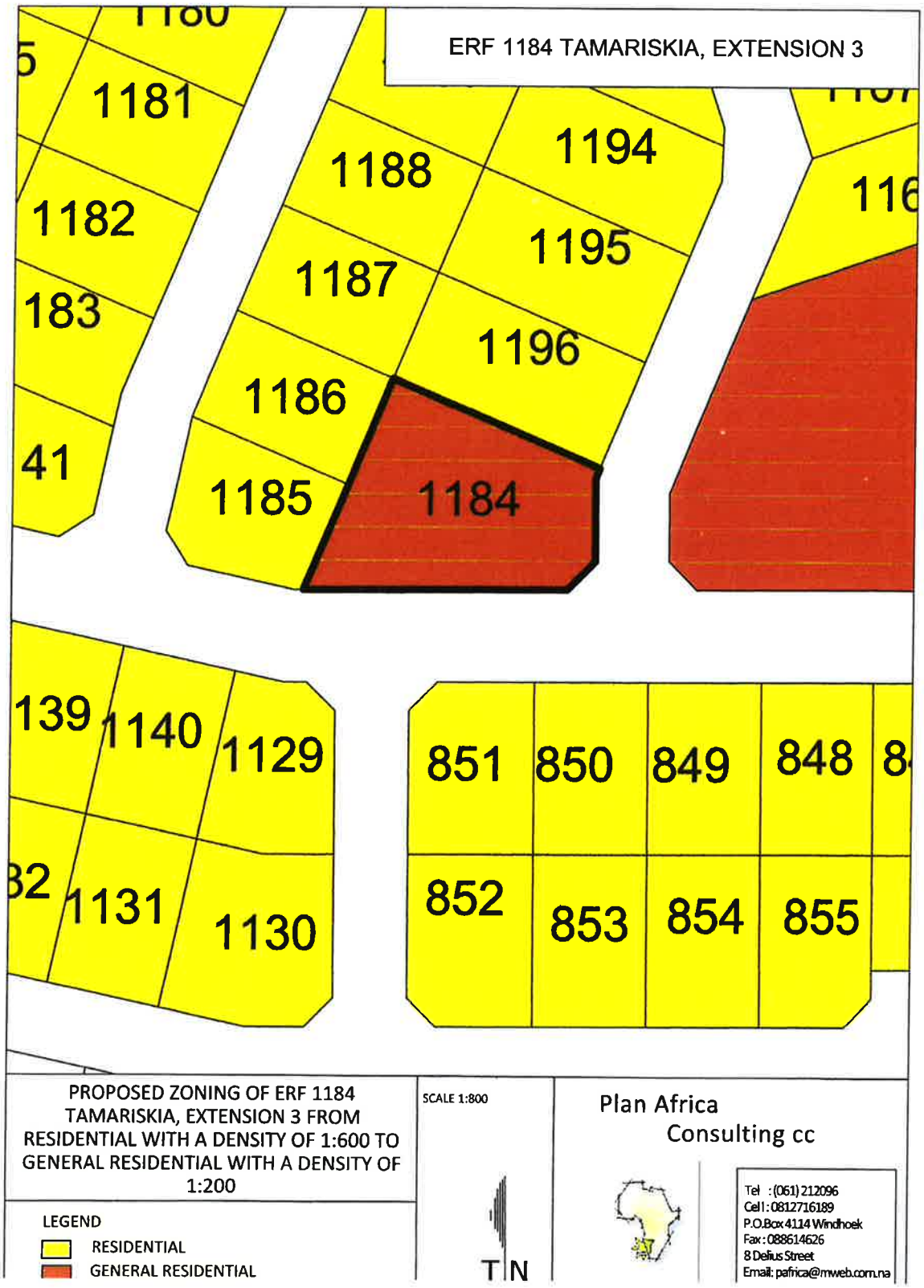
LOCALITY MAP FOR ERF 1184 TAMARISKIA, EXTENSION 3, SWAKOPMUND
T|N
MARCH.2024
Plan Africa Consulting cc
Tel : (061) 212096
Cell : 0812716189
P.O.Box 4114 Windhoek
Fax : 088614626
8 Delius Street
Email: pafrica@mweb.com.na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855
PROPOSED ZONING OF ERF 1184 TAMARISKIA, EXTENSION 3 FROM RESIDENTIAL WITH A DENSITY OF 1:600 TO GENERAL RESIDENTIAL WITH A DENSITY OF 1:200
SCALE 1:800
T N
Plan Africa Consulting cc
Tel : (061) 212096
Cell : 0812716189
P.O.Box 4114 Windhoek
Fax : 088614626
8 Delius Street
Email: pafrica@mweb.com.na
LEGEND
RESIDENTIAL
GENERAL RESIDENTIAL

Documents Containing Personal Information Are Removed From The Agenda As Directed By MANAGEMENT.

11.1.21 **SUBDIVISION OF ERF 3071, SWAKOPMUND, EXTENSION 9 INTO PORTION A AND REMAINDER**
(C/M 2024/08/08 - E 3071)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **10.5** page **50** 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 3071, Swakopmund Extension 9 into Portion A and Remainder.

2. **Introduction and Background**

An application was received by the Engineering and Planning Services Department for the subdivision of Erf 3071, Swakopmund Extension 9 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 3071, Swakopmund Extension 9 is zoned *"Single Residential"* with a density of 1:600. The erf is situated along Vygie and Dr. Schwietering Street. The erf measures 1 692m² in extent and is partially developed with completed foundations that will be demolished.

Locality of Erf 3071, Swakopmund Extension 9

4. **Ownership**

The ownership of Erf 3071, Swakopmund Extension 9 vests in Marthinus S Cilliers and Elmarie Cilliers as per Title Deeds No. T 2338/2024 and T 2339/2024, respectively, are attached as **Annexure B**.

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

Access to Erf 3071, Swakopmund Extension 9 will only be obtained from the existing street network along Vygie Street (16m wide) which is a crescent (looped) street. No access will be obtained from Dr. Schwietering Street.

Parking for the proposed development will be provided on-site in accordance with the provision of the Swakopmund Zoning Scheme.

The proposed erf is already connected to the existing infrastructural services, however, the provision of municipal services to the newly created erf should be for the account of the applicant to the satisfaction of the General Manager: Engineering and Planning Services.

