



MUNICIPALITY OF WALVIS BAY

AGENDA

ORDINARY COUNCIL MEETING

To be held in the
Kuisebmond Council Chambers,
Nathaniel Maxuilili Avenue

**ON TUESDAY
26 MARCH 2024
AT 18:00**



Municipality of Walvis Bay

Civic Centre • Nangolo Mbumba Drive • Private Bag 5017 • Walvis Bay • Namibia
Phone +264 (0)64 201 3111 • Fax +264 (0)64 204 528 • www.walvisbaycc.org.na

Enquiries Gwenneth !Gaoses
Phone (064) 201 3236
E-mail ggaoses@walvisbaycc.org.na
Date 20 March 2024

NOTICE

His Worship the Mayor and Councillors
General Managers

MARCH 2024 - 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 Civic Centre Council Chamber, Nangolo Mbumba Drive, Walvis Bay on: -

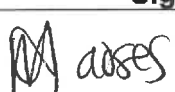

Tuesday 26 March 2024 18:00

Yours faithfully,



J Esterhuizen
Acting Chief Executive Officer

Date	Time
20/03/2024	12:45g

Official	Date	Time	Signed off
Compiler	20/03/2024	12:49	 Gwenneth !Gaoses.
AGM: HRCS	20/03/2024	12:55	



Agenda

1. **Opening by prayer** (File 3/1)

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2. **Adoption of agenda and declaration of interest**

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3. **Application for leave of absence by members of council** (File 3/3/1/4)

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4. **Confirmation of minutes of previous meeting/s** (File 3/3/2/3/1)

Minutes of the Ordinary Council meeting held on Tuesday 06 March 2024 to be confirmed and approved.

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5. **Interviews with deputations or persons summoned or requested to attend meetings** (File 3/3/2/3/2)

None.

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6. **Official announcements, statements, and communications**

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7. **Petitions** (File 3/2/1/6)

No petition received.

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8. **Motions of members** (File 3/3/1/1)

None received.

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9. **Answers to questions of which notice has been given** (File 3/3/1/2)

None.

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10. **Reports of the Management Committee for March 2024**

- 10.1 **Repeal of standard by-laws relating to streets and substitution thereof by regulations relating to the control and use of streets and public places** (Add. No. 2; M/C Meeting 19/03/2024; File: 1/5/1/47)

RESOLVED:

That the Regulations relating to the Control and Use of Streets and Public Places, be submitted to the next Management Committee meeting with the inclusion of the amendments proposed.

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11. **Recommendations of the Management Committee for March 2024**

- 11.1 **Council's mandate for the possible winding-up of the affairs of the Walvis Bay Export Processing Zone Management Company (Pty) Limited** (Add. No. 1; M/C Meeting 19/03/2024; File: 17/28/P)

The purpose of this report is to provide the representative of the Municipality of Walvis Bay on the Board of Directors of the Walvis Bay Export Processing Zone Management Company (Pty) Limited with a mandate for the Board to decide on the winding-up of the affairs of the company.

The 1st Municipal Council of Walvis Bay that came into power on 18 August 1993 after the re-integration of Walvis Bay into motherland Namibia, expressed its commitment to the development of Walvis Bay as an industrial hub for Namibia. At that time the idea from the previous regime of declaring the Port of Walvis Bay as a free port, was not further supported at national level, and the idea of having an area in Walvis Bay set aside for a free manufacturing zone was born.

This culminated in an international convention held in the Walvis Bay Town Hall on the topic, with guest speakers at the convention being Mr Johann Wassenaar (founder of VIACOM in the USA), Dr Bondi Gambrell (US Government Commissioner for Economic Development), David Miller (Executive Director of the US Corporate Council on Africa), Ervin de Léon (International Trade and Investment Specialist, Dominican Republic), and Edwin Gyasi (Director of the Ghana Free Zones Authority).

The outcome of the convention was a proposal that a free zone type authority be established for Walvis Bay. The then Town Secretary (and current Manager: Corporate Services), Mr Jan Kruger, was then tasked by the Municipal Council of Walvis Bay to do the footwork for setting up such an authority. The then Minister of Trade and Industry, the late Hon. Hidipo Hamutenya, in 1995 had set up a task team (including Mr Kruger) to investigate and report on the matter. This task team visited several free zones all over the world to determine the best practice for Namibia.

In the end it was decided that an export processing regime be set up for the entire Namibia to ensure the promotion of the country as a "manufacturing for export" destination. This led to the drafting and eventual promulgation of the Export Processing Zones Act in 1995, which law had a special chapter for the development of an export processing zone in Walvis Bay. It is under this chapter that the Walvis Bay Export Processing Zone Management Company (hereinafter referred to as WBEPZMC) was created as a private limited company.

The WBEPZMC was created as a combined initiative of the Municipality of Walvis Bay, the Ministry of Trade and Industry, and the private business sector.

The Board of Directors already on 6 May 2019 decided that a round-table discussion of the phasing out of the Namibian EPZ regime must be arranged with the Minister of Industrialization, Trade and SME development. This was conveyed to the Minister on 10 May 2019 with a further letter on 19 July 2019. No response to these requests were received.

On 22 June 2020 the tax incentives given to export processing entities were repealed under the Income Tax Amendment Act of 2020, as per section 3 of the said Act, and the commencement date of section 3 was promulgated on 31 December 2020, whereby an exit period of 5 years commencing on 31 December 2020, was made (see Annexure B). This was the 1st step of the Namibian government due to the pressure on it with regards to greylisting as a tax haven with money laundering and proliferation financing as a possible threat.

In the meantime, with only 1 entity left under the EPZ regime in Walvis Bay, the reason for the existence of the WBEPZMC also came to an end and the way forward need to be considered.

The Ministry of Industrialization and Trade proceeded with the revision of the EPZ legislation and the replacement thereof with the Special Economic Zone Bill, which is currently in the public consultations phase. The Offshore Development Company, which fulfilled the same role at the WBEPZMC for the rest of Namibia, which was initially funded by a large grant from the European Union and by another grant by the Namibia Development Corporation, was incorporated into the Namibia Investment and Development Board.

Considering all the changes and challenges facing Namibia and indirectly also the WBEPZMC, in particular the implications of the implementation of section 3 of the Tax Amendment Act of 2020 on 31 December 2025, the matter was discussed at the Annual General Meeting of Shareholders held on 27 April 2022, where the following possibilities were discussed:

- Convert the company to a normal trading company with all the taxation requirements as per law, and pay out those shareholders who wishes to terminate their shareholding; or
- Incorporate the company with all its assets into the NIDA structures; or
- Winding-up of the company and pay out all shareholders their fair share.

RECOMMENDED:

That the Municipal Council provides a mandate to its representatives on the Board of Directors on the most beneficial manner in which to deal with its shareholding in the future of the Walvis Bay Export Processing Zone Management Company (Pty) Limited.

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11.2 Transfer of funds for the construction of Municipal infrastructure in Narraville Extension 8 (W/ONB/MWB-46/2002) (Add. No. 3; M/C Meeting 19/03/2024; File: 8/28/46)

The purpose of this report is to obtain Council approval for the transfer of funds for the land development project in Narraville Extension 8, that is nearing completion, to supplement the under budgeted vote to successfully complete the project with an anticipated completion date of about 29 March 2024.

Open National Bids were called for the construction of the project. All bids were checked for overall responsiveness and the remaining offers underwent a technical and financial evaluation. Bidders with a technical score of less than 60 were disqualified and all bid offers which were 15% lower than the Employer's cost estimate of N\$ 30,821,850 (excl. VAT) were disqualified as per the bid document requirements.

Ndakalimwe Investment (JV) Zero Six Five Trading CC was recommended for award by the bid evaluation committee (BEC) meeting held on the 23rd of December 2022 and appointed on 20 February 2023 for an amount of N\$ 34,641,341.44 (excl. VAT). The project commenced on 15 May 2023.

