# Municipality of Swakopmund

# AGENDA PART 1 ORDINARY COUNCIL MEETING

ON TUESDAY

**03 JUNE 2025** 

AT





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Ref No: 5/2/1/1/2

Enquiries: Ms A Kahuika

27 May 2025

The Chairperson and Members of the Management Committee Municipality of SWAKOPMUND

Dear Sir / Madam\_

#### **NOTICE: ORDINARY COUNCIL MEETING**

Notice is hereby given in terms of Section 24 (1) of the Local Authorities Act of 1992, Act 23 of 1992 as amended, of a **ORDINARY MANAGEMENT COMMITTEE MEETING** to be held:

DATE: TUESDAY, 03 JUNE 2025

**VENUE: COUNCIL CHAMBERS,** 

MUNICIPAL OFFICE BUILDING,

C/O RAKOTOKA STREET AND DANIEL KAMHO

**AVENUE, SWAKOPMUND** 

TIME : 19:00

Alfeus Benjamin
CHIEF EXECUTIVE OFFICER

ak/-



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### 12. REPORTS AND RECOMMENDATIONS OF COMMITTEES OR THE CHIEF EXECUTIVE OFFICER

None.

#### 13. DRAFT REGULATIONS AND TARIFFS, IF ANY

#### **MINUTES**

of an **Ordinary Council Meeting** held in Council Chambers, Municipal Head Office, Swakopmund on **Tuesday, 29 April 2025** at **19:00.** 

#### PRESENT:

Councillor S M Kautondokwa 🔋 Deputy Mayor

Councillor W O Groenewald : Chairperson of the Management Committee
Councillor H H Nghidipaya : Member of the Management Committee
Councillor M Henrichsen : Member of the Management Committee

Councillor D Am-!Gabeb Alternate Member of the Management Committee

Councillor D Namubes Member of Council

#### OFFICIALS:

Mr A Benjamin Chief Executive Officer

Mr M Haingura General Manager: Corporate Services & HC

Mr V S Kaulinge General Manager: Economic Development Services
Mr C McClune General Manager: Engineering and Planning Services

Mr H !Naruseb General Manager: Finance

Mr A Kationdorozu General Manager: Health Services and SWM (Acting)

Ms D Hannes Personal Assistant to the Mayor
Mr U Tjiurutue Corporate Officer: Administration

#### **ALSO PRESENT:**

Nine (9) members of the public.

#### 1. OPENING BY PRAYER

The Reverend Jan De Wet opened the meeting with a prayer,

#### 2. ADOPTION OF THE AGENDA OF THE MEETING OF COUNCIL

(C/M 2025/04/29

5/2/1/1/2)

On the proposal of Councillor W O Groenewald, seconded by Councillor D Namubes, it was:

#### **RESOLVED:**

That the agenda be adopted.

### 3. APPLICATIONS FOR LEAVE OF ABSENCE AND DECLARATION OF INTEREST BY MEMBERS OF COUNCIL

3.1 Application for leave of absence:

Councillor B R !Goraseb - Approved
Councillor E Shitana - Approved
Councillor C-W Goldbeck - Approved
Councillor P Shimhanda - Approved

3.2 Declaration of interest:

None.

#### 4. CONFIRMATION OF MINUTES

(C/M 2025/04/29 - 5/2/1/1/2)

#### 4.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 01 APRIL 2025

(C/M 2025/04/29 - 5/2/1/1/2)

On the proposal of Councillor M Henrichsen, seconded by Councillor H H Nghidipaya, it was:

#### **RESOLVED:**

That the minutes of the Ordinary Council Meeting held on 01 April 2025, be confirmed as correct.

#### 5. INTERVIEWS WITH DEPUTATIONS OR PERSONS SUMMONED OR REQUESTED TO ATTEND THE MEETING OF A COUNCIL

None.

#### 6. PETITIONS

None.

#### MOTIONS OF MEMBERS

None.

#### 8. ANSWERS TO QUESTIONS OF MEMBERS OF WHICH NOTICE WAS GIVEN

None.

#### 9. OFFICIAL ANNOUNCEMENTS, STATEMENTS AND COMMUNICATIONS

(C/M 2025/04/29 -

Honourable Councilors, Mr. Alfeus Benjamin, the Chief Executive Officer, General managers, Managers and officials of Council, Reverend Jan De Wet, Members of the community, Members of the media, Ladies and gentlemen

Good evening once again.

Good evening once again and thank you for availing yourselves for tonight's announcements. It is always a pleasure to keep our community informed of key developments and ongoing efforts aimed at improving service delivery and sustainable growth in our town.

#### Honourable Councillors, Fellow residents of Swakopmund.

During the month of April, we had the following engagements and attended the following projects:

#### Council Participates in the Association for Local Authorities of Namibia (ALAN) Local Government Convention held in Swakopmund as from 23 to 25 April 2025.

Council is pleased to inform the public that a delegation of Councillors recently attended the Local Government Convention, which brought together local authority representatives from across the country. The convention focused on key governance issues, improved service delivery, and sustainable urban development.

This gathering served as a valuable platform for knowledge exchange, collaboration, and the sharing of best practices to strengthen local governance systems. Council is committed to applying the insights gained from this engagement to enhance operations and advance inclusive development in Swakopmund.

#### 2. DRC Informal Settlement Upgrade Construction Kicks Off

#### On another delightful note,

Council is proud to announce another major milestone in its drive to formalize informal settlements: More than 800 residents of the DRC settlement received land ownership certificates in April 2023. This achievement marks a transformative step in the ongoing effort to uplift vulnerable communities and promote access to secure, dignified housing.

This initiative forms part of the Informal Settlement Upgrade Program, a partnership between the Municipality and the National Housing Enterprise (NHE). With official land ownership in hand, beneficiaries are now eligible to apply for municipal services, connect to ErongoRED electricity, and construct permanent homes to replace temporary shacks.

The land, which was serviced through funding from the Central Government, has been donated to qualifying residents, who are only required to pay a once-off administrative fee of N\$1,000. Construction under the program will commence with seven pilot houses, symbolizing the first physical step towards a better quality of life for many.

Council urges all eligible residents to register with the Swakopmund Municipal Housing Office and take part in this transformative program as we continue working towards an inclusive and sustainable town for all.

#### Moving on,

#### 3. Community Engagement and Project Progress Update

In line with its commitment to transparency and community involvement, the Swakopmund Municipal Council hosted a well-attended public meeting on Sunday, 27 April 2025. The meeting provided an update on ongoing community development projects and allowed residents to engage directly with Council and key stakeholders.

Council in conjunction with NHE, provided progress updates on the Informal Settlement Upgrade Program, which was launched in 2024. Residents who received land ownership certificates in 2023 are reminded to visit the Municipal Office daily between 14:00 and 16:00 to sign preliminary agreements. This is an important step to commence construction and connect to electricity. Construction of the first six houses is expected to begin in the first week of May 2025.

We are indeed looking forward to bringing impactful changes in the community of DRC.

#### Honorable Councillors, Ladies and Gentlemen,

#### 4. BEACH MAINTENANCE AND REPAIR WORKS

Additionally, we would like to inform our residents of the coastal maintenance work which will be carried out in the Swakopmund Central Business District (CBD), specifically north of the Jetty, along Molenweg Street, just south of Erf 3562.

The work involves the augmentation of the existing breakwater to provide protection against erosion caused by high seas and wave action.

Furthermore, similar maintenance activities will also take place at Mile 4, around the general beach area near the public parking zone.

This intervention includes the placement of rock belts to manage erosion problems in the area resulting from high sea conditions.

The public is advised that during this period there will be personnel, machinery, and temporary restrictions to beach access in the affected areas. We urge all residents and visitors to exercise caution and avoid these zones for their safety.

Th duration of works will commence as from **22 April to 30 May 2025**. Your cooperation and understanding during this time are highly appreciated as we continue our efforts to protect and sustain Swakopmund's coastal environment.

Before I conclude the announcements tonight, I would like to share a burning concern with you. The ongoing copper theft.

#### 5. Community Safety and Copper Theft Warning (don't read out)

The Namibian Police has raised concerns regarding the ongoing theft of copper infrastructure.

Therefore, Council strongly cautions the public that copper theft has become a serious and costly issue, especially in areas undergoing development such as DRC. This criminal activity has severely impacted electricity supply and delayed service delivery, undermining efforts to improve living conditions.

Residents are thus, urged to remain vigilant and report any suspicious activity to the Namibian Police or the Municipality. Copper theft is a criminal offence that directly obstructs progress in our community, and together, we must work to safeguard public infrastructure.

#### Honoruable Councillors, Ladies and gentlemen

Having said the above,

I would like to thank you for your continued support towards the efforts of Council in providing quality service to the residents and further encourage that we work together to protect our infrastructure and ensure that progress is not hindered by criminal acts.

#### Honourable Councillors, Ladies and Gentlemen,

That concludes our announcements for today. We will now proceed with the agenda items.

Thank you for your time and attention.

S Kautondokwa Deputy Mayor

### 10. REPORT OF THE MANAGEMENT COMMITTEE REFERRED TO IN SECTION 26(1) (E) OF THE ACT

### 10.1 REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY MANAGEMENT COMMITTEE DURING APRIL 2025

(C/M 2025/04/29

5/2/1/1/2)

#### **RESOLVED:**

That the report to Council on the resolutions taken by Management Committee meetings held on 15 April 2025 be noted.

### 11. RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE MEETING HELD DURING APRIL 2025

#### 11.1 MANAGEMENT COMMITTEE MEETING HELD ON 15 APRIL 2025

### 11.1.1 REQUEST FOR DONATION OF TABLES AND CHAIRS FOR SWAKOPMUND INMATES' REHABILITATION PROGRAMMES

(C/M 2025/04/29 -

3/15/1/1, 17/2/5/4)

#### **RESOLVED:**

- (a) That Council take note of the request from the Swakopmund Correctional Facility to donate chairs and tables for inmate rehabilitation programs.
- (b) That Council donates written-off off broken chairs and tables from the Municipal Rest Camp to the Swakopmund Correctional Facility for their rehabilitation programme.

### 11.1.2 INVITATION TO THE STAMPRIET VILLAGE COUNCIL FOR THE HANDOVER OF WHEELIE BIN

(C/M 2025/04/29

12/5/1)

#### **RESOLVED:**

- (a) That Council condones the attendance by the Mayor and Chief Executive Officer to the Wheelie bin handover ceremony and clean-up campaign held in Stampriet.
- (b) That the following estimated expenditure for travelling and subsistence expenses be defrayed from the Conference Expenses Vote: 101015505500, where N\$83,444.13 is available:

Item	Lunch Tarif (2x400,00)	Overnight Allowance (1000.00 (3)	Accommodation (1000,00(3)	Transport Cost (N\$5.00/Km)	Total
Overnight allowance in Stampriet (NS6000.00) x 2  Mayor and Chief Executive Officer	N\$800.00	N\$3000.00 N\$3000.00	N\$3000.00 N\$3000.00	N\$7350.00	N\$20,150.00
TOTAL EXPENDITURE O	N SUBSISTENCE A	ND EVENT COSTS			NS20,150.00

#### 11.1.3 WRITING OFF REDUNDANT ITEMS AT THE MUNICIPAL REST CAMP

(C/M 2025/04/29 -

17/2/5/1)

#### **RESOLVED:**

(a) That Council approves the writing-off of the following items from the Rest Camp - Economic Development Services Department as listed below:

Description	Quantity
Microwave holder	43
Telecom phone wooden holders	5
Decoder wooden holders	3
TV wooden stands	91
Electrical/Solar geysers	39
Brown wooden pieces (1m)	233
DSTV Dish	6

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Chairs (wooden & plastic)	5
Braai Stands	15
Fridges	23
Microwaves	11
2 Plate Stoves	10
4 or 3 plate stoves	8
Tires	4
Old Brooms	109

(b) That the written-off items indicated in (a) above be sold by means of a public auction by the Council.

### 11.1.4 WRITING OFF OF REDUNDANT VEHICLES AT THE HEALTH SERVICES & SOLID WASTE MANAGEMENT DEPARTMENT

(C/M 2025/04/29

17/2/5/11

#### **RESOLVED:**

(a) That Council approves the writing-off of the following redundant vehicles from the Health Services & Solid Waste Management Department:

#### **Vehicles:**

No	Reg No	Make	Year Model	Fleet No	Vehicle Reg / VIN / Engine No	Remarks
1	N21250S	Chevrolet Cruze	2015	TH0309	SHJ531H KL1JF69E9FK037260 F16D4150840332	Old, requires constant repair, high costs
2	N5356S	Volkswagen Hatchback	2009	TH0161	RVZ227H AAVZZZ17Z9U015841A GY119776	Old, requires constant repair, high costs

(b) That the Chief Executive Officer and the Chairperson of the Management Committee determine the upset prices for the redundant vehicles and equipment.

# 11.1.5 ATTEND THE 3<sup>RD</sup> IRAN AFRICA ECONOMIC COOPERATION AND 7<sup>TH</sup> EXPORT POTENTIAL EXHIBITION (7<sup>TH</sup> IRAN EXPO) IN TEHRAN- 27 MAY-1 JUNE 2025 (C/M 2025/04/29 - 12/5/1)

- (a) That the Mayor be permitted to attend the 3rd Iran-Africa economic cooperation and 7th export potential exhibition (7th Iran expo) in Tehran, from 27 May to 1 June 2025.
- (b) That the following estimated expenditure for travelling and subsistence expenses be approved.

İtem	Lunch Tarif (2x400,00)	Overnight Allowance (2x1000,00)	Accommodation (2x1000,00)	Transport cast (NSS.00/km)	Total
Overnight allowance in Windhoek (N\$2000,00) x for 1 person	N\$400.00	N\$2000.00	N\$2000.00	849	N\$4,400.00
Overnight allowance visiting beyond SADC (NS2100.00) x 5	*	N\$10,500.00	(8)	25	N\$10,500.00

nights as from 26-02 June 2025 For two persons					
Return ticket (estimate) X 2 persons	2		3	o	50
TOTAL EXPENDITURE ON	SURSISTENCE AL	ND EVENT COSTS		-	N\$14,900.00

- (c) That Council seeks Ministerial approval for the travel authorization of the Mayor and Chief Executive Officer.
- (d) That the following estimated expenditure for travelling and subsistence expenses be defrayed from the Conference Expenses Vote: 101015505500, where N\$67,765.87 is available.
- 11.1.6 REQUEST FOR SPONSORSHIP TO HOST A WELLNESS EVENT FOR THE YOUTH AT THE MULTIPURPOSE CENTRE

(C/M 2025/04/29 - 15/2//3/3/1

#### **RESOLVED:**

- (a) That Council takes note of the request from Growing in Community for sponsorship of a venue to host a Wellness Event on 28 June 2025.
- (b) That Council approves the sponsorship request from Growing in Community for the Multipurpose Centre Hall to host the Wellness Event targeted at local young people.
- (c) That it be noted that the entrance to the event is free to the public.
- (d) That the rental fee of N\$1,942.05 for the Multipurpose Centre Hall be defrayed from the EDS Publicity Vote: 450015533000, where N\$56 091.30 is available.
- (e) That Messrs Growing in Community be advised to visit the Sport and Recreational Office to make the necessary arrangements prior to the event.
- (f) That the event be advertised on Council's social media platforms.
- 11.1.7 APPLICATION FOR SPECIAL CONSENT TO RELAX THE BUILDING HEIGHT ON ERF 68, WATERFRONT FROM 13 METRES TO 16 METRES

(C/M 2025/04/29 - WF 68)

#### **RESOLVED:**

That the application for special consent to relax the building height on Erf 68, Waterfront, from 13m to 16m not be approved.

11.1.8 REQUEST FOR ADDITIONAL FUNDS FOR CONSULTANCY SERVICES FOR SITE IDENTIFICATION, ENVIRONMENTAL IMPACT ASSESSMENT (EIA), FEASIBILITY STUDY, AND DESIGN PROPOSAL FOR A NEW LANDFILL SITE (C/M 2025/04/29 - 17/1//1/1)

#### **RESOLVED:**

- (a) That Council takes note of the request for additional funds.
- (b) That the Finance Department allocates an additional N\$731,500.00 for consultancy services related to site identification, the Environmental Impact Assessment (EIA), the feasibility study, and the design proposal for the new landfill site.
- 11.1.9 INVITATION TO PARTICIPATE IN THE IAEA EVENT NUCLEAR COMMUNITIES

  AND MAYORS IN FOCUS, 26-30 MAY 2025

(C/M 2025/04/29 - 12/5/1

#### **RESOLVED:**

- (a) That the Mayor be permitted to attend the United Nations Ocean Conference in Vienna, Austria as from 26-30 May 2025
- (b) That Council takes note that the trip will be fully funded by the International Atomic Energy Agency as per the attached letter.
- (c) That Council seeks Ministerial approval for the travel authorisation of the Mayor.
- 11.1.10 SAAMSTAAN JUKSKEI CLUB SWAKOPMUND: NEW LEASE PERIOD (C/M 2025/04/29 V 118)

#### **RESOLVED:**

- (a) That Council takes note of the application by Saamstaan Jukskei Club Swakopmund for the renewal of the lease agreement for the lease of a portion of Erf 118, Vineta, measuring 1,755m².
- (b) That Council approves a new lease period on condition that arrangements are made with the Finance Department to settle the arrears of annual rental in the amount of N\$ 26,187.47.
- (c) That the rental tariff be N\$3,008.28 + 15% VAT, being N\$ 451.24 = N\$ 3,459.52 with a 7% annual escalation, the first being 01 July 2025.
- (d) That the lease agreement will be subject to the existing and amended conditions as stipulated below and any further conditions that Council may require:
  - 1. Lease Period

The lease shall commence on 01 March 2025, irrespective of renewal approval by Council and the signing date of the lease agreement, and shall run for a period of 9 years and 11 months.

- 2. <u>\*----</u>"0
- 12 125=` 2.1 N\$3 008.28+ 15% VAT, being N\$ 451.24 = N\$3 459.52 with a 7% escalation on 01 July 2025 and every consecutive year. Council's standard three months' notice of cancellation applies to both parties.

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- The rental amount as quoted must be payable per annum in advance on or before the 7th day of each month to the Municipality free of bank commission.
- A refundable deposit equal to a year's rental is payable in advance.

#### Use of the Property and Responsibilities 3.

- The LESSEE shall comply with all conditions laid down by the GM: Health and Services Department in terms of the Health Regulations of the LESSOR
- and all other applicable municipal regulations.
  The PROPERTY shall not be used for any other purpose than for the purpose of playing and promoting jukskei and related activities on the PROPERTY.
- The LESSEE is responsible at all times to keep the area in a neat and tidy condition.

  Council shall remain responsible for the maintenance of the lawn area.
- The LESSEE must ensure that no structures, whether permanent or temporary, other than those indicated on the aerial photo (Annexure "F"), shall be erected on the allocated area.
- 3.6 The LESSEE shall remove all approved structures should the courts no longer be in use and restore the area to its original condition.

#### Right of Access

The Municipality shall at all times have the right of access to the HIRED PROPERTY being leased to carry out inspections in order to ensure that all applicable regulations and requirements are being complied with by the LESSEE.

#### Prohibition against Subletting 5.

The LESSEE shall not cede or assign this agreement or any portion of the portion of the HIRED PROPERTY OR THE PORTION THEREOF.

#### Indemnity

The LESSEE shall keep the LESSOR indemnified during the lease period of this lease agreement against any possible claims which may arise from the use of the PROPERTY by the LESSEE and if required to do so by the Municipality, shall furnish the Municipality with an acceptable all-risk indemnity policy.

#### **Breach of Conditions**

If the LESSEE breaches any conditions of the agreement, the lease may be cancelled at the entire discretion of the Municipality by giving thirty (30) days' notice in writing to the LESSEE, and the LESSEE shall restore the HIRED PROPERTY to a proper condition at his own cost and to the satisfaction of the Municipality within the sixty (60) days from date of such notification. Whether the lease is terminated by way of expiration or by breach of contract, the LESSEE shall, for its own account, restore the PROPERTY to its original condition and the satisfaction of the Municipality.

#### <u>Termination</u>

- This lease agreement is terminable at any time by either party giving or
- receiving three (3) months' notice in writing. In the event of termination of this agreement, the LESSEE shall have no claim for compensation in respect of any improvements effected on the property, provided that the LESSEE may remove any such improvements from the property within 60 days from date of termination, failing which all such improvements shall become the property of the LESSOR, provided further that the LESSEE shall be responsible for all costs incurred by the LESSOR or loss sustained by it as a result of any negligence on the part of the LESSEE so to remove any improvement or to restore the property to its proper condition.
- That the intended lease be published in terms of the Local Authorities Act, Act 23 of 1992, as amended.
- That it also be noted that no complaints from the public have been received to date.

## 11.1.11 INTERNAMIBIA DEVELOPMENT CC: TRANSFER OF OWNERSHIP OF PORTION 102 AND PENDING TRANSFER OF PORTION 178 (C/M 2025/04/29 - 17/1/4/2/1/11)

#### **RESOLVED:**

- (a) That Council approves the application by Van Rensburg Associates dated 14 February 2025 on behalf of Inter-Namibia Development CC, requesting Council to waive the requirement of having Portion 102 and Portion 178 consolidated.
- (b) That Council repeals the requirement approved on 26 July 2012 under item 11.1.8 point (b):
  - "b) That point (h) be added to Council's resolution passed on 25
    November 2010 under item 11.1.18 requiring the two portions
    to be consolidated."
- (c) That Council waives the requirement in terms of clause 6 (c) and clause 16 of the deed of sale for the additional portion of land, i.e. Portion 178.
- (d) That Council remains with the condition that both portions must be rezoned to "Special" for equestrian centre purposes approved on:
  - 27 November 2008 for Portion 102 under item 11.1.10, point (c) and NAMPAB decision 29/2009; and
  - 25 November 2010 for Portion 178 under item 11.1.10, point (f) and NAMPAB decision 104/2019.
- (e) That an addendum to the deed of sale for Portion 178 be compiled, recording the amendment in point (a) above and stating the correct property description of the portion of land as such was not established at the time of signing the deed of sale on 20 November 2012.
- (f) That Inter-Namibia Development CC be requested to comply with the rezoning requirement for both portions of land set out in point (d) above and the respective deeds of sale.
- (g) That Council takes note that, in terms of NAMPAB's decision (104) 2019, transfer of ownership of Portion 178 can only be finalized once the rezoning is published in the Government Gazette.

### 11.1.12 MOBILE TELECOMMUNICATION LIMITED: APPLICATION FOR 1 NEW SITE TO ERECT A TOWER IN SWAKOPMUND

(C/M 2025/04/29 - 4/1/1/7; E 10602)

- (a) That Council approves the application by Mobile Telecommunications Limited dated 16 October 2024 for the erection of a telecommunication tower and equipment room on a portion (+81 m²) of Erf 10602 (Wagdaar), Extension 14.
- (b) That Mobile Telecommunications Limited adheres to the following requirements:
  - Consent letter from the neighbours

- Environmental Impact Assessment (EIA)
- A maximum height of 25m for the tower
- (c) That the following standard lease conditions apply to the leasing of the lease portion in (a) above.
  - (i) Lease period of 5 years.
  - (ii) That building plans of all proposed buildings must be submitted to the Engineering and Planning Services Department.
  - (iii) That the portion of land is leased on the explicit condition that the lessee indemnifies Council against any claim for damages resulting from its occupation by the lessee.
  - (iv) That the lease be at the current tariff of N\$ 42.05/m² per month with an annual escalation of 7% every July (first being 1 July 2025).
- (d) That the Engineering & Planning Services Department provides a layout plan for the exact location on the identified erf to be used for the 81m² lease portion.
- (e) That Mobile Telecommunications Limited installs its own electrical meter so that any expenses and costs generated can be allocated to Mobile Telecommunications Limited.
- (f) That the proposed lease of the site be dealt with in terms of section 63 of the Local Authorities Act 23 of 1992, as amended.
- (g) That Council's standard lease conditions be made applicable to the lease.
- (h) That all costs relating to the lease, including, but not limited to, advertising costs, be for the account of the lessee.
- (i) That the following conditions be made applicable in addition to point (h) above:
  - (i) That Council will not reimburse Mobile Telecommunications Limited for any costs relating to the installation or removal of its properties or any other expense incurred during or after the termination of the lease agreement.
  - (ii) That any damages that may be caused to the lease site shall be for the account of Mobile Telecommunications Limited and shall be repaired at their cost and on demand.
  - (iii) That Mobile Telecommunications Limited be responsible for the proper maintenance of the equipment, failure to maintain the water tower and equipment on a structural and aesthetic level satisfactory to the GM: Engineering and Planning Services will result in the cancellation of the lease and the removal of the lease equipment at the cost of the lessee.
  - (iv) That Council be indemnified of any and all possible claims.
- (j) That the approval be granted on condition that Messrs Mobile Telecommunications Limited settle all its arrears, if any, with Council.

### 11.1,13 MUPUPA REALTORS CC: APPLICATION TO TRANSFER VACANT ERVEN TO THIRD PARTIES

(C/M 2025/04/29 - 17/1/4/2/1/))

#### **RESOLVED:**

#### (a) That Council takes note:

- of the application dated 21 January 2025 received from Müpupa Realtors for the amendment of the title condition preventing the transfer of vacant erven to third parties;
- (ii) that the restrictive clause was approved by Council on 24 February 2022 under item 11.1.4 for the sale of 50 fully serviced erven zoned "single residential" and located in Extension 25, Swakopmund to Mupupa Realtors CC at a purchase price of N\$180.00/m² and is contained in both the deed of sale and the addendum to the deed of sale under clause 6.4;
- (iii) that Mupupa Realtors CC is the owner of the 50 fully serviced erven, which can be bonded as surety for the construction of houses, which forms part of the risk undertaken by entrepreneurs;
- (iv) that the restrictive condition is imposed in order to ensure compliance with the approval granted for the private treaty allocation based on the intention to construct houses in order to alleviate the backlog of housing for the low and middle income groups;
- (v) that waiving the restrictive clause and allowing the transfer of vacant erven to third parties will leave Council with no means of enforcing the construction of houses on the 50 erven;
- (vi) that waiving the condition will create a precedent for the other private developers and not be fair towards Quintessential Trading & Consultancy Services (Pty) Ltd, who requires compliance and completion certificates in terms of Council's decision passed on 04 April 2023 under item 11.1.17; and
- (vi) that removal of the condition would disregard Council's commitment made in the terms of the vision and mission statement to the community by providing affordable services and infrastructure to all.
- (b) That Council does not approve the application by Mupupa Realtors CC for the waiving of the condition that a completion certificate must be issued prior to transfer of ownership of the erven to third parties.

### 11.1.14 **REQUEST FOR SPONSORSHIP OF EQUIPMENT - AFRICAN VOCALS** (C/M 2025/04/29 - 3/15/1/1)

- (a) That Council approves the request for sponsorship towards the value of N\$10,000.00 for the 2-piece garments for the African Vocals Capella group.
- (b) That the funds be defrayed from the Corporate Services Publicity Vote 150515533000, where N\$216 032.91 is available.
- (c) That Council grants exemption and approves the excess amount of N\$6,000.00, for full sponsorship of the 2-piece garments quoted at the total amount of N\$16,000.00.

- (d) That the logo of the Swakopmund Municipality be embroidered on the left corner of the sponsored garments as proof of acknowledgement, commitment and recognition of the sponsorship.
- (e) That the sponsored garments be officially handed over by the Mayor/ Councillors at a date to be determined by the Chief Executive Officer.
- (f) That the wording "Sponsored by Swakopmund Municipality" be prominently displayed on the sponsored items.

#### 11.1.15 REQUEST FOR SPONSORSHIP OF BRANDED GOLF SHIRTS

(C/M 2025/04/29 - 3/15

#### **RESOLVED:**

- (a) That Council approves the request for sponsorship of 28x golf shirts, the value of N\$4,991.00 to the Swakopmund Brass Group.
- (b) That the funds be defrayed from the Corporate Services Publicity Vote: 150515533000, where N\$216 032.91 is available.
- (c) That the logo of the Swakopmund Municipality be embroidered on the left corner of the sponsored 28x golf shirts as proof of acknowledgement, commitment and recognition of the sponsorship.
- (d) That the golf shirts be officially handed over by the Mayor/Councillors at a date to be determined by the Chief Executive Officer.
- (e) That the wording "Sponsored by Swakopmund Municipality" be prominently displayed on the sponsored items.
- (f) That Council approves the request for sponsorship of 28x golf shirts, the value of N\$4,991.00 to the Swakopmund Brass Group.
- (g) That the funds be defrayed from the Corporate Services Publicity Vote: 150515533000, where N\$216 032.91 is available.
- (h) That the logo of the Swakopmund Municipality be embroidered on the left corner of the sponsored 28x golf shirts as proof of acknowledgement, commitment and recognition of the sponsorship.
- (i) That the golf shirts be officially handed over by the Mayor/Councillors at a date to be determined by the Chief Executive Officer.
- That the wording "Sponsored by Swakopmund Municipality" be prominently displayed on the sponsored items.

# 11.1.16 REQUEST FOR APPROVAL TO APPOINT A QUALIFIED SOCIAL WORKER VOLUNTEER TO FACILITATE SWAKOPMUND AGAINST ALCOHOL AND DRUG ABUSE (SAADA) ACTION PLANS

(C/M 2025/04/29 - 11/2/4/3; 18/3/7)

#### **RESOLVED:**

(a) That Council takes note of the request to appoint a volunteer Social Worker to assist the Economic Development Services department with

the facilitation of the Swakopmund Against Alcohol and Drug Abuse Initiatives.

- (b) That Council grants approval for the Economic Development Services Department to appoint Ms Nadia Ranvis Plaatje, a qualified Social Worker, to facilitate the SAADA project, voluntarily without any remuneration for a period of one (1) year.
- (c) That a comprehensive feedback report be submitted to Council after one (1) year of operation with findings and recommendations for the project.
- (d) That Council considers integrating the SAADA initiatives into its broader Social Development Strategies, to ensure community impact and long-term sustainability

### 11.1.17 REQUEST FOR ANNUAL FINANCIAL CONTRIBUTION TO THE SWAKOPMUND NEIGHBOURHOOD WATCH TO FIGHT CRIME IN SWAKOPMUND

(C/M 2025/04/29 - 9/4/1/10)

#### **RESOLVED:**

That Council authorize the allocation of an annual financial contribution of N\$120,000.00 to the Swakopmund Neighbourhood Watch, in recognition of the substantial services they provide to the Swakopmund community.

### 11.1.18 REQUEST BY MS ESTER MAGANO KAMULILO TO BE EXEMPTED FROM THE PAYMENT OF DEVELOPMENT COST

(C/M 2025/04/29 - E 7604 M, 15/2/1/2)

#### **RESOLVED:**

That the request for exemption by Ms Ester Magano Kamulilo from payment of N\$54,000.00 of development cost be declined.

# 11.1.19 PROPOSALS PRESENTATIONS IN RESPECT OF THE EXPRESSION OF INTEREST FOR THE MANAGEMENT OF SWAKOPMUND EMERGENCY SHELTER

(C/M 2025/04/29 - T 610)

- (a) That Council take note of the presentation for the Management of Swakopmund Emergency Shelter on Erf 610, Tamariskia.
- (b) That the item be referred back to the Economic Development and Services Department to do the evaluation and summarise the presentations based on the criteria determined by Council.
- (c) That the evaluation considers, among others, approaches to the following key aspects, namely, gender based violence, handling of street kinds, drug and alcohol abuse, homeless and fire victims
- (d) That in addition to point (c) above, operation capacity be considered in terms of experience and track record, approach and mythology, staffing & capacity, financial proposal, monitoring and evaluation,

- community integration, legal compliance and alignment with municipal goals.
- (e) That the successful lessee be responsible for all day-to-day maintenance, staffing, remuneration, beddings, meals and security services.
- 11.1.20 FEEDBACK REPORT: REGIONAL CONSULTATION FOR INPUTS ON THE URBAN LAND REFORM, PROGRAMMES AND STRATEGY DEVELOPMENT HELD IN KEETMANSHOOP FROM THE 27<sup>TH</sup> TO 28<sup>TH</sup> MARCH 2025 (C/M 2025/04/29 9/2/1)

#### **RESOLVED:**

- (a) That Council takes cognizance of the event of Regional Consultations for the Urban Land Policy, Programs, and Strategies in Keetmanshoop, which took place from the 27<sup>th</sup> -28<sup>th</sup> March 2025, attended by the Manager: Town Planning and the Manager: Properties and Housing.
- (b) That the Council takes further cognizance of the impending validation process tentatively slated for the 28th -29th April 2025, in Windhoek.
- 11.1.21 REQUEST FOR ACCOMMODATION SPONSORSHIP FOR BIKERS-4-BIBLES
  CHARITY RIDERS & SUPPORT TEAM

(C/M 2025/04/29 - 15/2

15/2/7/1/2)

#### **RESOLVED:**

- (a) That Council takes note of the request from the Bikers-4-Bibles Charity Riders and their support team for sponsorship of accommodation at the Swakopmund Municipal Bungalows for 25 individuals from 4 to 6 April 2025.
- (b) That a 20% discount on accommodation fees be granted to support the outreach initiative, that is, a total accommodation cost of N\$9030.00, which amounts to a discount of N\$1,806.00, reducing the payable amount to N\$7,224.00.
- (c) That the Mayor extends a formal welcome to the Bikers-4-Bibles team on their arrival on 4 April 2025.
- 11.1.22 FEEDBACK REGARDING THE REGISTRATION OF HOUSEHOLDS IN EXTENSION 14, MONDESA

(C/M 2025/04/29 - 15/2/1/2)

- (a) That Council takes note of the feedback on the registration of households in Extension 14, Mondesa "Airport Side".
- (b) That all <u>172</u> households in Extension 14, Mondesa, that reside in the Transnamib Servitude area be relocated to clear encroachments on the railway reserve by ensuring the safety of all occupants in Extension 14, Mondesa.

- That Council prioritize the preparation of the Northern Wedge extensions reception area to expedite the relocation process.
- That the registered households in Extension 14, Mondesa, be informed at least 3 months in advance about the relocation in order to be prepared for the activity.
- That all 1,223 households in Extension 14, Mondesa, occupying residential erven be allowed to purchase the erven they are currently occupying, contingent upon individual affordability.
- That a payment plan, or subsidised land, be created for low-income households to ensure affordability.
- That should there are still unregistered households by the time of relocation, all necessary steps should be taken to remove the unoccupied structures in Extension 14, Mondesa, and be stored at Council's stores to assist future fire victims.
- That Council resolution 11.1.16(h), passed on 4 June 2024, be implemented and enforced as directed. "That signboards be designed and erected at all informal areas, cautioning occupiers from leasing structures and clarifying the penalties for non-compliance."
- That the General Manager Engineering & Planning Services should ensure the implementation of recommendations (c) & (h) above.
- APPOINTMENT OF SPORT & RECREATION OFFICER AS THE REGIONAL CO-11.1.23 ORDINATOR FOR THE ERONGO REGION FOR NAMIBIA LOCAL AUTHORITY SPORT AND RECREATION ASSOCIATION (NALASRA)

(C/M 2025/04/29

- That Council takes note of the appointment of Mr. Engelhardt Bonnie Oaseb as the Erongo Regional Coordinator of NALASRA.
- That permission be granted to Mr. E B Oaseb to attend the games as the acting Regional Coordinator.
- The Sport and Recreation Officer (Mr. E B Oaseb) be given special leave days to travel to Katima Mulilo for his assigned NALASRA duties for the duration of 25-30 May 2025.
- That permission be granted for the use of an official vehicle.
- That the cost amounting travelling and attending to matters of NALASRA by the Sport and Recreation Officer be defrayed from the EDS Conference Vote: 450015505500, where N\$9,512.53 is available.

## 11.1.24 REQUEST FOR PERMISSION TO ATTEND THE 6TH PARTNERSHIP CONFERENCE BETWEEN MUNICIPALITIES FROM GERMANY AND SUBSAHARAN AFRICA

(C/M 2025/04/29 - 9/2/1)

#### **RESOLVED:**

- (a) That permission be granted for the following officials to attend the 6th Partnership Conference between Municipalities from Germany and Sub-Saharan Africa, 8-11 September 2025, and attend the partnership network meeting in Giessen from 12-15 September 2025:
  - Mayor
  - Mr C McClune
  - Ms A Gebhardt
- (b) That it be noted that the 6th Partnership Conference between Municipalities from Germany and Sub-Saharan Africa is fully funded, but Council will be responsible for the subsistence and travelling allowances of the officials during that period (as per the Policy on Travelling, Accommodation & Subsistence).
- (c) That shuttle services be used to transport the officials to and from the Hosea Kutako International Airport, (Windhoek).
- (d) That Council be responsible for the payment of the visas and shuttle services for the officials, which will be refunded by the sponsors upon proof of invoice.
- (e) That special leave be granted to the officials to travel to and from Windhoek for visa application and when travelling to Germany during September 2025.
- (f) That feedback be submitted to the Management Committee.