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

The public consultation for the proposed subdivision has been made in terms of Section 107 and Regulation 10 of the Urban and Regional Planning Act. The adjacent neighboring landowners have been consulted by registered mail informing them of the intent (**Annexure C**). The last date to submit their objections and comments was 16 May 2024 and no objections have been received.

7. **Subdivision**

The intention is to subdivide Erf 3071, Swakopmund Extension 9 into Portion A and Remainder as proposed on Table 1 below.

The proposed subdivision will have the following effect:

Portion Number	***Proposed Sizes (m²)***	***Zoning***
Portion A	*845m²*	*Single Residential*
Rem 3071	*847m²*	*Single Residential*
Total	***1 692m²***	

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

8. **Discussion and Evaluation**

In 2015, the Urban and Regional Planning Board approved the rezoning of Erf 3071, Swakopmund Extension 9 from "Single residential" with a density of 1:900 to "Single residential" with a density of 1:600. Therefore, the proposed subdivision and intended development is fully in accordance with the Swakopmund Zoning Scheme.

The proposed subdivision of Erf 3071, Swakopmund Extension 9 into Portion A and Remainder will have no negative impact on the surrounding area, as the owners intend to only construct two single residential dwellings on each erf. The subdivision cannot be termed densification as the level into which its divided is insignificant and will not disturb the exiting surrounding area.

The remainder Erf 3071, Swakopmund Extension 9 will obtain access via a 4m panhandle. The panhandle is designed to the standards of ALAN guidelines for residential erven.

4.2 Compensation

The subdivision of Erf 3071, Swakopmund Extension 9 into Portion A and Remainder is subject to a 7.5% compensation fee with respect to Endowment calculated in accordance with Section 9 (b) of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) Regulations in conjunction with the Swakopmund Municipality Property Policy.

9. **Conclusion**

The subdivision of Erf 3071, Swakopmund Extension 9 is not foreseen to have any negative 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 Subdivision of Erf 3071, Swakopmund, Extension 9 into Portion A and Remainder be approved as per the table below:

PTN NUMBERS	PROPOSED SIZES (M²)	ZONING
Portion A	845m²	Single Residential
Rem 3071	847m²	Single Residential
Total	1 692m²	

(b) That the subdivision of Erf 3071, Swakopmund Extension 9 be subject to a 7.5% compensation fee with respect to Endowment calculated in accordance with Section 9 (b) of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) Regulations in conjunction with the Swakopmund Municipality Property Policy.

(c) That should there be a need for the upgrading of municipal services, all costs involved be for the applicant's account, and services must be designed to the satisfaction of the General Manager: Engineering and Planning Services.

(d) That all the parking be provided on-site in line with the Swakopmund Zoning Scheme and no parking on street reserve; shall be tolerated.

(e) That no access will be obtained from Dr. Schwietering Street;

(f) That the applicant provides proof that the subdivision has been approved by the Minister and provide approved erven diagrams from the Surveyor General's Office before any business registration application, building line relaxation application and/or building plans submission to the Engineering and Planning Services Department for approval.

(g) That the title deed conditions registered against Erf 3071, Swakopmund, Extension 9 be retained for the newly created Portion

(h) That a and Remainder Erf 3071, Swakopmund Extension 9 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 four times the municipal valuation of the erf.

33

19.03.

ANNEXURE A

E 3071

STEWART PLANNING
TOWN & REGIONAL PLANNERS

First Floor 122 On Main
122 Sam Nujoma Avenue
Walvis Bay

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

Reference: 3071_S

26 April 2024

APPLICATION TO SUBDIVIDE
ERF 3071 SWAKOPMUND EXTENSION 9

Subdivision into Portion A and the Remainder.

RECORDS & ARCHIVES
26 APR 2024
MUNICIPALITY OF SWAKOPMUND

Submission to:

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

Prepared for:

Marthinus Stephanus Cilliers and Elmarie Cilliers
PO Box 2239
Swakopmund

Prepared by:

Stewart Planning
Town & Regional Planners
First Floor 122 On Main
122 Sam Nujoma Avenue
P.O. Box 2095
Walvis Bay

1. Introduction

This application is made in terms of Section 105 (1) of the Urban and Regional Planning Act, 2008 (Act No.5 of 2018) for statutory approval on behalf of my clients Marthinus Stephanus Cilliers and Elmarie Cilliers for the subdivision of erf 3071 Swakopmund Extension 9 (the site) into a new Portion A and Remainder.

2. Development Proposal

It is the intention of our client to subdivide Erf 3071 Swakopmund Extension 9 into Portion A and Remainder.

Portion A will measure 845m² in extent while the remainder will measure 847m² in extent and will be used by the owner. The newly created Portion A and Remainder will retain the same densities of 1 dwelling unit per 600 square meters (1:600m²). The owner intends to demolish the existing unfinished building foundations once the subdivision is approved by Council.

It is the further intention of the owner to develop two (2) single dwelling units (houses) on each subdivided portion. The client is in the building industry; thus, he wants to keep the one (1) house and sell (alienate) the other.

The owner has not prepared a site development plan for the proposed houses, but it will be fully in accordance with the Swakopmund Zoning Scheme. No further consolidations or rezonings are intended for the future.

3. Site description

3.1. Locality

Erf 3071 Swakopmund Extension 9 is situated along the Dr. Schwietering Street Swakopmund Extension 9 which is a distributor/collector road. However, Erf 3071 does not get access from Dr. Schwietering Street. The access to Erf 3071 is from Vygie Street which is a crescent (looped) street.

Figure 1: Locality Map of Erf 3071 Swakopmund Extension 9.

Access to the proposed subdivided portions will remain from Vygie Street. Figure 1 above shows the locality of the area. The Locality Map is attached as **Annexure C**.

The surrounding area is characterised by mixed-use residential developments such as Seagull Haven and Sea View duplex units situated on erven 3349 and 3348 respectively as shown in Figure 4 below. The Ocean View Spar is also near Erf 3071 Swakopmund Extension 9.

The site is ideally located in terms of its size, shape, access to streets, and compatibility with the surrounding residential area to be subdivided into two (2) portions for the proposed development of two (2) single detached dwelling units only.

Figure 2 & 3: Aerial Photos of Erf 3071 Swakopmund Extension 9 and surrounding area.

