

Minutes

of Ordinary Council Meeting of the Local Authority Council of Walvis Bay, held in the
Kuisebmond Council Chambers, Nathaniel Maxuillili Avenue, Walvis Bay on Tuesday 04
March 2025 at 18:00

Present:

Councillors

Councillor T Forbes (Chairperson)
Councillor S Mutondoka
Councillor R Hoaeb
Councillor L Victor
Councillor O Andrews
Councillor R Bramwell
Councillor P Kauhondamwa
Councillor A Nkoshi
Councillor E Shozi

Officials

Chief Executive Officer (VN Kapenda)
General Manager: Roads and Building Control (T Potgieter)
General Manager: Community and Economic Development (E Mwanyekange)
Acting General Manager: Finance (A Van Den Heever)
Acting General Manager: Water, Waste and Environmental Management (H Shikongo)
Acting Manager: Public Relations and Customer Service (A Kaihiva)
Communications Officer (K Stoffels)
Personal Assistant to the Mayor (S Tjaveondja)
Acting Corporate Officer (G !Gaoses)

Other:

Members of the media: One (1) Members
Members of the public: Twenty-four (24) Members

f DC

1. **OPENING** (File 3/1)

The Chairperson invited Mrs Sharon Roodt, a member from the gallery, to open the meeting with a prayer. Thereafter the Chairperson welcomed all members present and declared the meeting as officially open.

=====

2. **ADOPTION OF AGENDA AND DECLARATION OF INTEREST**

The Chairperson declared interest in Item 11.4 and stated that he would excuse the meeting for the discussion of the item.

The agenda was then adopted.

=====

3. **APPLICATION FOR LEAVE OF ABSENCE BY MEMBERS OF COUNCIL** (File 3/3/1/4)

Councillor R Gordon.

=====

4. **CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

4.1 On a proposal by Councillor O Andrews, seconded by Councillor P Kauhondamwa, it was:

RESOLVED:

That the minutes of the Special Council Meeting held on Tuesday 28 January 2025 be confirmed and approved.

4.2 On a proposal by Councillor R Hoaeb, seconded by Councillor O Andrews, it was:

RESOLVED:

That the minutes of the Ordinary Council Meeting held on Tuesday 28 January 2025, be confirmed and approved with the corrected typing error on "Governor" at the bottom of Page 02 of the minutes.

=====

5. **INTERVIEWS WITH DEPUTATIONS OR PERSONS SUMMONED OR REQUESTED TO ATTEND MEETING** (File 3/3/2/3/2)

Tuesday 11 February 2025
Green Earth Trading and Farming

=====

6. **STATEMENTS AND COMMUNICATIONS**

- Honorable Regional Councilors
- Fellow Honorable Councillors
- Mrs. Victoria Nelago Kapenda, Chief Executive Officer of the Municipality of Walvis Bay
- Members of Management and staff of the Municipality of Walvis Bay



- Members of the Media
- Ladies and Gentlemen

Today, we gather in unity and remembrance, reflecting on our past, addressing our present, and forging a path for our future.

First and foremost, it is with profound sorrow that we acknowledge the passing of a titanic figure in our history—the Founding Father of Namibia, His Excellency, Dr Sam Nujoma. An unshakeable spirit and a tireless champion for the people of Namibia, he dedicated his life to the struggle for independence and the establishment of a fair and equitable Namibia. His vision was one of unity, peace, and prosperity—principles that have shaped the very fabric of our nation.

Dr Sam Nujoma believed in the potential of every Namibian to contribute to a better tomorrow. He fought for the rights of the disenfranchised, emphasizing the importance of education, culture, and sustainability. His legacy is an enduring reminder of the power of resilience and hope.

As we pay our respects, let us also commit ourselves to upholding his vision, a Namibia where every individual has the opportunity to thrive, where our rich cultural heritage is celebrated, and where environmental sustainability is prioritized.

In our pursuit of this vision, we must also confront the challenges we face today. One pressing issue that the Council is currently facing is the current refuse removal.

It has been an ongoing concern for many in our community, and it is important that we as a Council act decisively to restore order and cleanliness to our streets.

To address this, I am pleased to announce that the Council has appointed additional temporary staff dedicated to the removal of refuse. Furthermore, we have subcontracted two reputable companies, each providing two refuse removal trucks, to enhance our capacity and efficiency in waste management.

This combined effort is a step toward ensuring that our community remains clean and that we uphold the health and safety of our environment. In the coming days, the Public Relations department will communicate the new refuse removal schedule to all residents.

We encourage our community to remain patient and active in our efforts to improve sanitation services. By working together, we can navigate these challenges and create a cleaner, more sustainable habitat for all.