### 11.1.25 APPLICATION BY MS L MWESHINDANGE FOR WAIVER OF THE PRE-EMPTIVE RIGHT OVER ERF 2077, MATUTURA, EXTENSION 10

(C/M 2025/04/29 - E 2077 M)

- (a) That Council approves the application of Ms Loide N Mwashindange by waiving the 10-year restriction over Erf 2077, Matutura, Extension 10 to sell the said erf to Ms Elina N Titus.
- (b) That the donation of Erf 2077, Matutura, be revoked and that Ms. Mwashindange be requested to pay Council back the land value, which is N\$60,000.00.
- (c) That Ministerial consent be obtained to allow Ms Mwashindange to sell Erf 2077, Matutura, Extension 10, to the third party, Ms Titus.
- (d) That Ms Mwashindange be informed that she no longer qualifies for allocation of an erf under the low-cost housing projects, as she is no longer a first-time property owner.

#### 11,1,26 <u>DEBT WRITE OFF - ACCOUNT NUMBERS 1000056595 AND 70121000012</u> (C/M 2025/04/29 - M 1210, E 4864)

#### **RESOLVED:**

- (a) That Council acknowledged the outstanding debt of N\$23,204.14 for the lease of Erf 4864 brick making.
- (b) That Council writes off half of the outstanding services balance amounting to N\$11,602.07 for Account No. 70121000012.
- (c) That Council grant permission to the General Manager: Finance to write off N\$11,602.07 against the accumulated Bad Debt Provision Vote: 960056511500.
- (d) That Mr. Guidao-Oab makes payment arrangements with Finance for an amount of N\$900.00 per month breakdown of (N\$700.00 on his service account and N\$200) for the remaining balance of N\$11,602.07 every month until the account is settled.
- 11.1.27 SWAKOP URANIUM EMPLOYEES TRANSACTIONS FOR 63 ERVEN IN EXTENSION 25, SWAKOPMUND:
  - UPDATE ON THE ALLOCATION
  - REQUEST FOR EXTENSION OF PAYMENT PERIOD FOR 12 EMPLOYEES
  - APPLICATION FOR RE-ALLOCATION OF ERF 6890 TO MR. SALOMON KAMBINDA

(C/M 2025/04/29 -

17/1/4/2/1/11)

#### **RESOLVED:**

- (a) That Council takes note of the progress regarding the sale of <u>63</u> erven zoned "Single Residential" located in Extension 25, Swakopmund, to qualifying employees of Swakop Uranium.
- (b) That Council takes note that there are 12 purchasers from the first batch of allocation who are in breach of the Deed of Sale and have not settled the purchase price within the prescribed 120-day payment period, despite being issued with notices to remedy the breach within 14 days.
- (c) That Council takes note that the breach mentioned in point (b) above is caused by the dissatisfaction of the beneficiaries with the terms given by the developer and Swakop Uranium, such as the high development rate charged by the developer and rigidity in accommodating the preferences of the beneficiaries during construction.
- (d) That Council approves a 60-day (2-month) extension period for the following 12 beneficiaries to pay the erf prices:

NO.	SURNAME	NAME	ERF NO.	SIZE METRES	ERF PURCHASE PRICE (N\$ 180.00/m²)
1	Nelende	Johannes Kandali	6872	400	NAD 72 000.00
2	Haivaka	Julius Ndemweefa	6884	400	NAD 72 000.00
3	Van Rooyen	Jeffrey Nathan	6889	423	NAD 76 140.00
4	Tsaraeb	Nelson Nesley	6893	433	NAD 77 940.00
5	Sheetheni	Festus	6896	400	NAD 72,000.00
6	Ngolo	Efraim	6898	400	NAD 72 000.00
7	Hoabeb	Hotago	6902	400	NAD 72 000.00

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8	Mbangula	Petrus	6903	400	NAD 72 000.00
9	Matheus	Edward	6904	480	NAD 86 400.00
10	Johannes	Festus	6906	400	NAD 72 000.00
11	Johr	Albert Eric	6880	400	NAD 72 000.00
12	!Gonteb	Patrick Kenneth	6909	400	NAD 72 000.00

- (e) That the purchaser in (d) above be granted fourteen (14) days from the date of the Council meeting to sign an addendum to the signed Deed of Sale, which shall extend the payment period, commencing on the date of execution by the last signing party.
- (f) That the extension granted in point (d) above not be used as a precedent for future breaches of conditions of allocation.
- (g) That Council approves the reallocation of Erf 6890 Extension 25 at N\$72,000.00 with the size of 400m² to Mr Salomon Kambinda, on the basis that no new applications have been received from other eligible employees of SU to replace him.
- (h) That it be noted that ministerial consent has already been granted for Mr Kambinda.
- (i) That Council approves the allocation of the four (4) single residential erven in Extension 25 Swakopmund, to SU employees who submitted the required documents on 18 February 2025 and 4 April 2025 as follows:

NO	NAME	ERF NO.	SIZE m²	ERF PURCHASE PRICE
1	Eli Frieda Aebes	6938	612	NAD 110 160.00
2	Bolly Nehale	6912	666	NAD 119 880.00
3	Pendapala Sheehama	6933	400	NAD 72 000.00
4	Herbert Brian Tjizumaue	6923	400	NAD 72 000.00

(j) That the following 4 erven that were allocated to applicants who did not sign the deed of sale be revoked and allocated to eligible Swakop Uranium employees as they submit the required documents.

NO	Erf	Size	Purchase price	Previous beneficiary
1	6899	400	NAD 72 000.00	Lukas Dumeni
2	6916	400	NAD 72 000.00	Teopoline Ndiilonga Tulina Matola
3	6920	653	NAD 117 540.00	Abiud Tjijazembua
4	6922	400	NAD 72 000.00	Frans Shipiluleni Kandadi

(k) That all other conditions of sale as determined at the initial allocation remain enforceable.

### 11.1.28 PROCUREMENT QUARTERLY PROGRESS REPORTS JULY 2024 TO MARCH 2025

(C/M 2025/04/29 - 5/

5/P)

#### **RESOLVED:**

That Council takes note of the procurement quarterly progress reports for the periods stated above, as submitted by the Chief Executive Officer.

### 11.1.29 <u>DRAFT CAPITAL AND OPERATIONAL BUDGETS FOR 2025 / 2026 FINANCIAL YEAR</u>

(C/M 2025/04/29

3/1/1/1/1; 3/1/1/2/1)

During the discussion of this item, the Chairperson of the Management Committee delivered the Budget Speech, it was:

#### **RESOLVED:**

- (a) That due to prevailing economic circumstances, Council approves the Tariff increment of 5% for the 2025 / 2026 Financial Year.
- (b) That the current Tariffs for the Senior Citizens remain unchanged.
- (c) That the tariff increment for rates and taxes only be considered after the approval of the General Valuation of 2025.
- (d) That Council approves the Capital Budget amounting to N\$132 377 000.00 for the 2025 / 2026 Financial Year.
- (e) That Council approves the balanced Operational Budget amounting to N\$602 976 000.00 for the 2025 / 2026 Financial Year.

#### 13. DRAFT REGULATIONS AND TARIFFS, IF ANY

None:

The meeting adjourned: 20:12.

Minutes to be confirmed on: 03 June 2025.

Councillor S M Kautondokwa DEPUTY MAYOR Mr Alfeus Benjamin
CHIEF EXECUTIVE OFFICER

10. REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY PREVIOUS MANAGEMENT COMMITTEE MEETING HELD DURING JANUARY 2025

#### 10.1 (A) MINUTES OF THE MANAGEMENT COMMITTEE MEETING HELD ON 15 May 2025

#### 2. CONFIRMATION OF MINUTES

(M/C 2025/04/15

5/2/1/1/2)

#### 2.1 MINUTES OF THE MANAGEMENT COMMITTEE MEETINGS HELD ON 10 APRIL 2025

On the proposal of Councillor M Henrichsen and seconded by Councillor E Shitana, it was:

#### **RESOLVED:**

That the Minutes of the Management Committee meetings held on 10 April 2025 be confirmed as correct.

#### 2.2 MINUTES OF THE MANAGEMENT COMMITTEE MEETINGS HELD ON 15 APRIL 2025

On the proposal of Councillor M Henrichsen and seconded by Councillor E Shitana, it was:

#### **RESOLVED:**

That the Minutes of the Management Committee meetings held on 15 April 2025 be confirmed as correct.

#### 2.3 MINUTES OF THE MANAGEMENT COMMITTEE MEETINGS HELD ON 28 APRIL 2025

On the proposal of Councillor M Henrichsen and seconded by Councillor W O Groenwald, it was:

#### **RESOLVED:**

That the Minutes of the Management Committee meetings held on 28 April 2025 be confirmed as correct.

#### 2.4 MATTERS ARISING FROM THE PREVIOUS MINUTES

None.

#### 8. **POLICY MATTERS**

8.1 PUBLIC SCOPING REPORT ON PROPOSED SITES FOR A FISH CLEANING FACILITY (M/C 2025/05/15 - E 977 S)

#### **RESOLVED:**

That this item be referred back for further consultation and determination of suitable sites.

8.5 APPLICATION FOR THE REZONING OF ERVEN 2280 & 2281, SWAKOPMUND EXTENSION 8 FROM SINGLE RESIDENTIAL WITH A DENSITY OF 1 900M2 TO GENERAL RESIDENTIAL 1 WITH A DENSITY OF 1:100M2 m2, SUBSEQUENT CONSOLIDATION INTO CONSOLIDATED ERF X AND CONSENT TO OPERATE A PENSION ON CONSOLIDATED ERF X

(M/C 2025/05/15

E 2280, E 2281)

#### **RESOLVED:**

That the item be referred back for appropriate review and verification of the applicable penalty to ensure consistency with similar decisions taken by Council previously.

8.7 **RISK REGISTER** 

(M/C 2025/05/15

3/1/4)

- (a) That the Audit & Risk Management Committee take note of the outcome of the risk assessment workshop and the report presented which sets out the risks identified, the likelihood of occurrence of the risk, the impact of the risk, the risk exposure as well as the management action to address each risk identified, be noted.
- (a) That the report (Annexure A), on file, issued to management to complete the risk register with information related to who the responsible person will be for each risk identified as well as how management plans on remedying and/or monitor the risks that have been identified during the risk assessment workshop, and when remedial action should be implemented, be fully implemented by the Chief Executive Officer and General Managers of the various departments and be maintained on a regular basis.
- (b) That the meeting takes note of a follow-up workshop has been planned for the end of April 2025, and that the outcomes of the risk assessment report to be assessed and adjusted to address the identified risks.

#### 8.8 MUNICIPAL ADMINISTRATION

(M/C 2025/05/15

11/2/4/1)

- (a) That the observation made, being a medium risk, of inadequate policies and procedures governing municipality administration, of no formal, approved procedures regarding the Municipality activities, resulting in inconsistent application of the process and business continuity could be affected in the event of staff movements; and management does not have the assurance that the function is performed effectively, efficiently and consistently that could result in non-compliance with statutory requirements, deviation from company policy and/or strategic and reputational risk; and that there is a risk of theft of Council's assets due to insufficient controls relating to safeguarding of the Municipality assets and buildings; and lack of defined accountability over safekeeping of spare keys resulting in increased risk of theft, be noted.
- (b) That the General Manager: Corporate Services & Human Capital establishes formal procedures around the Municipality activities, procedures that should clearly define the following:
  - Cut-off dates for incorporating information into monthly reports.
  - Preparation of meeting agendas and reports.
  - protocols for recording and tracking of implementation of Council decisions, as well as a framework for sharing these decisions with responsible individuals
- (c) That the General Manager: Engineering Services, in consultation with the various departments, maintains a log/inventory sheet to track the movement of spare keys, and that all spare keys be tagged and kept in safe custody.
- (d) That the General Manager: Corporate Services & HC in consultation with the General Manager Engineering & Planning Services ensure that policies are reviewed periodically (at least every 2 years), policies should be reviewed to ensure they remain relevant to current control processes being performed; and the key tag system should be activated, and the use of emergency doors should be restricted and remain locked, reserving their use solely for emergencies.
- (e) That the observation made, being a medium risk, a lack of formal mandates for approved various committees/bodies and or sub-committees established in terms of Section 26 (1) of the Local Authorities Act, Act 23 of 1992, as amended, to assist the Council in the execution of its social and governance responsibilities, be noted.
- (f) That the General Manager: Corporate Services & HC be tasked to coordinate the update of the list and to ensure that charters/guidelines be developed for each of the various committees/bodies as approved by Council and that the charters/guidelines be submitted to Council for approval and implementation.
- (g) That the General Manager: Corporate Services & HC ensure that these charters/guidelines include the following, but are not limited to:
  - the duties and responsibilities of each member.
  - the frequency of meetings; and
  - the objectives of the respective committee

- (h) That the observation made, being a low risk, of inadequate reporting process for reporting to management committee and the council on the departmental monthly reports that may be submitted in a timely manner, which hinder the ability to take timely actions and well-informed decision and the inconsistent in report timeline across departments that creates difficulties in conducting a meaningful comparison between data of departments, be noted.
- (i) That the General Manager: Corporate Services & HC establish formalized procedures for Council activities for reporting to the Management Committee and Council, and these procedures be realistic and allow the responsible persons sufficient time to prepare the required submission/report.
- (j) That the General Manager: Corporate Services & HC adjust the Management Committee & Council calendar to ensure it give sufficient reporting time for the different departments (estimated to be 5 working days after month end date) and consideration be given that the Management Committee meeting dates be shifted to the 2nd week of the subsequent month.
- (k) That the observation made, being a low risk, of insufficient control for management committee and council decisions and resolutions, as all Council decisions and/or resolutions are not completely recorded, tracked, and implemented by Management in a timely manner, and may lead to the following, be noted:
  - Wasted resources and missed opportunities for improving the quality and efficiency of the Municipality's services and operations.
  - Increased complaints and disputes from the public, staff, or other stakeholders, which may require more time and resources to resolve.
  - Reduced morale and motivation among the Municipality staff, who may feel frustrated, confused, or unsupported by the Management.
  - Loss of trust and confidence from the public, who may perceive the Municipality and its Management and Council as ineffective, or corrupt; or
  - Legal challenges or sanctions from other parties affected by the Municipality's actions or inactions.
- (I) That the General Manager: Corporate Services & HC establish a formalized procedure around Council's activities for the recording and tracking, and implementation of Management Committee en Council resolutions.
- (m) That the General Manager: Corporate Services & HC review and verify Council's Resolutions Monthly Feedback/Tracing Report before it is shared with the General Managers to ensure that all resolutions are included in the feedback report.
- (n) That the General Manager: Corporate Services & HC enhance the accountability and that special attention be given to resolutions that lack comments or actions and ensure that a thorough assessment is conducted on resolutions that have been only partially implemented or not implemented.
- (o) That the observation made, being a high risk, of discrepancies in records keeping and inadequate document management process as Council's data (hard copies on file) could become vulnerable due to natural disaster and man-made events which could have the potential result in inability to recover the data in an event of an incident and the electronic archiving system (SharePoint) that is not

appropriately administered and managed is at risk that Council is not in compliance with the Archiving Act (Act no. 12 of 1992, be noted.

- (p) That the General Manager: Corporate Services & HC, head of archives, considers a user access policy for the electronic "archiving "system (SharePoint) and that the policy outlines the following, but not limited to:
  - How access should be configured.
  - the level of access to the system.
  - retention period before data is stored on "another channel" which is accessible to the archivist; and
  - how the electronic register will be maintained and reviewed.
- (q) That the General Manager: Corporate Services & HC, head of archives considers ensures that the electronic "archiving" system (SharePoint) needs to be appropriately configured and managed, considering the below and not limited to:
  - The electronic "archiving" system should adhere to the guidelines outlined in the Archiving Act (Act no.12 of 1992) and ensure full compliance with the provisions of the Act;
  - Implement role-based access control. When "files" are opened on the electronic "archiving" system, they should only be visible to the archivist, the responsible person, and the accountable persons. For open items, a reminder should be sent to the Personal Assistants to the General Managers to follow up on overdue items. A retention period (after every 3 years) should be set for closed "files"/resolved items. All closed "files"/resolved items that have reached the retention period should be sent to "another channel" created on the electronic "archiving" system, in which only the archivist has access; and
  - Training should be given to Personal Assistants to the General Managers to close items on the electronic "archiving" system.
- (r) That the General Manager: Corporate Services & HC considers implement a tracker list for all correspondences logged for each department and needs to be password protected, the responsibility for tracker list should be assigned to the Personal Assistants to the General Managers and the tracker list should be reviewed by General Managers to ensure all correspondences are addressed and responded to in a timely manner.
- (s) That the General Manager: Corporate Services & HC considers that Council Archivist creates a table of content for each file in the archive room and the table of contents should list all the documents contained in the file and provide a brief description of each document, the content should be pasted in each file and constantly updated when new documents are inserted in the file. Checks should be performed when the file is returned to ensure all documents are in the file.

### 8.9 INTERNAL AUDIT: CASH FLOW MANAGEMENT & ADMINISTRATION (M/C 2025/05/15 - 3/1/4)

- (a) That the observation made, being a medium risk, that Council has no formal procedure for creditors' reconciliation and the creditors' reconciliation are not timely performed, which may lead to errors not being detected and corrected promptly, be noted.
- (b) That the General Manager: Finance establish formal procedures for the creditor's reconciliation process, clearly defining:
  - The expected reports to be reconciled.
  - The preparation and sign-off of the reconciliation.
  - the reconciliation submission due date; and
  - the expected date of review and approval thereof.
- (c) That the General Manager: Finance ensures that the timeline defined in the procedures should allow the responsible persons for the Creditor's reconciliation sufficient time to prepare the required reconciliations.
- (d) That the observation made, being a high risk, of inadequate payment to suppliers, committing transactions without appropriate approval, might result in financial losses and Council's strategic objectives not being met, be noted.
- (e) That the General Manager: Finance establish a clear and efficient communication channel between the finance department, user departments and procurement department to enable invoices (for goods/services) are promptly received and approved for payment and to make sure that all required documents and necessary steps are completed for payments to suppliers, a checklist should be designed and affixed to each invoice/payment.
- (f) That the General Manager: Finance, on a monthly basis, assess samples of suppliers to verify that payments to suppliers are made in accordance with Council's procedures
- (g) That the observation made, being a medium risk, of inaccuracies in Finance's monthly report relating to investment income that may result in poor decision making for investments made by Council, be noted.
- (h) That the General Manager: Finance ensures that sufficient and appropriate information on investments is included in the finance monthly report to enable effective decision making by the Management Committee.

#### 8.10 INTERNAL AUDIT: HUMAN RESOURCES

(M/C 2025/05/15

11/P)

- (a) That the observation made, being a high risk, of discrepancies in human resources policies and procedures, being inconsistent application of the control processes and failure to meet organizational objectives as individual employee performance is not linked to the key performance indicators which could result in the Municipality's strategic goals not being met; and negative impact on business continuity in the event of staff movements, be noted.
- (b) That the General Manager: Corporate Services & HC ensures that all policies and procedures are reviewed at least every (2) two years, also consideration be given to have a register of ALL Councils policies and procedures and with a plan to indicate and track the reviewing of each policy, and that the latest versions are made available on the share drive.
- (c) That the General Manager: Corporate Services & HC make sure the training procedure is updated to comprehensively cover the processes to be followed; and the Human Capital function should prioritize the implementation of a performance management system.
- (d) That the observation made, being a high risk, of discrepancy relating to user rights access on the PayDay system indicate inappropriate system user rights and inadequate segregation of duties may allow staff to process unauthorized transactions / entries on the payroll system and will not be timely identified; and confidentiality of employee information may be compromised, be noted.
- (e) That the General Manager: Corporate Services & HC & General Manager: Finance perform a review of the user rights of all staff members on the PayDay system on a periodic basis (bi-annually) to ascertain that:
  - User rights are clearly defined and assigned to staff members as per their roles and responsibility, ensuring a high degree of segregation of duties over incompatible functions.
  - User rights are updated in a timely manner when employees resign / change positions.
- (f) That the General Manager: Corporate Services & HC & General Manager: Finance clearly define the responsible persons who should ensure that terminated employees' access rights are terminated from the payroll system in a timely manner, by way of communicating and following up with the service provider.
- (g) That the observation made, being a high risk, of discrepancy relating to recruitment and selection process, the non-compliance with Recruitment and Selection Regulations for Local Authority Councils may lead to the organisation's goals not being met; temporary positions not being advertised may result in unfair recruitment processes and Council might miss out on potential applicants and skills; employees on probation are not informed of any performance improvement areas and/or deficiencies in a timely manner, which prevents staff members the opportunity to timely address any shortcomings; and the job seeker database may be altered by unauthorised person resulting in Council not having a complete database of qualified candidates, be noted.

- (h) The General Manager: Corporate Services & HC need to make sure that successful candidates are notified in writing that he or she has been selected for appointment before the contract is issued and a copy of the letter should be kept on employee file, employees' probation reports should be timely completed and signed by both the line manager/supervisor and the employee, in cases where the probation period has been extended, the extension letter detailing reasons thereof should be documented and communicated to the employee and adequately filed.
- (i) The General Manager: Corporate Services & HC needs to make sure that the Human Capital Practitioner tracks and follow up on probation reports due and not yet received by the Human Resource Department.
- (j) The General Manager: Corporate Services & HC needs to make sure that the Human Capital Practitioner that temporary positions are advertised as required by Recruitment and Selection Regulations for Local Authority Councils: Local Authorities Act, 1992; and a security password must be created for the job database to ensure that only authorized persons can edit the database information.
- (k) That the observation made, being a high risk, of the non-compliance with laws and regulations which may result in possible penalties and litigation against Council and reputational damage, the controls being followed in the Human Resources Function are not aligned and consistent with the requirements of the Income Tax Act. The following discrepancies were noted:
  - It was revealed that all employees that receive a housing allowance are given a 1/3 exemption on the total housing allowance payable without the necessary supporting evidence, such as a rental agreement on file.
  - It was revealed that no tax is paid on child aid allowance and garage allowance, the allowances is paid out directly to the employee's bank account in full without tax being deducted, and therefore the amount paid is not declared on the PAYE 5 of the employees.
- (I) That the General Manager: Finance ensure that the housing allowance be fully taxed until proof of actual expenditure supporting the housing allowance is received from the employee; and that the child study allowance for study aid and any amount received from the employer should be declared on the PAYE 5 of the employee, that clarity be obtained from revenue if the child study allowance is indeed a taxable income.
- (m) That the General Manager: Corporate Services & HC inform the Employment Services Bureau of any vacant or new positions as required by section 16 of the Employment Services Act.
- (n) That the observation made, being a medium risk, of incomplete and inadequate exit management process of staff members leaving Council's services, as Council's assets and financial obligations owed by the employees may not be recovered from terminated employees which could lead to financial losses to as Council might not identify areas of improvement which could lead to weaknesses in staff retention strategies and may miss out on an opportunity to manage the level of staff turnover to an acceptable level, be noted.

- (o) That the General Manager: Corporate Services & HC implement staff exit interviews instead of staff exit forms and the outcomes of the exit interviews be documented and analysed to improve the municipality's staff retention strategies.
- (p) That the General Manager: Corporate Services & HC ensure that the Human Capital Practitioner receives written acknowledgment (memo) from the line manager of the relevant department to confirm that all assets assigned to staff members are received before submitting the instructions (memo) to the General Manager: Finance for the last salary payment.
- (q) That the General Manager: Corporate Services ensure that the Human Capital Practitioner follow up on the pending exit medical check-ups; and the condition of services policy should be updated to comprehensively cover the processes to be followed by the Human Resources department and employees upon termination of service.
- (r) That the observation made, being a low risk, of inadequate management reporting due to a lack of periodic monitoring and evaluation of the department's key performance indicators might result in the department not achieving their strategic and operational objectives leading to incorrect actions by management not taken timely, be noted
- (s) That the General Manager: Corporate Services & HC adequately review the monthly report of Corporate Services and Human Capital and to verify the accuracy of the information provided before it is submitted to the Management Committee and that the template should be enhanced to include the following information:
  - List of dispute letters received from NAPWU indicating the progress update of each letter and action plans; and
  - Planned versus actual trainings and workshops for the month indicating financial implications for each training.
- (t) That the observation made, being a high risk, of discrepancy relating to personnel file management, as unauthorized payments could be made to ghost employees; non-compliance with the Labour Act may result in reputational damage and financial loss due to penalties; confidentiality of sensitive information of staff member is not ensured and may result in reputational damages; and insufficient or inadequate reporting, leading to incorrect actions by management not taken timely, be noted.
- (u) That the General Manager: Corporate Services & HC must make sure that the Manager: Human Capital performs a periodic review (frequency to be determined by the General Manager, but at least annually) on personnel files to ensure that all documentation is complete and kept up to date and that cabinets containing personnel files is locked, and only authorized Human Capital personnel must administer employee files with clear record keeping in a register of personnel files issued by the Human Capital archive and such register must be maintained by the Human Capital Admin Clerk and the register needs to be periodically reviewed by the Manager: Human Capital.
- (v) That the observation made, being an improvement idea, on the Municipality's organogram structure approval as the organogram is only updated after the approval of new positions by Council and additionally it was observed that staff induction on policies within the department is done within the first week of

employment and induction for admin related areas is done in a group within their probation period and the new employees keep their induction forms during the probation period and only hand it in to Human Capital Practitioner at the end of probation, be noted.

- (w) That the General Manager: Corporate Services & HC, when formulating a submission to Management Committee and Council on new proposed positions to include the organogram for all departments (complete organization), indicating/highlighting the new positions on the organogram in order for Management Committee and Council to have a visual display on how the new and different positions' roles relate to each other and where the new proposed positions will fit for Council to see which positions are critical to the functioning of the Municipality and enable necessary actions to be taken should these positions be vacant.
- (x) That the General Manager: Corporate Services & HC advise the Human Capital Section that the new personnel's induction forms be kept with the relevant Supervisor or Human Resources Practitioner to minimize the risk of loss of information if the form is lost.

#### 8.11 INTERNAL AUDIT: PLANNING & BUILDING CONTROL

(M/C 2025/05/15

17/P)

- (a) That the observation made, being a high risk, of inadequate policy and procedures governing town planning and building control, due to no formal, approved procedures regarding the design office, resulting in inconsistent application of the process and business continuity could be affected in the event of staff movements, with no clear delegation of authority that may lead to confusion about who is responsible for what tasks and who has the authority to make decisions which might lead to miscommunication and delays in the building plan review and approval process and lack of access to the updated property policy makes it challenging to hold staff accountable for their actions or decision and ensure consistency application of the process and when the Town Planning Scheme is outdated, it could result in non-compliance with statutory requirements, deviation from Council's' policy, and associated strategic and reputational risks not managed appropriately, be noted.
- (b) That the Geneal Manager: Engineering & Planning Services ensure that formal procedures around the Building Control activities creating a delegation of authority document are constantly updated and clearly defines the roles and responsible staff within the building control section to be involved in scrutinizing the building plan for approval purposes.
- (c) That the General Manager: Corporate Services & HC make sure that the updated Property Policy is made available to the Town Planning staff members and any updates are shared with the Building Control Section & Town Planning Section of the Engineering department.
- (d) That the General Manager: Engineering & Planning Services attend to the recommendations made by the Urban and Regional Planning Board to enable the approval and finalization of the Town Planning Scheme.

- (e) That the observation made, being a high risk, of inadequate approval of building plan process as a result of the loss of client information and documents may result in reputational damage and legal liabilities and that building plans are not approved in line with the approved policies and procedures resulting in illegal structures being erected which could cause inconveniences for future town planning activities and the accuracy of revenue related to building inspections is negatively affected due to inaccurate billing, be noted.
- (f) That the General Manager: Engineering & Planning services make sure that the Building Control Section has an adequate file management process in place to enable ease of locating of building files when needed and the approval relating to Fire Brigade Section be clearly evidenced to support the validity of such approval in an event that the fire related aspect is scrutinized by another person other than the Chief Fire Brigade.
- (g) That the General Manager: Engineering & Planning Services develop a delegation of authority that clearly defines the roles expected to scrutinize the building plans for approval from all relevant sections and additionally perform spot check on a monthly basis to ensure that the correct application fees are invoiced for and paid by the applicant.
- (h) That the observation made, being a high risk, of inaccurate tariffs charged for compliance inspections and penalty fees as the loss of client information and documentation may result in reputational damage and legal liabilities that may cause in a loss of revenue as a result of inaccurate application fee charged and paid by the applicant and the loss of revenue caused by incorrect invoicing for re-inspections that are treated at initial inspections, be noted.
- (i) That the General Manager: Engineering & Planning Services must ensure that the gazetted tariffs including application fees and penalty fees for non-compliance are timely distributed to the assigned staff member at building control for invoicing to be done accurately and an independent staff be delegated to verify that the applicant is invoiced accurately for the appropriate application fees before issuing the compliance certificate.
- (j) That the observation made, being a high risk, of inadequate inspection of completed structures and that completion certificates are issued for buildings that are not fit for their intended use, be noted
- (k) That the General Manager: Engineering & Planning Services make sure that the Building Inspectorate only issue fully inspected and completed buildings with a required completion certificate, sufficient and appropriate documentation should be maintained and filed to support the successful completion of the final inspection at Building Control.
- (I) That the observation made, being a medium risk, of inappropriate user access on Council's Synapsis system, user access has not been regularly reviewed, be noted.
- (m) The General Manager: Engineering & Planning Services must perform regular reviews of the Synapsis user access profiles to ensure that only authorized employees have access to the system.

#### 8.12 INTERNAL AUDIT: FLEET MANAGEMENT

(M/C 2025/05/15

17/P)

- (a) That the observation made, being a medium risk, of inadequate policies and procedures governing fleet management function, as Management has not prioritized the approval of the Draft Vehicle Fleet Management Policy and Procedure Manual and the review of the Vehicle Policy, lack of management oversight with respect to safekeeping and maintaining of vehicle spare keys, be noted.
- (b) The General Manager: Engineering & Planning Services, in consultation with the General Manager: Corporate Services & HC, must ensure that the Draft Vehicle Fleet Management Policy and Procedure Manual and the review of the Vehicle Policy are reviewed at least every two years, and submitted to Council for the approval.
- (c) The General Manager: Engineering & Planning Services must ensure that staff member in control of fleet management maintain a log sheet to track the movement of all vehicle's spare keys and all spare keys should be tagged and kept in safe custody.
- (d) The General Manager: Engineering Services, in co-ordination with the other departments and divisions involved, establishes formal procedures for approval around the following fleet management functions:
  - Clearly define how and when vehicle inspections should occur, who should conduct them, and how the results should be recorded; also, provide guidance on how to maintain and monitor vehicle logbooks.
  - Define a clear process for when a new vehicle is acquired, including its registration, servicing requirements, and steps to add it to the insurance cover.
  - Guidelines on how to properly hand over a new vehicle to the responsible department.
  - Detail how inter-departmental vehicle transfers should be managed, including any necessary documentation to be completed; and
  - Guidance on completing of logbooks and daily vehicle checklists.
- (e) That the observation made, being a high risk, of discrepancies relating to the Mass Distance Charge (MDC) logbook and vehicle checklist, oversight from management and staff members, lack of supervisor training to analysis fuel usage and no procedure in place to provide guidance on analyzing fuel usage and lack of centralized accountability and management, be noted.
- (f) The General Manager: Engineer & Planning Services in coordination with the General Manager: Finance & Council's Fleet Coordinator, must draft policies and Standardized Operating Procedures (SOPs) to govern analyzing of fuel usage, vehicle inspections and logbooks and consideration to be given to a centralized inspection of all fleet vehicles by the Fleet Coordinator who is charged with the responsibility of Fleet Management in consultation with the inspection activities performed by Traffic Operations.
- (g) That the General Manager: Finance ensures that the fuel consumption should be cross-referenced and scrutinized in conjunction with the distances travelled by

each vehicle, as recorded by the monitoring systems; and Supervisors should receive training on how to analysis fuel usage.

- (h) That the observation made, being a high risk, of inadequate maintenance of a standardized fleet register, the monitoring of fleet vehicles leading to potentially incomplete records of fleet vehicles maintained by Council; and inaccurate depreciation calculations resulting from the omission of and /or incorrect acquisition dates recorded of the FAR which may lead to incorrect financial reporting, be noted.
- (i) That General Manager: Engineering & Planning Service in coordination with the General Manager: Finance maintain a complete register of fleet vehicles which clearly details including, but not limited to, registration numbers, purchase dates, responsible department, fleet task/assignment and fleet number and such register periodically be reviewed and shared with relevant departments involved within the fleet management function.
- (j) That the observation made, being a medium risk, of inadequate update on fleet monitoring system as Council's management relies heavily on service providers to update due dates and kilometer counts accurately with no review done on the service reminder status report and no procedures in place to guide the fleet maintenance plans of Council, be noted.
- (k) That the General Manager: Engineering & Planning Services incorporate reporting on monitoring activities as part of the department's monthly report.
- (I) That the General Manager: Engineering & Planning Services put in place a guide and procedures on how to review the status of service reminders of Council's fleet, which needs to be reviewed by the Fleet Coordinator, for optimum monitoring of the system in place.
- (m) That the observation made, being a medium risk, of incomplete and inconsistent job card records, indicating that no formal procedures is established for determining who is responsible for filling in the vehicle maintenance job cards, or when vehicles should be booked in for repairs and maintenance, resulting in inconsistent application of the process and business continuity could be affected in the event of staff movements; a lack of verification and detail poses a risk of accountability and tracking issues; and inaccurate and incomplete record of repairs and maintenance may lead to efficient use of resources, potential safety issues if critical repairs are overlooked, difficulty in tracking recurring problems which could lead to larger malfunctions, and inability to verify the quality and cost of works performed, be noted.
- (n) That the General Manager: Engineer & Planning services, in coordination with the Fleet Coordinator, establish formal procedures around maintenance and repairs of Council's fleet vehicles.

# 8.13 INTERNAL AUDIT: TRAFFIC OPERATIONS

(M/C 2025/05/15

15/P)

- (a) That the observation made, being a medium risk, of discrepancies in vacancy and daily route planning as the key roles in the Traffic Operations function are vacant leading to the inability of the department to effectively and timely execute their duties; and information in the duty roaster is not clear to the traffic officers resulting in traffic operations not being carried out effectively, be noted.
- (b) That the General Manager: Economic Development Services, fills the vacant positions to ensure that traffic operations are effectively and efficiently carried out and that vacancies that are no longer required should be frozen or removed from the structure.
- (c) That the Manager: Emergency & Law Enforcement must ensure that the duty roster is clearly documented to avoid confusion that could negatively affect the operations of the Traffic Operations function.
- (d) That the observation made, being a high risk, of inadequate documentation relating to training and asset management of the traffic equipment that are not accurately and completely recorded in the asset register and properly accounted for, could result in misuse of assets and loss of assets and Traffic officers may be more vulnerable to threats or physical harm from individuals involved in criminal activities or aggressive behaviour and Traffic officers do not attend the necessary training to equip themselves with the necessary knowledge to effectively perform their duties, be noted.
- (e) The General Manager: Economic Development Services in coordination with the Manager: Emergency & Law Enforcement, must ensure that all assets issued to Traffic officers are captured correctly and allocated to the right officers per the asset register, any change in asset ownership should be timely updated on the asset register.
- (f) The General Manager: Economic Development Services, in coordination with the Manager: Emergency & Law Enforcement, ensures that equipment is not issued to the Traffic officer without the officer acknowledging receipt of such assets.
- (g) That General Manager: Economic Development Services in coordination with the Manager: Emergency & Low Enforcement considers prioritizing the safety of the traffic officers by ensuring that firearm training is provided to the officers in a timely manner; and an attendance register is maintained for each training course provided and is signed by each attendee, to keep track of employees who attend the training courses and those who still need to receive training.
- (h) That the observation made, being a high risk, of discrepancies relating to issued traffic fines, as existing stationery controls are insufficient for maintaining consistent oversight of the issuance and receipt of summon books, this situation increases the risk of summonses going missing and being improperly utilized by traffic officers for personal benefit, financial losses occur as a result of the court discarding a penalty due to an inaccurately recorded offence as the Traffic Officer and the Traffic Office Admin Clerk do not provide acknowledgments regarding the receipt of traffic fines issued, leading to a lack of accountability;

and inaccurate and untimely recording of traffic fines in the database can potentially cause delays in the processing of fines, be noted.

