

# National Policy for the Provision of Housing in Protected Areas

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Republic of Namibia  
Ministry of Environment and Tourism

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## FOREWORD

The Ministry of Environment and Tourism (MET) was established in 1990. It is responsible for the safeguarding and wise use of Namibia's natural resources as well as the facilitation and coordination of tourism development in Namibia. In line with this responsibility, the mission of the Ministry is *"to promote biodiversity conservation in the Namibian environment through the sustainable utilization of natural resources and tourism development for the maximum social and economic benefit of its citizens."* As the custodian of our natural environment, the Ministry of Environment and Tourism will lead the sustainable development process towards the achievement of the goals of Vision 2030.

In accordance with this mission and the goals of Vision 2030, a great challenge in the planning, development and management of protected areas is to ensure sustainability by minimizing the negative environmental impacts of human activity and infrastructure development. Of particular importance in this regard is the challenge of governing the number, location and standard of staff houses provided within protected areas as well as the number, activities and conduct of the people residing therein. A prerequisite for meeting this challenge is to have in place an innovative policy and regulatory framework.

This policy document has thus been formulated to provide such a framework. In its formulation, cognizance has also been taken of other Ministry policies, commitments and challenges beyond just those concerned with environmental conservation and tourism. Foremost in this regard, consideration has been given to the Ministry's commitment to maintaining a safe and healthy environment for all employees. In the case of protected areas, this commitment is extended to family members who reside with employees in such areas. Fundamental to this commitment is the recognition that the well being, stability and integrity of family life is an essential building block of our social and economic development. In the current social environment, family life stability is as an essential element to have in place for meeting the immense challenge of combating the further spread of HIV and AIDS.

While the primary purpose of this policy is to rationalise and regulate the provision of housing for Ministry employees in Protected Areas, it also provides guidelines and procedures for dealing with other Ministries and organisations that for legitimate reasons may need to house their employees in Namibia's Protected Areas. I therefore urge the leaders, management and relevant members of such Ministries and organisations, as well as the management and relevant staff of the Ministry, to take ownership of this policy. In so doing it is hoped that they jointly ensure that it is wisely and responsibly implemented in all its spheres for the benefit of conservation, tourism and society as a whole.



**Netumbo Nandi Ndaitwah, MP**  
**MINISTER**



## PREFACE

Tourism is a major growth sector in the Namibian economy and protected areas are of strategic importance to the tourism sector and the Namibian economy as a whole. Consequently, for Namibian Wildlife Resorts and others operating within our Protected Areas (PAs) to compete effectively with wildlife tourism destinations elsewhere in Africa, it is essential that visitors to our PAs are provided with a pristine, tranquil and safe environment.

A prerequisite to maintaining an environment of this nature in PAs is to limit and manage the number, activities and conduct of people visiting, overnighting and/or residing permanently in these areas. In this regard, the housing and other infrastructure required for accommodating and otherwise meeting the needs of such people also needs be limited, managed and carefully planned. This applies particularly to staff and other people residing permanently in our PAs and, most especially, when their housing is situated closely adjacent to tourism resorts or lodges.

In recognition of all the above, this policy is intended to regulate all matters relating to the housing of staff in protected area with the dual intention of:

- Reducing the potential negative impacts on conservation and tourism on the one hand; and
- Providing acceptable living standards and other social conditions for staff on the other.

To this end, the policy document contains guidelines, procedures, regulations and conditions relating to the development, maintenance, allocation and occupancy of staff housing in protected areas. It also addresses the rights, obligations and required conduct of the various stakeholders as well as the institutional framework for policy implementation and the monitoring and evaluation of this.

  
**Dr Kalumbi Shangula**  
**Permanent Secretary**



Ministry of Environment & Tourism  
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## **ABBREVIATIONS**

AIDS	Acquired Immune-Deficiency Syndrome
EIA	Environmental Impact Assessment
EMP	Environmental Management Plan
ENP	Etosha National Park
GRN	Government of the Republic of Namibia
HQ	Head Office of Ministry of Environment and Tourism
HIV	Human Immune-deficiency Virus
MET	Ministry of Environment and Tourism
MTEF	Medium Term Expenditure Framework
M&E	Monitoring and Evaluation
NDP	National Development Plan
NWR	Namibia Wildlife Resorts
PA	Protected Area



# 1. Introduction / Background

The mission of the Ministry is “to promote biodiversity conservation in the Namibian environment through the sustainable utilization of natural resources and tourism development for the maximum social and economic benefit of its citizens.” As the custodian of our natural environment, the Ministry of Environment and Tourism will lead the sustainable development process towards the achievement of the goals of Vision 2030. In this vision, tourism has been identified as a major growth sector in the Namibian economy and, to ensure sustainability, environmental conservation has also been given a high ranking. Accordingly, PAs are of great strategic importance in the realization of both the conservation and tourism goals of Vision 2030. And, for tourism in PAs to compete effectively with wildlife tourism destinations elsewhere, the product on offer must be of the highest quality possible. This demands, first and foremost, the provision of a pristine, tranquil, safe and secure environment.

Thus, to meet its Vision 2030 obligations, MET is faced with the challenge of developing innovative policies and plans for dealing with the complexities involved in reconciling the dual cross-cutting goals of tourism and conservation in the context of PAs. Adding to these complexities is the need to provide sufficient housing and supporting infrastructure to satisfy the residential requirements of MET employees based in PAs.

