

Minutes

of the Ordinary Council Meeting of the Local Authority Council of Walvis Bay, held at the Kuisebmond Council Chambers, Nathaniel Maxuulili Avenue, Kuisebmond on Tuesday 08 April 2026 at 18:06

Present: Regional Councillor Ruben Shikongo

Councillors

Councillor M Hangula (Chairperson)
Councillor E Shoji
Councillor P Munyala
Councillor P Benyamin
Councillor S Roodt
Councillor J Kamaundju
Councillor A Kahmann
Councillor S Mutondoka

Officials

Acting Chief Executive Officer (R Van Wyk)
General Manager: Finance (FI !Gonteb)
General Manager: Human Resource, Corporate & Communication Services (S Schubert)
Manager: Housing and Properties (J Manale)
Engineer: Roads and Building Control (O Kakero)
Manager Corporate Services (J Kruger)
Corporate Officer (J Samaria)
Communications Officer (A Kaihiva)

Other:

Members of the public: Twenty (20) Members
Members of the media: One (1) Member

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

Upon invitation, Councillor A Kahmann 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 S Roodt, seconded by Councillor J Kamaundju, 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)

The Chairperson informed the meeting that Councillors J Shimbilinga and N Johannes were absent due to official reasons.

RESOLVED:

That it be recorded that Councillors J Shimbilinga and N Johannes were absent due to official reasons.

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

- 4.1 03 March 2026: On a proposal by Councillor A Kahmann and seconded by Councillor P Munyala, it was:

RESOLVED:

That the minutes of the Ordinary Council Meeting held on Tuesday 03 March 2026, be confirmed and approved with the following corrections:

Item 11.15 on page 17 : Correction to Councillor A Kahmann initials from "S Kahmann" to "A Kahmann" and on item 14.1.7 on page 25: paragraph 4 the date to change from "15 December 2026" to "15 December 2026".

- 4.2 12 March 2026: On a proposal by Councillor S Mutondoka and seconded by A Kahmann, it was:

That the minutes of the Special Council Meeting held on Thursday 12 March 2026, 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)

None.

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6. **STATEMENTS AND COMMUNICATIONS**

None.

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

No petitions were received.

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

No motions were received.

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

The Chairperson acknowledged receipt of the questions submitted by Councillor S Roodt and, according to Rule 26 (6), referred it to the next meeting for inclusion of the questions and responses in the agenda of the next meeting.

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10. REPORT OF THE MANAGEMENT COMMITTEE FOR MARCH 2026

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

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

10.1 Participation in Namibia Local Authority Sports and Recreation Association (NALASRA) Games: 2026 Grootfontein (Add. No. 25; M/C Meeting 19/03/2026; File: 11/2/17)

Councillor S. Mutondoka raised concerns on this matter under Rule 21(3). She further raised concerns regarding the Council's participation in the upcoming Municipal Games. She reminded the House that during a previous similar event, the Honourable Minister issued a clear directive acknowledging the value of sport but stating that sporting activities are not a core function of Council and should therefore not be funded from budgets intended for service delivery. She further stated that the directive explicitly provided that Council should not pay subsistence and travel allowances for participation in such games, and that participation, if any, should be self-funded by individuals or supported through alternative means, rather than ratepayers' funds. She further posed the following questions:

- *On what basis is the Council proceeding with participation, given the Minister's clear directive discouraging the use of public funds for such activities?*
- *How will the trip be funded without contravening the directive?*
- *Will Council funds be used, or will participating councillors cover their own costs?*
- *The report indicates that three councillors are scheduled to attend. Will these councillors receive subsistence and travel allowances from Council? If so, how does this align with the Minister's instruction?*

Mention was made by Councillor E Shoji that the directive was made for international trips and does not prohibit participation in local events. He further stated that budgetary provision was made in the previous financial year and approved as such by the previous Council for the use of the games.

It was noted that the Management Committee RESOLVED:

- (1) That participation of ninety-five (95) staff in the 2026 NALASRA Games at Grootfontein, Otjozondjupa Region for the duration: 25 - 29 May 2026 be approved.
- (2) That the total expenditure regarding participation in the NALASRA Games 2026 in Grootfontein, to the amount of N\$ 491 000.00, be noted and that the budgeted amount of N\$ 337 900.00 to be allocated to cover the costs of participation, be approved.
- (3) That the expenditure of N\$ 337 900.00 be defrayed from the Vote No 0336/0728/0000 – NALASRA where N\$ 150 000.00 was budgeted for and Vote 0336-0776-0000 - SAIMSA, where an amount of N\$187 900.00 a savings.
- (4) That the expenditure be allocated as follows;
 - N\$ 10 000.00 – NALASRA Affiliation and Registration Fees;
 - N\$ 327 900.00 – Transport and Accommodation for the 95 officials
- (5) That the shortfall to the amount of N\$ 153,100.00 be covered by the transfer from the Vote 0100/0783/0000, where an amount of N\$ 1 000 000.00 was budgeted and N\$ 280 256.00 is still available.
- (6) That special leave be granted from 24 - 30 May 2026, to the 95 participants attending the NALASRA Games 2026.

- (7) That special leave be granted to Mr. Daniel A Mouton to attend preparational meetings prior to the games and that Mr. Mouton be assisted with normal S&T rates as per Council.
- (8) That it be approved that three (3) Councilors accompany the staff to the NALASRA Games, namely Councillors Ndapewa Johannes, Ephraim Shoji and Adolf Kahmann.

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- 11 **RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE FOR FEBRUARY 2026**
The Chairperson of the Management Committee under Rule 22(2) individually proposed the recommendations of the Management Committee to the Council for consideration.

- 11.1 **Resubmission - Appointment of members to serve on internal committees and external institutions for the 2026-2030 term of office** (Add. No. 1; M/C Meeting 19/03/2026; 12/1) (OCM No. 18/2026/04/08)

The Municipal Council RESOLVED:

- (1) That the Municipal Council amends clauses 3.2 and 3.3 of its Suburb and Street Naming Committee Policy and Guidelines, adopted on 28 June 2011 under item 12.7, as follows:
 - Regional Councillors for Walvis Bay Regional Urban and Walvis Bay Rural
 - 4 x residents for Kuisebmond Suburb
 - 2 x residents for Narraville Suburb
 - 3 x residents for Walvis Bay Proper and Meersig
 - 2 x residents for Langstrand and Dolphin Beach
 - Municipal Councillors reduced from 5 members to 2 members
- (2) That the Municipal Council appoints members and persons to serve on the Suburb and Street Naming Committee as follows:
 - Walvis Bay Regional Urban and Rural Councillors (2), namely Councillor Albertina Nkoshi and Councillor Ruben Shikongo
 - Municipal Councillors (2), namely Councillor Adolf Kahmann and Councillor Jo-Ann Kamaundju
 - Residents residing in the Kuisebmond (4), namely Mr Daniel Imbili, Mr Kennedy Ilonga, Ms Menethe Nendongo and Mr Saul Habeb
 - Residents residing in the Narraville suburb (2), namely Ms Lovina Plato and Mr Paul Fisher
 - Residents residing in Walvis Bay Proper and Meersig (3), namely Ms Nadja Figueiredo, Mr Robert Schaaf and Mr Absalom Philipus
 - Residents residing in Langstrand and Dolphin Beach (2), namely Ms Suama Kalulu and Ms Trudi Reinhard
- (3) That the Municipal Council appoints members and persons to serve on the Local Authority Development Committee as follows:
 - Incumbent Mayor
 - Incumbent Chief Executive Officer
 - Incumbent General Manager: Roads and Building Control
 - Incumbent General Manager: Water, Waste and Environmental Management
 - Incumbent General Manager: Community and Economic Development
 - Members from the following OMA's and other entities: Namport, Erongo RED, Ministry of Defence (Navy), Correctional Services, Fisheries, Home Affairs, Education, Health and Social Services, NamPol.

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- (4) That the Municipal Council appoints members and persons to serve on the Walvis Bay Environmental Management Advisory Forum (WEMAF) as follows:
- One (1) x Councillor as member: Cllr Sharon Roodt, nominated by Councillor N Johannes, seconded by Councillor P Benjamin
 - One (1) x Councillor as alternate member: Cllr Pius Benjamin, nominated by Councillor P Munyala, seconded by Councillor N Johannes
 - That the Manager: Sewerage, Waste and Environmental Management, Mr David Uushona remain on the Forum as the specialist.
- (5) That the Municipal Council appoints members and persons to serve on the Community Safety and Security Liaison Committee as follows:
- Incumbent Deputy Mayor
 - Management Committee Members
 - Manager: Community Development
 - Chief Fire Officer
 - Chief Traffic Officer
 - Nampol
 - Ministry of Defence
 - Representative from each of the recognised Neighbourhood Watches
 - Secretariat: Community Development
- (6) That the Municipal Council appoints Councillor P Munyala to serve on the Audit Committee until an Internal Auditor is appointed, and the Audit Policy and committee composition be reviewed and resubmitted for approval thereafter.
- (7) Waterfront Development Company (Pty) Ltd
- (7.1) That the Municipal Council appoints the following persons to represent the Municipal Council of Walvis Bay on the Board of Directors of the Waterfront Development Company (Pty) Ltd, taking cognisance thereof that the company has a total maximum of 7 directors, and within the agreement that the Council may have a maximum of 4 directors: with an alternate director for each:
- Councillor Johannes Shimbilinga, with alternate as Councillor Ephraim Shoji
 - Councillor Miina Hangula, with alternate as Councillor Pius Benjamin
 - Mr Gottlieb Nghinongelwa in his current capacity as Manager: Community Development, with alternate as Mrs Sylvia Schubert in her current capacity as General Manager: Human Resource, Corporate Services & Public Relations
 - Mr Jack Manale in his current capacity as Manager: Housing and Properties, with his alternate as Mr Frans !Gonteb in his current capacity as General Manager: Finance
- (7.2) That it be noted that the appointments are in individual capacities and not as an incumbent to a position.
- (7.2) That the Waterfront Development Company (Pty) Ltd be invited to Informal Discussions and that prior to this meeting, the Municipal Council be provided with the Board Charter.
- (8) Erongo Regional Electricity Distributor (ERED) - Consumer Liaison Committee:
- That Ms Ansie van Vuuren, Mr Rudloph van der Westhuizen and Mr Sakeus Taapopi Shikongo be appointed by the Council to serve on the ERED Consumer Liaison Committee.
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11.2 **Request by Opuwo Town Council for purchasing a table at the Opuwo Annual Trade Fair 2026 fundraising gala dinner** (Add. No. 2; M/C Meeting 19/03/2026; File 2/17/1) (OCM No. 19/2026/04/08)

Councillor S Mutondoka enquired why the funds budgeted under the vote are not also utilized and allocated to local requests for assistance and to support vulnerable members of the community, noting that these funds are designated for donation purposes and funds remain unutilized.

Mr J Kruger explained that the Mayoral Relief Fund under a separate vote makes provision for requests from local residents enduring hardships.

The Municipal Council RESOLVED:

- (1) That the Municipal Council approves the request from the Opuwo Town Council for the purchase of a table for 10 persons at an amount of N\$ 5,000.00 at Opuwo Annual Trade Fair 2026 Fundraising Gala Dinner.
 - (2) That three (3) Councillors be delegated to attend the Opuwo Annual Trade Fair from 21-23 April 2026, namely, Councillors Pius Benyamin, Sharon Roodt and Johannes Shimbilinga.
 - (3) That the costs be defrayed from Vote 0110/0606/0000 (Donations) where N\$ 465,000.00 is still available
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11.3 **Rectification of name of department and subsequent renaming of the positions of General Manager and Senior Communications Officer** (Add. No. 3; M/C Meeting 19/03/2026; File 4/3/3/1 & 4/3/3/1/21) (OCM No. 20/2026/04/08)

Councillors S Mutondoka and J Kamaundju enquired whether there would be any financial implications arising from the rectification of the department and position names.

Councillor E Shoji explained that there would be no financial impact, however, he emphasized that both financial and non-financial implications should be included in the recommendations for each item submitted.

The Municipal Council RESOLVED:

- (1) That the renaming of the Department from Human Resources, Corporate Services and Public Relations to Human Resources, Corporate and Communication Services, be approved.
 - (2) That the renaming of the position General Manager: Human Resources, Corporate Services and Public Relations to General Manager: Human Resources, Corporate and Communication Services, be approved.
 - (3) That the renaming of the position Senior Communication Officer to Head: Communication Services, be approved.
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11.4 Transfer of the Information and Technology functions to the Department of Finance
(Add. No. 4; M/C Meeting 19/03/2026; File 4/3/3/1/20 / 4/3/3/3/35) (OCM No. 21/2026/04/08)

The Municipal Council RESOLVED:

That approval be granted for the transfer of the Information and Technology functions to the Department of Finance.

