

Minutes

of the Ordinary Council Meeting of the Local Authority Council of Walvis Bay, held in the Civic Centre Council Chambers, Nangula Mbumba Drive, Walvis Bay on Tuesday 25 March 2025 at 18:05

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
Councillor R Gordon

Officials

Chief Executive Officer (VN Kapenda)
General Manager: Roads and Building Control (T Potgieter)
General Manager: Community and Economic Development (E Mwanyekange)
General Manager: Finance (F I !Gonteb)
Communications Officer (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) Member
Members of the public: Twenty-one (21) Members



1. OPENING (File 3/1)

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

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2. ADOPTION OF AGENDA AND DECLARATION OF INTEREST

On a proposal by Councillor R Bramwell, seconded by Councillor P Kauhondamwa, it was:

RESOLVED:

That the agenda be adopted as is.

No interests were declared.

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

None.

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4. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

4.1 On a proposal by Councillor O Andrews, seconded by Councillor A Nkoshi, it was:

RESOLVED:

That the minutes of the Ordinary Council Meeting held on Tuesday 04 March 2025 be confirmed and approved with the following:

Item 11.14: Correction to the name of the applicant to read "Continental" and not "Commercial".

Item 11.12: Councillor R Bramwell requested that the sworn valuation of the valuator be provided to Councillors, as the purchase price of N\$ 50.00 per m² is a fair price.

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

None.

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6. STATEMENTS AND COMMUNICATIONS

The Chairperson did not make any statements.

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

No petitions were received.

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

No motions were received.

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

The written answers to the questions submitted by Councillor E Shozi, dated 20 November 2024 were handled as prescribed under Standing Rule 20(5), and were shared with all Councillors via email by the Office of the Chief Executive Officer.

The Chairperson acknowledged two additional questions submitted by Councillor Shozi and informed the meeting that as per Standing Rule 20, the additional questions will be disposed of at the next Ordinary Council Meeting.

10. REPORT OF THE MANAGEMENT COMMITTEE FOR MARCH 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 the 3rd United Nation Oceans Conference from 9 – 13 June 2025 as well as to attend the Ocean Rise & Coastal Resilience Summit on 7 June 2025, all held in Nice, France (Add. No. 2; M/C Meeting 19/03/2025; File 2/17/31)

The following was noted for the discussion of this item:

- Councillor Shozi reminded the meeting that he posed questions under Rule 21(1) of the Standing Rules of Order for this item adding that the benefits to the town be clearly outlined as the expenditure noted hereunder could be put to better use.
- The CEO responded by highlighting possible benefits Walvis Bay could derive, one such being an exchange of knowledge regarding climate change, especially looking at natural events such as the effects of the rain the town recently experienced.
- Councillor Gordon expressed his disagreement with this resolution, stating that the expenditure at this critical time after the damage caused by the rains is a wastage. The Councillor further added that the fact resolution (3) refers to the approved expenditure as a "cost estimate", which in his opinion means that costs could be much higher than indicated.
- Councillor Hoaeb reminded the meeting of Rule 21(3), which guides that a resolved matter may only be discussed and that no motion or proposal may be introduced on the report.
- Councillor Shozi then acknowledged Councillor Hoaeb's comment and requested that the minutes of this meeting be presented to the Minister of Urban and Rural Development together with his questions for the Minister to make an informed decision.



The Management Committee RESOLVED:

- (1) That, subject to Ministerial approval in terms of Circular 14/p dated 18 August 2018, the invitations by the Mayor of the City of Nice, France, HW Christian Estrosi, and the French Ambassador to Namibia, HE Cécile Vigneau, approval be granted for the attendance of the Ocean Rise & Coastal Resilience Summit and the 3rd United Nations Oceans Conference to be held in the City of Nice, France on 7 June 2025 and 9 to 13 June 2025 respectively.
- (2) That the following delegates form part of this trip:
The Mayor and Chairperson of Council – Trevino Forbes;
The Chairperson of the Management Committee – Richard Hoaeb; and
Environmental Coordinator – Nangula Amutenya.
- (3) That it be noted that the cost estimate per person for the attendance of these events, subject to final cost determination once the required flight and accommodation reservations are made, is as follows and will be defrayed from vote 0110/0783/0000 (Council S&T Foreign):
 - Return flights: N\$ 28,500
 - Hotel costs: N\$ 26,100
 - Subsistence allowance: N\$ 25,300
- (4) That a report on the trip be submitted to the Municipal Council upon return of the delegates.