- (i) That the General Manager: Economic Development Services in coordination with the Manager: Emergency & Law Enforcement ensure that all fines issued are timely submitted to the Traffic Office Admin Clerk for capturing and this to be done either on the day the fine was issued or the following morning and both the Traffic Officer as well as the Traffic Office Admin Clerk must acknowledge submission and receipt of the fines to be recorded respectively.
- (j) That the General Manager: Economic Development Services in coordination with the Manager: Emergency & Law Enforcement need to perform a periodic (monthly basis) spot check on the fines recorded to ensure that the correct fines are charged for the respective offences committed and that all fines are timely captured (at least within 3 days from date of issue to enable the offenders to settle their fines in a timely manner.
- (k) That the General Manager: Economic Development Services in coordination with the Manager: Emergency & Law Enforcement, ensure that all summons books are booked out by the respective officers and booked in once the book is finished.
- (I) That the observation made, being a low risk, a lack of reviews of monthly reports as inaccurate and/or incomplete information pertaining to the traffic operations included, could have a negative impact on traffic operations related decision making, be noted.
- (m) That the General Manager: Economic Development Services, in coordination with the Manager: Emergency & Law Enforcement, review the traffic operations report, ensuring that accurate and complete information is provided pertaining to traffic operations, before submitting to the Management Committee.

# 8.14 FOLLOW-UP INTERNAL AUDIT PERFORMED 2022/2023: INFORMATION TECHNOLOGY GENERAL CONTROLS [ITGC]

(M/C 2025/05/15

6/P)

- (a) That the observation made in the <u>follow-up review</u>, being a high risk, of inadequate IT policy and the existing IT policy called Computer Policy that was last reviewed, updated, and approved on 25 June 2020, <u>not implemented</u>, indicating that the draft ICT policy had been shared with Management, it has not been reviewed and approved by Council, be noted.
- (b) That Management Committee takes note that no position has been identified as having responsibility or oversight over the IT function since it is not reflected in any job description in the organogram of the Municipality and was administered by a Computer Committee chaired by the General Manager: Corporate Services & Human Capital and that the function is wholly outsourced to a service provider in terms of contract with the liaison person (not responsible) being the General Manager: Corporate Services & Human Capital and that here are no further indication of responsibility or clear lines of authority in terms of IT activity or administration.

- (c) That consideration by given for the IT function to be incorporated into the job descriptions for the positions of GM: Corporate Services & Human Capital.
- (d) That General Manager: Corporate Services & HC revise the ICT policy in association with Council's IT service provider, and the following be included in Council's Computer Policy document:
  - Update and patch management process.
  - Restoration of backups.
  - User access termination.
  - User access change; and
  - User access review.
- (e) That the General Manager: Corporate Services & HC ensures that the actual review and update dates be captured in Council's Computer Policy document and that the Computer Policy be reviewed and updated annually.
- (f) That the General Manager: Corporate Services & HC ensures principles relating to technology governance in the Namibian Corporate Governance Code (NamCode) be considered in the next review of Council's Computer Policy document.
- (g) That the observation made in the follow-up review, being a high risk, cause a lack of control to implement the encryption of data on the removable storage devices, as sensitive information could be disclosed to unauthorized persons using removable storage devices as data on the removal storage devices are not encrypted and possible financial and non-financial losses may occur as a result, not implemented, and that the BCX Customer Engineer, M365 licensing for BitLocker encryption has been purchased and awaiting installation. However, no evidence was provided to support the statement, be noted.
- (h) That the General Manager: Corporate Services & HC with the assistance of Council's IT Provider assess the risk for Council and evaluate the need for additional controls to be implemented to protect the data on the removable storage devices such as use of BitLocker to encrypt the data and that cost involved the be submitted to Council for budget consideration.
- (i) That the observation made in the follow-up review, being a high risk, of inadequate password settings that could result in poor password settings which may lead to unauthorized access to systems, resulting in possible unauthorized and malicious activities to be performed, partially implemented as the active directory password setting and noted that the configuration for minimum password age and length was changed, Users of the SOLAR financial system are authenticated via the Windows user credentials with the use of single sign on authentication scheme and the password complexity setting was enabled on the Payday application as no evidence was provided, be noted
- (j) That Council's IT Provider ensures that the minimum password age for the domain controller should be configured to a value greater than 0; and the minimum password length for the domain controller be configured to a value equals 8 or greater than 8; and the password complexity option for the Payday application should be enabled.

- That the observation made in the follow-up review, being a high risk, of updates (k) and patches, critical updates not applied, the running of outdated versions could either lead to exploits of vulnerabilities existing in the current version of systems or not able to utilize latest available features offered to possibly improve operational efficiency or effectiveness, and when the testing of updates is not documented and signed off, the audit trail of testing updates not maintained, partially implemented, as the screenshots for window updates for SWK-ADS-001, SWK-APP001 and SWK-ADS-003 and noted that it is up to date, the sample testing could not be performed on SCADA System as the Municipality does not make use of it, during the discussion with BCX Customer Engineer, updates on the server SWAKOPSRV-001 and SWAKOPSRV-002 are still pending as there are critical applications do not support the new version updates, Council previously used Kaspersky Endpoint Security application antivirus but as at audit date, it was replaced by Sentinel One application. We noted that SWAKOPSRV-002 has been updated. However, Sentinel One is still to be installed in SWAKOPSRV-001, and no antivirus is in place as of the audit date, be noted.
- (I) That the General Manager: Corporate Services & HC ensures that Council's IT Service Provider design and implement a process where all the servers and systems are regularly updated with the latest updates and patches and where latest updates and patches are not to be applied for valid business reasons, internal risk management, the Chief Executive Officer be consulted to reach consensus regarding possible risks and related mitigating controls to be put in place.
- (m) That the General Manager: Corporate Services & HC, in assistance with Council's IT Service Provider, ensures that when updates are tested, evidence of testing the updates be documented and signed off so there is an audit trail of what is being done.
- (n) That the observation made in the <u>follow-up review</u>, being a medium risk, of inadequate backup, and restoration process may cause that business operation may be disrupted for extended period of time and critical data may be lost should there be no backups, or the backups not be able to be restored in the event of an incident or a disaster, <u>not implemented</u> and that no back-up restoration is done and the matter is still pending with regards to modification of the available storage space, be noted.
- (o) That the General Manager: Corporate Services & HC, in assistance with Council's IT Service Provider, ensures that backups be restored regularly and that evidence of restoring backups be documented, signed off, and maintained.
- (p) That the observation made in the <u>follow-up review</u>, being a high risk, of inadequate physical location of the server room, that when the basement is flooded and the flood water is not pumped out in time, it could cause damages to the server equipment located in the basement, <u>not implemented</u>, as the server room has not been re-located, be noted.
- (q) That the General Manger: Corporate Services, the General Manger: Engineering & Planning Services in assistance with Council's IT Service Provider re-consider hosting the servers in a different location which will not be flooded, alternatively, Council's Engineering & Planning Services department should design and implement measures to either divert the flood water away from the basement or to further reduce the possibility of flood water causing damages to the server equipment.

- (r) That the observation made in the follow-up review, being a medium risk, of inadequate user access review process; that when the user access review is conducted informally and evidence of user access review is not documented and signed off, unauthorized users could be detected late and not timely removed from the systems which could increase the risk of unauthorized activities taking place while the unauthorized users remain active in the system, partially implemented, indicated below, be noted:
  - Windows Active Directory.
    - User access review is performed informally, not documented, and not signed off.
  - SOLAR financial system: Latest review was performed in November 2022.
    - Manager of Finance requests a list of user access from the BCX Customer Engineer identified the users whose access needs to be updated and highlighted these users in a different colour and sent to IT for action.
  - Payday application
    - User access review is performed informally and approximately every two to three months, not documented and signed off.
    - SCADA system
      - · The Municipality does not make use of the SCADA System.
      - Servers hosting Windows Active Directory, SOLAR financial system, Payday application
    - SCADA system
      - IT performed a user access review, and the User access review is performed informally and approximately every two months
- (s) That the General Manager: Corporate Service in assistance with Council's IT Services Provider and EXCO design and implement a formal user access review process whereby; the user access review is performed more regularly and that reviews are effective; and the user access review is appropriately documented and signed off for the purpose of maintaining audit trails.

# 8.15 FOLLOW-UP INTERNAL AUDIT PERFORMED 2022/2023: STAKEHOLDER ENGAGEMENT

(M/C 2025/05/15

2/P)

- (a) That the observation made in the <u>follow-up review</u>, being a high risk, of inadequate Stakeholder Engagement and Communication Policies, ineffective engagement with stakeholders; the needs of stakeholders not addressed which may lead to operational distress; Council may not take advantage of opportunities presented by stakeholders leading to lost opportunities; as there is no uniformity in the way that stakeholders are dealt with, <u>partially implemented</u>, the External Communication Policy (renamed to Corporate Communication Policy) is currently being reviewed and yet submitted to the Council for approval and no procedures governing stakeholder engagement have not been developed and implemented, be noted.
- (a) That the Chief Executive Officer ensures that a policy and/or procedure be developed and implemented on stakeholder engagement and communication processes and ensure that it is up-to-date and adequately covers communication

control processes, to be rolled out to staff and training be carried out to familiarize staff with the requirements of the policies and/or procedures.

- (c) That the observation made in the follow-up review, being a high risk, of inadequate Stakeholder Engagement and Communication Activities, as key stakeholders are not identified, and the Council might not take advantage of the opportunities presented by key stakeholders to drive operations and meet strategic objectives; and might miss the opportunity to drive desired behaviour from key stakeholders; and feedback from external committees may not be completely received and analyzed resulting in unmet stakeholder needs, partially implemented, departments is aware of the key stakeholders that they interact with, although the departments does note maintain a list and the objectives of the stakeholders, and the calendar for stakeholders is yet to be formalized as the approved committees list stating the representatives of the Municipality, still no objectives or mandates are set for each of Council's approved sub-committees, be noted.
- (d) That the Chief Executive Officer ensures that each department develop a list of their key stakeholders and a calendar of events planned for the year; which outlines the committees on which they are represented, who the representatives are, how often the committees meet and how feedback from meetings will be communicated and actioned, where required; and an approved consolidated list of key stakeholders be developed with inputs from all the departments within Council.
- (e) That the observation made in the <u>follow-up review</u>, being a medium risk, of inadequate Reporting Processes from stakeholder engagement events is not adequately analysed to allow for timely actioning and informed decision making; and Management is not aware of stakeholder needs to drive operations in a way that benefits each stakeholder group and ultimately meet the objectives of Council, no implementation, that no changes were made on the reporting of stakeholder and communication engagements in the departments monthly reports to accommodate the events, be noted.
- (f) That the Chief Executive Officer ensures each department, monthly, includes a section in the departmental monthly report on the feedback from stakeholder engagement and communication events, which should set out the following at a minimum:
  - Stakeholder engagements for the month.
  - Key feedback or outcome from each engagement for the month.
  - Planned versus actual stakeholder engagements for the month; and
  - A list of all Memoranda of Understanding (MOU's) in place, how they are being monitored, and key activities for the month.

# 8.16 FOLLOW-UP AUDIT PERFORMED 2022/2023: PROCUREMENT & CREDITORS (M/C 2025/05/15 - 3/P, 5P)

- (a) That the observation made in the follow-up review, being a high risk, on non-compliance of the Public Procurement Act, Act No. 15 of 2015, as the procurement processes are not in compliance with the requirements of the Public Procurement Act which could result in penalties for non-compliance; as well as result in a lack of credibility in the procurement processes; and documentation in the procurement process are not adequately safeguarded leading to a lack of an audit trail or misappropriations being concealed, partially implemented, as per sample tested the fund availability certification (GO40) could not be obtained and that normal payment transactions verified that payments are substantiated with supporting documents including council resolutions, quotations etc., no exceptions noted, be noted
- (b) That the Chief Executive Officer ensures that the procurement of all goods and services be conducted in line with the requirements of the Public Procurement Act; and that the Head of Procurement should monitor compliance to the Public Procurement Act on an ongoing basis and address any issues of non-compliance identified; and key documents in the procurement process should be adequately safeguarded.
- (c) That the observation made in the <u>follow-up review</u>, being a high risk, on the inadequate maintenance of the Supplier Masterfile Data; fictitious payments that may be made to supplier accounts; and fraudulent bank accounts may not be timely identified, leading to financial losses, *implemented with no exceptions*, be noted
- (e) That the observation made in the <u>follow-up review</u>, being a medium risk, of discrepancies relating to the purchase requisitioning processes not sourcing the required number of quotations the Municipality may not be able to take advantage of the competitive market in relation to price and quality of goods and/or services; and the procurement process controls are not adhered to which could result in the procurement processes not functioning as intended by management, *implemented with no exceptions*, be noted.
- (g) That the observation made in the follow-up review, being a high risk, of discrepancies relating to the goods receipt processes where supplier invoices are not matched to goods and/or services received leading to variances in prices and/or quantities not being detected; and payments made for goods and/or services not received, implemented with no exceptions, be noted.
- (i) That the observation made in the follow-up review, being a medium risk, of discrepancies relating to the supplier payment processes; could incur interest charges on overdue accounts and may potentially not take advantage of early settlement discounts offered by suppliers; payment could be made for goods/services not received; and supplier payments could be made without valid supporting documents resulting in payments to fictitious suppliers and subsequent financial losses to the Municipality, partially implemented, as sample invoice were not settled in accordance with the payment terms specified on the invoice and observation made that payment voucher was not authorized by the Manager: Finance or by the Accountant: Remuneration prior to making payment, be noted.

- (j) That the General Manager: Finance performs a review of the age analysis on a monthly basis to identify suppliers with long overdue accounts and follow up with the user departments to obtain the documents necessary to settle the accounts; Finance should not process any payment where all the required documents (i.e., certified invoices) are not made available; and payment vouchers should be completely reviewed and evidenced.
- (k) That the observation made in the <u>follow-up review</u>, being a medium risk, of discrepancies relating to the procurement reporting processes of ineffective monitoring of the Annual Procurement Plan, partially implemented upon verification of the procurement activity reports were submitted in a timely manner, no exceptions noted and a few of the procurement expenditure was omitted from the quarterly procurement activities, be noted.
- (I) That the Chief Executive Officer/Accounting Officer in conjunction with the Head of PMU ensures the quarterly procurement reports be submitted to the PPU within the 30 days' timeframe as stipulated by the Public Procurement Guidelines; and that Council's PMU implements a schedule to ensure that all procurement reporting information is collected and prepared in a timely manner to allow for timely finalization of the quarterly reports for submission.
- (m) That the observation made in the <u>follow-up review</u>, being a low risk, of discrepancies relating to the recording of transactions being an over and/or understatement of expenditure leading to inaccurate financial reporting, being implemented, upon verification the invoice is recorded in the correct accounting period with no exceptions noted and that transactions were recorded in the correct financial period and any errors identified were timely rectified with no exceptions noted, be noted.
- (o) That the observation made in the <u>follow-up review</u>, being a low risk, of untimely preparation and review of the creditor's reconciliations may cause those errors are not timely detected and/or rectified, not implemented, as the annual creditors' reconciliation for financial year ended 30 June 2022, it could not be verify if the annual creditor's reconciliation was timely prepared (before 30 September 2022) as no preparation date was indicated on the reconciliation, the annual creditor's reconciliation was not timely reviewed by the Manager: Finance, be noted.
- (p) That the General Manager: Finance ensures that reconciliations should as far as possible be performed within a timely manner and adequately reviewed.

#### 8.17 FOLLOW-UP INTERNAL AUDIT PERFORMED 2022/2023: HOUSING

(M/C 2025/05/15

15/P)

### **RESOLVED:**

(a) That the observation made in the <u>follow-up review</u>, being a high risk, of inadequate housing application processes; application process controls are overridden which could result in reputational damage to Council as the process is not functioning as intended or seen to be transparent; applicants who do not meet the requirements could be approved for housing which may not be aligned to the objectives or purpose of the low-cost housing schemes; and lack of an audit trail to investigate and resolve disputes when they occur, has been

implemented, as per verification that the application list was submitted for Council approval and no exceptions noted, be noted.

- (b) That the observation made in the <u>follow-up review</u>, being a high risk, of inadequate controls over the maintenance of the Master Waiting List, the Master Waiting List may be compromised which may affect the housing processes; and the integrity and credibility of the housing process of Council may be compromised; and errors of applicant details may not be timely identified and/or rectified and housing may be provided to applicants who do not meet the criteria required, partially implemented and that the Master Waiting List is still not password protected and all fields on the list can be altered by anyone, Management also indicated that it is not practical for the Municipality to make use of one application registration book, however, the number of books had been reduced and that all application books are numbered and traced accordingly when distributed, being deemed sufficient and upon verification the approved applications have been registered which includes the applicants previously reported in the observation, no exceptions noted, be noted.
- (c) That the General Manager: Corporate Services & HC must ensure that the Housing Section implementing a system-based Master Waiting List; and user access to the Master Waiting List be granted on the least privilege principle and access to the system should be provided with the minimum privileges necessary to fulfil the employees' roles and responsibilities; applications for housing must be submitted to Management Committee for approval within a reasonable time after application; and the Housing Section must review and reconcile the names and/or reference number of applicants on the Master Waiting List against all submissions made to Management Committee periodically to ensure that all applicants on the List have been approved.
- (d) That the General Manager: Corporate Services & HC must ensure that the Housing Section request an updated Master Waiting List from MURD and a review of the additions should be conducted by the Corporate Officer: Housing to ensure the list is accurate and complete; and a register of all housing applications must be maintained by the Corporate Housing Officer, with only file/book to be used at any moment in time.
- (e) That the observation made in the follow-up review, being a high risk, of inadequate housing award processes that can result in financial losses to Council as no formal agreement exists with the awarded beneficiaries; misrepresentation of the financial statements, and financial losses to Council as the full cost of the erven sold has not been recovered, partially implemented, upon verification the Build Together loan agreements reflected in our initial report in 2022 have been signed, it had also been verified that the loan amount for Build Together houses was updated as per resolution taken by Council on 28 October 2021 and the monthly instalment was updated on the Solar System, the Social houses in the initial report reflects still not valid deed of donation signed between Council and the beneficiary, be noted.
- (f) That the General Manager: Corporate Services & HC ensures that all loan agreements be drafted and signed by all parties prior to the houses being handed over to the borrower in accordance with the directives from MURD; loan accounts must only be opened on the Solar financial system by the Accountant: Administration & Property once the loan agreement has been signed by all parties.

- (g) The General Manager: Finance must perform a review of all Build Together loan accounts and Social Housing loan accounts and identify loan accounts that have been erroneously accounted for and the Accountant: Administration & Property should rectify the loan amount and instalment fee on Solar, a journal must be processed by the Accountant: Administration & Property to rectify the loan balances of all loan accounts which must be approved by the General Manager: Finance.
- (h) That the General Manager: Finance ensures that all costs of erven sold to the Shack Dwellers Federation be fully recovered prior to the transfer of the erven to the Federation; and all documents be adequately and completely filed to ensure a complete audit trail.
- (i) That the observation made in the <u>follow-up review</u>, being a high risk, of inaccurate and untimely processing to the Debtors Loan Accounts leading to a misstatement of the customer loan account, partially implemented, it could not be verified if the receipt were timely processed to the debtor loan account and was noted that a cashdrawer database for mass housing loan account is still to be installed, hence the loan payments are not directly uploaded onto the debtors' loan account, loan accounts of the previous findings raised noted yet some receipts is not processed to the debtors' loan account, be noted.
- (j) That the General Manager: Finance implements a cashdrawer database for mass housing loan accounts, where loan payments are directly captured to the debtor's loan account; and all receipts be timely captured/processed to the debtors' loan accounts.
- That the observation made in the follow-up review, being a medium risk, of inadequate follow up processes on outstanding loans, which leads to inconsistent application of the control processes, which may result in Council incurring avoidable lawyer's fees; and the current control processes practiced on the ground may not be aligned to the documented policies and/or procedures resulting Council not meeting its objectives, not implemented, overdue accounts selected, still shows no evidence that the account holders were notified with latest summon letters and there is no evidence provided that the overdue accounts are handed over to the lawyers and the Credit policy has not been reviewed and updated with the controls that are identified, no reference is made to the timeframe between providing the housing loan account holder with a final summons letter and handing over the overdue account to the lawyers as the Credit policy states that low-cost housing accounts may be outstanding up to an amount of N\$5000.00, after which all accounts that exceed N\$5000.00 are handed over to the lawyers, summons letters are mailed to all debtors in arrears that are less than N\$5000 and the due date by which the debtor should make payment is also stated, hence, deems to be sufficient, be noted.
- (n) That the General Manager: Finances ensures that summons letters be issued to the loan account holder prior to the account being handed over in accordance with the approved policy:-
  - Management should perform a periodic review of governance documents.
  - The policy should be updated with the controls identified as missing or vague; and
  - The updated policy should be presented to Council for review and approval.
- (o) That the observation made in the <u>follow-up review</u>, being a high risk, of inadequate reconciliation processes as errors may not be timely detected and/or rectified, not implemented, both Build Together and Mass housing reconciliation

were not performed for the financial year ended 30 June 2022, although informed that the Debtors Clerk resigned, and the appointed Accountant: Admin & Property needs to be trained in the area of housing account reconciliations, be noted.

- (p) That the General Manager: Finance ensures that the Accountant: Administration & Property prepares the year end Build Together and Mass Housing Ioan account reconciliations to be signed and dated; for the Manager: Finance to perform a review of the year-end Ioan account reconciliations.
- (q) That the observation made in the <u>follow-up review</u>, being a medium risk, of inadequate reporting which may lead to the non-compliance with directives from MURD leading to a damaged reputation, not implemented as the Quarter report for the quarter ended March 2023 was not prepared and submitted to MURD as it was not requested, therefore no report was prepared for the quarter ended March 2023, be noted.
- (r) That General Manager: Corporate Services and Human Capital provide oversight over the quarterly submissions to MURD on the Housing activities to ensure submissions are made timely.
- 8.18 INTERNAL AUDIT PROPOSAL // MESSRS ERNST & YOUNG // 3 YEAR CONTRACT
  (M/C 2025/05/15 14/3/1)

#### **RESOLVED:**

- (a) That Council takes note of the award in terms of the Public Procurement Act, to Messrs Ernst & Young Namibia to provide internal audit services to the Municipality of Swakopmund for the following 3 years (2025-2027).
- (b) That Messrs Ernst & Young Namibia's financial proposal and audit plan submitted for the 3 years be noted.
- (c) That the consultancy service contract, contract no CS/RP/SM-006/2024, signed between the Municipality of Swakopmund and Messrs Ernst & Young Namibia, be noted.

### 9. PERSONAL MATTERS

9.1 INVITATION TO BOYS-2-MEN EVENT AT XWAMA TRADITIONAL RESTAURANT OPEN AREA

(M/C 2025/04/15

13/4/2, 3/15/1/1)

#### **RESOLVED:**

That the item be withdrawn from the Agenda since the event took place already on 10 May 2025.

# 11. RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE MEETING HELD DURING MAY 2025

# 11.1 MANAGEMENT COMMITTEE MEETING HELD ON MAY 2025

# 11.1.1 APPLICATION FOR RELAXATION OF REAR BUILDING LINES AND SET-BACK ON ERF 5705, SWAKOPMUND, EXTENSION 18

(C/M 2025/06/03 - **E 5705**)

Ordinary Management Committee Meeting of 14 April 2025, Addendum 8.10 page 00 refers.

# A. This item was submitted to the Management Committee for consideration:

## 1. Purpose

The purpose of this submission is to seek Council's consideration for the "special consent" to relax a rear building line from three (3) metres to zero (0) metres and for the set back of the first floor from five (5) meters to zero (0) meters on Erf 5705, Swakopmund Extension 18.

# 2. Introduction and Background

In February 2025, an application for consent to relax a building line and set-back to construct the proposed-out dwelling from three (3) meters to zero (0) and set back the first floor from five (5) metres to zero (0) metres for Erf 5705, Swakopmund Extension 18 was initially received by the Engineering and Planning Service from Mr and Mrs Geier. The owners intend to construct an out dwelling, whereby the unit is designed in such a way that it would be placed on the rear boundary line against Erf 5721, Swakopmund Extension 18.

The application is attached as Annexure A.

# 3. Ownership

The ownership of Erf 5705, Extension 18, Swakopmund currently vests in Mr and Mrs Geier.

# 4. Locality, Zoning and Size

Erf 5705, Swakopmund Extension 18 is situated along Ekuma Street. (See the map below), zoned "single residential" with a density of 1:600 and measures approximately 875m² in extent.



Figure 1: Locality of Erf 5705, Swakopmund Extension 18

### 5. Discussion

In terms of Clause 5, sub-clause (A) 2.4 of the Swakopmund Zoning Scheme stipulates that:

# 2.4 Building lines

- (a) No building, permanent structure or portion thereof, except for boundary walls and fences, may be erected on the site within:
  - (i) 5 metres from any street boundary;
  - (ii) 3 metres from any rear boundary;
  - (iii) 3 metres from any side boundary; and
  - (iv) 5 metres in the case of a garage from any street boundary or half the height of the building, whichever is greater.
- (b) The three (3) metres requirement for side and rear boundaries shall apply to single-storey units and shall increase by two (2) metres for each additional storey, measured from the external walls of the building under consideration.

## 6. Neighbours' Consent and comments

The owner of Erf 5705, Swakopmund Extension 18, consulted their rear neighbour to obtain their consent on the intention to apply for the building lines and setback relaxation on their erf via registered mail.

The neighbour's objections have been stated below and attached as **Annexure B.** It is for this reason that the application for the building line and setback is being submitted to the Management Committee for consideration.

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The applicant responded to the objections received from the neighbour, the owner of Erf 5721, Swakopmund Extension 18 (See Annexure C).

# 6.1 Objection

The objector stated the below:

- 1. Missing out on light on the whole northside of my house. This will affect the house is getting too dark and cold.
- 2. Garden/terrace view against high walls.
- 3. No privacy -in case windows will be on the south and east side.
- 4. The building against my wall is too high.
- 5. No building plans received- no details known on windows, roof, etc.
- 6. It will affect the sales value of my house.

# 6.2 Response

- The applicant feels that they have designed their initial house to be placed more to the street side, leaving a gap for a future flat to be designed. Seeing the placement of her house, there is ample space for the sunlight to still reach her house.
- 2. This will create more privacy, and she has 3 big palm trees against the wall.
- 3. No windows will be directed to her erf, due to the wall to be a fire wall and regulations stating no windows to be placed closer than 1.5 m from the boundary. We will have windows on the east side, but this will be covered by the firewall that would need to be constructed as per regulations.
- 4. We are in the normal town planning regulations for a double-story unit.
- 5. This is not true, we have submitted drawings with floor plans and a site plan, and provided 3D drawings for her to see how it will look like from her side.
- 6. We feel this will add value as this will make her house more private from the back side (entertainment/living areas of her house).

#### 7. Evaluation

Upon receipt of the application, the Engineering and Planning Service Department has undertaken its investigations on the matter, based on the established building plans evaluation standards.

The proposed building plans do not have any direct windows into the Erf 5271, Swakopmund, except the bathroom windows that an obscure glass onto the eastern boundary line on the first floor, and the bedroom does not have any windows overlooking Erf 5721, Swakopmund Extension 18 either. Therefore, the privacy element mentioned by the objector (owner of Erf 5721, Swakopmund Extension 18) does not apply.

To ensure that the privacy of the neighbour is maintained, it is recommended that the applicant consider extending the width of the firewall after the balcony to be 2m wide

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instead of the minimum 1.5m required as the balcony on the first floor could potentially have a view into Erf 5271, Swakopmund with the current design.

Additionally, the elements mentioned by the objector about sunlight are quite vague, and the applicant has gone to great lengths to provide the 3D layout on how the proposed structure shades the rear of Erf 5721, Swakopmund Extension 18.

Therefore, Engineering and Planning Service Department is supporting the application to relax the building line for Erf 5705, Swakopmund Extension 18, from three (3) metres to zero (0) metres on the rear boundaries and relax the set-back from five (5) to zero (0) metres on the first floor.

Furthermore, the evaluation yielded that there appears to be an "internal wall" constructed on the property that is 1.8m high, as built drawings were submitted in 2024. It should be noted that the Swakopmund Zoning Scheme only mentions the construction of "boundary walls" at that height and not internal demarcations separating main dwellings from the rest of the erf. This gives an impression of an informal subdivision of the property, which is not a bad idea, but it is not a desirable scenario.

This practice, although it is becoming a norm in Swakopmund and as such Council ought to indicate if they will be allowing such and the maximum height allowable.

## 8. Conclusion

Taking into consideration the above arguments, it is concluded that the proposed development on Erf 5705, Swakopmund Extension 18, would not have any major negative effect on the surrounding neighbourhood or surrounding amenities. Council can support the relaxation on the ground floor as requested by the applicant. However, the applicant should review the redesign of the proposed structure to ensure that the first-floor balcony does not overlook the neighbouring property to maintain privacy.

Additionally, the applicant demolishes the separating wall constructed without approval between the main dwelling and the rest of the erf.

# B. After the matter was considered, the following was:-

#### **RECOMMENDED:**

- (a) That the application for "Special Consent" to relax the building line on Erf 5705, Swakopmund Extension 18, from three (3) metres to zero (0) metres on the rear boundary line be approved.
- (b) That the application for setback on the first floor from five (5) metres to zero (0) metres on the rear boundary line be approved on condition that the firewall is extended by 2 metres wide.
- (c) That the applicant demolishes the internal boundary wall separating the main house from the proposed sub-dwelling, constructed without approval, before a completion certificate is issued.
- (d) That the objectors be informed of their rights to appeal the Council decision to the Minister of Urban and Rural Development with valid

reasons within twenty-eight (28) days from the date of the decision in terms of Clause 8.7 of the Swakopmund Zoning Scheme.

(e) That the applicant be informed of their rights to appeal the Council decision to the Minister of Urban and Rural Development with valid reasons within twenty-eight (28) days from the date of the decision in terms of Clause 8.7 of the Swakopmund Zoning Scheme.

11.1.2 RESUBMISSION: RESCINDING OF THE COUNCIL RESOLUTION NUMBER (C/M 202103/25 - 16/1/4/1/1): REPEALING OF THE SWAKOPMUND ZONING SCHEME NUMBER 61 AND RECONFIRMATION OF THE COUNCIL RESOLUTION NUMBER C/M 2020/07/30

Ordinary Management Committee Meeting of 15 May 2025, Addendum 7.1 page 03 refers.

# A. This item was submitted to the Management Committee for consideration:

17/1/4/1/2)

## 1. Purpose

(C/M 2025/06/03

The purpose of this submission is for the Council to consider rescinding its decision of March 2021, with respect to holding and repealing of the Swakopmund Zoning Scheme Number 61 as per Resolution of the Urban and Reginal Planning Board taken during its ordinary meeting which was held on the 16<sup>th</sup> March 2022, under Items 116/2021 (Application for the approval of the Swakopmund Zoning Scheme Number 71).

# 2. Introduction and Background

The resubmission of this item has been triggered by the letter received from the attorney, JG Van Der Merwe, dated 6<sup>th</sup> March 2025, titled, "duty on local authority Councillors to follow the law, act within the law and to promote the spirit of the law", attached as **Annexure A.** 

The letter is aimed at prompting the "Swakopmund Municipal Council to take necessary actions to comply with the Namibian law and to ensure the proper governance of the town's zoning schemes". All the legal references made in the letter are correct.

# 3. Meeting with Mr. G. van der Merwe

A meeting was convened between the Swakopmund senior municipal officers and the team of JG van Der Merwe on the 22<sup>nd</sup> April, 2025.

Mr. van der Merwe stressed the importance of Council abiding by the legal framework in which local authorities operate, and which was clearly set out in his letter. The issue is the delay in the promulgation of Amendment Scheme 71.

As an example of an adverse outcome of the delay, Mr. van der Merwe introduced Mr. Kathindi, an aggrieved resident, whose project was approved by Council with promises of an early start, but which has been in suspension for 4-years. Mr. Kathindi has been suffering ongoing financial losses because of the non-approval of Amendment Scheme 71. He wants to know from Council when it will obtain the promised proclamation of Amendment Scheme 71.

Mr. JG Van Der Merve is of the viewpoint that Council must act within the confines of the law and promote good governance, particularly pertaining to the town's zoning scheme provisions.

At the conclusion of the meeting, it was agreed that the previous item on the schemes be redrafted incorporating the letter of the 6<sup>th</sup> March 2025, and that it be submitted for Council consideration.

#### 4. Additional Motivation

Council needs also to be aware that a significant number which is over one hundred and forty-seven (147) items of cadastral changes (subdivisions and consolidations) and rezonings as part of about 45 amendment schemes included as updates in Amendment Scheme 71, (excluding Amendment Scheme 71 items) and that these have all been put on hold awaiting the promulgation of Scheme 71.

The revised version of the Swakopmund Zoning Scheme was drafted to provide a more flexible, sensitive, and innovative management tool, replacing the present Zoning Scheme.

It is for this reason that this submission, containing its slightly modified original contents, is being resubmitted for consideration.

# 5. History of Submissions of Amendment Scheme 71 to the Board

The Council's Town Planning Consultant applied for the Swakopmund Zoning Scheme Number 71 in February 2021, for approval by the Urban and Regional Planning Board (the Minister of Urban and Rural Development).

Since then, comments have been received from the Board and have all been suitably dealt with jointly by the Consultant and the Engineering and Planning Services Department, either by way of explanation or by making a few minor changes to the wording in the scheme. It should be noted that the Board has taken some months to deal with these matters. Eventually, at its meeting of 16<sup>th</sup> March 2022, it was recommended that the application be referred to the applicant to submit the following:

- A full Council Resolution where the repealed Swakopmund Amendment Scheme Number 61 was rescinded, and
- A full Council Resolution whereby C/M 2020/07/30 Resolution was confirmed.

A copy of the Board Resolution is attached as **Annexure B.** 

Prior to the March meeting, two letters were dispatched to the Board at the beginning of March 2022, to elucidate certain matters to the Board's Committee. The second letter, being a response made explains the content of Zoning Scheme Number 61 and its non-contradictory nature to the approval of the Zoning Scheme Number 71. Copies of the letters are attached as **Annexure**C. The explanation given to the Subcommittee of the Board did not help in getting the Swakopmund Zoning Scheme Number 71 approved. In addition, despite provisions of the Swakopmund Zoning Scheme Number 61 being included in the Amendment Zoning Scheme Number 71, the Board still sees it as insufficient.

In view of the letter by JG Van Der Merwe and the outstanding cadastral and zoning amendments that are being held back, the Department of Engineering and Planning Services is requesting the Council to consider rescinding Council Resolution Number C/M 2021/03/25 and reconfirming Council Resolution Number C/M 2020/07/30, to secure approval for the Swakopmund Zoning

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Scheme Number 71 so that concerns by affected residents and by JG Van Der Merwe are addressed.

### 6. Council Resolutions

Council at its ordinary meeting of 30<sup>th</sup> July 2020, resolved under Item Number 11.1.17 inter alia that the Swakopmund Amendment Zoning Scheme Number 71, as a 5-yearly review, be approved. A copy of the Council resolution is attached as **Annexure D.** 

An application for the Swakopmund Amendment Zoning Scheme Number 71 approval was submitted to the Urban and Regional Planning Board by Council's consultant in February 2021, and its approval has been awaited ever since.

On the 25<sup>th</sup> March 2021, Council via resolution number C/M 2021/03/25 under Item Number 11.1.23, resolved inter alia that the Zoning Amendment Scheme Number 61 be repealed and that the Chief Executive Office informs the ministry accordingly. A copy of the Council resolution is attached as **Annexure E.** 

The request to repeal the Swakopmund Amendment Zoning Scheme Number 61 was submitted by the Chief Executive Officer in May 2021. A copy is attached as **Annexure F.** 

On 13 August 2021, a response was received stating that the Board recommended that the matter be put on hold until the next meeting. Since then, no further communication has been received. The Board's response is attached as **Annexure G.** 

# 7. Legal Matters Regarding Revoking a Scheme

Legally, the following content of Mr. van der Merwe's letter in respect of revoking a scheme is relevant.