11.5 Application to purchase Erf 9524 Kuisebmond (a portion of Remainder Erf 4171 Kuisebmond): Ministry of Home Affairs, Immigration, Safety and Security (Add. No. 5; M/C Meeting 19/03/2026; File 4171 K) (OCM No. 22/2026/04/08)

The Municipal Council RESOVLED:

- (1) That Council resolution dated 14 October 2025 under item 12.11 be rescinded.
- (2) That Erf 9524 Kuisebmond, in extent 20,329,38 m², be included in the next phase of land swap with Government.
- (3) That Ministry of Works and Transport as custodians of Government land be informed of the resolution above.
- (4) That the applicant, at its own cost, advertises the land swap 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 the Ministry of Urban and Rural Development be consulted, and approval be obtained on the proposed transaction and its conditions in terms of Section 63 of the Local Authorities Act, 23 (Act 23 of 1992).
- (6) That the applicant, at own cost, do all and/or or any required ground works, provides all outstanding services and adheres to the guidelines/standard requirements for all services, i.e., water connection, water/sewerage/electrical reticulation.
- (7) That electrical requirements/services and/or any other information in this regard, be taken up with Erongo RED.
- (8) That the applicant be informed that the business relationship and transaction can only be concluded and become effective once Section 21 of the Financial Intelligence Act, 2012 (Act No.13 of 2012) read together with Section 26 of the said Act, is complied with, and that it is required from the applicant to provide such information at such time and in such format as instructed by the Anti-Money Laundering Compliance Officer of the Municipality of Walvis Bay.

11.6 Application to lease a portion of land on Farm 38, Walvis Bay: Services Petrollers Schlumberger (SLB) (Add. No. 6; M/C Meeting 19/03/2026; File: Farm 38) (OCM No. 23/2026/04/08)

Councillor S Mutondoka raised a concern regarding recommendation (22), noting that the clause appears to have been included as a condition but has not been honoured by applicants. She requested that a report be submitted to the Council detailing all framework agreements submitted by applicants since the introduction of this clause during the previous Council's term. She further requested that applicants be held accountable for the corporate social responsibilities agreed to in these agreements.

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Mr J Manale explained that the recommendation was introduced in 2025 after the department observed that residents, in general, did not benefit from these types of transactions. He further explained that, following all necessary approvals, applicants will be invited to present their frameworks and engage with the Council to incorporate the needs the Council wishes to have addressed within those frameworks.

The Municipal Council RESOLVED:

- (1) That a portion of land at Farm 38, in extent 75,000 m², be leased to Services Petrollers Schlumberger (SLB) (the applicant), with option to buy, at a rental of N\$1,30 cents/m² plus 15 % VAT per month, escalating with 10% per annum.
- (2) 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.
- (3) 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.
- (4) That the Ministry of Urban and Rural Development be consulted on the proposed lease and its conditions in terms of Section 63 of the Local Authorities Amendments Act, 2018 (Act 3 of 2018).
- (5) That, prior to the signing of a lease agreement, the applicants obtain an Environmental Clearance Certificate in terms of section 56 of the Environmental Management Act (Act 7 of 2007) from the Ministry of Environment and Tourism, Directorate: Environmental Affairs.
- (6) That the lease agreement be signed and the monthly rental be levied once the agreement has been signed by all parties.
- (7) That the lease period be for 15 years, to be extended for a further period as agreed upon between the Municipality of Walvis Bay and the applicant.
- (8) That a Notarial Deed of Lease be registered and the applicant to bear all costs.
- (9) That the applicant, in conjunction with the Department of Roads & Building Control, have the required 75,000 m² of Farm 38 surveyed at the applicant's cost.
- (10) 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.
- (11) That the applicant shall, on vacating the site, rehabilitate the area to the satisfaction of the General Manager: Roads & Building Control.
- (12) That a refundable, non-interest-bearing deposit of N\$10,000.00 be paid by the applicant on date of signing the lease agreement, to cover the costs of rehabilitation of the site should the applicant fail to do so, and any access for rehabilitation will be for the account of the applicant.
- (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.

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- (14) That the applicant shall, at own cost, enclose the leased area.
- (15) That electrical requirements/services and/or any other information in this regard be taken up with Erongo RED.
- (16) That the applicant has to comply at all times to all relevant requirements of Council's Standard Building Regulations, Health and Municipal Regulations.
- (17) That the Municipal Council of Walvis Bay not be held liable to reimburse the applicant for any improvements affected on the site should the lease not be extended after 15 years.
- (18) That the applicant guarantees and indemnifies the Municipality of Walvis Bay against any action, claim or loss, injury or damage which the applicant or any third party may suffer as a direct or indirect result of the development covered by the lease agreement.
- (19) That the applicant and Council enters into a development agreement simultaneously to the signing of the Deed of Sale with timelines.
- (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.
- (22) That parties develop a framework for Socio-Economic support Projects through the applicant's Corporate Social Responsibility (CSR) Programme towards the community of Walvis Bay, before signing the lease agreement.

Councillor S Mutondoka requested that her dissentient vote against this decision be recorded as provided for under Rule 35.

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11.7 **Application to purchase Erf 5917 Walvis Bay, Extension 14: Fanny Auto Repairs** (Add. No. 7; M/C Meeting 19/03/2026; File 5917W) (OCM No. 24/2026/04/08)

The Municipal Council RESOLVED:

- (1) That Erf 5917 Walvis Bay, Extension 14, in extent 2,249.88 m² be sold by private transaction to Fanny Auto Repairs (the applicant) at N\$650.00/m² plus 15% VAT.
- (2) That the applicant, at its own cost, advertises the sale by private transaction for objections in terms of the provisions of Section 63(2)(b) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended.
- (3) That the Ministry of Urban and Rural Development be consulted, and approval be obtained on the proposed sale and its conditions in terms of Section 63 of the Local Authorities Act, 23 (Act 23 of 1992).

Councillors S Mutondoka requested that her dissentient votes against this decision be recorded as provided for under Rule 35.

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- (4) That after all approvals have been obtained, the agreement of sale be signed and a 10% deposit of the purchase price be paid on the date of sale, and the balance be paid and/or secured by an acceptable bank guarantee within 120 days from the date of sale.
- (5) That an amount equal to 10% of the purchase price be paid on the date of sale toward the landscaping fund.
- (6) That the applicant and Council enter into a development agreement simultaneously to the signing of the Deed of Sale with timelines.
- (7) That the applicant, at own cost, do all and/or any required ground works, provides all outstanding services and adheres to the guidelines/standard requirements for all services, i.e., water connection, water/sewerage/electrical reticulation.
- (8) That electrical requirements/services and/or any other information in this regard, be taken up with Erongo RED.
- (9) 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.
- (10) That parties develop a framework for Socio-Economic support Projects through the applicant's Corporate Social Responsibility (CSR) Programme towards the community of Walvis Bay.

Councillor S Mutondoka requested that her dissentient vote against this decision be recorded as provided for under Rule 35.