10.2 **Resubmission: Participation in Seatrade Cruise Global 2025** (Add No. 11; M/C Meeting 19/03/2025; File 3/4/6)

The Management Committee RESOLVED:

That it be noted that the Municipal Council of Walvis Bay being represented by its Chief Executive Officer, will not participate in and attend the Seatrade Cruise Global 2025 that will be held in Miami, Florida, USA from 7 to 10 April 2025 due to the costs of participation.

11. **RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE FOR MARCH 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 **Feedback report- Visit to the Western Cape Provincial Government from 9 to 14 December 2024** (Add. No. 1; M/C Meeting 19/03/2025; File 2/17/1) (OCM No. 26/2025/03/25)

The Municipal Council RESOLVED:

That the Mission Report on the visit to the Western Cape Provincial Government from 9 to 14 December 2024 be noted with appreciation.



11.2 **Namibia Competition Commission: Advisory opinion on Redforce Debt Management CC** (Add No. 3; M/C Meeting 19/03/2025; File 8/29/47) (OCM No. 27/2025/03/25)

Councillor Shozi requested that this item be referred to the Management Committee, stating that the write-up for this item was not properly done and that the complete recommendations as provided by the Namibian Competition Commission should have been adopted and the item should not have been for noting. The Councillor also stated that he needs clarity on what to tell the electorate on the matter.

Councillor Gordon enquired on the status of the report from the Office of the Attorney General on the same matter. Councillors Gordon and Kauhondamwa agreed with Councillor Shozi's request for the item to be withdrawn.

The CEO then informed the meeting of the status of the legal opinion from the AG's Office, saying that the report can be expected to be shared with Council towards the end of March 2025, and that thereafter, the recommendations would be considered collectively with the NamCC report.

The Municipal Council RESOLVED:

That the Municipal Council takes note of the Advisory Opinion of the Namibia Competition Commission issued on 3 March 2025.

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11.3 **Revision of Subsistence and Travel Policy** (Add No. 12; M/C Meeting 19/03/2025; File 4/5/2/1) (OCM No. 28/2025/03/25)

The Municipal Council RESOLVED:

That the Municipal Council of Walvis Bay approves the adjustments to its Subsistence and Travel Policy to become effective as from 1 April 2025.

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11.4 **Sale of Council's available single residential/business/institutional/general residential erven by tender in terms of Section 63(2) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended: Narraville Extension 8** (Add No. 4; M/C Meeting 19/03/2025; File 7/2/3/2/5 & Narraville Ext.8) (OCM No. 29/2025/03/25)

The Municipal Council RESOLVED:

(1) That, in terms of section 63(2) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended, the following erven be sold by public bidding (public tender) at the recommended prices:

Narraville (Extension 8): Single Residential Erven (Phase 1)

No	Erf No	Area	Recommended Upset price @ N\$750.00/m ²
1	Erf 4062	348	261,000.00
2	Erf 4063	334	250,500.00
3	Erf 4064	385	288,750.00
4	Erf 4065	328	246,000.00