The available capital budget is N\$ 26,785,822 (see detail below). There is a budget shortfall of N\$ 7,855,519.44. Note that the project value, as per award, of N\$ 34,641,341 is based on estimated quantities as measured during the initial design phase. The project is re-measurable and the current indications are that there will be a substantial project saving and the actual shortfall might be substantially less. It is however thought prudent to seek Council approval for the total shortfall amount.

RECOMMENDED:

- (1) That Council takes note that the project was under budgeted on the previous financial year and the current available amounts on the capital budget will not be sufficient to complete this project successfully.
- (2) That Council take note that there is an anticipated shortfall of N\$ 7,855,519.44 to complete this project and that Council approves the transfer of funds from the capital votes as follows:

Amount (N\$)	From Vote	To Vote	Comments
1,000,000	C627/9952	C626/9952	Narraville Ext.9. Development awarded to external developers via an Eol process
1,000,000	C630/9952	C626/9952	Narraville Ext.13. Development awarded to external developers via an Eol process
1,000,000	C632/9952	C626/9952	Ext.15. Development awarded to external developers via an Eol process
1,000,000	C582/9954	C626/9952	Walvis Bay Extension 19 Sewerage
3,700,000	C582/9955	C626/9952	Walvis Bay Extension 19 Electricity
156,000	C576/9955	C626/9952	Walvis Bay Extension 14 Electricity

- (3) That it be noted that all the projects of the new capital votes identified have either been allocated to external developers or have remained un-developed and will therefore have no impact on Council's current land development projects.

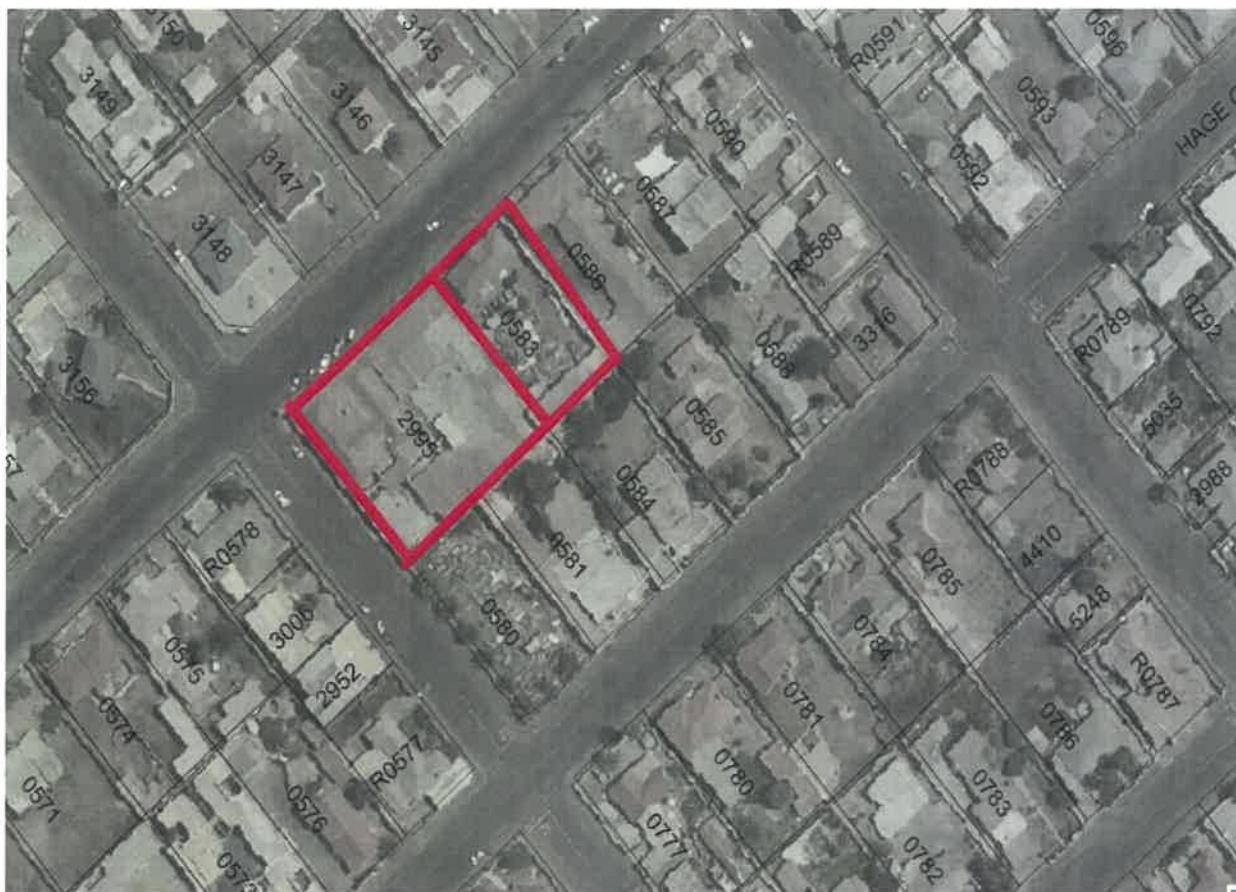
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11.3 **Approval request for the consolidation of Erven 583 and 2995 Walvis Bay into Portion X** (Add. No. 4; M/C Meeting 19/03/2024; File: 583/ 2995W)

The purpose of the report is to obtain the Municipal Council approval for the application of consolidation of Erven 583 and 2995 Walvis Bay into new Erf X.

Applicant & registered owner: The registered owner of Erven 583 and 2995 Walvis Bay are Savvas Ioannou Savva and Eleftheria Savva P O Box 24, Walvis Bay.

Location: Erven 583 and 2995 Walvis Bay are situated along Sam Nujoma Avenue, as illustrated in Figure 1.



Existing Zoning and Sizes:

ERF NO.	TOWNSHIP	SIZE (m²)	Zoning
583	Walvis Bay	1250	General Business (Bulk 1.0)
2995	Walvis Bay	2500	General Business (Bulk 1.0)

Erven 583 and 2995 Walvis Bay are zoned as Local Business in terms of the Walvis Bay Town Planning (Zoning) Scheme.

Title Deed Conditions: The usual "General Business with a bulk of 1.0" conditions - no restrictions.

Existing Land Uses: Erf 583 is currently occupied by an old dwelling unit, while Erf 2995 Walvis Bay is currently occupied by the previous Venus Shopping Centre.

Public consultation:

The immediate neighbours have been contacted for comments and objections for the consolidation of which no objections were received.

Consolidation: The consolidation of erven 583 and 2995 Walvis Bay into new Erf X and is made in terms of the Urban and Regional Planning Act (Act No.5 of 2018), Section 88(2).

ERF NUMBER	TOWNSHIP	SIZE (m ²)
583	Walvis Bay	1250
2995	Walvis Bay	2500
New Erf X	Walvis Bay	3750

Assessment of the proposed consolidation in terms of Section 65 of the Urban and Regional Planning Act, Act 5 Of 2018.

The application for the consolidation of Erven 583 and 2995 Walvis Bay, has been evaluated from the town planning point of view based on conformity of the proposed development with the Walvis Bay Town Planning Scheme (TPS), Integrated Urban Spatial Development Framework and Local Authorities Act (Act No.23, 1992)

Conformity of Proposed Development with the Walvis Bay Integrated Urban Spatial Development Framework (IUSDF).

Erven 583 and 2995 Walvis Bay are within an existing township, Walvis Bay. There are no specific planning proposals within this township. No changes to the land uses or zoning are proposed. Therefore, the proposed consolidation conforms with the IUSDF.

Conformity of the proposed with the Walvis Bay Town Planning Scheme.

Control Measure	TPS Clause & Requirements	Conformity of Proposed Development with the TPS
Land Uses	The property is zoned as Single Residential.	<u>Will Conform:</u> The application is for the Consolidation of Erven 583 and 2995 Walvis Bay into new Erf X and no changes to the land uses are proposed.

Motivation for the consolidation:

From the Town Planning point of view, the consolidation is supported based on the following:

- (a) The No traffic related issues will occur as a result of the proposed consolidation.
- (b) The consolidation will not conflict with the Walvis Bay Town Planning Scheme.
- (c) The proposed consolidation will not negatively affect the amenity of the area.
- (d) The consolidation is to enable the expansion of the previous Venus Shopping Centre building on Erf 2995, both erven share the same zoning and bulk factor, thus making them suitable to be consolidated into a single erf.
- (e) Both erven share a common boundary, once consolidated into one single erf, the single erf will then be developed in such a way as to extend the previous Shopping centre as previously mentioned above.