3.2. Size, Zoning and Land Use

Erf 3071 Swakopmund Extension 9 measures 1692m² in extent. In terms of the Swakopmund Amendment Scheme No.51 Erf 3071 is zoned "Single Residential" with density of 1:600m².

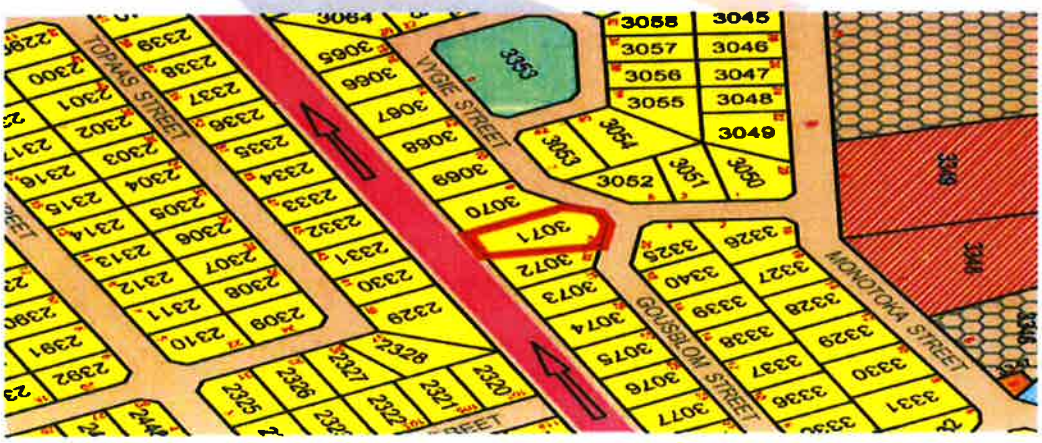


Figure 4: Cadastral boundary of Erf 3071 Swakopmund Extension 9 and surrounding area.

The site can be regarded as being vacant (see Figures 2 & 3 above) as the existing partially completed foundations will be demolished. Access is only available directly from Vygie Street as no access is permitted obtained from Dr Schwietering Street.

3.3. Ownership

Erf 3071 Swakopmund Extension 9 is owned by Marthinus Stephanus Cilliers and Elmarie Cilliers in terms of a signed Deed of Sale Agreement attached as Annexure B.

Stewart Planning has the authority to act on behalf of the registered owner for the proposed subdivision via a signed Power of Attorney attached as Annexure A.

4. Proposed Subdivision

The intention is to subdivide **Erf 3071 Swakopmund Extension 9** into Portion A and Remainder as proposed in Table 1 and Figure 5 (subdivision plan) below. The subdivision plan is attached as **Annexure D**.

Table 1: Proposed Subdivision Schedule.

ERF NO	CURRENT ZONING	AREA
Erf 3071 Swakopmund Extension 9	Single Residential (1:600m²)	1692m²
Portion A	Single Residential (1:600m²)	845m²
Remainder	Single Residential (1:600m²)	847m²

The subdivision is achievable due to the following reasons:

- The newly to be created Portion A and Remainder will share the same zoning and density which is "Single Residential: with a density of 1:600m².

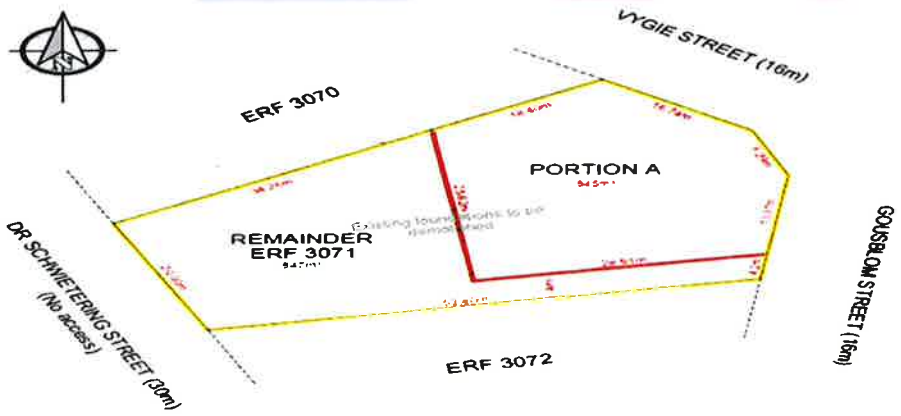


Figure 5: Subdivision Plan

4.1. Impact on Neighbourhood

Swakopmund Extension 9 mostly comprises large up-market residential properties. This subdivision will not diminish or slow the urban character of this neighbourhood. Even though Erf 3071 Swakopmund Extension 9 is situated on a crescent or looped road the subdivision into Portion A and Remainder is welcomed and would not change the amenities of the surrounding area.

4.2. Impact on Traffic and Access

The intended subdivision is not envisioned to cause a possible over congestion of the available road space. Only a maximum of 1 dwelling unit and related outbuildings will be allowed as per the permissible zoning and density on each erf.

4.3. Parking Requirements

All parking requirements will be provided on-site in terms of the Swakopmund Zoning Scheme. Given the potential of the land is not yet maximised (fully developed) all required parking can be provided on-site.

4.4. Impact on Services

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

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

5. Need and Desirability

Erf 3071 Swakopmund Extension 9 is large enough to accommodate this subdivision. The present practise of a single house on a large plot has been the main cause of very high and unsustainable urban sprawl. Again, the owner intends to construct only two (2) single residential dwelling units on each erf. This subdivision cannot be termed as densification as the level is insignificant and it will not disturb the existing urban environment or surrounding area.

Furthermore, this proposed subdivision will complement the Municipal Council of Swakopmund objective of supplying erven to the residents of the town for residential development.

6. Compliance with Policy and Legislation

Several statutory documents and policies are applicable when it comes to the proposed subdivision. This section provides an overview of these statutory/policy provisions.

6.1. Swakopmund Zoning Scheme

The Swakopmund Zoning Scheme sets out the zoning and permitted density for residential erven in Swakopmund. The erf has been rezoned from "Single Residential" with a density of 1 dwelling unit to 900 square meters (1:900m²) to "Single Residential" with a density of 1 dwelling unit to 600 square meters (1:600m²). Therefore, the proposed subdivision and intended development (construction of two (2) single residential units on each erf) is fully in accordance with the Swakopmund Zoning Scheme.