5	Erf 4066	354	265,500.00
6	Erf 4067	353	264,750.00
7	Erf 4068	353	264,750.00
8	Erf 4069	352	264,000.00
9	Erf 4070	352	264,000.00
10	Erf 4071	351	263,250.00
11	Erf 4072	351	263,250.00
12	Erf 4073	350	262,500.00
13	Erf 4074	360	270,000.00
14	Erf 4075	356	267,000.00
15	Erf 4076	348	261,000.00
16	Erf 4077	347	260,250.00
17	Erf 4078	347	260,250.00
18	Erf 4079	346	259,500.00
19	Erf 4080	345	258,750.00
20	Erf 4081	345	258,750.00
21	Erf 4082	345	258,750.00
22	Erf 4083	324	243,000.00
23	Erf 4084	320	240,000.00
24	Erf 4085	360	270,000.00
25	Erf 4086	334	250,500.00
26	Erf 4087	375	281,250.00
27	Erf 4090	436	327,000.00
28	Erf 4089	451	338,250.00
29	Erf 4122	412	309,000.00
30	Erf 4104	422	316,500.00
31	Erf 4105	431	323,250.00
32	Erf 4106	422	316,500.00
33	Erf 4107	422	316,500.00
34	Erf 4108	422	316,500.00
35	Erf 4109	333	249,750.00
36	Erf 4110	354	265,500.00
37	Erf 4111	344	258,000.00
38	Erf 4112	324	243,000.00
39	Erf 4113	410	307,500.00
40	Erf 4114	410	307,500.00
41	Erf 4115	410	307,500.00
42	Erf 4092	537	402,750.00
43	Erf 4093	534	400,500.00
44	Erf 4094	510	382,500.00
45	Erf 4095	462	346,500.00
46	Erf 4096	468	351,000.00
47	Erf 4097	425	318,750.00
48	Erf 4098	467	350,250.00
49	Erf 4099	485	363,750.00
50	Erf 4100	442	331,500.00



51	Erf 4101	481	360,750.00
52	Erf 4102	471	353,250.00
53	Erf 4103	517	387,750.00
54	Erf 4046	391	293,250.00
55	Erf 4047	401	300,750.00
56	Erf 4048	403	302,250.00
57	Erf 4049	405	303,750.00
58	Erf 4050	407	305,250.00
59	Erf 4051	409	306,750.00
60	Erf 4052	411	308,250.00
61	Erf 4053	412	309,000.00
62	Erf 4054	414	310,500.00
63	Erf 4055	461	345,750.00
64	Erf 4203	421	315,750.00
65	Erf 4228	421	315,750.00
66	Erf 4227	421	315,750.00
67	Erf 4226	421	315,750.00
68	Erf 4225	421	315,750.00
69	Erf 4224	421	315,750.00
70	Erf 4223	421	315,750.00
71	Erf 4222	421	315,750.00
72	Erf 4221	337	252,750.00
73	Erf 4220	375	281,250.00
74	Erf 4219	427	320,250.00
75	Erf 4218	433	324,750.00
76	Erf 4217	365	273,750.00
77	Erf 4229 Erongo Red Substation	233	174,750.00

Narraville (Extension 8): General Business Erven (Phase 1)

No	Erf no	Area	Recommended Upset Price @N\$750.00/m ²	15% VAT	Total selling Price inclusive of VAT
1	4094	1091	818,250.00	122,737.50	940,987.50
2	4050	2470	1,852,500.00	277,875.00	2,130,375.00
3	4064	2479	1,859,250.00	278,887.50	2,138,137.50
4	4059	2860	2,145,000.00	321,750.00	2,466,750.00
5	4058	2394	1,795,500.00	269,325.00	2,064,825.00

(2) That the following conditions of sale be made available to all interested parties during the public bidding process and be applied strictly:

CONDITIONS OF SALE

(1) All erven are sold "voetstoots/as is" without any warranty whatsoever.