RECOMMENDED:

- (1) That, in terms of Section 105(1)(e) of the Urban and Regional Planning Act (Act No. 5 of 2018), the application for the consolidation of Erven 583 and 2995 Walvis Bay, into New Erf X be recommended to the Urban and Regional Planning Board for approval, as generally indicated on locality sketch plan Annexure B 583WB/CP dated 02 July 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 proposed consolidated erf shall be at least four times the municipal valuation of that proposed consolidated erf.
 - (b) That the newly created erf be provided with one electricity, water and sewerage connection.
 - (c) 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.
 - (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 existing private sewers and private water pipes traversing the newly created portion.
 - (f) That the applicant shall make suitable arrangements with and to the satisfaction of Telecom Namibia regarding telephone cables and connections.
 - (g) That the applicant shall make suitable arrangements with and to the satisfaction of Erongo RED regarding all electricity 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 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).
- (2) That all costs related to the above conditions be borne by the applicant.

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11.4 **Approval request for the subdivision of remainder Erf 2175 Kuisebmond into Portion 1 and remainder, and rezoning of Portion 1 from existing street to utility services** (Add. No. 5; M/C Meeting 19/03/2024; File: 2175 K)

The purpose of the report is to obtain the approval of the Municipal Council for the following:

- (a) Subdivision of Remainder Erf 2175 (Existing Street) Kuisebmond into Portion 1 of Remainder Erf 2175 (Existing Street) and the Remainder Erf 2175 (Existing Street) Kuisebmond in terms of Section 105(1)(e) of the Urban and Regional Planning Act 2018 and its Regulations.

- (b) Permanent Closure of Portion 1 of Remainder Erf 2175 (Existing Street) Kuisebmond as Existing Street in terms of Section 50(1)(e) of the Local Authorities Act 1992.
- (c) Rezoning of the Subdivided Portion 1 of Remainder Erf 2175 (Existing Street) Kuisebmond from Existing Street to Utility Services, in terms of Section 105(1)(a) of the Urban and Regional Planning Act 2018 and its Regulations.

Application and registered owner: The applicant on behalf of Erongo RED (Pty) Ltd is Stewart Town Planning Town and Regional Planners, the owner of the Existing Street is the Municipality of Walvis Bay. Erongo RED (Pty) Ltd has given Power of Attorney to Stewart Town Planning Town and Regional Planners, P O Box 2095 Walvis Bay, to submit the application on their behalf.

Location: Erf 2175 Kuisebmond is located on the corner of Agaat and Gold Street in Figure 1 below.



Figure 1 Locality Plan of Erf 2175 Kuisebmond and substation.

Existing zoning and density: Remainder Erf 2175 Kuisebmond is zoned as Street and measures 4450m² in extent.

Title deed conditions: The usual "Street" conditions no restrictions.

Existing land uses: Except for the substation, the site is undeveloped with no predominant features, currently used as an open parking area.

Components of the application: This application is made up of three components, being the Subdivision, Closure and Rezoning.

Subdivision component: The first part of the application is for the Subdivision of Erf 2175 Kuisebmond into Portion 1 and Remainder and is made in terms of the Urban and Regional Planning Act (Act No.5, 2018), Section 105(1)(e). The subdivision will be in accordance with the following table:

PORTION / ERF NUMBER	SIZE (m ²)
Portion 1	107
Remainder Erf 4545 Walvis Bay	4,450
Total	4,557

Permanent closure component: The second part of the application is the Closure of the Existing Street. The site is zoned Existing Street in terms of the Walvis Bay Zoning Scheme and therefore needs to be closed off in terms of Section 50(4) of the *Local Authorities Act, 1992* (Act No. 23 of 1992) and subsequent rezoning of Portion 1 from Street to Utility.

Rezoning component: The third part of the application is for the Rezoning of Portion 1 of Erf 2175 Kuisebmond from "Existing Street" to "Utility Services" and is made in terms Section 50 (1)(a) of the *Urban and Regional Planning Act, 2018* (Act No. 5, 2018). The rezoning will be in accordance with the following table:

PORTION / ERF NUMBER	SIZE (m ²)	CURRENT LAND RESERVATION	PROPOSED ZONING / LAND RESERVATION
Portion 1	107 m ²	Existing Street	Utility Services

Public consultation: The application was advertised for comments and objections in the Namib Times, the Namibian and Government Gazette. Notices of the Subdivision, Permanent Closure and Rezoning were displayed on the site and on the Municipality of Walvis Bay's notice board. Furthermore, adjacent landowners and occupiers were notified about the application by hand-delivered mail and some by standard mail. The closing date for comments/objections were on 21 February 2024. No written comments or objections to the application were received.

The application for the Subdivision, Permanent Closure and Rezoning has been evaluated from the town planning point of view based on conformity of the proposed development with the Town Planning Scheme, Integrated Urban Spatial Development Framework and Local Authorities Act (Act No.23, 1992).

Potential impact of the proposed subdivision on the environment, socio-economic conditions, and cultural heritage.

The potential impacts of the proposed subdivision, permanent closure and rezoning on the environment, socio-economic conditions and cultural heritage have been assessed and analysed. The general findings were that there will be minimal negative impacts.

Impact of the subdivision and rezoning on existing or proposed developments or land uses in the area.

The proposed subdivision, permanent closure and rezoning will not have any negative impact on the aesthetics of the neighborhood.

Requirements of other applicable legislation have been complied with.

All relevant applicable legislation were adhered to, which include the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018); the Local Authorities Act (Act No. 23, 1992), the Walvis Bay Integrated Urban Spatial Development Framework and the Walvis Bay (Town Planning) Zoning Scheme.

Conformity with the Walvis Bay Town Planning Scheme.

The proposed development and application will conform with the Walvis Bay Town Planning (Zoning) Scheme in terms of the permitted land uses under the "Utility Services" zoning including other provisions such as coverage, bulk, minimum erf size, height, building lines, and on-site parking.

Based on the Walvis Bay Town Planning Scheme provisions, the proposed application generally conforms with the aforesaid zoning scheme.

Applicable zoning scheme approved in terms of the Urban and Regional Planning Act.

The Walvis Bay Zoning (Town Planning) Scheme is applicable to the subject area. Remainder Erf 2175 Kuisebmond which is zoned as "Existing Street" in terms of the Walvis Bay Zoning Scheme. The proposed subdivided Portion 1 is proposed to be rezoned to "Utility Services" while Remainder Erf 2175 Kuisebmond will remain Existing Street.

Betterment, if any, which must be made to a local authority or to a future local authority.

In terms of the Ministerial Betterment Fee Policy of 2009 (Namibia, 2009:3), no betterment is recommended for rezoning from any zone to Utility Services.

Motivation for the subdivision, permanent closure and rezoning

From the Town Planning point of view, the Subdivision, Permanent Closure and Rezoning are supported based on the following:

- (a) The Subdivision and subsequent permanent closure of Remainder Erf 2175 Kuisebmond into Portion 1 and the Remainder will enable the applicant to rezone the Portion 1 from "Existing Street" to "Utility Services".
- (b) Utility service erven have potential to create employment opportunities to local people.
- (c) No traffic related issues will occur as the result of the proposed Subdivision, Permanent Closure and Rezoning.
- (d) The Subdivision, Permanent Closure and Rezoning will not conflict with the Walvis Bay Town Planning Scheme.
- (e) The proposed Subdivision, Permanent Closure and Rezoning will not negatively affect the amenity of the area.