- "7.1. Scheme 61 remains in effect and has not been revoked.
- 7.2. To create or revoke schemes, the provisions of the Urban and Rural Planning Act have to be followed."

In other words, to revoke Amendment Scheme 61 will require following the procedure for compiling and submitting a new Amendment Scheme, with notices to be given to the public and to affected property owners. The specific aspects that concern Council and which it wants changed can be included in a new Scheme, and the correct procedure then followed. This can be done once the vastly larger Amendment Scheme 71 has been promulgated.

#### 8. Conclusion

It appears that the approval of the Swakopmund Amendment Zoning Scheme Number 71 is dependent on:

- the rescinding of the Council decision of March 2021 in which the Swakopmund Amendment Zoning Scheme Number 61 is to be placed on hold and repealed, and
- Reconfirmation of the July 2020 decision.

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Only once this is done may Council commence with drafting a new scheme to address any remaining issues arising from Amendment Scheme 61.

# B. After the matter was considered, the following was:-

## **RECOMMENDED:**

- (a) That Council acknowledges and responds to the letter by the attorney, J G Van Der Merwe.
- (b) That Council seeks a legal opinion on rescinding Scheme 61 versus operationalization of Scheme 71.
- (c) That the General Manager: Engineering and Planning Services develops the concept together with the Height Policy after receipt of the legal opinion.

#### **ANNEXURE A**



The CEO

Municipality of Swakopmund

Namibia

By Hand and Mail



M. v/d Menee

Date: 6 March 2025

DUTY ON LOCAL AUTHORITY COUNCILLORS TO FOLLOW THE LAW, ACT WITHIN THE LAW AND TO PROMOTE THE SPIRIT OF THE LAW

A meeting is urgently requested with the CEO to discuss the issues herein below.

The following serves as background understanding to formulate this communication to the Swakopmund Local Authority and all Councillors in their personal capacity:

- 1. The legal framework:
  - 1.1. Namibian Constitution.
  - 1.2. Local Authorities Act.
  - 1.3. Urban and Rural Planning Act.
  - 1.4. Code of Conduct for Members of Local Authority Councils: Local Authorities. Act. 1992.
  - 1.5. The common Law.

O Box 75, Swakopmund, Nambia, 1300

- 2. Sect 55 of the Urban and Rural Planning Act instructs as follows about:
  - Amendment and review of zoning schemes 55. (1) An amendment of a zoning scheme which involves rezoning of land must be dealt with in accordance with the provisions of Part 3 of this Chapter.
    - (2) A local authority <u>must review its zoning scheme after five</u> <u>years</u> from the date of its commencement and such review must be finalised as soon as possible after the expiry of the five-year period.
- 3. Scheme 12, the last review of the Swakopmund Town Planning Scheme.
  - 3.1. **2002**.
- 4. Another attempted review, Scheme 35. This process was never completed.
  - 4.1. Scheme 35 was withdrawn.
- 5. Scheme 71, resolution was approved on 30 July 2020.
  - 5.1. This process is pending.
  - 5.2. Swakopmund Local Authority has not completed a 5-year scheme the past 22 years.
- 6. Enacting Scheme 61
  - 6.1. The procedures laid down in the Town Planning Ordinance was followed.
  - 6.2. Scheme 61 was adopted by Local Authority Council of Swakopmund by resolution.

15. On 30 July 2020 the Local Authority of Swakopmund take the following resolution:

11.1.17

APPROVAL OF THE DRAFT REVIEW AND AMENDMENT OF THE SWAKOPMUND TOWN PLANNING SCHEME NUMBER 71: "3-YEARLY REVIEW"
(CM 2020/07/30 G 3/2/2)

RESOLVED:

(a) That the presentation by Mesors Telios Namible Consulting Engineers (Pty) Ltd on the final Swakopmund Town Planning Scheme No. 71, be noted.

(b) That the Swakopmund Town Planning Scheme No. 71 as a 5-yearly review be approved for the submission to the Minister of Urban and Rural Development for approval and promulgation in terms of the Town Planning Ordinance No. 15 of 1954, as amended.

(c) That a Power of Attorney be granted to a registered Namiblan Town and Regional Planning Consultant to undertake the submission of the Swakopmund Town Planning Scheme No. 71 on behalf of Council.



#### 16. SAVING PROVISIONS.

#### Savings and transitional provisions

- 133. (1) A town planning scheme or an amendment to a town planning scheme which has been approved in terms of the Town Planning Ordinance and which is in existence on the commencement of this Act, is regarded to be a zoning scheme or a rezoning approved in terms of this Act.
- (2) Unless otherwise provided in this Act, any notice, regulation, rule or authorisation, made or granted, or an appointment made or any other act done or regarded to have been so issued, made, granted or done in terms of a provision of any of the laws repealed by section 132, must be regarded as having been issued, made, granted or done in terms of the corresponding provision of this Act.

best of my ability.

So, help me God.

# 18. POWERS, DUTIES, AND FUNCTIONS OF LOCAL AUTHORITY COUNCILS

18.1. No power exists herein to revoke or repeal laws.

#### 19. LIMITATION OF LIABILITY

- 33. Subject to the provisions of this Act, no compensation shall be payable by a local authority council, any member of a local authority council or any officer or employee employed in carrying out the provisions of this Act in respect of any act done in good faith under this Act.
- 19.1. in other words, if acts are not done in good faith, Councillors become liable in their personal capacity.
- 19.2. What is the only reasonable inference that can be drawn in the clarity of the statutory obligation that a local authority <u>must review its zoning scheme after five years</u> from the date of its commencement and such review must be finalised as soon as possible after the expiry of the five-year period.

# 20. CODE OF CONDUCT FOR MEMBERS OF LOCAL AUTHORITY COUNCILS: LOCAL AUTHORITIES ACT, 1992

#### General provisions

2 (n) perform his or her functions and exercise his or her powers efficiently, effectively and with high integrity in accordance with the applicable laws, administrative policies, lawful instructions, and ethical standards that apply to the performance of his or her functions or the exercising of his or her powers.

# 21. THE MINISTER MAY REMOVE BY NOTICE IN WRITING ANY MEMBER OF A LOCAL AUTHORITY COUNCIL FROM OFFICE.

- 13 (2) (a) The Minister may remove by notice in writing any member of a local authority council from office, if, on recommendation of the local authority council concerned the Minister is satisfied that such member is found guilty of an offence or a contravention of any provision of a code of conduct prescribed under section 10(3), and a member may be so removed from office notwithstanding —
- (i) any sanction prescribed by the code of conduct under section 10(4);
- (ii) the fact that such a sanction may in the particular case have been applied by the local authority council against the member for such contravention.

### 22. SUMMARY

22.1. Scheme 61 has been promulgated into law (it is existing law).

- 22.2. The Swakopmund Local Authority has not done/completed a review of its zoning scheme for the last 22 years. The last mayor review scheme has been promulgated in 2002. Notwithstanding, A local authority must review its zoning scheme after five years from the date of its commencement and such review must be finalised as soon as possible after the expiry of the five-year period.
- 22.3. The Urban and Rural planning act is clear on the procedure of amendment of schemes.
- 22.4. The Swakopmund Local Authority Councillors has no authority outside the mandate of the law to revoke/repeal or create new laws. This is the prerogative of parliament.
- 22.5. Last-mentioned is clear and trite law.
- The Swakopmund Local Authority Councillors is abandoning their duty to uphold Namibian law.
- 22.7. If this dereliction was due to ignorance of the law, this letter serves to clarify the legal position. Should such dereliction persist, such persistence will be in bad faith. The immunity under section 33 of the Local Authorities Act shall fall away. Local Authority Councillors shall become liable in their personal capacities.

# 23. GOVERNMENT GAZETTE 15 OCTOBER 2017

23.1. Attached is the Government Gazette dated 15 November 2017, in which Scheme 61 has been enacted into law.

# 24. THE PURPOSE OF THE DOCUMENT.

24.1. To discuss the above understanding of the facts and law in an attempt to prompt action.

24.2. Swakopmund is a vibrant and growing town that deserves a current scheme.

The purpose of the letter is to discuss the legal framework and implications surrounding the xoning schemes in Swakopmund. Specifically, it aims to clarify the statutory obligations of the Swakopmund Local Authority and its councillors regarding the review and implementation of zoning schemes. It highlights the failure to complete a review of the zoning scheme for the past 22 years, despite the requirement to do so every five years. The letter outlines the legal procedures that must be followed, emphasizes the binding nature of existing laws, and stresses the potential personal liability of councillors if they continue to neglect their duties. The ultimate goal is to prompt the Swakopmund Local Authority to take necessary actions to comply with Namiblan law and to ensure the proper governance of the town's zoning schemes.

Sincerety,

J G VAN DER MERWE

+264 81 124 2023

Government Gazette 15 November 2017

3

#### MINISTRY OF URBAN AND RURAL DEVELOPMENT

No. 300

2017

# SWAKOPMUND TOWN PLANNING AMENDMENT SCHEME NO. 61: TOWN PLANNING ORDINANCE, 1954

In term of subsection (2) of section 26 of the Town Planning Ordinance, 1954 (Ordinance No. 18 of 1954), I give notice that I have under subsection (1) of that section read with section 27(1) of that Ordinance, approved the Swakopmund Town Planning Amendment Scheme No. 61 of the Municipality of Swakopmund.

#### S. SHANINGWA

MINISTER OF URBAN AND RURAL DEVELOPMENT

Windhoek, 25 October 2017

#### MINISTRY OF URBAN AND RURAL DEVELOPMENT

No. 301

2017

# SWAKOPMUND TOWN PLANNING AMENDMENT SCHEME NO. 62: TOWN PLANNING ORDINANCE, 1954

In terms of subsection (2) of section 26 of the Town Planning Ordinance, 1954 (Ordinance No. 18 of 1954), I give notice that I have under subsection (1) of that section read with section 27(1) of that Ordinance, approved the Swakopmund Town Planning Amendment Scheme No. 62 of the Municipality of Swakopmund.

#### S. SHANINGWA

MINISTER OF URBAN AND RURAL DEVELOPMENT

Windhoek, 25 October 2017

#### MINISTRY OF FINANCE

No. 302

2017

#### AMENDMENT OF PART 5 OF SCHEDULE NO. 1: CUSTOMS AND EXCISE ACT, 1998

In terms of Section 13 of the Interpretation of Laws (Proclamation No. 37 of 1920) read with section 65(1) of the Customs and Excise Act, 1998 (Act No 20 of 1998), I -

- (a) substitute the rates of fuel levy in Part 5 of Schedule 1 of that Act regarding those goods indicated to the extent set out in the Schedule; and
- (b) determine that the new rates of fuel levy come into effect on the date of tabling of the relevant taxation proposal in the National Assembly.

C. SCHLETTWEIN

MINISTER OF FINANCE

Windhock, 27 October 2017

2 Government Gazette 15 November 2017 6472

Government Notices

# MINISTRY OF WORKS AND TRANSPORT

No. 297

2017

REPEAL OF GOVERNMENT NOTICE NO. 87 OF 13 APRIL 2017: EXEMPTION OF ARCHITECTS AND QUANTITY SURVEYORS FROM REQUIREMENTS: ARCHITECTS' AND QUANTITY SURVEYORS' ACT, 1979

In terms of section 2.3(2) of the Architects' and Quantity Surveyors' Act, 1979 (Act No. 13 of 1979), I repeal the notice of exemption of architects and quantity surveyors from requirements published Government Notice No. 87 of 13 April 2017.

A.G. INARUSEB
MINISTER OF WORKS AND TRANSPORT

Windhoek, 19 October 2017

MINISTRY OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION

No. 298

2017

DECLARATION OF IT OPERATIONS AT NEDBANK NAMIBIA LIMITED AS CONTINUOUS OPERATIONS: LABOUR ACT, 2007

Under section 15(1) and (2) of the Labour Act, 2007 (Act No. 11 of 2007), I deciate the IT operations at Nedbank Namibia Limited to be continuous operations and permit the working of continuous shifts in respect of those operations with effect from 29 June 2017 to 28 June 2020.

B. NGHIMTINA MINISTER OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION

Windhoek, 19 October 2017

## MINISTRY OF URBAN AND RURAL DEVELOPMENT

No. 299

2017

ARANDIS TOWN PLANNING AMENDMENT SCHEME NO. 5: TOWN PLANNING ORDINANCE, 1954

In terms of subsection (2) of section 26 of the Town Planning Ordinance, 1954 (Ordinance No. 18 of 1954) I give notice that I have under subsection (1) of that section, read with section 27(1) of that Ordinance, approved the Arandis Town Planning Amendment Scheme No. 3 of the Town Council of Arandis.

S. SHANINGWA MINISTER OF URBAN AND RURAL DEVELOPMENT

Windhosk, 25 October 2017



# Ministry of Urban and Rural Development

Enquiries: J. Nyalugwe Tel: (+264+61) 297-5186 Fax: (+264+61) 297-5305 Email: positiogness; mand give tal Government Office Park Luther Street Private Bag 13289 Windhock, 10001 Namibia

Our Ref: 17/3/2/\$2 Your Ref:

Mr.H.A. Krohne Plan Africa Consulting CC P O Box 4114 Windhock NAMIBIA

Dear Mr. Krohne,

SUBJECT: ITEM 116/2021: SWAKOPMUND: APPLICATION FOR APPROVAL OF THE SWAKOPMUND ZONING SCHEME NO. 71

Your above mentioned application has reference.

Kindly be informed that the Urban and Regional Planning Board has, during its ordinary meeting held on 16 March 2022, recommended that the application be referred back to the applicant.

Please find attached the Urban and Regional Planning Board minutes of the above mentioned meeting.

Yours faithfully,

SECRETARIAT

URBAN AND REGIONAL PLANNING BOARD SECRETARIAT

# Ordinary Council Meeting - 03 June 2025

Item

Date

116/2021 17/3/2/S2 16 March 2022

SWAKOPMUND: APPLICATION FOR APPROVAL OF THE SWAKOPMUND ZONING SCHEME NO. 71 (PLAN AFRICA CONSULTING CC)

The Board recommended that the matter be referred back to the applicant to do the following:

- submit a full Council Resolution where the repealed Swakopmund Amendment Scheme No. 61 was rescinded; and
- submit a full Council Resolution whereby C/M 2020/07/30 Resolution was confirmed.



# Ordinary Council Meeting - 03 June 2025

## **ANNEXURE D**

PLAN AFRICA CONSULTING CC

Box 4114 WINDHOEK 8 Delius Street Windhoek (West)

Tel: (061) 212096 Cell: 0812716189

Fax: (061) 213051



01/03/2022

The Secretary Township Board Ministry of Urban and Rural Development Private Bag 13289 Windhoek

Attention: T. Newaya

Dear Sir

APPROVAL ZONING SCHEME 71 SWAKOPMUND - OUTSTANDING ISSUES.

During the Board's visit to Swakopmund, a meeting was held between the Chairman of the Urban and Regional Planning Board, Mr. Dana Beukes, and the Swakopmund Municipality's Manager Town Planning, Mr. John Heita. At the meeting, Mr. Beukes requested that the Board be supplied with additional information of the zoning schemes included in Zoning Scheme 71.

Zoning Scheme Number 71 was approved for submission in terms of the Swakopmund Municipal Council Resolution Number C/M 2020/07/30 - G 3/2/2 of 30th July, 2020. It comprises all revisions of the zoning scheme from Zoning Scheme 12 of 2003 and Council Resolutions on town development up to January, 2020. A listing of these revisions is tabulated below. It has been added into the introduction page of Zoning Scheme 71.

Full copies of both above Council Resolutions are attached as appendices herewith.

We trust this additional explanation will result in the early approval of the Zoning Scheme.

Yours Faithfully

H. KROHNE

# Ordinary Council Meeting - 03 June 2025

AMENOMENT SCHEME NUMBER 51, EXTENSION 41

(SWAKOPMUND), HAGE GEINGOB SOUARE AND THE APPEAL
BY VAN RENSBURG ASSOCIATES

(Crist 2021/03/25 16/1/4/1/1)

RESOLVED:

(a) That the Town Planning Amendment Scheme No 61 not be implemented and be placed on hold until the issues (on file) have been resolved in a satisfactory manner.

(b) That the Town Planning Amendment Scheme No 61 he repealed and that the Chief Executive Officer informs the ministry accordingly.

Ministry of Works and Transport to discuss the relocation of the rail way line and other matters of concern.

It is pertinent that the Council resolved that Zoning Scheme No. 61 not be implemented and be placed on hold until the issues (on file) have ben resolved in a satisfactory manner.

These issues were resolved and the contents of Zoning Scheme No. 61 were incorporated into the five-yearly review known as Zoning Scheme No. 71. The approval by the Swakopmund Town Council of Zoning Scheme No. 71 is the effective repeal and reinstatement for implementation of Zoning Scheme 61.

The Swakopmund Council have been advised and have accepted that any future proposals to amend the height restrictions would require a fresh amendment to the zoning scheme with appropriate advertising to affected parties. That the Committee is aware of these implications was confirmed verbally to the Consultant by the Chairman of the Management Committee, Mr. Wilfried Groenewald, at a meeting on the Committee of the 10<sup>th</sup> February, 2022.

## 3. A full Council Resolution whereby C/M 2020/07/30 Resolution

Council Resolution C/M 2020/07/30 read as follows.

APPROVAL OF THE DRAFT REVIEW AND AMENDMENT OF THE SWAKOPMUND TOWN PLANNING SCHEME NUMBER 71: "5-YEARLY REVIEW" (CAM 2020/07/30 G 3/2/2)

#### RESOLVED

GNI EN TES

- (a) That the presentation by Messrs Telios Namibia Consulting Engineers (Pty) Ltd on the final Swakopmund Town Planning Scheme No. 71, be noted.
- (b) That the Swakopmund Town Planning Scheme No. 71 as a 5-yearly review be approved for the submission to the Blinister of Urban and Rural Development for approval and promulgation in terms of the Town Planning Ordinance No. 18 of 1954, as amended.
- (c) That a Power of Attorney be granted to a registered Namiblan Town and Regional Planning Consultant to undertake the submission of the Sankapmund Town Planning Schome No. 73 on bohalf of Council.



**ANNEXURE E** 

11.1.17 <u>APPROVAL OF THE DRAFT REVIEW AND AMENDMENT OF THE SWAKOPMUND TOWN PLANNING SCHEME NUMBER 71: "5-YEARLY REVIEW"</u>

(C/M 2020/07/30 - G 3/2/2)

### **RESOLVED:**

GM: E& TPS

- (a) That the presentation by Messrs Telios Namibia Consulting Engineers (Pty) Ltd on the final Swakopmund Town Planning Scheme No. 71, be noted.
- (b) That the Swakopmund Town Planning Scheme No. 71 as a 5-yearly review be approved for the submission to the Minister of Urban and Rural Development for approval and promulgation in terms of the Town Planning Ordinance No. 18 of 1954, as amended.
- (c) That a Power of Attorney be granted to a registered Namibian Town and Regional Planning Consultant to undertake the submission of the Swakopmund Town Planning Scheme No. 71 on behalf of Council.

Ordinary Council Meeting: 30 July 2020

11.1.23 AMENDMENT SCHEME NUMBER 61, EXTENSION 41 (SWAKOPMUND), HAGE GEINGOB SQUARE AND THE APPEAL BY VAN RENSBURG ASSOCIATES (C/M 2021/03/25 - 16/1/4/1/1)

# RESOLVED:

CEO GM: EPS

- (a) That the Town Planning Amendment Scheme No 61 not be implemented and be placed on hold until the issues (on file) have been resolved in a satisfactory manner.
- (b) That the Town Planning Amendment Scheme No. 61 be repealed and that the Chief Executive Officer informs the ministry accordingly.
- (c) That the Chief Executive Officer arrange a meeting with the Ministry of Works and Transport to discuss the relocation of the rail way line and other matters of concern.

### **ANNEXURE F**



# **MUNICIPALITY OF SWAKOPMUND**

(064) 4104400

(064) 4104125 Fax2email: 0886519137

53 Swakopmund

• w

www.swkmun.com.na

townengineer@swkmun.com.na

5<sup>th</sup> May 2021

Ref No:

16/1/4/1/1

**Enquiries:** 

C McClune

The Executive Director
Ministry of Urban and Rural Development
Private Bag 13289
WINDHOEK
10005
Namibia

Attention: Mr N Daniel

Dear Sir,

# REQUEST TO REPEAL THE SWAKOPMUND AMENDMENT SCHEME NUMBER 61

The Swakopmund Municipal Council during its ordinary Council meeting held on the on 25<sup>th</sup> March 2021, under Resolution (C/M 2021/03/25 - 16/1/4/1/1), Item 11.1.23, has resolved *interalia*: -

"That the Town Amendment Scheme Number 61 be repealed and that the Chief Executive Officer informs the ministry accordingly"

It is against the above background that my office hereby informs the Ministry of Urban and Rural Development to take necessary actions that may be required to have the Swakopmund Amendment Scheme Number 61, repealed. The aforementioned Council Resolution is attached for ease of reference.

I trust that you would find the contents of this letter in order. Should you have more queries please do not hesitate to contact Mr Clarence McClune (General Manager: Engineering and Planning Services Department) on (064) 410 4400 or via email townengineer@swkmun.com.na.

Yours faithfully

Alfeus Benjamin

CHIEF EXECUTIVE OFFICER

JH/vrb

All correspondence must be addressed to Chief Executive Officer

### **ANNEXURE G**



# Ministry of Urban and Rural Development

Enquiries: N. Khoa Tel: (+264+61) 297-5230 Fax: (+264+61) 297-5305

2

Email: nkhoa@murd@murd.gov.na

Government Office Park Luther Street Private Bag 13289 Windhoek, 10001 Namibia

Our Ref.: Your Ref.:

The Chief Executive Officer Municipality of Swakopmund P O Box 53 Swakopmund NAMIBIA

Dear Mr. A. Benjamin,

1 3 AUG 2021

SUBJECT: REQUEST TO REPEAL THE SWAKOPMUND AMENDMENT SCHEME NUMBER 61

- 1. The subject matter has reference.
- 2. The Urban and Regional Planning Board has, during its meeting held on 16 June 2021, recommended that the matter be put on hold until the next Board meeting.

Yours faithfully

SECRETARIAT
URBAN AND REGIONAL PLANNING BOARD

Division Planning

3 0 JUL 2021

P/Bag 13289

WINDHOEK

### 8. ANY OTHER BUSINESS

# 8.1 REQUEST TO REPEAL THE SWAKOPMUND AMENDMENT SCHEME NUMBER 61 (MUNICIPALITY OF SWAKOPMUND)

The Board recommended that the matter be put on hold until the next Board meeting.

8.2 REQUEST BY MINISTER TO RELOOK THE FOLLOWING: CONDITIONS: FOUR (4) TIMES THE BUILDING VALUE OF THE MAIN BUILDING, EXCLUDING THE OUTBUILDINGS TO BE ERECTED ON THE ERF SHALL BE AT LEAST FOUR TIMES THE PREVAILING VALUATION OF THE ERF.

The Board recommended that the matter be deferred to a next meeting so that a written request can be obtained from the office of the Minister.

### 8.3 BETTERMENT FEE

The Board recommended that Mrs. Sem should draft a proposal for the reduction of betterment fees and endowment fees to be submitted to the Minister for consideration.

### 8.4 APPROVAL OF AMENDMENT ZONING SCHEMES

Part 2 of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) ("the Act") deals with "amendment and review of zoning schemes". Subsections 1 to 9 of Section 55 outlines the amendment of a zoning scheme and the review of zoning schemes after a duration of five (5) years by a Local Authority.

Section 55(1) of the Act stipulates that "An amendment of a zoning scheme which involves rezoning of land must be dealt with in accordance with the provisions of Part 3 of Chapter 5." Part 3 of Chapter 5 deals with "rezoning of land". In terms of Section 56(2) of the Act reads inter alia "the rezoning of land in a local authority area which does not have an authorised planning authority or which is not in accordance with the applicable urban structure plan which is approved in terms of this Act must be approved by the Minister in accordance with Part 2 of Chapter 9". The Act does not state that the Minister should grant approval for an amendment zoning scheme but individual rezoning of land.

Section 58 of the Act further stipulates that "The functionary which approved the rezoning of land as contemplated in Section 56 must in the *Gazette* give notice of approval of the amendment to the zoning scheme concerned and such amendment comes into operation on the date of publication of the notice."

The Board took note of the provisions of the Act as introduced by Ms. Maria Amulungu to the Board. Now therefore the Board resolves as follows:

- a workshop be held with the necessary stakeholders, the legal drafters of the Ministry of Justice, the development partner of the Ministry (GIZ) and the Board;

M.N

# 11.1.3 REQUEST TO INCREASE THE GRATUITY PAYMENT FOR ALL ENDORSED COMMITTEE MEMBERS

(C/M 2025/06/03 - 17/1/4/2/1/2, 17/1/4/2/1/11)

Ordinary Management Committee Meeting of 15 May 2025, Addendum 7.2 page 24 refers.

### A. This item was submitted to the Management Committee for consideration:

### 1. INTRODUCTION

The purpose of this submission is to inform Council about the dissatisfaction of the committee members regarding the approved minimum gratuity payment to all endorsed committee members when a specific project is undertaken and completed in the extensions.

The DRC Committee members also submitted a letter (**Annexure "A"**) dated **18 December 2024** in which they express their dissatisfaction about the payment that was approved by Council, which will be discussed under point 5.

### 2. **BACKGROUND**

In order to obtain accurate information/data on the number of households in the various extensions in DRC, Council on **27 January 2022** passed the following resolution under item 11.1.44:

- "(b) That in order to obtain accurate information / data on the number of households located on Extensions 24, 25, 38, and Portion 184, the following framework and procedure is proposed:
  - (i) A <u>desktop study</u> will be embarked on based on the aerial maps of Extensions 24, 25, and 38 to estimate the density of the location of informal dwelling structures and to assess the situation.
  - (ii) The General Manager: Corporate Services & HC be authorised to assess the need for and <u>recruit temporary staff</u> to attend to the envisaged survey and relocation project.
  - (iii) Following the desktop study, <u>a physical survey on site</u> be conducted to assess:
    - (a) the location of informal dwelling structures (on erven, open spaces, streets, etc),
    - (b) number of informal dwelling structures per erf,
    - (c) the number of persons per informal dwelling structures,
    - (d) the income level of the informal dwelling structures household and
    - (e) whether the household is already listed on the Master Waiting List and additional data be added to the said list.
    - (f) That tenants be issued with lease contracts once located on their erf."

Following the abovementioned socioeconomic data collection projects that were undertaken in other extensions and currently in Ext 24 and 25,

Swakopmund, Council took a standard resolution for gratuity payment for all endorsed committee members on **14 November 2024** under item 11.1.44 as follows:

- (a) That Council takes note that on 27 January 2022 under item 11.1.44 the following was resolved:
  - (a) That in order to obtain accurate information/data on the number of households located on Extensions 24, 25, 38, and Portion 184; the following framework and procedure is proposed:
    - (i) ...
    - (ii) The General Manager: Corporate Services & HC be authorized to assess the need for and <u>recruit temporary staff</u> to attend to the envisaged survey and relocation project."
  - (b) That the following <u>DRC Proper (Extensions 27, 29, and 30)</u> committee members be paid a once-off amount of N\$1 500.00 (x 13 = N\$19 500.00) to the active committee members.
    - 1. Elizabeth Elao
    - 2. Zibora Auxas
    - 3. Haimbili Ndinelago
    - 4. Martha Shimbonga
    - 5. Dula Helena
    - 6. Emilie M Lukombo
    - 7. Sishango Tulile
    - 8. Ndaudako Gabriel
    - 9. Sevelia Djuulume
    - 10. Haimbodi Paulina
    - 11. Gideon Abisai Nambili
    - 12. Alleta Shaningwa
    - 13. Aphonsina Makuti
  - (c) That the once-off gratuity payment mentioned in (b) above only be paid when the project in the particular extensions they serve are completed.
  - (d) That the following Wagdaar (Extensions 40, 41 and 42) Committee Members and Extension 28 Committee Members where the enumeration exercise was completed (during the periods indicated under point 2 in the submission) be compensated at a rate of  $N$1 500.00 \times 11 = N$16 500.00$ .

### Wagdaar Committee Members:

- 1. Hildegardt Vaendapi Katjiukua
- 2. Lovis Ngesheya
- 3. Rebecca Ndume
- 4. Aron Haufiku
- 5. Junius Niinkoti
- 6. Nahilongwa Perrys Petrus
- 7. Josef Swaartbooi
- 8. Frans Stefanus

### Extension 28 Committee Members:

- 1. Caroline Kasenda
- 2. William Makayi
- 3. Mathilda Swartz
- (e) That a once-off gratuity payment of N\$1 500.00 applies to all committee members who participate in the enumeration exercise once the projects are completed in the relevant extensions they serve.
- (f) That no gratuity payment be entertained when no enumeration of residents is undertaken in a particular extension/s.
- (g) That the General Manager: Finance avails an additional amount of (N\$36,000.00) to remunerate the committee members mentioned in (b) above.

### 3. PREVIOUS COUNCIL RESOLUTION

In the past the Committee members who served during 2013 - 2015 were appointed as enumerators. Eligible committee members were given books for recording/registering occupants after passing a written test. Those who did not pass the test were appointed as assistants to accompany the teams. They were assigned to register the entire DRC and Mondesa backyard squatters as per Council resolution passed on **31 July 2013** under item 11.1.18:

- "(a) That the General Manager: Community Development Services embarks on a registration exercise of residents residing in temporary structures at the DRC Informal Settlement, Mondesa as well as those renting elsewhere in Swakopmund.
- (b) That General Manager: Community Development Services approves the appointment of 21 contract workers and unemployed DRC Planning Committee Members to assist in carrying out the data collection exercise.
- (c) That additional funds in the amount of N\$154 311.00 be made available, in order to carry out the data collection exercise."

The amount of **N\$5,891.00** per member was recommended as remuneration for the work conducted and completed. However, the eligible committee members were remunerated the amount of **N\$6,398.00** (A3 band), and non-eligible committee members who accompanied the teams received **N\$3,791.00** (A1 band), A copy of sundry payments for all committee members and the full submission is attached as **Annexure "B"**.

### 4. CURRENT SITUATION

In response to Council's letter dated **21 November 2024**, the DRC Committee members expressed their dissatisfaction regarding the payment of **N\$ 1 500.00** once off (**Annexure "A"**). Reference is also made to the meeting held on **05 December 2024** with the Seaside Committee where the topic of <u>Dissatisfaction of Gratuity Payment</u> under point 4.2 was addressed (**Annexure "C"**). The members raised a concern about the one-time enumeration payment of **N\$1,500.00**.

The committee members highlighted that the proposed allowance of **N\$1,500.00** is not sufficient in comparison to the tasks performed under the enumeration project.

### 5. **DISCUSSION**

Below is an extract from a previous submission of 2013 in respect of the remuneration of the enumerators under point (b) (iii) "Remuneration":

- A3 for enumerators =  $N$5,891.00 \times 40 = N$235 640.00$
- B1 for Data typist =  $N$8,000.00 \times 1 = N$8,000.00$
- An allowance of N\$1,500.00  $\times$  15 = N\$22,500.00
- Total Estimated Cost = N\$266 140.00

The Committee members were appointed on A3 band for the enumeration of residents in DRC Proper and its surroundings, as well as in Mondesa. The difference between the above payment is, the <u>current Committee Members</u> do not conduct enumeration but only assist the enumerators with translation, distributing of letters, tracing of absent residents over the weekends, organising meetings with residents to explain resolutions, and solving disputes.

In general, all the endorsed Committee Members serve as intermediaries between Council and the community. The Wagdaar Committee Members assisted with registration that took place from **08 January 2022** until **18 August 2023** in Extensions 40, 41, and 42. In addition, Ext 28 Committee members also assisted with registration that took place from **September 2023** to **January 2024**.

It should be noted that the assistance rendered by the committee members help expedite the completion of socioeconomic data collection projects in various extensions.

The monetary value of the current A1 & A3 bands stands at **N\$8 175.00** and **N\$10 203.00** respectively.

### 6. PROPOSAL

It is proposed that Council repeals the Council resolution passed on **24 November 2024** under item 11.1.44 and replace the **N\$1 500.00** once off gratuity payment with **N\$3 500.00**, for all endorsed committee members in Extension 14, Mondesa, 27, 28, 29, 30, 31 South, 37, 38, 40, 41 and 42, Swakopmund upon completion of the work in the area /Extension/s they assist.

### B. After the matter was considered, the following was:-

### **RECOMMENDED:**

(a) That Council repeals point (e) of the Council resolution passed on 24 November 2024 under item 11.1.44:

That a once-off gratuity payment of N\$1,500.00 applies to all committee members who participate in the enumeration exercise once the projects are completed in the relevant extensions they serve.

### and replace it with

That Council approves the payment of a once-off gratuity payment of N\$3,500.00 to all committee members who actively participated in the enumeration exercise after the projects are completed in the extensions they serve.

- (b) That the following <u>DRC Proper (Extensions 27, 29 and 30, Swakopmund)</u>
  <u>Committee Members</u> be paid a once-off payment of (N\$3,500.00 x 20 = N\$70,000.00) to active Committee Members.
  - 1. Elizabeth Elao
  - 2. Zibora Auxas
  - 3. Haimbili Ndinelago
  - 4. Martha Shimbonga
  - 5. Dula Helena
  - 6. Emilie M Lukombo
  - 7. Sishango Tulile
  - 8. Ndaudako Gabriel
  - 9. Sevelia Djuulume
  - 10. Haimbodi Paulina
  - 11. Gideon Abisai Nambili
  - 12. Alleta Shaningwa
  - 13. Aphonsina Makuti
  - 14. Ndahambelela Shimwefeni
  - 15. Jakobina Gideon
  - 16. Joba Namanda
  - 17. Maria Karembera
  - 18. Arnold Tsuseb
  - 19. Charles Kandjani
  - 20. Richard Andrew Howoseb
  - (c) That the following <u>Seaside (Extensions 37, 38, 24 and 25, Swakopmund) Committee Members</u> be paid a once-off amount of (N\$3,500.00 x 19 = N\$66,500.00) to active Committee Members.
  - 1. Stanley Thaniseb
  - 2. Bulani Witbooi
  - 3. Annalie Matsuis
  - 4. Frederick Naobeb
  - 5. Paul Damara Gaseb
  - 6. Josef Hailuuda
  - 7. Censely Naruseb
  - 8. Shaanika Wilbard
  - 9. Sara Ngairo
  - 10. Sandra Seibes

- 11. Kahenikutji Jacobs
- 12. Immanuel Tjihozu
- 13. Maleagi Uahupirapi
- 14. Philipus Gideon
- 15. Erika Ndjitaviua
- 16. Maipu Ortner
- 17. Landine Kaundje18. Clugust Nowaseb
- 19. Norman Gariseb
- (d) That the following Committee Members in Wagdaar (Extensions 40, 41, and 42), Extension 28 and Extension 14, where the enumeration exercise was completed (during the periods indicated under point 2 in the

submission) be compensated at a rate of N $3,500.00 \times 17$  (total members below) = N59,500.00.

### **Wagdaar Committee Members:**

- 1. Hildegardt Vaendapi Katjiukua
- 2. Lovis Ngesheya
- 3. Rebecca Ndume
- 4. Aron Haufiku
- 5. Junius Niinkoti
- 6. Nghilongwa Perrys Petrus
- 7. Josef Swartbooi
- 8. Frans Stefanus
- The total amount for the 8 members is, 8 x N\$3,500.00 = N\$28,000.00 (included in the N\$59,500.00).

### Extension 28 & 31 South Committee Members:

- 1. Caroline Kasenda
- 2. William Makayi
- 3. Mathilda Swartz
- The total amount for the 3members is, 3 x N\$3,500.00 = N\$10,500.00 (
  included in the N\$59,500.00).

### **Extension 14, Mondesa Committee Members:**

- 1. Fillipus Gariseb
- 2. Gisela Garoes
- 3. Jemmie Jeans Hansen
- 4. Uapanda Tjiveze
- 5. Lucia Kanana
- 6. Tobias Elias
- The total amount for the 6 members is, 6 x N\$3,500.00 = N\$21,000.00 that is (included in the N\$59,500.00).
- (e) That no gratuity payment be entertained when no assistance was provided in the enumeration process of occupants in a particular extension/s.