- (2) *That the single residential erven during the first public bidding only be offered to first time homeowners and only one erf per person at the recommended upset price.*
- (3) *That the erven not sold at the first public bidding, be re-advertise to be sold at the follow up bidding, at the recommended upset price and that such erven be offered to individuals, companies, close corporations and businesses.*
- (4) *That the erven not sold as per conditions (2) and (3) above be offered to the general public through private transaction on first come first serve basis.*
- (5) *Biddings for erven will be awarded to the highest bidder.*
- (6) *In case two or more highest bids are received for one erf at the same price, bids will be nullified and the erf be re-advertise.*
- (7) *A 10% deposit calculated on the offered price will be paid on the date of sale and the balance be secured within one hundred and twenty (120) days from the date of sale. Failing to comply, the proposed sale will be regarded as null and void.*
- (8) *An acceptable bank guarantee, or upfront bond letter, or letter of undertaking from a banking institution confirming that funds are available to purchase an erf/erven at the offered price is compulsory and has to be attached to the bidding Form. Failing to comply with this requirement, bidders will be disqualified.*
- (9) *All bidders bidding in individual capacity must attach their identification documents.*
- (10) *All bidders bidding during the second round of public bidding, including individuals, companies, close corporations and businesses must attach their company registration documents.*
- (11) *A letter of authorization by the company, close corporation or firm to sign on behalf of the company, close corporation or firm during the second round of the public bidding, should be attached to the bidding Form.*
- (12) *If the abovementioned conditions are not met, the proposed sale will automatically be cancelled and 10% of the deposit paid will be forfeited.*
- (13) *That the successful bidders accept the conditions of sale within fourteen (14) days from the date of notice, and that the agreement of sale be concluded within thirty (30) days from date of notice. Failing to comply the proposed sale will be regarded as null and void without any further notice.*

11.5 **Application for lease of land for the construction of telecommunication towers: Powercom (PTY) LTD** (Add No. 5; M/C Meeting 19/03/2025; File 2998 N; 7334 K & Farm 44 D/B) (OCM No. 30/2025/03/25)

The Municipal Council RESOLVED:

- (1) That, for purposes of establishing a communication tower, a portion of Erf 2998 Narraville, a portion of Erf 7334 Kuisebmond and a portion of Portion 3 of Farm 44 Dolphin Beach be leased to PowerCom (Pty) Ltd at a rental rate of N\$ 4 235.85 and N\$ 635.37 (15% VAT) per month, per portion, with an escalation of 12% per annum.
- (2) That the applicant, at its own cost, advertises the sale by private transaction in terms of section 63(2)(b) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended.
- (3) 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), approval of the Minister of Urban and Rural Development be obtained.
- (4) 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.
- (5) That a refundable, non-interest bearing, deposit equal to monthly rental be paid by the applicant on date of signing the lease agreement, to cover the last month's rent if not paid or to cover the rehabilitation cost.
- (6) That the applicant advertises for objections within 14 days after having received the letter of approval.
- (7) That the applicant always complies with the National Safety Regulations as well as with all relevant requirements of Council's Standard Building, Health, Fire and any other Municipal Regulations.
- (8) 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 storage facility covered by the Lease Agreement.
- (9) That the applicant, in conjunction with the Department of Roads & Building Control, have the required 100 m² of Erf 2998 Narraville, Erf 7334 Kuisebmond and Portion 3 of Farm 44 Dolphin Beach surveyed at the applicants' costs and submit the surveyed map to Council.
- (10) That the design of the structure be subject to the final approval of the Aesthetics Committee and that it has the appearance of a "palmtree", to make its impact on the direct environment as little as possible.
- (11) That an additional two palm trees be planted by PowerCom (Pty) Ltd to complement the manmade one.
- (12) 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.
- (13) That electrical requirements/services and/or any other information in this regard be taken up with Erongo RED.

- (14) That the applicant shall, prior to the erection of any structures on the site, obtain the approval from the General Manager: Roads and Building Control.
- (15) 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 for another year.
- (16) 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 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.
- (17) That the applicant be responsible for closure and other related town planning matters at its own cost.