Additionally, I would like to update everyone on the ongoing pothole problem that has been a significant concern for our residents. I am pleased to report that our in-house pothole repair team is now fully functional. They are currently busy with repairs on Sam Nujoma Road and Nathaniel Maxuili Avenue to ensure safer travels for all.

To escalate the repair and maintenance of our town's roads, a three-year contract will soon be awarded. This initiative will allow us to systematically address the road condition issues that have affected our community.

Moreover, I want to highlight that the Council is currently executing a Tripartite Contract with the Roads Authority (RA) and the Roads Fund Administration (RFA) for the refurbishment of national roads leading into Walvis Bay and into the Port. This collaborative effort aims to enhance our transport infrastructure and ensure that our roads meet the demands of our growing economy.

A pair of handwritten signatures in black ink, one appearing to be 'X' and the other 'DC'.

The municipality of Walvis Bay is driven to make significant efforts in both youth climate action and crime reduction.

The extension of the applications for the Youth Climate Action Fund project round two closing date to March 14, 2025, provides more opportunities for youth-focused climate projects.

The Council will soon undertake a pilot project for CCTV installation in Walvis Bay suburbs. This is a strategic move to assess which expert can provide the most cost-effective and efficient solution for enhancing safety in crime hotspots. Proper evaluation can help ensure that the council invests wisely and effectively addresses crime in our town.

In its quest to improve service delivery and learn from other local authorities, the Municipality of Walvis Bay signed a revised inter-municipal agreement with the Nkurenkuru Town Council on February 21, 2025.

This agreement aims to develop and broaden cooperation in several areas, including human resource development, technical services, and environmental and land management. Additionally, it seeks to promote business partnerships between the two towns, fostering collaboration and sharing best practices for mutual benefit.

In closing, let us remember the legacy of Dr Sam Nujoma as we strive to overcome the obstacles before us. Together, as a Council and as a community, we will honor his memory by building a brighter future for Namibia, where our infrastructure reflects our values and our service to our residents is unwavering.

Thank you.

=====

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

No petitions were received.

=====

8. **MOTIONS OF MEMBERS** (File 3/3/1/1)

The Chairperson invited Councillor R Bramwell to read his Motion Number 28 – Titled: “Ring-fencing of Council revenue streams for the betterment of roads and parks”

After the motion was read, the Chairperson informed the meeting that as the motion was unopposed but contains financial and possibly legal implications, the motion is now referred to the Management Committee.

=====

9. **ANSWERS TO QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN** (File 3/3/1/2)

None.

=====

8 ① C

10. REPORT OF THE MANAGEMENT COMMITTEE FOR FEBRUARY 2025

[Report referred to in section 26(1)(e) of the Local Authorities Act]

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.

10.1 Invitation to participate in Seatrade Cruise Global 2025: Request for approval in principle for the Chief Executive Officer to attend the event (Add. No. 20; M/C Meeting 18/02/2025; File 3/4/6)**The Management Committee RESOLVED:**

That the Management Committee approves, under Clause 1.1.7 of the Councils Delegation of Powers Policy, the attendance of the Seatrade Cruise Global 2025 that will be held in Miami, Florida, USA from 7 to 10 April 2025, by the Chief Executive Officer, provided that a full travel plan and expenditure for the trip submitted to the next Management Committee Meeting.

=====

11. RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE FOR FEBRUARY 2025

The Chairperson of the Management Committee individually proposed the recommendations of the Management Committee to the Council for consideration - Rule 22(2), and unless there are dissentient votes against a recommendation each recommendation is regarded as seconded Rule 22(5) and adopted by general consensus.

11.1 Outcome of the Namibian Association of Local Authority Officials 21st Annual General Meeting – Conference Declaration/Communiqué and election of National Executive Committee and Regional representatives (Add. No. 1; M/C Meeting 18/02/2025; File 12/1/2/1/11) (OCM No. 01/2025/03/04)**The Municipal Council RESOLVED:**

- (1) That the feedback report of the 21st Annual General Meeting and Conference of the Namibian Association of Local Authority Officials (NALAO) be noted.
- (2) That the election of the Chief Executive Officer of the Municipality of Walvis Bay, Mrs Victoria Nelago Kapenda, as Vice President of the Association for the period 2025-2026 be noted with appreciation, and that the Council re-affirms that its Subsistence and Travelling Policy remains applicable for the expenses incurred for her attendance of events of the Association in her role and capacity of vice President for the 2025-2026 term of office.
- (3) That special leave be granted to Mrs Victoria Nelago Kapenda to the maximum of 10 days per twelve-months period to attend any meetings or event of NALAO, provided that the usual proof of invitation to attend such meetings is presented.
- (4) That should the 10 days in any twelve-month period be exhausted before the end of that period, any additional special leave that may be required, be dealt with administratively by the Chairpersons of the Council and the Management Committee as per clause 1.2.1 of the Council's Delegation of Powers Policy dated 2 December 2008, as amended.