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11.8 **Application to lease remainder Erf 277 Kuisebmond: Nmvula Liner Investment CC**
(Add. No. 8; M/C Meeting 19/03/2026; File 277W) (OCM No. 25/2026/04/08)

The Municipal Council RESOLVED:

- (1) That remainder Erf 277 Walvis Bay measuring 76m², be leased to Nmvula Liner Investment CC, at N\$482.50 plus 15% VAT per month, escalating by 5% per annum, for one (1) year.
- (2) That the applicant, at its own cost, advertise the lease by private transaction for objections in line with Section 63(2)(b) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended.
- (3) That the approval of the Minister of Urban and Rural Development be obtained in terms of Section 30(1)(t) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended.
- (4) That, while awaiting approval in terms of recommendations 1-3 above, a 12-month lease agreement be entered into between Nmvula Liner Investment CC and Council, in line with the delegated powers of the General Manager.
- (5) That the applicant, at its own cost be responsible for payments of connection fees of water and electricity as well as security of the premises.

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- (6) That the applicant be informed that the Council will revisit tariffs for the new financial year 2026/2027 and the tariffs will be adjusted accordingly

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11.9 Application to purchase Erf 5905 Walvis Bay, Extension 14: Bengi Trading CC (Add. No. 9; M/C Meeting 19/03/2026; File 5905W) (OCM No. 26/2026/04/08)

Councillor J Kamaundju raised concerns on this item 11.9 and all items up to 11.15, as it relates to land purchase applications submitted by a group of Small and Medium Enterprises (SMEs) within the same period. She further referenced Section 63(2) of the Local Authorities Act, which requires consultation with the Minister and adherence to prescribed conditions when selling or leasing land, as well as Standing Rule 35.1 regarding the right of a member to have their dissenting vote recorded. She enquired whether ministerial approval had been obtained, regulatory requirements were met and revenue considerations and procedural compliance were adequately assessed. She indicated her dissenting vote be registered.

Councillor S Mutondoka enquired how the selection was conducted and whether it was a fair process. She further explained that the erven in question were referred back for public closed bidding on 14 October 2025 and questioned why they were not sold accordingly, and how the decision was made to proceed with a private treaty sale. She registered her dissenting vote on this matter for item 11.9 to 11.15.

Councillor A Kahmann stated that failure to follow prescribed laws and procedures exposes the Municipality to legal risk and undermines the protection of both the Council and residents. He further noted that potential consequences include legal challenges (e.g., court cases), disruption of investments, and financial losses for investors. He requested that the Management Committee provide full evidence of compliance, demonstrate that all processes and alternatives have been exhausted, and ensure that lawful procedures are followed before recommending a sale by private treaty. In the absence of such assurances, he registered his dissenting vote on this matter for item 11.9 to 11.15.

Councillor E Shoji explained that the erven were originally identified around 2020/2021, when certain industrial erven were considered too large. Council subsequently resolved to subdivide these erven into smaller portions to enable Small and Medium Enterprises (SMEs) to benefit. He further explained that the intended process was to publicly advertise the subdivided erven to ensure equal opportunity for all interested parties, however this would exclude the SME's. Councillor Shoji emphasised that the erven were not surplus or leftover land but were deliberately withdrawn and restructured to support SME development and improved access to land.

The Municipal Council RESOLVED:

- (1) That Council resolution dated 14 October 2025 under item 12.19 be rescinded.
- (2) That erven 5905 Walvis Bay, Extension 14, in extent 2,301.44 m² be sold by private transaction to Bengi Trading CC (the applicant) at N\$650.00/m² plus 15% VAT.
- (3) That the applicant, at its own cost, advertises the sale by private transaction for objections in terms of the provisions of Section 63(2)(b) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended.
- (4) That the Ministry of Urban and Rural Development be consulted, and approval be obtained on the proposed sale and its conditions in terms of Section 63 of the Local Authorities Act, 23 (Act 23 of 1992).
- (5) That, after all approvals have been obtained, the agreement will be signed and a 10% deposit of the purchase price be paid on the date of sale, and the balance be paid

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and/or secured by an acceptable bank guarantee within 120 days from the date of sale.

- (6) That an amount equal to 10% of the purchase price be paid on the date of sale toward the landscaping fund.
- (7) That the applicant and Council enter into a development agreement simultaneously to the signing of the Deed of Sale with timelines.
- (8) That the applicant, at own cost, do all and/or any required ground works, provides all outstanding services and adheres to the guidelines/standard requirements for all services, i.e., water connection, water/sewerage/electrical reticulation.
- (9) That electrical requirements/services and/or any other information in this regard, be taken up with Erongo RED.
- (10) 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) That parties develop a framework for Socio-Economic support Projects through the applicant's Corporate Social Responsibility (CSR) Programme towards the community of Walvis Bay.

Councillors S Mutondoka, J Kamaundju and A Kahmann requested that their dissentient vote against this decision be recorded as provided for under Rule 35.

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11.10 **Application to purchase Erf 5918 Walvis Bay, Extension 14: Benguela Petroleum Supplies CC** (Add. No. 10; M/C Meeting 19/03/2026; File 5918W) (OCM No. 27/2026/04/08)

The Municipal Council RESOLVED:

- (1) That Council resolution dated 14 October 2025 under item 12.14 be rescinded.
- (2) That Erf 5918 Walvis Bay, Extension 14, in extent 2,022.49 m² be sold by private transaction to Benguela Petroleum (the applicant) at N\$650.00/m² plus 15% VAT.
- (3) That the applicant, at its own cost, advertises the sale by private transaction for objections in terms of the provisions of Section 63(2)(b) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended.
- (4) That the Ministry of Urban and Rural Development be consulted, and approval be obtained on the proposed sale and its conditions in terms of Section 63 of the Local Authorities Act, 23 (Act 23 of 1992).
- (5) That after all approvals have been obtained, the agreement of sale be signed and a 10% deposit of the purchase price be paid on the date of sale, and the balance be paid and/or secured by an acceptable bank guarantee within 120 days from the date of sale.
- (6) That an amount equal to 10% of the purchase price be paid on the date of sale toward the landscaping fund.

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- (7) That the applicant and Council enter into a development agreement simultaneously to the signing of the Deed of Sale with timelines.
- (8) That the applicant, at own cost, do all and/or any required ground works, provides all outstanding services and adheres to the guidelines/standard requirements for all services, i.e., water connection, water/sewerage/electrical reticulation.
- (9) That electrical requirements/services and/or any other information in this regard, be taken up with Erongo RED.
- (10) 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) That parties develop a framework for Socio-Economic support Projects through the applicant's Corporate Social Responsibility (CSR) Programme towards the community of Walvis Bay.