11.6 Application for lease of land on Farm 38: SWI Trading Namibia CC (Add No. 6; M/C Meeting 19/03/2025; File Farm 38) (OCM No. 31/2025/03/25)

Councillor Gordon requested that control measures be put in place to determine company owners' debts owed to Council prior to the provision of land.

The Municipal Council RESOLVED:

- (1) That 8,730m² of Farm 38 be leased to SWI Trading Namibia CC (the applicant), at a rental of N\$ 10 214.10 (N\$ 1.17/m²) plus N\$ 1 532.11 (15 % VAT) per month, escalating with 10% per annum, for establishment of a storage facility for company vehicles, trailers and workshop.
- (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 will not constitute an automatic sale after the lease of 10 years has 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, has the required 8,730 m² 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 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.
- (12) 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.
- (13) That the applicant shall, at own cost, enclose the leased area.
- (14) That electrical requirements/services and/or any other information in this regard be taken up with Erongo RED.
- (15) That the applicant must comply at all times to all relevant requirements of Council's Standard Building Regulations, Health and Municipal Regulations.
- (16) 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.
- (17) 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.
- (18) 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.

11.7 Participation in Namibia Local Authority Sports and Recreation Association Games: 2025 Katima Mulilo (Add No. 7; M/C Meeting 19/03/2025; File 11/2/17) (OCM No. 32/2025/03/25)

Councillor Bramwell gave his dissenting vote against the recommendations, stating that in his opinion, the funds could have been put to better use.

Councillor Nkoshi responded amongst others that Councillors must give Council staff the benefit of the doubt as they are deserving of it. The Councillor added that Councillor Bramwell has initiated what could be termed as unnecessary expenditure with motions such as the one for which Seventy7 Consultancy was appointed which has not produced any results until now.



Councillor Bramwell responded saying that the appointment of Seventy7 was in fact a necessary expense as it will produce great results for this Council and added that it was a pity it has taken this long for it to be implemented.

The Management Committee RESOLVED:

- (1) That participation in the 2025 NALASRA Games in Katima Mulilo, be approved.
- (2) That the total expenditure regarding participation in the NALASRA Games 2025 in Katima Mulilo, to the amount of N\$ 420 500.00, be noted and that the budgeted amount of N\$ 343 000.00 to be allocated in order to cover the costs of participation, be approved.
- (3) That the expenditure of N\$ 343 000.00 be defrayed from the Vote No 0336/0728/0000 – NALASRA, where an amount of N\$ 343 000.00 was budgeted for and an amount of 343 000.00 is still available.
- (4) That the expenditure be allocated as follows:
 - N\$ 10 000.00 - NALASRA Affiliation and Registration Fees:
 - N\$ 333 000.00 - Transport and Accommodation for the 75 officials.
- (5) That special leave be granted from 26 May 2025 – 01 June 2025, to the 75 participants attending the NALASRA Games 2025.
- (6) That Councillor O Andrews, based on her portfolio as a Health and Wellness Committee member form part of the officials on this trip.

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11.8 Application for the extension of lease period to ten (10) years: Portion of Erf 5767 Walvis Bay by the Namibian Ports Authority (Add No. 8; M/C Meeting 19/03/2025; File 5767 W) (OCM No. 33/2025/03/25)

The Management Committee RESOLVED:

- (1) That the lease term be for ten (10) years with an option to renew respectively, which renewal be applied for in writing by the applicant.
- (2) That the lease be advertised for objections prior to obtaining Ministerial approval, in line with section 63 (2) of the Local Authorities Act No. 23 of 1992), as amended.
- (3) That the applicant be informed that the lease agreements would not constitute an automatic sale after the lease of ten (10) years has lapsed.

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11.9 Consolidation of Erven 2626 and 4601 Walvis Bay Extension 1, into new Erf X (Add No. 9; M/C Meeting 19/03/2025; File 2626 W & 4601 W) (OCM No. 34/2025/03/25)

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 2626 and 4601 Walvis Bay Extension 1 into Erf X, as generally shown on sketch plan 2625_4601 WB/LP dated 23 February 2024, subject to the following conditions:

 A handwritten signature consisting of the letters 'S' and 'C'.