(5) That the Municipal Council condones both the attendance of the NALAO National Executive Committee Induction and Annual Planning Session held in Windhoek from 28 to 30 January 2025 by Mrs Victoria Nelago Kapenda, and the payment of the necessary subsistence and travelling expenses as per the Council's Subsistence and Travelling Policy.

=====

11.2 **Amendment of Delegation of Powers regarding the control and use of public halls to ensure efficiency and timeous action where needed** (Add. No. 2; M/C Meeting 18/02/2025; File 2/7/2 & 7/1/5/1/1/1) (OCM No. 02/2025/03/04)

The Municipal Council RESOLVED:

That Delegation of Powers 4.1.13 and 4.2.1 (reservation approval) be replaced and substituted with the following delegated powers and it be numbered appropriately in the Delegation of Powers Policy:

- (1) To the Chief Executive Officer: Regulation 4(12) – cancellation of confirmed reservation for availing facility for a national event.
- (2) To the Chief Executive Officer: Regulation 2(4) – imposition of additional conditions, 3(2) – exemption for payment of tariff.
- (3) To the General Manager: Human Resources and Corporate Services and the Manager: Corporate Services: Regulation 2(3) – refusal due to non-compliance with regulations, 2(8) – termination of approved reservation due to violation of rules or against public interest, 2(9) – cancellation of use due to violation of rules or deviation from approved use, 2(11) – subletting of facility, 4(3) – approval of reservation application (existing delegated power).
- (4) To the Manager: Corporate Services: Regulation 4(9) – cleaning of facility, 4(10) – entry waiver for cleaning of facility.

=====

11.3 **Request to avail the Narraville Community Hall for the African Continental Dart Tournament from 20 to 22 June 2025** (Add. No. 3; M/C Meeting 18/02/2025; File 7/1/5/1/1/1) (OCM No. 03/2025/03/04)

The Municipal Council RESOLVED:

- (1) That the Municipal Council of Walvis Bay under Regulation 3(2) of its Regulations relation to the Control and Use of Public Halls, grants a once-off approval to the ADS Cheetahs Dart Francise and the African Darts Club for the free use of the Narraville Community Hall from 18 to 22 June 2025 for the hosting of the 2025 African Continental Darts tour's Namibia leg of the competition, as it is in the larger interest of Walvis Bay.
- (2) That a refundable deposit of N\$ 4 000.00 be paid.

=====



At this point the Chairperson excused the meeting based on his declared interest, and Councillor S Mutondoka Chaired the meeting for the discussion of this item.

11.4 **Report on the questions relating to the visit of the Mayor to Ethiopia in September 2024** (Add. No. 21; M/C Meeting 18/02/2025; File 3/3/1/3) (OCM No. 04/2025/03/04)

Councillor Shozi referred the meeting to Rule 20 (1) to (14), of the Standing Rules of Order, and expressed dissatisfaction that his questions were not answered in a question-answer sequence and stated that the recommendation by the Management Committee (MC) does not reflect answers to his questions.

Councillor R Hoaeb then explained that the process followed with travel matters being “resolved” by full Council was in fact wrong, and that MC is the appropriate authority to give travel approval. Councillor Hoaeb further added that the repayment of funds was determined during the attempt to answer Councillor Shozi’s questions and that the recommendation from MC is an effort to correct an oversight.

The meeting agreed that Councillor Shozi’s questions would be submitted directly to the next Council Meeting in a question-answer sequence.

The Municipal Council RESOLVED:

That the subsistence allowance amounting to N\$ 4,305.60, as paid to Councillor T Forbes for 31 August and 01 September 2024, for his visit to Dire Dawa, Ethiopia, for which no formal approval was granted, be refunded to Council.

=====

11.5 **Amendment of Council resolution for Erven 368 and 426 Langstrand Extension 1** (Add. No. 4; M/C Meeting 18/02/2025; File 368/426 L) (OCM No. 05/2025/03/04)

The Municipal Council RESOLVED:

That the item heading of Council Resolution dated 15 August 2024: Item 11.13 be amended to read as:

- (1) That, in accordance with *Section 109(2)(e)* of the *Urban and Regional Planning Act, 2018 (Act No. 5 of 2018)*, the application for the subdivision of Erf 368 Langstrand Extension 1 into Portion A and Remainder Erf 368 Langstrand **Extension 1** be recommended to the Urban and Regional Planning Board for approval, as generally indicated on sketch plan 368.426LB/SP dated 14 May 2024, which bears the approval stamp of the Municipal Council.
- (2) That, in accordance with *Section 105(1)(e)* of the *Urban and Regional Planning Act (Act No. 5 of 2018)*, the application for the consolidation of Portion A (a portion of Erf 368 Extension 1) and Erf 426 Langstrand **Extension 1**, into Portion X be recommended to the Urban and Regional Planning Board for approval, as generally indicated on locality sketch plan 368.426LB/CP dated 14 May 2024, 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).

