



MUNICIPALITY OF WALVIS BAY

AGENDA

ORDINARY COUNCIL MEETING

**To be held at the
Kuisebmond Council Chambers,
Nathaniel Maxuilili Avenue,
Kuisebmond.**

**ON TUESDAY
30 MARCH 2021
AT 18:00**



Municipality of Walvis Bay

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NOTICE

His Worship the Mayor and Councillors
General Managers

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Date	26 March 2021

MARCH 2021 - ORDINARY COUNCIL MEETING OF THE LOCAL AUTHORITY COUNCIL OF WALVIS BAY

Notice is hereby given that the Ordinary Council meeting of the Local Authority Council of Walvis Bay will be held in the Kuisebmond Council Chambers, Nathaniel Maxuillili Avenue on:-

Tuesday 30 March 2021 at 18:00

Yours faithfully



F. I. Gonteb

Acting Chief Executive Officer



Agenda

1. **Opening by prayer** (File 3/1)
2. **Adoption of agenda and declaration of interest**
3. **Application for leave of absence by members of council** (File 3/3/1/4)
4. **Confirmation of minutes of previous meeting/s** (File 3/3/2/3/1)
 - 4.1 Minutes of the Ordinary Council meeting held on Tuesday, 23 February 2021.
5. **Matters arising from the minutes**
6. **Interviews with deputations or persons summoned or requested to attend meeting** (File 3/3/2/3/2)

None.
7. **Official announcements, statements and communications**

Announcements by His Worship the Mayor, Trevino Forbes.
8. **Petitions** (File 3/2/1/6)

No petitions have been received.
9. **Motions of members** (File 3/3/1/1)
 - 9.1 Motion that will increase the efficiency and lead to better service delivery by the employees of the Walvis Bay Municipality – Motion submitted by Councillor RN Bramwell (3/3/1/1)

See attached motion on Page 2.
 - 9.2 Motion: Access to safe drinking water and sanitation (3/3/1/1)

See attached motion on Pages 3 - 05
10. **Answers to questions of which notice has been given** (File 3/3/1/2)

No notice of questions has been received.



Joint Walvis Bay Residents Association

MOTION

I herewith wish to propose a motion that will increase the efficiency and lead to better service delivery by the employees of the Walvis Bay Municipality.

The motion is:-

1. To draw up a Strategic Plan for the WBM with ALL stakeholders giving their input (Councillors and WBM Officials and staff)
2. To engage with the Heads of Departments to obtain their views on all facets of their Departments and see where we can assist by taking the correct decisions as Councilors.
3. To draw up measurable outputs for each department and individual positions
4. To develop a formal performance management system
5. To review the content and validity of each position
6. To ensure employee and position fit ideally
7. To develop and motivate employees to achieve their level best potential
8. To contract an independent professional Industrial Psychologist to advise the council and assist in developing the strategic plan, the review of positions and to develop a motivational plan for the employees.
9. To embark on critical projects to maintain the city of Walvis Bay for the future (topics: sewerage, rubbish removal and environmental aspects thereto, fresh water supply, ecology for the future)

Importantly, pipe dreams should be the past. We need to embark on a real result mission and vision to ensure that Walvis Bay is a city that people prefer to live in and it becomes a city of real investment. This will start with us today.

R.N. Bramwell
Signed R.N. Bramwell
Councillor Walvis Bay Local Authority

24/3/2021





REALIZING OUR PEOPLE'S DIGNITY
OFFICE OF THE REGIONAL COMMISSAR
CLLR. STANTLY.A. BIKEUR

✉ landlesspeoplesmovement@outlook.com

☎ 0815714449

25 March 2021

**MOTION: ACCESS TO SAFE DRINKING WATER AND SANITATION
VERY FUNDAMENTAL TO HUMAN DIGNITY.**

Water is the essence of life. Safe drinking water and sanitation are indispensable to sustain life and health, and fundamental to the human dignity in accordance with **Chapter 3, Article 8, Section 1, paragraph (b)** of the Namibian constitution. While water and sanitation has not been explicitly recognized as a self-standing human right in national/international treaties, international human rights law entails specific obligations related to access to safe drinking water. Those obligations required States to ensure everyone's access to sufficient amount of safe drinking water for personal and domestic uses, defined as water for drinking, personal sanitation, washing of clothes, food preparation, and personal and household hygiene. Those obligations also require States to progressively ensure access to safe drinking water and adequate sanitation, as a fundamental element for human dignity and privacy.

Key aspects of the right to water.

- The right to water contains freedom.
- The right to water contains entitlement.

1. Therefore, no individual or group should be deprived access to safe drinking water, because of an inability to pay. As such, the human rights framework does not provide for a right to free water. However, in certain circumstances, access to safe drink water and sanitation might have to be provided free of charge if the person or household is unable to pay for it.
2. Access to safe drinking water is a fundamental precondition for the enjoyment of several human rights, including the right to education, housing, health, life, work and protection against cruel, inhuman or degrading treatment or punishment. Lack of access to safe drinking water and sanitation also has serious repercussions for the right to health.

The concept of basic water requirements to meet fundamental human needs was first established at the 1977 United Nations Water Conference in Mar del Plata, Argentina. Its Action Plan asserted that all peoples, whatever their stage of development and their social and economic conditions, had the right to have access to drinking water in quantities and of a quality equal to their basic needs. Agenda 21, adopted at the United Nations Conference on Environment and Development in 1992, confirmed this. Subsequently, a number of other plans of action have referred to safe drinking water and sanitation as a human right. In the programme of Action of the 1994 International Conference on Population and Development, States affirmed that all people have the right to an adequate standard of living for themselves and their families, including adequate food, clothing, housing, water and sanitation. In 2006, the Sub-Commission on the Promotion and Protection of the Human Rights adopted guidelines for the realization of the right to drinking water and sanitation. These guidelines use the definition of the right to water provided by the Committee and defined the right to sanitation as the right of everyone to have access to safe drinking water and adequate sanitation that is conducive to the protection of the public health and the environment.

Local authorities are often responsible for the supply of safe drinking water and sanitation. As decentralization-the transfers of powers and responsibilities from the central state to intermediate and local levels of government-is taking place in some 80 percent of all developing countries and in countries in transition, local governments are playing an increasing role in the realization of the right to water. Human rights obligations arising from the right to water apply to local authorities, because they are part of government or because the national Government has delegated powers to them. In both cases the primary obligation for promoting and protecting the right to water rest with the national Government, which is responsible for monitoring local authorities' performances and enabling them to perform their duties by providing them with adequate powers and resources.

Is it permissible to disconnect water services?

Disconnection can be defined as the interruption of the delivery of water services. Disconnection from water services can happen for a variety of reasons, including non-payment, pollution of water resources or emergencies. Overall, disconnection must be compatible with the national/international law of right to safe drinking water and adequate sanitation covenant. The international Human Right General Comment No. 15 furthermore underlines that an individual shall under no circumstances be deprived of the minimum essential level of water. Accordingly, the quantity of safe drinking water a person can access may be reduced, but full disconnection may be permissible **only** if there is access to an alternative source which can provide a minimum quantity of safe drinking water needed to prevent disease. In this respect, there is a strong presumption that disconnections of institutions serving vulnerable groups such as schools and hospitals are prohibited.

05

If the disconnection relates to non-payment, general comment No. 15 states that a person's capacity to pay must be taken into account before the actual disconnection takes place. Read in conjunction with the above Key aspects of right to water [paragraph] 1, In certain instances, when individuals are unable to pay for water, the authorities might have to provide it for free. In this respect, a number of national international laws restrict disconnections of water services, in particular those that occur as a result of the user's inability, rather than unwillingness, to pay.

With the above, I hereby proposed that all outstanding water debts of the residents and the above-mentioned public facilities been relaxed, and relief granted to the community in sympathy with, this challenging time. It's our primary obligation as new council to ensure proper measures such as pre-paid water meters with urgency to control and prevented bad debts as the beneath points are the cause of pilling debts.

- The pilling of some outstanding debts is the cause of mis interpretations/misperception as regulations were never made clear on the provisions of water supply during state of emergency and beyond.
- Current economical status is a contributing factor resulting in non-payments due to lack of income as a result of job losses.
- Revenue collection on old outstanding debts has been neglected for the past years by the previous council which contributes to the current status core.

I hope and trust that this proposal will be successful in order for us all to start off on a clean slide. LPM will never allow community members to be hand over to lawyers which may resulting in people losing their homes due to inability to water payments. As one can't resolve problems, while creating another.

I SO SUBMIT



Original signed document received.

REPORTS OF THE MANAGEMENT COMMITTEE FOR MARCH 2021

The reports of the Management Committee regarding its decisions on matters delegated to it or in respect of which it has legal powers, are submitted to the Council in terms of Section 26(1)(e) of the Local Authorities Act, 1992.

The Chairperson of the Management Committee must put the report to the Council for information.

The report may be discussed but no motion or proposal on the report may be introduced.

