



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

N\$4.00

WINDHOEK - 15 March 2013

No. 5150

### CONTENTS

*Page*

#### **PROCLAMATION**

- No. 9 Incorporation of defined portion of unalienated state land as part of existing communal land area and amendment to Schedule 1 describing communal land area: Communal Land Reform Act, 2002 ..... 2

#### **GOVERNMENT NOTICES**

- No. 64 Amendment of Government Notice No. 103 of 11 July 2011: Establishment of ≠Aodaman Community Court and appointment of assessors and justices: Community Courts Act, 2003 ..... 5
- No. 65 Determination of total allowable catch in respect of rock lobster: Marine Resources Act, 2000 ..... 5
- No. 66 Declaration of Ondangwa Extension 17 to be an approved township: Townships and Division of Land Ordinance, 1963 ..... 6
- No. 67 Declaration of Swakopmund Extension 22 to be an approved township: Townships and Division of Land Ordinance, 1963 ..... 7

#### **GENERAL NOTICES**

- No. 76 Mariental: Deproclamation of Erf 506 from General Plan R86 of Empelheim Extension 3 ..... 8
- No. 77 Tsumeb: Deproclamation of a portion of the General Plan of Tsumeb Extension 4 (Erf 1418) (General Plan No. B115) and Nomtsoub Extension 4 (Portion A of Erf 1281) (General Plan No. B116) ..... 8
- No. 78 City of Windhoek: Permanent closing of Portion A of Erf 1261, Peter Mueshihange Street, Kleine Kuppe as public open space, (the portion is approximately 467m<sup>2</sup> in extent, adjacent to Erf 1259, Kleine Kuppe and will be sold to the owner of Erf 1259, Kleine Kuppe for consolidation purpose) ... 9
- No. 79 Permanent closure of Portion A/187, Rooiduin (measuring 1,221m<sup>2</sup>) as public open space ..... 9

---

## Proclamation

---

by the

PRESIDENT OF THE REPUBLIC OF NAMIBIA

No. 9

2013

INCORPORATION OF DEFINED PORTION OF UNALIENATED STATE LAND AS  
PART OF EXISTING COMMUNAL LAND AREA AND AMENDMENT TO  
SCHEDULE 1 DESCRIBING COMMUNAL LAND AREA:  
COMMUNAL LAND REFORM ACT, 2002

Under the powers vested in me by section 16(1) of the Communal Land Reform Act, 2002 (Act No. 5 of 2002), I, with the approval of the National Assembly –

- (a) incorporate as part of the existing communal land area of -
- (i) Damaraland, the following defined portions of unalienated State land:
- (aa) Farm Uitdraai No. 35, situated in registration division “M”, in the magisterial district of Karibib and measuring 5945.6295 hectares; and
- (bb) Farm Kamandibmund No. 83, situated in registration division “M”, in the magisterial district of Karibib and measuring 4649.7248 hectares; and
- (ii) Namaland, the following defined portions of unalienated State land:
- (aa) Farm Klein Swartmodder No. 135, situated in registration division “M”, in the magisterial district of Aranos and measuring 7426.1387 hectares; and
- (bb) Portion 1, Portion 2 and the remaining extent of Farm Haichas No. 190, situated in registration division “M”, in the magisterial district of Keetmanshoop and measuring 12870.6209 hectares; and
- (b) amend Schedule 1 to that Act, so as to include the incorporated land referred to in paragraph (a) into the communal land area, as set out in the Schedule.