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

=====

The Chairperson, Councillor T Forbes rejoined the meeting at this point and continued to Chair the meeting.

11.6 **Amendment of Council resolution for Erven 474 and 475 Langstrand Extension 2** (Add. No. 5; M/C Meeting 18/02/2025; File 474/475 L) (OCM No. 06/2025/03/04)

The Municipal Council RESOLVED:

That the item heading of Council Resolution dated 16 July 2024: Item 11.6 be amended to read as:

- (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 474 and 475 Langstrand Extension 2, into New Erf X be recommended to the Urban and Regional Planning Board for approval, as generally indicated on locality sketch plan Annexure B 474_475_LB dated August 2023, 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.

=====

11.7 **Consolidation of Erven 3120 and 3121 Walvis Bay Proper into Portion X and rezoning of consolidated Portion X Walvis Bay from "Single Residential" with a density of (1:300m2) to "Local Business" with a bulk of 1.0** (Add. No. 6; M/C Meeting 18/02/2025; File 3120/3121 W) (OCM No. 07/2025/03/04)

The Municipal Council RESOLVED:

- (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 consolidation of Erven 3120 and 3121 Walvis Bay Proper into Portion X, as generally shown on sketch plan 3120WB/CP dated 02 April 2024, subject to the following conditions:
 - (a) That the conditions presently registered against the erven be cancelled, and be replaced by the following conditions:

S
MC

- (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.
- (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 erf.
- (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 all cost regarding the above be borne by the applicant.

(2) That the Municipal Council recommends for approval the application for the rezoning of Portion X (Erven 3120 and 3121 Walvis Bay Proper) from "Single Residential" with a density of 1 dwelling per 300m² to "Local Business" , to the Urban and Regional Planning Board, in accordance with Section 109(2)(a) of the Urban and Regional Planning Act (Act No. 5 of 2018), subject to the following conditions:

- (a) That, in terms of the Policy on the Levying of Betterment Fees for Local Authorities in Namibia, the applicant pays a betterment fee deposit of 40% of the increase in the municipal land value of the rezoned property, prior to the submission of the application to the Urban and Regional Planning Board.
- (b) That the imposed Betterment Fee be submitted to the Minister of Urban and Rural Development simultaneously with the submission of the rezoning application for approval.

(3) That the Municipal Council grants approval to Stewart Planning to submit the application for the rezoning of Portion X Walvis Bay to the Urban and Regional Planning Board.

(4) That all cost related to the above conditions be borne by the applicant.

=====



11.8 **Consolidation of Erven 98 and 99 Dolphin Beach into New Erf X** (Add. No. 7; M/C Meeting 18/02/2025; File 98/99 DB) (OCM No. 08/2025/03/04)

The Municipal Council RESOLVED:

- (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 98 and 99, Dolphin Beach into New Erf X be recommended to the Urban and Regional Planning Board for approval, as generally indicated on locality sketch plan LOC/98/99DB/LP dated 06 January 2025, 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.
 - (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 erf.
 - (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 all cost regarding the above be borne by the applicant.
 - (j) That the consolidation application be lodged with the Urban and Regional Planning Board in accordance with Section 105(1)(e) of the Urban and Regional Planning Act (Act No. 5 of 2018).



11.9 **Subdivision of Erf 81 Walvis Bay into Portion A, B, C and Remainder Erf 81 Walvis Bay Proper** (Add. No. 8; M/C Meeting 18/02/2025; File 81 W) (OCM No. 09/2025/03/04)

The Municipal Council RESOLVED:

- (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 81 Walvis Bay Proper into Portion A,B,C and Remainder Erf 81 Walvis Bay be recommended to the Urban and Regional Planning Board for approval, as generally indicated on sketch plan ERF 81 WB/SP/ dated 12 September 2024, 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 newly created portion be provided with one electricity, water and sewerage connection.
- (5) 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.
- (6) That any new additions to, alterations to or relocation of municipal services shall be the responsibility of the applicant.
- (7) 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.
- (8) That the applicants shall make suitable arrangements with and to the satisfaction of Telecom Namibia regarding telephone cables and connections.
- (9) That the applicants shall make suitable arrangements with and to the satisfaction of Erongo RED regarding all electricity cables and connections.
- (10) 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.
- (11) 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)*.
- (12) That the applicant/owner 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.