Lessons learnt from elsewhere indicate that without reconciling policies and plans, the following negative impacts may arise:

- A mushrooming of unsightly buildings or the unsightly consequence of building maintenance neglect
- Overextending the designed capacity of waste disposal infrastructure as well as other bulk services such as water and power
- Noise pollution from resident staff and their families and friends
- The spread of alien plants and animals – arising from household gardens and pets
- Health and other social problems including the spread of HIV/AIDs

While this policy deals specifically with provision of housing for MET employees in PAs, due regard has been given in its drafting to the following umbrella policies, codes and acts:

- The Housing Policy of the Ministry of Works and Transport
- Chapter D.V11 (Housing) of The Public Service Staff Code
- Part E (Accommodation), Section 28 of the Labour Act (Act No. 11 of 2007)

## 2. POLICY FRAMEWORK

### 2.1 Aim

The aim of this policy is to provide a framework for governing the provision and occupation of housing in PAs for MET employees in order to:

- Motivate employees and improve their productivity by establishing a healthy, comfortable and socially stable residential environment
- Mitigate the potential negative impacts of housing, related infrastructure and the activities and behavior of occupants on the achievement of the conservation and tourism goals of Vision 2003.

### 2.2 The guiding principles of this policy are:

- The provision of housing for MET employees in PAs is a benefit and not a right
- Employees shall respect and take responsibility for the houses they are allocated
- The umbrella policies, codes and acts referred to in Section 1 above shall take precedence over this

policy.

- The cross-cutting needs and goals of environmental conservation, tourism and the provision of houses for employees in PAs need to be acknowledged and reconciled.
- Responsibility for the implementation of this policy must begin at the decentralized level of Regional and PA management with oversight responsibilities lying at the MET HQ level.
- All powers relating to revisions, amendments and exceptions to this policy are to be vested at the level of the Minister.

## **2.3 Objectives**

The key objectives of this policy are to institute:

- Guidelines for the financing and development of employee housing in PAs
- Criteria for determining eligibility for housing in PAs
- Mechanisms and procedures for authorizing the occupancy of such housing and the conditions attached to such authorization
- Guidelines and procedures for the fair allocation of housing units to eligible and duly authorized persons
- Respective obligations regarding the provision and maintenance of housing in PAs
- A code of conduct for regulating the activities and behavior of the authorized occupants of housing units in PAs
- Guidelines for encouraging compliance with the conditions, obligations and code of conduct referred to above through the application of sanctions and incentives
- A framework for the implementation and oversight of all the above
- Develop procedures and tools for monitoring and evaluating the effectiveness of this policy

## **2.4. Strategies**

### **2.4.1. Financing Housing Development**

For procuring the finance required for the provision of housing in PAs, the strategy shall be:

2.4.1.1. To undertake a housing needs analysis in PAs nationally

2.4.1.2. On the basis of this needs analysis develop a medium term budget for PA housing requirements that is aligned with the prevailing NDP and MTEF as well as Vision 2030.

2.4.1.3. Also, on the basis of this needs analysis and medium term budget solicit donor support for the provision of housing in PAs

2.4.1.4. Review the housing needs analysis annually and on the basis of such reviews compile and submit annual budget to Treasury accordingly

### **2.4.2. Housing Development Guidelines**

To mitigate negative environmental impacts of employees housing, the related infrastructure and the activities of the occupants, the strategy shall, subject to budget constraints, be to adhere to the following planning and development guidelines:

2.4.2.1. Confine future housing development to nodes on the periphery of PAs and ideally as close to the main official entrance gates as possible

2.4.2.2. Where feasible, phase out over time any staff housing complexes that currently exist at sites well within the interior of a PA, and relocate such housing complexes in accordance with Clause 2.4.2.1 above and other relevant guidelines provided in the clauses below

2.4.2.3. Give priority to housing complexes that are impacting negatively on tourism when planning and allocating resources to the phasing out or relocating staff housing as referred to in Clause 2.4.2.2 above

2.4.2.4. Ensure that staff housing and related service infrastructure is designed, constructed and finished off in such a way that it conforms to:

- a) The ambience of the protected areas
- b) The architectural theme and where relevant the tourism branding of a protected areas



- c) The required capacity base on present and projected future housing requirements
- d) Conservation principles relating to energy use, liquid and solid waste disposal, visual impact on the landscape etc.

2.4.2.5. Ensure that these housing development nodes and design principles are:

- a) In harmony with and entrenched in the overall management plans for protected areas with particular reference to the regulations appropriate to protected area zoning
- b) In accordance with good urban design and town planning principles

2.4.2.6. Ensure that staff housing development in PAs is at all times subject to the EIA and EMP requirements of the Environmental Management Act of 2007.

### **2.4.3. Eligibility for Residing in PAs**

To further mitigate the negative environmental impacts of housing, especially those impacts that relate to the number and activities of people in PAs, the following strategy shall apply:

2.4.3.1. Notwithstanding exceptional circumstances, eligibility for residence in PAs shall be restricted to the following persons:

- a) Employees of MET whose main work activities are located within and/or the immediate surrounds of a PA, and hence require that such employees are based in such PAs
- b) Employees of other entities including other Ministries, NWR and any other organization or individual whose main work activities are located within and/or the immediate surrounds of a PA, and hence require that such employees are based in such PAs

2.4.3.2. In cases where Clause 2.4.3.1 b) above is applicable:

- a) MET shall not be obligated to provide housing for the employees of such other entities
- b) The provision of housing by such other entities for their employees in PAs shall be subject to:
  - i. Prior written and signed agreements between MET and such other entities
  - ii. Rights, obligations and responsibilities in accordance with guidelines provided in Clauses 2.4.8.10 and 2.4.8.11 of Section 2.4.8 below

### **2.4.4. Authority to Occupy**

To ensure that the challenges related to dealing with unauthorized occupancy of houses in PAs are dealt with effectively, the strategy shall be:

2.4.4.1. To strictly forbid any persons from occupying a housing unit or otherwise reside within a PA unless such persons have:

- a) Been duly authorized in writing to do so by the Minister or his/her delegate
- b) Entered into and signed a lease agreement (refer Annex 3) between themselves and the Minister or his/her delegate.

