

Minutes

of the Ordinary Council Meeting of the Local Authority Council of Walvis Bay, held at the
Civic Centre Council Chamber on Tuesday 29 July 2025 at 18:00

Present:

Councillors

Councillor T Forbes (Chairperson)
Councillor S Mutondoka
Councillor O Andrews
Councillor R Bramwell
Councillor A Nkoshi
Councillor P Kauhondamwa
Councillor E Shozi
Councillor R Gordon (*Joined meeting at 18:20*)

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: Water, Waste and Environmental Management (H Shikongo)
Acting General Manager: Finance (A van den Heever)
Manager: Corporate and Communication Services (J Kruger)
Town Planner (O Kakero)
Communication Officer (K Stoffels)
Intern (J Iita)
Corporate Officer (G !Gaoses)

Other:

Members of the public: Twenty-two (22) Members
Members of the media: One (1)



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 officially open.

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

On a unanimous vote, 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)**

Councillors L Victor and R Hoaeb.

The meeting was informed that Councillor R Bramwell will serve as the Chairperson of the Management Committee for the meeting in the absence of the substantive Chairperson, Councillor R Hoaeb.

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

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

RESOLVED:

That the minutes of the Ordinary Council Meeting held on Tuesday 24 June 2025, to be confirmed and approved with the following grammatical corrections:

4.1 The name of the Member of Parliament "Aloisius Kangulu".

11.2 Councillor Mutondoka credited the Finance Department for the report...and all money is "accounted" for.

4.2 On a proposal by Councillor P Kauhondamwa, seconded by Councillor A Nkoshi, it was:

RESOLVED:

That the minutes of the Special Council Meeting held on Thursday 03 July 2025, to be confirmed and approved.

8 00

- 4.3 On a proposal by Councillor S Mutondoka, seconded by Councillor P Kauhondamwa, it was:

RESOLVED:

That the minutes of the Special Council Meeting held on Thursday 10 July 2025, to be confirmed and approved.

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

Tuesday, 15 July 2025

Deputy Director, Mr Albertus Ganeb from the Ministry of Home Affairs, Immigration, Safety and Security

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6. **STATEMENTS AND COMMUNICATIONS**

- Honorable Regional Councillors
- 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

Good evening,

This evening, I would like to provide updates on our current initiatives regarding road maintenance and rehabilitation.

Shisho Trading CC was the successful bidder who was awarded the contract after the open national bidding process was finalized. The contractor is currently establishing his site and will commence with works on major roads such as Nangolo Mbumba Drive. He will also be allocated an urgent request for speed calming measures such as speed humps.

In a recent meeting with the Road Fund Administration and Roads Authority, it was agreed that an additional repair contractor will be instructed to start with temporary repairs on Hanna Mupetami Street and 3rd Street East. That contractor is expected to commence work this week.

The road rehabilitation in Allen Dean Martin Street is progressing well, and almost all earthworks and bitumen works are completed on the western lane.

The sewer line replacement on 3rd Street is complete, and roadworks will commence soon.

As previously shared, the Council has budgeted over N\$60 million for road rehabilitation of roads, including Pelican Street, Sam Nujoma Avenue, Rikumbi Kandanga Road, Union Street, and Nathaniel Maxuili Avenue. The design and documentation for Sam Nujoma Avenue are almost complete, after which the construction bid will be advertised.

Next, I would like to address the delivery of the compaction trucks. Three of the five compactor trucks are currently in Swakopmund, two are completely done with the underbody cavity at Mototec Swakopmund, and they will be delivered tomorrow at the Mechanical workshop RBC.



The other two compactor trucks are currently in Windhoek for Police clearance and the roadworthiness test. Once that is done, they will come to Mototec in Swakopmund for the underbody cavity and then be delivered to our mechanical workshop.

Lastly, I am pleased to invite the business community and anyone who can to join us at the upcoming Mayoral Fundraising Gala scheduled for 2 August 2025 at Town Hall.

This event is a crucial opportunity for us to gather resources that will support various community projects, charitable initiatives, and local development programs. Your participation and contributions will make a tangible difference in our efforts to build a stronger, more vibrant community.

Thank you all for your ongoing commitment and support.

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

The meeting noted the report of the Management Committee dealt with under item 11.1 of the minutes, regarding the petition submitted by Councillor Shoji, against the procedures relating to the Special Council Meeting held on 17 June 2025.

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

- 8.1 Councillor Bramwell read his motion Number 30, dated 14 July 2025, titled: "Declaration of the Kuiseb Aquifer and infrastructure as a national key point" to the meeting and after seconding by Councillor Andrews, the Chairperson invited Councillor Shoji to read his opposing motion attached from Page 5 to 11.

Councillor Kauhondamwa then seconded the opposing motion by Councillor Shoji and thereafter, the Chairperson called the matter to a vote and the following was noted:

Members in favour of Councillor Bramwell's motion:

Councillors: T Forbes, R Bramwell, O Andrews and S Mutondoka.

Members not in favour of Councillor Bramwell's motion:

Councillors: E Shoji, A Nkoshi and P Kauhondamwa.

Member that abstained from voting:

Councillor R Gordon

Based on a majority vote, it was:

RESOLVED:

That motion Number 30 has passed and is referred to the Management Committee as it contains legal and/or financial implications.



29 July 2025.

The Chief Executive Officer
Municipality of Walvis Bay
Private Bag
Walvis Bay

Dear CEO,

Opposed motion: Declaration of the Kulseb Aquifer and infrastructure as a National Key Point.

The National Key Points Act in Namibia does not directly address aquifers. Instead, the Water Resources Management Act (2013) is the primary legislation governing the management, protection, development, use, and conservation of water resources, including aquifers. This act provides a framework for regulating and monitoring water services and related activities.

Here's a more detailed breakdown:

- **National Key Points Act:**

This act focuses on security and protection of strategically important locations, but it doesn't specifically mention water resources or aquifers according to the Legal Assistance Centre.

- **Water Resources Management Act:**

This act is the main legal instrument for managing Namibia's water resources, including groundwater found in aquifers.

- **Key Aspects of the Water Resources Management Act:**

- **Protection:** It aims to protect water resources from pollution and over-extraction, which is crucial for maintaining the health of aquifers.
- **Management:** It provides for the establishment of institutions and mechanisms for the sustainable management of water resources.
- **Use:** It regulates the use of water resources, including abstraction from aquifers, to ensure equitable and sustainable access.
- **Conservation:** It promotes the conservation of water resources, including measures to recharge aquifers and prevent depletion.