(13) That all costs regarding the above be borne by the owner (applicant).

=====

11.10 **Amendment of Council resolution for Erf 2192 Narraville Extension 1** (Add. No. 9; M/C Meeting 18/02/2025; File 2192 N) (OCM No. 10/2025/03/04)

The Municipal Council RESOLVED:

- (1) That in accordance with Section 109(2)(a) of the Urban and Regional Planning Act, 2018 (Act No. 5, 2018), the application for the subdivision of Erf 2192 Narraville Extension 1 into new Portion A and Remainder Erf 2192 Narraville Extension 1, be recommended to the Urban and Regional Planning Board for approval, as generally indicated on sketch plan ERF 2192 NAR/SUB/DIM/MAP dated OCTOBER 2023, which bear the approval stamps of the Municipal Council.
- (2) That the following conditions be registered against new Portion A and the Remainder of Erf 2192 Narraville Extension 1:
 - (a) 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 subjected to, the provision 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 building value of the main building, excluding the outbuildings to be erected on the erf be at least four times the 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 new erf be provided with one electricity, water and sewerage connection.
- (5) That the applicant shall make suitable arrangements with and to the satisfaction of the Municipal Council regarding road infrastructure, including access to the new erf.
- (6) That any new additions to, alterations to or relocation of municipal services shall be the responsibility of the applicant.
- (7) 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 erf.
- (8) That the Remainder Erf 2192 Narraville Extension 1 be provided with access to the sewer connection situated on the proposed New Portion A.
- (9) That the applicant shall make suitable arrangements with and to the satisfaction of Telecom Namibia regarding telephone cables and connections.
- (10) That the applicant shall make suitable arrangements with and to the satisfaction of Erongo RED regarding all electricity cables and connections.
- (11) That the applicant be held liable for the construction of a firewall where structures are closer than 1,50m to the erf boundary, if not such structures on boundaries be demolished.

8
OC

- (12) That the applicant pays a 7.5% Endowment Fee for the proposed New Portion A (a Portion of Erf 2192) Narraville Extension 1, in terms of 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 the proposed Portion A.
- (13) That all cost regarding the above be borne by the owner (applicant).

11.11 **Amendment of Council resolution for Erf 4208 Walvis Bay, Extension 10** (Add. No. 10; M/C Meeting 18/02/2025; File 4208 W) (OCM No. 11/2025/03/04)

The Municipal Council RESOLVED:

That the item heading of Council Resolution dated 07 November 2023: Item 4.5 be amended to:

- (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 4208 Walvis Bay Extension 10 into Portion A and Remainder Erf 4208 Walvis Bay Extension 10 be recommended to the Urban and Regional Planning Board for approval, as generally indicated on sketch plan ERF 4208 WB/SUB/DIM/MAP dated October 2023, 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 newly created portion be provided with one electricity, water and sewerage connection.
- (5) 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.
- (6) That any new additions to, alterations to or relocation of municipal services shall be the responsibility of the applicant.
- (7) 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.
- (8) That the applicants shall make suitable arrangements with and to the satisfaction of Telecom Namibia regarding telephone cables and connections.

8 (1)

- (9) That the applicants shall make suitable arrangements with and to the satisfaction of Erongo RED regarding all electricity cables and connections.
- (10) 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.
- (11) That a right of way servitude measuring 16m2 in extent be registered over new Portion A in favour of Remainder Erf 4208 Walvis Bay Extension 10, as indicated in sketch plan no ERF 4208WB/SUB/DIM/MAP.
- (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 applicant/owner 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 owner (applicant).

11.12 Application to purchase lease areas, No. 12, 17 and 29 of Farm 38 Walvis Bay: King Charcoal Namibia (Add. No. 11; M/C Meeting 18/02/2025; File Farm 38) (OCM No. 12/2025/03/04)

The Municipal RESOLVED:

- (1) That lease areas No. 12, 17 and 29 of Farm 38, in extent 63,000 m², be sold by private transaction to King Charcoal Namibia (the applicant), at a purchase price of N\$50.00 (Fifty Namibian Dollars) per m² plus 15% VAT.
- (2) That the Ministry of Urban and Rural Development be consulted on the proposed sale and its conditions in terms of Section 30 (t) read with section 63 (2) of the Local Authorities Amendment Act, 2018 (Act No.3 of 2018).
- (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), as amended.
- (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 within 120 days from the date of sale.
- (5) 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.
- (6) That any outstanding electrical requirements/services and/or any other information in this regard, be taken up with Erongo RED and be provided by the applicant to their satisfaction.
- (7) That applicant attends to all outstanding Town Planning matters at its own cost.