- (f) That a letter be distributed to verify whether all listed Committee Members participated in the enumeration exercise in their areas.
- (g) That General Manager: Finance Services avails an additional amount of (N\$196,000.00) in order to remunerate the Committee Members mentioned in point (e) above.

# **Documents** Containing Personal Information Are Removed From The Agenda As **Directed By** MANAGEMENT.

### APPLICATION FOR TRANSFER OF RIGHT OF USE BY SURVIVING RELATIVES AND 11.1.4 DISTANT RELATIVES RESIDING ON THE ERVEN IN DRC, SWAKOPMUND 15/2/1/2)

(C/M 2025/06/03 -

Ordinary Management Committee Meeting of 15 May 2025, Addendum 7.3 page 61 refers.

### This item was submitted to the Management Committee for consideration: A.

#### INTRODUCTION 1.

The purpose of this submission is for Council to consider approving the applications of the direct or distant relatives residing on erven in DRC for many years after the registered tenants have passed away and or moved out of Swakopmund.

Point 3 below contains tables indicating: Direct Relatives with supporting documents attached from Annexure A-G, and Distant Relatives with documents attached from Annexure H-N.

### BACKGROUND 2.

The Housing Section receives many applications for change of "right of occupation" of erven in the DRC Informal Settlement due to the passing of the registered tenants. The term ownership simply means to reside on the erf, for many years, whilst registration of transfer has not yet taken place.

Council resolved on 31 August 2022, under item 11.1.2 as follows:

- That Council takes note that Mrs Maria Hafyenanye, a direct relative of the late Mr Josef Hafyenanye, responded after the placement of the advert in the newspaper.
- That the application of Mr Johannes Kashululu be turned down and that (a) Erf 806 be allocated to Mrs Maria Hafyenanye, who is the biological child of the late Mr Josef Hafyenanye.
- That Council approves the allocation of the erven to distant relatives who (b) reside on the erven and are on the Master Waiting List as per the table below:

The remainder of the resolution is attached as Annexure "O"

### **CURRENT SITUATION & DISCUSSION** 3.

Considering the above resolution, new applications with the supporting documents attached have been received from the direct relatives (Annexure A-G) and distant relatives (Annexure H-N) of the deceased to reside on the erf, which is now submitted for approval.

The table below indicates the name of the deceased and the direct relatives, with the annexures of the supporting documents:

### A. DIRECT RELATIVES

No	Erf No. New/Old	Name Of Deceased	Name & Surname Of Applicant	Relationship To The Deceased	Supporting Documents	Current Residence	Master Waiting List: Y/N	Annexure
1	7255 (1079), Ext. 27	Josef Shihepo	Petrus Tulipondjo Josef	Son	Death cert, ID copy, Copy of Full Birth cert, letter of residence	E 1079 DRC	No	Α
2.	7882 (1182), Ext. 29	Lucas Owoseb	Arnold Somseb	Son	Death cert, ID copy, Copy of Full Birth cert, letter of residence	E 1182	No	В
3.	7886 (1230), Ext. 29	Stefanus Gom- kheiseb	Laurentia Seibes	Daughter	Death cert, ID copy, Copy of Full Birth cert, letter of residence	E 1230	No	С
4_	7909 (650), Ext. 29	Johannes Aron	Wilhelmina D Aron	Daughter	Death cert, ID copy, Copy of Full Birth cert, letter of residence	E 650	No	D
5	8306 (745), Ext. 30	Alfeus Kaulandwa	Simeon Nghishiiko Kaulandwa	Son	Death cert, ID copy, Copy of Full Birth cert, letter of residence, police declaration	E 745	No	Ε
6.	8291 (819), Ext. 30	Samuel Johannes David	Gideon David	Son	Death cert, ID copy, Copy of Full Birth cert, sworn declaration of residence, payslip	E 819	No	F
7.	7246 Ins (1091), Ext 27 Overspill	Titus Amadhila	Ngodjona Amadhila	Son	Death cert, ID copy, Copy of Full Birth cert, sworn declaration of residence, payslip	E 1091	No	G

• The ID numbers of the beneficiaries are on file.

### **B. INCOME OF DIRECT RELATIVES**

No.	Erf No. Old/New	Name & Surname Of Applicant	Salary /Income
1	7255 (1079)	Petrus Tulipondjo Josef	Middle
2	7882 (1182)	Arnold Somseb	High
3	7886 (1230)	Laurentia Seibes	Middle
4	7909 (650)	Wilhelmina Dhimbulukweni Aron	High
5	8306 (745)	Simeon Nghishiiko Kaulandwa	Middle
6	8291 (819)	Gideon David	High
7	7246 (1091)	Ngodjona Amadhila	

• The actual income of the beneficiaries is protected information, but is available on file.

### C. DISTANT RELATIVES

No	Erf No. New/Old	Name Of Deceased	Name & Surname Of Applicant	Relationship To The Deceased	Supporting Documents	Current Resident	Master Waiting List: Y/N	Annexure
1	8150 (1266) Ext. 30 Overspill	Victoria Ganes	Marvin David Gui-Dao Oab	Cousin	Death cert, ID copy, sworn declaration, letter	E 1126 DRC	Yes	Н
2	8392 (927), Ext. 30	Ewald Gonteb	Emilie Moringa Rusberg	Brother	Death cert, ID copy, Full birth cert, letter of residence, police declaration	E 322 DRC	No	1
3	7288 (101), Ext. 27	Tomas Nyanyukwa Amupolo	Samwel Ngeno	Brother	Death cert, ID copy, sworn declaration, letter of residence	E 101 DRC	No	J
4	8277 (893), Ext. 30	Lineekela Festus Mwahangavaya	Reinhold Mwahangavaya	Brother	Death cert, ID copy, sworn declaration, letter of residence	E 893 DRC	Yes	К
5	7522 (1025), Ext. 27	Rosalia Ndaombongwe Nailenge	Martha N N N Ndafediva	Cousin	Death cert, ID copy, sworn declaration	Mondesa	No	L
6	7909 (649), Ext. 29	Josua Nehemia		Nephew	Death cert, ID copy, sworn declaration of residence & relationship	E 649 DRC	Yes	М
7	7887 (1233), Ext. 29	Teofelus Voleni Nduuvundi	Jona Hashiko	Nephew	Death cert, ID copy, sworn declaration of residence & relationship	E 1233 DRC	Yes	N

### D. INCOME OF DISTANT RELATIVES

No.	Erf No.	Name & Surname Of Applicant	Salary /Income
1	8150 (1266)	Marvin David Gui-Dao Oab	High Income

No.	Erf No.	Name & Surname Of Applicant	Salary /Income
2	8392 (927)	Emilie Moringa Rusberg	Middle Income
3	7288 (101)	Samwel Ngeno	Middle Income
4	8277 (893)	Reinhold Mwahangavaya	High Income
5	7522 (1025)	Martha Nnn Ndafediva	High Income
6	7909 (649)	Mateus Walipeni Pinehas	High Income
7	7887 (1233)	Jona Hashiko	High Income

It should be noted that Ms Martha Ndafediva resides in Mondesa and she is applying with the intention to settle on Erf 1025. However, Ms Lonia Heiteta who together with her husband already benefitted under the Decentralized Build Together Programme occupies the erf and are reluctant to relocate to their house in Ext 26, Swakopmund. Ms Heiteta is selling traditional home brew liquor on the erf.

### WAY FORWARD WITH THE APPLICATION OF DISTANT RELATIVES

The names of the deceased must first be advertised to ensure that there are no other <u>direct relatives</u> of the deceased residing in Swakopmund before the <u>distant relatives</u> can be considered.

The <u>direct relatives</u> residing in Swakopmund will be given 30 days to respond from date of the notice published in the respective newspapers. The relatives residing <u>outside Swakopmund</u> will not be allowed to apply for the erven.

The applicants (relatives) with an income from N\$ 2 600.00 and above can be considered for change of ownership of the erven whereas the applicants (relatives) earning below N\$2,600.00 be informed that they will be relocated at a later stage or might be considered to lease the erven in the interim, at a minimal fee of N\$ 150.00 per month. The lease fee **Annexure "P"** was approved by Council on **02 April 2024**, item 11.1.9.

### 4. **PROPOSAL**

It is proposed that Council approves the applications of the surviving <u>direct relatives</u>, following due advertising and based on the affordability assessments under <u>point A</u>. This will speed up the process of land delivery and reduce the number of households without ownership.

It is also proposed to consider the <u>distant relatives under point C</u> who are occupying the erven for many years to continue residing on the erven after it is determined that the deceased do not have any direct family who are living in Swakopmund and having a need for an erf.

Further, it is proposed that the both the <u>direct relatives</u> and <u>distant relatives</u> who are residing on the erf and who is earning below N\$2 600.00 be relocated to the new reception area or be allowed to lease the erf for the interim.

# B. After the matter was considered, the following was:-

### **RECOMMENDED:**

- (a) That Council takes note of the affordability assessment conducted on the 2 groups in A and B below.
- (b) That Council approves the applications of the surviving <u>direct relatives</u> residing on the erven and who qualify as per the affordability assessment provided in the table below after the placement of the advert:

### A. INCOME OF DIRECT RELATIVES

No	Erf No	Ext	Name & Surname Of Applicant	Income
1	7255 (1079)	27	Petrus Tulipondjo Josef	Middle Income
2	7882 (1182)	29	Arnold Somseb	High Income
3	7886 (1230)	29	Laurentia Seibes	Middle Income
4	7909 (650)	29	Wilhelmina Dhimbulukweni Aron	High Income
5	8306 (745)	30	Simeon Nghishiiko Kaulandwa	Middle Income
6	8291 (819)	30	Gideon David	High Income
7	7246 (1091)	27	Ngodjona Amadhila	High Income

- (The id numbers and actual income of the beneficiaries are on file).
- (c) That a notice be placed in the newspapers inviting the <u>direct</u> relatives of the deceased to claim the erven within 30 days from date of publication before allocating the erven to the <u>distant relatives</u>.
- (d) That the following <u>distant relatives</u> who have been occupying the erven for many years be approved to continue residing on the erven after it is confirmed that there are no direct relatives:

### **B. INCOME OF DISTANT RELATIVES**

No.	Erf No.	Ext	Name & Surname Of Applicant	Income
1	8150 (1266)	30	Marvin David Gui-Dao Oab	High Income
2	8392 (927)	30	Emilie Moringa Rusberg	Middle Income
3	7288 (101)	27	Samwel Ngeno	Middle Income
4	8277 (893)	30	Reinhold Mwahangavaya	High Income
5	7522 (1025)	27	Martha Nnn Ndafediva	High Income
6	7909 (649)	29	Mateus Walipeni Pinehas	High Income
7	7887 (1233)	29	Jonas Hashiko	High Income

(e) That only relatives residing in Swakopmund be approved for allocation of the erven to reside on the erf of the deceased relative.

# Documents Containing Personal Information Are Removed From The Agenda As **Directed By** MANAGEMENT.

# 11.1.5 LEASE / SALE OF LAND TO DEVELOP A SOLAR COMPONENT MANUFACTURE PLANT BY NACIDO MINING CC

(C/M 2025/06/03 -

17/2/11/2, 17/1/4/2/1/12)

Ordinary Management Committee Meeting of 15 May 2025, Addendum 7.4 page 153 refers.

# A. This item was submitted to the Management Committee for consideration:

### 1. Introduction

The application of Nacido Mining CC (hereinafter Nacido and previously known as Granville Energy) to lease a portion of land measures approximately of 10 Ha in extents to establish a solar component manufacturing plant and an additional 80 Ha for storage of manufacturing solar panels was discussed by the Investment Coordination Committee (ICC) on **09 October 2024** under item 8.1 and the following were proposed:

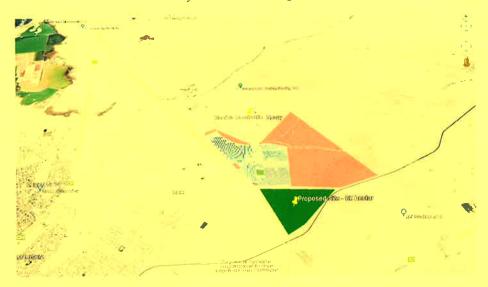
- (a) Nacido be requested to submit the amended business registration document indicating the core business activities as solar manufacturing and other electrical-related activities.
- (b) Obtain a valuation of the industrial zoning to determine the purchase price of the subject portion;
- (c) Council should only consider the sale of a portion of land, approximately 10 Ha, for Nacido to establish a solar component manufacturing plant due to the nature of the business that requires construction of a permanent building on the portion.

In accordance with the ICC proposal, the required amended business registration for Nacido, dated **20 March 2025**, has been received and is attached as **Annexure "A."** The application is therefore resubmitted to Council to consider the following:

- (a) The change of company name from Granville Energy (Pty) Ltd (hereinafter Granville Energy) to Nacido;
- (b) sale of 10 Ha for the establishment of a manufacturing of a solar plant, and not to lease;
- (c) determination of the purchase price and sale conditions applicable for the land to be used for the establishment of a solar component manufacturing plant.

### 2. Location of the Portion of Land

The portion of land applied for Nacido forms part of the green triangle area indicated on the map below.



The area was demarcated for the placement of applicants for miscellaneous industries on a lease basis. Therefore, the intention was to allow for flexibility and not to formally subdivide portions of land for sale. A challenge is that most industries must construct fixed structures, which is not allowed on Council's leased land (see point 3.4 below). The entire size of this area measures 80 Ha in extent.

### 3. Background

### 3.1 Initial Application and Approval

During **2022**, Nacido applied to lease a portion of land measuring approximately of 10 Ha to relocate the operations of a solar component manufacturing plant from South Africa to Namibia. Their initial proposal is attached as **Annexure "B"**.

Their activities will include the following:

- Solar PV
- Inverter
- Battery/ EV battery Manufacturing
- Automotive / EV Manufacturing

On **23 February 2023**, Granville Energy presented their proposal to Council to develop a solar component manufacturing plant in Swakopmund, whereafter they were requested to provide the following documentation -

- (i) A copy of the registration document of Granville Energy (Pty) Ltd as an entity indicating the names of shareholders;
- (ii) Proof of secured funding for this project; and
- (iii) Proof of experience and capacity to ensure successful completion of the project.

On **11 May 2023** and **04 July 2023**, Granville Energy submitted their company registration document, a letter confirming their experience and capacity, and a letter from FA Advisory Group Inc., in collaboration with Simmons Bank, confirming that they will provide the required funds to Granville for the development project. Another letter dated **07 May 2024** was received from Bank Windhoek Ltd stating that they will consider financing N\$ 30,000,000.00 to Nacido.

Following is the Council resolution passed on **31 August 2023** under item 11.1.17:

- "(a) That Council supports the proposal by Messrs Granville Energy Namibia (Pty) Ltd to establish a solar component manufacturing plant within the Swakopmund town boundary.
- (b) That Council, in principle, supports the leasing of a 10-hectare size land, next to the HDF-Energy development to Messrs Granville Energy Namibia (Pty) Ltd for a period of 9 years and 11 months, with the option of renewal, for the establishment and operation of a solar component manufacturing plant.
- (c) That the exact size and location of the solar component manufacturing plant be determined by the General Manager: Engineering and Planning Services.
- (b) That once the size and location of the solar component manufacturing plant are determined by the General Manager: Engineering and Planning Services, the General Manager: Corporate Services and Human Capital submits to Council for consideration the full lease price and applicable terms and conditions for the lease.
- (c) That any costs associated with this proposal, such as surveyor costs, municipal services to support the operations, applications for road access and electrical supply, should be for the account of Messrs Granville Energy Namibia (Pty) Ltd.
- (d) That the exact size and location of the solar component manufacturing plant be determined by the General Manager: Engineering and Planning Services.
- (e) That once the size and location of the solar component manufacturing plant are determined by the General Manager: Engineering and Planning Services, the General Manager: Corporate Services and Human Capital submits to Council for consideration the full lease price and applicable terms and conditions for the lease."

### 3.2 Amendment to the Identity of the Applicant

The above decision was conveyed to Granville, and they responded as per letter dated **14 February 2024** to change the name of the entity from Granville to Nacido. The board resolution passed by Granville Energy is attached as **Annexure "C"**.

### 3.3 Change in Purpose for which land is required

In the initial application, Engineering & Planning Services proposed a lease transaction for the 10 Ha, which was approved on **31 August 2023** under item 11.1.17.

It is however now clear that they will be constructing a factory to manufacture the solar panels, since solar panels require a high technology facility which can obviously not be a temporary structure (which is allowed on lease land).

Nacido confirmed that the 10 Ha portion of land is large enough for the manufacturing plant, but an additional portion measuring 80 Ha is required for storage of the manufactured panels.

### 3.4 Common Law with regard to Fixed Structures on Lease Land

Council does not permit the construction of fixed improvements on leased land due to the difficulties created by the common law maxim "superficies cedit solo", meaning "the surface yields to the ground". This common law principle means that any structure or thing planted in the ground becomes part of it, and ownership follows the ownership of the land.

The lease of land for the development and construction of a solar equipment manufacturing plant is not supported due to the complexity of the building structure required to put up a facility that might be more valuable than the land value. It is proposed that Council considers selling 10 Ha of land to Nacido instead of than leasing, hence the recommendation for the private treaty sale.

Following the above Council resolution, the Property Section has been engaging with Ms Stephiana H Smith (the Managing Director of Nacido) regarding the proposed area and their planning development activities. The emails correspondences between Nacido and the Property Section are attached as **Annexure "D"**.

### 4. Environmental Impact of Solar Manufacturing Plant

A solar manufacturing plant refers to the **fabrication and assembly of materials across the solar value chain**, the most obvious being solar photovoltaic (PV) panels, which include many subcomponents like wafers, cells, encapsulant, glass, back sheets, junction boxes, connectors, and frames.

Manufacturing solar panels, like any other type of electronic device, produces toxic substances, hazardous materials, and emissions into the soil and water, or in informal recycling sites. The process uses toxic chemicals, releases pollutants, and consumes valuable resources this are environment concerns. Therefore, it is proposed that Nacido undertake an Environmental Impact Assessment to assess and highlight possible environmental and social impacts, whether negative or positive.

The Environmental Management Act, Act 7 of 2007, refers to various activities under Energy Generation, Transmission, and Storage. Although this type of manufacturing plant does not directly generate electricity, it plays a crucial role in producing equipment used for electricity generation, such as solar panels and related components.

### 5. Determination of the Purchase Price and Conditions of Sale

### 5.1 Valuation obtained

A valuation was requested from SBN Property Investment (Council Valuer) to provide the market value of a 10 Ha portion of land for industrial use. The valuation was determined based on the comparison of three recent sales of portions located in the vicinity of Swakopmund, considering the sellout rate per hectare as they are all arm length transactions between a willing buyer and a willing seller.

The estimated market value is determined at a rate of N\$ 104,324.00/Ha; therefore, a portion of land measuring approximately 10 Ha is estimated to be approximately N\$ 1 043 240.00 (which is reasonable for unserviced land).

### 5.2 Similar application approved by Council and conditions of sale

On **28 April 2022**, under item 11.1.7 Council approved the sale of land to HDF Energy Namibia in the vicinity for the development and establishment of a hydrogen-to-power plant for solar energy generation, hydrogen production, storage, and refuelling. The purchase price approved is N\$ 40,000.00 / Ha for an area of 400 Ha.

The conditions of sale approved for HDF on **28 April 2022** under item 11.1.7 is attached as **Annexure "E"** and are proposed to be applicable for the sale of the portion of land to Nacido, considering the portions located in the same vicinity and are not yet formally proclaimed and serviced.

### B. After the matter was considered, the following was:-

### **RECOMMENDED:**

- (a) That Council repeals point (b) of its resolution of 31 August 2023, item 11.1.7 to lease a portion of land measures 10 Ha to Granville Energy Namibia (Pty) Ltd for the establishment and operation of a solar component manufacturing plant and approve the sale of the same portion (located on the green triangle area indicated on the map attached as Annexure G) to Nacido Mining CC:
  - "(b) That Council, in principle, supports the leasing of a 10-hectare size land, next to the HDF-Energy development to Messrs Granville Energy Namibia (Pty) Ltd for a period of 9 years and 11 months, with the option of renewal, for the establishment and operation of a solar component manufacturing plant."
- (c) That Council does not approve the application to lease the portion of land or reserve an additional portion of land for storage of the manufactured panels.
- (d) That the purchase price be approved at N\$104,324.00 / Ha x the size of the Surveyor-General approved diagram (when issued), excluding 15% VAT, subject to the standard increase prescribed in Council's Property Policy, clause 7.5.
- (e) That Nacido Mining CC confirms acceptance in writing of the purchase price per Ha and the conditions of sale.
- (f) That no betterment fee be charged as the purchase price was determined assuming the use of the land as industrial for a solar component manufacturing plant.
- (g) That the requirements regarding the alienation of immovable property as prescribed in the Local Authorities Act, Act 23 of 1992 (as amended), Urban and Regional Planning Act, Act 5 of 2018, and the Environmental Management Act, Act 7 of 2007, respectively, be dealt with successfully.
- (h) That Nacido Mining CC appoints a town planner at their cost, to attend to the subdivision of the relevant portion of land and rezoning the portion from "Undetermined" to "industrial" for the establishment and operation of a solar component manufacturing plant.

- (i) That the following conditions be registered against the title deed of the tobe-created erf:
- (i) That the portion of land be used exclusively for the establishment and operation of a solar component manufacturing plant.
- (ii) That no residential accommodation be allowed, except overnight accommodation and ablution facilities for shift workers/security guards of the venture.
- (iii) That the property may not be alienated (including a change in shareholding / members) unless a completion certificate is issued in respect of the structural improvements, referred to in (j) (xii) below.
- (iv) That the property or any portion thereof may not be subdivided and or alienated without being offered to Council at the purchase price such was obtained from Council.
- (j) That the <u>sale transaction</u> be subject to Council's standard conditions of sale by private treaty:
- (i) That the purchaser pays a deposit of N\$100,000.00 towards the statutory costs relating to the transaction, including, but not limited to, advertising costs, compilation of the agreement of sale, as well as any legal costs that may arise from this transaction.
- (ii) That the above deposit be paid within 90 days from the Council resolution approving the sale and purchase price, failing which Council's resolution will be revoked at the next Council meeting following the expiry of the 90 days.
- (iii) That any remainder of the deposit in (i) above be refunded to the purchaser on completion of the transfer of the erf.
- (iv) That all costs related to the transaction be for the account of the purchaser.
- (v) That Council applies for approval from the Ministry of Urban and Rural Development in terms of section 63(2) (b) read together with Section 30 (1) (t) to proceed with the transaction as the portion of land is undivided townlands.
- (vi) That the transaction be concluded within 120 days from a diagram being approved by the Surveyor General, indicating the property description.
- (vii) That payment of the purchase price be secured either in cash or bank guarantee in favour of the Swakopmund Municipality within 120 days from a diagram being issued by the Surveyor-General.
- (aa) Failure to secure the purchase price within the required period will result in cancellation without the need to place the purchaser on terms.
- (bb) Should the purchase price be secured by a bank guarantee the transfer must be effected on / before the 120th day, otherwise interest will be levied as from the date of last party signing the agreement (date of sale) until the date or

registration of transfer at a rate as confirmed with Council's bank on the date of sale, i.e. date of last party signing the agreement.

- (viii) That the purchaser accepts that no rights will accrue to them from Council's resolution unless all the relevant conditions of the Property Policy are complied with in full and all the relevant authorities have given the necessary permission, if applicable.
- (ix) The portion of land is sold "voetstoots" or "as is" with the Council giving no warranty or guarantee, whether express or implied, oral or tacit, as to the suitability of the layout or situation or subterranean composition of the property or any improvements thereon. The Council also does not warrant that the services installed at the property are suitable for the use intended by the Purchaser. It is therefore the obligation of the purchaser to verify that the installed electricity, sewage, and water connections are suitable for the intended use of the property.
- (x) That no development or construction be permitted to commence unless approved by the GM: Engineering & Planning Services.
- (xi) That the portion of land be fenced to the satisfaction of the GM: Engineering & Planning within 24 months date of the last party signing the agreement Services.
- (xii) That the purchaser constructs structural improvements on site valued at least equal to the municipal valuation of the property. Structural improvements, for purposes of this condition, shall not include the construction of boundary walls or any changes to the subterranean composition or surface of the property.
- (xiii) That the said improvements be completed within 24 months (2 years) from the date of transfer.
- (xvi) The agreement of sale shall be signed and returned to the Swakopmund Municipality by the purchaser within 21 days of receipt thereof by the purchaser.
- (xiv) That the purchaser indemnifies Council against any claims for damages in respect of the use of the site and or resulting from blasting, should blasting need to be done.
- (xv) That the purchaser provides the registration documentation of the entity (Council resolution of 27 April 2017 under item 11.1.10) and that the shareholders / members must be cautioned that the shareholders / members remain the same until the transfer is completed and they have complied with all conditions of sale.
- (xvi) That Nacido Mining CC provides / installs all required services at their cost to the satisfaction of the General Manager: Engineering & Planning Services and Council, and be indemnified of any possible claims.
- (xvii) That Nacido Mining CC be required to commence substantive commercial activities within 24 months from the date of registration of the transfer, failing which the agreement shall be cancelled and the property returned to Council.

- (k) That the following additional conditions be applicable:
- (i) That a right of way servitude be registered over Council's property to allow access to the portion of land, if required.
- (ii) That the following statutory processes be finalized by the developer within 24 months after approval being obtained by Council in terms of (vii) below:
- (1) Subdivision of the portion of land.
- (2) Rezoning of the newly created erf to special use for the establishment and operation of a solar component manufacturing plant.
- (3) That an environmental clearance certificate be obtained in terms of the Environmental Management Act, Act 7 of 2007.
- (vii) That an environmental clearance certificate be obtained in terms of the Environmental Management Act, Act 7 of 2007.

REPUBLIC OF NAMÍBIA

CC 2

BUSINESS AND INTELLECTUAL PROPERTY AUTHORITY - BIPA

CLOSE CORPORATIONS ACT, 1988 (Sections 12, 13, 14, 24, 27, 29, 47 and 60) (Regulations 2, 3 and 13)



# **Amended Founding Statement**

Before filling in the form, first see notes on page 2.

REGISTRATION NUMBER OF CORPORATION CC/2018/08836

DATE OF RECEIPS

Literal translation of name (if applicable) * N/A  Shortened form of name (if applicable) N/A  N/A  N/A  COMPONENT ASSEMBLY AND ELECTRICITY GENERATION AND ALL RELATED ACTIVITIES  Date of end of financial year*  END OF FEBRUARY EACH YEAR  PART B  Postal address* P.O.BOX 6061, WINDHOEK, NAMIBIA  Email address:	of change
Previous name of corporation (if applicable) * N/A  Literal translation of name (if applicable) * N/A  Shortened form of name (if applicable) * N/A  MA  Shortened form of name (if applicable) * N/A  MINIOR SERVICES, ENERGY, SOLAR MANUFACTURING, SOLAR COMPONENT ASSEMBLY AND ELECTRICITY GENERATION AND ALL, RELATED ACTIVITIES  Date of end of financial year*  END OF FEBRUARY EACH YEAR  PART B  Postal address* P.O.BOX 6061, WINDHOEK, NAMIBIA  Email address:	aju
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Postal address* P.O.BOX 6061, WINDHOEK, NAMIBIA  Email address:	*
Address of revistered office (not post-office box) UNIT 7 A DRESS BLUE LINE HAGE GEINGOB	•
Address of registered office (not post-office box)  * UNIT 7 A DRESS BLUE LINE HAGE GEINGOB STREET, WALVIS BAY	*
Name and address of accounting officer*    HOFENI LEONARD   P.O.BOX 5758, WALVIS BAY, NAMIBIA	* 1 2 MAR 2025
(Attach written consent to appointment) SOUTHERN AFRICAN IN BUSINESS ACCOUNTAN  Membership/Practice No. SAIBA 7:	VT (SAIBA)
Signature of previous accounting officer:  17. 13.66. 7025	

× 2 =

 ${\rm CC}\,2$ 

### NOTES

- Form CC 2 must be written in block capitals or be typewritten, lithographed or printed in legible characters with deep permanent black ink, and lodged in triplicate.
- 2. Change(s) effective from date of registration or upon a later date mentioned
- Where a person signs on behalf of a member, a power of attorney must be attached.
- Minor children and other persons under legal disability must be assisted by their parents, guardians or representatives, as the case may be, and the capacity must be stated.
- If no identity document has been issued, a written statement to this effect must be attached.
- 6. Particulars which do not change should also be furnished.
- 7. No fee is payable in respect of any changes in particulars under Part B and C.
- 8. New members must personally sign the form.
- 9. Form CC 2 which does not comply with the requirements of the Act, regulations or these notes, will be rejected.
- 10. Particulars to be furnished under PART C.
  - (a) Full names and surname. (if juristic person, mention name and capacity and if trustee, also mention name and particulars of testamentary trust).
  - (b) Identity number ((i) if no identity document has been issued, state date of birth and see par. 4 above.) ((ii) If juristic person, mention registration number).
  - (c) Size of interest expressed as a percentage.
  - (d) Particulars of interest and fair value thereof.
  - (e) Residential address
  - (f) Postal address.
  - (g) Signature of member or representative (where applicable).

- 3 × CC 2 NAME OF CORPORATION NACIDO MINING CC REGISTRATION NUMBER CC/2018/08836 PART C Date of Change TWO (2) **MEMBERS** STEPHIANA HELGA SMITH Full names and surname Year Month Day 0 4 2 1 0 Identity number or date of birth (i) 9 0 Registration number 1 7 MAS 2025 Percentage of interest 50% Particulars of contribution N\$ 100.00 ERF NO 7339 SHANDUMBALA PAPAJA STREET, WINDHOEK, Residential address NAMIBIA Postal address P.O.BOX 6010 WINDHOEK, NAMIBIA Nacidomining a outlook, com 1 2 Kin 25 Email address: Signature of member or representative WILSON JABU BANDA Full names and surname Year Month Day Identity number or date of birth 8 7 0 8 2 5 (i) Registration number (ii) 1 2 MAR 2025 Particulars of contribution N\$100.00 Percentage of interest UNIT 7 A DRESS BLUE LINE HAGE GEINGOB STREET, WALVIS Residential address BAY, NAMIBIA P.O.BOX 6061, WINDHOEK, NAMIBIA Postal address Email address: Nacidomining@outlook.com Signature of member or representative A Witness Signature R. MK Ji Date of signature 13-11 - 2024 Full names ROSALIA MAGANO KANGOYA ELIA 7 VILLA TERMIRIN, 550 SAM NUJOMA AVENUE, WALVIS BAY, NAMIBIA Residential address Business address 144 SAM NUJOMA AVENUE, WALVIS BAY, NAMIBIA

P.O BOX 4561, WALVIS BAY, NAMIBIA

Email address: mbbconsultantcc@gmail.com

Postal address

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NAME OF	CORPORATION
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### NACIDO MINING CC

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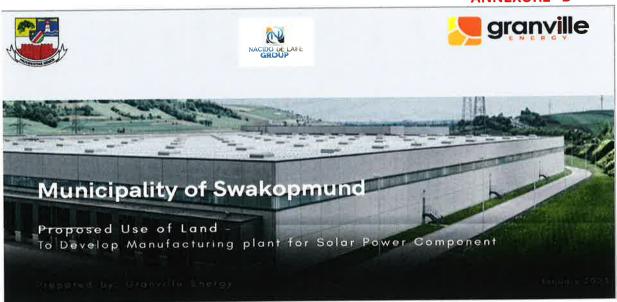
### Ordinary Council Meeting - 03 June 2025

### MEMBER(S) / WITNESS CONTACT DETAILS

\*\*Please note: in addition to the requirements of the CC Act and Regulations, any additional information requested is in terms of Section 4 of the Financial Intelligence Act, 2012 (Act No. 13 of 2012), as well as the Regulations thereunder.

1.		STEPHIANA HELGA SMITH (MEMBER)
2.	Land-line number of applicant (if available);	N/A
3.	Mobile number (compulsory);	+264812866693
4.	Fax Number (if available);	
5.	E-mail Address (if available);	N/A
		Nacidomining@outlook.com
1.	Name	WILSON JABU BANDA
2,	Land-line number of applicant (if available);	N/A
3,	Mobile number (compulsory);	+264812866603
4.	Fax Number (if available);	N/A
5,	E-mail Address (if available);	No. of the contract of the con
1.	Name	Nacidomining@outlook.com
1,	Land-line number of applicant (if available);	ROSALIA MAGANO KANGOYA ELIA (WITNESS)
2.	Mobile number (compulsory);	N/A
3.		+264816072157
	Fax Number (if available);	N/A
4.	E-mail Address (if available);	mbbeonsultantec@gmail.com
ı.	Name	
2.	Land-line number of applicant (if available);	
3.	Mobile number (compulsory);	
4.	Fax Number (if available);	
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	Fax Number (if available);	
	E-mail Address (if available);	

### **ANNEXURE "B"**



### **Executive Summary**



While the rest of the world is scientifling for solutions to the energy critics and working towards energy independence, the West and Fost East countries are using the challenges as apportunities to create jobs and build new industries. Africa on the alter band, continues to be an extractive economy, shipping out its resources in eschange for cosh that is not enough to address immediate secto economic challenges. All reports by development agencies and consulting companies indicate that Africa's most valuable instaurce is its youthful population, which can be transformed into a luge talent pool, However, not a lot of repote provide any biseptial to leverage this human capital capacity to an economic beam.

Furthermone, Africa also has the last of the world's largest resources reserves and answer to every energy mis policy challenge, Yot, we do not convert any of the resources to products that solve our own problems. We are confictable importing, believing that Africans are incepable of developing advanced engineering and technology solutions. The result is negative beforce of propriet and unstable economies that are linked to commodities price fluctuation. Granulis Energy has a different sew and approach. We believe in controlling the value chain, from manufacturing to services. As a renewable energy company, Namibia is the best country on the continent for developing our vision and Swedopmund is amongst the best cities to the located.



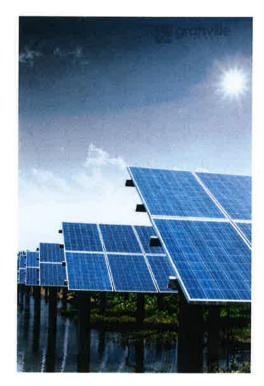
With the long Allantic Ocean constline, abundance of sunlight, young, educated population and good tood network infrastructure into the large SADC regional model, our choice were any. With our emminicational passance, Most do to favor portnershy with Oramille Energy will bring about 4200 direct permanent jobs to Swetopmund. 1200 from the Solar Pawer components manufacturing and 3000 deset jobs from automatice and electric schole (EV) bottery mandacturing, the outcometive suchian of our plant is estimated to bring additional jobs in the ration of 15 (1 direct remufacturing jobs to 5 downstream supplier jobs. This is based on industry shandardily. We will also expand the plant to include exclude excorney where old technology external combustion-engine [CC] care will be converted to affective whicks [EV], creating on antimity new eccorny in Namiliation and the SADC region. Our export ambitions go beyond SADC for the solar power-components, as we intend to leverage ACOA agreement with the United States.

impact to the community will not stop at jobs creation and direct contribution to the notitoral and register, which was impact to the contribution of the future workplace, which was impact students for advanced engineering and technology work environments. It is will span desert fairning bechinques using advanced draze, augmented realty, virtual reality and solvene systems to turn desert land to formland. Other sections that will be self from the technology environment and apportise of Cranville Friezy is water resource monitoring and management as well as livestack monitoring. This and motion, will be done in a state of the art research and development [RSD] facility the Cranville Friezy Canter, in collideration with UNAM. Critica positions of the partners such as CIZ and WEFP will be invited to porticipate.

For us to realize the vision stated above, land area of between 80 to 100 Hactures will be required, close to the ocean. Over time, more land will be required to support expansion and growth, insulation renational of NAM\$500 million will be employed for the development. Besides the direct exeminent in Momentum Francy, portners in sent estated development, hotels and other surroces will be exceeded to take addeninge at the new expansions.