2.4.4.2. To give due regard to the eligibility criteria established in 2.4.2 before going ahead with the granting of authority to occupy housing units

2.4.4.3. To grant authority to occupy subject to the conditions stipulated in 2.5 below

2.4.4.4. To restrict the granting of exemptions from the eligibility criteria established in 2.4.2 above to exceptional circumstances only

2.4.4.5. Subject to a reasonable notice period, to automatically terminate authorization to occupy a housing unit upon:

- a) The authorized occupant's employment being terminated through dismissal, resignation or retirement
- b) The authorized occupant being transferred to another MET station
- c) Either party giving 3 (three) months written notice of termination to the other party for other reasons not specified in this policy

### **2.4.5. Conditions of Occupation**

To mitigate negative impacts on tourism and conservation arising from excessive demands on service infrastructure, as well negative social impacts caused by overcrowding of housing units, authority to occupy shall be granted subject to the following conditions and guidelines:

2.4.5.1. As a norm, the number of persons authorized to reside permanently in a PA housing unit shall be

restricted to the authorized occupant and his/her household as defined in the Glossary of Terms below.

2.4.5.2. In addition, the number of overnight visitors to a housing unit shall, as the norm, be:

- Restricted to a maximum of two persons at any one time and to a maximum stay over of five nights in any given quarterly period
- Only permitted if authorized by a MET employee with the delegated authority to enforce the housing policy matters in PAs

2.4.5.3. All authorized occupants and authorized co-occupants shall be issued with resident identity cards and all authorize visitors shall be issued with visitor identity cards

2.4.5.4. The holders of cards referred to in 2.4.5.3 above shall be obliged to present such cards:

- On the request of any MET employee with the delegated authority to enforce policy and other regulations in PAs
- To MET gate attendants on every occasion they enter or exit the PA in which they have been granted authority to reside

2.4.5.5. Should authorized occupants wish to be exempted from the conditions indicated in Clauses 2.4.5.1 and/or 2.4.5.2 they may apply accordingly to the Minister or her/his - delegate, provided that:

- a) The application is made in writing
- b) The exceptional circumstances of the applicant are fully motivated

2.4.5.6. When ruling on applications for exemptions, the minister shall be mindful of the need to reconcile the following:

- a) The need to provide for family challenges and other social realities such as child care and/or dealing compassionately and responsibly with AIDS orphans and other extended family responsibilities
- b) The potential threats to the natural and tourism environment and the reality that health and other social problems that may arise when the capacity of housing units and related service infrastructure such as sewage works are exceeded

To mitigate negative impacts on the natural, tourism and social environment arising from the activities and conduct of persons residing in PAs, it shall be conditional that authorized occupants and co-occupants:

2.4.5.7. Fully abide by the Code of Conduct annexed to this policy (refer Annex 1), as well as any other existing or future legislation, regulations and codes of conduct governing the behavior of people while present in a PA

2.4.5.8. Shall not undertake any additions, alterations and/or other types of improvement to their allocated accommodation unit, as well as construct any additional buildings, without prior approval from MET without prior written authority

To contribute towards easing budgetary requirements for housing maintenance and bind employees and authorized co-occupants to respect and take proper care of state property the strategy shall be to:

2.4.5.9. Make it conditional that authorized occupants pay a monthly rental in terms of Regulation H6 of the public Service Staff Code

2.4.5.10. Include the monthly rental due in lease agreements (refer Annex 3)

## **2.4.6. Housing Categories**

To meet MET's commitment to provide a healthy, comfortable and socially stable residential environment for its employees and their families in PAs within the reality of budget constraints, the strategy shall be to:

2.4.6.1. Aim towards providing, in the medium to long term, the following three categories of housing in accordance with PA housing needs:

- a) Units comprising an under roof area of no less than 50 sq meters
- b) Units comprising an under roof area of no less than 75 sq meters
- c) Units comprising an under roof area of no less than 150 sq meters

2.4.6.2. Ultimately attain the above ideal situation, through a process of:

- a) Forward planning, needs analyses and budget motivations
- b) Upgrading/altering existing housing units and developing additional units over time and as required

2.4.6.3. Unless the incumbents elect to occupy a smaller unit, the following positions are guaranteed a housing unit comprising an under roof area of no less than 150 sq meters:

- a) Deputy Director
- b) Chief Control Warden
- c) Chief Control officer
- d) Chief Conservation Scientist
- e) Veterinarian
- f) Principle Conservation Scientist
- g) Tourism Specialist
- h) Chief Works Inspector

#### **2.4.7. Allocation of Housing**

To meet the objective of allocating houses sensitively and fairly within the constraints of housing availability, the strategy shall be:

2.4.7.1. Restrict the powers to allocate housing in PAs to the Minister or her/his delegate.

2.4.7.2. To ensure that authority to occupy with attached conditions of occupation has been granted before proceeding with the allocation housing units to would be occupiers

2.4.7.3. To endeavor to allocate authorized occupants with housing units that are appropriate in terms of and his/her household as defined in the Glossary of Terms below.

2.4.7.4. To apply the following in situations where it is not immediately possible, in terms of availability, to allocate housing units of the category deemed appropriate (refer Clause 2.4.7.3 above) for the Authorised Occupants concerned:

- a) As an interim arrangement allocate authorized occupants with the best possible fits in terms of housing availability and his/her household as defined in the Glossary of Terms below
- b) When more appropriate housing units become available, either through the development of new units or vacation of existing units, reallocate such units to those persons who are occupying inappropriate housing units on an interim basis

2.4.7.5. To prohibit the re-allocating of housing units without first obtaining the authority of the Minister or her/his delegate.