- **Other Relevant Legislation:**



- **Namibia Water Corporation Act (1997):** This act regulates the Namibia Water Corporation (NamWater), which plays a significant role in water supply and management, including groundwater resources.
- **Environmental Management Act (2007):** This act addresses environmental issues, including pollution and waste management, which can impact water resources and aquifers.
- **Water Act (1956):** This act, although older, still provides some legal framework for water management and can be relevant in certain contexts.

- **Groundwater Management:**

Namibia recognizes the importance of groundwater resources, especially in arid and semi-arid regions.

The Water Resources Management Act and other relevant legislation aim to ensure the sustainable management of these resources, including addressing issues like over-abstraction and the need for monitoring.

In essence, while the National Key Points Act is not directly related to water resources, the Water Resources Management Act and other relevant legislation provide the legal framework for managing and protecting aquifers in Namibia.

The Kuiseb Aquifer, a crucial water source for Walvis Bay and surrounding areas, relies on a network of infrastructure including boreholes, reservoirs, and pipelines operated by NamWater and the Directorate of Water Supply and Sanitation Coordination.

The Kuiseb Collector pipeline, a significant part of this infrastructure, is undergoing upgrades to ensure a reliable water supply.

Key Infrastructure Components:

- **Boreholes and Wells:**

These are used to extract water from the Kuiseb and Dorob South aquifers.

- **Reservoirs:**

Water is pumped from the boreholes into reservoirs, which store and distribute water to the end-users.



- **Pipelines:**

Pipelines, including the Kuiseb Collector pipeline, transport water from the reservoirs to towns like Walvis Bay and Swakopmund.

- **Kuiseb Collector Pipeline:**

This 80-kilometer pipeline, particularly the Kuiseb Collector 2, is undergoing upgrades and replacements due to its age and water losses from pipe breaks.

Management and Maintenance:

- NamWater is responsible for the maintenance and operation of the majority of the infrastructure related to the Kuiseb and Dorob South aquifers.
- The Directorate of Water Supply and Sanitation Coordination provides water to the Topnaar communities along the lower Kuiseb through communal water points.
- NamWater has annual maintenance plans and programs for all schemes within the Kuiseb and Dorob South aquifers.

Challenges:

- The Kuiseb Collector pipeline is aging and has experienced water losses due to pipe breaks.
- There have been reports of ongoing water shortages in Walvis Bay due to ailing infrastructure.
- The increasing demand for water from the Kuiseb River Basin, coupled with the ephemeral nature of the river, necessitates careful management of water resources.

UPGRADE ... The laying of a new pipeline between the High Dune and Mile 7 reservoirs near Walvis Bay. Photo: Contributed

By Adam Hartman

1 June 2023

Frans Iuhua, NamWater's head of coastal operations, has confirmed there is "sufficient" water supply from the Kuiseb and Dorob South aquifers to supply Walvis Bay.

This follows recent concerns raised by the Joint Walvis Bay Resident's Association (JWBRA).

"From the source point of view, there is sufficient water," Ihuhua said on Monday.

The Namibian recently reported on the association's council representative, Ronald Bramwell, saying the harbour town relies heavily on the Kuseb Delta and Dorob South aquifers, but adding that these resources have been overlooked for far too long in terms of maintenance and sustainability.

Ihuhua said NamWater has active, annual maintenance plans and programs for all schemes in these aquifers, and operations are currently "well managed".

He said in the absence of an investigation by the JWBRA, NamWater cannot agree with claims of overlooking these resources. He said information on recent improvement projects and future development projects were, however, shared with the Walvis Bay municipality in March.

Bramwell criticized NamWater's plan to drill more boreholes to increase the abstraction capacity from the Kuseb aquifers.

"Why would you want to drill more boreholes if the current rate of abstraction is already above the sustainable level of abstraction from the aquifer?"

Ihuhua, however, said the abstraction of water from groundwater sources is followed by set rules of the government, and NamWater has been allocated a quota of nine million cubic meters per year to abstract from the Kuseb and Dorob South aquifers.

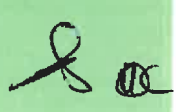
The water utility currently installs an abstraction capacity of 7,5 million cubic meters per annum only.

Ihuhua further highlighted the infrastructure development undertaken by NamWater over the past decade, with past investment for the schemes totaling N\$500 million, and planned projects budgeted and approved totaling approximately N\$470 million.

"We've been upgrading all the borehole abstraction, reservoir, electricity and pipeline systems," he said.

He said NamWater is currently commissioning one pipeline, which is "99% complete", ready for testing between Collector 1 and Schwarzeluppe (8km) and Schwarzeluppe to Mile 7 reservoir (5,4km).

Ihuhua said there is sufficient water supply, and that NamWater is always working in collaboration with the Walvis Bay and Swakopmund municipalities to implement water



demand management measures during major pipe breaks and water interruptions due to natural events.

"Even during long weekends, the festive season and major public events at the coastal towns, we have sufficient systems in place to meet demand," Ihuhua said.

Bramwell's concerns come soon after severe water shortages experienced by the coastal suburbs last month due to technical issues of supply reconfigurations made at Walvis Bay, leaving residents without water for approximately two weeks.

Ihuhua said this situation was, however, mitigated by engaging the Swakopmund municipality to supply Lang strand, Dolphin and Aphrodite beaches with water, using the integrated water supply system in place.

Sulphur eruptions in the ocean, however, resulted in a temporary shutdown of Orano's desalination plant, which exacerbated the water supply challenge from Swakopmund to the suburbs.

Walvis Bay spokesperson Anita Kaihiva recognizes the water challenges faced by the harbor town in recent years.

"The council has prioritized investigating solutions that can benefit our residents in terms of affordability and subsequently address the escalation of debt, as well as find sustainable ways to enhance water supply security," she says.

NamWater has started with Phase 2 of its upgrade of the Kuiseb Collector pipeline near Walvis Bay.

The renovations are expected to be completed by next year to ensure a reliable and integrated water supply at the coast.

The Kuiseb and Omdel aquifers have traditionally provided towns on the central coast with water, with the Orano desalination joining the list of providers at a later stage.

The government drilled boreholes and built pipelines to supply water.

Constructed in the 1970s, the 86-kilometre Kuiseb Collector pipeline near Walvis Bay is one such infrastructure, but it is aging.