11. Reports of the Management Committee for March 2021

11.1 Appointment of Members to serve on internal Committees and external Institutions - Resubmission (Add. 5; M/C Meeting 09/03/2021; File 7/2P7/2/3/2/5)

Resolved:

That the Management Committee in terms of section 26(1) of the Local Authorities Act, 1992 (Act No. 23 of 1992), appoints the following Council members to serve on the Housing Advisory Committee, an advisory committee to the Management Committee with the Mayor as permanent Chairperson:

- (i) Cllr O Andrews
- (ii) Cllr R Bramwell
- (iii) Cllr S Mutondoka
- (iv) Cllr S Bikeur

11.2 Request for permission to enter into lease agreement longer than one (1) year but less than five (5) years for certain outdoor advertising activities, leasing out of the Langstrand Restaurant and Jetty Bar, Langstrand Laundrette and the lockable stalls at the Municipal Informal Market (Add. 3; M/C Meeting 24/03/2021; File 17/19/2/3/5/1)

Resolved:

That the matter be withdrawn for further consultations and more detailed information.

12. Recommendations of the Management Committee for March 2021

12.1 Need and desirability for township establishment on Erf 5880 Walvis Bay (a portion of consolidated Erf 5461 Walvis Bay Extension 5) and Remainder Erf 5461 Walvis Bay Extension 5, to be known as Walvis Bay Extension 16 and 20 respectively; and approval of proposed township establishment layouts for Walvis Bay Extensions 16 and 20 (Add. 1; M/C Meeting 09/03/2021; File REM 5461W/5880 W)

The purpose of this report is to rescind the Municipal Council's decision dated 17 November 2020 for item 12.3, and subsequently obtain the Municipal Council's approval for the following applications:

- (a) Need and Desirability (N&D) for Township Establishment on Erf 5880 Walvis Bay (a portion of consolidated Erf 5461 Walvis Bay extension 5) and Remainder Erf 5461 Walvis Bay Extension 5 to be known as Walvis Bay Extensions 16 and 20 respectively; and
- (b) Township Establishment layouts for Walvis Bay Extensions 16 and 20.

The applications for Walvis Bay Extensions 16 and 20 are hereby resubmitted to reflect the amended layouts dated 31 August 2020 and 03 September 2020.

The applications have been submitted by Stewart Planning Town Planning CC and Van Der Westhuizen Town Planning & Properties on behalf of Wakuna Investment CC. Wakuna Investment CC has appointed both town planning consultants who have been working together to integrate both township layouts to form a comprehensive urban extension. This report, will thus, seek a combined Municipal Council resolution since both application deals with land adjacent to one another and owned by the same entity, and it will also save the Municipal Council with repetitive paperwork.

Remainder Erf 5461 Walvis Bay (Walvis Bay Extension 16) and Erf 5880 Walvis Bay (Walvis Bay Extension 20) are situated north of Walvis Bay between Kuisebmond and Independence Beach as indicated in Figures 1 and 2.

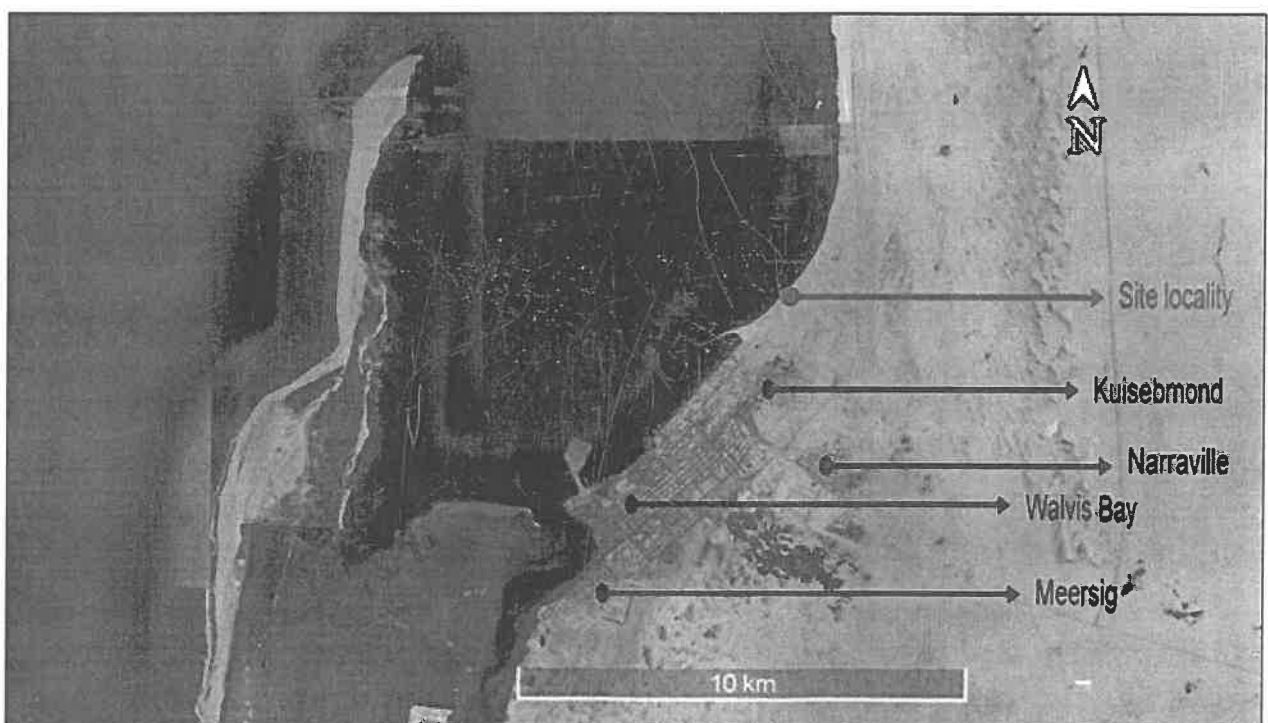


Figure 1: Location of Proposed Walvis Bay Ext.'s 16 & 20 in Relation to Walvis Bay

RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE FOR MARCH 2021

Proposing each item:

The chairperson of the Management Committee must propose each recommendation of the Management Committee for acceptance by the Council - Standing Rule 22(2).

Amendment of recommendations:

The chairperson of the Management Committee may, with the consent of at least two-thirds of the members of the Management Committee present, amend a recommendation of the management committee or withdraw an item for remission to the management committee - Standing Rule 22(3).

Seconding of each recommendation:

Any recommendation of the Management Committee is considered a proposal which has been seconded, and no further seconding is therefore required - Standing Rule 22(5).

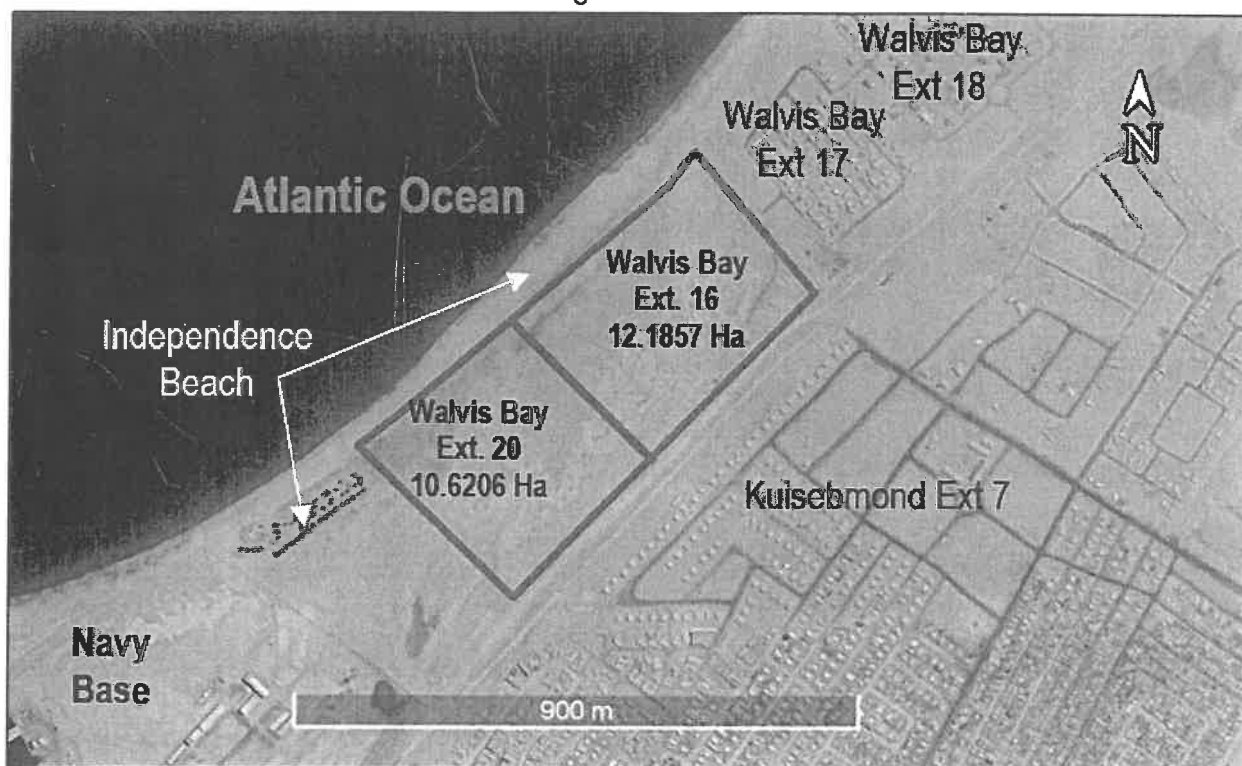


Figure 2: Locality of Walvis Bay Extensions 16 & 20

Remainder Erf 5461 Walvis Bay (Walvis Bay Extension 16) and Erf 5880 Walvis Bay (Walvis Bay Extension 20) are currently zoned as Single Residential in terms of the Walvis Bay Town Planning Scheme.