### SCHEDULE

Schedule 1 to the Communal Land Reform Act, 2002 (Act No. 5 of 2002), is amended by-

- (a) the addition to the description of the communal land area of Damaraland, contained under the heading “Damaraland” of the following sub-headings and descriptions:

#### “Area 3

An area measuring 5945.6295 hectares and depicted on Surveyor-General Diagram SG No. A578/22 of Farm Uitdraai No. 35, Registration Division “H”, the Co-ordinates and description of which are set out as follows:

Beginning at the north-western beacon No. 26 of Farm Uitdraai No. 35, Registration Division “H”, then in a generally north-easterly direction up to beacon No. 10 of the same farm, then in a generally south-westerly direction up to beacon No. 5 of that farm, then in a generally southerly direction to beacon No. 1 of the same farm, then in a generally south-easterly

direction up to beacon No. 26 of that farm, then generally in a southerly direction up to the point where the boundary intersects with the middle of the Swakop River. It then follows the middle of the Swakop River in a generally easterly direction up to a point (a) on the middle of the river. From this point the boundary follows a generally northerly direction up to beacon No. 31b of the same farm, then in a generally northerly direction to the point of beginning. The area described above measures 5945.6295 hectares and is depicted on SG No. A578/22 of Farm Uitdraai No. 35, Registration Division "H".

#### Co-ordinates

Beacon	Latitude	Longitude
26	22° 12'54"	16° 13'04"
10	22° 13'00"	16° 18'15"
5	22° 14'32"	16° 15'40"
1	22° 17'02"	16° 15'25"
26	22° 19'20"	16° 15'35"
a	22° 19'28"	16° 12'28"
31b	22° 19'20"	16° 12'28"

#### Area 4

An area measuring 4649.7248 hectares and depicted on Surveyor-General Diagram No. A87/20 of Farm Kamandimund No. 83, Registration Division "G", the co-ordinates and description are as set out as follows:

Beginning at the north-westerly beacon N7 of the Farm Kamandimund No. 83, then in a generally north-easterly direction along up to the north-eastern beacon 150 of that farm, then in a south-easterly direction to beacon 146. From beacon 146, the boundary follows a south-easterly direction up to beacon 144b of that farm, then in a generally south-easterly direction up to the intersection point with the inner bank of the Swakop River. It then follows the inner bank of the Swakop River up to a point (int) on the inner bank. From that point the boundary follows a generally northerly direction up to beacon N4, then again in a generally north-westerly direction up to the point of beginning.

#### Co-ordinates

Beacon	Latitude	Longitude
N7	22° 16'55"	15° 48'45"
150	22° 16'28"	15° 50'06"
146	22° 22'15"	15° 51'40"
144b	22° 23'12"	15° 52'30"
int	22° 23'22"	25° 48'45"
N4	22° 23'15"	15° 48'45"
N6	22° 17'25"	15° 48'48"

“;and

(b) the addition to the description of the communal land area of Namaland, contained under the heading "Namaland" of the following sub-headings and descriptions:

#### “Area 5

An area measuring 7426.1387 hectares and depicted on Surveyor-General Diagram No. A257/45 of Farm Swartmodder No. 135, Registration Division "M", the co-ordinates and description set out as follows:

Beginning at the north-westerly beacon No. 372 of the Farm Klein Swartmodder No. 135, Registration Division "M", then in a generally north-easterly direction to beacon No. 371 of the same farm, then in a generally south-easterly direction up to beacon Tjaunab of the same farm, then in a generally south-westerly direction up to beacon 373 of that farm, then in a generally north-westerly direction up to the point of beginning.

#### Co-ordinates

Beacon	Latitude	Longitude
372	23°59'45"	18°07'45"
371	23°59'45"	18°14'06"
Tjaunab	24°00'30"	18°15'06"
373	24°03'08"	18°09'15"

#### Area 6

An area measuring 12867.8552 hectares and depicted by Surveyor-General Diagram No. A733/2011, Registration Division "T", the co-ordinates and description are set out as follows:

Beginning at the north-westerly beacon S139 of Farm Haichas No. 472, Registration Division "T", then in a generally south-easterly direction up to beacon S116, then in a generally south-easterly direction up to beacon 12Kuk of the same farm, then in a generally north-westerly direction up to beacon 3Fahlg, then in a generally north-westerly direction up to beacon S105, then in a generally north-westerly direction up to the point of beginning.