"A number of sections of that pipeline have already been replaced, and this is due to the fact that, given its age, we have been experiencing water losses.



la, pipe breaks quite often, so as we speak, out of the whole 26 kilometers, we have already replaced a large portion of it: it's only 10 kilometers that are yet to be replaced," said Salinel Ehanika, an engineer at NamWater.

The government has spent more than N\$1 billion over the past decade on upgrading the pipeline.

The Agriculture, Water, and Land Reform Minister, Carl Schlettwein, says the upgrades have strengthened the region's integrated water supply.

"Swakopmund was supplied from Omdel, and Walvis Bay was supplied from Kuiseb. When Kuiseb floods and our system fails here, Walvis Bay runs dry.

When Omdel is overly abstracted and we have to limit water abstractions, this collector pipe is part of the project that connects the Kuiseb resource with the Omdel resource, so that we can supply water from Omdel to Walvis Bay and reduce the risk of a failing system in the Kuiseb, and vice versa.

We can now supply Swakopmund with Kuiseb water to relieve the stress on the Omdel and rationing of water."

The minister says it is crucial for Namibia to have water security because the impact of climate change is becoming severe in an already arid environment.

He emphasized the government's commitment to constructing a second desalination plant—one not directly impacted by drought, like underground water sources.

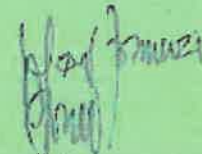
The feasibility study and financing options have been concluded, and construction of the plant is expected to start in 2025.

The Motion cannot be supported:

- **The National Key Points Act in Namibia does not directly address aquifers.**
- **Instead, the Water Resources Management Act (2013) is the primary legislation governing the management, protection, development, use, and conservation of water resources, including aquifers. This act provides a framework for regulating and monitoring water services and related activities.**

- **The Kulseb Aquifer, a crucial water source for Walvis Bay and surrounding areas, relies on a network of infrastructure including boreholes, reservoirs, and pipelines operated by NamWater and the Directorate of Water Supply and Sanitation Coordination.**

I so submit.

 JULY 29, 2025

Clir Ephraim Z. Shoji

29 July 2025

- 8.2 Councillor Bramwell then read his Motion Number 31, dated 14 July 2025, titled: "Internal Auditor", to the meeting.

Councillor Shoji reminded the meeting of a standing Council resolution dated 01 November 2022 regarding the appointment of an Internal Auditor for which Councillors must be informed on the progress thereof and whether it was implemented.

As the motion was unopposed, it was:

RESOLVED:

That motion Number 31 has passed but is referred to the Management Committee as it contains financial implications.

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

No questions were received.

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10. REPORT OF THE MANAGEMENT COMMITTEE FOR JULY 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 training and project exposure tour programme in Czerwonak, Poland from 18 to 28 September 2025 (Add. No. 17; M/C Meeting 18/06/2025; File 1/5/2/5)

Councillor Gordon apologised for joining the meeting late and enquired if this is an appropriate time for officials in vital roles to travel when there are many aspects in the town that need to be addressed urgently.

It was noted that the Management Committee RESOLVED:

- (1) That approval be granted for the 4 nominated Municipal staff members to participate in the Training and Exposure Tour programme to Czerwonak, Poland namely, Erikson Mwanjekange, Victoria Kapenda, Theodor Potgieter and Joseph Amushila.
- (2) That approval be granted for the four nominated staff to travel to Pretoria, South Africa to obtain Schengen Visas for the trip and subsequently to travel to the City of Czerwonak, Poland from 18th to the 28th of September 2025 or on the confirmed traveling dates by the Project Coordinator: Poland.
- (3) That all costs of traveling and lodging will be covered by the project as per the project budget as specified under budgetary line 2.1.3 and that all traveling arrangements to Poland be handled by the Czerwonak team in Poland.
- (4) That approval be granted in line with the Personal Rules and Procedures, as well as the Delegation Powers & Assignment of Duties and Responsibilities of Council of 2020, as amended.
- (5) That the indicated cost be paid to the nominated staff in line with the Daily Subsistence Allowance Policy.

11. RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE FOR JULY 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 Petition against procedures relating to Special Council Meeting held on 17 June 2025 (Add. No. 16; M/C Meeting 22/07/2025; File 3/3/1/P) (OCM No. 93/2025/07/29)

Councillor Shoji read his petition to the meeting and added that the purpose of his petition was to seek redress for the grievance Mrs Victoria N Kapenda, the Chief Executive Officer (CEO) brought against two members of Council as he feels the CEO is not protected at this institution and that justice was not served.

Councillor Shoji additionally thanked the Chairperson for complying with the Council resolution as that was an important step in addressing the matter.

Councillor Mutondoka responded that the matter was addressed in totality and that she accounted for to the house for her part at the Special Council Meeting of 17 June 2025.

A meeting which Councillor Shozi left early.

Councillor Mutondoka further added that at the time of her making that statement she was not aware of any other statements made but that town was dirty, but that she did not provide any names.

The Municipal Council RESOLVED:

That the Management Committee considered the petition as submitted by Councillor E Shozi and is of the view that the two Councillors were indeed afforded the opportunity to be heard at the Special Council Meeting of 17 June 2025, and the decision adopted at that meeting reflected the consensus of the Municipal Council that the matter has been dealt with.

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11.2 Southern Africa Inter-Municipal Sports and Recreation Association participants request Council to purchase opening attire and two t-shirts (Add. No. 18; M/C Meeting 22/07/2025; File 11/2/16) (OCM No. 94/2025/07/29)

Councillor Gordon again questioned the necessity of this many staff members travelling during a time when so many services to residents could be improved on. He pointed out that this would mean that approximately 118 staff and Councillors would be away from their duty stations for over a week at the same time.

The Chairperson responded reminding the meeting that the invitation for the trip to Poland came after the SAIMSA trip had already been approved by Council and that both trips are equally important for exposure and benchmarking.

The Chairperson further stated that the CEO as usual will leave Council operations in capable hands.

The Municipal Council RESOLVED:

- (1) That the Municipal Council purchase the attire, identified by the organising committee at a cost of N\$ 216 177.00 (VAT inclusive).
- (2) That permission be granted to the 110 employees to pay back the amount of N\$ 1 965.24 each for the attire, to the Municipal Council over a period of nine (9) months, to be deducted from their respective salaries.