Remainder Erf 5461 Walvis Bay (Walvis Bay Extension 16) measures approximately 12.1857 hectares in extent and Erf 5880 Walvis Bay (Walvis Bay Extension 20) measures approximately 10.6206 hectares in extent.

Both sites are currently vacant. The proposed land uses will mostly be residential with a few general residential and business erven and a greenbelt. No industrial, noxious industry, cemetery, or other land uses will be provided in the proposed extensions, as they are already catered for in other different parts of town. The overall distribution of land uses in the proposed Walvis Bay Extensions 16 and 20 are consistent and complementary with adjacent townships.

The site is relatively flat with minor shifting sand dunes. Earthworks will be undertaken to level the site prior to the installation of utility services. Furthermore, the general soil conditions are stable and suitable for the proposed townships establishments, thus making it a habitable area for both residential and business developments.

Recommended:

- (1) That the Municipal Council's decision item 12.3 dated 17 November 2020 be rescinded in toto.
- (2) That the Municipal Council recommends for approval to the Urban and Regional Planning Board, the application for the Need and Desirability for Township Establishment and/or for the Township Establishment on Erf 5880 Walvis Bay Extension 5 (a portion of consolidated Erf 5461 Walvis Bay Extension 5) to be known as Walvis Bay Extension 16, as generally shown on sketch plan 5880WB/TE dated 31 August 2020, in accordance with Sections 64(2), 66 and 109(2)(a) of the *Urban and Regional Planning Act, 2018 (Act of 2018)*, subject to the following conditions:

- (a) That the conditions presently registered against the Erf be cancelled, and that the following conditions be registered against the proposed erven in favour of the Municipal Council:
 - (i) The erven 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 Walvis Bay Town Planning Scheme (Zoning Scheme) prepared and approved in terms of the *Urban and Regional Planning Act, 2018* [that repealed the *Town Planning Ordinance, 1954*, (Ordinance 18 of 1954) as amended].
 - (ii) The minimum value of the main building, excluding the outbuilding to be erected on Portions 1-124 and 126-218 shall be at least four times the municipal valuation of the erf.
- (b) That each of the proposed erven be provided with one electricity, water and sewerage connection only.
- (c) That the applicant be responsible for new entrances.
- (d) That any new additions to, alterations to or relocation of municipal services shall be the responsibility of the applicant.
- (e) That the applicant shall make suitable arrangements with and to the satisfaction of the Municipal Council, regarding any private sewers and private water pipes traversing the newly created portions.
- (f) That the applicant shall make suitable arrangements with and to the satisfaction of Erongo RED regarding all electrical cables and connections.
- (g) That the applicant shall make suitable arrangements with and to the satisfaction of Telecom Namibia regarding telephone cables and connections.
- (h) That the Municipal Council accepts no responsibility for the accuracy of the figures and/or dimensions shown on the sketch plan which bears the Municipal Council's stamp of approval.
- (i) That proposed erven 220 and 221 be reserved for the Municipal Council for Public Open Space purposes.
- (j) That applications be lodged with the Urban Regional Planning Board, in terms of the *Urban and Regional Planning Act, 2018*.
- (k) That no direct access be obtained (ingress and egress) from/to abutting properties being proposed erven 112 to 124 and 198 to 206 to/from Independence Avenue, as depicted on sketch plan 5880WB/TE dated 31 August 2020.
- (l) That the applicant obtains a valid Environmental Clearance Certificate from Ministry of Environment, Forestry and Tourism prior to submitting the applications to the Ministry of Urban and Rural Development for approval.

- (3) That the Municipal Council recommends for approval to the Urban and Regional Planning Board, the application for the Need and Desirability for Township Establishment and/or for the Township Establishment on Remainder Erf 5461 Walvis Bay Extension 5, to be known as Walvis Bay Extension 20, as generally shown on sketch plan Rem 5461 WB/-TE dated 03 September 2020, in accordance with Sections 64(2), 66 and 109(2)(a) of the *Urban and Regional Planning Act, 2018 (Act of 2018)*, subject to the following conditions:
- (a) That the conditions presently registered against the Erf be cancelled, and that the following conditions be registered against the proposed erven in favour of the Municipal Council:
 - (i) The erven 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 Walvis Bay Town Planning Scheme (Zoning Scheme) prepared and approved in terms of the *Urban and Regional Planning Act, 2018* [that repealed the *Town Planning Ordinance, 1954*, (Ordinance 18 of 1954) as amended].
 - (ii) The minimum value of the main building, excluding the outbuilding to be erected on the Portions 2-5 and 7-140 shall be at least four times the municipal valuation of the erf.
 - (b) That each of the proposed erven be provided with one electricity, water and sewerage connection only.
 - (c) That the applicant be responsible for new entrances.
 - (d) That any new additions to, alterations to or relocation of municipal services shall be the responsibility of the applicant.
 - (e) That the applicant shall make suitable arrangements with and to the satisfaction of the Municipal Council, regarding any private sewers and private water pipes traversing the newly created portions.
 - (f) That the applicant shall make suitable arrangements with and to the satisfaction of Erongo RED regarding all electrical cables and connections.
 - (g) That the applicant shall make suitable arrangements with and to the satisfaction of Telecom Namibia regarding telephone cables and connections.
 - (h) That the Municipal Council accepts no responsibility for the accuracy of the figures and/or dimensions shown on the sketch plan which bears the Municipal Council's stamp of approval.
 - (i) That the proposed Erf 1 be reserved for the Municipal Council for Public Open Space purposes.
 - (j) That applications be lodged with the Urban Regional Planning Board in terms of the *Urban and Regional Planning Act, 2018*.
 - (k) That no direct access be obtained (ingress and egress) from/to abutting properties, being proposed erven 43 to 48 and 109 to 120 to/from Independence Avenue, as depicted on sketch plan Rem 5461 WB/-TE dated 03 September 2020.

- (l) That the applicant obtains a valid Environmental Clearance Certificate from Ministry of Environment, Forestry and Tourism prior to submitting the applications to the Ministry of Urban and Rural Development for approval.

- (4) That all costs regarding the above conditions be borne by the applicants.

12.2 **Consolidation of Erven 74 and 75 Walvis Bay into a new Erf X and consent for a Guest House on Erven 74 and 75 Walvis Bay (New Erf X)** (Add. 2; M/C Meeting 09/03/2021; File 74/75W)

The purpose of the report is to obtain the Municipal Council's decision on the applications for the consolidation of Erven 74 and 75 Walvis Bay (Proper) into a New Erf X; and subsequent consent for an Accommodation Establishment (Guest House) on New Erf X.

The applicant and registered owners of Erf 74 Walvis Bay is LSS Properties Two (Pty) Ltd and Erf 75 Walvis Bay is LSS Properties Three (Pty) Ltd. of P.O. Box 4407, Walvis Bay. Both companies have the same directors, being Anton Pretorius and Duane Sanders. The directors have given the Power of Attorney to Pro Vision Planning Design CC to submit the applications on their behalf.

Erven 74 and 75 Walvis Bay are situated along Bramwell Road and Richard Dyer Street, as illustrated in **Figure 1**.