6.2. Title Deed Conditions

There are no title deed conditions that restrict or prevent the proposed subdivision.

6.3. ALAN Panhandle Guidelines

The subdivision will enable one erf to directly obtain access from the street frontage (Vygie Street) and the other erf will obtain access via a ±27m 4m panhandle as indicated in Figure 5 above. Therefore, the proposed panhandle access complies with the ALAN panhandle guidelines for panhandle widths in residential subdivisions.

6.4. MURD Town Planning Standards and Urban Design Guidelines

The proposed subdivision is in accordance with the Ministerial Town Planning Standards and Urban Design Guidelines.

The proposed subdivision will create erven much larger than the Namibian minimum residential erf size requirement of ≥300m². The proposed subdivision will also not cause a congestion of the available road space. No access is taken from a main or bypass road but rather from a looped street and so no building restrictions apply.

No Environmental Clearance Certificate is required for the subdivision in terms of the Environmental Management Act, 2007 (Act.7 of 2007) as amended.

Therefore, the proposed subdivision is in accordance with Ministerial Town Planning Standards and Urban Design Guidelines.

6.5. Endowment Fees

As indicated earlier in (4.4.1) a once-off 7.5% endowment fee for the newly created Portion should be charged as compensation to assist the Municipal Council of to upgrade and/or maintain its overall bulk infrastructure.

7. Public Consultation

On receipt of this complete application, and in accordance with section 107 and Regulation 10 of the Urban and Regional Planning Act, public notice of this application will only be sent to adjacent affected neighbouring landowners.

Letters will be sent to adjacent affected neighbouring landowners on Friday, 26 April 2024 with a closing date for comments, representations and/or objections on Thursday, 16 May 2024.

8. Summary

- This application is submitted on behalf of Marthinus Stephanus Cilliers and Elmarie Cilliers, the registered owner of Erf 3071 Swakopmund Extension 9 to subdivide into Portion A and Remainder.
- Application is thus made to the Local Authority following the procedures of the Urban and Regional Planning Act of 2018.
- The owner intends to build two (2) single residential dwelling units on each erf.
- The proposed subdivision is fully in accordance with the Swakopmund Zoning Scheme and the Ministerial Standards and Guidelines.

9. Recommendation

Application is hereby made to the Municipal Council of Swakopmund for its consideration for the following:

Subdivision of Erf 3071 Swakopmund Extension 9 into Portion A and Remainder in terms of Section 105(1)(e) of the Urban and Regional Planning Act, 2018 (Act No. of 2018) and its Regulations.

We hope and trust the above recommendation and proposed subdivision meets your favourable approval and we look forward to receiving the Council's approval for the subdivision application. In the meantime, should you require any additional information please do not hesitate to contact me.

Yours faithfully,

Mario Mberira

Town Planning Officer

Registered Town & Regional Planner in Training (NCTRP)

STEWART PLANNING
TOWN & REGIONAL PLANNERS

Tel: +264 64 280 770 | Email: mario@sp.com.na

2024 -05- 07

ANNEXURE B

T 2338 / 2024

DEED OF TRANSFER NO. T

PIETER JOHANNES BOSHOFF

to

MARTHINUS STEPHANUS CILLIERS

½ (ONE HALF SHARE) IN AND TO ERF 3071 SWAKOPMUND (EXTENSION NO 9)

DR. WEDER, KAUTA & HOVEKA INC.
LEGAL PRACTITIONERS, NOTARIES and CONVEYANCERS
3rd Floor, WKH House, Jan Jonker Road, Ausspannplatz

P.O. Box 864 - Tel: 061-275550 - Fax: 238802
WINDHOEK, Namibia

BG/MAT102119/SW/ab

dispossessed of and disentitled to the same, and that, by virtue of these Presents, the said **MARTHINUS STEPHANUS CILLIERS** , his heirs, executors, administrators or assigns now is and henceforth shall be entitled thereto, conformably to local custom, the State, however, reserving his Rights, and finally acknowledging the purchase price amounting to the sum of **N$540 000.00 (FIVE HUNDRED AND FORTY THOUSAND NAMIBIA DOLLARS)**

SIGNED AT WINDHOEK on 15 MAY 2024

together with the Appearer, and confirmed with my Seal of Office

SIGNATURE OF APPEARER

In my presence,

DEPUTY REGISTRAR OF DEEDS
MINISTRY OF LAND REFORM

2024-05-07

T 2339 / 2024

DEED OF TRANSFER NO. T

PIETER JOHANNES BOSHOFF

to

ELMARIE CILLIERS

½ (ONE HALF SHARE) IN AND TO ERF 3071 SWAKOPMUND (EXTENSION NO 9)

DR. WEDER, KAUTA & HOVEKA INC.
LEGAL PRACTITIONERS, NOTARIES and CONVEYANCERS
3rd Floor, WKH House, Jan Jonker Road, Ausspannplatz

P.O. Box 864 - Tel: 061-275550 - Fax: 238802
WINDHOEK, Namibia

BG/MAT102119/SW/ab

WHEREFORE the Appearer, renouncing all the Right and Title which the said **PIETER JOHANNES BOSHOFF** heretofore had to the premises, did, in consequence, also acknowledge him to be entirely dispossessed of and disentitled to the same, and that, by virtue of these Presents, the said **ELMARIE CILLIERS** , her heirs, executors, administrators or assigns now is and henceforth shall be entitled thereto, conformably to local custom, the State, however, reserving his Rights, and finally acknowledging the purchase price amounting to the sum of **N$540 000.00 (FIVE HUNDRED AND FORTY THOUSAND NAMIBIA DOLLARS)**

SIGNED AT WINDHOEK on 15 MAY 2024

together with the Appearer, and confirmed with my Seal of Office

SIGNATURE OF APPEARER

In my presence

DEPUTY REGISTRAR OF DEEDS
REGISTRAR OF DEEDS
MINISTRY OF LAND REFORM

NAMIBIA REVENUE

SPECIAL POWER OF ATTORNEY

SUBDIVISION OF ERF 3071 SWAKOPMUND EXTENSION 9 INTO 2 PORTIONS PORTION 1 AND REMAINDER ERF 3071 SWAKOPMUND EXTENSION 9

We, the undersigned,

MARTHINUS STEPHANUS CILLIERS AND ELMARIE CILLIERS

do hereby nominate, constitute and appoint

Stewart Planning, Town and Regional Planners

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

Subdivision of Erf.3071 Swakopmund Extension 9 Into 2 Portions
Portion 1 and Remainder of Erf 3071 Swakopmund Extension 9

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 we might or could do if personally present and acting herein – hereby ratifying, allowing and confirm all and whatsoever our said Agent and Attorney shall lawfully do, or cause to be done, by virtue of these presents.