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11.3 Feedback report on participation in the 3rd United Nations Oceans Rise Conference and Ocean Rise and Coastal Resilience Summit, and adoption of the recommendations emanating from the report (Add No. 1; M/C Meeting 22/07/2025; File 17/20/7/1/1) (OCM No. 95/2025/07/29)

The Municipal Council RESOLVED:

That the Municipal Council takes note, with appreciation, of the report and for it to adopt the following recommendations as made by the delegates as a firm policy decision of the Municipal Council:

1. To endorse the *Charter* by signing the Ocean Rise & Coastal Resilience Coalition Charter with the aim to unlock technical support and funding opportunities.

2. To promote *Ministry collaboration* by working closely with the Ministry of Agriculture, Water, Fisheries, Water and Land Reform with the aim to promote ocean literacy and a sustainable blue economy.
3. To foster a *Port-City synergy* by strengthening collaboration between the Namibian Ports Authority, Municipality of Walvis Bay and residents with the aim to boost coastal resilience.
4. To ensure *Integrated Resilience Planning* by embedding climate resilience into urban development and port infrastructure plans.
5. To facilitate *Peer Learning* by engaging exchange with other coastal cities with the aim to improve adaptation strategies.
6. To facilitate *Multi-Level Coordination* by enhancing coordination from local to global levels with the aim to access climate finance and technical support.
7. To implement *Policy Alignment* by ensuring that local plans align with regional and national climate and development strategies.
8. To support *Coastal Conservation* by prioritising the conservation of marine ecosystems and coastal defences.
9. To provide *Resilient Infrastructure* by investing in infrastructure with the aim to prevent flooding and to reduce climate-related risks.
10. To facilitate a *Coastal Cities Alliance* by establishing a Namibian coastal cities alliance with the aim to strengthen collective advocacy with central government.

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11.4 **Imposition of penalty rates on undeveloped erven** (Add. No. 2; M/C Meeting 22/07/2025; File 5/13/8/1) (OCM No. 96/2025/07/29)

Upon enquiry by Councillor Shozi on how exactly the penalties will be enforced as terms and conditions are already set for sold properties, Mr Jan Kruger, Manager: Corporate and Communication Services explained that this approval will enable this Municipal Council to impose penalty fees on all properties registered at the Deeds Office that remain undeveloped, and not only properties sold by the Council as per such sale conditions.

Mr Kruger further informed the meeting that the penalty amount depends on the number of years the property remains undeveloped.

The Municipal Council RESOLVED:

That the Municipal Council approves, subject to the final approval of the Minister of Urban and Rural Development, the levying of a penalty rate on all unimproved rateable property within the area of jurisdiction of the Municipal Council of Walvis Bay, as contemplated in section 76A(1)(a) and (b) of the Local Authorities Act, 1992 (Act No 23 of 1992) for the financial years commencing 2025/2026 and ending 2029/2030.

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- 11.5 **Submission of supplementary budget for the year ending June 2026** (Add. No. 3; M/C Meeting 22/07/2025; File 5/1/4-2025/2026) (OCM No. 97/2025/07/29)

The Municipal Council RESOLVED:

That the Municipal Council approve the supplementary budget amounting to N\$ 53,040,000.00, comprised as follows:

- 2 x Iveco Buses with Trailers	N\$ 2,740,000.00
- Shortfall on Farm 37 Proper	N\$ 46,540,000.00
- 2% Collection Commission	N\$ 3,600,000.00
- Garage for Traffic Section Iveco	N\$ 160,000.00

- 11.6 **Request to sponsor accommodation for students attending the Walvis Bay Maritime Week 2025** (Add. No. 4; M/C Meeting 22/07/2025; File 17/19/2/4/2 & 17/19/2/5/2) (OCM No. 98/2025/07/29)

The Municipal Council RESOLVED:

That the Municipal Council approves the sponsoring of 50% of the accommodation cost valued at N\$ 51,110.38 for 67 Teachers and Learners at Esplanade Park, from 7 to 12 September 2025.

- 11.7 **Preliminary inaugural report on the Namib Desert International Jazz Festival** (Add. No. 5; M/C Meeting 22/06/2025; File 1/5/2/5) (OCM No. 98/2025/07/29)

The Municipal Council RESOLVED:

That the Municipal Council takes note of the Namib Desert International Jazz Festival Preliminary Inaugural Report.

- 11.8 **Application to improve Council's infrastructure at Dolphin Beach Recreational Park and donation of the improvements to Council: Glow Waves** (Add. No. 6; M/C Meeting 22/07/2025; File Farm 44, Ptn 2) (OCM No. 99/2025/07/29)

Councillor Shozi asked for clarity on why Management Committee (MC) recommends to Council when Department Heads regarded as experts can recommend to Council as MC often sometimes deviates and changes made by the experts.

The Chairperson informed the Councillor that the meeting is following the set procedure as guided by the relevant Act and Standing Rules of Order.

The Municipal Council RESOLVED:

- (1) That the Municipal Council grants approval for the partnership in the form of a Development Agreement between Council and Glow Waves CC towards the development of an Entertainment Center at Portion 2 of Dolphin Beach Park in the extent of ±5828m², for a period of five (5) years.

- (2) That the Municipal Council reserves its right to have exclusive rights to use or avail the facility to other applicants on dates not part of the five (5) events reserved for the applicant and that this form part of the conditions of use.
- (3) That the improvement at Dolphin Park Recreational Centre be donated back to Council.
- (4) That the Municipality of Walvis Bay accept the donation, subject to the approval for accepting the donation from Minister of Urban and Rural Development in terms of Section 30(1)(z)(i) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended.
- (5) That the applicant, at its own cost, advertises the donation of the improvements and development agreement 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.
- (6) That the development agreement be signed, which outlines expectations from the development partner, i.e. Glove Wave, as outlined in the submission.
- (7) That the parties note that this interim development should not hinder or have any bearing to any future Council's Development Plans for the entire Portion 2 of Dolphin Beach Park.
- (8) That Council reserves its rights on the ownership and future development of the land.
- (9) That the partnership agreement be for the period five (5) years, which is eligible for extension for a further period, as maybe agreed upon between the Municipality of Walvis Bay and the applicant.
- (10) That the applicant, in conjunction with the Department of Roads & Building Control, have the portion 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 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 proposed 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 always comply with all relevant requirements of the Council's Standard Building Regulations, Health and Municipal Regulations.
- (17) That the Municipal Council of Walvis Bay will not hold liable to reimburse the applicant for any improvements affected on the site, should the development agreement not be extended.