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### **Opportunity Overview**

- Build a world-class advanced manufacturing plant for:

  I. Solar Panel Manufacturing

  2. Lithium Iron Phosphate (LiFePO4) Battery

  5. Automotive Manufacturing for Electric Vehicles (EV)

  4. R&D for future energy storage and production, including Sodium based battery



### **Strategic Partners**







03



# "We're on a mission to provide access to clean, sustainable power to a billion Africans by 2050"

Help stabilize the grid by providing clean energy to residents, commercial enterprises, and municipalities Make alternative, sustainable energy more accessible to everyday people by optimizing financial models Develop and improve the technology and software behind solar and UPS solutions to solve a wider range of problems Continue continental expansion, working with governments to help address their energy issues

04



### Overview

emeprovide and maintain sate, sufficient and offordable services for residents and visitors and promote future development to the benefit of our community,

With a population of 44,724, Swakopmund is a beautiful coastal city in Namibia that benefits from tourism, thanks to it rich history. About 41Km north of Walvisbay, linking port of Walvisbay to the Trans-Kalahari highway, it connects directly to SADC regional market. The city will benefit from the expansion of NAMPORT operations with the development of North Port of Walvisbay.

Swakopmund is a perfect location for manufacturing business establish presence and take advantage is EPZ status.

High literacy rate (98.8%) and low tertlary education rate (7.3%) of the city provides apportunity for skills development for future workplace and 4IR (Fourth Industrial Revolution).

Lastly, the abundance of Salt, serves as a good based for R&D for future energy storage systems.

# Strategic geographic location of Swakopmund

The strategic advantages of the region's geographic location will play a big role in its success and scalability.

atts right in the middle of the logistic comidor of Namibia, making it ideal for the exporting of goods to all bordering countries.

The bulk of activities will be situated right next to the B2 highway which runs directly through Botswana, Zimbabwe, and South Africa, and the roughly 100km from the B1, making transportation of goods extremely families







## **Estimated Impact**

Due to the scale of operations expected to take place in the area, Granville Energy estimates the creation of about 4,000 permanent jobs. The employment process for all positions will, first and foremast, prioritize the community. In the areas where certain stills cannot be found locally, training programs will be provided to ensure local job fulfillment of similar positions in future. Granville Energy will also place special focus on enterprise development for local businesses and support of local entrepreneurs, so as to continuously develop the existing economy.

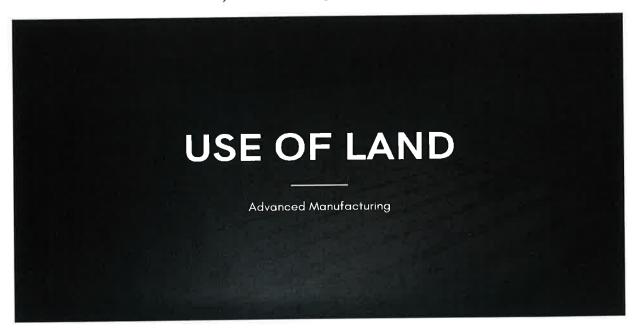
Solar PV, inverter, and battery/EV battery manufacturing 1,200 jobs

Automotive/EV Manufacturing 3,000 jobs

Excluding the manpower required to implement and construct the required facilities for manufacturing, the estimated permanent employment of 4200 people, in addition to the continued traffic on account of development, will require a number of key services in order to be sustained. Some of these services will include cleaning and maintenance staff, fueling stations, hospitals, convenience stores, plumbing, banks, schools, housing, and entertainment.

The sudden availability of these services will (in conjunction with the increase in trade-traffic and development of infrastructure) attract outside interest. The creation of luxury game, hunting and guest indiges, urban settlements, and high-end restaurants will then become a viable means of fueling tourism.

**109** Ordinary Council Meeting - 03 June 2025



## **Advanced Manufacturing**

Southern Africa's first advanced manufacturing plant for solar panels, lithium batteries for residential and EV energy storage.



### Manufacturing the Future of African Energy

Oranville Energy intends to Implement a solar panel, solar Inverter, and lithium-len bettery value-chain that will significantly reduce the cost of solar-based solutions in the SADC region. Using state-of-the-ost micro factory technology, all Granville products will meet even the highest international safety and performance standards.

- Due to their close proximity, manufactured goods can easily be distributed between countries within the SADC region.
- The high demand for affordable solar and battery storage components throughout. Southern Africa will generate steady revenue for the Namiblan assertance that expect tax.
- Permonent job creation and development of transferable skills will stimulate the local economy, and inevitably give rise to new industries.



### **Construction and Operations**

The modern, minimalistic approach that will be used in the architectural design of the facility will allow the building to blend seamlessly into its surroundings. This ensures that as the region continues to develop, the aesthetic aspirations of future architects will not be impaired by the jarring and intrusive aspects of traditional industrial buildings.

- Construction of a state-of-the-art microfactory will allow for the production of complex components with minimal effort.
- Modular design of the facility enables low-effort, rapid expansion when needed.
- Construction, day-to-day operations, and distribution of manufactured goods will be fully managed and coordinated by Granville Energy.





### Conversion of ICE Vehicles into EVs

Part of Granville Energy's operations will include the service of converting ICE (internal combustion engine) vehicles into electric vehicles. This process involves removing ICEs from the bodies of traditional cars and replacing them with lithium-ion batteries, as well as updating the internal display hub to communicate relevant information regarding the electric battery.

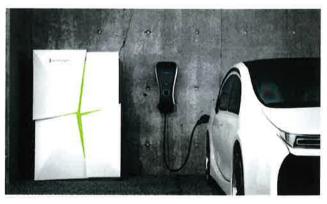
Car owners within Namibia and neighboring countries will be able to send their cars to the Granville Energy's ICE conversion plant for services, which, outside of ICE conversion, will also include internal refurbishing upon request, The process of conversion and delivery may take up to a month depending on location.



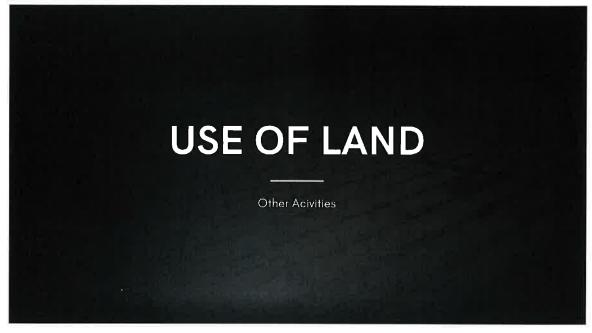
A portion of Granville Energy's manufacturing plant will be reserved for Mureza Auto Company's manufacturing needs. The close proximity will allow for seamless transference of Granville Energy's Lithium-ion batteries into the bodies of newly manufactured cars.

The local manufacturing of electric vehicles will significantly reduce the cost of vehicles for the SADC region.

Over time, the integration of electric cars, buses, delivery trucks and vans into the economy will reduce the overall reliance on fuel-based transportation, lowering operation costs for business and increasing accessibility to transportation.







# Architecture and Development Management

Granville Energy recognizes the allocated area as being rich with untapped potential for infrastructure development in a variety of ways. Examples of this include:

Luxury guest and hunting lodges	Schools and technical training facilities
Housing and real-estate	Air and ground transportation facilities
Offices and outposts	Forming & livestock facilities

Granville Energy's involvement in the continued development of the area will ensure that all facilities are built and designed under a unified modern aesthetic that blends seamlessly with the environment and invites tourism, Granville Energy's expertise in renewable energy provision and distribution will also guarantee that all facilities are built with sustainability in mind,









# Green Hydrogen & Green Ammonia Production

Germany's increasing Interest in green hydrogen and ammonia production in Namibia has given rise to a number of additional apportunities in the renewable energy sector. Because production requires large amounts of renewable energy, identifying means of reducing the cost of energy will be very important if Namibia is to become a major player in green hydrogen production.

Hyphen Technology's first \$4.4-billion phase of their green hydrogen project will require 2GW of renewable energy production to succeed;

The local manufacturing of Granville Energy's solar panels and energy storage batteries will significantly reduce the costs of implementation for companies like Hyphen, expediating Namibia's move towards becoming an international leader in the field of green hydrogen and green ammonia export.

### 9

# Investment, Skill Transfer/Development, and Partnerships

Granville Energy's commitment to nurturing and developing Africa's technological skill pool is central to its existence. As such, investing time and resources into education and skill development will forever be a priority wherever Granville Energy operates. Collaboration with local educational institutions and arganizations will also be crucial in achieving this.





















07 May 2024

Chairperson of Procurement Management Unit Municipality of Swakopmund PO 8ox 53 Swakopmund Namibia

Dear Sir/Madam,



### BANK RATING AND CREDIT FACILITY LETTER - NICIDO MINING CC.

Our client is proposing to lease land.

We confirm that NICIDO MINING CC has been associated with our Institution since 18 January 2024. All dealings have been on a very satisfactory basis and arrangements have always been promptly met. We consider the company to be good for their normal business engagements.

Based on the information available to us, we can confirm that they have complied with all prevailing banking standards and policies as required of a client of our institution — A Bank Rating of "B" is applicable.

We herewith confirm that the Bank will consider financing an amount of N\$ 30,000,000.00 (Thirty Million Namibia Dollar Only), for the consideration of working capital, subject our client is awarded the above contract and and subject to the following conditions:

- This undertaking shall remain in full force and effect until Expiry date of the Tender period or notice is received that the Tender was not awarded to the Principal, whichever event occurs first, after which date this undertaking shall expire;
- 2. This undertaking is neither negotiable nor transferable;
- 3. Drawdown on the facility will be permitted upon presentation of letter of award and signed agreement with the employer; and
- This undertaking shall be governed by and construed in terms of the laws of the Republic of Namibia and shall be subject to the jurisdiction of the Namibian courts.

Should you have any further questions, additional enquiries, please feel free to contact the undersigned at the address or telephone number shown below.

Yours Faithfully,

Homateni Angula
RELATIONSHIP MANAGER

| Corporate and Institutional Banking

info@bankwindhoek.com.na www.bankwindhoek.com.na Bank Windhoek Limited Reg. no. 79/081 Vat no: 0031148015 Directors: JJ swanepoet (Chatrinan), Bit Hens (Menaging Girector), JC Brandt, DG Fourle, W Mungunda, J Alders-Sheya, O Nuyoma, GN Sekandi \* Ugandan with Namibian Permanent Residence

A michiber of Capricorn Group

**ANNEXURE "C** 



1910 Pacific Avenue Suite 11500 Tel: 214-390-7330

Fax: 214-602-6068 Email: info@fa-advisorygroup.com

www.faadvitorygroup.com

June 29, 2023

Confirmation of Fund Securing for Granville Energy Namibia (PTY) LTD

To Whom It May Concern:

I confirm that FA Advisory Group Inc, in collaboration with Simmons Bank, shall provide the required funds to Granville Energy Namibia (PTY) LTD required for construction of its intended solar panel and energy storage manufacturing plant in Namibia. We at FA Advisory Group Inc have closely reviewed the solar investment proposal presented by Granville Energy Namibia (PTY) LTD and have conducted extensive due diligence on their business model and project feasibility. Based on our evaluation, we are confident in the potential success of the venture and are pleased to lead the funding round necessary to launch the plant.

### **ANNEXURE "C**

The funding package includes a combination of debt and equity financing tailored to meet the specific needs and requirements of the project.

Should you require further documentation pertaining to the funding, do not hesitate to contact us.

We are committed to providing the necessary support and promptly addressing any concerns or queries. We are delighted to be part of this exciting solar investment project with Grandville Energy Namibia, and we look forward to a fruitful collaboration.

Sincerely,

Felix Ashu, BSc, MBA, MLA, CPA, JD

Managing Director FA Advisory Group Inc 1910 Pacific Avenue Ste 11500

Dallas Texas 75201 Tel: 214-390-7330

www.faadvisorygroup.com



Granville Energy Namibia (PTY) LTD 3rd Floor, Maerua Mall Windhoek, Namibia Namibia

Tel: +264 81 286 6603

**Web**: www.granville-energy.com **Email**: stephiana@granville-energy.com

# BOARD RESOLUTION OF GRANVILLE ENERGY NAMIBIA (PTY) LTD, Registration #: 2022/0975 REGARDING NAME CHANGE TO NACIDO MINING CC 2018/08836

### **DULY PASSED ON 14th February 2024**

The undersigned, being all the directors of Granville Energy Namibia (PTY) LTD, hereby sign the following amended resolutions:

### **RESOLVED THAT:**

- The company approves the change of the company name from Granville Energy Namibia PTY LTD to Nacido Mining CC 2018/08836, (hereinafter called the IPP holder) be and is hereby appointed the entity who shall takeover the lease of the proposed Solar Component Assemby Plant project to the Municipality of Swakopmund.
- 2. FURTHER RESOLVED, that the appropriate officers of the Company are authorized and directed to take all necessary actions to effectuate the name change, including but not limited to filing the necessary paperwork with the Companies and Intellectual Property Commission in Namibia and updating all legal documents, contracts, agreements, stationery, and marketing materials to reflect the new company name. All actions previously taken by the officers of the Company in furtherance of effectuating the name change are hereby ratified and confirmed.

### Certification:

I Stephiana Helga Smith, ID 90042100712, Managing Director of Granville Energy Namibia Pty Ltd, hereby certify that the above resolution was duly adopted by the Board of Directors of the Company at a meeting held on 14 February 2024.

It is hereby certified by the undersigned that the foregoing resolution was duly passed by the Board of Directors of the Company on the **14th day of February 2024**.

DIRECTOR: Tabi Tabe Tabi

AA154655

ID or Passport#

DIRECTOR: Stephiana Helga Smith

90042100712

ID or Passport#

Directors: Tabi T. Tabi (Cameroon), Stephiana H. Smith Granville Energy NAMIBIA (PTY) LTD. Registration #: 2022/0975 Page 1 of 1

ANNEXURE "D" 16/2/12/1/1

### **Emails correspondences between Nacido Mining & Property Section**

From: Helga Smith < Nacidomining@outlook.com>

Stitable

**Sent:** Thursday, July 11, 2024 9:37 AM

To: Andre Plaatjie <aplaatjie@swkmun.com.na>

Cc: Stephny Bruwer <sbruwer@swkmun.com.na>; Margaret Sheehama

<msheehama@swkmun.com.na>; Mpasi Haingura <mhaingura@swkmun.com.na> **Subject:** Re: Request for Information on Company Name Change and Land Allocation

Dear Andre

Yes, that too was submitted, Nacido Mining cc.

Kind regards, Stephiana Smith Get Outlook for iOS

From: Andre Plaatjie <aplaatjie@swkmun.com.na>

Sent: Thursday, July 11, 2024 9:34:31 AM
To: Helga Smith < nacidomining@outlook.com>

Cc: Stephny Bruwer <sbruwer@swkmun.com.na>; Margaret Sheehama

<a href="mailto:swkmun.com.na"><a href="mailto:msheehama@swkmun.com.na"><a href="mailto:msheehama.com.na"><a href="mailto:msheehama.com.na"><a href="mailto:mshe

Dear Ms Smith

I am referring to the cooperation agreement and the company documents.

Kind regards

Sent from my iPhone

**ANDRE PLAATJIE** 

Manager: Corporate Services | Corporate Services & Human Capital Legal | IT | Properties | Housing | Marketing | Communications | Admin

Municipality Swakopmund

### 119

### Ordinary Council Meeting - 03 June 2025

www.swkmun.com.na

Thank you for considering the environmental impact of printing emails

On 11 Jul 2024, at 09:12, Helga Smith < <a href="mailto:nacidomining@outlook.com">nacidomining@outlook.com</a>> wrote: Good Morning Andre

So far, we have submitted all requested documents, please advise if we have any outstanding documentation.

Thanks, Kind regards, Stephiana Smith Get Outlook for iOS

From: Andre Plaatjie <aplaatjie@swkmun.com.na>

**Sent:** Thursday, July 11, 2024 9:08:54 AM **To:** Stephiana < nacidomining@outlook.com >

**Cc:** Stephny Bruwer < <u>sbruwer@swkmun.com.na</u>>; Margaret Sheehama

<<u>msheehama@swkmun.com.na</u>>; Mpasi Haingura <<u>mhaingura@swkmun.com.na</u>>

**Subject:** Re: Request for Information on Company Name Change and Land Allocation

Good morning Ms Smith

I note that you are enquiring about the lease. Kindly confirm whether all the information requested in our previous mail has been submitted as I have not received it. We can only consider the lease once all the information is received.

Kind regards Sent from my iPhone

**ANDRE PLAATJIE** 

Manager: Corporate Services | Corporate Services & Human Capital Legal | IT | Properties | Housing | Marketing | Communications | Admin

Municipality Swakopmund

cnr Rakotoka Street & Daniel Kamho Avenue | Swakopmund

Office: +264 64 410 4202 | Email: aplaatjie@swkmun.com.na | Mobile: +264 81 142 1402

<image245076.png> www.swkmun.com.na

Thank you for considering the environmental impact of printing emails

On 5 Jul 2024, at 10:05, Stephiana < <u>nacidomining@outlook.com</u>> wrote: Good Morning Andre

Kindly please provide me with an update regarding the lease.

Thank you,

Kind regards, Stephiana Smith On 31 May 2024, at 11:42 AM, Andre Plaatjie <aplaatjie@swkmun.com.na> wrote: Dear Ms Smith

We take note of your decision to lease and erect a movable structure. Be advised we await the response to our request for info in respect of due diligence before we proceed to submit to Council for the final approval.

Kind regards Sent from my iPhone

On 31 May 2024, at 11:37, Stephiana < nacidomining@outlook.com > wrote: Dear Andre

I hope this message finds you well. Thank you for providing clarity regarding the land use options for our project. We appreciate the opportunity to work with the 80 hectares of land made available.

After careful consideration, we have decided to proceed with leasing the land for the time being. We will set up a movable structure for the manufacturing plant on the designated area, as per our previous discussions.

While we acknowledge the option to purchase the land outright, we believe that leasing it initially aligns better with our current project timeline and financial considerations. However, we remain open to revisiting the possibility of purchasing the land as we progress with the project and evaluate its long-term sustainability and requirements.

We are confident that the movable structure will allow us to establish our assembly operations effectively while maintaining flexibility for potential future expansions or adjustments.

Thank you once again for your cooperation and support throughout this process. We are excited about the opportunity to collaborate on this project and look forward to discussing further details with your Engineering Department to ensure the success of our venture.

Please do not hesitate to reach out if you have any questions or require additional information.

Warm regards, Stephiana Smith

On 8 May 2024, at 9:30 AM, Andre Plaatjie <a plaatjie@swkmun.com.na> wrote:

Good morning Ms Smith

Thank you for the prompt reply.

Further to our discussion on Monday, I wish to confirm that we do not permit construction of permanent improvements on leased land. Accordingly, the only land that can be lease is the are that will be used for solar panels. The area on which the manufacturing plant will be built must be purchased. Could you provide us with the size of the are that the plant will occupy (plus parking etc. in order that we consult with our Engineering Department on the most suitable location of the manufacturing plant on the 80 Ha site.

Kind regards

ANDRE PLAATJIE

Manager: Corporate Services | Corporate Services & Human Capital

### Legal | IT | Properties | Housing | Marketing | Communications | Admin

### Municipality Swakopmund

cnr Rakotoka Street & Daniel Kamho Avenue | Swakopmund Office: +264 64 410 4202 | Email: aplaatjie@swkmun.com.na

<image562946.png> www.swkmun.com.na

Thank you for considering the environmental impact of printing emails

From: Helga Smith < nacidomining@outlook.com>

**Sent:** Tuesday, May 7, 2024 11:02 PM

To: Andre Plaatjie <aplaatjie@swkmun.com.na>

Cc: Stephny Bruwer < sbruwer@swkmun.com.na>; Margaret Sheehama

<a href="mailto:msheehama@swkmun.com.na">msheehama@swkmun.com.na</a>; Mpasi Haingura <a href="mailto:mhaingura@swkmun.com.na">mhaingura@swkmun.com.na</a>; Dear Mr. Plaatjie,

Thank you for your email detailing our recent conversation regarding the proposed changes to our company's name and land allocation for our development project.

I acknowledge the information provided regarding the total available land area of 80 Ha, with 10 Ha already allocated to us. We have reviewed the land allocation proposal internally and confirmed that the remaining 80 Ha will be sufficient for our planned development.

Furthermore, I understand the due diligence compliance requirements for the change of name to Nacido Mining CC. Attached hereto is a new proof of financing in the name of Nacido Mining CC, I will forward the cooperation agreement soonest as we are the final stages of the project design to meet the Council's criteria.

Regarding the principal business description of Nacido Mining CC, I will review our business activities and ensure compliance with the classification of mining and related activities. We will amend and resend company registration document with the necessary clarification or adjustments to align with proposed activities.

Thank you for your attention to these matters, and I will revert with the required confirmations and documentation.

Best regards,

Warm regards,
Stephiana H Smith
Managing Director
+264812866603

On 6 May 2024, at 8:02 AM, Andre Plaatjie <a plaatjie@swkmun.com.na> wrote:

Good morning Ms Smith

I refer to our telephonic conversation on Friday morning regarding your request to change the name of your company. During the conversation, you stated that you are in fact looking for 100 Ha for your phased development. You intend to construct a manufacturing plant for production and assembly of solar power panels and other components on 10 Ha as the first phase and thereafter you will require an additional 90Ha to store the assembled parts as well as space to erect a solar power generating plant.

I need to point out that the site available to be allocated to you is 80 Ha in total whereof 10Ha has now been allocated to you, and request that you confirm that the total of 80Ha will suffice. It will not be possible to allocate more than 80 Ha to you since the site is boxed on all sides with *inter aliara* alway, road and land leased by another entity.

In pursuit of due diligence compliance and for Council to consider the change of name from Granville to Nacido Mining CC, we are required to submit new proof of Financing in the name of Nacido as well as the cooperation agreement with Amerisolar USA to Council. The companies are separate entities and we can accordingly not proceed based on financing and agreements concluded previously under a different name.

Finally, the description of principal business of Nacido Mining CC is stated as Mining and all related activity. Manufacturing of solar panels cannot be considered as merely related to Mining and will require to be added to the objective.

I trust you find the above in order.

### Kind regards

### **ANDRE PLAATJIE**

Manager: Corporate Services | Corporate Services & Human Capital Legal | IT | Properties | Housing | Marketing | Communications | Admin

### Municipality Swakopmund

cnr Rakotoka Street & Daniel Kamho Avenue | Swakopmund Office: +264 64 410 4202 | Email: aplaatjie@swkmun.com.na <image355630.png> www.swkmun.com.na Thank you for considering the environmental impact of printing emails

From: Stephiana < nacidomining@outlook.com>

Sent: Thursday, May 2, 2024 6:26 PM

To: Andre Plaatjie < aplaatjie@swkmun.com.na>

Subject: REQUEST FOR CALL BACK

Dear Mr Plaatjie,

I was trying to return your call but to no avail, I am available after 9:30am parents meeting, but I am also flexible to accommodate your schedule.

Please let me know a suitable time for you, and I will ensure that the necessary arrangements are made for the call. If there are any specific topics or details you would like to discuss during our conversation, please feel free to let me know in advance.

Looking forward to hearing from you.

Warm regards,

Stephiana H Smith Managing Director **20** +264812866603

**ANNEXURE "E"** 



# FOR A PORTION OF LAND FOR SOLAR MANUFACTURING PLANT

28 October 2024
Mr. BEFREE. N SHOOMBE (Sworn Appraiser/Valuer)
BACHELOR OF PROPERTYSTUDIES HONOURS NQF: 8 (Namibia University of Science and Technology)



### 1.0 INSTRUCTION

We have been instructed by the Municipality of Swakopmund to provide a market value for a portion of land.

### 2.0 DATE OF VALUATION

28 October 2024

### 3.0 SALES COMPARISON

NO.	TITLE DEED	PORTION NUMBER	LOCALITY	EXTENT (HA)	DATE OF SALE	PURCHASE PRICE (NS)	RATE/HA (NS)
1	T8228/2021	PORTION 37 OF FARM 163	SWAKOPMUND PORTION	15,0086	THURSDAY, 25 NOVEMBER 2021	1,500,000,00	99,942,70
2	T3951/2022	PORTION 105 (A PORTION OF PORTION 71) OF FARM NO. 163	SWAKOPMUND PORTION	13.7347	WEDNESDAY, 22 JUNE 2022	1,400,000.00	101,931 60
3	T6239A/2022	PORTION 104 (A PORTION OF PORTION 71) FARM NO. 163	SWAKOPMUND PORTION	17.1021	TUESDAY, 20 SEPTEMBER 2022	1,900,000,00	111,097.47
						AVERAGE	104,323.92

The table above indicates sales of portions within the area of Swakopmund. The sales indicate a range between N\$99,942.70 – N\$111,097.47 for vacant portions within the aforementioned area. An average of all the comparable's was used to determine the sell-out rate per hectare as they are all arms-length transactions between a willing buyer & willing seller. We are of the opinion that a sell-out rate of N\$104,324.00 is a good reflection of the market for the subject property and will be used to establish the market value for this report.

### 4.0 OPINION OF VALUE

We hereby certify that the estimated market value for the aforementioned portion at the stablished sell-out rate of N\$104,324.00 (ONE HUNDRED AND FOUR THOUSAND, THREE HUNDRED AND TWENTY-FOUR NAMIBIAN DOLLARS) to be N\$1,043,240 (ONE MILLION AND FORTY-THREE THOUSAND, TWO HUNDRED AND FORTY NAMIBIAN DOLLARS).

SBN Property Investments co



### 5.0 CERTIFICATION

I, Befree N Shoombe, the undersigned, I hold a Bachelor of Property Studies Honours NQF: 8, obtain from the National University of Science and Technology

I hereby certify (in accordance with the Uniform standards of professional Appraisal Practice (c) 1988 by the Appraisal Foundation) to at least the following:

- 1. That I have personally inspected and valued the subject property.
- 2. That I have no present or contemplated future interest in the real estate that is the subject matter of this appraisal report.
- 3. That I have no personal interest, or bias with respect to the subject matter of this appraisal report or with the parties involved.
- 4. That to the best of my knowledge as a valuer belief the statements of fact contained in this appraisal report, upon which the analyses, opinions and conclusions expressed herein are based, are true and correct.
- We have not viewed the title deed, and no servitudes and encumbrances have been taken into consideration.

### ASSUMPTIONS AND LIMITING CONDITIONS

The Certification that appears in this valuation report is subject to the following conditions:

- 1. This report is prepared at the request of the client and for the specific use referred to herein. It is not reasonable for any other party to rely on this report without first obtaining written authorization from the author. Liability to any person other than the client, designated intended users and those who obtain written consent is expressly denied and, accordingly, no responsibility is accepted for any damage suffered by any such person as a result of decisions made or actions based on this report. Diligence by all intended users is assumed.
- Because market conditions, including economic, social and political factors, change rapidly and, on occasion, without warning, the market value estimate expressed as of the date of this valuation cannot be relied upon as of any other date except with further advice from the author confirmed in writing.
- 3. The Valuer will not be responsible for matters of a legal nature that affect either the property being valued or the title to it. The Valuer assumes that the title is good and marketable and free and clear of all encumbrances including leases, unless otherwise noted in this report.



- 4. Unless otherwise stated in this report, the Valuer has no knowledge of any hidden or unapparent conditions of the property (including, but not limited to, its soils, physical structure, mechanical and other operating systems, its foundation, etc.) or adverse environmental conditions that would make the property more or less valuable. It has been assumed that there are no such conditions unless they were observed at the time of inspection or became apparent during the normal research involved in completing the valuation.
- 5. The Valuer obtained information, estimates and opinions that were used in the preparation of this report from sources considered to be reliable and accurate and believe them to be true and correct. The Valuer does not assume responsibility for the accuracy of items that were furnished by other parties.
- The contents of this valuation report are confidential and will not be disclosed by the author.
- 7. Written consent from the author, if applicable, must be obtained before any part of the valuation report can be used for any purpose by anyone except the client and other intended users identified in the report. Written consent and approval must also be obtained before the valuation report (or any part of it) can be altered or conveyed to other parties.

# Conditions of Lease and Sale approved by Council on 28 April 2022, Item 11.1.7

- "(a) That the sale and or lease of the portion of land to HDF Energy Namibia be for the development and establishment of a hydrogento-power plant for solar energy generation, hydrogen production, storage and refueling at the location indicated by the diagram marked Annexure "D".
- (b) That Council offers the lease of the entire site (±400ha) pending the subdivision and finalization of the sale to HDF Energy Namibia as follows:
  - (i) Portion of land on which permanent structures will be constructed at N\$250,00/ha; and
  - (ii) Portion of land on which the solar panels will be installed at N\$60.00/ha.
- (c) That the conditions of lease for the interim period be the same as those in point (k) below.
- (d) That Council approves the application by HDF Energy Namibia to <u>purchase</u> a portion of land measuring approximately 4 000 000m<sup>2</sup> (400ha) for the establishment of a hydrogen-to-power plant for solar energy generation, hydrogen production, storage and refueling; subject to points (f) until (j) below.
- (e) That the land be rezoned from "undetermined" to "special" for use of a hydrogen-to-power plant for solar energy generation, hydrogen production, storage and refueling.
- (f) That no betterment fee be charged as the purchase price was determined assuming the use of the land for electricity generating purposes.
- (g) That the following conditions be registered against the title deed of the to-be created erf:
  - (i) That the portion of land be used for the establishment and management of a hydrogen-to-power plant for solar energy generation, hydrogen production, storage and refueling.
  - (ii) That no residential accommodation be allowed; except overnight accommodation and ablution facilities for shift workers / security guards of the venture.
  - (iii) That the property may not be alienated (including a change in shareholding / members) unless a completion certificate is issued in respect of the structural improvements, referred to in (i) (xii) below.
  - (iv) That the property or any portion thereof may not be subdivided and or alienated without being offered to Council at the purchase price such was obtained from Council.

# (h) That, depending on whether HDF Energy Namibia elects to:

- (i) <u>purchase</u> the entire portion of land at a purchase price of N\$40 000.00/ha amounting to N\$16 000 000.00 (15% VAT excluded); or
- (ii) <u>nurchases</u> only the portion of land on which permanent structures will be constructed and <u>leases</u> the portion of land on which non-permanent structures will be installed at a tariff of N\$250.00/ha per month for a 30 year period (15% VAT excluded);

the respective conditions below apply: particle of the respective conditions below apply:

- (i) That the <u>sale transaction</u> be subject to Council's standard conditions of sale by private treaty:
  - (i) That the purchaser pays a deposit of N\$100 000.00 towards the statutory costs relating to the transaction including, but not limited to advertising cost, compilation of the agreement of sale, as well as any legal costs that may arise from this transaction.
  - (ii) That the above deposit be paid within 90 days from the Council resolution approving the sale and purchase price, falling which Council's resolution will be revoked at the next Council meeting following the expiry of the 90 days.
  - (iii) That any remainder of the deposit in (i) above be refunded to the purchaser on completion of the transfer of the erf.
  - ((v) That all costs related to the transaction be for the account of the purchaser.
  - That Council applies for approval from the Ministry of Urban and Rural Development in terms of section 30 (1) (t) to proceed with the transaction as the portion of land is undivided townlands.
    - (vi) That the transaction be concluded within 120 days from a diagram being approved by the Surveyor General indicating the property description.
    - (vii) That payment of the purchase price be secured either in cash or formal bank guarantee in favour of the Swakopmund Municipality within 120 days from the date of last party signing the agreement.
      - (aa) Fallure to secure the purchase price within the required period will result in cancellation without the need to place the purchaser on terms.
    - (bb) Should the purchase price be secured by a bank guarantee the transfer must be effected on / before the 120th day, otherwise interest will be levied as from the date of last party signing the agreement until the date or registration of transfer at a rate as confirmed with Council's bank on the date of sale, i.e. date of last party signing the agreement.
    - (viii) That the purchaser accepts that no rights will accrue to them from Council's resolution unless all the relevant conditions of the Property Policy are complied with in full and all the relevant authorities have given the necessary permission, if applicable.

- (ix) The portion of land is sold "voetstoots" or "as is" with the Council giving no warranty or guarantee, whether express or implied, oral or tacit, as to the suitability of the lay-out or situation or subterranean composition of the property or any improvements thereon. The Council also does not warrant that the services installed at the property are suitable for the use intended by the Purchaser. It is therefore the obligation of the purchaser to verify that the installed electricity, sewage and water connections are suitable for the intended use of the property.
- (x) That no development or construction be permitted to commence unless approved by the GM: Engineering and Planning Services, subject to approved plans.
- (xi) That the portion of land be properly fenced in, to the satisfaction of the GM: Engineering & Planning Services.
- (xii) That the purchaser constructs structural improvements worth at least equal to the municipal valuation of the property. Structural improvements, for purposes of this condition, shall not include the construction of boundary walls or any changes to the subterranean composition of the property.
- (xili) That the said improvements be completed within 24 months (2 years) from date of transfer.
- (xvi) The agreement of sale be signed and returned to the Swakopmund Municipality, by the purchaser within 21 days of receipt thereof by the purchaser.
- (xiv) That the purchaser indemnifies Council against any claims for damages in respect of the use of the site and or resulting from blasting, should blasting need to be done.
- (xv) That the purchaser provides the registration documentation of the entity (Council resolution of 27 April 2017 under item 11.1.10) and that the shareholders / members must be cautioned that the shareholders / members remain the same until the transfer is completed and they have complied with all conditions of sale.
- (xvi) That HDF Energy Namibia provides / installs all required services at their cost to the satisfaction of the General Manager: Engineering & Planning Services and Council be indemnified of any possible claims.
- (xvii) That HDF Energy Namibia be required to commence substantive commercial activities within 24 months from date of registration of transfer, falling which the agreement be cancelled and the property returned to Council.
- (j) That the following additional conditions be applicable:

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- (i) That a right of way servitude be registered over Council's property to allow access to the portion of land.
  - (ii) That the following statutory processes be finalized by the developer within 24 months after approval being obtained by Council in terms of (vii) below:
    - (1) Subdivision of the portion of land.
    - (2) Rezoning of the newly created erf to special use for use of a hydrogen-topower plant for solar energy generation, hydrogen production, storage and refueling (point (f) above).
    - refueling (point (f) above).

      (3) That an environmental clearance certificate be obtained in terms of the Environmental Management Act of 2007.

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(k) That should HDF Energy Namibia opt to <u>lease</u> the portion of land on which the non-permanent structures will be installed (point (h) (ii) above), the following conditions be applicable:

- (i) That the lease period be 30 years with an option to renew on such conditions as Council and HDF Energy Namibla agree to by negotiation.
- (ii) That the lease be notarially executed.
- (iii) That approval be applied for from the Ministry of Urban and Rural Development as required in terms of the Local Authorities Act to proceed with the intended lease of a portion of the portion of land measuring 400ha.
- (iv) That the lease period commences 1 month after notice was given to HDF Energy that the Ministry of Urban and Rural Development approved the sale and lease and the necessary EIA is approved.
- (v) That all required services be installed to the satisfaction of the General Manager: Engineering & Planning Services and at the cost of HDF Energy Namibia.
- (vi) That the following conditions be applicable:
  - (aa) That a refundable deposit, equal to one month's rent be paid and be adjusted annually.
  - (bb) That a rehabilitation deposit of N\$100 000.00 be paid for the rehabilitation of the area, if required.
  - (cc) That, if applicable, HDF Energy Namibia be required to pay a refundable electricity deposit equal to the monthly rental which shall be applied and used only if an outstanding account remains with Erongo RED upon termination of the lease.
  - (dd) That upon termination of the lease the remainder of (cc) be refunded to the lessee on presentation of proof to the General Manager: Finance that the electricity account from Erongo RED in the name of the lessee has been paid in full.
  - (ee) That, if required, Council gives consent to HDF Energy Namibia in terms of the Town Planning Amendment Scheme to engage in the business of a hydrogen-to-power plant for solar energy generation, hydrogen production, storage and refueling.
  - (ff) That either party can give 12 calendar months' written notice of the cancellation of the agreement.
  - (gg) That Council's standard conditions of lease be made applicable to the agreement.
  - (hh) That no permanent structures be constructed on the lease portion of land (excluding the area for the hydrogen production and storage module during the interim lease period).
    - (ii) That the following special conditions be applicable:
      - 1. That the lessee shall be responsible for the cleanliness and tidiness of the property.
      - 2. That there is no guarantee that the property is suitable for the lessee's purposes.

3. That written permission be obtained, should the lessee wish to erect any sign or advertising material outside the property.