- (8) That all costs related to registration and transfer costs, be to the responsibility of the applicant.
- (9) That the applicant contributes to actual cost in the provision of any outstanding bulk services and so required by the Municipality of Walvis Bay.
- (10) That the applicant further contributes 10% of the purchase price towards landscaping and the establishment of a green belt.
- (11) That the applicant, at own cost, do all and/or any required groundworks, 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
- (12) 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.

11.13 Application to lease portion of Farm 38: logistics and cargo operations – truck port: NKNO Fuels Namibia (Pty) Ltd (Add. No. 12; M/C Meeting 18/02/2025; File Farm 38) (OCM No. 13/2025/03/04)

The Municipal Council RESOLVED:

- (1) That 6 Ha (60,000 m²) of Farm 38 be leased to NKNO Namibia (Pty)Ltd (the applicant), at a rental of N\$64,200.00 (1,07 cents/m²) plus N\$9,630.00 (15 % VAT) per month, escalating with 10% per annum.
- (2) That a credit rating certificate from a reputable Namibian banking institution be provided prior to the next Ordinary Council Meeting.
- (3) 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.
- (4) 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.
- (5) 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).
- (6) That, prior to the signing of a lease agreement, the applicants obtain an 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: Environmental Affairs.
- (7) That the lease agreement be signed and the monthly rental be levied once the facility becomes operational.
- (8) That the parties enter into a six (6) months Development Agreement, concurrent to the signing of the lease agreement.



- (9) That the applicant in conjunction with Namibia Ports Authority and other private truck port owners implement a ticketing/terminal management system to control trucks coming to town.
- (10) That the lease period be for ten (10) years, with an option to purchase, to be extended for a further period as agreed upon between the Municipality of Walvis Bay and the applicant.
- (11) That a Notarial Deed of Lease be registered and the applicant to bear all costs.
- (12) That the applicant, in conjunction with the Department of Roads & Building Control, have the required 60,000 m² of Farm 38 surveyed at the applicant's cost.
- (13) 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.
- (14) That the applicant shall, on vacating the site, rehabilitate the area to the satisfaction of the General Manager: Roads & Building Control.
- (15) That a refundable, non-interest-bearing deposit of N\$10,000.00 be paid by the applicant on the date of signing the lease agreement, to cover the costs of rehabilitation of the site, should the applicant fail to do so.
- (16) 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.
- (17) That the applicant shall, at own cost, enclose the leased area.
- (18) That electrical requirements/services and/or any other information in this regard be taken up with Erongo RED.
- (19) That the applicant has to comply at all times to all relevant requirements of Council's Standard Building Regulations, Health and Municipal Regulations.
- (20) That the Municipal Council of Walvis Bay not be held liable to reimburse the applicant for any improvements affected on the site, should the lease not be extended after 10 years.
- (21) That the applicant guarantees and indemnifies the Municipality of Walvis Bay against any action, claim or loss, injury, or damage which the applicant or any third party may suffer as a direct or indirect result of the development covered by the lease agreement.
- (22) That in the event the applicant fails to meet the conditions of this Council approval, the approval be regarded as null and void.
- (23) 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.

=====



11.14 **Application to lease portion of Farm 38 for a truck port: Swarie Continental Investments CC** (Add. No. 13; M/C Meeting 18/02/2025; File Farm 38) (OCM No. 14/2025/03/04)

The Municipal Council RESOLVED:

- (1) That 2 Ha (20,000 m²) of Farm 38 be leased to Swarie Continental Investments CC (the applicant), at a rental of N\$21,400.00 (1,07 cents/m²) plus N\$3,210.00 (15 % VAT) per month, escalating with 10% per annum.
- (2) That a credit rating certificate from a reputable Namibian banking institution be provided prior to the next Ordinary Council Meeting.
- (3) 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.
- (4) 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.
- (5) 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).
- (6) That, prior to the signing of a lease agreement, the applicants obtain an 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: Environmental Affairs.
- (7) That the lease agreement be signed and the monthly rental be levied once the facility becomes operational.
- (8) That parties enter into a six (6) months Development Agreement, concurrent to the signing of the lease agreement.
- (9) That the applicant in conjunction with Namibia Ports Authority and other private truck port owners implement ticketing/terminal management system to control trucks coming to town.
- (10) That the lease period be for 10 years, to be extended for a further period as agreed upon between the Municipality of Walvis Bay and the applicant.
- (11) That a Notarial Deed of Lease be registered and the applicant to bear all costs.
- (12) That the applicant, in conjunction with the Department of Roads & Building Control, have the required 20,000 m² of Farm 38 surveyed at the applicant's cost.
- (13) 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.
- (14) That the applicant shall, on vacating the site, rehabilitate the area to the satisfaction of the General Manager: Roads & Building Control.
- (15) That a refundable, non-interest-bearing deposit of N\$10,000.00 be paid by the applicant on the date of signing the lease agreement, to cover the costs of rehabilitation of the site, should the applicant fail to do so.