- (18) That the developments commence immediately after the signing of the agreement and be completed within a six-months period.
- (19) 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.
- (20) That in the event the applicant fails to meet the conditions of this Council approval, the approval be regarded as null and void.
- (21) That the applicant be informed that the business relationship and transaction can only be concluded and become effective once Section 21 of the Financial Intelligence Act, 2012 (Act No.13 of 2012) read together with Section 26 of the said Act, is complied with, and that it is required from the applicant to provide such information at such time and in such format as instructed by the Anti-Money Laundering Compliance Officer of the Municipality of Walvis Bay.

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11.9 **Transfer of funds between budgeted votes – Capital Budget 2025/2026 to cover the shortfall for the construction of the satellite fire station in Kuisebmond** (Add. No. 7; M/C Meeting 22/07/2025; File 7220K) (OCM No. 100/2025/07/29)

The Municipal Council RESOLVED:

- (1) That the content of the submission be noted.
- (2) That approval be granted for the transfer of N\$ 600 000.00 from Vote B342/5525/0000 (Farm 37 – Fire Station) where an amount of N\$ 2 500 000.00 was budgeted for and is still available, to Vote B342/5527/0000 (Garage, Boundary wall & Equipment) to cover the shortfall for the construction of the satellite Fire Station in Kuisebmond.

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11.10 **Amendment of council resolution on the subdivision of the Farm 38 into Portions 1, 2 and Remainder Farm 38 and subsequent subdivision of Portion 1 (A Portion of Farm 38), amongst others** (Add. No. 8; M/C Meeting 22/07/2025; File Farm 38) OCM No. 101/2025/07/29)

The Municipal Council RESOLVED:

That the item heading and bullet 1, 2(c), 5 and 6 of the Council Resolution dated 27 November 2023 item 11.8 be amended to:

11.8 SUBDIVISION OF THE FARM 38 INTO PORTIONS 1, 2 AND REMAINDER FARM 38 AND SUBSEQUENT SUBDIVISION OF PORTION 1 (A PORTION OF FARM 38) INTO PORTIONS 1 TO 12 AND REMAINDER PORTION 1 (AS STREETS); REZONING OF NEWLY CREATED PORTION 2 FROM UNDETERMINED TO SPECIAL (TRUCK PORT WITH AUXILIARY USES); REZONING OF NEWLY CREATED PORTIONS 3 TO 5 AND 7 TO 10 FROM UNDETERMINED TO INDUSTRIAL; REZONING OF NEWLY CREATED PORTION 11 FROM UNDETERMINED TO PUBLIC OPEN SPACE; REZONING OF NEWLY CREATED PORTION 12 FROM UNDETERMINED TO UTILITY SERVICES (EXSITING SUBSTATION); REZONING OF THE NEWLY CREATED REMAINDER PORTION 1 FROM UNDETERMINED TO STREETS; AND CONSENT TO COMMENCE WITH THE CONSTRUCTION OF THE TRUCK PORT WHILE SUBDIVISION AND REZONING ARE IN PROGRESS

- (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 the Farm 38 into Portions 1, 2 and Remainder Farm 38 and subsequent Subdivision of Portion 1 (a Portion of Farm 38) into Portions 1 to 12 and Remainder Portion 1 (as Streets), be recommended to the Urban and Regional Planning Board for approval, as generally indicated on sketch plan numbers SUB/1_2/RF38 dated 21 August 2023 and SUB/P1F38/12 dated 12 September 2023, which bears the approval stamp of the Municipal Council.
 - (a) That the proposed portions (new portions 1 to 12) be provided with one electricity, water and sewerage connection.
 - (b) That the Department of Roads and Building Control makes suitable arrangements regarding road infrastructure, including access to the proposed portions.
 - (c) That suitable arrangements be made to the satisfaction of Telecom Namibia regarding telephone cables and connections.
 - (d) That suitable arrangements be made to the satisfaction of Erongo RED regarding all electricity cables and connections.
 - (e) 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).
- (2) That the following conditions be registered against Newly Created Portions 1, 2 and Remainder Farm 38 and New Portion 1 to 5; 7 to 10:
 - (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 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.
 - (c) That a 70-meter-wide electrical servitude area to be registered over the proposed newly created Portion 2 (a Portion of Farm 38) and Portions 1, 6 and 11 (Portions of Portion 1 of the Farm 38) in favour of NamPower as indicated on sketch plan SERVITUDE PLAN dated 12 August 2023, which bears the approval stamp of the Municipal Council.
- (3) That in accordance with Sections 56(2) and 109(2)(a) of the *Urban and Regional Planning Act, 2018* (Act No. 5 of 2018), the applications for rezoning of newly created Portion 2 from "Undetermined" to "Special" (Truck Port with Auxiliary Uses); rezoning of newly created Portions 3 to 5 and 7 to 10 from "Undetermined" to "Industrial"; rezoning of newly created Portion 11 from "Undetermined" to "Public Open Space"; rezoning of newly created Portion 12 from "Undetermined" to "Utility Services" (Existing Substation) and the rezoning of the newly created Remainder Portion 1 from "Undetermined" to "Streets" be recommended to the Urban and Regional Planning Board for approval, as generally indicated on sketch plan ZONINGMAP/P1_12 dated 12 August 2023, which bears the approval stamp of the Municipal Council.



- (4) That the Municipal Council obtains the Environmental Clearance Certificate (ECC) from the Ministry of Forestry, Environment and Tourism, prior to the submission of the subdivision application (for the creation of streets) to the Urban and Regional Planning Board (Minister of Urban and Rural Development).
- (5) That consent be granted to establish a Truck Port on Newly Created Portion 2 (a Portion of Portion 1 of Farm 38) in accordance with Clauses 6.1.2 and 12.1 of the Walvis Bay Town Planning (Zoning) Scheme, while the subdivision and rezoning application is in progress.
- (6) That condition (5) above only comes into effect when the Municipal Council has obtained access approval from Roads Authority to Main Road MR 36 for access provision for the proposed Truck Port development on Newly Created Portion 2 (a Portion of Portion 1 of Farm 38).
- (7) That the Municipal Council accepts responsibility for the accuracy of the figures and/or dimensions shown on the sketch plans which bear the Municipal Council's stamp of approval.