#### **2.4.8. Housing Obligations**

To meet MET's commitment to provide and maintain a safe, healthy and socially stable conditions for persons authorized to reside in PAs, the strategy shall be to oblige the concerned parties as follows:

##### **Obligations of MET**

2.4.8.1. It shall be MET's obligation, through forward planning and budgeting, to ensure that:

- a) Housing and basic services (electricity, sewage disposal, solid waste disposal and potable water) are provided for all MET employees who are eligible for housing in PAs in terms of Clause 2.3.2.1 above
- b) The standard and capacity of housing units and bulk service infrastructure provided is sufficient/adequate for meeting MET's social commitment

2.4.8.2. It shall also be the obligation of MET to effectively attend, at its own time and expense, to all maintenance needs that are of a substantial nature as follows:

- a) Repair all normal wear and tear of basic building structures of houses including gutters, roof, paint work, plumbing, electrical installations, water heating and wiring
- b) Repair any damage to houses resulting from accidental or other causes beyond the control of occupants such as storm damage or fire damage
- c) Repair any appliance or installation forming an integral and fixed part of the building and grounds
- d) Repairs to the bulk infrastructure required for supplying basic services to staff house inclusive of power supply, liquid and solid waste disposal, the provision of potable water, etc., lines and power generators, sewage works and sewage pipe feeder reticulation (electricity, sewage disposal,

solid waste disposal and potable water)

2.4.8.3. At the time of hand over of housing units to the duly authorized persons, MET shall be obliged to ensure that:

- i. The premises are in good state of repair and condition
- ii. All the keys, glass windows, electrical installations, kitchen fittings, curtain rails, lamp shades, door locks and handles, sanitary ware, sewerage pipes, stoves, water taps and geysers are likewise in good condition.

### **Obligations of Authorized Occupants**

2.4.8.4. It shall be the obligation of authorized occupants to effectively attend, at their time and expense, to the following minor maintenance and preventative maintenance of their allocated accommodation units:

- a) Keep all gutters, sewerage pipes, water pipes and drains on the premises free from obstruction and /or blockage
- b) Keep the gardens and grounds of the premises in a clean and tidy condition, free from all litter, rubbish, weeds and invading alien plants and also keep any hedges, lawns and flowerbeds trimmed, mown and otherwise neat and tidy
- c) Clean the carpets and other floor coverings and tiles regularly and replace consumables such as light bulbs and window panes, mirrors, other glass fittings, keys, tap washers, lamp shades, door handles, door locks, curtain rails, bathroom fitting and kitchen fittings

2.4.8.5. It shall also be the obligation of authorized occupants to repair, at their expense any damage, breakage, destruction, disfigurement, defacement of the accommodation unit(s) and associated gardens and grounds, that are incurred, inter alia, from acts of vandalism, negligence, misconduct and/or malicious intent on the part of the occupants and/or their visitors.

2.4.8.6. Obligations pertaining to Clause 2.4.8.5 above shall be determined by housing inspections undertaken quarterly or at other appropriate intervals determined and directed by Housing Sub-committees.

2.4.8.7. On the termination of authority to occupy due to transfer, retirement, resignation, dismissal or any other reasons, MET shall undertake an inspection of the housing unit to be vacated, and it shall be the obligation of occupants before vacating to:

- a) To restore his/her allocated accommodation unit, including gardens and grounds, to the same good order, state and condition as found at the time of taking over of the unit, fair wear and tear excluded
- b) Hand back the keys and any other movable property of MET that were in the house and signed off for at the time of taking occupancy.

2.4.8.8. Notwithstanding MET's commitment to provide a generally safe and secure environment for persons residing within PAs, it shall be the obligation of authorized occupant and co-occupants to protect their goods and personal effects from damages, theft or other losses incurred while residing in a PA, as well as those of their visitors.

2.4.8.9. In addition to all of the above obligations, authorized occupants shall be obligated to meet any additional requirements and/or conditions that may be contained in duly signed lease agreements (Refer Annex 3).

### **Obligations of other Organizations**

2.4.8.10. With regard to other Ministries, NWR, and any other organizations that are granted authority to house their employees in PAs, their obligations, as well as those of their employees, shall be contained in agreements as referred to in Section 2.4.3.2 b) above

2.4.8.11. Unless otherwise negotiated and stipulated in such agreements, it shall be the obligation of such organizations and/or their employees to:

- a) Abide by the clauses contained in this National Housing Policy for PAs, as amended from time to time, taking special heed of the Code of Conduct annexed to this policy
- b) Unless otherwise agreed to, provide and maintain housing and related service infrastructure as required for their employees in PAs, at their own costs and supervision and in accordance with

the development guidelines contained in Section 2.4.2 above

- c) Reimburse MET, by way of rentals or other agreed means, for the costs involved in situations where for logistical and/or cost effectiveness reasons, MET provides and/or maintains housing for such other organizations.

### **3. INSTITUTIONAL FRAMEWORK FOR IMPLEMENTATION**

The purpose of this framework is to ensure that this policy is efficiently and effectively implemented at PA level by assigning roles and responsibilities at the various management levels within the Ministry and delegating decision making powers accordingly. In developing this framework, cognizance has been taken of the Ministry's decentralization strategy.

#### **3.1. The Office of the Minister**

- 3.1.1. All housing provided in PAs, including that provided and used by other Ministries and organizations shall fall under the jurisdiction and oversight of the Minister.
- 3.1.2. With due regard to the above and the decentralization objectives of the Ministry, the Minister shall facilitate oversight and implementation of this policy by constituting Housing Committees and Sub-committees as follows;
  - 3.1.2.1. An umbrella Housing Committee at MET HQ
  - 3.1.2.2. A Housing Sub-committee for each of the Regions recognized in MET's decentralized structure
- 3.1.3. While the Minister may delegate certain powers, functions and obligations to the Housing Committee and Sub-committees mentioned above, she/he shall fulfill the function of providing overall policy direction and political leadership by retaining the following powers and functions relating to housing in PAs:
  - 3.1.3.1. Policy approval and amendment
  - 3.1.3.2. Decisions and rulings on any requested exemptions to any of the clauses of this policy
  - 3.1.3.3. The last line of appeal with respect to any dispute, grievance, and disciplinary rulings
- 3.1.4. Accordingly, the Minister's decisions and rulings on all matters relating to this policy shall be final