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- 4. That no subletting be allowed.
- 5. The Council be indemnified against any claims for damages(s) in respect of the use of the site.
- 6. That the area be properly fenced in, to the satisfaction of the GM: Engineering & Planning Services.
- 7. That no person is allowed to overnight or to reside on the premises, except for bona fide security services.
- (vii) That an environmental clearance certificate be obtained in terms of the Environmental Management Act of 2007.
- (viii) That HDF Energy Namibia must take possession and commence with the approved activity within 1 year of the approval of the lease by the Ministry of Urban and Rural Development; or the completion of the installation of services, whichever is the earliest.
- That HDF Energy Namibia be required to commence (ix) substantive commercial activities within 24 months, failing which the agreement be cancelled.
- (I) That the Structure Plan be updated to reflect the area of land allocated for the use as a hydrogen plant.
- (m) That Council approves the water pipeline route as per Annexure

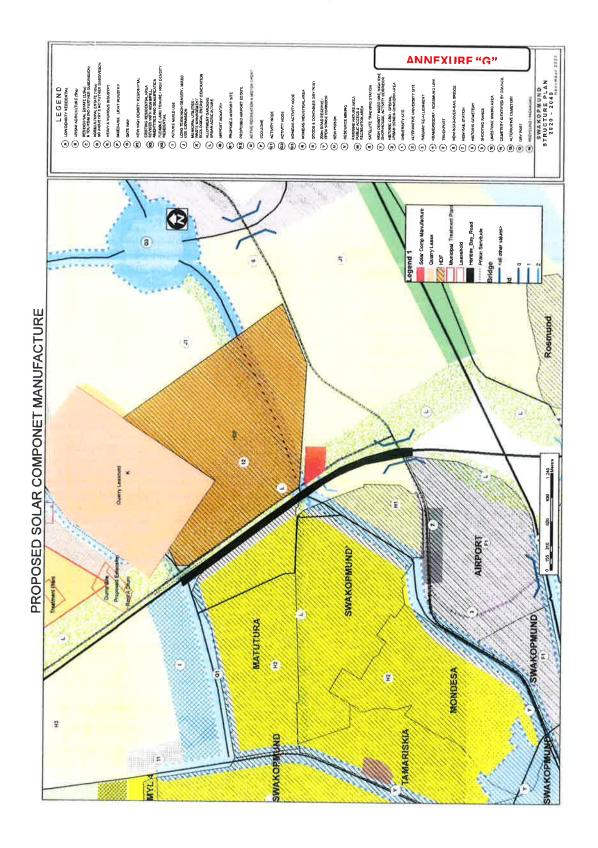
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Ordinary Council Meeting - 03 June 2025



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# 11.1.6 APPLICATION BY BENHARD GERHARD TO PURCHASE A STREET PORTION IN FRONT OF ERF 4089, MONDESA

(C/M 2025/06/03 - **M 4089** 

Ordinary Management Committee Meeting of 15 May 2025, Addendum 7.5 page 198 refers.

### A. This item was submitted to the Management Committee for consideration:

### 1. PURPOSE

The purpose of this submission is to consider the application of Mr. Benhard Gerhard (junior) to purchase a portion of the street in front of his Erf 4089, Mondesa which measures approximately 287m².

Mr. Gerhard intends to acquire this portion as a separate erf without consolidating it with Erf 4089, Mondesa. Mr Gerhard as per **Annexure "A"** is requesting Council to review its decision passed on **26 October 2023**, under item 11.1.7 quoted below:

"That the application of Mr B Gerhard to purchase a portion of land situated adjacent to Erf 4089, Mondesa measuring  $\pm 365 m^2$  and to consolidate with Erf 4089, Mondesa for the purpose of building flats NOT be approved as the proposed use cannot be permitted on the additional portion of land due to zoning and density requirements of the area."

Below is the locality plan of Erf 4089 Mondesa.



### 2. BACKGROUND

In 2012, Mr. B. Gerhard (senior and previous owner of Erf 4089, Mondesa) applied to purchase a portion of street in front of his property and consolidate it with Erf Erf 4089, Mondesa. His intention was to invest his pension in constructing flats on the additional portion of land.

The application was discussed by the Planning Forum on **14 February 2012**, where it was proposed that Erongo RED and the Engineering Services Department provide comments on the following aspects:

- Municipal services crossing the portion applied for and the exact size;
- Electrical services crossing the portion.
- The density of the portion.

At that time, the Town Planning Section confirmed that there were no municipal services across the portion and the access to Erf 1646, Mondesa (the neighbour erf), will not be affected therefore they had no objection to the proposed sale.

Subsequent to the application discussed by the Planning Forum, it was tabled to the Management Committee on **12 August 2014**, where it was resolved under Item 8.11 that "an "in loco" inspection be conducted at Erf 4089, Swakopmund, at a date and time to be determined by the Chief Executive Officer".

An "in loco" inspection was conducted on 9 August 2023 and the application was resubmitted to Council on **26 October 2023** and the following was resolved under item 11.1.7:

"That the application of Mr B Gerhard to purchase a portion of land situated adjacent to Erf 4089, Mondesa measuring ±365m² and to consolidate with Erf 4089, Mondesa for the purpose of building flats <u>NOT</u> be approved as the proposed use cannot be permitted on the additional portion of land due to zoning and density requirements of the area."

The above decision was executed by Engineering & Planning Services Department who informed Mr Gerhard as per letter dated **25 January 2024.** 

Mr B Gerhard (senior) has now sold Erf 4089, Mondesa to his son Mr Benhard Gerhard (junior hereinafter referred to as Mr Gerhard). A copy of the Title Deed confirming the registration in the name of Mr Gerhard is attached as **Annexure** "B".

### 3. DISCUSSION

### 3.1 Application

A letter dated **22 April 2024** was received from Mr Gerhard (the current owner) to purchase the portion in front of Erf 4089, Mondesa as a separate erf. According to Mr Gerhard, he no longer intends to consolidate the portion with Erf 4089, Mondesa as initially applied by his father.

Mr. Gerhard seeks to purchase the portion of land in question to mitigate the disturbances from individuals using the area for parking and socializing as it is

located nearby bars. The open space it now a problem area to his family as they always get into unsafe confrontation with drunken people that park in front of their erf.

### 3.2 Comment from Engineering & Planning Services

Comments were requested from Engineering & Planning Services Department whether the portion in question can be sold to the owner of Erf 4089, Mondesa. The GM: Engineering & Planning Services proposed as per memo attached as **Annexure "C"** that the portion in question should not be sold as separate erf but rather be consolidated with Erf 4089, Mondesa once it is subdivided from the street.

Engineering & Planning Services Department also proposed a subdivision of "Portion A" which measures 287m² and "Portion B" which measures 12.5m² indicated on the map attached **Annexure "D"**. Portion B will be sold to the owner of Erf 1646, Mondesa and be consolidated therewith. The owner of Erf 1646, Mondesa confirmed his intention to purchase a portion of 12.5m² to be consolidated with his erf as **(Annexure "E")**.

A site inspection was conducted on the **06 August 2024** by the Property Section and the following services were observed located along the erven boundaries stretching from Erf 1652 to 4089, Mondesa:

- Water line meter
- Streetlights poles and electrical kiosks

Should Council consider selling portions to the adjacent erf owners, it will require water and electrical services to be relocated along Omulondo street. The relocation cost of these services infrastructure will be a challenge to the adjacent erf owners hence they need to join hands to share the cost. Council needs to assess the feasibility and implications of such relocations of these services to the street before proceeding with the sale. Adjacent erf owners need to confirm their interest to purchase the open space in front of their erven.

In the same vicinity, on **27 July 2017** under item 11.1.10, Council approved the sale of street portions adjacent to Erven 1629, 1630, 1631, 1632, 1633 and 1634 and 1655, Mondesa and subsequent consolidation thereof. The sale transaction had never materialized as the property owners are unable to afford the appointment of professional services such a town planner, land surveyor, and environmental practitioner to execute the statutory processes.

### 3.4 Relocation of Erongo Red Electrical Infrastructure

Erongo Red was requested to provide the cost for the relocation of the electrical kiosk and streetlights located adjacent to the open space infront of Erven 1652, 1670, 1669,1650, 1668, 1649, 1667, 1648, 1666, 1646, and 4089, Mondesa (Omulondo Street).

Erongo RED has provided a quotation of N\$ 259,669.91 for relocating the electrical kiosk and streetlights along Omulondo Street, Mondesa. . The quotation is attached as **Annexure "F".** 

Mr Gebhard as per mail dated **05 September 2024** argue that the Municipality in collaboration with Erongo Red have duties to provide and relocate the electrical infrastructure within their services areas and not at the cost of the

clients/ public. He is therefore of the opinion that the relocation of electrical infrastructure should be carried by Council and Erongo Red as he cannot claim ownership of the infrastructure.

Council has an obligation to provide infrastructure services to the erf boundary, however should the owner of the erf intend to extend the boundary of erf he / she must do it at his cost. Therefore, Mr Gebhard in this case should be responsible for the cost of the relocation of infrastructure if intend to purchase the portion infront of his erf. It is also proposed that due to the high cost of relocation of infrastructure, the cost estimated equally proportional distribution based on property size among all property owners in Omulondo Street who will benefit from the relocation.

### 3.5 Determination of the Purchase Price:

In **2022**, the Council approved the sale of portions of Omulondo Street adjacent to Erven 1629, 1630, 1631, 1632, 1633, 1634, and 1655 in Mondesa at a rate of N\$100.00 per square meter, despite a municipal valuation estimating the market value at N\$ 300 per square meter.

Following is the resolution of the Council's Management Committee passed on **13 January 2022**, item 7.11:

- "(a) That the Acting General Manager: Corporate Services and HC be authorized to offer the street portion to the adjacent owners at N\$ 100.00/m², to be paid off in 12 months.
- (b) That if all the owners accept the offer or propose different terms, the feedback be reported to the Management Committee whereafter the transactions be submitted to Council for approval. "

Considering the above resolution and that the proposed portion is also located in Omulondo street, it is therefore suggested that the purchase price for the proposed portion be determined on the same basis.

In terms of the Property Policy, the purchase price shall escalate by 5% per annum from the date the purchase price was approved.

Below is the calculation of the escalation of N\$ 100.00/m² by 5% per annum.

Year	Price/M <sup>2</sup>	5% Escalation
2022	100.00	5.00
2023	105.00	5.25
2024	110.50	5.53
2025	116.03	

The purchase price of a portion measuring  $287m^2$  will be N\$33,292.00 (N\$116.00 X  $287m^2$ ). Council has the prerogative to decide whether to approve the purchase price N\$116.00/m² or to remain with the purchase price of N\$100.00/m² as it was approved on **13 January 2022**, under item 7.11.

### B. After the matter was considered, the following was:-

### **RECOMMENDED:**

- (a) That Council approves the sale of a portion of Omulondo Street measuring 287m² to Mr. Benhard Gerhard, to be consolidated with Erf 4089, Mondesa.
- (b) That Council takes note that Mr. Iyambo Toivo, owner of Erf 1646, has confirmed his interest in purchasing a portion of Omulondo Street measuring 12.5m<sup>2</sup> to be consolidated with Erf 1646, Mondesa.
- (c) That the owners of Erven 1652, 1670, 1651, 1669,1650, 1668, 1649, 1667, 1648, 1666, Mondesa, be requested to indicate their interest in purchasing the open space in front of their erven.
- (d) That the purchase price for the portions referred to in points (a), (b), and (c) above be approved at N\$ 116.00/m².
- (e) That once the erf owners mentioned in point (c) express their intention to purchase the adjacent open spaces, they shall be responsible for sharing the statutory costs associated with the permanent closure as well as the subdivision and consolidation as required in terms of e Urban & Regional Planning Act, Act No. 5 of 2018, and the Environmental Management Act, Act No. 7 of 2007.
- (f) That Council assist the purchasers to relocate/ reroute the services in Omulondo Street and recover the cost of NS276 394.64 from each purchaser on a pro-rata basis.
- (g) That upon completion of the statutory processes, the statutory requirements for the alienation of land in terms of the Local Authorities Act, Act 23 of 1992, as amended, be complied with.
- (h) That all costs related to the transactions be for the account of the purchasers.
- (i) That the following standard conditions be applicable:
- (i) That Mr Benhard Gerhard (Erf 4089) and Mr Iyambo Toivo (Erf 1646) pay a deposit of N\$ 10 000.00 each towards the statutory costs relating to the transaction including, but not limited to advertising cost, compilation of the agreement of sale, as well as any legal costs that may arise from this transaction.
- (ii) That the above deposit be paid within 90 days from the Council resolution approving the sale and purchase price, failing which Council's resolution will be revoked at the next Council meeting following the expiry of the 90 days.
- (iii) That any remainder of the deposit in (i) above be refunded to the purchaser on completion of the transfer of the erf.
- (iv) That the purchaser accepts that no rights will accrue to him from Council's resolution unless all the relevant conditions of the Property Policy are

complied with in full and all the relevant authorities have given the necessary permission, if applicable.

**ANNEXURE "A"** 

The: Chief Executive Officer

Municipality Of Swakopmund

P o Box 53 Swakopmund

25 June 2024

Reference: M4089

Re: Acceptance letter to Purchase street portion in front of Erf 4089 Omulondo str, Mondesa

Dear Sir, Madam

In respond to the letter dated 24 June 2024, Ref: M4089. I hereby acknowledge the stipulated statutory procedures listed under paragraph 3 (3.1 -3.6) and also wish to submit my continues interests to purchase the street portion in front of my Erf 4089 Omulondo str, Mondesa.

It is also my desires to bring it to your attention that I do not want to purchase the portion of Erf 1646, Mondesa, measuring 12.5 m² as indicated in the letter, but wish to purchase the street portion that is not occupied/or owned by any neighbor, provided that is approved as such. Should the council approve the sale of this street portion, I undertake to oblige to all requirements and regulations associated thereof.

Thanking the entire Engineering & planning Services for not objecting my sales proposal.

Yours faithfully

Benhard Gerhard

CIB CI

Owner Erf 4089 Omulondo str Mondesa



M 4089



📞 +264-64-410-4111 🧪 swkmun@swkmun.com.na 💢 📦 P. 🖨 3gx 53, Swakopmund, Namibia

2 (064) 4104213

Ref No:

53 Swakopmund

NAMIBIA

www.swkmun.com.na



msheehama@swkmun.com.na

**Enquirles:** 

Ms Margaret Sheehama

24 June 2024

Mr Benhard Gerhard (Junior) P O Box 19 Karibib 13009

**1** 081 300 9274

STATE OF STREET

Dear Sir

APPLICATION TO PURCHASE AN OPEN SPACE IN FRONT OF ERF 4089, OMULONDO STREET, MONDESA

The above mentioned refers.

Disclaimer: We are at pains to reiterate that no rights accrue to an applicant unless a Council resolution is in place, all the relevant conditions of the Property Policy are to be complied with in full and all the relevant authorities have given the necessary permission. Nothing in this letter shall be interpreted as creating an expectation that Council will approve your application.

In pursuance of our letter dated 05 June 2024 regarding the above matter, kindly be advised that our Engineering & Planning Services has no objection to the sale of the street portion, subdivision, and consolidation thereof, however you will be liable for the execution of the statutory process. See the attached map indicating the layout plan of proposed subdivision with measurements. Consult the owner of Erf 1646, Mondesa and obtain confirmation in writing whether they are interested / not interested to purchase Portion B which measures approximately 12.5m² in extent, in order to share the statutory costs with you.

Following are the statutory procedures that will follow should Council approve your application:

Once your reply to the above is received, a submission will be tabled to Council for 1. consideration.

- If the sale is approved by Council, the Municipal Valuer will be requested to determine the value of the portion in order for Council to determine the purchase price.
- 3. After the purchase price is approved, the following procedures will follow:
  - 3.1 A deposit of N\$ 10 000.00 is payable for advertisement of the sale, valuation, compilation of the deed of sale and other cost that may be incurred in the sale process (all costs for the transaction will be for your account).
  - 3.2 A notice will be published in newspapers for public objections as required in terms of the Local Authorities Act, Act 23 of 1992, as amended. Should no objection be received, Council will apply to the Minister of Urban and Rural for approval to proceed with the sale.
  - 3.3 If approval is granted by the said Minister, you will be informed to appoint a Town Planner to attend to the street closure, subdivision, consolidation and Environmental Impact Assessment (EIA) at your cost. The zoning of the consolidated erf will be the same as Erf 4089, Mondesa
  - 3.4 Once the subdivision and consolidation is approved you must appoint a Land Surveyor at own cost to attend to the surveying of the new portions and to submit the survey diagrams to the Surveyor General's Office for examination and approval.
  - 3.5 Once the survey diagrams are approved, a deed of sale will be compiled, and you will be required to pay the purchase price of the erf as approved by Council.
  - 3.6 Council's conveyancer will be instructed to attend to the registration and transfer of the newly created erf to you once the purchase price is paid in full. The cost of transfer will be for your account.

Please confirm in writing whether you intend to purchase the above-mentioned portion in order to submit your application to Council for consideration.

Should you have any further enquiries, please do not hesitate to contact Ms. M Sheehama at 🕾 064-4104213.

ERAL MANAG

2024 - 06- 2 4

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Yours faithfully

Mpasi Haingura
GM: CORPORATES

/ms

Copy:

GM: Engineering and Planning Services

**144**Ordinary Council Meeting - 03 June 2025

C22126 **ANNEXURE "B"** DEED OF TRANSFER NO. 6900 /2022 BENHARD GERHARD AND PAULINA KAKISHI GERHARD ERF NO. 4089 MONDESA

?

# AND THE SAID APPEARER DECLARED THAT

WHEREAS on the 12<sup>th</sup> day of AUGUST 2022, the Transferor donated the hereinafter mentioned immovable property to the hereinafter mentioned Transferee, which donation was accepted by the mentioned Transferee on the 15<sup>th</sup> day of AUGUST 2022,

NOW THEREFORE the Appearer, in her capacity as attorney aforesaid, did by these presents cede and transfer in full and free property to and on behalf of

BENHARD GERHARD
Identity Number 840303 1019 2
and
PAULINA KAKISHI GERHARD
Identity Number 890604 0113 1
Married in community of property to each other

2023 -10- p is

Their heirs, executors, administrators or assigns

**CERTAIN** 

ERF NO. 4089 MONDESA

SITUATE

IN THE MUNICIPALITY OF SWAKOPMUND

REGISTRATION DIVISION "G"

**ERONGO REGION** 

MEASURING

424 (FOUR TWO FOUR) Square metres

FIRST TRANSFERRED AND STILL HELD BY Deed of Transfer No. T5122/2013 with General Plan S.G No. A 124/2007 relating thereto

**SUBJECT** to the following conditions imposed in terms of Urban and Regional Planning Act, 2018 (Act No. 05 of 2018), namely:-

# IN FAVOUR OF THE LOCAL AUTHORITY

- (a) The erf must 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 Swakopmund 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 shall be at least **four** times the prevailing valuation of the erf.

WHEREFORE the Appearer, renouncing all the Rights and Title the TRANSFEROR heretofore had its the premises, did, in consequence, also acknowledge the TRANSFEROR to be entirely dispossessed of, and disentitled to, the same, and that, by virtue of these Presents, the said TRANSFEREE Their Heirs, Executors, Administrators, or Assigns, now and henceforth shall be entitled thereto, conformacy to local custom, the State however, reserving its Rights; and finally acknowledging that transfer duty has been paid to the Receiver of Revenue calculated on the valuation of the property being the sum of N\$700 000.00 in terms of the Transfer Duty Act No. 14 of 1993.

2022 - 10 - 13

SIGNED at WINDHOEK on

together with the appearer, and confirmed with my seal of office.

SIGNATURE OF APPEARER

In my pres



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6-0:0034 = PART

# REPUBLIC OF NAMIBIA INLAND REVENUE DEPARTMENT OF FINANCE TRANSFER DUTY \_\_ FORM B DECLARATION BY PURCHASER

RANSFEROR	BENHARD GERHARD 11N 01944037
RANSFEREE	のイフで3グ38 13225 754 BENHARD GERHARD and PAULINA KAKISHI GERHARD
ESCRIPTION OF	
CERTAIN	ERF NO. 4089 MONDESA
SITUATE	in the Municipality of Swakopmund Registration Division "G"
EASURING	424 (Four Two Four) Square metres
MODE OF ACQUISIT	TION (donation, lease, exchange, etc.) DONATION
Date of transaction:	1.5 August 2022 Consideration: NIL
TRANSFER DUTY I	PAID BY CARICIA BASSON LEGAL PRACTITIONERS P O Box 97254 MAERUA PARK WINDHOEK
Municipal, Regional	or other local authority valuation: N\$700 000.00
	FOR OFFICIAL USE
Transfer duty paid Act under which du	on N\$ Being
Steel defacing office of las	stamp of Bull CASH REGISTER RECEIPT

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# Internal Memorandum

TO

: General Manager: Corporate Services and Human Capital

**FROM** 

General Manager: Engineering & Planning Services

DATE REF

10 June 2024 Mondesa Erf 4089

SUBJECT :

COMMENTS ON THE APPLICATION TO PURCHASE A STREET PORTION (OMULONDO

STREET) IN FRONT OF ERF 4089 MONDESA

Your memorandum dated 5th June 2024 herewith bares reference.

The applicant requests to purchase a portion of street that is to be a separate portion of land from their current erf, however, this cannot be supported by the Engineering and Planning Services Department because it would result in a situation whereby Erf 4089 Mondesa will have no access. In terms of the current zoning, the property is zoned single residential under the special designated area with a density of 1:200m<sup>2</sup> and the proposed purchase will not negatively affect the current zoning. Furthermore, any additional services required would be at the cost of the applicant.

The Engineering and Planning Services Department is, however, in support of the application to purchase a portion of Omulondo Street measuring approximately 287 m<sup>2</sup> in extent provided that the portion should be consolidated with Erf 4089, Mondesa subject the town planning statutory procedures.

Note should be taken that the proposed portion to be purchased is zoned as "street" and reserved for such a purpose. Therefore, Omulondo Street should first be subdivided into Portion A, B and the Remainder Street as depicted in the subdivision plan attached.

Thereafter, the aforesaid Portion A and B should be closed as "street" in terms of Section 50 (1) of the local authorities Act, as amended. In terms of the Environmental Management Act, Act 7 of 2007 as amended, subdivision of a street is a listed activity. Therefore, an environmental study should be carried out for the proposed subdivision.

After successful closure and subdivision of Omulondo Street into the Portions A, B and remainder, the subdivided Portion A (measuring approximately 287m<sup>2</sup> in extent) should be consolidated with Erf 4089, Mondesa and Portion B (measuring approximately 12.5m² in extent) should be offered for sale to the owner of Erf 1646, Mondesa for consolidation as per the plan attached. Should owner of Erf 1646, Mondesa declines the offer to purchase the portion and undertaking of the required statutory town planning procedures, Portion B should be offered for sale to the owner of 4089, Mondesa for the consolidation with his erf. These portions should assume the same zoning as Erven 4089 and 1646, Mondesa upon consolidation.

Below are recommendations to be included as part of your submission to Council:



- That Omulondo Street be subdivided into Portion A (measuring approximately 287m<sup>2</sup> in extent), Portion B (measuring approximately 12.5m<sup>2</sup> in extent) and Remainder Street,
- b. That Portion A of Omulondo Street be offered for sale to the owner of Erf 4089, Mondesa,
- c. That Portion B of Omulondo Street be offered for sale to the owner of Erf 1646, Mondesa,
- d. That should the owner of Erf 1646, Mondesa declines the offer to purchase of Portion B of Omulondo Street and undertaking of the required statutory town planning procedures, the portion be offered to the owner of Erf 4089, Mondesa for consolidation with his erf,
- e. That Portions A and B of Omulondo Street be permanently closed as "street" in terms of section 50 (1) of the Local Authorities Act, Act No. 23 of 1992, as amended,
- f. That the purchaser(s) be responsible for the Environmental Impact Assessment in terms of the Environment Management Act, Act 7 of 2007, as amended,
- g. That after the successful closure and subdivision of Omulondo Street into Portion A, B and Remainder, the subdivided Portion A be consolidated with Erf 4089, Mondesa, and Portion B be consolidated with Erf 1646, Mondesa,
- h. That upon consolidation, Portions A and B assume the same zoning as Erven 4089 and 1646, Mondesa, respectively,
- i. That all the statutory town planning procedures as well as required services be at the cost of the applicant.

Regards,

C McClune

Englastering & Flance

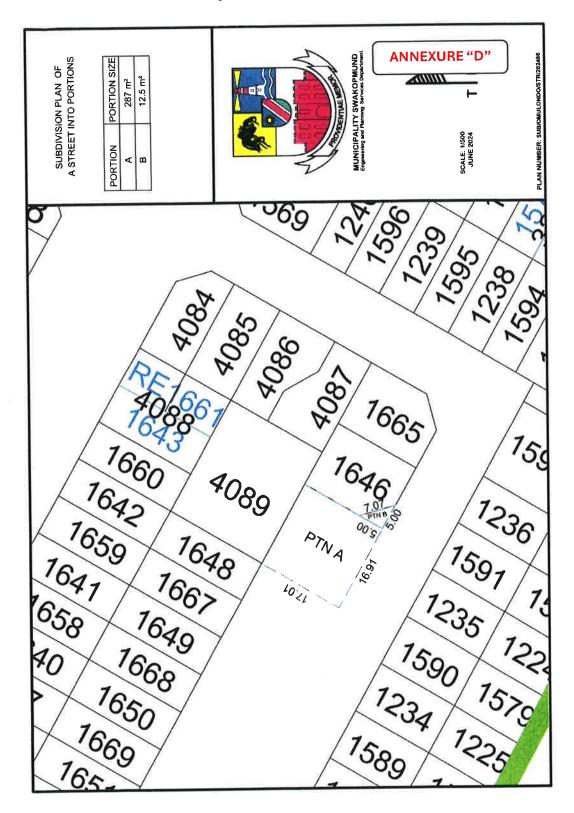
GENERAL MANAGER: ENGINEERING AND PLANNING SERVICES

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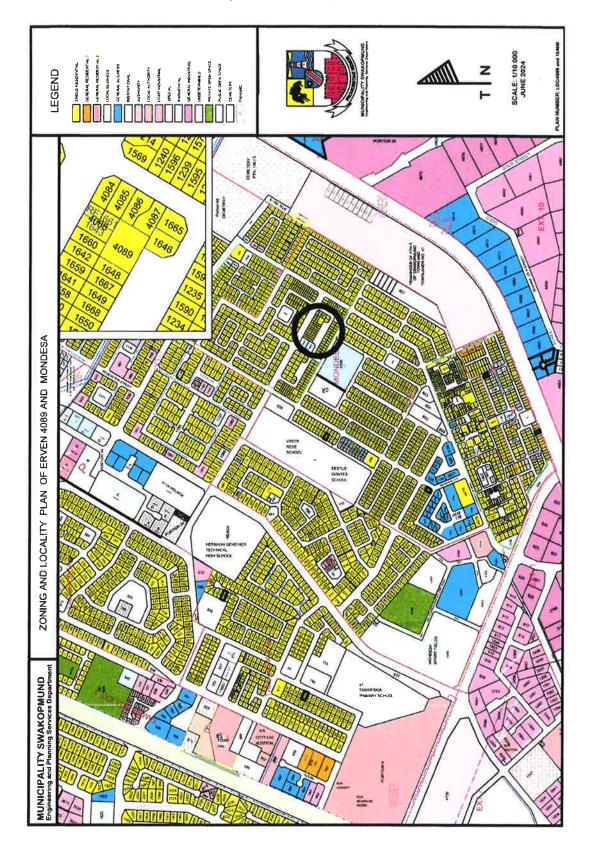
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**150** Ordinary Council Meeting - 03 June 2025



Ordinary Council Meeting - 03 June 2025



**ANNEXURE "E"** 

**The Chief Executive Officer** 

**Swakopmund Municipality** 

P O Box 53 Swakopmund

12 July 2024

**REF: M4089** 

Re: Acceptance letter to purchase street portion measuring 12.5m<sup>2</sup> infront of erf 1646.

I Mr liyambo Toivo owner of Erf 1646, Mondesa Omulondo Street hereby give or show my interest that I am willing to purchase the street portion infront of my erf 1646 measuring 12.5  $\,\mathrm{m}^2$  as indicated in the attached letter of Mr B Gerhard.

I therefore avail myself for any queries or procedures associated thereof should there be any. Thank you.

Your sincerely

liyambo Toivo

Owner of 1646 Omulondo Street, Mondesa



**ANNEXURE "F"** 

TEL +264 (64) 201 9000 TOLL FREE +264 819600 FAX +264 (64) 201 9001 EMAIL support@erongored.com.ma ERONGO RED BUILDING REG NO 2004/074 91 HAGE GEINGOB STREET PO BOX 2925 WALVIS BAY NAMIBIA

SCE-24-08-003	Enquiries	Kennedy Mutota
	Physical Address	30 Hidipo Hamulenya Avenue
		Swakopmund
	Telephone 064 - 413	064 - 413604
	Facsimile	064 - 413601
SWAKOPMUND	Cell	081 141 5553
	E-mail	kmutota@erongored.com.na
ATT: C McClune 064 - 4104401	Date	2024-08-22
MUNICIPALITY OF SWAKOPMUND P O BOX 35 SWAKOPMUND  ATT: C McClune 064 - 4104401	Facsimile Cell E-mail	064 - 413604 064 - 413601 081 141 5553 kmutota@erongored.com.na

# COST ESTIMATE: RE-ROUTING L.V. SUPPLY OMULONDO STREET, SWAKOPMUND

- On your request, Erongo Regional Electricity Distributor Company (Pty) Ltd has prepared a
  cost estimate for repairing of defects streellights at DRC Extension 31 development.
  Attached, please find your corresponding Cost Estimate.
- Kindly note that the amount in Annexure A is only an estimate and may vary upon completion of the work where after a final invoice will be issued to you.
- Please sign this document and Annexure A, and return it to the Customer Care Office together with your receipt / proof of payment.
- I, hereby accept the estimated cost of N\$276 394.64 (VAT included) provided to me by Erongo RED (Pty) Ltd.
- 5. Our bank information is as follows:

**ERONGO REGIONAL ELECTRICITY DISTRIBUTOR COMPANY** 

First National Bank (Walvis Bay) Acc no: 62068281080 Branch code: 282172 Cheque account

- Please address all correspondence to Chief Executive Officer

REFERENCE: SCE--24-08-003
PLEASE MAKE USE OF THE ABOVE REFERENCE WHEN MAKING EFT/BANK DEPOSIT PAYMENT. THANK YOU

Should you wish to make payment via internet banking, please ensure that the payment is properly referenced, and that a copy is submitted with this form.

- Note that this cost estimate is valid for 3 months from the date it has been issued.
- 7. Should you need any additional information please feel free to contact our office.

Yours Sincerely	
Kennedy Mutota	
Superintendent	
Network Operations & Maintenance, Area 2	
	***************************************
CUSTOMER SIGNATURE	DATE

MUNICIPALITY OF SWAKOPMUND P O BOX 53 SWAKOPMUND

**REF NO: ERF 4089, MONDESA** 

TO: The chief Executive officer Swakopmund Municipality

Att: Ms Magaret Sheehama

In respond to Erongo Red letter referencing SCE – 24-08-003 and attached, regarding the cost estimate: Re-routing L.V. Supply Omulondo Street, Swakopmund. The cost estimate of **N\$276 394.64** 

Please advise how purchasing a street portion in a residential approved land has anything in connection with Erongo Red Re- Routing L.V. supply cable in a street or repairing of defects street lights at DRC Extension 31 development. I also want to make it clear that I did not requests Erongo Red to make any changes to my existing power supply, my erf 4089 already has an erf connection where I can continues to connect the new dwelling to and there is no Kiosk to be relocated either. Erongo Red is welcome to remove their street light out of my Erf at their own costs. The requested street portion I am interested to purchase is to be consolidated with Erf 4089, Mondesa therefore I do not require any changes regarding my electrical connections.

It is then on the above background that I am not in agreement with the costs estimates from Erongo Red of N\$276 394.64. It way too high and I do not see reasons why I should be the one funding that project. Erongo Red should indicate the cable that they considered to be in danger as per the results of purchasing the street portion in front of Erf 4089 and also indicate how I will effect it by purchasing that street portion in question, considering that In line with that street portion in question there is Existing erven's (Erf 1665 and Erf 1646) why this existing Erven's fail to cause damages to that specific cable.

31/08/3034

Thank you in advance

Yours faithfully

Mr Benhard Gerhard

Owner: Erf 4089

TO: The chief executive officer

Erongo RED, Walvis Bay

P O BOX 2925 Namibia

Ref: SCE-24-08-003

Att: Mr. Kennedy Mutota

# **Client Grievance Letter**

Referring to the above referenced letter, I want to express my dissatisfactions as to why the Erongo Red is compelling me to funds its "RE-Routing L.V. SUPPLY, STREETS LIGHT AND KIOSK" project in omulondo Swakopmund.

I have made an application recently with Swakopmund Municipality, in which I have requested to be granted permission to purchase a portion of land in front of my Erf 4089. The portion of land in question is in line with Erf 1665 and 1646 both of this erven(s) has approved municipality plans and are built with permanent structures, In addition to that I also believe that servicing of streets is sole the mandates of the service provider like your company (Erongo Red, Municipality and every governing body not a client. My question to respective office is as follow:

- 1. Erongo red has put up a restriction for me, compelling me to pay an estimated amount of N\$ 276 394.64 as a condition for my application to reach the Councilors final decision. If I perhaps decide to pay the above stipulated amount, will the Erongo Red then provide me with a certificate of ownership of the cables, street lights and any electrical infrastructures in cooperated within the estimates upon completion of the project, so I dispose or do with them as I please? Or will Erongo Red allow me to pocket all the profit to be made from all clients in the specific streets to me? After all I funded the entire project.
- 2. It is the responsibility of Municipality planning committee in consultation of all key stakeholders such as Erongo Red, Government regulations authorities to assess land for future development before its sold to customers, this portion of land in question is in municipal approved residential land why didn't your office already foresee this needs of re-routing of electrical cable, kiosks and etc.?
- 3. I understand that I apply to purchase a portion of land; however I did not raise the needs to re-route an electrical cable, if Erongo Red is seeing the needs, why can your company not follow the procurement method?

I am not requesting to purchase the whole street and I think the Erongo Red decision to compel me to funds the Re-Routing of L.V.Supply cable, repairs of defect lights at DRC extension 31 is rather to harsh, un considered, too costly and an attempt to destruct my progress.

I wrote this letter to your respective office with highest esteem that you will explore all other possible route which will enhance our relationship of a client and service provider and ensure that we all are satisfy at the end of our objectives.

Thank you in advance for your understanding and finding a common ground.

Yours Faith fully

05/09/2024

**Benhard Gerhard** 

Owner Erf 4089 and applicant

0813009274

# 11.1.7 FORMALIZATION OF THE SWAKOPMUND INTERNAL CRIME FORUM (SICF (C/M 2025/06/03 - 9/4/1/10)

Ordinary Management Committee Meeting of 15 May 2025, Addendum 8.2 page 53 refers.

# A. This item was submitted to the Management Committee for consideration:

# 1. INTRODUCTION:

The purpose of this submission is to seek Council approval to formalise the Swakopmund Internal Crime Forum (SICF), which comprises various stakeholders committed to enhancing community safety.

# 2. PURPOSE OF THE FORUM:

The purpose of the SICF is to serve as a collaborative platform for crime prevention, community resilience, and the promotion of public safety. It aims to strengthen partnerships between the police, the community, and other key stakeholders to jointly identify and address safety and security challenges. Furthermore, the Forum strives to cultivate an informed, proactive community that supports local safety initiatives and fosters social cohesion.

The SICF brings together a diverse range of stakeholders involved in community safety. Members include representatives from the Municipality of Swakopmund, the Namibian Police Force (NAMPOL), neighbourhood watch groups, the business community, municipal officials, relevant government ministries, and registered private security companies. This broad representation ensures inclusive and coordinated efforts in promoting public safety.

# 3. PROPOSAL:

While the SICF was created with the commendable goal of enhancing community safety, it was unfortunately not established through a formal resolution of the Swakopmund Municipal Council. This lack of official recognition presents several operational and governance challenges.

Without a Council-endorsed mandate, the Forum lacks the institutional authority necessary to effectively implement its strategies across municipal departments and stakeholder groups. In addition, the absence of formal recognition means that SICF decisions and recommendations are not binding, limiting their practical impact and reducing the Forum's ability to drive coordinated action.

Furthermore, stakeholders and representatives participating in the Forum are not formally accountable to the SICF, making it difficult to ensure consistent participation, follow-through, or alignment with broader municipal safety objectives. This governance gap significantly compromises the Forum's ability to fulfil its intended role as an advisory and operational body for crime prevention and community safety.