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11.11 **Disputed case: Consent: Place of Instruction: Establishment of a private school on Erf 4059 Walvis Bay** (Add. No. 9; M/C Meeting 22/07/2025; File 4049 W) (OCM No. 102/2025/07/29)

The Municipal Council RESOLVED:

- (1) That the Municipal Council does not support the consent to establish a Private School on Erf 4059 Walvis Bay.
- (2) That the illegal activities be ceased effective as from December 2025.
- (3) The applicant be advised to find a more suitable institutional zoned erf and that the Division of Housing and Properties can be consulted for the purchase of an institutional erf.
- (4) That the applicant be advised that he/she can, should he so wish (if grieved by the decision of the Municipal Council), lodge an appeal to the Minister of Urban and Rural Development, within twenty-eight (28) days of the notification of the Municipal Council's decision.

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11.12 **Rezoning of Erf 552 Meersig Proper from "Single Residential" with a density of (1:500m2) to "Single Residential" with a density of (1:300m2), and subsequent subdivision into Portion 1, Portion 2 and Remainder Erf 552 Meersig Proper and deletion of redundant title deed conditions** (Add. No. 10; M/C Meeting 22/07/2025; File 552M) (OCM No. 103/2025/07/29)

The Municipal Council RESOLVED:

- (1) That the previous diagrams NoA76/2017 of Erf 1606 (a Portion of Erf 552 Meersig Proper be withdrawn.

- (2) That the Municipal Council of Walvis Bay grants approval for the rezoning of Erf 552 Meersig Proper from "Single Residential" with a density of 1:500 to "Single Residential" with a density of 1:300, to the Urban and Regional Planning Board, in accordance with Section 105(a) of the Urban and Regional Planning Act, 2018 (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/compensation fee 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 the rezoning of Erf 552 Meersig Proper be proclaimed in the Government Gazette.
- (3) 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 552 Meersig Proper into Portion 1, Portion 2 and Remainder Erf 552 Meersig Proper be recommended to the Urban and Regional Planning Board for approval, as generally indicated on sketch plan 552/M/SP dated 28 February 2024, which bears the approval stamp of the Municipal Council:
- (1) 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.
 - (2) That the each newly created portion be provided with one electricity, water and sewerage connection.
 - (3) 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 portions.
 - (4) That any new additions to, alterations to or relocation of municipal services shall be the responsibility of the applicant.
 - (5) 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 portions.
 - (6) That the applicants shall make suitable arrangements with and to the satisfaction of Telecom Namibia regarding telephone cables and connections.
 - (7) That the applicants shall make suitable arrangements with and to the satisfaction of Erongo RED regarding all electricity cables and connections.
 - (8) 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.
 - (9) 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)*.

- (10) That the applicant/owner pay a 7.5% Endowment Fee for Portion 1 and Portion 2 of Remainder Erf 552 Meersig Proper, 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 newly created Portion 1 and Portion 2 of Remainder Erf 552 Meersig Proper.
- (4) That the conditions registered against Erf 552 Meersig Proper be cancelled and that the following conditions be registered against Portion 1 (a Portion of Erf 552 Meersig Proper), Portion 2 (a Portion of Erf 552 Meersig Proper) and Remainder Erf 552 Meersig Proper

IN FAVOUR OF THE LOCAL AUTHORITY

- 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 Zoning Scheme, prepared and approved in terms of the Urban and Regional Planning Act, 2018 (No. 5 of 2018).
- b. The building value of the main building, including the outbuilding to be erected on the erf, shall be at least be four times the municipal valuation of the erf.
- (5) That all costs regarding the above be borne by the owner (applicant).

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11.13 Rezoning of Erf 1352 Kuisebmond from Single Residential with a density of 1:500 to Local Business with a bulk of 1.0 (Add. No. 11; M/C Meeting 22/07/2025; File 1352 K) (OCM No. 104/2025/07/29)

Councillor Mutondoka stated that she drove by the erf and noticed that the structure is already built and that she did not see how the rezoning would negatively impact the surrounding area compared to other rezoned erven in the same area. The Councillor requested that a reconsideration be made, and approval be granted.

Councillor Andrews responded saying that at the time of the MC Meeting, the impression was given that the structure was not built yet and that was the reason MC recommended that an investigation be initiated to determine the facts regarding the erf.

Mr Theo Potgieter, General Manager: Roads and Building Control (RBC), then read from an excerpt of the relevant MC agenda and informed the meeting that the agenda stated that the business has been constructed and is operational, however he at the time had not clarified that to the meeting.

Councillor Shoji stressed the importance of RBC getting their "house" in order as various errors of a similar nature have come to light and no investigation or feedback yet been provided to the Municipal Council.

Councillor Kauhondamwa requested that critical items such as this first be discussed at an informal platform as it was done in the past.

Guided by Rule 22(3) of the Standing Rules of Order and with the unanimous agreement of the MC members present to change the MC recommendation, the recommendation was amended.

The Municipal Council RESOLVED:

- (1) That the Municipal Council grants approval of the application for the Rezoning of Erf 1352 Kuisebmond from Single Residential with a density of (1:300m²) to General Business with a bulk of 1.0, to the Urban and Regional Planning Board, in accordance with Section 105(1)(a) of the Urban and Regional Planning Act (Act No. 5 of 2018), subject to the following conditions:
 - (a) In terms of the Policy on the Levying of Betterment Fees for Local Authorities in Namibia, the applicant pays a betterment fee of 40% of the increase in the municipal land value after the Ministerial approval of the rezoning application.
 - (b) That the applicant obtains the Environmental Clearance Certificate from the Ministry of Environment, Forestry and Tourism prior to the inclusion of the rezoning application into an Amendment Scheme.
 - (c) That the rezoning of Erf 1352 Kuisebmond be proclaimed in the Government Gazette.
 - (d) That the Secretary of the Board must publish a notice in the Gazette in terms of Section 58 of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), informing the Local Authority of the approval of the rezoning in writing and the rezoning must be included in the next 5-year Zoning Scheme.

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11.14 Township establishment of Portion 16 (A Portion of Portion 3) on the Farm No. 37 into 434 erven and Remainder (Street) to be known as Green Valley Extension 12 (Add. No. 12; M/C Meeting 22/07/2025; File PTN 16 OF FARM 37) (OCM No. 105/2025/07/29)

Councillor Mutondoka informed the meeting that her request for amendments to this MC recommendation includes items 11.15, 11.16 and 11.17 as she feels land ownership must not be restricted by the Municipal Council as it is not fair, restricts growth and is illegal.

Councillor Bramwell clarified that the aim with the recommended investigations is to ensure the legal and regulatory frameworks are adequately applied to avoid mistakes that will be difficult to rectify later.