#### **3.2. Office of the Permanent Secretary**

- 3.2.1. The Permanent Secretary shall fulfill the function of chairperson of the Housing Committee and the Minister shall delegate to him/her the powers deemed necessary to fulfill this function
- 3.2.2. The Directors of the MET functional Directorates shall serve as members of the Housing Committee
- 3.2.3. In the role of both the executive head of MET and the chairperson of the Housing Committee, the Permanent Secretary shall, with the support, advice and other inputs from his/her committee members, be responsible for the overall effective implementation and oversight of this policy; and in accordance with this:
  - 3.2.3.1. Give overall direction and leadership to all matters relating to policy implementation and monitoring and evaluation
  - 3.2.3.2. Oversee the performance of Housing Sub-committees in their role of facilitating policy implementation at PA level
  - 3.2.3.3. Take prompt and effective corrective action when monitoring feedback indicating that Housing Sub-committees are not performing in accordance with the requirements set out in Section 3.4 below
  - 3.2.3.4. Deal promptly and effectively with any appeals that may be lodged by employees that relate to disciplinary, dispute or grievance and other rulings made by Housing Sub-committees
  - 3.2.3.5. Clarify any misunderstandings/misinterpretation that employees at PA level and/or members of Housing sub-committees may have regarding any matters relating to this policy
  - 3.2.3.6. Play a leadership role in the resolution of disputes, conflict and/or grievance that may arise from time to time between MET Regional Managers and management of other organizations which have staff housed in PAs
  - 3.2.3.7. Ensure that Standing Operating Procedures for implementing and monitoring and evaluation the



policy at PA level are established and adhered to

- 3.2.3.8. Give due consideration to proposals on amendments to the policy and accordingly submit amendment recommendations to the Minister as may be deemed appropriate

### **3.3. Directorates within the Ministry**

In addition to their roles as members of the Housing Committee, the Directors of each the functional Directorates within the Ministry shall have the following line management roles and responsibilities with regard to effectively implementing this policy at PA level:

- 3.3.1. Establish Standing Operating Procedures (refer Clause 3.2.3.7 above) for implementing at PA level those aspects of the policy that fall within the ambit of their respective Directorates
- 3.3.2. Ensure that managers heading their respective functional Directorates at PA level implement the policy at this level in accordance with the procedures and the respective roles assigned to them in Standing Operating Procedures

### **3.4. Regional and PA Level**

- 3.4.1. Regional Managers shall fulfill the function of chairperson of the Housing Sub- committees established at the regional level and the Minister shall delegate them powers deemed necessary to fulfill this function
- 3.4.2. The heads of the MET functional Directorates based at Regional Level, shall serve as members of Housing Sub-committees
- 3.4.3. Regional Managers shall, with the support of sub-committee members, have the responsibility of overseeing and coordinating the implementation and the monitoring and evaluation of this policy at PA level
- 3.4.4. This overseeing and coordinating shall be undertaken in accordance with his/her delegated powers and Standard Operating Procedures (refer Clause 3.2.3.7 above)
- 3.4.5. Regional Managers shall also play a coordination and mediation role in situations where other organizations provide housing for their employees in PAs.

## **4. MONITORING AND EVALUATION**

- 4.1. The appropriateness of this policy as well as the efficiency and effectiveness of its implementation shall be monitored and evaluated on an ongoing basis.
- 4.2. This undertaking will be done in accordance with responsibilities, procedures and quantitative/ qualitative indicators prescribed in Standard Operating Procedures (refer Clause 3.2.3.7 above).
- 4.3. For comparative purposes, a baseline study shall be undertaken at the commencement of the implementation of the policy.
- 4.4. This baseline study shall comprise:
- 4.4.1. A situation analysis for each PA that includes inter alia:
- 4.4.1.1. The number, location, floor plans and state of repair of existing houses
- 4.4.1.2. The capacity, state of repair and environmental impact of supporting service infrastructure
- 4.4.1.3. The present occupants of existing houses including the number per unit, relationship, employment status and supplementary social and other demographic data
- 4.4.1.4. The attitudes of the present occupants with respect to the houses they have been provided with and other issues relating to their residence within PAs
- 4.4.1.5. The current cost of maintaining employee housing in PAs
- 4.4.2. A gap analysis with respect to the present situation and the desired situation in terms of the policy
- 4.4.3. The cost of closing the gap in accordance with phased time frames
- 4.5. During the course of the implementation of the policy the closing of the gap between the present situation and the desired situation and hence the effectiveness of policy implementation shall be monitored and evaluated by way of the following tools:
- 4.5.1. Employee Housing Forums at PA level, its members elected from employees occupying PA housing, and with the function of giving day to day feedback to management on matters such as:
- 4.5.1.1. Behavior, grievances and attitude of occupants



- 4.5.1.2. State of housing and service infrastructure repair
- 4.5.2. Housing registers for each PA where records are maintained and updated on an ongoing basis with respect to all the data compiled in the situation analysis referred to in Section 4.4 above
- 4.5.3. Monthly housing audits undertaken under the direction of Housing Sub-committees
- 4.5.4. Annual housing audits undertaken under the direction of the Housing Committee
- 4.5.5. Quarterly reports submitted by housing Sub-committees to the Housing Committee at HQ
- 4.5.6. Annual monitoring and evaluation reports compiled under the direction of the Housing Committees
- 4.5.7. Annual surveys undertaken of the attitude of employees towards the content and implementation of the policy

## **5. POLICY REVIEW**

On the basis of annual monitoring and evaluation reports, the Housing Committee shall submit policy review recommendations to the Minister on an annual basis and accordingly the Minister shall make changes to the policy as she/he deems necessary.