Thus done and signed at **Swakopmund**,

This **21st day of March 2024**,

in the presence of the undersigned witnesses:

Signature: _____ _____

MARTHINUS STEPHANUS CILLIERS **ELMARIE CILLIERS**

Witness 1

Name: Gerlinde Houses

Signature: _____

Witness 2

Name: Rhivenne H. Williams

Signature: _____

LIST OF REGISTERED ITEMS POSTED

ANNEXURE C

NAMPOST

by STEWART TOWN PLANNING cc
P O BOX 2095
WALVIS BAY

Maria Uberira
0382

Sender's Reference No	Addressee's Name and Address	Registration No
1	Soli Gratia Property cc PO Box 2057 Walvis Bay	BA 001 348 640 NA
2	Coetzer Bron Allers & Karlien PO Box 1267 Oranjemund	BA 001 348 653 NA
3	Kongoro E PO Box 20773 Windhoek	BA 001 348 667 NA
4	Wan Wyk Gerrit PO Box 2244 Swakopmund	BA 001 348 675 NA
5		
6		
7		
8		
9		
10		
	4/ Four	

WALVISBAY 2024-08-25 NAMIBIA

Number of items 4/ Four Received by Cassandra

Date Stamp WALVISBAY 2024-08-25 NAMIBIA

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

P4 / 185

STEWART PLANNING
TOWN & REGIONAL PLANNERS

First Floor On Main
122 Sam Nujoma Avenue
Walvis Bay

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

Our reference: 3071S

17 May 2024

Chief Executive Officer
Swakopmund Municipality
PO Box 53
Swakopmund
13001

By hand delivery:

Muncipal Records
Corner of Rakotoka & Daniel Kamho Avenue
Swakopmund

RE: ERF 3071 SWAKOPMUND EXTENSION 9

- Subdivision into Portion A and Remainder

Email copy to:

Applicant

Marthinus Stephanus Cilliers	Erf 3071	cillcon@icloud.com
Elmarie Cilliers	Erf 3071	cilliers.e@yahoo.com

Dear Mr JT Helta,

1. **Reference is made to the planning application dated 26 April 2024 for the subdivision of Erf 3071 Swakopmund Extension 9.**

2. **I am pleased to let you know that the time for adjacent residents to comment on my subdivision application has passed – closing time/date 12:00 on 16 May 2024. To-date I have not received any objections concerning my subdivision application.**

3. **For your information and records, also attached please find a copy of my letter sent to adjacent residents.**

4. Also please discard the submitted subdivision plan and work on the plans herewith submitted.

5. I hope and trust that the attached documents are in order and to your satisfaction. I look forward to your approval of my subdivision application in due course.

6. Please feel free to contact me should you need any additional information or have any outstanding requirements.

Yours sincerely,

.....

Mario Mberira
Registered Town & Regional Planner in Training (NCTRP)
STEWART PLANNING
TOWN & REGIONAL PLANNERS
Tel: +264 64 280 773 | Email: mario@sp.com.na

STEWART PLANNING
TOWN & REGIONAL PLANNERS

First Floor 122 On Main
122 Sam Nujoma Avenue
Walvis Bay

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

Reference: 3071S **26 April 2024**

Owner of Erf ….. Swakopmund Extension 9

Per registered mail:

PROPOSED SUBDIVISION OF ERF 3071 SWAKOPMUND EXTENSION 9 INTO PORTION A AND THE REMAINDER

Dear Sir or Madam,

Please take note that Stewart Planning has been appointed by the owners of Erf 3071 Swakopmund Extension 9 (Vygie Street) to subdivide Erf 3071 Swakopmund Extension 9 into Portion A (845m²) and the Remainder of Erf 3071 Swakopmund Extension 9 (847m²) as indicated in the attached plans (Annexure A).

The complete application was submitted to the Municipality of Swakopmund (the Local Authority) on 26 April 2024 and lies open for inspection in terms of the Urban and Regional Planning Act (No.5 of 2018). The complete application can also be downloaded from www.sp.com.na/projects.

The intention of the application is to allow the owner to construct two single residential dwelling units on each portion and in future allow the sale of each unit separately from each other if needed. The owner, or successors in title, will also be able to make further additions to the main dwelling unit in accordance with the Swakopmund Zoning Scheme.

Take further note that, that should you wish to submit any comments or objections to the proposed subdivision, then comments/objections must be submitted, in writing by mail or email, to the Chief Executive Officer of the Local Authority and Stewart Planning before or on Thursday, 16 May 2024 to the addresses provided below:

The Chief Executive Officer **Municipality of Swakopmund** **P.O. Box 53** **Swakopmund** **13001** **Namibia** **Email:** jheita@swkmun.com.na	**Stewart Planning** **Town & Regional Planners** **P.O. Box 2095** **Walvis Bay** **13013** **Namibia** **Email:** mario@sp.com.na

We encourage potential objectors to read the complete application before lodging any comments or objections to the proposed subdivision.

If you have any questions or wish to discuss the proposed subdivision in detail, then please do not hesitate to contact our office.

Yours faithfully,

.....