Figure 1. Locality Plan of Erven 74 and 75 Walvis Bay Proper

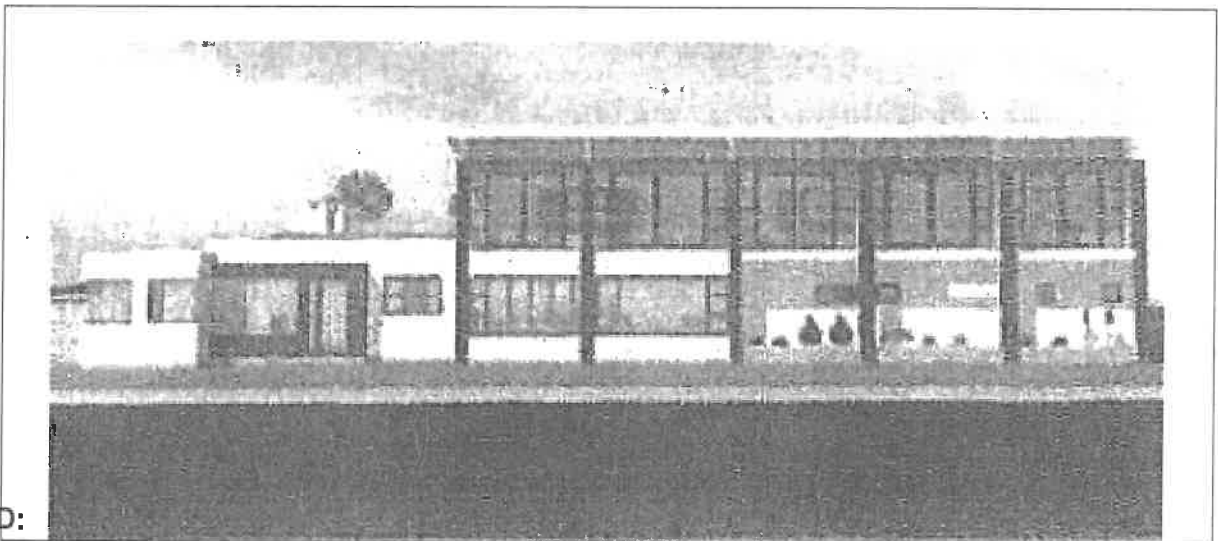
Erven 74 and 75 Walvis Bay are zoned as General Residential 1 with a density of 1 per 150m² in terms of the Walvis Bay Town Planning (Zoning) Scheme. The usual "General Residential 1" conditions - no restrictions. The size of Erf 74 is 911m² and Erf 75 is 840m².

The sites used to contain two dwelling houses; however, the houses have been demolished. The existing situation is demonstrated by **Figure 2**.



Figure 2. Existing Site Situation

The owners intend is to consolidate Erven 74 and 75 Walvis Bay into New Erf X. Thereafter, a new building will be built on the sites for an upmarket Guest House, comprising of 9 rooms once the consolidation and consent processes have been completed. The proposed plans are illustrated by **Figure 3**.



PROPOSED:

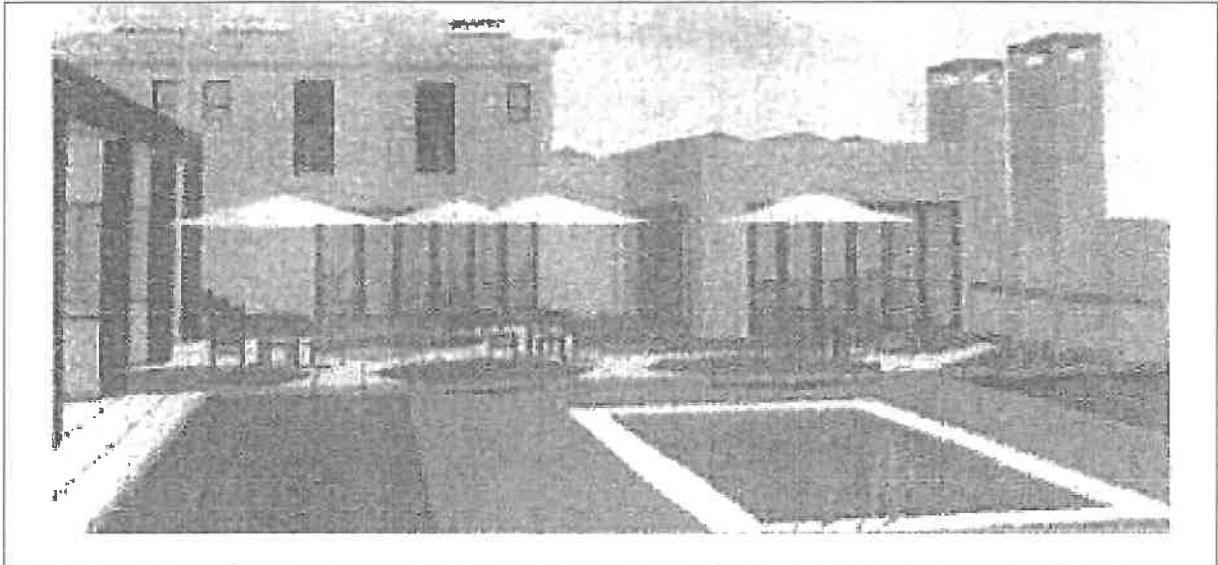


Figure 3: Proposed Guest House

The relevant neighbours have been contacted for objections for both consolidation and consent applications. The period for objections expired on 30 November 2020 during which time no objections were received.

The applications for consolidation and consent (for a Guest House) are to be assessed from the town planning point of view based on conformity of proposed development with the Municipal Council's regulatory framework (i.e., Walvis Bay Town Planning Scheme, Integrated Urban Spatial Development Framework and Accommodation Establishment Policy).

Recommended:

- (1) That, in terms of Section 109(2)(a) of the *Urban and Regional Planning Act (Act No. 5 of 2018)*, the application for the consolidation of Erven 73 and 74 Walvis Bay into New Erf X be recommended to the Urban and Regional Planning Board for approval, as generally indicated on sketch plan WAL/74/76 dated 18 November 2020, which bears the approval stamp of the Municipal Council, subject to the following conditions:
 - (a) That the conditions presently registered against the erven be cancelled, and be replaced by the following conditions:
 - (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 Walvis Bay Town Planning (or Zoning) Scheme prepared and approved in terms of the *Urban and Regional Planning Act (Act No. 5 of 2018)*.
 - (ii) The minimum 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.
 - (iii) That the newly created erf be provided with one electricity, water and sewerage connection.
 - (iv) That the applicant shall make suitable arrangements with and to the satisfaction of the Municipal Council regarding road infrastructure, including access to the newly created Erf.

- (v) That any new additions to, alterations to or relocation of municipal services shall be the responsibility of the applicant.
 - (vi) That the applicant shall make suitable arrangements with and to the satisfaction of the Municipal Council, regarding any existing private sewers and private water pipes traversing the newly created portion.
 - (vii) That the applicant shall make suitable arrangements with and to the satisfaction of Telecom Namibia regarding telephone cables and connections.
 - (viii) That the applicant shall make suitable arrangements with and to the satisfaction of Erongo RED regarding all electricity cables and connections.
 - (ix) That the Municipal Council accepts no responsibility for the accuracy of the figures and/or dimensions shown on the sketch plan which bears the Municipal Council's stamp of approval.
 - (x) That the consolidation application be lodged with the Urban and Regional Planning Board in accordance with Section 109(5) of the *Urban and Regional Planning Act (Act No. 5 of 2018)*.
 - (xi) That Erven 74 and 75 Walvis Bay be registered/transferred into one name and a copy of the Deed of Transfer(s) or Title Deed(s) be submitted to the Municipal Council prior to the submission of the consolidation application to the Urban and Regional Planning Board.
- (2) That, in accordance with Clause 14.1 of the Walvis Bay Town Planning (Zoning) Scheme, the Municipal Council grants consent for a Guest House on Erven 74 and 75 (proposed consolidated New Erf X) Walvis Bay, subject to the following conditions:
- (a) The applicant must obtain approval of the Minister of Urban and Rural Development for the consolidation of Erven 74 and 75 Walvis Bay into New Erf X prior to the commencement of the use or issuing of the Building Permit.
 - (b) That, pursuant to Clause 14.2.1.1 of the Walvis Bay Town Planning (Zoning) Scheme, the Guest House be restricted to 80m² until such time the properties (or consolidated property) are rezoned to General Residential 2.
 - (c) Access to and from the site shall be to the satisfaction of the General Manager: Roads and Building Control.
 - (d) The area of the public/service areas (kitchen/lounge/dining room) shall not exceed the area of the rooms for accommodation purposes.
 - (e) On-site parking shall be provided in the ratio of 1 bay per room for accommodation purposes plus 2 parking bays.
 - (f) No signs shall be erected without the consent of the General Manager: Roads and Building Control.
 - (g) Neither the buildings nor grounds shall be used as an entertainment hall, amusement area or for any other similar use.
 - (h) The scale and appearance of the buildings and grounds shall be residential in character.

- (i) The Municipal Council requires the registration of this Guest House with the Namibia Tourism Board in terms of the Namibia Tourism Board Act, 2000 (Act No. 21 of 2000).
- (j) The approval is subject to the applicable laws and regulations of both the Government and the Municipal Council.
- (k) That this permission lapses after two (2) years from the date of the decision of the Municipal Council; and/or when the property is sold, leased or alienated, whichever is earlier.
- (l) That should valid complaints be received, or the imposed conditions not be complied with and after giving the owner 14 days written notice, consent may be withdrawn prior to the expiry of the two-year consent period.
- (m) That the applicant applies for the rezoning of the property to General Residential 2 before the expiry of the two-year consent period.

(3) That all costs related to the above conditions be borne by the applicant.

12.3 **Subdivision of Erf 1490 Walvis Bay into new Portion A and Remainder** (Add. 3; M/C Meeting 09/03/2021; File 1490 W)

The purpose of the report is to obtain the Municipal Council's recommendation on the application for the subdivision of Erf 1490 Walvis Bay into New Portion A and Remainder.

The applicant and registered owners of Erf 1490 Walvis Bay are Isaac and Yvette Clemmenzia Mtolo-Phiri of P.O. Box 9034, Walvis Bay. The applicants have given the Power of Attorney to Stewart Planning Town and Regional Planning to submit the application on their behalf.