Councillors S Mutondoka, J Kamaundju and A Kahmann requested that their dissentient vote against this decision be recorded as provided for under Rule 35.

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11.11 **Application to purchase Erf 5915 Walvis Bay, Extension 14: Diclas Waste Oil Management CC** (Add. No. 11; M/C Meeting 19/02/2026; File: 5915W) (OCM No. 28/2026/04/08)

The Municipal Council RESOLVED:

- (1) That Council resolution dated 14 October 2025 under item 12.16 be rescinded.
- (2) That Erf 5915 Walvis Bay, Extension 14, in extent 2,309.95 m² be sold by private transaction to Diclas Waste Management CC (the applicant) at N\$650.00/m² plus 15% VAT.
- (3) That the applicant, at its own cost, advertises the sale by private transaction for objections in terms of the provisions of Section 63(2)(b) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended.
- (4) That the Ministry of Urban and Rural Development be consulted, and approval be obtained on the proposed sale and its conditions in terms of Section 63 of the Local Authorities Act, 23 (Act 23 of 1992).
- (5) That after all approvals have been obtained, the agreement of sale be signed and a 10% deposit of the purchase price be paid on the date of sale, and the balance be paid and/or secured by an acceptable bank guarantee within 120 days from the date of sale.
- (6) That an amount equal to 10% of the purchase price be paid on the date of sale toward the landscaping fund.
- (7) That the applicant and Council enter into a development agreement simultaneously to the signing of the Deed of Sale with timelines.

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- (8) That the applicant, at own cost, do all and/or any required ground works, provides all outstanding services and adheres to the guidelines/standard requirements for all services, i.e., water connection, water/sewerage/electrical reticulation.
- (9) That electrical requirements/services and/or any other information in this regard, be taken up with Erongo RED.
- (10) 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) That parties develop a framework for Socio-Economic support Projects through the applicant's Corporate Social Responsibility (CSR) Programme towards the community of Walvis Bay.

Councillors S Mutondoka, J Kamaundju and A Kahmann requested that their dissentient vote against this decision be recorded as provided for under Rule 35.

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11.12 **Application to purchase Erf 5910 Walvis Bay, Extension 14: G and B Logistics CC** (Add. No. 12; M/C Meeting 19/03/2026; File: 5910W) (OCM No. 29/2026/04/08)

The Municipal Council RESOLVED:

- (1) That Council resolution dated 14 October 2025 under item 12.13 be rescinded.
- (2) That Erf 5910 Walvis Bay, Extension 14, in extent 2,309.94 m² be sold by private transaction to G and B Logistics CC (the applicant) at N\$650.00/m² plus 15% VAT.
- (3) That the applicant, at its own cost, advertises the sale by private transaction for objections in terms of the provisions of Section 63(2)(b) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended.
- (4) That the Ministry of Urban and Rural Development be consulted, and approval be obtained on the proposed sale and its conditions in terms of Section 63 of the Local Authorities Act, 23 (Act 23 of 1992).
- (5) That after all approvals have been obtained, the agreement of sale be signed and a 10% deposit of the purchase price be paid on the date of sale, and the balance be paid and/or secured by an acceptable bank guarantee within 120 days from the date of sale.
- (6) That an amount equal to 10% of the purchase price be paid on the date of sale toward the landscaping fund.
- (7) That the applicant and Council enter into a development agreement simultaneously to the signing of the Deed of Sale with timelines.
- (8) That the applicant, at own cost, do all and/or any required ground works, provides all outstanding services and adheres to the guidelines/standard requirements for all services, i.e., water connection, water/sewerage/electrical reticulation.
- (9) That electrical requirements/services and/or any other information in this regard, be taken up with Erongo RED.

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- (10) 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) That parties develop a framework for Socio-Economic support Projects through the applicant's Corporate Social Responsibility (CSR) Programme towards the community of Walvis Bay.

Councillors S Mutondoka, J Kamaundju and A Kahmann requested that their dissentient vote against this decision be recorded as provided for under Rule 35.

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11.13 Application to purchase Erf 5912 Walvis Bay, Extension 14: I.T Import and Export CC
(Add. No. 13; M/C Meeting 19/03/2026; File: 5912W) (OCM No. 30/2026/04/08)

The Municipal Council RESOLVED:

- (1) That Council resolution dated 14 October 2025 under item 12.17 be rescinded.
- (2) That Erf 5912 Walvis Bay, Extension 14, in extent 2,309.94 m² be sold by private transaction to IT Import and Export (the applicant) at N\$650.00/m² plus 15% VAT.
- (3) That the applicant, at its own cost, advertises the sale by private transaction for objections in terms of the provisions of Section 63(2)(b) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended.
- (4) That the Ministry of Urban and Rural Development be consulted, and approval be obtained on the proposed sale and its conditions in terms of Section 63 of the Local Authorities Act, 23 (Act 23 of 1992).
- (5) That after all approvals have been obtained, the agreement of sale be signed and a 10% deposit of the purchase price be paid on the date of sale, and the balance be paid and/or secured by an acceptable bank guarantee within 120 days from the date of sale.
- (6) That an amount equal to 10% of the purchase price be paid on the date of sale toward the landscaping fund.
- (7) That the applicant and Council enter into a development agreement simultaneously to the signing of the Deed of Sale with timelines.
- (8) That the applicant, at own cost, do all and/or any required ground works, provides all outstanding services and adheres to the guidelines/standard requirements for all services, i.e., water connection, water/sewerage/electrical reticulation.
- (9) That electrical requirements/services and/or any other information in this regard, be taken up with Erongo RED.
- (10) 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) That parties develop a framework for Socio-Economic support Projects through the applicant's Corporate Social Responsibility (CSR) Programme towards the community of Walvis Bay.

Councillors S Mutondoka, J Kamaundju and A Kahmann requested that their dissentient vote against this decision be recorded as provided for under Rule 35.