Mario Mberira
Registered Town & Regional Planner in Training (NCTRP)
STEWART PLANNING
TOWN & REGIONAL PLANNERS
Tel: +264 64 280 773 | Email: mario@sp.com.na

STEWART PLANNING
TOWN & REGIONAL PLANNERS

OBJECTION FORM

SUBDIVISION OF ERF 3071 SWAKOPMUND EXTENSION 9

Name: _____

Address: _____

Address: _____

I, the owner of Erf/Erven

Do not object to ☐

Object to ☐

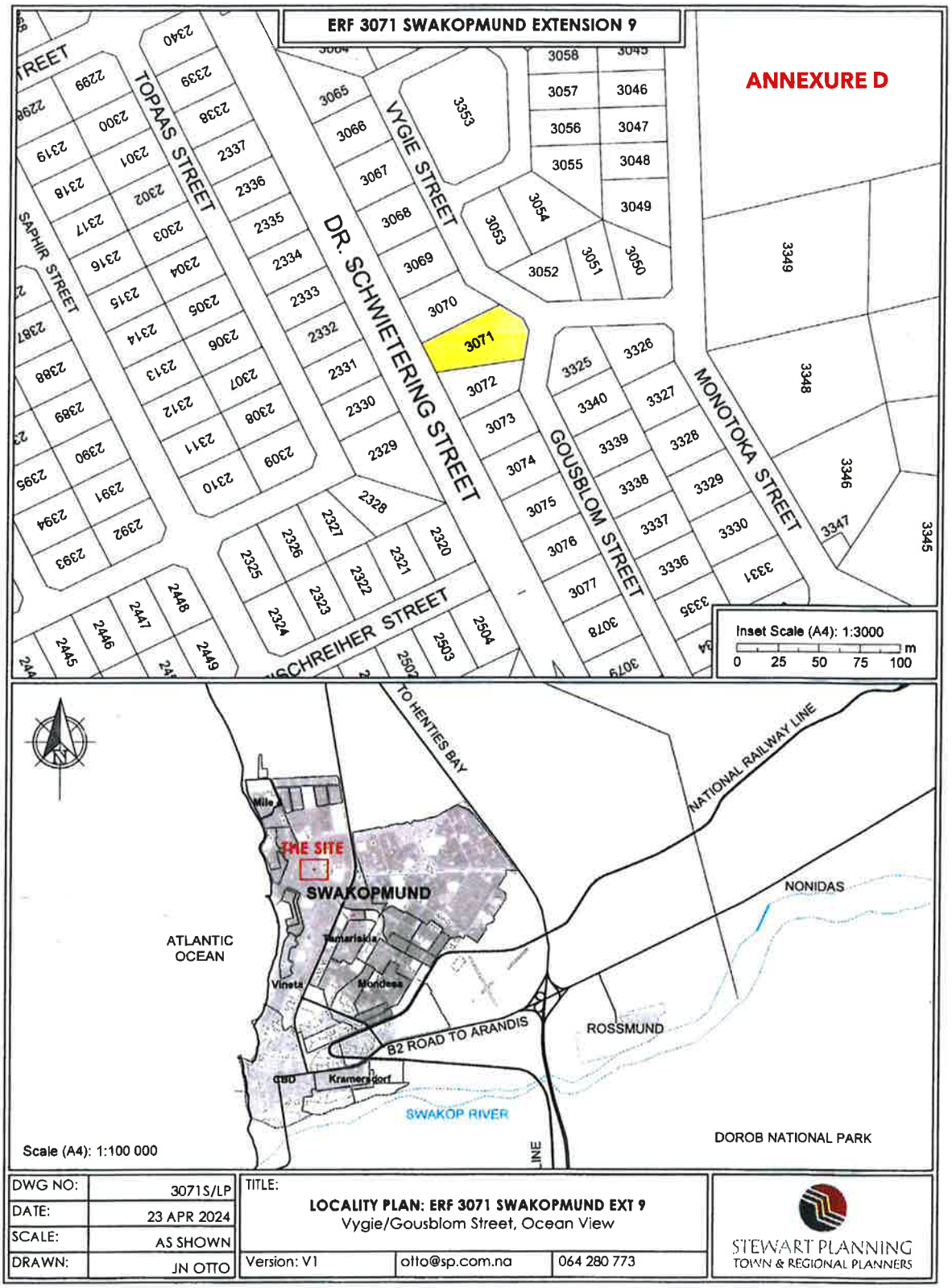
Please tick where applicable, for example: ☑

THE SUBDIVISION OF ERF 3071 SWAKOPMUND EXTENSION 9

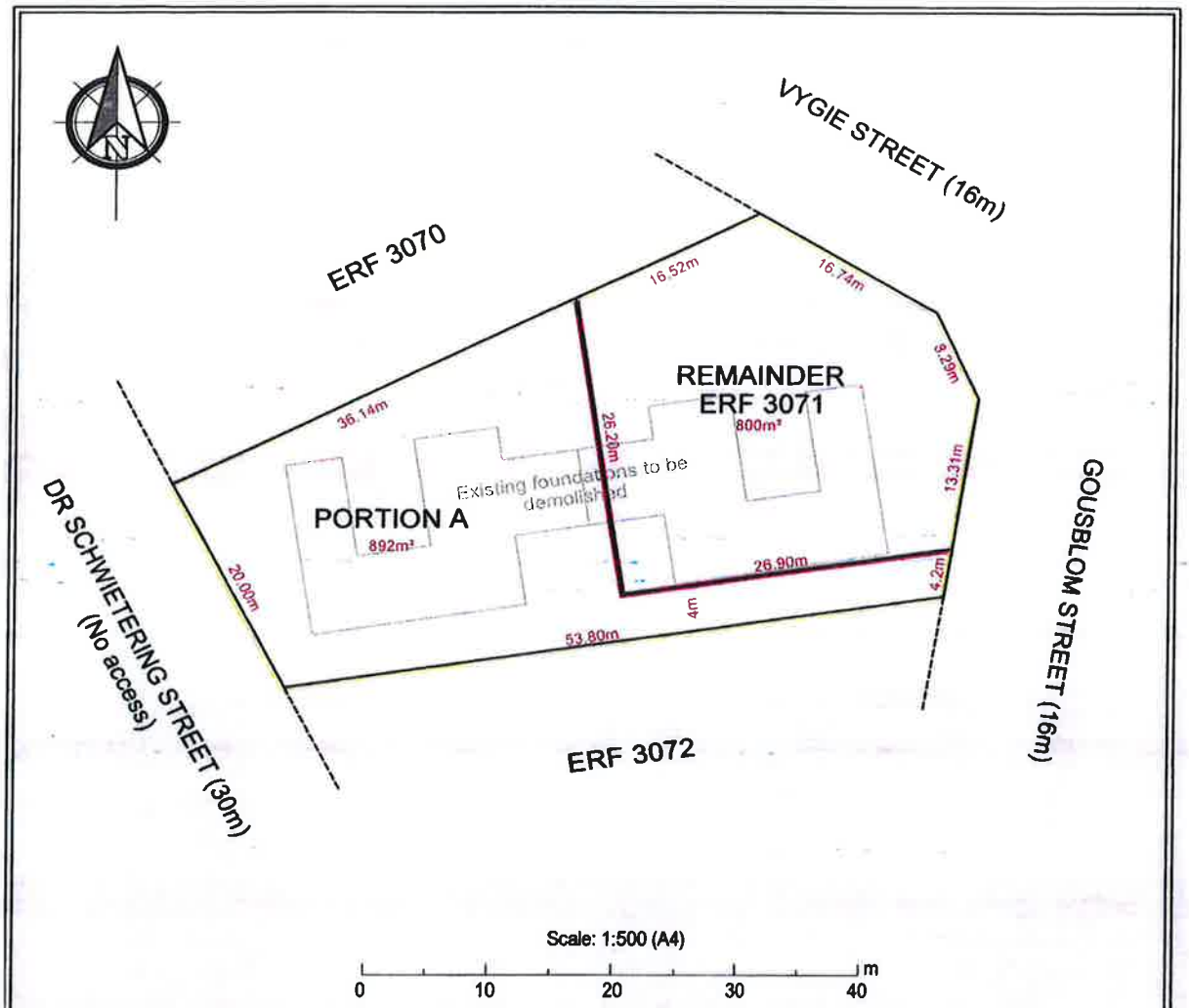
If objecting, please state your reason(s):