RECOMMENDED:

- (1) That in accordance with Section 109(2)(a) of the Urban and Regional Planning Act, 2018 (Act No. 5, 2018), the Municipal Council recommends to the Urban and Regional Planning Board the application for the Subdivision of Remainder Erf 2175 Kuisebmond into Portion 1 and Remainder, as generally shown on sketch plan 2175_K/LP, dated 12 December 2023.
- (2) That the following conditions be registered against the proposed Portion 1 (a Portion of Remainder Erf 2175 Kuisebmond), in favour of the Municipal Council:
 - (a) The portion 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 Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act (Act No.5, 2018).
 - (b) The minimum value of the main building, excluding the outbuilding to be erected on the portions shall be equal the municipal valuation of the portion.

- (3) That, in terms of Section 50 of the Local Authorities Act (Act 23 of 1992), as amended, the Municipal Council grants approval for the permanent closure of Portion 1 of Remainder Erf 2175 Kuisebmond (measuring 107m²) as a "Street".
 - (a) That the Town Planning Division issues the Closure Certificates to the Offices of the Registrar of Deeds and Surveyor General, and the applicant.
- (4) That the Municipal Council recommends to the Urban and Regional Planning Board, the application for the Rezoning of Portion 1(Portion of Remainder Erf 2175 Kuisebmond), from Existing Street to Utility, in accordance with Section 105(1)(a) of the Urban and Regional Planning Act (Act No. 5, 2018), as generally shown on drawing number 2175_K/ZP dated 12 December 2023.
- (5) 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.
- (6) That all costs regarding the above be borne by the applicant.

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11.5 **Allocation of Erf 1451 Meersig to staff member Waldo Lassen** (Add. No. 6; M/C Meeting 19/03/2024; File: 1451 M)

The purpose of this report is to recommend that Erf 1451 Meersig, be made available under the "Staff Erven Allocation Policy" and be allocated to staff member Waldo Lassen.

The Chief Executive Officer as per the "Staff Erven Allocation Policy" approved by Council for implementation from 1st December 2020, identified and awarded erven to staff during April 2022. Mr Waldo Lassen was awarded with Erf 1497 Meersig. However, during the preparation stage to draw up building plans for construction of his house on Erf 1497, it was picked up by the Building Inspectors that the owner of Erf 1498 has wrongly build his house on Erf 1497, the erf allocated to Mr. Lassen.

Mr. Lassen could therefore not proceed with the purchase and preparation of building plans for the erf allocated to him.

All erven available in terms of the Staff Erven Allocation Policy, have been allocated and no erf under this policy is therefore available to Mr. Lassen.

The Building Inspectors and Town Planning are in process sorting out the matter and a separate report in this regard will be submitted to Council.

Erf 1451 Meersig was originally offered to the public through a bidding process during November 2021. The successful bidder at the time however failed to pay the balance of the purchase price within the given period, in terms of the conditions of sale. Because of this non-compliance, the sale of Erf 1451 Meersig was then cancelled, to be re-offered to the public through private treaty.

Since the sale of Erf 1451 was cancelled in 2021, no offer to purchase have been received for this erf.

Mr. Lassen identified Erf 1451 Meersig to be allocated to him, instead of Erf 1497 and due to the erroneous development thereon. As this erf was not part of the Staff Erven Allocation Policy, Council needs to approve the reservation for Erf 1451 Meersig to be allocated to staff in terms of the erven allocation policy.

The opinion is held that the reservation of Erf 1451 Meersig for staff will not negatively affect the Council as Erf 1498 will now be re-introduced for purchase by the public.

It is thus recommended that Erf 1451 be reserved for allocation to staff, in this case Mr. Lassen, and that the Chief Executive Officer as per the Erven Allocation Policy, may award this erf to a staff member.

RECOMMENDED:

- (1) That approval be granted for the reservation of undeveloped single residential Erf 1451 Meersig, in extent 933 m², for allocation to staff and that the Chief Executive Officer as per the Erven Allocation Policy, may allocate this erf to a staff member.
- (2) That Erf 1451 Meersig be allocated to staff member Mr. Waldo Lassen.
- (3) That the process of reintroducing Erf 1498 for sale to the public, be submitted to Council in a separate report.

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11.6 Application for additional land on existing lease on Farm 37: MC Vermaak (Add. No. 7; M/C Meeting 19/03/2024; File: Farm 37)

The purpose of this report is to recommend, amongst others, that an additional 1 Ha of land on Farm 37, be leased to MC Vermaak (the applicant), for the purpose of cultivation of olive trees.

Council at its meeting held on 29 August 2023, under item 11.9, inter alia resolved that 1 ha (10,000 m²) of Farm 37, be leased by private transaction to MC Vermaak for N\$ 1 392.08 (0.139208/m²) plus N\$ 208.81 (15 % VAT) per month, escalating with 10% per annum, for cultivation of olive trees.

The applicant has now applied for additional land supplementary to its current lease at Farm 37 for expansion of their facilities.

The applicant has been leasing the site from Council since 2013 on a year-year basis and Council also approved a long-term lease as depicted above. The site is occupied and operational, but the applicant would like to expand its business and therefore applied for an additional one hectare of land.

Currently there are over 500 olive trees on the leased land and the applicant have made an investment of N\$ 500 000.00. The client indicates that olive trees have a life span of 100 years, making olive farming one of the most valuable investments for job creation.

In addition to already contributing toward the economic upliftment of the town through job creation, with this expansion the applicant would also like to advocate toward environmental education. This project will further underscore the Government's initiative of value addition to Namibian products and ultimately result in skills transfer to Namibians.

The application for an additional 1 Ha of land on Farm 37 to be leased to MC Vermaak for the purposes of cultivation of olive trees, is therefore supported.

Regarding rental for the additional 1 Ha, it is recommended that the rental approved by Council for MC Vermaak on 29 August 2023, be used as a baseline. Therefore, the lease of 1 Ha (10,000 m²) of Farm 37 must be set at a monthly rental of N\$ 1 392.08 (0.139208 cents/m²) plus N\$ 208.81 (15 % VAT).

RECOMMENDED:

- (1) That an additional 1 Ha of land (10 000 m²) on Farm 37, be leased to MC Vermaak (the applicant) at a rental of N\$ 1 392.08 (0.139208 cents/m²) plus N\$ 208.81 (15 % VAT) per month, escalating with 10% per annum, for the cultivation of olive trees.
- (2) That the lease term be for ten (10) years with an option to renew, which renewal may be applied for in writing by the applicant.
- (3) That the applicant be informed that the lease agreement would not constitute an automatic sale, after the lease of 10 years have lapsed.
- (4) That the applicant, at its own cost, advertises the lease by private transaction for objections in terms of the provisions of Section 63(2)(b) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended.
- (5) That, in terms of section 30(1)(t) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended, the approval of the Minister of Urban and Rural Development be obtained.
- (6) That the Ministry of Urban and Rural Development be consulted on the proposed lease and its conditions in terms of Section 63 of the Local Authorities Amendments Act, 2018 (Act 3 of 2018).
- (7) That the applicant submits the necessary Environmental Impact Assessment Study (EIAS) and Environmental Clearance Certificate, in terms of Section 56 of the Environmental Management Act, Act 7 of 2007, from the Ministry of Environment and Tourism, Directorate: Environment Affairs, for the development of this land.
- (8) That the applicant, in conjunction with the Department of Roads & Building Control, have the required 1 Ha of Farm 37 surveyed at the applicant's cost.
- (9) That no unauthorized structures, or structures not approved in terms of the provisions of the Standard Building Regulations, shall be allowed on the site and the applicant shall, prior to the erection of any structures on the site, obtain the approval from the General Manager: Roads & Building Control.
- (10) That the applicant shall, on vacating the site, rehabilitate the area to the satisfaction of the General Manager: Roads & Building Control.
- (11) That a deposit equal to the monthly rental be paid, which deposit will be withheld on expiry/termination of lease if the last monthly rental is not paid.
- (12) That a refundable, non-interest-bearing deposit of N\$ 5,000.00 be paid by the applicant on date of signing the lease agreement, to cover the costs of rehabilitation of the site should the applicant fail to do so.
- (13) That the applicant, at its own cost, provides all services and adheres to the guidelines/standard requirements for all services, i.e. water connection, water/sewerage/electricity reticulation.
- (14) That the applicant shall, at own cost, enclose the leased area.