- (16) 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.
- (17) That the applicant shall, at own cost, enclose the leased area.
- (18) That electrical requirements/services and/or any other information in this regard be taken up with Erongo RED.
- (19) That the applicant has to comply at all times to all relevant requirements of the Council's Standard Building Regulations, Health and Municipal Regulations.
- (20) That the Municipal Council of Walvis Bay not be held liable to reimburse the applicant for any improvements affected on the site, should the lease not be extended after 10 years.
- (21) That the applicant guarantees and indemnifies the Municipality of Walvis Bay against any action, claim or loss, injury, or damage which the applicant or any third party may suffer as a direct or indirect result of the development covered by the lease agreement.
- (22) That in the event the applicant fails to meet the conditions of this Council approval, the approval be regarded as null and void.
- (23) 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.

11.15 Application to lease portion of Farm 38 for the construction of a truck port facility: Nambaza Investments CC (Add. No. 14; M/C Meeting 18/02/2025; File Farm 38) (OCM No. 15/2025/03/04)

The Municipal Council RESOLVED:

- (1) That Portion 2 of Remainder Farm 38, in extent 15 Ha (150,000 m²), be leased to Nambaza Investments CC (the applicant), with option to buy at a rental of N\$160,500.00 (1,07 cents/m²) plus N\$24,075.00 (15 % VAT) per month, escalating with 10% per annum, for a Truck Port Facility.
- (2) That a credit rating certificate from a reputable Namibian banking institution be provided prior to the next Ordinary Council Meeting.
- (3) 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.
- (4) 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.
- (5) 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).



- (6) That the lease agreement be signed and the monthly rental be levied once the facility becomes operational.
- (7) That parties enter into a six (6) months Development Agreement concurrent to the signing of the lease agreement.
- (8) That the lease period be for ten (10) years, to be extended for a further period as agreed upon between the Municipality of Walvis Bay and the applicant.
- (9) That a Notarial Deed of Lease be registered and the applicant to bear all costs.
- (10) That the applicant, in conjunction with the Department of Roads & Building Control, have the required 150,000 m² of Farm 38 surveyed at the applicant's cost.
- (11) 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.
- (12) That the applicant shall, on vacating the site, rehabilitate the area to the satisfaction of the General Manager: Roads & Building Control.
- (13) That a refundable, non-interest-bearing deposit of N\$10,000.00 be paid by the applicant on the date of signing the lease agreement, to cover the costs of rehabilitation of the site should the applicant fail to do so.
- (14) 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.
- (15) That the applicant in conjunction with Namibia Ports Authority and other private truck port facility owners implement ticketing (terminal operating) system to control trucks coming into town.
- (16) That the applicant shall, at own cost, enclose the leased area.
- (17) That electrical requirements/services and/or any other information in this regard be taken up with Erongo RED.
- (18) That the applicant has to comply at all times to all relevant requirements of the Council's Standard Building Regulations, Health and Municipal Regulations.
- (19) That the Municipal Council of Walvis Bay not be held liable to reimburse the applicant for any improvements affected on the site should the lease not be extended after 10 years.
- (20) That the applicant guarantees and indemnifies the Municipality of Walvis Bay against any action, claim or loss, injury, or damage which the applicant or any third party may suffer as a direct or indirect result of the development covered by the lease agreement.
- (21) That in the event the applicant fails to meet the conditions of this Council approval, the approval be regarded as null and void.



(22) 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.

=====

11.16 **Application for lease of land on lease Farm 38: Authentic Farmers CC** (Add. No. 15; M/C Meeting 18/02/2025; File Farm 38) (OCM No. 16/2025/03/04)

The Municipal Council RESOLVED:

- (1) That 1 ha of Farm 38 be leased to Authentic Farmers CC (the applicant) at a rental of \$ 10 700.00 (N\$ 1.07 cents/m²) plus N\$ 1 605.00 (15 % VAT) per month, escalating with 10% per annum, for firewood and charcoal production.
- (2) That the lease term be for ten (10) years with an option to renew, which renewal 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 sale after the lease of 5 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 sale 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 38 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\$ 10,000.00 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 Municipal Council of Walvis Bay is not held liable to reimburse the applicant for any improvements affected on the site should the lease not be extended after the initial lease period.
- (18) That the applicant guarantees and indemnifies the Municipality of Walvis Bay against any action, claim or loss, injury or damage which the applicant or any third party may suffer as a direct or indirect result of the development covered by the lease agreement.
- (19) That the applicant accepts the conditions of this approval within 14 days after the notification of the Council resolution and if no response is received the approval will be regarded as null and void.
- (20) 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.