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11.14 Application to purchase Erf 5911 Walvis Bay, Extension 14: Shamrock Investments Number FiftyTwo CC (Add. No. 14; M/C Meeting 19/03/2026; File: 5911W) (OCM No. 31/2026/04/08)

The Municipal Council RESOVED:

- (1) That Council resolution dated 14 October 2025 under item 12.18 be rescinded.
- (2) That Erf 5911 Walvis Bay, Extension 14, in extent 2,309.95 m² be sold by private transaction to Shamrock Investment (the applicant) at N\$650.00/m² plus 15% VAT.
- (3) That the applicant, at its own cost, advertises the sale by private transaction for objections in terms of the provisions of Section 63(2)(b) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended.
- (4) That the Ministry of Urban and Rural Development be consulted, and approval be obtained on the proposed sale and its conditions in terms of Section 63 of the Local Authorities Act, 23 (Act 23 of 1992).
- (5) That after all approvals have been obtained, the agreement of sale be signed and a 10% deposit of the purchase price be paid on the date of sale, and the balance be paid and/or secured by an acceptable bank guarantee within 120 days from the date of sale.
- (6) That an amount equal to 10% of the purchase price be paid on the date of sale toward the landscaping fund.
- (7) That the applicant and Council enter into a development agreement simultaneously to the signing of the Deed of Sale with timelines.
- (8) That the applicant, at own cost, do all and/or any required ground works, provides all outstanding services and adheres to the guidelines/standard requirements for all services, i.e., water connection, water/sewerage/electrical reticulation.
- (9) That electrical requirements/services and/or any other information in this regard, be taken up with Erongo RED.
- (10) 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) That parties develop a framework for Socio-Economic support Projects through the applicant's Corporate Social Responsibility (CSR) Programme towards the community of Walvis Bay.

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Councillors S Mutondoka, J Kamaundju and A Kahmann requested that their dissentient vote against this decision be recorded as provided for under Rule 35.

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11.15 **Application to purchase Erf 5904 and remainder Erf 5899 Walvis Bay, Extension 14: Zeus Logistics CC** (Add. No. 15; M/C Meeting 19/03/2026; File: 5904W- Rem 5899W) (OCM No. 32/2026/04/08)

The Municipal Council RESOVLED:

- (1) That the Council resolution dated 14 October 2025 under item 12.15 be rescinded.
- (2) That Erf 5904 Walvis Bay, Extension 14, in extent 2,146.50 m², be sold by private transaction to Zeus Logistics CC (the applicant) at N\$650.00/m² plus 15% VAT.
- (3) That the applicant, at its own cost, advertises the sale by private transaction for objections in terms of the provisions of Section 63(2)(b) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended.
- (4) That the Ministry of Urban and Rural Development be consulted, and approval be obtained on the proposed sale and its conditions in terms of Section 63 of the Local Authorities Act, 23 (Act 23 of 1992).
- (5) That after all approvals have been obtained, the agreement of sale be signed and a 10% deposit of the purchase price be paid on the date of sale, and the balance be paid and/or secured by an acceptable bank guarantee within 120 days from the date of sale.
- (6) That an amount equal to 10% of the purchase price be paid on the date of sale toward the landscaping fund.
- (7) That the applicant and Council enter into a development agreement simultaneously to the signing of the Deed of Sale with timelines.
- (8) That the applicant, at own cost, do all and/or any required ground works, provides all outstanding services and adheres to the guidelines/standard requirements for all services, i.e., water connection, water/sewerage/electrical reticulation.
- (9) That electrical requirements/services and/or any other information in this regard, be taken up with Erongo RED.
- (10) 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) That parties develop a framework for Socio-Economic support Projects through the applicant's Corporate Social Responsibility (CSR) Programme towards the community of Walvis Bay.

Councillors S Mutondoka, J Kamaundju and A Kahmann requested that their dissentient vote against this decision be recorded as provided for under Rule 35.

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- 11.16 **Proposal for Municipality of Walvis Bay to enter into a Memorandum of Understanding with Development Workshop of Namibia (DWN) for joint affordable land servicing to accelerate provision of serviced land in Walvis Bay** (Add. No. 16; M/C Meeting 19/03/2026; File: 7/2/3/2/10) (OCM No. 33/2026/04/08)

Councillor S Mutondoka requested that the organization be invited to present the Memorandum of Understanding to Council.

The Municipal Council RESOLVED:

- (1) That Council takes note of the annual report of Development Workshop of Namibia for 2024.
- (2) That approval be granted for the Council to enter into a Memorandum of Understanding with Development Workshop of Namibia for the joint land development at Portion No.14 and Extension No. 5 Green Valley as well as Portion No. 17 Narraville, in Walvis Bay.
- (3) That Development Workshop Namibia develop the land with infrastructure services as per the Memorandum of Understanding.
- (4) That land remains in the ownership of Council and only be transferred directly to the beneficiaries in conformity with the Memorandum of Agreement.

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- 11.17 **Amendment of purchaser's name in respect of the sale of a portion of Portion 9 of Farm 42 Langstrand: The Sports Village Number Thirty-Eight CC** (Add. No. 17; M/C Meeting 19/03/2026; File: PTN 9/Farm 42) (OCM No. 34/2026/04/08)

The Municipal Council RESOLVED:

- (1) That that the name "Mr Gunther Heimstadt – Ocean Key" in paragraph (1) of Council resolution item 11.8 dated 5 October 2023 be amended to read "The Sports Village Number Thirty-Eight CC".
- (2) That the sale agreement be entered with The Sports Village Number Thirty-Eight CC as per resolution 1.
- (3) That, before clause (2) above is executed the outstanding consumer account be settled in full.
- (4) That the development commences within 30 days from date of transfer at the deeds office, and failure to comply the proposed sale be regarded as null and void and property be re-transferred to Council at the cost of the applicant.

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- 11.18 **Subdivision of Erf 3785 Narraville Extension 7 into Portion A and the Remainder, permanent closure of Portion A as Public Open Space, rezoning of subdivided Portion A from Public Open Space to Utility Services and consent to commence with proposed development while rezoning is in progress: Erongo RED** (Add. No. 18; M/C Meeting 19/03/2026; File: 3785 N) (OCM No. 35/2026/04/08)

The Municipal Council RESOLVED:

- (1) That in accordance with Section 105 of the *Urban and Regional Planning Act, 2018* (Act No. 5, 2018), the Municipal Council recommends to the Urban and Regional

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Planning Board the application for the Subdivision of Erf 3785 Narraville Extension 7 into Portion A and Remainder, as generally shown on sketch plan 2067_N/SP, dated 06 February 2025.