#### Co-ordinates

Beacon	Latitude	Longitude
S139	25°55'29"S	18°38'46"E
S116	25°58'14"S	18°46'53"E
12Kuk	26°02'27"S	18°49'57"E
3Fahlg	26°02'27"S	18°40'45"E
S105	26°00'31"S	18°39'06"E

”.

Given under my Hand and the Seal of the Republic of Namibia at Windhoek, this 25th day of February, Two Thousand and Thirteen.

**HIFIKEPUNYE POHAMBA**

**President**

**BY ORDER OF THE PRESIDENT-IN-CABINET**

---

---

## Government Notices

---

### MINISTRY OF JUSTICE

No. 64

2013

AMENDMENT OF GOVERNMENT NOTICE NO. 103 OF 11 JULY 2011:  
ESTABLISHMENT OF AODAMAN COMMUNITY COURT AND  
APPOINTMENT OF ASSESSORS AND JUSTICES:  
COMMUNITY COURTS ACT, 2003

In terms of section 8(1) of the Community Courts Act, 2003 (Act No. 10 of 2003), I amend Part III of the Schedule to Government Notice No. 103 of 11 July 2011 by the substitution for Festus Aseb of Effraim Hoeb.

**P. HVULA-ITHANA**  
**MINISTER OF JUSTICE**

Windhoek, 20 November 2012

---

### MINISTRY FISHERIES AND MARINE RESOURCES

No. 65

2013

DETERMINATION OF TOTAL ALLOWABLE CATCH IN RESPECT OF ROCK LOBSTER:  
MARINE RESOURCES ACT, 2000

Under section 38 of the Marine Resources Act, 2000 (Act No. 27 of 2000) and having requested the advice of the Marine Resources Advisory Council, I determine on the basis of the best scientific evidence available that the total allowable catch of rock lobster which may be harvested for the period of 01 November 2012 to 30 April 2013 is 350 metric tons, allocated in relation to each area indicated in the first column of the Table, for the period indicated in the second column of the Table and the allowable catch indicated in the third column of that Table.

TABLE

AREA	PERIOD	MASS
Southern area (Diaz Point-Orange River border)	01/11/2012-30/04/2013	150.5 metric ton
Central area (between the Lüderitz and Ichaboe sanctuaries)	01/01/2013 - 30/04/2013	49 metric ton
Northern and Far-Northern areas (including Gallovidea, Hottentot Point, Black Rock, Saddle Hill, Mercury, Easter Cliffs)	01/01/2013 - 30/04/2013	150.5 metric ton

**B. ESAU**  
**MINISTER OF FISHERIES AND MARINE RESOURCES**

Windhoek, 22 February 2013

**MINISTRY OF REGIONAL AND LOCAL GOVERNMENT,  
HOUSING AND RURAL DEVELOPMENT**

No. 66

2013

DECLARATION OF ONDANGWA EXTENSION 17 TO BE AN APPROVED TOWNSHIP:  
TOWNSHIPS AND DIVISION OF LAND ORDINANCE, 1963

In terms of section 13 of the Townships and Division of Land Ordinance, 1963 (Ordinance No. 11 of 1963), I -

- (a) declare the area situated on Portion 43 (a portion of Portion 19) of the Farm Ondangwa Town and Townlands No. 882, situated in the Oshikoto Region, Registration Division "G" and represented by General Plan No. A 286, vide S.G. No. A325/2011 and S.G. No. A326/2011 to be declared an approved township; and
- (b) set forth in the Schedule below the conditions subject to which the application for permission to establish the township concerned has been granted.

**C. NAMOLOH  
MINISTER OF REGIONAL AND LOCAL  
GOVERNMENT, HOUSING AND RURAL  
DEVELOPMENT**

Windhoek, 20 February 2013

**SCHEDULE**

**1. Name of township**

This township shall be called Ondangwa Extension 17.

**2. Composition of township**

The township comprises of 305 erven numbered 3639 to 3943, public open spaces and the remainder streets as indicated on General Plan No. A 286.

**3. Reservation of erven**

The following erven are reserved for the Local Authority of Ondangwa:

- (a) Erven 3944 and 3945 are reserved for Public Open Spaces;
- (b) Erf 3741 is reserved for a pump station; and
- (c) Erf 3920 is reserved for a water tower.