=====

11.17 **Rescinding of Council resolutions: Item 11.6, dated 03 November 2020 and Item 14.7, dated 23 February 2021: Power Shield Trading: Application for acquisition of unserviced Green Valley Extension 1 and 2, formerly described as Portion 5 and 6 of Portion 3 of Remainder Farm 37, Walvis Bay** (Add. No. 16; M/C Meeting 18/02/2025; File Farm 37) (OCM No. 17/2025/03/04)

The Municipal Council RESOLVED:

- (1) That it be noted that Power Shield Trading has not complied with the Council resolution dated 03 November 2020 (under item 11.6) and 23 February 2021 (under item 14.7).
- (2) That Council Resolutions dated 03 November 2020 (under item 11.6) and 23 February 2021 (under item 14.7) be rescinded *in toto*.
- (3) That the applicant be informed accordingly.

=====

11.18 **Feedback report: Relocation of beneficiaries to Portion 10 of Farm 37** (Add. No. 17; M/C Meeting 18/02/2025; File Farm 37) (OCM No. 18/2025/03/04)

The meeting agreed that a full report on the plans for the old Kusebmond hostel, including all other housing solution plans, and the sewage solution plans for Farm 37 be presented at the next Informal Discussions Meeting.



The Municipal Council RESOLVED:

- (1) That the contents and feedback report on the relocation of beneficiaries to Portion 10 of Farm 37 be noted by the Council.
- (2) That Council resolution Item 11.6 (5) adopted by the Council on 15 June 2023 be rescinded.
- (3) That the rent payments for the land on Portion 10 of Farm 37 be regarded as rent-to-buy and down payment on the land.
- (4) That the maximum payment period be determined at 5-, 10- or 15-year options as per the specific requirements of each beneficiary, for the rent-to-buy options, at an interest rate similar to the approved rate for the Build Together beneficiaries, effective from 1 March 2025.

11.19 **Feedback report to Council on the Walvis Bay Maritime Week hosted from 03 to 05 October 2024** (Add. No. 18; M/C Meeting 18/02/2025; File 11/2/27) (OCM No. 19/2025/03/04)

The Municipal Council RESOLVED:

- (1) That, the Council take note of the Walvis Bay Maritime Week Report 2024.
- (2) That Council makes a budgetary provision which amounts to N\$ 1,000,000.00 towards the event and further that, the actual budget breakdown be presented to Council when such is completed.

11.20 **Development of Standard Operating Procedures as well as to formalise leases of Council's SMME stalls/markets in Walvis Bay** (Add. No. 19; M/C Meeting 18/02/2025; File Erf 2998 K) (OCM No. 20/2025/03/04)

The Municipal Council RESOLVED:

- (1) That the Municipal Council grant approval to implement Clause 7 (2) (b) (iii) (v) of the Walvis Bay Informal Trading Regulation of 2022, pending gazetting of the regulations to address subleasing issues, involving beauty salons and barbers as well as tailoring activities and renew agreements with old lessees accordingly.
- (2) That Council terminates the lease agreements of the tenants who contravened Clause 5 of the lease agreement, except for those operating as beauty salon and barbers as well as tailoring activities, to allow new lease agreements with such sub-lessees for the period of one (1) year.
- (3) That all lessees from beauty salons and barbers, as well as tailoring trades should also operate from such facility and not sublease the units at their entirety.
- (4) That the lease costs of the Municipal stalls be determined by Council through its tariffs as gazetted on an annual basis.
- (5) That lessees from beauty salons and barbers, as well as tailoring trades may not charge their sub-lessees more than 50% of the monthly levy of such a stall.

- (6) That the overall lease period of this Municipal stalls be one (1) year, which is eligible for renewal.
- (7) That after Council approval, the provision of Section 63 (2) of the Local Authorities Act (Act No. 23 of 1992), as amended be followed.

=====

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

None.

=====

13. **MINUTES OF ASSOCIATIONS**

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

No minutes received.

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

No minutes received.

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

No minutes received.

=====

S D

The meeting terminated at 20:40.


CHAIRPERSON

Date: 08/04/2025


CHIEF EXECUTIVE OFFICER

Date: 02/04/2025

Date of confirmation of minutes: 25/03/2025