Erf 1490 Walvis Bay is situated along Moses Garoeb Street, as illustrated by in **Figure 1** on the next page.



Figure 1. Locality Plan of Erf 1490 Walvis Bay

Erf 1490 Walvis Bay is zoned as Single Residential with a density of 1 per 500m² in terms of the Walvis Bay Town Planning (Zoning) Scheme. The usual "Single Residential" conditions – no restrictions. The size of Erf 1490 Walvis Bay is 1125m².

The site is occupied by a main dwelling and an outbuilding comprising of a garage and a dwelling unit, as demonstrated by **Figure 2** on the next page.

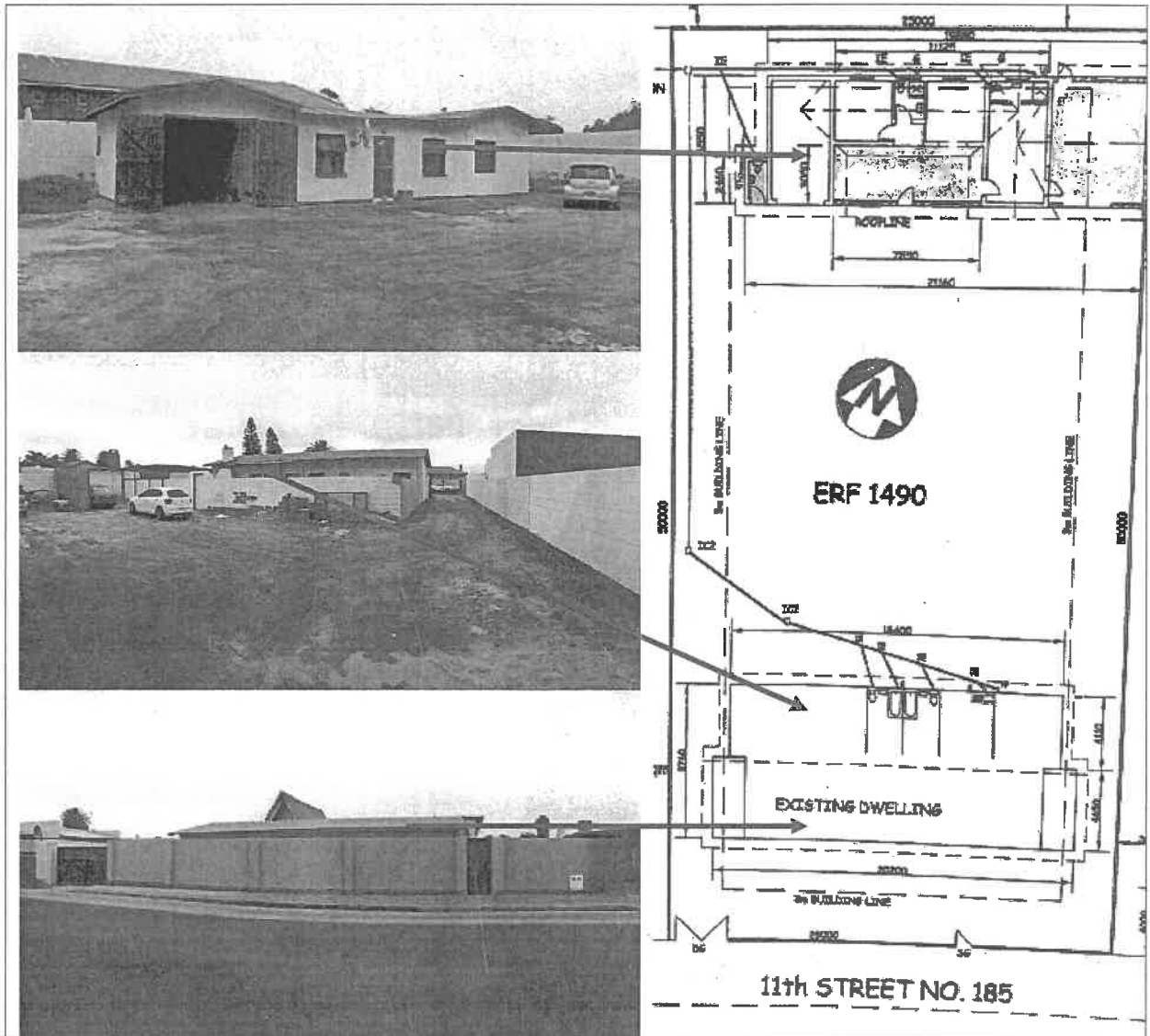


Figure 2. Existing Land Uses on Erf 1490 Walvis Bay

The relevant neighbours have been contacted for objections. The period for objections expired on 15 February 2021 during which time no objections were received.

The application is for the subdivision of Erf 1490 Walvis Bay into Portion A and Remainder Erf 1490 Walvis Bay. The application is assessed based on its conformity with the Walvis Bay Town Planning Scheme (TPS).

Recommended:

- (1) That, in accordance with Section 109(2)(a) of the *Urban and Regional Planning Act, 2018 (Act No. 5 of 2018)*, the application for the subdivision of Erf 1490 Walvis Bay into Portion A and Remainder Erf 1490 Walvis Bay be recommended to the Urban and Regional Planning Board for approval, as generally indicated on sketch plan 1490WB/SP dated 25 January 2021, which bears the approval stamp of the Municipal Council.

- (2) That the following conditions be registered in favour of the Municipality of Walvis Bay:
 - (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 Walvis Bay Town Planning Scheme (Zoning Scheme) prepared and approved in terms of the *Urban and Regional Planning Act, 2018 (Act No. 5 of 2018)*.
 - (b) The minimum 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.
- (3) That the Municipal Council accepts no responsibility for the accuracy of the figures and/or dimensions shown on the sketch plan which bears the Municipal Council's stamp of approval.
- (4) That the panhandle shall be at least 4m wide.
- (5) That the newly created portion be provided with one electricity, water and sewerage connection.
- (6) That the applicants shall make suitable arrangements with and to the satisfaction of the Municipal Council regarding road infrastructure, including access to the newly created Erf.
- (7) That any new additions to, alterations to or relocation of municipal services shall be the responsibility of the applicant.
- (8) That the applicants shall make suitable arrangements with and to the satisfaction of the Municipal Council, regarding any existing private sewers and private water pipes traversing the newly created portion.
- (9) That the applicants shall make suitable arrangements with and to the satisfaction of Telecom Namibia regarding telephone cables and connections.
- (10) That the applicants shall make suitable arrangements with and to the satisfaction of Erongo RED regarding all electricity cables and connections.
- (11) That the applicants be held liable for the construction of a firewall where structures are closer than 1,50m to the boundary, if not such structures on boundaries be demolished.
- (12) That the subdivision application be lodged with the Urban and Regional Planning Board in accordance with Section 109(5) of the *Urban and Regional Planning Act, 2018 (Act No. 5 of 2018)*.
- (13) That the applicants pay a 7.5% Endowment Fee for Portion A, in terms Clause 35.3 of the Walvis Bay Town Planning (Zoning) Scheme and Section 66(1)(k) of the *Urban and Regional Planning Act, 2018 (Act No. 5 of 2018)*, prior to the registration/transfer of Portion A.
- (14) That all costs regarding the above be borne by the owners (applicants).

12.4 **Disputed Case: Building line relaxation: Erf 608 Meersig** (Add. 4; M/C Meeting 09/03/2021; File 608 M)

The purpose of the report is to obtain approval of the Municipal Council for the relaxation of the building line on Erf 608 Meersig from 3.0m to 0.0m on common boundary with Erf 607 Meersig and building line relaxation from 3.0m to 0.0m on common boundary with Erf 609 Meersig respectively.

The owner of Erf 608 Meersig (Cottage No. 17) approached the owners of Erven 607 and 609 Meersig (Cottages No. 16 and 18, respectively) for consent to build on the common boundaries of the two erven. This means a relaxation of the building line from 3,0m to 0,0m on the common boundaries with Erven Erf 607 and 608 Meersig. The locality plan of Erven 608, 607 and 609 Meersig is depicted by **Figure 1** below.



Figure 1: Locality Plan of Erf 608 Meersig

The proposed extensions on Erf 608 Meersig are indicated by **Figure 2**.