- (15) That electrical requirements/services and/or any other information in this regard be taken up with Erongo RED.
- (16) That the applicant has to comply at all times to all relevant requirements of Council's Standard Building Regulations, Health and Municipal Regulations.
- (17) That the applicant be informed that the business relationship and transaction can only be concluded and become effective once Section 21 of the Financial Intelligence Act, 2012 (Act No.13 of 2012) read together with Section 26 of the said Act, is complied with, and that it is required from the applicant to provide such information at such time and in such format as instructed by the Anti-Money Laundering Compliance Officer of the Municipality of Walvis Bay.

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11.7 **Application to purchase Portion 12 of Farm 37 Walvis Bay: Tulipamwe Community Saving Group** (Add. No. 8; M/C Meeting 19/03/2024; File: Farm 37)

This item was withdrawn from the agenda on Friday 13 March 2024 to consider a new request from the applicant.

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11.8 **Recommendation for Ministerial Approval: Decentralized Build Together Programme Committee** (Add. No. 8; M/C Meeting 19/03/2024; File: 17/5/03/2)

The purpose of the report is to seek approval for the appointment of the elected Decentralized Build Together Program Committee (DBTPC) members.

The Housing and Properties Section conducted a public meeting on 25 January 2024 for the election of Decentralized Build Together Committee members in terms of Section 27 (1) of the National Housing Development Act (Act no 28 of 2000).

Section 27 (1) and (3) of the National Housing Development Act (Act no 28 of 2000) reads as follows:

“Section 27 (1): A Decentralized Build Together Committee shall consist of not more than ten and not less than five members, which members shall be elected, subject to this section, by the inhabitants of the geographical area for which the Decentralized Build Together Committee is established, and which members shall be appointed by the Minister in writing.

Section 27 (3): *The Minister may appoint in writing and subject to subsections (4) and (5), if it is in his or her opinion necessary or expedient for the purpose of fair representation on a Decentralized Build Together Committee, in addition to and irrespective of the number of the members of a Decentralized Build Together Committee elected in terms of subsection (1), one or more persons as a member or as members of a Decentralized Build Together Committee from amongst –*

- (a) the inhabitants of a geographical area; or*
- (b) persons who possess expert knowledge in the field of housing, irrespective of whether such persons are inhabitants of the geographical area concerned “.*

The above meeting was advertised by means of a Public Notice dated 10 January 2024. The meeting was also advertised by means of the municipal page, social media and notice boards at the libraries, shopping malls and churches.

A report was submitted to the Management Committee in the above regard and for Council to approve the recommendation of members to be approved by the Minister of Urban and Rural Development, to serve on the Decentralized Build Together Programme Committee.

The Management Committee, at its meeting held on 20 February 2024 under item 4.10, resolved that this issue be referred, for the inclusion of the procedures of the Act, the attendance register and minutes of the meeting.

The public meeting arranged by the Housing and Properties Division was attended by Build Together beneficiaries and beneficiaries on the Build Together Programme (BTP) waiting list, as per the criteria in the attached public notice. It is further important to mention that some interested members of the public also attended the meeting.

The implementation guidelines of the program were presented to the public and the purpose of the meeting explained.

At the meeting, beneficiaries were given the opportunity to propose and second members that they wish to serve on the Decentralized Build Together Committee for Walvis Bay. Only those beneficiaries and applicants that stay within the geographical area of Walvis Bay were proposed to serve on this committee. Members would serve voluntarily and for a period of three (3) years.

The following public members were nominated to serve on the Decentralized Build Together Committee for Walvis Bay: -

No	Name & Surname	ID Number	Gender	Cellphone number
1	Alfeus Metirua	80071100091	Male	081 4433123 / 4751234
2	Abocio Sambiliye	93101500257	Male	081 6887501
3	Maureeb G Somae's	78010800104	Female	081 2592212
4	Jacqueline Harases	73090700190	Female	081 208 5551
5	Martha Kaluvi	91100600965	Female	081 3903166
6	Thomas Baisalco	65060101002	Male	081 8718116

In addition to the above proposed members, Council should consider the municipal staff members below to be part of the Decentralized Build Together Program Committee for efficient implementation of the Build Together Program.

No	Name & Surname	Position
1	Mr. Jack R Manale	Manager: Housing and Properties
2	Mr. Johannes Kaulihowa	Assistant Officer: Properties & Accommodation (Build Together Program)
3	Mr Malvin Jansen	Building Inspector

The Manager of Housing and Properties will be considered as the Chairperson of the DBTPC, whilst the Assistant Officer: Properties and Accommodation will be considered as the Secretary to the DBTPC. The building inspector will serve as an advisor to the committee. The conditions of appointment of the municipal staff members to serve as DBTPC members in terms of Section 27 (3) will be determined by the Minister as prescribed by Section 27 (4) of the act, which determines as follows:

“Section 27 (4): *An appointment made by the Minister under subsection (3) shall be for such period and subject to such conditions as the Minister may determine and specify in such appointment “.*

Sections 27 – 29 of the National Housing Development Act (Act No 23 of 2000) stipulates the terms of reference and functions of the Decentralized Build Together Committee.

RECOMMENDED:

- (1) That approval be granted that the following members be recommended for appointment by the Minister of Urban and Rural Development to voluntary serve on the Walvis Bay Decentralized Build Together Program Committee for a period of three (3) years in terms of Section 27 (1) and (3) of the National Housing Development Act (Act No 28 of 2000):-

No	Name & Surname	ID Number	Gender	Cellphone number
1	Alfeus Metirua	80071100091	Male	081 4433123 / 4751234
2	Abocio Sambiliye	93101500257	Male	081 6887501
3	Maureeb G Somae's	78010800104	Female	081 2592212
4	Jacqueline Harases	73090700190	Female	081 208 5551
5	Martha Kaluvi	91100600965	Female	081 3903166
6	Thomas Baisalco	65060101002	Male	081 8718116
7	Mr. Jack R Manale	Manager: Housing and Properties		
8	Mr. Johannes Kaulihowa	Assistant Officer: Properties & Accommodation (Build Together Program)		
9	Melvin Jansen	Building Inspector		

- (2) That the proposed names in (1) above be submitted to Ministry of Urban and Rural Development for appointment in terms of Section 27 (1) and (3) of the National Housing Development Act (Act no 28 of 2000).

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11.9 **Application to purchase Portion 19 of Farm 37 Walvis Bay: Walvis Bay Backyard Tenants Group** (Add. No. 9; M/C Meeting 19/03/2024; File: Farm 37)

The purpose of this report is to recommend, amongst others, that unserviced Portion 19 (A portion of Portion 3) of Farm 37, Walvis Bay, 464 754 m² in extent, be sold by private transaction to Backyard Tenants Investment CC (the applicant), for construction of low-income houses for their members.

Council at its Ordinary meeting held on 25 July 2023 under item 11.27, inter alia resolved as follows: -

- “(1) That conditional approval be granted to Walvis Bay Backyard Tenants Group (the applicant), for the purchase of unserviced/unsurveyed Portion 19 of Remainder Farm 37.*
- (2) That the applicant with the technical assistance from the Town Planning section and at its own cost and risk attend to the town planning matters.*
- (3) That once the planning matters in (2) above has been completed within 12 months, a comprehensive report with recommendations be submitted to Council for consideration of the final application.*
- (4) That if the applicant fails to submit matters as per clause (3) above, this Council resolution be regarded as null and void.*

- (5) *That the applicant formalizes the Community Saving Group and submit documents to Council within 3 months “.*

The applicant was informed of the Council resolution as per letter dated 07 August 2023.

The applicant partially attended to the conditions as set out in clauses (2) and (5) of the above Council resolution.

1. The company registration documents; and
2. The proposed layout plan of the area has been submitted. The township layout plan indicates that Portion 19 of Farm 37 consist of seven hundred and fifty-three erven and remainder street, that comprises of the following: -
 - 686 single residential erven
 - 9 General residential erven
 - 3 institutional
 - 28 General business
 - 23 Public Open Spaces
 - 4 Utility Services
 - Remainder street
3. The planning matters regarding the establishment of township on Portion 19 of Remainder Farm 37 will now be submitted to the Urban and Regional Board for approval and subsequent registration in the Deeds Office.