The Chairperson reiterated Councillor Bramwell's sentiment, adding that these measures are just to ensure responsible land-use and for Council to have some control.

The Chairperson then stressed that this Municipal Council fully supports housing ownership for its residents and that these measures would be for the good of the town.

Councillor Gordon expressed support for the MC recommendation but due to the critical housing need requested that a timeframe be added for the recommended investigations.

Mr Otniel Kakero, Town Planner, then enquired what exactly would need to be investigated, and after it was determined by the meeting that all the relevant investigations could not be placed in a short timeframe, the meeting agreed that the Town Planning Scheme currently being revised could incorporate any additions Council wants to add and those could then be added to other relevant policies.

Councillors Shoji reiterated his statement that the Department Heads, as experts on the subject matters must make recommendations directly to Council and not for MC to recommend to Council.

Guided by Rule 22(3) of the Standing Rules of Order and the unanimous agreement of MC members present to change its recommendation; the recommendation was amended.

The Municipal Council RESOLVED:

- (1) That the Need and Desirability for Township establishment be approved on Portion 16 of Farm No.37.
- (2) That the township layout plan, as indicated on drawing number PTN16/TE dated 14 July 2025, be recommended for approval in terms of Section 109(2)(a) and 105(1)(b) of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018) to be known as Green Valley Extension 12, subject to the following conditions:
 - (a) That the new township be called Green Valley Extension 12.
 - (b) That the following portions of land be zoned as:
 - i. Portions 1 to 408 be zoned Single Residential with a density of 1 dwelling unit per 300m² (1:300).
 - ii. Portions 409 to 412 be zoned General Residential 1 with a density of 1 dwelling unit per 100m² (1:100).
 - iii. Portions 413 to 415 be zoned Institutional with a bulk factor of 1.0.
 - iv. Portions 416 to 417 be zoned General Business with a bulk factor of 2.0.
 - (c) Reservation of Erven:
 - i. Portions 418 to 420 be reserved Utility Services for Erongo RED as substations.
 - ii. Portions 421 to 433 be reserved as a Public Open Space for the Local Authority.
 - iii. Portion 434 and the Remainder of Portion 16 be reserved as Street for the Local Authority.
- (3) That, the establishment of a township on Portion 16 of Farm No. 37 be recommended for approval in terms of Section 109(2)(a) and 105(1)(b) of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) subject to the following conditions:
 - (a) That a valid Environmental Clearance Certificate be obtained from the Environmental Commissioner before the application is submitted to the Urban and Regional Planning Board.
 - (b) That the following conditions be registered against the proposed erven in favour of the Municipal Council:
 - (i) The erven shall only be used or occupied for purposes which are in accordance with, and the use or occupation of the erf shall at all times be subject to, the provisions of the Walvis Bay Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018.
 - (ii) That, with the exception of Utility Services, Public Open Spaces and Institutional erven, the minimum value of the main building, excluding the outbuilding to be erected on the erven shall be at least two times the municipal valuation of the erf.



- (c) That the portion/s be provided with one bulk electricity, water and sewerage connection only, at the cost of the Applicant.
- (d) That any new additions to, alterations to or relocation of municipal services shall be the responsibility of the Applicant.
- (e) That the Applicant shall make suitable arrangements with and to the satisfaction of the Municipal Council, regarding any private sewers and private water pipes traversing the newly created portion/s.
- (f) That the Applicant shall make suitable arrangements with and to the satisfaction of Erongo RED regarding all electrical cables and connections.
- (g) That the Applicant shall make suitable arrangements with and to the satisfaction of Telecom Namibia regarding telephone cables and connections.
- (h) That the Municipal Council accepts no responsibility for the accuracy of the figures and/or dimensions shown on the sketch plans which bear the Municipal Council's stamp of approval.
- (i) Subject to compliance with all relevant planning regulations and policies, the Chief Executive Officer (CEO) be delegated authority to approve minor amendments to the township layout.

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11.15 Township establishment of Portion 18 (A Portion of Portion 3) on the Farm No. 37 into 659 erven and Remainder (Street) to be known as Green Valley Extension 14 (Add. No. 13; M/C Meeting 22/07/2025; File PTN 18 OF FARM 37) (OCM No. 106/2025/07/29)

To be read with the discussion under item 11.14.

Guided by Rule 22 (3) of the Standing Rules of Order and the unanimous agreement of MC members present to change its recommendation; the recommendation was amended.

The Municipal Council RESOLVED:

- (1) That the Need and Desirability for Township establishment be approved on Portion 18 of Farm No.37.
- (2) That the township layout plan, as indicated on drawing number PTN18/TE dated 11 July 2025, be recommended for approval in terms of Section 109(2)(a) and 105(1)(b) of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018) to be known as Green Valley Extension 14, subject to the following conditions:
 - (a) That the new township be called Green Valley Extension 14.
 - (b) That the following portions of land be zoned as:
 - i. Portions 1 to 600 be zoned Single Residential with a density of 1 dwelling unit per 300m² (1:300).
 - ii. Portions 601 to 608 be zoned General Residential 1 with a density of 1 dwelling unit per 100m² (1:100).
 - iii. Portions 609 to 613 be zoned Institutional with a bulk factor of 1.0.
 - iv. Portions 614 to 627 be zoned General Business with a bulk factor of 2.0.



- (c) Reservation of Erven:
- i. Portion 628 be reserved as Municipal Purpose for the Local Authority.
 - ii. Portions 629 to 634 be reserved Utility Services for Erongo RED as substations.
 - iii. Portions 635 to 659 be reserved as a Public Open Space for the Local Authority.
 - iv. Remainder of Portion 18 be reserved as Street for the Local Authority.
- (3) That, the establishment of a township on Portion 18 of Farm No. 37 be recommended for approval in terms of Section 109(2)(a) and 105(1)(b) of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) subject to the following conditions:
- (a) That a valid Environmental Clearance Certificate be obtained from the Environmental Commissioner before the application is submitted to the Urban and Regional Planning Board.
 - (b) That the following conditions be registered against the proposed erven in favour of the Municipal Council:
 - (i) The erven shall only be used or occupied for purposes which are in accordance with, and the use or occupation of the erf shall at all times be subject to, the provisions of the Walvis Bay Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018.
 - (ii) That, with the exception of Municipal Purpose, Utility Services, Public Open Spaces and Institutional erven, the minimum value of the main building, excluding the outbuilding to be erected on the erven shall be at least two times the municipal valuation of the erf
 - (c) That the portion/s be provided with one bulk electricity, water and sewerage connection only, at the cost of the Applicant.
 - (d) That any new additions to, alterations to or relocation of municipal services shall be the responsibility of the Applicant.
 - (e) That the Applicant shall make suitable arrangements with and to the satisfaction of the Municipal Council, regarding any private sewers and private water pipes traversing the newly created portion/s.
 - (f) That the Applicant shall make suitable arrangements with and to the satisfaction of Erongo RED regarding all electrical cables and connections.
 - (g) That the Applicant shall make suitable arrangements with and to the satisfaction of Telecom Namibia regarding telephone cables and connections.
 - (h) That the Municipal Council accepts no responsibility for the accuracy of the figures and/or dimensions shown on the sketch plans which bear the Municipal Council's stamp of approval.
 - (i) Subject to compliance with all relevant planning regulations and policies, the Chief Executive Officer (CEO) be delegated authority to approve minor amendments to the township layout.
- =====