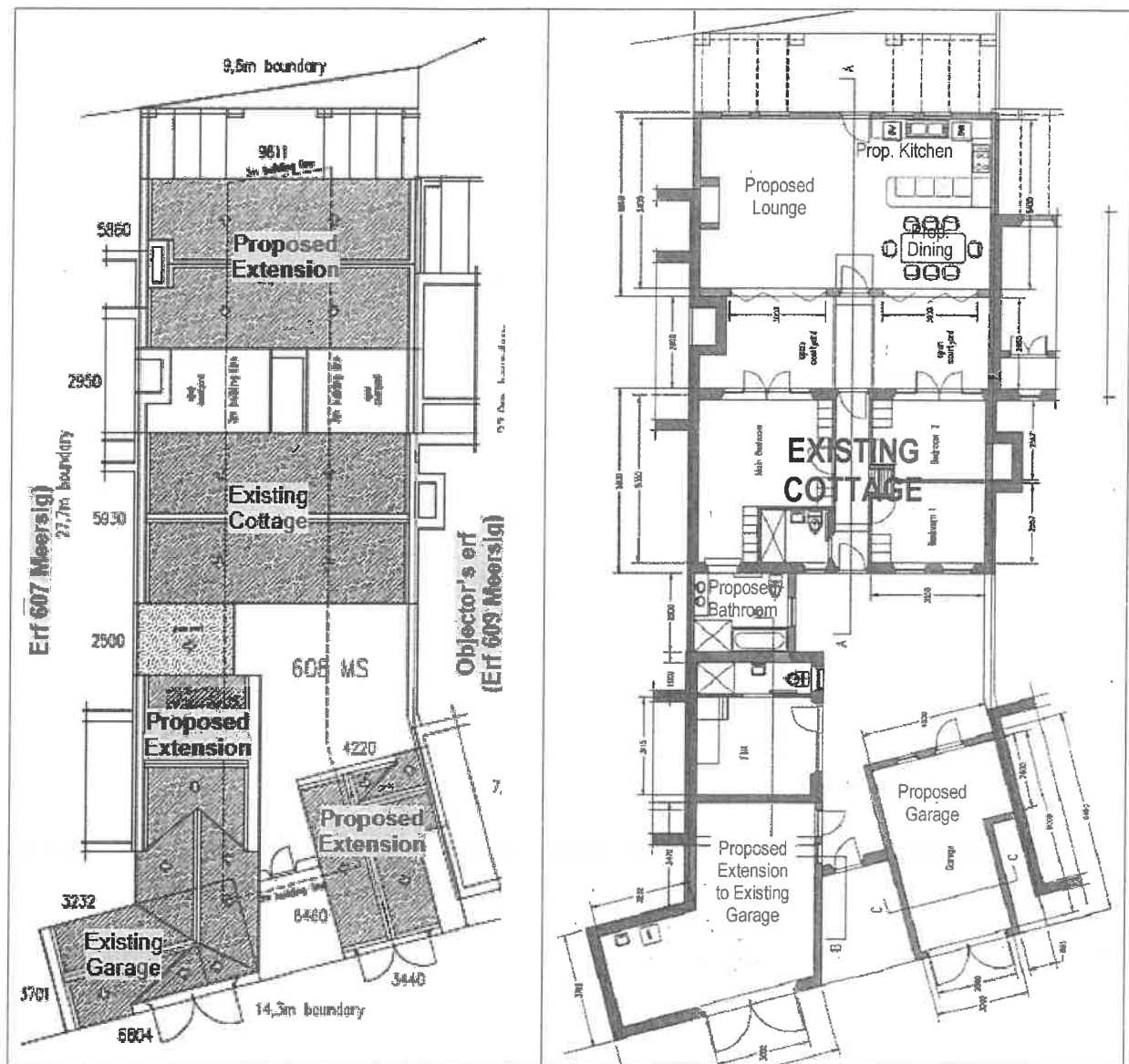


Figure 2: Proposed Extensions to the Cottage on Erf 608 Meersig

The owner of Erf 607 Meersig (Cottage No. 16) consented to the relaxation of the building line. The **Flamingo Homeowners Association** was consulted also provided consent for the proposed extensions and relaxation of the building line. On the other hand, the owner of Erf 609 Meersig (Cottage No. 18), i.e. Mrs Melissa van Assen, objected to the relaxation of the building line. As the neighbouring owner of Erf 609 Meersig refused to grant consent to the relaxation of the building line, this matter becomes a disputed case and requires the consideration of the Municipal Council.

In summary, the owner of Erf 609 Meersig objected to the relaxation of the building line for the proposed extension to Cottage No. 17 (Erf 308 Meersig) based on the following issues:

- (a) coverage exceeded,
- (b) bulk exceeded,
- (c) negative impacts on the aesthetics of the cottages,
- (d) non conformity with the design guidelines of the cottages,
- (e) height will block the sun,
- (f) privacy issues, and
- (g) precedent of apartment like cottages will be created.

As a result of the objections received, the local authority decided to have a hearing. The hearing took place on 30 November 2020, on Site, Erf 608 Meersig (Flamingo Cottage No. 17). The hearing was attended by the applicant and his architect, objector and her representative, the Flamingo Homeowners Association representatives as well as municipal staff. No consensus could be reached at the hearing.

The town planning's assessment of the objections received is outlined below:

- (a) The coverage of existing and proposed developments on Erf 608 Meersig is about 43%, because areas used for parking purposes are excluded from coverage the calculation. The proposed extensions therefore comply with the maximum permissible coverage (being 50%).
- (b) The bulk of existing and proposed developments on Erf 608 Meersig is about 0.4, because the areas used for parking purposes are excluded from the calculation of the bulk. The proposed extensions therefore comply with the maximum permissible bulk (being 0.5).
- (c) The permissible height is a maximum of 2 storeys, while the proposed extensions are all on the ground floor level. The proposed extensions therefore comply with the maximum permissible height (being 2 storeys).
- (d) In terms of the Walvis Bay Town Planning Scheme, relaxation of the building line is allowed on at most 2 boundaries. However, a precedent has been created, not only at the Flamingo Cottages, but throughout Walvis Bay to relax the building lines on more than 2 sides of the Erf. Furthermore, it should be noted that the objecting neighbour's cottage has also encroached the building line restrictions towards Erf 608 Meersig (the applicant) by 0.0 metres. Thus, it will only be fair to also enable the owner of Erf 608 Meersig to also encroach the building line.
- (e) The proposed extensions comply with the Flamingo Homeowners Association's design guidelines and rules. Furthermore, the proposed developments fits with the existing developments within the Flamingo Cottages complex.
- (f) The relaxation of the building line will not impact the neighbours negatively in terms of the sun. The applicant's architect has undertaken the sun modelling to assess the impact of the proposed extensions on the amount of sunlight on the objector's erf during winter and summer. According to the applicant's architect, the extension of Cottage No. 17 will not minimise the amount of sunlight on Cottage No. 18 to a large extent. Cottage No. 18 will still get sunlight on the porch and will only lose 1 hour of sunlight.
- (g) The proposed extensions are designed in such a way that no windows overlook onto the neighbour's property. The proposed extensions will therefore ensure privacy for the neighbours (including the objector who owns Cottage No. 18).

Based on the abovementioned and as stipulated by Clause 12.2.7.2 of the Walvis Bay Town Planning (Zoning) Scheme, the relaxation of the building line on Erf 608 Meersig is supported and recommended for approval.

Recommended:

- (1) That, in accordance with Clause 12.2.7.2 of the Walvis Bay Town Planning (Zoning) Scheme, the Municipal Council grants consent for relaxation of the building line on Erf 608 Meersig from 3.0 m to 0.0 m on common boundaries with Erven 607 and 609 Meersig.

- (2) That in accordance with Clause 9.5 of the Walvis Bay Town Planning (Zoning) Scheme, if the objector is aggrieved by the decision of the Municipal Council, she may lodge written appeal with the Municipal Council, which will be referred to the Minister of Urban and Rural Development, which decision shall be final.
- (3) That the written appeal as per Condition 2 shall be given within twenty-eight (28) days from the date of notification of the Municipal Council's decision.
- (4) That, in accordance with Clause 9.6 of the Walvis Bay Town Planning (Zoning) Scheme, the decision of the Municipal Council shall not take effect until the appeal period against the Municipal Council's decision has lapsed and no appeal is received, or such appeal has been disposed of.

12.5 **Appointment of Members to serve on internal Committees and external Institutions - Resubmission** (Add. 5; M/C Meeting 09/03/2021; File 7/2P7/2/3/2/5)

The purpose of this report is for the nomination by the Management Committee and where applicable, the appointment of members to serve on the various internal committees and external institutions for the entire term of office of the current Council until 2025.

This addendum has 4 distinct parts for the Councillors to consider and / or take note of, namely:

- 1.1 Internal committees
- 1.2 Representation of external bodies
- 1.3 Fixed representation due to office held by Councillors
- 1.4 External institutions where representation is by virtue of the office that a Council member or official holds or through other external appointments

Section 26(1) of the Local Authorities Act, 1992 (Act No. 23 of 1992), provides for the appointment of dedicated committees consisting of members of the Management Committee and such other persons as the Management Committee may deem fit, to advise it (the Management Committee) in the exercise of its powers or performance of its duties. Such committees are commonly known as "Advisory Committees". This section reads as follows: *"A management committee ... may establish from time to time such committees as it may deem necessary to advise it on the exercise of any of its duties and functions and may appoint such members of the management committee or such other persons as it may deem fit to be members of such committee"*.

The only committee that serves in an advisory capacity as contemplated in the said section 26(1), is the Housing Advisory Committee, and Management Committee has the legal authority to appoint its member.