The opinion is held that the process of final township approval and land allocation can now run parallel to speed up the provision of civil works to provide infrastructure and to start with relocation of members.

The applicant in its initial application requested Council to avail not less than 1000 plots for the envisaged housing project in Walvis Bay. As Portion 19 will only deliver 686 single residential erven, the opinion is held that this amount of single residential erven could suffice to serve as a first phase of the project to provide housing to the members.

This development will uplift the much talked about Farm 37 and set a trend for other developments to follow. In view of other developments on Farm 37, the opinion is also held that this area is strategically positioned for the members of the community.

The application will bring much needed houses to Walvis Bay and the application by Backyard Tenants Investment CC is thus supported.

The applicant, in their proposal, has not made any offer to purchase land from Council. Council allocated unserviced portions of land to community saving schemes at N\$3.00/m², during 2009. To assist this community saving scheme, it is recommended that the purchase price of the unserviced land be set at N\$5.00/m² (N\$ 2 323 770.00)

RECOMMENDED:

- (1) That ±464,754 m² of unserviced/unsurveyed Portion 19 of Farm 37, be sold by private transaction to Backyard Tenants Investment CC (the applicant), at N\$5.00/m².
- (2) That all erven not zoned single residential erven revert back to Council.

- (3) That the applicant be reimbursed for these erven to revert back to Council based on actual development cost, to be verified by the General Manager: Roads and Building Control.
- (4) That the applicant, at its own cost, advertises the sale by private transaction for objections in terms of the provisions of Section 63(2)(b) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended.
- (5) That, in terms of Section 30(1)(t) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended, and Section 63 of the Local Authorities Amendments Act, 2018 (Act 3 of 2018), the approval of the Minister of Urban and Rural Development be obtained.
- (6) That the applicant submits the necessary Environmental Impact Assessment Study (EIAS) and Environmental Clearance Certificate, in terms of Section 56 of the Environmental Management Act, Act 7 of 2007, from the Ministry of Environment, Forestry and Tourism, Directorate: Environment Affairs, for the development of Portion 4 of Remainder Farm 37.
- (7) That after all approvals have been obtained, the agreement of sale be signed and a 10% deposit of the purchase price be paid on the date of sale, and the balance be paid within 36 months from the date of sale as per the Sale/ Lease of Land Policy of Council.
- (8) That, the applicant pays 10% of the purchase price towards the landscaping fund at the date of sale.
- (9) That the applicant contributes to the actual cost of the provision of bulk services, where the Department Roads and Building Control determines the exact contribution when final designs of bulk services are approved.
- (10) That the applicant, at own cost, do all and/or or any required ground works, provides all outstanding services and adheres to the guidelines/standard requirements for all services, i.e. water connection, water/sewerage/electrical reticulation, tarred roads and that such services be donated to Council, free of charge.
- (11) That electrical requirements/services and/or any other information in this regard, be taken up with ERONGO RED.
- (12) That the applicant shall commence with development within twenty- four (24) months from the date of transfer in the Deeds Office, and that such development be completed within thirty-six (36) months from such date of transfer; failing to comply would result in the undeveloped erf/erven to revert back to Council at the cost of the applicant.
- (13) That the applicant be informed that the business relationship and transaction can only be concluded and become effective once Section 21 of the Financial Intelligence Act, 2012 (Act No.13 of 2012) read together with Section 26 of the said Act, is complied with, and that it is required from the applicant to provide such information at such time and in such format as instructed by the Anti-Money Laundering Compliance Officer of the Municipality of Walvis Bay.
- (14) That the applicant enters into a development agreement with the Council whereby the above requirements are captured.

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11.10 **Application for industrial land Farm 58: Sunflower Namibian Oil Production CC**
(Add. No. 10; M/C Meeting 19/03/2024; File: 17/28/2)

The purpose of this report is to recommend that approval be granted to reserve Portion 44 of Remainder Farm 58, for Sunflower Namibian Oil Production CC (the applicant) for the construction of a sunflower production facility.

The applicant submitted a first application on 12 December 2023, for the establishment of a sunflower production facility in Walvis Bay. In response the applicant was informed to submit concrete information for assessment purposes before its application can be considered by Council.

It is worth mentioning that the above information required, included the assessment requirements for a project of this magnitude submitted by the Namibia Investment Promotion and Development Board.

Subsequently the applicant submitted its updated application and required information as per letter dated 15 January 2024.

Sunflower Namibian Oil Production is a Namibian owned company.

As mentioned, the applicant, together with its private partners, wish to establish and develop a sunflower production (cooking oil) facility in Namibia. They have identified Walvis Bay as the ideal location for this purpose and applied for 10 Ha of land.

Portion 44 of the remainder of Farm 58 has been identified as suitable for this development.

Walvis Bay has been experiencing significant growth over the last six years and this is expected to continue. The Government of Namibia, in terms of the second Harambee Prosperity Plan, has identified Walvis Bay as the growth point for industrialization. This initiative also responds to the growth at home strategy announced by His Excellency the President of Namibia.

From an economic development point of view the establishment of a sunflower production facility should contribute hugely to employment creation and poverty alleviation in Walvis Bay and is thus supported.

The process of township establishment of Farm 58 has been partially completed and the official registration of portions is now with the Deeds Office. However, the Town Planning process for the Remainder of Farm 58 still needs to be attended to.

The preliminary subdivision (internal) was completed and with the input from other stakeholders the final layout should be prepared soon.

The opinion is therefore held that once subdivision of the required portion and other related matters have been finalized, negotiations be entered into with the applicant for the lease or outright sale of the portions of land, and a further comprehensive report be submitted to Council.

RECOMMENDED:

- (1) That approval be granted that Portion 44 of Remainder Farm 58 be reserved for Sunflower Namibian Oil Production CC (the applicant) for the envisaged sunflower production facility.
- (2) That the applicant in conjunction with the Town Planning Section and at own risk/cost, attends to planning related matters.

- (3) That the applicant at its own risk and on its own cost conduct an Environmental Impact Assessment (EIA), Environmental Management Plans (EMPs), Risk Management Plans (RMPs) and any other statutory assessment, studies and processes necessary, and obtain clearance from the Environmental Commissioner.
- (4) That, once (2) and (3) above have been completed, a further comprehensive report with recommendations be submitted to the Council for consideration.
- (5) That the applicant be invited to present its development proposal to Council before the item is submitted for consideration.
- (6) That the processes in (2) and (3) above be completed within 12 months, failing that this Council approval be regarded as null and void.

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11.11 Application to purchase a portion of Portion 9 of Farm 42 Langstrand and Caretakers Residence: Ocean Key Development (Add. No. 11; M/C Meeting 19/03/2024; File: PTN 1 of Farm 42)

The purpose of this report is to recommend that a previous resolution of Council, in which an offer to purchase a portion of land and improvements was made to Ocean Key Developments, be rescinded.

Council at its Ordinary Meeting held on 05 October 2023 under item 11.8, resolved as follows:

"That a portion of Portion 9 of Farm 42, in extent $\pm 1000 \text{ m}^2$, be sold by private transaction to Mr Gunther Heimstadt – Ocean Key (the applicant) at a purchase price of N\$3,566,400.00.

- (1) *That the applicant reimburses the Council N\$780,500.00 for improvements on the property.*
- (2) *That the Ministry of Urban and Rural Development be consulted on the proposed sale and its conditions in terms of Section 30(1)(t) read with section 63(2) of the Local Authorities Act, 1992 (Act 23 of 1992).*
- (3) *That the applicant, at its own cost, advertises the sale by private transaction for objections in terms of the provisions of Section 63(2)(b) of the Local Authorities Act, 1992 (Act 23 of 1992).*
- (4) "

The portion of Portion 9 of Farm 42 refers to the area of land on which the VIP Chalet/Caretakers Residence at the Langstrand Resort, is located.

During 2012, this portion of land was valued at N\$ 1 250 m² and offered as such to the applicant, with concomitant town planning issues which had to be attended to. Since then, no progress has been made by the applicant.