Signature: _____ **Date:** _____

Kindly take note that comments should reach me by Thursday 16 May 2024 @ 12:00



DWG NO:	3071S/LP	TITLE: **LOCALITY PLAN: ERF 3071 SWAKOPMUND EXT 9** Vygie/Gousblom Street, Ocean View		STEWART PLANNING TOWN & REGIONAL PLANNERS
DATE:	23 APR 2024			
SCALE:	AS SHOWN			
DRAWN:	JN OTTO	Version: V1	otto@sp.com.na	064 280 773



PROPOSED SUBDIVISION:
It is recommended that Erf 3071 Swakopmund Extension 9 be subdivided into Portion A and the Remainder as set out in the schedule below:

LAND PARCEL	SIZE
Portion A	892 m^2
Rem. Erf 3071 Swakopmund Ext 9	800 m^2
Total	1692 m^2

NOTE:
Current zoning: Single Residential
Current density: 1:600m² (rezoned in 2011 and approved as part of Swakopmund Amendment Scheme No.51).
Existing foundations to be demolished.
Portion A will take direct access from Vygie/Gousblom Street.
The Remainder of Erf 3071 will take access from Gousblom Street via a 4 meter wide panhandle.
No access will be taken from Dr Schwietering Street.
No contour lines are shown.

DWG NO:	3071S/SP	TITLE: **Subdivision Plan** Subdivision of Erf 3071 Swakopmund Extension 9 into Portion A and the Remainder of Erf 3071 Swakopmund Extension 9.		STEWART PLANNING TOWN & REGIONAL PLANNERS
DATE:	14 MAY 2024			
SCALE:	1:500 (A4)			
DRAWN:	JN OTTO	Version: V5	otto@sp.com.na	064 280 770

Documents Containing Personal Information Are Removed From The Agenda As Directed By MANAGEMENT.

11.1.22 **TRANSFER OF FUNDS TO NEXT FINANCIAL YEAR 2024/2025: COMPACTOR REFUSE TRUCK**
(C/M 2024/08/08 - 3/1/1/1/1)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **10.6** page **75** refers.

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

Introduction

The purpose of this submission is to seek the Council's permission to transfer funds from votes 70-00-3-10-264-00 (Supply and Delivery of One Compactor Refuse Truck) and Vote 70-00-3-10-155-00 (Supply and Delivery of 15 Deep Collector Units) from 2023/2024 financial year to 2024/2025 financial year.

Background

During the 2023/2024 financial year, the Council made a budgetary provision of N$3 500 000.00 for the purchasing of One Compactor Refuse Truck (Annexure "A"), and N$1 500 000.00 for the Supply and Delivery of 15 Deep Collector Units (Annexure "B").

Discussion

- *Vote 70-00-3-10-264-00 (Supply and Delivery of One Compactor Refuse Truck): Bid G/ONB/SM-003/2024 supply and delivery of one refuse Compactor truck was awarded to Indongo Auto Pty Ltd and is currently awaiting delivery.*

- *Vote 70-00-3-10-155-00 (Supply and Delivery of 15 Deep Collector Units): G/RFQ/SM-010/2024 Supply and Delivery of 15 deep collection waste container units was awarded to Rent-A-Drum and is currently awaiting delivery.*

Conclusion

It is for this reason that permission is being requested to transfer the amount of N$3 500 000.00 for the purchasing of One Compactor Refuse Truck, and N$1 500 000.00 for the Supply and Delivery of 15 Deep Collector Units to the next financial year 2024/2025 to pay the service suppliers upon delivery.

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

RECOMMENDED:

That approval be granted to the General Manager: Finance to transfer N$3 500 000.00 for the purchasing of a One Compactor Refuse Truck, and N$1 500 000.00 for the Supply and Delivery of 15 Deep Collector Units to the next financial year 2024/2025.

MUNICIPALITY OF SWAKOPMUND

(064) 4104100
(064) 4104213
53 Swakopmund
NAMIBIA
Web www.swkmun.com.na
swkmun@swkmun.com.na

Ref No: 4/11/3

Enquiries: Mr H Kanandjembo

14 May 2024

NOTICE TO BIDDER SELECTED FOR AWARD

INDONGO AUTO PTY LTD
P O BOX 5513
AUSSPANPLATZ
10017
+264 81832317156/0811279863
d.bester@indongotoyota.com.na/ sales.hino@indongotoyota.com.na/ j.heymans@indongotoyota.com.na

Dear Sir/Madam

PROCUREMENT REFERENCE NUMBER: G/ONB/SM-003/2023 – SUPPLY AND DELIVERY OF ONE (1) REFUSE COMPACTOR TRUCK

Kindly note that in terms of section 55 of the Public Procurement Act, (Act No. 15 of 2015) as amended, **INDONGO AUTO PTY LTD** has been selected for award as no applications for reconsideration was received.