**4. Conditions of title**

The following conditions shall be registered in favour of the Local Authority of Ondangwa against the title deeds of all erven except the erven mentioned in paragraph 3:

- “(a) The erf shall only be used for the purposes which are in accordance with, and the use and occupation of the erf is subject to, the provisions of the Ondangwa Town Planning Scheme prepared and approved in terms of the Town Planning Ordinance, 1954 (Ordinance No. 18 of 1954).

- (b) The building value of the main building, including the outbuildings, to be erected on the erf shall be at least four times the municipal valuation of the erf.”.

---

**MINISTRY OF REGIONAL AND LOCAL GOVERNMENT,  
HOUSING AND RURAL DEVELOPMENT**

No. 67

2013

**DECLARATION OF SWAKOPMUND EXTENSION 22 TO BE AN APPROVED  
TOWNSHIP: TOWNSHIPS AND DIVISION OF LAND ORDINANCE, 1963**

In terms of section 13 of the Townships and Division of Land Ordinance, 1963 (Ordinance No. 11 of 1963), I -

- (a) declare the area situated on Portion 113 (a portion of Portion B) Swakopmund Town and Townlands No. 41, situated in the Erongo Region, Registration Division “G” and represented by General Plan No. G 180, vide diagram No. A 211/2011 and S.G. No. A470/2012, to be declared an approved township; and
- (b) set forth in the Schedule below the conditions subject to which the application for permission to establish the township concerned has been granted.

**C. NAMOLOH  
MINISTER OF REGIONAL AND LOCAL  
GOVERNMENT, HOUSING AND RURAL  
DEVELOPMENT**

Windhoek, 20 February 2013

**SCHEDULE**

**1. Name of township**

This township shall be called Swakopmund Extension 22.

**2. Composition of township**

The township comprises of 129 erven numbered 6179 to 6307 and the remainder streets as indicated on General Plan No. G 180.

**3. Reservation of erven**

Erven 6302 to 6307 are reserved for the Local Authority of Swakopmund.

**4. Conditions of title**

The following conditions shall be registered in favour of the Local Authority of Swakopmund against the title deeds of all erven, except the erven mentioned in paragraph 3:

- “(a) The erf shall only be used for the purposes which are in accordance with, and the use and occupation of the erf is subject to, the provisions of the Swakopmund Town Planning Scheme prepared and approved in terms of the Town Planning Ordinance, 1954 (Ordinance No. 18 of 1954).
- (b) The building value of the main building, including the outbuildings, to be erected on the erf shall be at least four times the municipal valuation of the erf.”.
-

---

## General Notices

---

No. 76

2013

### MARIENTAL: DEPROCLAMATION OF ERF 506 FROM GENERAL PLAN R86 OF EMPELHEIM EXTENSION 3

Notice is hereby given in terms of Section 24(4) of the Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963) that an application has been received from Stubenrauch Planning Consultants cc, on behalf of the Municipality of Mariental for the deproclamation of Erf 506, Empelheim Extension 3, Mariental, which is depicted on General Plan R86, approved on 04 July 2012.

Copies of the deproclamation and maps, plans, documents and other relevant matters are lying for inspection during office hours at the offices of Stubenrauch Planning Consultants CC, Feld Street, Windhoek and also at Room 234 at the Offices of the Ministry of Regional and Local Government, Housing and Rural Development, Division Planning, Government Office Park, Luther Street, Windhoek.

Any person who wishes to object to the above-mentioned application should lodge objections in writing to the Secretary, Namibia Planning Advisory Board (NAMPAB), Private Bag 13289, Windhoek on or before **15 May 2013**.