- (a) That the conditions presently registered against the erven be cancelled, and be replaced by the following conditions:
 - (i) The newly consolidated 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 building excluding the outbuildings to be erected on the erf shall be at least four times the municipal value 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.

11.10 Rezoning of Erf 3151 Walvis Bay proper from “Single Residential” with a density of (1:300m²) to “General Residential 2” with a density of (1:300m²) and consent to operate a guesthouse while the rezoning is in process (Add No. 10; M/C Meeting 19/03/2025; File 3151 W) (OCM No. 35/2025/03/25)

The Municipal Council RESOLVED:

- (1) That the Municipal Council recommends for approval the application for the rezoning of Erf 3151 Walvis Bay Proper from “Single Residential” with a density of 1 dwelling per 300m² to “General Residential 2” with a density of 1 dwelling per 300m², 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 20% 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, in case the Minister of Urban and Rural Development approves a betterment fee lower than the deposit paid, the Municipal Council shall refund the difference between the betterment fee approved by the Minister of Urban and Rural Development and deposit paid by the applicant to the Municipal council.
- (c) That, in case the Minister of Urban and Rural Development approves a betterment fee higher than the deposit paid, the Municipal Council shall claim the difference between the betterment fee approved by the Minister of Urban and Rural Development and deposit paid by the applicant from the applicant.
- (d) That the applicants note that the payment of the betterment fee deposit should neither create an expectation nor bind the Minister of Urban and Rural Development to consider and approve the Amendment Scheme; and the provisions of the Urban and Regional Planning Act (Act No. 5 of 2018) therefore still apply.

(2) That consent be granted in terms of Clauses 6.1.2 and 12.1 of the Walvis Bay Town Planning Scheme for the establishment of an Accommodation Establishment (Guesthouse) on Erf 3151 Walvis Bay subject to the following conditions:

- (a) Access to and from the site shall be to the satisfaction of the General Manager: Roads and Building Control.
- (b) The area of the public/service areas (kitchen/lounge/dining room) shall not exceed the area of the rooms for accommodation purposes.
- (c) On-site parking shall be provided in the ratio of 2 parking bays plus 1 per room for accommodation purposes.
- (d) No signs shall be erected without the consent of the General Manager: Roads and Building Control.
- (e) The public/service areas shall only be used by bona-fide residents and their guests and not by the general public.
- (f) Meals may only be supplied to bona-fide residents and their guests and not to the general public.
- (g) Neither the buildings nor grounds shall be used as an entertainment hall, amusement area or for any other similar use.
- (h) The scale and appearance of the buildings and grounds shall be residential in character.
- (i) The Municipal Council requires the registration of this Guesthouse Unit with the Namibia Tourism Board in terms of the Namibia Tourism Board Act, 2000 (Act No. 21 of 2000).
- (j) The approval is subject to the applicable laws and regulations of both the Government and the Municipality.
- (k) All rates and services charges for business be made applicable.

- (l) That should valid complaints be received or the imposed conditions not be complied with and after giving the owner 14 days written notice, consent may be withdrawn.
- (m) That this permission lapses when the property is sold, leased or alienated in whatever process engaged or rezoned to General Residential 2.

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

This item was moved to in-camera discussions without the presence of members of the public, see under item 14.

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.

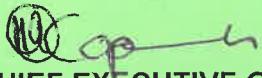
13.3 Namibia National Mayors' Forum (File 12/1/2/1/17)

No minutes received.

 A handwritten signature consisting of a stylized 'X' and a circular mark.

The meeting terminated at 21:10.


CHAIRPERSON
Date: 12/05/2025


CHIEF EXECUTIVE OFFICER
Date: 08/05/2025

Date of confirmation of minutes: 08/05/2025

Ordinary Council Meeting Minutes compiled by:

Gwenneth !Gaoses