The Council resolution referred to above deals with a renewed application from the applicant to purchase the portion of land and improvements, with the further intention to continue with the Ocean Key Hotel Development.

The above Council resolution deals with both the land value of the property (escalated with 10% per annum) and its improvements.

The applicant was informed of the Council resolution as per the letter dated 18 October 2023.

The applicant, as per the self-explanatory letter issued requested the Council to review and re-consider the purchase price of the land. The purchase price offered to the applicant was determined based on the valuation of March 2012, plus an escalation of 10% per annum. This report therefore deals with the value and purchase price of the land only.

The applicant is of the opinion that the offered price of the land is too high and has obtained two independent valuations from Ingo Buchert Valuation Services and Property Valuations Namibia.

The valuations received therefore indicates that the land was valued at N\$950/m² and N\$1,350/m², respectively. These two valuations can be averaged at N\$1,150/m².

It is worth mentioning that there is not much difference between the valuation of March 2012 (N\$1 250/m²) and the average valuation of the two valuers (N\$1 150/m²). It is also acknowledged that land values in Walvis Bay did not increase significantly over the past 10 years, in fact, based on these new valuations, it seems as if land values have decreased.

The opinion is thus held that the request of the applicant be favorably reconsidered by Council, particularly with the intent to encourage the commencement of the much-needed hotel facility at Langstrand.

RECOMMENDED:

That the Council resolution of Item 11.8, dated 05 October 2023 be reaffirmed.

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11.12 Application to purchase Erf 6409 Walvis Bay, Extension 14: A Van Der Walt Transport Namibia (Pty) Ltd (Add. No. 12; M/C Meeting 19/03/2024; File: 6409 W)

The purpose of this report is to recommend that Erf 6409 Walvis Bay, Extension 14, be sold by private transaction to A van der Walt Transport Namibia (Pty) Ltd (the applicant).

The original Erf 5166 was a big erf in Extension 14, 81 561 m² in size. Together with the other erven of Ext 14, this erf was advertised for sale on various occasions through public bidding and private treaty sales. Although there has been significant interest in Ext 14, Erf 5166 was not secured for purchase by any developer. The opinion was held that the size of the erf impacted the purchase price thereof and rendered it unaffordable. Hence the Council approved that Erf 5166 be subdivided into Remainder Erf 5166 Walvis Bay and erven 6409, 6418 and 6420 – 6428 Walvis Bay, Extension 14.

A van der Walt Transport Namibia (Pty) Ltd (the applicant), now applied to purchase Erf 6409 Walvis Bay, measuring 11,568.77 m². Erf 6409 Walvis Bay is a light industrial erf and has access to municipal services.

The applicant is a Namibian company, and the company registration documents have been provided. The primary business of the applicant is the transportation of goods and services, and logistics. The company is currently operating in Extension 12 and needs additional space to expand its operations.

Erf 6409 is strategically located close to the railway line. This location and infrastructure are ideal for envisaged storage and logistic operations.

The aim of the applicant is to expand its current operations in Extension 12 Walvis Bay to enhance its logistic footprint in Walvis Bay. The new facility will offer storage and related facilities to curb the driving of applicant's trucks around town. Trucks will off-load goods at the storage facility and return to original destinations through the C14.

It is against this background that the applicant plans to establish a one stop logistics facility in Walvis Bay.

This anticipated development will generate additional employment opportunities in the Erongo Region. Also, this expansion will be another step towards achieving the objectives of NDP6, Vision 2030 and Sustainable Development Goals (SDG 9).

The sale of erven in extension 14 has been a priority for the Council, particularly as this extension has been fully developed by the Council at considerable cost.

In view of the above, the application for sale of Erf 6409 Walvis Bay to A van der Walt Transport Namibia, is supported.

Regarding the purchase price, the applicant has not made an offer, but Council, during 2023 advertised for the sale of light industrial erven at Walvis Bay Extension 14, for N\$ 500/m² plus 15% VAT. The opinion is therefore held that N\$500.00/m² be set as the purchase price for the sale of Erf 6409 Walvis Bay, Extension 14.

RECOMMENDED:

- (1) That Erf 6409 Walvis Bay, Extension 14, in extent 11,568.77 m², be sold by private transaction to A van Der Walt Transport Namibia (Pty) Ltd (the applicant) at N\$500.00/m² plus 15% VAT.
- (2) That the applicant, at its own cost, advertises the sale by private transaction for objections in terms of the provisions of Section 63(2)(b) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended.
- (3) That the Ministry of Urban and Rural Development be consulted, and approval be obtained on the proposed sale and its conditions in terms of Section 63 of the Local Authorities Act, 23 (Act 23 of 1992).
- (4) That after all approvals have been obtained, the agreement of sale be signed and a 10% deposit of the purchase price be paid on the date of sale, and the balance be paid and/or secured by an acceptable bank guarantee within 120 days from the date of sale.
- (5) That an amount equal to 10% of the purchase price be paid on the date of sale toward the landscaping fund.
- (6) That the applicant, at own cost, do all and/or or any required ground works, provides all outstanding services and adheres to the guidelines/standard requirements for all services, i.e., water connection, water/sewerage/electrical reticulation.
- (7) That electrical requirements/services and/or any other information in this regard, be taken up with Erongo RED.

- (8) That the applicant be informed that the business relationship and transaction can only be concluded and become effective once Section 21 of the Financial Intelligence Act, 2012 (Act No.13 of 2012) read together with Section 26 of the said Act, is complied with, and that it is required from the applicant to provide such information at such time and in such format as instructed by the Anti-Money Laundering Compliance Officer of the Municipality of Walvis Bay.

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11.13 **Application to purchase Remainder Erf 5166 Walvis Bay and Erven 6420 To 6428 Walvis Bay, Extension 14: Road Fund Administration** (Add. No. 14; M/C Meeting 19/03/2024; File: Rem 5166 W & 6420 – 6428 W)

The purpose of this report is to recommend that Remainder Erf 5166 Walvis Bay and erven 6420 – 6428 Walvis Bay, Extension 14, be sold by private transaction to the Road Fund Administration (RFA).

The original Erf 5166 was a big erf in Extension 14, 81 561 m² in size. Together with the other erven of Ext 14, this erf was advertised for sale on various occasions through public bidding and private treaty sales. Although there has been significant interest in Ext 14, Erf 5166 was not secured for purchase by any developer. The opinion was held that the size of the erf impacted the purchase price thereof and rendered it unaffordable. Hence the Council approved that Erf 5166 be subdivided into Remainder Erf 5166 Walvis Bay and erven 6409, 6418 and 6420 – 6428 Walvis Bay, Extension 14.

The RFA now applied to purchase Remainder Erf 5166 Walvis Bay and erven 6420 – 6428 Walvis Bay, Extension 14, measuring in total 44,000 m².

The RFA is a Namibian parastatal that was established during April 2000 as per the Road Fund Administration Act (Act 18 of 1999). The primary aim of the RFA is managing the user charging system to secure and allocate sufficient funding for a safe and efficient road sector in Namibia. All NaTIS functions are executed by the RFA.

Currently NaTIS operations and functions are scattered all over Walvis Bay. Driver testing and licensing is carried out at the Civic Centre while roadworthy testing and licensing for small vehicles are done at the Natis office (Traffic Offices). Inspections and driver testing for heavy vehicles are conducted at the weighbridge.

To address the challenges towards effective service delivery, the RFA wishes to acquire the above erven with the aim to establish a facility where NaTIS functions are consolidated at one place and thereby enhancing customer service and streamline service delivery.

These erven are light industrial erven and have access to municipal services. They are strategically located with regard to the railway line and proximity to the broader NaTIS client base. This location and infrastructure are therefore perceived ideal for the envisaged NaTIS One-Stop Centre. The RFA intends to consolidate these erven to enable the establishment of the one-stop centre.

This anticipated development will generate additional employment opportunities in the Erongo Region. Also, this expansion will be another step towards achieving the NDP6, Vision 2030 and Sustainable Development Goals (SDG 9).