No. 77

2013

### TSUMEB: DEPROCLAMATION OF A PORTION OF THE GENERAL PLAN OF TSUMEB EXTENSION 4 (ERF 1418) (GENERAL PLAN NO. B115) AND NOMTSOUB EXTENSION 4 (PORTION A OF ERF 1281) (GENERAL PLAN NO. B116)

Notice is hereby given in terms of Section 24 (1) of the Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963) that an application has been received from Stubenrauch Planning Consultants, on behalf of the Tsumeb Municipality for the de-proclamation of Erf 1418, Tsumeb Extension 4 and Portion A of Erf 1281 Nontsoub Extension 4, which is depicted on Surveyor General Diagrams A 426/93 (General Plan B 115) and E 118/93 (General Plan B 116), approved on 07 December 1993.

Copies of the deproclamation and maps, plans, documents and other relevant matters are lying for inspection during office hours at the offices Stubenrauch Planning Consultants, No. 45 Feld Street, Windhoek and also at Room 234 at the Offices of the Ministry of Regional and Local Government, Housing and Rural Development, Division Planning, Government Office Park, Luther Street, Windhoek.

Any person who wishes to object to the above-mentioned application should lodge objections in writing to the Secretary, Namibia Planning Advisory Board (NAMPAB), Private Bag 13289, Windhoek on or before **15 May 2013**.

---



**CITY OF WINDHOEK**

No. 78

2013

PERMANENT CLOSING OF PORTION A OF ERF 1261, PETER MUESHIHANGE STREET, KLEINE KUPPE AS PUBLIC OPEN SPACE, (THE PORTION IS APPROXIMATELY 467 M<sup>2</sup> IN EXTENT, ADJACENT TO ERF 1259, KLEINE KUPPE AND WILL BE SOLD TO THE OWNER OF ERF 1259, KLEINE KUPPE FOR CONSOLIDATION PURPOSE)

Notice is hereby given in terms of article 50(1)(a)(ii) of the Local Authorities Act, 1992 (Act No. 23 of 1992) that the City of Windhoek proposes to close permanently the undermentioned portion as indicated on locality plan, which lies for inspection during office hours at the office of Urban Policy, Room 517, Municipal Offices, Independence Avenue.

PERMANENT CLOSING OF PORTION A OF ERF 1261, PETER MUESHIHANGE STREET, KLEINE KUPPE AS PUBLIC OPEN SPACE, (THE PORTION IS APPROXIMATELY 467 M<sup>2</sup> IN EXTENT, ADJACENT TO ERF 1259, KLEINE KUPPE AND WILL BE SOLD TO THE OWNER OF ERF 1259, KLEINE KUPPE FOR CONSOLIDATION PURPOSE)

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 Article 50(1)(C) of the above Act.

**B. MUTRIFA**  
**URBAN PLANNER**

---

No. 79

2013

PERMANENT CLOSURE OF PORTION A/187, ROOIDUIN  
(MEASURING 1,221 M<sup>2</sup>) AS PUBLIC OPEN SPACE

Notice is hereby given in terms of Section 50(3)(a)(ii) of the Local Authorities Act, 1992 (Act No. 23 of 1992) that the Aranos Town Council intends to permanently close Portion A/187. Rooiduin measuring 1,221m<sup>2</sup> as Public Open Space. The intended closure is to enable Council to rezone the Portion to street for purpose to providing access for a new development on Erf 917, Aranos.

PERMANENT CLOSURE OF PORTION A/187, ROOIDUIN  
(MEASURING 1,221 M<sup>2</sup>) AS PUBLIC OPEN SPACE

Further note that the locality plan of the erf is available for inspection on the town planning notice board at the Aranos Town Council office, Park Street, Aranos

Further take note that any person objecting to the proposed closure as indicated above may lodge such objection, together with the grounds therefore, with the Chief Executive Officer, Aranos Town Council and with the applicant in writing within 14 days after the appearance of the last notice (final date for objection is 02 April 2013).

**APPLICANT:**  
**URBAN GREEN TOWN AND REGIONAL PLANNING CONSULTANTS**  
**PO BOX 11929, KLEIN WINDHOEK**

**THE CHIEF EXECUTIVE OFFICER**  
**ARANOS TOWN**  
**PO BOX 157, ARANOS**

---