## **BIBLIOGRAPHY**

1. Etosha Park Infrastructure Consultants, Skeleton Coast and Etosha National Park Infrastructure Assessment, Windhoek Namibia, March 2008
2. Ezemvelo KZN Wildlife Policy No. 6.2 of 2005, Disciplinary Code and Procedure, Pietermaritzburg, KwaZulu Natal, South Africa
3. Ezemvelo KZN Wildlife Policy No. 6.47 of 2007, Housing Policy, revised 2008, Pietermaritzburg, KwaZulu Natal, South Africa
4. Ezemvelo KZN Wildlife, Occupational Rental Agreement, Pietermaritzburg, KwaZulu Natal, South Africa
5. Greater St. Lucia Wetland Park, Code of Conduct and Conditions, 23 May 2005
6. Hluhluwe-Umfolozi Park: Standing Operating Procedures, Local Regulations for Public, Residents and Service Departments, Part H: Appendix 2
7. Ministry of Environment and Tourism and Namibia Wildlife Resorts, Joint Policy on Residents and Housing in Protected Areas, Draft 3, January 2007
8. Ministry of Environment and Tourism and Namibia Wildlife Resorts, Code of Conduct for Etosha National Park, Draft 1, Reference N8/3/3/1, March 2010
9. Ministry of Works and Transport, Housing Policy, Windhoek, Namibia
10. Office of the Prime Minister, Public Service Staff Code, Windhoek, Namibia
11. World Bank Involuntary Resettlement Policy – OP 4.12 (undated)

## GLOSSARY OF TERMS

For the purpose of this policy, the following definitions apply:

Accommodation Unit means a house, flat, room or any other unit or part thereof allocated to a duly authorized occupant for occupation in a PA;

Authorized occupant means the person who has been authorized by the Minister to occupy a housing unit in a PA by way of a lease agreement and as signatory to such an agreement is the person responsible for meeting the terms, conditions, obligations and other requirements of this policy and/or the duly signed lease agreement

Authorized co-occupants means any persons other than the authorized occupant as defined above, who have been authorized, in terms of Clauses 2.4.5.1 and 2.4.5.3 of this policy, to reside in an accommodation unit in a PA together with the authorized occupant

Household means an authorized occupant's:

- Natural child and/or legally adopted child; or
- Spouse and/or his/her natural child and/or legally adopted child and/or step child;
- Child care provider - not to exceed one (1) person

Provided that the child/children referred to above are under the age of eighteen (18) and are permanently resident with, and necessarily dependent on, the authorized occupant and if eighteen (18) years or older:

- o Is mentally and/or physically disabled and dependant on the authorized occupant; or
- o Is studying at a recognized institution of higher learning either full time or part time and accordingly is dependent on the authorized occupant i.e. the learner is not self supporting

Housing Committee means the umbrella housing committee as constituted by the Minister in terms of Clause 3.1.2.1 of this policy and chaired by the Permanent Secretary

Housing Sub-committee means, unless otherwise qualified, a Housing Sub-committee as constituted by the Minister in terms of Clauses 3.1.2.2 of this policy, and chaired by a Regional Manager.

Minister means the Minister of Environment and Tourism.

Ministry or MET mean the Ministry of Environment and Tourism.

Protected Area means formal protected area proclaimed in the Government Gazette in terms of the Nature Conservation Ordinance (Ordinance 4 of 1975) (as amended)

This policy or the policy mean the National Policy for the Provision of Housing in Protected Areas which is in effect the content of this document.

Tourists means persons visiting protected areas and making use of accommodation and/or other facilities provided for tourists by NWR and MET.

Visitors means visiting friends or family members that are not authorized to reside in a PA and must therefore in possession of a visitor's permit to be present for a specified period of time in the PA and to be accommodated at the allocated housing units of authorized occupants.

## **Annex 1:**

### **Code of Conduct Applicable to Persons Provided with Housing in Protected Areas**

To contribute towards mitigating negative impacts on the natural environment and to provide a safe, tranquil, healthy and socially stable environment for tourists and persons living permanently in PAs, the following code of conduct shall apply:

1. While present within a PA, residents and visitors must at all times comply with the following:
  - a) The laws and regulations contained in Nature Conservation Ordinance, 1975 (Ord. No. 4 of 1975) and any other applicable legislation relating to PAs
  - b) The Code of Conduct established for the PA as a whole
  - c) The Standing Operating Procedures that regulate entry and exit from a PA
2. Notwithstanding any other provisions, the following conduct, activities and practices by residents and their visitors are specifically prohibited, especially within the confines of staff housing complexes and tourism resorts and camps:
  - a) Any unauthorised usage or occupation of any MET or NWR property or accommodation unit including the sub-letting of allocated accommodation units by the Authorised Occupants
  - b) Any unauthorized settlement (squatting) in or visits to protected areas
  - c) Any unauthorized entry to tourism camps and resorts and usage of the recreational facilities provided therein, including inter alia bars, restaurants, playgrounds, games rooms, gardens, swimming pools, chalets and campsites
  - d) Unlicensed/illegal commercial operations or sales, especially the sale of alcohol and gambling operations
  - e) Any other unlawful activities, including hawking, drug dealing, begging and/or any other form of soliciting money from tourists and other persons in a PA
  - f) Political gatherings or religious/cultural ceremonies without obtaining prior permission from the PA manager
  - g) Keeping of pets, horses and domestic livestock without permission from the Housing Committee
  - h) Disturbing the peace and tranquility of the environment through excessive noise emanating, inter alia, from music, party activities, games, sport, vehicles, pets, domestic livestock, power tools, arguments and other social conflict
  - i) The cultivation/growing of alien plants and/or vegetables and agricultural crops without the prior permission of the PA manager
  - j) Littering, damaging/disfiguring buildings and infrastructure, dumping, discarding redundant vehicles, furniture, equipment, appliances etc.
  - k) Conducting a funeral or burying a deceased person in a place other than an officially designated graveyard
  - l) Obstructing the lawful activities of MET or NWR or any of its staff members, or not adhering to the lawful instructions of MET or NWR or any of its staff members
3. No equipment provided with an accommodation unit or any part thereof may be altered, replaced or removed by an occupant without permission of PA management.
4. Non-adherence to any of the clauses of this Code of Conduct shall be subject to disciplinary action, legal action and/or the imposition of curfews as may be applicable