- (2) 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.
- (3) That the subdivision application be lodged with the Urban and Regional Planning Board in accordance with Section 105(1)(e) of the Urban and Regional Planning Act (Act No. 5 of 2018).
- (4) That the following conditions be registered against the proposed Portion A (a Portion of Remainder Erf 3785 Narraville Extension 3), in favour of the Municipal Council:
 - (a) The portion shall only be used or occupied for purposes which are in accordance with, and the use or occupation of the erf shall at all times be subject to, the provisions of the Walvis Bay Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act (Act No.5, 2018).
 - (b) The minimum value of the main building, excluding the outbuilding to be erected on the portions shall be at least two times the municipal valuation of the portion.
- (5) That, in terms of Section 50 of the Local Authorities Act (Act No.23, 1992), as amended, the Municipal Council grants approval for the Permanent Closure of Portion A (a Portion of Erf 3785 Narraville Extension 7), measuring approximately 120m², as "Public Open Space" as generally shown on drawing 2067_N/CP, dated 23 June 2025, subject to the following condition:
 - (a) That the Town Planning Division issues the Closure Certificate to the offices of the Registrar of Deeds and Surveyor General.
- (6) That the Municipal Council recommends to the Urban and Regional Planning Board, the application for the Rezoning of Portion A (Portion of Erf 3785 Narraville Extension 7), from Public Open Space to Utility Services, in accordance with Section 105(1)(a) of the Urban and Regional Planning Act (Act No. 5, 2018), as generally shown on drawing number 2067/N/ZP dated 24 January 2024.
 - (a) That the rezoning of Portion A (a portion of Erf 3785 Narraville Extension 7) be proclaimed in the Government Gazette.
 - (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.
- (7) That consent be granted to proceed with development while rezoning is in progress.
- (8) That all costs regarding the above be borne by the applicant

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11.19 **Consolidation of Erf 5900 to 5903 Walvis Bay (A Portion of Erf 5899) Walvis Bay Extension 14 into Portion X: Waterbay Woods & Joinery CC** (Add. No. 19; M/C Meeting 19/03/2026; File: 5900-5903 W) (OCM No. 36/2026/04/08)

The Municipal Council RESOLVED:

- (1) That, in terms of Section 109(2)(a) of the Urban and Regional Planning Act (Act No. 5 of 2018), the application for the consolidation of Erf 5900 to 5903 (a Portion of Erf

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5899) Walvis Bay Extension 14 into Portion X, be recommended to the Urban and Regional Planning Board for approval, as generally indicated on sketch plan 5900-5903/WB/CP dated 13 June 2025, which bears the approval stamp of the Municipal Council, subject to the following conditions:

- (a) That the conditions presently registered against the erven be cancelled, and be replaced by the following conditions:
 - (i) The erf shall only be used or occupied for purposes which are in accordance with, and the use or occupation of the erf shall at all times be subject to, the provisions of the Walvis Bay Town Planning (or Zoning) Scheme prepared and approved in terms of the *Urban and Regional Planning Act (Act No. 5 of 2018)*.
 - (ii) The minimum value of the main building, excluding the outbuilding to be erected on the erf shall be at least two times the municipal valuation of the erf.
 - (b) That the newly created erf be provided with one electricity, water and sewerage connection.
 - (c) That the applicant shall make suitable arrangements with and to the satisfaction of the Municipal Council regarding road infrastructure, including access to the newly created Erf.
 - (d) That any new additions to, alterations to or relocation of municipal services shall be the responsibility of the applicant.
 - (e) That the applicant shall make suitable arrangements with and to the satisfaction of the Municipal Council, regarding any existing private sewers and private water pipes traversing the newly created erf.
 - (f) That the applicant shall make suitable arrangements with and to the satisfaction of Telecom Namibia regarding telephone cables and connections.
 - (g) That the applicant shall make suitable arrangements with and to the Satisfaction of Erongo RED regarding all electricity cables and connections.
 - (h) That the Municipal Council accepts no responsibility for the accuracy of the figures and/or dimensions shown on the sketch plan which bears the Municipal Council's stamp of approval.
 - (i) That all cost regarding the above be borne by the applicant.
- (2) That the Municipal Council issue a fine as per the Building Regulations.
- (a) Once the consolidation is approved by the Urban and Regional Planning Board (URPB) for Erven 5900 to 5903 (a Portion of Erf 5899) Walvis Bay Extension 14, plans must be amended and resubmitted to reflect the actual construction for approval.

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- 11.20 **Rezoning of Erf 3214 Walvis Bay from Single Residential with a density of 1:300 to General Business with a bulk of 2.0: NBT Quality Services** (Add. No. 20; M/C Meeting 19/03/2026; File: 3214 W) (OCM No. 37/2026/04/08)

The Municipal Council RESOLVED:

- (1) That the Municipal Council recommends for the approval of the application for the Rezoning of Erf 3214 Walvis Bay from Single Residential with a density of (1:300m²) to General Business with a bulk of 2.0, 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 3214 Walvis Bay 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.
 - (e) That all costs regarding the above be borne by the applicant/developer.

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- 11.21 **Disputed Case: Consent: Accommodation establishment (Airbnb) on Erf 400 Langstrand: Bench Properties Namibia CC** (Add. No. 21; M/C Meeting 19/03/2026; File: 400LB) (OCM No. 38/2026/04/08)

The Municipal Council RESOLVED:

- (1) That consent be granted in terms of Clause 12.1 of the Walvis Bay Town Planning Scheme for the establishment of an Accommodation Establishment (Airbnb) Erf 400 Langstrand 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 bays plus 1 parking bay 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 public.
 - f) Meals may only be supplied to bona-fide residents and their guests and not to the 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.

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- i) The Municipal Council requires the registration of this Self-Catering 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.
 - n) That this approval lapses after 5 years
- (2) That, subject to compliance with the above conditions, the rights may be exercised.

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11.22 Rezoning of Erf 2501 Walvis Bay Extension 7 from "Single Residential" with a density of (1:500m²) to "General Residential 1" with a density of (1:150m²) and consent to proceed with development while rezoning is in progress: Jianing Pei (Add. No. 22; M/C Meeting 19/03/2026; File: 2501W) (OCM No. 39/2026/04/08)

The Municipal Council RESOLVED:

- (1) That the Municipal Council recommends for approval the application for the rezoning of Erf 2501 Walvis Bay Extension 7 Proper from "Single Residential" with a density of 1 dwelling per 300m² to "General Residential 1" with a density of 1 dwelling per 150m², 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 Erf 2501 Walvis Bay Extension 7 Proper be proclaimed in the Government Gazette.
- (2) That consent be granted to proceed with development while rezoning is in progress.

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11.23 Subdivision of Erf 3150 Walvis Bay into Erf X and remainder. rezoning of newly created Erf X Walvis Bay from "Single Residential" with a density of 1 in 300 to "Local Business" with a bulk of 2 and consent to proceed with development while the rezoning is ongoing: Misty Bay Investments 146 CC (Add. No. 23; M/C Meeting 19/03/2026; File: 3150W) (OCM No. 40/2026/04/08)

The Municipal Council RESOLVED:

- (1) That, in terms of Section 109(2)(a) of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), the application for the subdivision of Erf 3150 Walvis Bay into new Erf X and Remainder Erf 3150 Walvis Bay to recommended to the Urban and Regional Planning Board for approval, as generally indicated on sketch plans 3150/EBWB/SP & 3150/WB/SP dated 20 November 2025, which bears the approval stamp of the Municipal Council.