Recommended:

- (1) That the Council appoints the following Council members to serve on the **Farm 37 Technical Advisory Committee**:
 - (i) Cllr R Hoaeb
 - (ii) Cllr R Bramwell
 - (iii) Cllr S Bikeur (as alternate member)

- (2) That the Council appoints the following Council members to serve on the (once-off) Pre-planning Committee for 5-year Strategic Plan:
 - (i) Cllr L Victor
 - (ii) Cllr R Hoaeb
 - (iii) Cllr R Bramwell
- (3) That the Council appoints the following Council members to serve on the Walvis Bay Pension Fund Trustees (WBPF):
 - (i) Councillor O Andrews as Employer Trustee
 - (ii) Councillor R Bramwell as Employer Trustee
 - (iii) Councillor A Nkoshi as Alternate Employer Trustee
 - (iv) Mr AT Victor be removed as Employer Trustee
- (4) That the Council appoints the following Council members to serve on the Association for Local Authorities in Namibia:
 - (i) Cllr L Victor
 - (ii) Cllr R Hoaeb
- (5) That the Council appoints the following Council members to serve on the Health Committee of the MOHSS:
 - (i) Cllr O Andrews
 - (ii) Cllr R Bramwell
 - (iii) Cllr R Hoaeb
- (6) That the Council appoints the following Council members to serve on the Police Public Relations Committee:

Cllr P Kauhondamwa as member with Cllr S Mutondoka as alternate member
- (7) That the Council appoints the following Council members to serve on the Constituency Development Committee:
 - (i) Cllr R Hoaeb
 - (ii) Cllr S Bikeur
- (8) That the Council appoints the following Council members to serve on the Walvis Bay Environmental Management Advisory Forum (WEMAF):

Cllr R Bramwell as member with Cllr A Nkoshi as alternate member
- (9) That the Council recalls its current member representatives and their alternates on the Erongo Regional Electricity Distributor (ERED) Board of Directors with immediate effect and that the Council appoints the following Council members to serve on the Erongo Regional Electricity Distributor (ERED) Board of Directors:
 - (i) Cllr L Victor as member with Cllr R Bramwell as his alternate
 - (ii) Cllr R Hoaeb as member with Cllr O Andrews as his alternate

12.6 **Appointment of members to serve on Suburb and Street Naming Committee and Waterfront Development Company** (Add. 1; M/C Meeting 24/03/2021; File 12/1)

The purpose of this report is for the nomination by the Management Committee and the appointment of members of the public to serve on the Suburb and Street Naming Committee and the Waterfront Development Company (Pty) Limited, for the entire term of office of the current Council until 2025.

The Suburb and Street Naming Committee, an Advisory Committee to the Council, was established in terms of Section 30(1)(w) of the Local Authorities Act, 1992 (Act No. 23 of 1992), and is appointed by the Council to discuss the naming of streets in the new extensions and developments within the municipal area, as well as to consider the conferring of honours on persons who has rendered meritorious service to the community at large by naming streets after them.

All considerations and recommendations of the committee are done in terms of the Suburb and Street Naming Policy and Guidelines, which policy was approved by the Council on 29 August 2001 and which was revised by the Council on 26 July 2016.

The Municipal Council at its meeting held on 28 June 2011 under item 12.7, constituted the committee to have 15 members as follows:

- 6 x residents for Kuisebmond Suburb
- 3 x residents for Narraville Suburb
- 4 x residents for Walvis Bay Proper
- 1 x resident for Meersig Suburb
- 1 x resident for Langstrand and Dolphin Beach

Inclusive in the numbers set out above are the Mayor, the Chairperson of the Management Committee, 2 more Council members and both Regional Councillors for Walvis Bay Urban and Walvis Bay Rural, to represent the different suburbs.

The term of office of the committee coincides with that term of office of the Municipal Council, while a quorum at any meeting of the committee shall be 8 members, and if such a quorum is not in attendance 15 minutes after the commencement time of the meeting, it shall be 5 members.

The committee has no powers other than to advise the municipal council on matters relating to the naming and re-naming of suburbs and streets, by way of recommendations. The municipal council shall have the right to, when absolutely necessary, unavoidable or justifiable, name new suburbs or allocate new street names or rename old street names without having to consult the Suburb and Street Naming Committee.

The Council on 11 September 2012 under item 12.7(2) adopted a resolution to grant approval in principle for the development of a "waterfront" by property developer Afrikuumba Construction (Pty) Limited and owned by Mr Titus Nakuumba (Annexure A). Council then on 30 July 2013 under item 12.9 adopted a resolution to approve, in principle, a joint venture with Afrikuumba Construction (Pty) Limited (Annexure B). The approval of the joint venture was granted by the Minister of Urban and Rural Development on 22 July 2015.

Walvis Bay Waterfront Properties (Pty) Ltd was then created as a 80/20 joint venture between Afrikuumba (with 80% shareholding) and the Municipality of Walvis Bay (with 20% shareholding).

It intended to develop erven 4939 and 4941 Walvis Bay, which at present is public open space accommodating the cricket oval, tennis courts, jukskei courts, the municipal swimming pool and the park with the kiddies' splash pool, and which properties belongs to the Municipality of Walvis Bay. The proposed plans incorporate light industrial, residential, public open space, retail and various other activities in a waterfront type development.

The following persons are at present the representatives of the Municipality of Walvis Bay on this joint venture:

- (i) Board of Directors: Mr. Muronga Haingura, Alderman Immanuel Wilfred, Mr. Wiseman Molatzi, Ms. Selma Leopoldt
- (ii) Shareholders Committee: Mr. Agostinho Victor, Mrs. Uilika Nambahu.

Recommended:

- (1) That the Council, on recommendation of the Management Committee, appoints members and persons to serve on the Suburb and Street Naming Committee:
 - Kuisebmond Suburb: Regional Councillor Florian Dunato, Mr Antonius Muremi, Mr Andreas Imalwa, Mr Salom Namwandi, Mr Petrus Bonnie Ipinge, Ms Emma Ananias
 - Narraville Suburb: Councillor S Mutondoka, Councillor O Andrews and Regional Councillor Derio Benson
 - Walvis Bay Proper: Councillor T Forbes, Councillor L Victor, Ms Nadia Figueredo, Ms Valencia Izaaks
 - Meersig Suburb: Ms Nelmarie Simon
 - Langstrand and Dolphin Beach: Mr Harrold Page
- (2) That the Council seeks an urgent update from the JV partner on the status quo of and the continuation with the WBWF initiative, and that the appointment of persons representing the Municipal Council of Walvis Bay on the Board of Directors and Shareholders Committee of the Waterfront Development Company (Pty) Ltd. be re-considered thereafter.

12.7 **Maintenance agreement for Municipal Data Analysis Model (MDAM) software - Tender No. 67/2016: Call for expression of interest: Revenue Enhancement Project** (Add. 2; m/c_meeting 24/03/2021; file 5/13/17)

The purpose of this report is to inform Council about an implementation of maintenance agreement on MDAM for smooth continuation of ongoing Revenue Enhancement project.

The then Tender Board at its meeting held on 27 April 2018 awarded a tender in the above subject matter to Ernst and Young (EY) Namibia. Consequent to the above Tender Board resolution, and on request by the Council, a submission was made to Council upon which the Council at its meeting held on 27 June 2018 under item 12.3 (feedback report on the evaluation of Tender No. 67/2016: Expression of Interest on revenue enhancement.) resolved as follows:

" That the Municipal Council takes note of the report and recommendation by the Procurement Committee to the Chief Executive Officer for the award of Tender No.67/2016: Call for expression of interest: Revenue Enhancement."

The project commenced in July 2019 and was finalized and closed off in January 2020. After the closing of this project, need for maintenance of this project on MDAM software arose. Such need was submitted to Procurement Committee which on 3 November 2020 under item 8.2 resolved as follows:

"1. That it be noted that Tender No. 67/2016: Call for expression of interest: Revenue enhancement came to an end and that the Procurement Committee therefore cannot consider the matter regarding the software and licences as a variation to that tender.

2. That the matter of the licencing of the Municipal Analysis Data Model (MDAM) software as developed by Ernst & Young, be submitted to the Council as a new project, and that once the relevant approval is available, it be submitted to the Procurement Committee as a direct procurement item."

MDAM software, which is solely owned by the audit firm Ernst & Young (EY) was part of the project initial cost and this software has been left with the Council for future data analysis and auctioning. However, the maintenance of this software was not included in the initial project cost, i.e., it was optional and was quoted at a monthly amount of N\$ 288 013,00. Due to the size of the amount, it was omitted until finalisation of the project and for future negotiation.

As mentioned earlier, EY as sole owners of these software are the only ones that will maintain this software and like any other software which needs maintenance, there is a need to maintain the software for accurate flagging of data for further action.

Maintenance of this software will ensure that MDAM is set up to automatically refresh with the new weeks data every week. It avoids errors in the refreshed data and ensures that files are stored in a correct format and in the correct location for the refresh to be successful every week and that the data is correctly extracted, transformed and loaded to the MDAM on a weekly basis.