The sale of erven in extension 14 has been a priority for Council, particularly as this extension has been fully developed by Council at considerable cost.

In view of the above, the application for the sale of Remainder Erf 5166 Walvis Bay and erven 6420 – 6428 Walvis Bay, Extension 14, to the RFA, is supported.

Regarding the purchase price, the applicant has not made an offer, but Council, during 2023 advertised for the sale of light industrial erven at Walvis Bay Extension 14, at N\$ 500/m² plus 15% VAT. The opinion is therefore held that N\$500.00/m² be set as the purchase price for the sale of these erven.

RECOMMENDED:

- (1) That Remainder Erf 5166 Walvis Bay, Extension 14, and erven 6420 – 6428 Walvis Bay, Extension 14, in extent 44,000 m² in size, be sold by private transaction to the Road Fund Administration (RFA) at N\$500.00/m² plus 15% VAT.
- (2) That the RFA, at its own cost, advertises the sale by private transaction for objections in terms of the provisions of Section 63(2)(b) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended.
- (3) That the Ministry of Urban and Rural Development be consulted, and approval be obtained on the proposed sale and its conditions in terms of Section 63 of the Local Authorities Act, 23 (Act 23 of 1992).
- (4) That after all approvals have been obtained, the agreement of sale be signed and a 10% deposit of the purchase price be paid on the date of sale, and the balance be paid and/or secured by an acceptable bank guarantee within 120 days from the date of sale.
- (5) That an amount equal to 10% of the purchase price be paid on the date of sale toward the landscaping fund.
- (6) That the RFA, at own cost, do all and/or or any required ground works, provides all outstanding services and adheres to the guidelines/standard requirements for all services, i.e., water connection, water/sewerage/electrical reticulation.
- (7) That electrical requirements/services and/or any other information in this regard, be taken up with Erongo RED.
- (8) That the applicant be informed that the business relationship and transaction can only be concluded and become effective once Section 21 of the Financial Intelligence Act, 2012 (Act No.13 of 2012) read together with Section 26 of the said Act, is complied with, and that it is required from the applicant to provide such information at such time and in such format as instructed by the Anti-Money Laundering Compliance Officer of the Municipality of Walvis Bay.

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11.14 **Request for three members of the Junior City Councillor and their supervisor to travel to Victoria Falls, Zimbabwe to the Junior Councillors annual national conference taking place from 11 April to 14 April 2024** (Add. No. 15; M/C Meeting 19/03/2024; File: 3/4/6)

The purpose of this submission is to request for approval from the Council for three (3) Junior Councillors, namely Cllr Fisabo Mapalo (Jnr Mayor), Cllr Gabriel Rabanus (Jnr Deputy Mayor) and Cllr Ellen Shitilwapo (Jnr CEO) accompanied by their Supervisor Ms Shirley Tjaveondja (PA to the Mayor) to attend, on invitation by the National Junior Councils Association of Zimbabwe (NJCA), The 2024 Junior Councillors annual National Conference to be held at the Elephant Hills Hotel, in the City of Victoria Falls, Zimbabwe, from 11-14 April 2024.

During the celebration of World Children Day, the Office of the Mayor met with Mr Shingirirai Chikazhe, NJCA Executive Director. Discussions were held regarding the constitutions of the two countries JCC's and how as Supervisors we can assist and help grow the fundamentals within these constitutions to stand strong and play a supporting role for the JCC in making it possible to reach the Children's Parliament as well as exchange meaningful knowledge and experiences.

The Junior Councils are Institutions in which children and young people impact decision making and socio-economic expansion in their societies. The JCC of Walvis Bay has been in existence since 14 August 1997 and currently consist of 28 members from nine (9) high schools. The Office of the Mayor is in the process to include the 10th school as well as amend the constitution of the JCC of 2015. The aim and objectives of the JCC as per said constitution is "to appoint pupils with the leadership qualities from local secondary schools to serve on the council and which pupils with the aim of:

- Developing pupils with strong leadership qualities
- Having pupils become accustomed to the procedures of meetings.
- Being a mouthpiece for the youth of Walvis Bay and to act in the interest of the youth in order to afford the Youth the opportunity of contributing to the working of the community.
- Endeavouring to enable the Youth to increase the welfare and prosperity of the local community.
- Undertaking on an annual or bi-annual basis, such projects which the foresaid aim could be achieved.
- Receiving funds for the aforesaid aims and purposes
- To report back to the senior schools, information pertinent to senior city council and Civic affairs
- To create linkage between the youth of Walvis and the city council.

In comparison, for Zimbabwe, the institutions are situated in all the 10 Provinces of Zimbabwe and in all 92 Local Authorities. Junior Council has been in existence for a period ranging over sixty-five (65) years whereas several are still in their nursing stages. Children participating in different Councils are accorded a platform to contribute towards transformation in public matters and local governance subjects to improve service delivery that addresses children and young peoples' issues such as education, health care, recreational facilities amongst many other areas that promote the positive upbringing of the younger generations.

Junior councils have played a pivotal role in merging a gap resolution in the direction of the arrangement of children's concerns in different Zimbabwean societies therefore making an approachable environment for children unrestricted from risky traditional, communal, profitable, and administrative exercises which deploy children and young people in societies.

Junior Councillors convey numerous developments to guarantee child friendly societies by empowering children and young people in their societies through the support and guidance they get from the Government of Zimbabwe and other stakeholders. Nonetheless, Junior Councillors still require more capacitation and a collective approach in supporting their initiatives and programs.

The Annual National Conference initiated by NJCA is recognized by Local Authorities and the Ministry of Local Government and Public Works as an occasion that ought to be held at the end of every year so as to allow Junior Councils to come and share their activities, projects as well as to share solutions to improving their mandate towards local governance and service delivery through coming up with a position paper which will be their monitoring and evaluation report accompanied by possible solutions. This stage is going to be used by Junior Councils to share familiarities, achievements/success stories as well as challenges. Junior Councillors attending the conference are going to come up with strategies to contribute towards the Government efforts to eradicate alcohol, drug and substance abuse by children and youths. The Conference provides the attending Councils with a blueprint that amounts to the improvement of their operations after acquiring information that they made in the previous year and correct the faults made.

On that note, the 2024's Annual National Conference will be held in Victoria Falls running under the theme: 'Intergenerational Solidarity: Promoting Local Government for All Ages.' The Conference expected to be graced by Junior Councils from all the provinces of Zimbabwe. The event will see to the great development on how the civic value children's concerns in Zimbabwe as NJCA continues to promote, protect and respect Children's participation and contribution in local governance and service delivery issues.

Due to the JCC financial constraints, the JCC Supervisor through the Office of the Mayor requests Council to cover the air tickets, accommodation, local travels and per diems for the attendance of the three (3) Junior Councillors and their supervisor.

Financial implications for Council:

The cost of the trip will be as follows:

Conference Fees (Funded)	-	N\$ 0
Accommodation (4 people):	-	N\$ 31,344.88
Flights (4 people):	-	N\$ 29,240.00
Meal Allowance (Funded)	-	N\$ 0
Local Transfers and transport (Funded)	-	N\$ 0

TOTAL TRAVELLING COST **N\$60,584.88**

RECOMMENDED:

- (1) That Council takes note of the invitation by The National Junior Councils Association of Zimbabwe (NJCA), and approves for the Junior Councillors, Cllr Fisabo Mapalo (Jnr Mayor), Cllr Gabriel Rabanus (Jnr Deputy Mayor) and Cllr Ellen Shitilwapo (Jnr CEO) accompanied by their Supervisor Ms Shirley Tjaveondja (PA to the Mayor), to attend the 2024 Junior Councillors Annual National Conference to be held at the Elephant Hills Hotel, in Victoria Falls, Zimbabwe, from 11-14 April 2024, subject to Ministerial approval.
- (2) That all costs amounting to N\$60,584.88 of traveling and lodging be defrayed from vote 0740/0783/0000 (S&T Foreign Travel) and be approved by Council.

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

None received.

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13. **Minutes of associations**

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

No minutes have been received.

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

No minutes have been received.

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

No minutes have been received.

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