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- (2) The subdivision will be as follows:

Erf 3150 Walvis Bay: $\pm 1198 \text{ m}^2$
New Erf X: $\pm 569 \text{ m}^2$
Remainder Erf 3150 Walvis Bay: $\pm 629 \text{ m}^2$

- (3) The subdivision will further be subject to the following conditions:

- a) That the newly created portion/Remainder be provided with one electricity, water and sewerage connection.
 - b) 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.
 - c) That any new additions to, alterations to or relocation of municipal services shall be the responsibility of the applicant.
 - d) That the applicant shall make suitable arrangements with and to the satisfaction of the Municipal Council, regarding any existing private sewers and private water pipes traversing the newly created portion/Remainder.
 - e) That the applicant shall make suitable arrangements with and to the satisfaction of Telecom Namibia regarding telephone cables and connections.
 - f) That the applicant shall make suitable arrangements with and to the satisfaction of Erongo RED regarding all electricity cables and connections; and
 - g) That owners 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.
- (4) 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.
- (5) 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).
- (6) That a 7.5% Endowment Fee be imposed against all New Erven, in terms of the Townships and Division of Land Ordinance: No. 11 of 1963
- (7) That the following conditions be registered in favour of the Walvis Bay Municipality:
- a) The erf shall only be used or occupied for purposes which are in accordance with, and the use or occupation of the erf shall at all times be subject to, the provisions of the Walvis Bay Town Planning Scheme (Zoning Scheme) prepared and approved in terms of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018).
 - b) The minimum value of the main building, excluding the outbuilding to be erected on the erf shall be at least four times the municipal valuation of the erf.
- (8) That the Municipal Council recommends to the Urban and Regional Planning Board, the application for the rezoning of New Erf X (Portion of Erf 3150 Walvis Bay) from "Single Residential" with a density of 1 in 300m² to "Local Business" with a bulk factor of 2.0, in accordance with Section 109(2)(a) of the *Urban and Regional Planning Act*

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(Act No. 5, 2018), as generally shown on drawing number 3150WB/ZP1 dated 20 November 2025. all costs regarding the above be borne by the applicant/developer.

- (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 New Erf X (Portion of Erf 3150 Walvis Bay) 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.
- (9) That consent to proceed with development while the rezoning is ongoing be granted.
- (10) That all costs regarding the above be borne by the applicant/developer.

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11.24 **Request for approval to co-host the Association for Local Authorities in Namibia (ALAN) Congress 2026** (Add. No. 24; M/C Meeting 19/03/2026; File: Budget) (OCM No. 41/2026/04/08)

The Municipal Council RESOLVED:

That the Municipal Council accepts co-hosting the congress, subject to the acceptance by ALAN of the limited facilities at the Narraville Community Hall.

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11.25 **Decongestion and relocation of illegal occupants from hotspots, Build-Together designated areas, the National Housing Enterprise land and the backyards in Kuisebmond** (Add. No. 26; M/C Meeting 19/03/2026; File: 7/2/3/2/10) (OCM No. 42/2026/04/08)

The following was noted for the discussion of this item:

- Councillor S Mutondoka raised a concern that pressure from the Minister should not compel the Council to act outside proper procedures. She clarified that she is not opposed to the relocation itself, but rather to the fact that the affected individuals are occupying land owned by the National Housing Enterprise (NHE) and not Council land. She further questioned why the Council is being tasked with relocating occupants from NHE-owned land, and why the Minister is not directing NHE to relocate the occupants to NHE-owned land, such as Farm 7, where land has reportedly been allocated.
- Councillor P Benjamin cautioned the House to ensure fairness in the relocation of residents, particularly in relation to the conditions outlined in recommendations (5) and (6).

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- Councillor A Kahmann also cautioned the Council against setting a precedent whereby illegal occupants are relocated, potentially leading to expectations that the Council will remove occupants and provide alternative land for future developments. He further enquired about the financial implications of the relocation for the Council.
- Councillor E Shoji clarified that the relocation forms part of a broader, proactive strategy to address informal settlements and illegal land occupation. He explained that the approach includes the establishment of a temporary reception area, engagement with the National Housing Enterprise (NHE) as a government entity, and the development of by-laws to regulate and prevent future illegal occupation. He further noted that the process is intended to improve living conditions for affected individuals, prevent uncontrolled land invasions, and that the relocation will apply to multiple affected groups across different areas. He emphasized that the initiative forms part of a broader policy direction rather than a one-time intervention.
- The Chairperson enquired whether the National Housing Enterprise (NHE) had been engaged to facilitate the relocation of the occupants.
- Mr J Manale confirmed that meetings had been held with the National Housing Enterprise (NHE) and that NHE will cover all costs related to the preparation of the land and the relocation process. He further informed the House that the department will provide the Council with the relevant supporting documentation.

The Municipal Council RESOLVED:

- (1) That approval be granted that Portion 11 of Farm 37 be set aside for relocation of illegal settlers on National Housing Enterprise land, those occupies land for Build Together Program, as well as the Kuisebmond backyard residents and 50 households from Narraville backyard residents.
- (2) That approval be granted that Portion 13 of Farm 37 be earmarked and prepared for reception area to relocate residents and administered concurrently with the development of Portion 11.
- (3) That beneficiaries to be relocated to Portion 11 of Farm 37 be afforded the opportunity to sign the required "Permission to Occupy" (PTO) certificates.
- (4) That all 44 people whose structures were found open without occupancy be not considered for relocation.
- (5) That persons who were found and who actually live in the structures are to be relocated, and not the absent owners of structures.
- (6) That family members be encouraged to live together where possible, to enable reducing the number of plots under this exercise.
- (7) That people be accorded an opportunity for the dismantle their own structures, and failure will result in the project team to do same.
- (8) That approval be granted for the appointment of 80 temporary workers for the monitoring of illegal activities with Council's law enforcement agencies, in conjunction with the Nampol Reservist Force through existing groups that can be approached for the recruitment of these workers.
- (9) That the beneficiaries be barred from erecting any illegal structures around their houses and that the Building Regulations shall apply.

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- (10) That this exercise should not create a precedence to consider illegal land grabbers at the expense of people who lived in shacks and procedurally applied for land in the past.

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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)

No minutes received.

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The Chairperson thanked all members, and the meeting terminated at 21:00.



CHAIRPERSON

Date: 08.05.2026

Date of confirmation of minutes:



CHIEF EXECUTIVE OFFICER

Date: 30/04/26