## **Annex 2.**

### **A Framework for Providing Incentives and Applying Sanctions**

The purpose of this framework is to encourage compliance with conditions, obligations and code of conduct contained in the National Policy for the Provision of Housing in PAs, with special reference to encouraging occupants to respect and take responsibility for the care and maintenance of their allocated housing units. Accordingly, the approach advocated in this framework is as follows:

#### **1. Appraisal System**

- a) Formulate a system for objectively appraising employees housed in PAs with respect to compliance or non-compliance with this policy

- b) Integrate the appraisal system related to housing policy requirements with the overall Performance Management System for MET employees
- c) Accordingly, a high performance rating achieved for compliance with the housing policy requirements would contribute meaningfully towards enhancing an employee's overall annual performance rating and he/she would, in this way be, rewarded
- d) Conversely, a low performance rating with respect to the housing policy requirements would contribute negatively to an employee's overall rating in terms of MET's overall Performance Management System

## 2. Commendation Awards

- a) A system shall be initiated for presenting non monetary awards such as a trophy and/or certificates of commendation to employees who achieve a high performance appraisal rating with regard to compliance with the housing policy requirements
- b) These awards shall be handed over at functions held annually at PAs and/or at the various Regions

## 3. Disciplinary Action and Sanctions

- a) The MET Disciplinary Procedure shall be followed in dealing with all significant cases of non-compliance with the housing policy requirements, especially with regard to conditions of occupancy, housing care and maintenance obligations and observance of the code of conduct
- b) In cases where, in accordance with the disciplinary procedure, persons are found to be guilty of non-compliance, sanctions shall applied with due regard to the Labour Act and the Public Service Disciplinary Code.

## Annex 3.

### LEASE AGREEMENT

entered into between

Ministry of Environment and Tourism  
(hereinafter referred to as the MINISTRY)

And

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(hereinafter referred to as the AUTHORISED OCCUPANT)

## 1. LEASED PREMISES

The MINISTRY hereby lets and the AUTHORISED OCCUPANT hereby leases the staff accommodation unit described as:

.....  
.....

and situated at:

.....  
.....

(Name of Protected Area) (Hereinafter referred to as the premises), including the exclusive use areas

## **2. PERIOD OF OCCUPATION**

The Agreement lease will commence on the date as indicated in Annexure A and will continue until either party gives 3 (three) months written notice of termination to the other party. In the event of the resignation of the AUTHORISED OCCUPANT as an employee of the MINISTRY, then he/she may give 1 (one) months written notice of the termination of this lease. This lease shall ipso facto terminate upon the AUTHORISED OCCUPANT leaving the employ of the MINISTRY for whatever reason.

## **3. RENTAL**

- 3.1. Rental payable for occupation shall be payable in terms of Regulation H6 of the Public Service Staff Code , being \_\_\_\_\_ per month in terms of the annual pensionable salary of the AUTHORISED OCCUPANT and the category of housing allocated for occupation.
- 3.2. This payment shall be payable to the MINISTRY by deduction from the AUTHORISED OCCUPANT'S monthly salary in advance for every month of occupation.
- 3.3. Non- payment of service promptly as stated in item 3.1 shall be deemed to constitute a breach of this agreement.

## **4. USE OF PREMISES**

- 4.1. The premises shall only be used for private residential purposes by the AUTHORISED OCCUPANT and his/her Authorized Co-occupants, subject to the provisions of the policy and PA rules.
- 4.2. Under no circumstances shall the AUTHORISED OCCUPANT operate any business from the premises.
- 4.3. No domestic stock, ie cattle, pigs, sheep etc, or pets may be kept.
- 4.4. No further buildings or improvement shall be constructed thereon without the written consent of the MINISTRY.
- 4.5. The AUTHORISED OCCUPANT shall not remove any indigenous vegetation or introduce any indigenous vegetation without written authority from the Directorate of Scientific Services
- 4.6. The AUTHORISED OCCUPANT must obtain prior permission to introduce any new vegetation into the premises from the Regional Ecological Advice Coordinator.
- 4.7. The AUTHORISED OCCUPANT will observe the conditions and code of conduct of the MET housing policy; failure to observe these conditions may result in eviction.

## **5. ACKNOWLEDGEMENTS BY MINISTRY**

The MINISTRY acknowledges that-

- 5.1. All goods brought onto the premises by the AUTHORISED OCCUPANT shall be at the sole risk of the AUTHORISED OCCUPANT without the MINISTRY incurring any responsibility relating thereto;



- 5.2. He/she has inspected the premises and that they are suitable for the purpose for which they are let
- 5.3. The MINISTRY shall not be liable for any loss sustained by the AUTHORISED OCCUPANT by reason of any burglary of or fire on the premises or for any damages suffered by the AUTHORISED OCCUPANT as a result of any act or omission on the part of the MINISTRY as a result of any defect in the premises.