- 11.16 **Township establishment of Portion 19 (A Portion of Portion 3) on the Farm No. 37 into 744 erven and Remainder (Street) to be known as Green Valley Extension 15** (Add. No. 14; M/C Meeting 22/07/2025; File PTN 19 OF FARM 37) (OCM No. 107/2025/07/29)

To be read with the discussion under item 11.14.

Guided by Rule 22(3) of the Standing Rules of Order and the unanimous agreement of MC members present to change its recommendation; the recommendation was amended.

The Municipal Council RESOLVED:

- (1) That the Need and Desirability for Township establishment be approved on Portion 19 of Farm No.37.
- (2) That the township layout plan, as indicated on drawing number PTN19/TE dated 09 July 2025, be recommended for approval in terms of Section 109(2)(a) and 105(1)(b) of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018) to be known as Green Valley Extension 15, subject to the following conditions:
 - (a) That the new township be called Green Valley Extension 15.
 - (b) That the following portions of land be zoned as:
 - i. Portions 1 to 680 be zoned Single Residential with a density of 1 dwelling unit per 200m² (1:200).
 - ii. Portions 681 to 689 be zoned General Residential 1 with a density of 1 dwelling unit per 100m² (1:100).
 - iii. Portions 690 to 692 be zoned Institutional with a bulk factor of 1.0.
 - iv. Portions 693 to 720 be zoned General Business with a bulk factor of 2.0.
 - (c) Reservation of Erven:
 - i. Portions 721 to 724 be reserved Utility Services for Erongo RED as substations.
 - ii. Portions 725 to 743 be reserved as a Public Open Space for the Local Authority.
 - iii. Portion 744 and the Remainder of Portion 19 be reserved as Street for the Local Authority.
- (3) That, the establishment of a township on Portion 19 of Farm No. 37 be recommended for approval in terms of Section 109(2)(a) and 105(1)(b) of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) subject to the following conditions:
 - (a) That a valid Environmental Clearance Certificate be obtained from the Environmental Commissioner before the application is submitted to the Urban and Regional Planning Board.
 - (b) That the following conditions be registered against the proposed erven in favour of the Municipal Council:
 - (i) The erven shall only be used or occupied for purposes which are in accordance with, and the use or occupation of the erf shall at all times be subject to, the provisions of the Walvis Bay Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018.



- (ii) That, with the exception of Utility Services, Public Open Spaces and Institutional erven, the minimum value of the main building, excluding the outbuilding to be erected on the erven shall be at least two times the municipal valuation of the erf
- (c) That the portion/s be provided with one bulk electricity, water and sewerage connection only, at the cost of the Applicant.
- (d) That any new additions to, alterations to or relocation of municipal services shall be the responsibility of the Applicant.
- (e) That the Applicant shall make suitable arrangements with and to the satisfaction of the Municipal Council, regarding any private sewers and private water pipes traversing the newly created portion/s.
- (f) That the Applicant shall make suitable arrangements with and to the satisfaction of Erongo RED regarding all electrical cables and connections.
- (g) That the Applicant shall make suitable arrangements with and to the satisfaction of Telecom Namibia regarding telephone cables and connections.
- (h) That the Municipal Council accepts no responsibility for the accuracy of the figures and/or dimensions shown on the sketch plans which bear the Municipal Council's stamp of approval.
- (i) Subject to compliance with all relevant planning regulations and policies, the Chief Executive Officer (CEO) be delegated authority to approve minor amendments to the township layout.

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11.17 Rezoning of Remainder Erf 3589 Walvis Bay Proper from "Single Residential" with a density of (1:300m²) to "General Residential 1" with a density of (1:50m²) and consent to proceed with development while rezoning is in progress (Add. No. 15; M/C Meeting 22/07/2025; File 3589W) (OCM No. 108/2025/07/29)

To be read with the discussion under item 11.14.

Guided by Rule 22(3) of the Standing Rules of Order and the unanimous agreement of MC members present to change its recommendation; the recommendation was amended.

The Municipal Council RESOLVED:

- (1) That the Municipal Council does not approve the application for the rezoning of Remainder Erf 3589 Walvis Bay Proper from Single Residential with a density of 1 per 300m² to General Residential 1 with a density of 1 per 50m² based on the requirements in the Walvis Bay Residential Density Policy.
- (2) That the Municipal Council grant approval for the application for the rezoning of Remainder Erf 3589 Walvis Bay Proper from "Single Residential" with a density of 1 dwelling per 300m² to "General Residential 1" with a density of 1 dwelling per 100m², 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 the rezoning of Remainder Erf 3589 Walvis Bay Proper be proclaimed in the Government Gazette.
- (3) That consent be granted to proceed with development while rezoning is in progress.
- (4) That the applicants be advised that, in terms of Section 110 of the Urban and Regional Planning Act, 2018, if they are aggrieved by the decision of the local authority, they may appeal against that decision to the Minister of Urban and Rural Development within twenty-one (21) days of the notification of the Municipal Council's decision, and in the manner set out in Section 129 of the of the Urban and Regional Planning Act, 2018.

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

No reports were received.

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13. **MINUTES OF ASSOCIATIONS**

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

No minutes 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)

Following a request by the Chairperson, a submission will be made to the Management Committee with recommendations for Council's membership fees to be redirected.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The Chairperson thanked all members, and the meeting terminated at 21:18.


CHAIRPERSON
Date: 15/09/2025


CHIEF EXECUTIVE OFFICER
Date: 08/09/2025

Date of confirmation of minutes: 27/08/2025