Maintenance agreement will create and maintain an exclusion list. There are some false positives that cannot be identified through the data alone, so once corrective action is taken by certain revenue leakage items and it is discovered by the municipality, that this is in fact not a revenue leakage, the exclusion list can be used, so that the item will not be marked in future dashboards as a revenue leakage. Maintenance will assist the Municipality with any queries they have on the dashboards, it will deliver reports to identify priority discrepancies that should be actioned.

The maintenance of this software will include Data source troubleshooting, on-site and off-site assistance with dashboards, Monthly and Quarterly/Annual reports of progress and modification/customization of existing or new dashboards.

Recommended:

- (1) That the Municipal Council takes note of the need for an implementation of maintenance agreement with Ernst & Young for the maintenance of MDAM software to support the ongoing project of Revenue Enhancement for the period of one year commencing from the date of approval by Procurement Committee and Accounting Officer.
- (2) That progress be reported to the Councillors on a quarterly basis.

12.8 **Sale of unimproved single residential erven in Kuisebmond and Meersig by way of public bidding** (Add. 4; M/C Meeting 24/03/2021; File 7/2/3/2/5)

The purpose of this report is to recommend amongst others, that Council take note of the report and that all available Council erven be sold by way of public bidding.

Council at its meeting held on 12 December 2019 under item 5.1 inter alia, resolved that the available erven be offered to public through private transaction on first-come first-served basis.

The erven were advertised for sale through the printed media to be sold from 23 March 2020. However, the sale could not proceed on the set date as the State of Emergency regulations that were implemented due to COVID-19 did not allow public gatherings.

Furthermore, the same erven were re-advertised through the printed media to be sold from 7 December 2020, but the sale was postponed until further notice.

Council as per section 30(1)(t) of the Local Authorities Act, Act 23 of 1992, as amended, has the power, duty and function to provide housing schemes to the community members of its local authority. It should thus be noted that one of our functions is to provide housing or erven to the community of Walvis Bay.

Given the above, Council's Sale/Lease of Land Policy was formulated to facilitate such processes. The policy was amended February 2021. Therefore, the opinion is held that the available erven of Council be sold by public bidding.

Recommended:

- (1) That the Municipal Council approves the sale of the following single residential erven that are currently available, under the Sale and Lease of Land Policy:

Kuisebmond Proper and Kuisebmond Extension 10

No	Erf No	Size (m ²)	Upset price @ N\$ 337.00/m ²
1	3324	545	183,665.00
2	6520	323	108,851.00
3	6521	323	108,851.00
4	6636	337	113,569.00
5	6637	337	113,569.00
6	7818	461	155,357.00
7	7831	413	139,181.00
8	7866	413	139,181.00
9	7869	413	139,181.00
10	7898	427	143,899.00
11	7872	482	162,434.00
12	7899	427	143,899.00

Meersig

No	Erf No	Size (m ²)	Upset price @ N\$ 650.00/m ²
1	688	1,197	778,050.00
2	689	1,257	817,050.00
3	690	1,096	712,400.00
4	696	805	523,250.00
5	698	805	523,250.00
6	715	892	579,800.00
7	752	955	620,750.00
8	774	888	577,200.00
9	785	980	637,000.00
10	786	980	637,000.00
11	801	946	549,900.00
12	810	1,353	879,450.00
13	811	864	561,600.00
14	824	846	549,900.00
15	831	846	549,900.00

Meersig Extension 2

No	Erf No	Size (m ²)	Upset price @ N\$ 650.00/m ²
1	1334	771	501,150.00
2	1346	759	493,350.00
3	1366	589	382,850.00
4	1370	589	382,850.00
5	1372	589	382,850.00
6	1381	589	382,850.00
7	1383	589	382,850.00
8	1386	589	382,850.00
9	1387	589	382,850.00
10	1393	589	382,850.00
11	1394	589	382,850.00
12	1395	589	382,850.00
13	1399	589	382,850.00
14	1404	684	444,600.00
15	1405	684	444,600.00
16	1408	696	452,400.00
17	1426	1,005	653,250.00
18	1429	992	644,800.00
19	1430	1,005	653,250.00

20	1431	1,005	653,250.00
21	1439	999	649,350.00
22	1440	911	592,150.00
23	1447	999	649,350.00
24	1451	933	606,450.00
25	1463	933	606,450.00
26	1469	1,013	658,450.00
27	1476	913	593,450.00
28	1477	787	511,550.00
29	1486	787	511,550.00
30	1488	784	509,600.00
31	1491	780	507,000.00
32	1509	598	388,700.00
33	1510	598	388,700.00
34	1532	596	387,400.00
35	1540	879	571,350.00
36	1554	875	568,750.00
37	1577	771	501,150.00
38	1583	525	341,250.00

Meersig Golf Course

No	Erf No	Size (m ²)	Upset price @ N\$ 650.00/m ²
1	1262	529	343,850.00
2	1264	512	332,800.00
3	1267	512	332,800.00
4	1271	529	343,850.00
5	1272	512	332,800.00
6	1276	512	332,800.00

- (2) That the following conditions as contained in the Sale and Lease of Land Policy be applicable to the sale and be applied strictly:
- (a) All erven are sold "voetstoots/as is" without any warranty whatsoever.
 - (b) A non-refundable registration and bidding document fee of N\$ 300.00 (inclusive of VAT) with a maximum of 3 documents per bidder, for 3 separate erven. All participating bidders must provide their original receipt of registration to be able to participate in the bidding process.
 - (c) All erven are for sale to natural persons only, which persons are from the previously disadvantaged group (indigenous Namibian citizens who were denied and deprived opportunities due to government policies in existence prior to the independence of Namibia and the re-integration of Walvis Bay)) and who are 1st time buyers (a sworn affidavit will be required that the bidder does not own another residential property in Namibia).

- (d) Erven not sold at the 1st bidding event, will be sold at a 2nd bidding event to the public at large and not limited to natural persons only, at the same upset prices.
- (e) Only one (1) erf will be allocated / sold per person participating in the bidding process.
- (f) All bidders must have reached the age of 18 years and no minors under 18 years old may participate in the process.
- (g) A 10% deposit, calculated on the final purchase price, must be paid at the venue and on the date of the bidding, failing in which the award of the erf shall be regarded as null and void.
- (h) The balance of the purchase price, in the event of participation in the 1st bidding event, shall be paid as follows:

- (i) The balance of the purchase price must be secured by an acceptable bank guarantee which guarantee must be presented by the bank to the transferring attorneys within 21 days from date of sale, and which guarantee will become due and payable on registration of the property in the name of the purchaser in the Deeds Office;

OR

- (ii) The balance of the purchase price must be settled within a period of 36 months in equal monthly installments at an interest rate of 5%, provided that an agreement be signed on the date of the sale, and further provided that the purchaser may only commence with the construction of a building on the property after the full purchase price was settled and the property was transferred into his/her name at the Deeds Office.
- (i) The balance of the purchase price must be secured by an acceptable bank guarantee which guarantee must be presented by the bank to the transferring attorneys within 21 days from date of sale, and which guarantee will become due and payable on registration of the property in the name of the purchaser in the Deeds Office.
- (j) Failure to comply with 8 or 9 above shall result in the sale to be cancelled and the 10% deposit be forfeited to the Municipality of Walvis Bay.
- (k) A right of pre-emption in favour of the Municipality of Walvis Bay that the erf so purchased may not be alienated to a 3rd party within a period of 5 years calculated from the date of registration of the property in the Deeds Office, must be registered against the property in the Title Deeds.
- (l) In the event where:
 - (i) A deposit of 10% of the purchase price was paid and the balance of the purchase price not secured by an acceptable bank guarantee by the final date given; or
 - (ii) The purchase price was not paid in full by the final date given for such payment; or
 - (iii) The development has not commenced by the date given,

then the full deposit shall be forfeited to the Municipality for administrative cost and as pre-estimated damages.

- (m) The purchaser shall forfeit all down-payments made, including those made within any grace period given should the purchaser breach any or all of the conditions of the sale agreement/deed of sale.
 - (n) The erven shall be sold to the highest bidder.
 - (o) No negotiations will be entertained during the bidding process or after the sale is concluded.
- (3) That the legal process to evict illegal occupants from the following vacant erven be commenced with, and once vacated, it also be sold as per the conditions in (2) above:

Kuisebmond

No	Erf No	Size (m ²)	Upset price @ N\$ 337.00/m ²
1	6327	333	112,221.00
2	6347	468	157,716.00
3	6362	419	141,203.00
4	6410	368	124,016.00
5	6486	358	120,646.00
6	6630	333	112,211.00
7	6674	418	140,866.00
8	6693	405	136,485.00

- (4) That a report to update the Management Committee be submitted after each sale process.

13. **Reports and recommendations of Advisory Committees and the Chief Executive Officer**

No reports have been received.

14. **Minutes of associations**

14.1 **Management Committee of the Association for Local Authorities (ALAN)** (File 12/1/2/1/2)

None.

14.2 **National Executive Committee of the Namibia Association of Local Authorities Officers (NALAO)** (File 12/1/2/1/11)

No minutes have been received.

14.3 **Namibia National Mayors' Forum** (File 12/1/2/1/17)

No minutes have been received.