## **6. MAINTENANCE OF LEASED PREMISES**

- 6.1. The MINISTRY is responsible for maintenance, structural or otherwise, of the leased premises during this lease. Structural maintenance shall include maintenance of the building structure, water reticulation and sewerage system, the electrical and mechanical installations, which form an integral part of the building and any other appliance, or installation forming an integral part of the building and grounds.
- 6.2. The MINISTRY shall keep the roof in a state of good repair but shall not be held liable by the AUTHORISED OCCUPANT for any damages which the latter may suffer by the reason of any repairs to be effected by the MINISTRY.
- 6.3. It is hereby recorded that in respect of the accommodation unit, at the time of this agreement the premises are in good state of repair and condition, and all that the keys, glass windows, electrical installation, sanitary ware, sewerage pipes, stoves, water taps, geyser and other appurtenances including are likewise in good condition.
- 6.4. The AUTHORISED OCCUPANT shall, during the currency of this agreement, maintain the premises in a good and proper state of repair and maintain the following:-
- 6.4.1. All gutters, sewerage pipes, water pipes and drains on the premises free from obstruction and /or blockage; and
- 6.4.2. Keep the grounds of the premises in a clean and tidy condition ,free from all litter and rubbish and to keep the hedges trimmed, lawns mown and flowerbeds neat and tidy ;and
- 6.4.3. Clean the carpet and other floor coverings and tiles regularly, it being understood that same shall be replaced completely at the expense of the AUTHORISED OCCUPANT should they be damaged beyond reasonable wear and tear
- 6.5. Should the AUTHORISED OCCUPANT fail to maintain the premises and /or goods in the manner specified in this clause, the MINISTRY shall be entitled, in addition to any other rights or remedies available to them in terms of this agreement, to carry out the necessary maintenance work at their discretion and to recover the cost thereof from the AUTHORISED OCCUPANT.
- 6.6. The AUTHORISED OCCUPANT shall be responsible for the removal of domestic and garden refuse and waste.
- 6.7. On termination of the lease, the AUTHORISED OCCUPANT shall restore the whole of the premises to the MINISTRY in same good order and condition as they are at present, fair wear and tear excluded. The MINISTRY shall, within 7 days after restoration of the premises to them, inspect the premises and notify the AUTHORISED OCCUPANT in writing of all damages to the premises for which the AUTHORISED OCCUPANT is liable in terms of 6. Failure on the part of the MINISTRY to give such notice shall be deemed to be an acknowledgement on their part that the whole of the premises including all the goods are in a good and proper state of repair and condition.

## 7. ACCESS TO PREMISES

- 7.1. The MINISTRY, its workmen or agents shall have access to the premises at all reasonable times for the undertaking of an inspection or the carrying out of any repairs. Workmen or agents may include auditors, technical services staff and/or workmen retained to undertake repairs and maintenance.
- 7.2. The MINISTRY reserves the right to carry out a quarterly inspection of the premises. Such inspections will be after prior notice and during such Inspections the MINISTRY shall be accompanied by the AUTHORISED OCCUPANT.

## 8. INDEMNITY

The AUTHORISED OCCUPANT hereby indemnifies the MINISTRY against all losses, expenses, action and claims including claims for damage to any property, injury or loss of life and all costs, including costs between Attorney and Client, which the MINISTRY may be adjudged or obliged to pay and arising directly or indirectly from any act or omission by the MINISTRY, or his/her clients.

## 9. BREACH OF THIS AGREEMENT

In the event of either one of the parties (the defaulting party) committing a breach of any of the terms of this agreement and failing to remedy such breach within a period of 7 (seven) days after receipt of a written notice from the other party (the aggrieved party) calling upon the defaulting party to remedy the breach complained of, then the aggrieved party shall be entitled at his sole discretion and without prejudice to any of his other rights in law and /or terms of this agreement, either to claim specific performance to the terms of this agreement or to cancel this agreement forthwith and without further notice and claim damages from the defaulting party; provided that if the AUTHORISED OCCUPANT commits a breach of the provisions of this agreement three times in any calendar year, then upon the third breach, the MINISTRY shall be entitled immediately to implement either of the remedies referred to above, without first having to give the AUTHORISED OCCUPANT written notice to rectify such breach.

## 10. VACATION OF THE LEASED PREMISES

- 10.1. The AUTHORISED OCCUPANT undertakes, upon termination, in terms of clause 2 of this lease, to peacefully and without hindrance, deliver free possession of premises hereby leased and to ensure that the premises/buildings are clean and tidy.
- 10.2. Should the MINISTRY or AUTHORISED OCCUPANT regard the premises as being no longer habitable, immediate notice may be issued by either party for the termination of this Agreement.

## 11. DOMICILE

- 11.1. Each party choose domicilium citandi executandi at his address as set out in this agreement, at which address all notices and legal process in relation to this agreement or any action therefrom may be effectually delivered and served.
- 11.2. The parties chose the following as their domicilium citandi et executandi

the MINISTRY: FGI building, Post Street Mall, Windhoek  
P/Bag 13306, Windhoek

the AUTHORISED OCCUPANT:

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11.3. Either party shall be entitled, on written notice to the other, to change the address of his domicilium citandi et executandi.

11.4. All notices required to be given in terms of this agreement shall be delivered by hand or sent prepaid by registered post to the above address only, and be deemed, in the case of delivery to have been received on the date of delivery and in the case of posting, on the third day after such posting.

## 12. GENERAL

This agreement constitutes the sole and entire agreement between the parties and no warranties, representations, guarantees or other terms and conditions of whatsoever nature not contained herein shall be of any force or effect. In the event the PA rules being contrary to the provision of this agreement the PA rules should take preference.

## 13. ACTIVITIES CONDUCTED ON THE PREMISES

13.1. In the event of the AUTHORISED OCCUPANT undertaking or permitting to be undertaken any activities in or on the occupied premises which, in the sole discretion of the MINISTRY, constitute:

13.1.1. a breach of the peace and/or a disturbance of the amenities and/or enjoyment of the other persons resident or employed in the general area and/or

13.1.2. conduct which is inappropriate or undesirable in or on the premises under the control of the MINISTRY.

13.2. The MINISTRY shall have the right to call upon the AUTHORISED OCCUPANT, in writing, to desist immediately, failing which such failure shall constitute a breach of this agreement.

13.3. This Agreement shall contain all the terms and conditions between the MINISTRY and the AUTHORISED OCCUPANT and no variation of this lease shall be binding unless it is in writing and is signed by both the MINISTRY and the AUTHORISED OCCUPANT.

THUS DONE AND SIGNED AT \_\_\_\_\_ ON THE \_\_\_\_\_ DAY  
OF \_\_\_\_\_.

\_\_\_\_\_  
Authorised Occupant

1. \_\_\_\_\_

WITNESSES

2. \_\_\_\_\_

THUS DONE AND SIGNED AT \_\_\_\_\_ ON THE \_\_\_\_\_ DAY  
OF \_\_\_\_\_.

---

MINISTRY ( Housing Coordinator)

2. \_\_\_\_\_

WITNESSES

1. \_\_\_\_\_