You are hereby informed that the abovementioned bid with the total value **N$2 646 734.55 (Incl. Vat)** has been accepted by the Accounting Officer.

Should you require more information, please do not hesitate to contact the Head of Procurement Management Unit, Mr H Kanandjembo, at telephone number (064) 4104104 or by e-mail, pmu@swkmun.com.na.

Yours faithfully

Alfeus Benjamin
ACCOUNTING OFFICER
/ph

MUNICIPALITY OF SWAKOPMUND
2024-05-15
Chief Executive Officer

11.1.23 **HIGH WATER PRESSURE SWAKOPMUND RIVER PLOTS RESIDENT (NONIDAS)**
(C/M 2024/08/08 - 3/11/1/2/1/6)

Ordinary Management Committee Meeting of **16 July 2024**, Addendum **10.7** page **77** refers.

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

INTRODUCTION

The attached email communication thread correspondence **(Annexure "A")** was received from the community of Nonidas raising concerns on the unusual pipe bursts, water leakages, high water consumption, and air release valves and pressure.

On **25 January 2023** a meeting was held in the Engineering board room with the community, Finance staff, and Engineering staff. Attached **(Annexure "B")** are the minutes for ease of reference.

INVESTIGATION HIGH CONSUMPTION:

Finance Services:

1.1 Meter readings:

The Meter Readers at Finance Services conducted a physical inspection at Nonidas Plots as from the 9th September 2023 – 16th September 2023 to see how the water was utilised, inspection on the water meter and any productions on the plots that uses water. Attached **(Annexure "C")** is the report on the findings that was submitted to Engineering Services.

1.2 Water Meters: Heat Exchange Products (Pty) Ltd

Heat Exchange Products (Pty) Ltd the supplier of I-perl water meters was consulted in this respect for their input and advised that the I-perl does not measure air, the consumption is not measured by the air passing through. This can happen with mechanical water meters but not with the electromagnetic water meters installed on the plots. It was recommended that plot owners should install non-return valves at the water meters for it not have suction on the line. The attached **(Annexure "D")** email was communicated to Ms Van der Berg, the plot representative.

1.3 Engineering Services:

(a) Water Reticulation

The Smallholdings' water reticulation was constructed on an ad hoc basis as the need for water connections arises. Therefore, it was not properly planned or designed.

The water reticulation is connected at three connection points on the Namwater's Rossing pump line. Moreover, water is constantly pumped into the pipe and water exceeds 16 bar occasionally.

Furthermore, direct connections to a pump line are not ideal as it creates the following problems:

- *High pressure in the water reticulation which leads to pipe bursts.*
- *Pressure surges/ Water hammer.*
- *Trapped air in the reticulation if a pipe burst occurs.*

Furthermore, the terrain is arid, rigid, and the geography of the terrain is such that some parts have very high differences. Ideally, it will be better to pump water into a reservoir and from there gravitate into the water reticulation. The Swakopmund Municipality went out on bidding for a concrete reservoir, but bid prices exceeded the estimate.

The water team had installed pressure-reducing valves at certain locations, however, this, in turn, caused low pressure at certain consumers. The following steps will be taken:

- *Monitor the reticulation to add more pressure-reducing valves if required.*
- *Bid has been advertised for extensions to the water reticulation.*
- *Abeco steel tanks to be installed in phases.*

(b) Water Consumption Investigation

An investigation was done, and a report compiled after complaints were received by the Smallholding residents for high water bills in November - March 2022. The results from the data retrieved from the Routemaster system indicate that the distribution of high-water consumption events is not very evenly distributed throughout all the accounts investigated. The one pattern that can be found in the data, is that all the water meters had double consumption readings during the months of November 2022 and March 2022. This is shown in the consumption versus time graphs produced by the Routemaster system and the water meter data records.

A possible reason for this could be the inconsistency of the days counted for the period during which consumption is recorded. The days counted in a period can vary from 25 to 36 days, this is shown in the data where the water meters consistently skipped **October 2022** and **February 2022** in the majority of the records. The water meters that skipped October 2022 counted 36 days from the previous date recorded on 27 September 2022 and therefore had the next consumption reading recorded on 02 November 2022. This occurred again on the same water meters that skipped February 2022, it counted 34 days from the previous date recorded on 27 January 2022 and therefore had the next consumption reading recorded on 02 March 2022.

Investigating all the accounts by going back to the earliest recorded water meter readings and consumption readings do potentially indicate a pattern of high consumption for the consumers of the Swakop River or Nonidas plots. The data indicates a pattern of high consumption from the month of October in the previous year, to the month of March in the following year, this pattern repeats itself year on year. The pattern is not consistent throughout all the accounts however and not all the accounts have records going back to September 2015, which are the earliest consumption records found on the Routemaster system. This pattern does not provide proper evidence to indicate that high water consumption, from all the consumers is to be expected during this 6-month period of the year.

There was no 30-day period where all the account holders had high water consumption. It is therefore not clear that a disruption in water supply from the Municipality of Swakopmund or Namwater is the cause for high water consumption, from what can be observed in the data received from the Routemaster system.

From the investigation, the consumers that can be considered for rebates are ML Nel 0200490046, M & T Veldman 02005500025, G & A Van Der Merwe 02014400021, and PC & PW Badenhorst 02016400022. This is only due to the sudden increase in water consumption in one month, compared to the previous months, and the sudden decrease in water consumption in the months after the spike in consumption. The exact cause of these high consumption events is unknown and caused by a variety of factors.

CONCLUSION:

The Final report from Engineering & Planning Services concludes that only four (4) plots qualify for water rebate. **(Annexure "E")**

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

RECOMMENDED:

(a) That Council approves the investigation report from Engineering & Planning Services Department and grants permission to the General Manager: Engineering & Planning Services Department and General Manager: Finance to share the report with the Nonidas residence.

(b) That the Service Accounts of the four (4) plots be credited as per water leakage policy, namely: VD Merwe Erf 144, Pw Badenhorst Erf 164, M&T Veldman Erf 55 and ML Nel, Erf 49.

(c) That for consistency purposes all other service accounts in similar position like in point (b) above be treated the same now and in the future.

(d) That the plot owners who do not qualify for the water rebate be notified to arrange for down payments with the Finance Department.