Moreover, the lack of formal institutionalization hinders the SICF's ability to secure funding, access resources, and garner political support—all of which are critical for long-term sustainability and success.

# B. After the matter was considered, the following was:-

# **RECOMMENDED:**

- (a) That Council resolves to establish and duly formalize the Swakopmund Internal Crime Forum (SICF), which shall serve as an institutional platform for inter-agency collaboration with the objective of promoting and enhancing public safety and security within the jurisdictional limits of the Municipality of Swakopmund.
- (b) That the membership of the Swakopmund Internal Crime Forum comprise the following stakeholders: representatives from the Swakopmund Local Authority, the Namibian Police Force (NAMPOL), neighbourhood watch groups, the business community (including entities such as the Chamber of Commerce, the Hospitality Association of Namibia (HAN), relevant Government Ministries (such as Health and Social Services, Fisheries, etc.), as well as registered private security service providers.
- (c) That Council appoints, Councillor M Heinrichson as a Chairperson and Councillor H H Nghidipaya as Deputy Chairperson to provide strategic leadership to the Forum, including presiding over meetings and overseeing the Forum's overall direction and mandate for a period of 2 years.
- (d) That the Municipality, via the Emergency and Law Enforcement Division, be responsible to handle administrative responsibilities such as preparing minutes and official documents, managing records and correspondence, and organizing and preparing for meetings.
- (e) That Council approves and adopts the Terms of Reference and administrative procedures of the Swakopmund Internal Crime Forum (SICF), as outlined in the attached documentation as "Annexure A" (on file).

# "ANNEXURE A"

#### Index

- 1. Name and Establishment
- 2. Status
- 3. Vision and Mission
- 4. Purpose
- 5. Objectives
- 6. Composition and Membership
- 7. Membership Terms
- 8. Organisational Structure
- 9. Roles and Responsibilities
- 10. Meetings and Proceedings
- 11. Budget and Resources
- 12. Code of Conduct
- 13. Dissolution

#### 1. Name and Establishment

The name of the forum is called the **Swakopmund Internal Crime Forum (SICF)**, and it is established to operate within the jurisdiction of the Swakopmund Municipality.

### 2. Status

The **Swakopmund Internal Crime Forum (SICF)** is a voluntary, non-partisan, non-profit structure established by the Swakopmund Municipal Council. It serves as an advisory and operational body for community safety and crime prevention, operating under the Council's authority without independent legal status.

## 3. Vision and Mission

### Vision:

A safe, secure, and cohesive community where law enforcement and citizens work together in trust and partnership.

# Mission:

To facilitate collaboration between the police, local authorities, and community members to identify and address public safety challenges and to implement sustainable, community-based crime prevention solutions.

# 4. Purpose

The purpose of the Swakopmund Internal Crime Forum is to:

- Serve as a collaborative structure for crime prevention, community resilience, and safety promotion.
- Enhance partnerships between the police, community, and other stakeholders to jointly identify and address safety and security challenges.
- Create an informed, proactive community that supports local safety initiatives and social cohesion.

# 5. Objectives

The SICF shall pursue the following objectives:

- **Crime Prevention**: Develop and implement proactive strategies and programs tailored to local conditions.
- Community Engagement: Strengthen collaboration between law enforcement, security providers, and community members through regular dialogue and outreach.
- Information Sharing: Ensure transparent communication among stakeholders to support informed safety decision-making.
- **Social Crime Prevention**: Address root causes of crime such as unemployment, substance abuse, gender-based violence, and youth marginalisation.
- Monitoring and Evaluation: Analyse crime trends, track incidents, and assess the impact of safety initiatives.
- Capacity Building: Empower community members and leaders with the knowledge and skills needed to participate effectively in safety efforts.
- Public Awareness: Educate the community on crime patterns, safety procedures, and emergency responses.
- Rapid Response Facilitation: Create and maintain channels for reporting suspicious activities and improving response times.
- Community Involvement: Encourage resident participation in neighbourhood watch programs, patrols, and safety campaigns.
- Resource Advocacy: Seek funding, equipment, and support for community-based security initiatives.
- Policy Development: Recommend safety policies and strategies for adoption by the Council.
- Stakeholder Collaboration: Promote unified efforts between all relevant sectors to enhance public safety.

# 6. Composition and Membership

Membership shall reflect a broad representation of stakeholders, including but not limited to:

- Local Authority (e.g., Municipality)
- Namibian Police Force (NAMPOL)
- Neighbourhood Watch Groups and Community Patrols
- Business Community (e.g., Chamber of Commerce, HAN, local business forums)
- Municipal officials
- Government Ministries (e.g., Health and Social Services, Fisheries, etc.)
- Registered Private Security Companies

# 7. Membership Terms

- Members shall be nominated by their organisations or communities.
- Membership is renewable every 2 years.
- Members shall serve in a voluntary capacity and commit to regular participation.

# 8. Organisational Structure

#### Chairperson

Elected by the Council and responsible for providing strategic leadership to the Forum, including chairing meetings and guiding overall direction.

# Vice-Chairperson

Elected by the Council to assist the Chairperson and assume leadership responsibilities in their absence. May also lead or support specific thematic areas or subcommittees.

# Secretary

The Municipality, through the Emergency and Law Enforcement Division, shall undertake administrative responsibilities. Duties include:

- Recording minutes
- Managing correspondence and records
- Coordinating logistics and documentation

### **Subcommittees**

The Forum may establish subcommittees to serve specific purposes and address priority areas that require focused attention, specialised knowledge, or dedicated action. These subcommittees shall operate under the guidance of the Forum, with clearly defined terms of reference, and are required to report on their activities, findings, and recommendations during Forum meetings. May include, but are not limited to:

- Gender-Based Violence (GBV) Response
- School and Educational Safety
- Street Children and homeless Support Committee
- Community Awareness and Media Engagement
- Security Coordination and Engagement with the Private Sector

Subcommittees may include Forum members and co-opted experts.

# 9. Roles and Responsibilities

### The Forum Shall:

- Host regular community safety meetings and public engagements in conjunction with Council
- Identify local safety priorities and propose solutions
- Collaborate with law enforcement on operations and campaigns
- Mobilise resources for community-based safety initiatives
- Develop annual work and action plans

# **Members Shall:**

• Participate actively and consistently

- Represent their constituencies faithfully
- Report back with relevant information and feedback
- Maintain confidentiality and integrity

# 10. Meetings and Proceedings

- Frequency: Quarterly or as needed
- Quorum: 50% plus one of active members
- Decision-making: By consensus or simple majority
- Documentation: Agendas and minutes distributed at least 3 days in advance
- Language and Accessibility: Inclusive, with translations where necessary

# 11. Budget and Resources

The SICF is a non-funding body but may:

- Seek partnerships and sponsorships
- Propose budget allocations from the local authority or stakeholders
- Engage in fundraising aligned with its mandate

# 12. Code of Conduct

All members must:

- Uphold respect, honesty, and confidentiality
- Refrain from political campaigning or personal attacks
- Declare conflicts of interest
- Support Forum decisions and act in good faith

# 13. Dissolution

The SICF may be dissolved solely at the discretion of the Swakopmund Municipality. In the event of dissolution, all records and assets shall be transferred to the authority designated by the Municipality.

11.1.8 SUBDIVISION OF ERF 4378, MONDESA EXTENSION 3 INTO PORTION A AND REMAINDER, PERMANENT CLOSURE OF PORTION A AS "PUBLIC OPEN SPACE" AND SUBSEQUENT REZONING OF PORTION A FROM "PUBLIC OPEN SPACE" TO "PARASTATAL" AND THE REGISTRATION OF A 5 METER RIGHT OF WAY SERVITUDE OVER THE REMAINDER IN FAVOUR OF PORTION A.

(C/M 2025/06/03 - M 4378)

Ordinary Management Committee Meeting of 15 May 2025, Addendum 8.3 page 59 refers.

# A. This item was submitted to the Management Committee for consideration:

# 1. Purpose

The purpose of this submission is for Council to consider the application for the following:

- The Subdivision of Erf 4378, Mondesa Extension 3 into Portion A and Remainder.
- Permanent Closure of Portion A as "Public Open Space" and subsequent Rezoning of Portion A from "Public Open Space" to "Parastatal" and finally,
- The registration of a 5 meter right of way servitude over the Remainder in favour of Portion A.

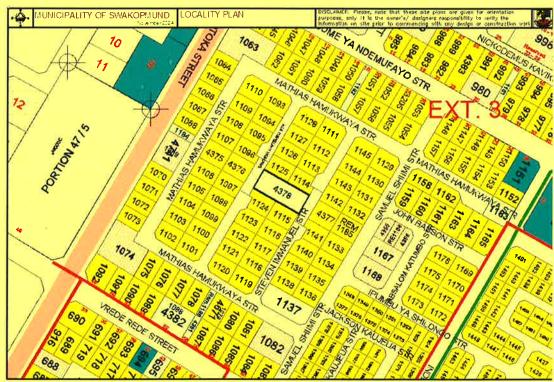
# 2. Introduction and Background

An application was received by the Engineering and Planning Services Department for the subdivision of Erf 4378, Mondesa Extension 3 into Portion A and remainder, the permanent closure of Portion A as "Public Open Space" and subsequent rezoning of Portion A from "Public Open Space" to "Parastatal" and the registration of a 5 meter right of way servitude over the Remainder of Erf 4378, Mondesa Extension 3 in favour of Portion A from Van der Westhuizen Town Planning & Properties cc. The application is submitted for the implementation of the statutory processes so as to give effect to the asset agreement between the Erongo Regional Electrical Distributors and the Municipal Council of Swakopmund. The application is attached as **Annexure A**.

# 3. Zoning, Size and Locality

Erf 4378, Mondesa Extension 3 is zoned "public open space" and it is 1501m² in extent. Erf 4378, Mondesa Extension 3, is located along Tangeni Haitembu Street and Steven Immanuel Street and currently has a substation located on it. See the locality plan below:

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Locality of Erf 4378 Mondesa Ext 3

# 4. Ownership

The ownership of Erf 4378, Mondesa Extension 3 vests in the Municipal Council of Swakopmund as held in the Certificate of Registered Title T 7600/2016. See **Annexure** 

# 5. Access, Municipal Services and Parking

Access to the newly created portion is proposed to be provided along Tangeni Haitembu Street via a 5-meter wide right of way servitude to be registered over the Remainder of Erf 4378, Mondesa Extension 3. The proposed 5-meter servitude is only for access purposes and not for the accommodation of any services. Please see confirmation email from consultant attached as **Annexure F**. The property will not require a connection to existing Municipal services due to the nature of the use being an electrical substation, and the Remainder of Erf 4378, Mondesa Extension 3 remains a public open space.

# 6. Public Participation

The proposed subdivision, permanent closure and rezoning was advertised in the Republikein Newspaper on the 29<sup>th</sup> August and the 5<sup>th</sup> September 2024 and New Era Newspapers on the 26<sup>th</sup> September 2024 and the 4<sup>th</sup> October 2024. A notice was also placed on site and was published in the Government Gazette, Notice No. 8438, Item No. 521 dated 13<sup>th</sup> September 2024. Neighbouring property owners were additionally notified in writing of the intent by registered mail.

The last date for the submission of comments and objections was the 18<sup>th</sup> September 2024. No objections were received. Please see proof of notice report attached as **Annexure D**.

# 7. Development Proposal

It is proposed that Erf 4378, Mondesa Extension 3, currently zoned "public open space", be subdivided into Portion A and Remainder, that Portion A be permanently closed as public open space and that Portion A be rezoned from "Public Open Space" to "Parastatal". It is also proposed that a 5-meter-wide servitude be registered over the Remainder of Erf 4378, Mondesa Extension 3 in favour of Portion A. The proposed subdivision will have the following effect:

Erf No	Zoning	Prop. Zoning	± Area (m²)
Portion A	POS	Parastatal	137
RE/4378	POS	POS	1364
TOTAL			1501

The responsibility for the supply of electricity in the town of Swakopmund once lied with Council, however, this function has been taken over by the Erongo Regional Electricity Distributor Company (Pty) and all erven with substations are being transferred to that entity. The aforementioned statutory process is therefore integral to the transfer agreement between the Municipal Council of Swakopmund and the Erongo Regional Electricity Distributor Company (Pty) with reference to erven accommodating substations located on them. This process needs to be concluded prior to the transfer of the newly created portion to ERED.

# 8. Environmental Clearance Certificate

In terms of the Environmental Management Act, (Act No. 7 of 2007), an Environmental Clearance Certificate needs to be obtained for the permanent closure and the rezoning. Although the certificate is not available yet, the application for environmental clearance was approved and proof of approval is attached as part of the application, the certificate number of the certificate that was issued is **240319003098**. Please see **Annexure E**.

# 9. Evaluation

In terms of the Asset Agreement between Council and Erongo Red, Council committed to donate up to a maximum of one hundred (100) square metres per site for substation purposes. The proposed size for Portion A is approximately 137m², which means it exceeds the approved value with 37m².

This excess area is not subject to a donation as per the agreement and will therefore require compensation by Erongo Red to Council. The right of way servitude will provide access to the substation as detailed in the subdivision plan attached to the application as **Annexures C-1 and C-2**.

# 10. Compensation

No compensation in respect of betterment is applicable to the application as the ownership of the property vests in Council.

### 11. Conclusion

The subdivision and rezoning of Portion A of Erf 4378, Mondesa Extension 3 is not foreseen to have any adverse impacts on the area and should be supported.

# B. After the matter was considered, the following was:-

# **RECOMMENDED:**

- (a) That Erf 4378, Mondesa, Extension 3, be subdivided into Portion A and Remainder.
- (b) That the subdivision will have the following effect:

Erf No	Zoning	Prop. Zoning	± Area (m²)
Portion A	POS	Parastatal	137
RE/4378	POS	POS	1364
TOTAL			1501

- (c) That Portion A of Erf 4378, Mondesa Extension 3, be closed as "Public Open Space".
- (d) That Portion A of Erf 4378, Mondesa Extension 3, be rezoned from "Public Open Space" to "Parastatal".
- (e) That the rezoning of Portion A of Erf 4378, Mondesa, Extension 3 from "Public Open Space" to "Parastatal" not be subject to a compensation fee in respect of betterment and endowment.
- (f) That a 5-meter wide right of way servitude be registered over the Remainder Erf 4378, Mondesa, Extension 3 in favour of Portion A for access purposes.
- (g) That the General Manager: Corporate Services and Human Capital Department determines the purchase price payable to Council for the excess area, constituting a total of 37m<sup>2</sup> in extent.
- (h) That the property be transferred into the name of the Erongo Regional Electricity Distributor Company (Pty) once statutory procedures are finalized.

ANNEXURE A

19-03-02 4378

M 4278

. Answer

TOWN PLANNING & PROPERTIES

PO BOX 1598 SWAKOPBUNG NAMBIA \*\*

Chief Executive Officer Municipality of Swakopmund PO Box 53 Swakopmund Namibla



25 September 2024

Dear Sir.

73

APPLICATION FOR SUBDIVISION OF ERF 4378, MONDESA EXT. NO. 3, SWAKOPMUND, INTO PORTION "A" AND REMAINDER; PERMANENT CLOSURE OF PROPOSED PORTION "A" AS A PUBLIC OPEN SPACE; AND SUBSEQUENT REZONING OF PROPOSED PORTION "A" FROM "PUBLIC OPEN SPACE" TO "PARASTATAL" AND REGISTRATION OF A 5M RIGHT OF WAY SERVITUDE OVER THE REMAINDER IN FAVOUR OF PROPOSED PORTION A.

Application is herewith made, on behalf of the owner/s of Erf 4378, Mondesa, Extension No. 3, Swakopmund, the Municipality of Swakopmund for the subdivision of Erf 4378, Mondesa, Extension No. 3, Swakopmund, into Portion "A" and Remainder (Annexure C1); Permanent Closure of proposed Portion "A" as a Public Open Space (Annexure C2); and subsequent rezoning of proposed Portion "A" from "Public Open Space" to "Parastatal" (Annexure C3); and the registrations of a 5m right of way servitude over the Remainder in favour of proposed Portion A.

# 1. BACKGROUND

The Municipality of Swakopmund and Erongo Red Electrical Distributors entered into an agreement which will allow Erongo Red to transfer all substation into their name. Due to the complexity of historical events, it is in most cases necessary to subdivide both Municipal owned and privately owned properties in ordered to create a separate property for the substations. Only once the properties have been subdivided and/or rezoned can the transfer of the substations be affected.

In certain cases, as in the current application, the property is very small and the substation is situated in the middle of the erf. This in our opinion is not worth subdivision as the remainders will be too small and very useless in nature. It is recommended that these properties, due to their limited size, be transferred to the name of Erongo Red Electricity Distributors.

### 2. LOCALITY, ERF SIZE & ZONING

Erf 4378, Mondesa, Ext. No. 3, Swakopmund, currently measures 1 501m² in extent and is located between Steven Immanuel Street and Tangeni Haitembu Street in Mondesa Ext. No. 3. (Annexure A). Erf 4378, Mondesa, Ext. No. 3, Swakopmund, can be found at the Coordinates: -22.6563082, 14.5472758.

Currently the site accommodates the substation that is in need of its own erf that is to be transferred to the name of Erongo Red Electrical Distributors. The current zoning of Erf 4378, Mondesa, Ext. No. 3, Swakopmund, is Public Open Space.

#### 3. OWNERSHIP

According to the Certificates of Registered Title, T 7600/2016, ownership of 4738 Mondesa Ext No. 3 currently vests with the Municipality of Swakopmund (Annexure B).

Erf 4378 is currently zoned as Public Open Space but once the subdivision and closure of proposed Portion A is finalized the property will be rezoned to Parastatal in order to allocate the correct land use to the proposed Portion A.

#### 4. ACCESS TO THE PROPERTY

Access to the newly created property will be obtained from Tangeni Haitembu Street by means of a 5m with right of Way Servitude to be registered over the remainder of Erf 4378, Mondesa Ext No. 3 (Annexure C1). Due to the fact that the remainder is a Public Open Space with no form of development and vegetation the servitude can easily be accommodated as proposed.

# 5. TOPOGRAPHY & SOIL

The fact that the property has been occupied for many years by the substation, it is assumed that soil conditions are relative stable and suitable. All surrounding properties have also been developed and this provides clear evidence that the soil conditions are favourable for the intentions.

The soil consists mainly of fine dry sandy soil with scattered rocks ranging from 0.5 cm to 10cm in size. The property is relatively flat and there exist no natural features that would prohibit the proposed intentions to be approved.

## 6. INFRASTRUCTURE

Due to the nature of use as an electrical substation there will be no need for Municipal Services. Any additional requirements that might arise will be communicated to the relevant parties and dealt with accordingly.

# 7. MOTIVATION FOR INTENTION

The intentions to Subdivide Erf 4378, Mondesa, Ext. No. 3, Swakopmund, into Portion A and remainder (Annexure C1); the subsequent closure of proposed Portion A as a Public Open Space and the Rezoning of the proposed Portion A from Public Open Space (Annexure C2) to

Parastatal (Annexure C3), is seen as necessary in order to transfer the Substation to the name of Erongo Red Electrical distributors.

The Municipality of Swakopmund and Erongo Red entered into a transfer agreement that lists various substation to be transferred to Erongo Red, and as a result of this, many properties have to be subdivided and rezoned in order to allocate the substation and individual erf with the correct land use or zoning.

The long existing Electrical Substation that provides electricity to Mondesa Ext. No. 3 is seen as a necessity in terms of access to service provision. Initially the Municipality of Swakopmund was the Electrical Supplier for the town and the location was chosen by the Engineers of that time. Since the land is owned by the Municipality of Swakopmund and they were the suppliers of electricity there was no need for the creation of a separate Erf for the Substation. Now that the substation is in need of transfer to another entity, and as such it is needed to perform the necessary statutory procedures to create such erf for transfer to Erongo Red.

#### 8. ADVERTISEMENTS

Advertisements for the proposed Subdivision, Closure and Rezoning of Erf 4738, Mondesa, Ext No. 3, Swakopmund, was placed in the Republikein on the 29th of August and 5th of September 2024 and New Era on the 26th of September and 4th of October 2024 (Annexure D). Closing dates for objections was on the 18th of October 2024. Neighbouring properties have also been requested for their comments. Attached please find copies of letters to neighbours via email (Annexure E). Notice was also placed on the erf for public comments (Annexure F). Copy of advertisement placed in the in the Government Gazette (Annexure G).

# 9. RESPONSE FROM PUBLIC

Closing date for comment/objection to the proposed intentions were on the 18th of October 2024. By the closing of the objection period only NO comments/objections were received (Annexure H).

# 10. ENVIRONMENTAL CLEARANCE

In terms of the Environmental Management Act, it is needed to obtain Environmental Clearance for the Closure and Rezoning of a Public Open Space, or any portion of it. Such approval was obtained. The Certificate is not yet available but the Certificate Number (240319003098) can be used as a reference. See Annexure I.

# 11. CONCLUSION

It is our professional opinion that the statutory procedures are necessary in order to give effect to the transfer agreement, for existing Substations, between the Municipality of Swakopmund and Erongo Red Electrical Distributors.

As indicated previously in this document, the Municipality of Swakopmund used to be the electricity supplier hence all the infrastructure being installed and maintained by the Municipality over the years. With the coming into being of Erongo Red Electrical Distributors, all the Page 3 of 16

infrastructure was taken over by the new entity and the Municipally ceased to supply electricity.

As part of this transition there was need for asset management and the creation of individual properties to accommodate the substations. Numerous situations exist with the locations of these substations and many different avenues are explored and completed in order to give effect the transfer of these properties.

This specific substation, along with many others scattered throughout the town of Swakopmund, have been in existence for many years to the benefit of the community. All substations are a vital necessity in terms of electrical provision to the communities of the town and as such it is highly doubted that, if correctly administered, any member of the public or institution will have any reason not to support the intentions.

We are of the opinion that requirements have been met in terms of the Public Participation Process and that the site investigation and analysis have been done to the satisfaction of all parties involved.

It became clear from the site inspection and analysis that there exist very little negative impacts that would ultimately affect the natural environment due to the proposed intentions. The site is already highly disturbed and development of the Public Open Space is highly unlikely. There is, as a matter of fact, nothing of any significance worth protecting on the site.

## 12. APPLICATION

On behalf of our client/s, we herewith formally apply for:

- > SUBDIVISION OF ERF 4378, MONDESA EXT. NO. 3, SWAKOPMUND, INTO PORTION "A" AND REMAINDER;
- > PERMANENT CLOSURE OF PROPOSED PORTION "A" AS A PUBLIC OPEN SPACE;
- > SUBSEQUENT REZONING OF PROPOSED PORTION "A" FROM "PUBLIC OPEN SPACE" TO "PARASTATAL";
- > AND THE REGISTRATION OF A 5M RIGHT OF WAY SERVITUDE OVER THE REMAINDER IN FAVOUR OF PROPOSED PORTION A.

It is trusted that Council will find the above application for the Subdivision, Closure and Rezoning of Erf 4378, Mondesa, Extension No. 3, Swakopmund, in order.

-111

Yours Falthfully,

A R VAN DER WESTHUIZEN

Page 4 of 16

# LIST OF ANNEXURES

Annexure A:

**Locality Plan** 

Annexure B:

Certificate of Registered Title

Annexure C1:

Subdivision Plan

Annexure C2:

**Current Zoning** 

Annexure C3:

**Proposed Zoning** 

Annexure D:

Newspaper Notices

Annexure E:

17 71

Copies of Neighbours letters

Annexure F:

Site Notice

Annexure G:

Government Gazette Notice

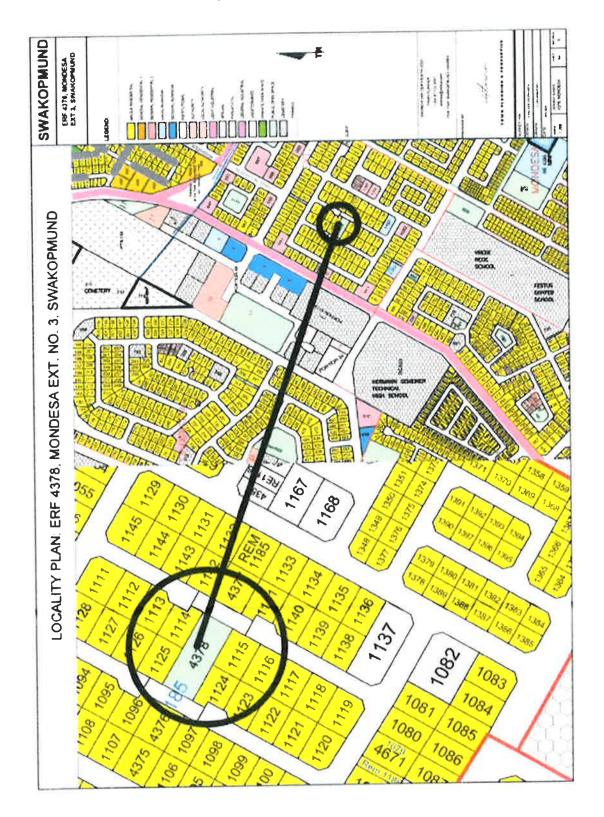
Annexure H:

Response from Public

Annexure 1:

**Environmental Clearance** 

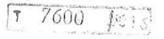
Ordinary Council Meeting - 03 June 2025



ANNEXURE B

Prepared by me CONVEYANCER THOMPSON ,E

ELMARIE THOMPSON INCORPORATED Attorneys Corvoyahoers Ausspannplatz WINDHOEK



CERTIFICATE OF REGISTERED TITLE (sequed under Section 43 of the Deeds Registries Act, 1937 (No. 47 of 1937)

WHEREAS MUNICIPAL COUNCIL OF SWAKOPMUND



has applied for the issue to it of a Certificate of Registered Title under Section 43 of the Deeds Registries Act, 1937, in respect of the undermentioned land, being portion of the land registered in its name by write of DEED OF TRANSFER NO T 1425/1990

2

H-ja

Page Two

NOW THEREFORE, in pursuance of the provisions of the said Act, i, the REGISTRAR OF DEEDS at WINDHOEK, do hereby certify that the said

MUNICIPAL COUNCIL OF SWAKOPMUND

its Succesors in Tille, Administrators or Assigns is the Registered Owner of

CERTAIN

ERF 4378, (PUBLIC OPEN SPACE) (A PORTION OF ERF 1186) MONDESA

**EXTENSION 3** 

SITUATE:

In the MUNICIPALITY OF SWAKOPMUND

REGISTRATION DIVISION "G", ERONGO REGION

MEASURING:

1501(ONE FIVE NIL ONE )Square metres as appear on General Plan No

S.G A 540/2014

HELDBY:

CERTIFICATE OF REGISTERED TITLE NO T 1425/1990

AND

2.CERTAIN:

ERF 4380, (STREET) (A PORTION OF ERF 1186) MONDESA EXTENSION 3

SITUATE:

In the MUNICIPALITY OF SWAKOPMUND

REGISTRATION DIVISION "G", ERONGO REGION

MEASURING:

540(FIVE FOUR NIL. )Square metres as appear on General Plan No.

HELD BY:

CERTIFICATE OF REGISTERED TITUE NO T 1425/1990

AND

LCERTAIN:

ERF 4379, (STREET) (A PORTION OF ERF 1185) MONDESA EXTENSION 3

SITUATE:

In the MUNICIPALITY OF SWAKOPMUND

REGISTRATION DIVISION 'G", ERONGO REGION

MEASURING:

540(FIVE FOUR ZERO )Square metres as appear on General Plan No

S.G.A 541/2014

HELD BY:

CERTIFICATE OF REGISTERED TITLE NO T 1425/1990

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Page Three

AND THAT by vidue of these presents the said

MUNICIPAL COUNCIL OF SWAKOPMUND

Its Succesors-in Title, Administrators or Assigns more is and hereforth shall be entitled thereto conformably to local custom, the State, however, reserving its rights.

Signed et-WINDHOEK on

2016 -12- 0 B

, and confirmed with my seal of office.

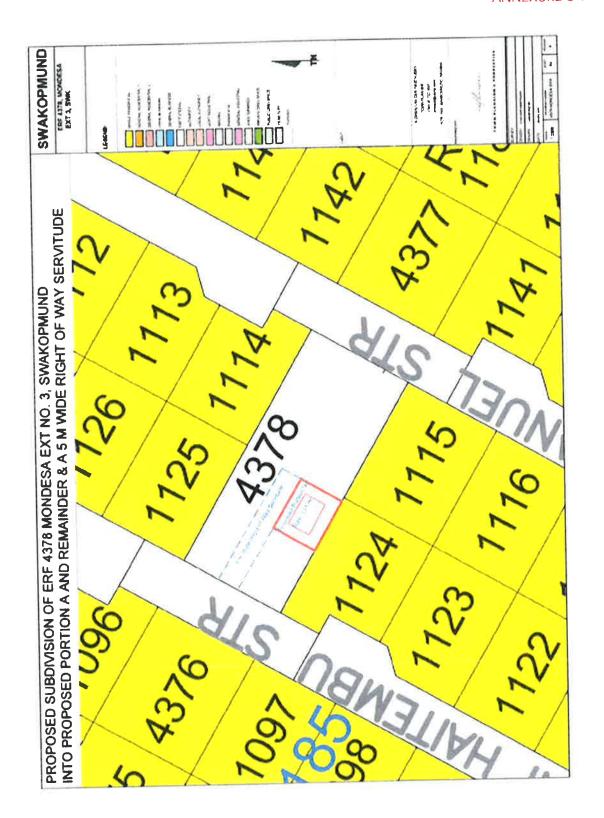
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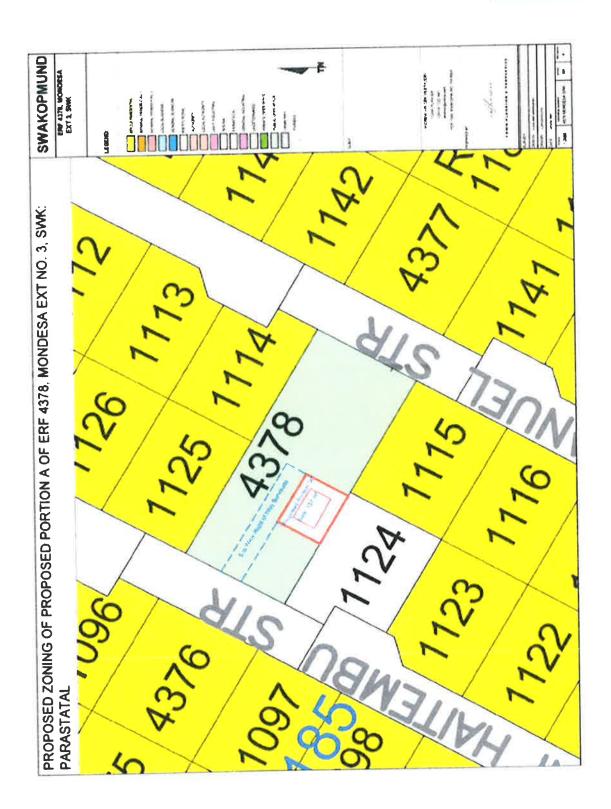
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# **ANNEXURE C-1**



# ANNEXURE C-2



# ANNEXURE D

THE EXPLOSIVE ASSESSMENT AND ASSESSMENT ASSE



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First date of publication: 21 August 2024

# TENDER NO: DBMNE0447 PROVISION OF WELLNESS SERVICES: ON-SITE **NURSING SERVICES**

#### DESCRIPTION:

Debmarine Namibia is seeking an experienced business entity to provide on-site nursing services.

### SCOPE OF SERVICE:

The scope of the tender without limitation includes the provision of on-site nursing services at the Debmarine Namibia registered clinics in Oranjemund (for Debmarine Namibia sea going employees) and in Windhoek (for Debmarine Namible officed based employees). The service provider will also be required to visit the Debmarine Namibia Lüderitz depot at the Port of Lüderitz (Namport), to deliver on-site nursing services for Debmarine Namibia employees Ludentz based employees, on the scope of services.

# CLOSING DATE: 20 September 2024 at 12H00, by electronic submission

Registered businesses interested in providing such services are requested to obtain a tender document with reference number DBMNE0447 PROVISION OF ON-SITE NURSING SERVICES

# REQUEST FOR ELECTRONIC TENDER DOCUMENT:

lender documents should be requested by the above date and time.

Email Address: Tenders@debmarine.com

Subject line: DBMNE0447 PROVISION OF ONSITE NURSING SERVICES

# ENQUIRIES:

The Procurement Officer

Tel: +264 61 297 8481

Email: TenderEnquiries@debmarine.com Subject line: DBMNEO447 PROVISION OF ONSITE NURSING SERVICES

Debruarine Namibia shall not be responsible for any costs incurred in the preparation and submission of a response to this tender and furthermore reserves the right not to extend this tender into any future tenders, negotiations and or engagements. negotiations and or engagements.

Debmarine Namibia shall not accept submissions rendered after the closing date and time.

DEBMARINE



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will have to deal with the sest of the season without their key player, Rodrigo

# Rodri 'irreplaceable' but **Guardiola confident Man** City will still compete

ANCHESTER CITY manager Pep Guardiola sold he had the responsibility to find a way of coping without key midfielder Rodrigo Herninder Cascante, known as Rodra, who could miss the rest of the season due to

A serious knee injury
The Spaniard Imped off during City's 2-2 draw
against Assenal in the Premier League on Sunday
with a suspected anterior cruciate ligament teat in

with a suspected anterior cruciate (agament ear in bir right list). Out for a long time, a while. There are some opinions that it will be less than we expect, but unfortunately, he was injured, and right nonverier waiting for the final phone calls from him and the doctest to know exactly what he has, and the type of surgecy he has to get," Goardsola said after City's 2-1 win over Watford in the Lengue Cupon Turstaly Guardiola accepted the absence is a huge blose.

but believes a City side that have won a record four consecutive Permier League titles can remain competitive. We will have a good season; I trust a lot in my players. I have the duty to find a solution, he added. Rodriss itteplaceable. When a term doesn't play with the best midfielder in the world for a long, long time, of course it is a big blow, but my duty is to find a solution so that we remain competitive as we have been far many years.

"When one player is it replaceable, you have to do it as a team, and this is going to happen."
Roder has been touted as a peternial Ballon of Orwinner this year after his influential role in City's record fourth consecutive Premier League title, and Spain's soccess of Funs 2024.

The former Aletico Madrid player has lost post one of his last \$1 goines for club and country.

Supersport com

# Milan won't host 2027 men's Champions League final

THE 2027 men's Champsons League final will not be played in Milio aimid uncertainties over the future of the Sim Siro studium, European (cotholl) governing body, the Union of Funopean Football Associations (Ucfa) and this week. "As the Munteipality of



Milano could not guaranter that the San Siro stadium and its successfulings would not be affected by refurbishment works in the period of the 2027 Defa Champions League final, it was decided not to assign the final to Milan." Uefa said in a

Uefeadded it was reopening The bidding process to appoint a unitable venue, with a decision expected in May/line 2025.

The 2026 first will be held in Biddapest. Biddapest and Milan vericities only candidates for the 2026 and 1027 finals. Successful com.

2027 finals. - Supersport com

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TOWN PLANNING & PROPERTIES

Your Ref: Erf 4378, Mondesa, SWK

ERF 1114, MONDESA EXT. NO. 3 A GASES PO BOX 2117 RUNDU NAMIBIA 19001

29 August 2024

Dear Sir/Madam,

NOTICE OF INTENTION IN TERMS OF THE URBAN AND REGIONAL PLANNING ACT OF 2018 (ACT 5 OF 2018): SUBDIVISION OF ERF 4378, MONDESA EXT. NO. 3, SWAKOPMUND, INTO PORTION "A" AND REMAINDER; PERMANENT CLOSURE OF PROPOSED PORTION "A" AS A PUBLIC OPEN SPACE; AND SUBSEQUENT REZONING OF PROPOSED PORTION "A" FROM "PUBLIC OPEN SPACE" TO "PARASTATAL" AND REGISTRATION OF A 5M RIGHT OF WAY SERVITUDE OVER THE REMAINDER IN FAVOUR OF PROPOSED PORTION A.

Please take note that Van Der Westhuizen Town Planning and Properties CC, on behalf of our client/s, intends to apply to the Swakopmund Municipal Council for the Subdivision Erf 4378, Mondesa Ext. No. 3, Swakopmund into Portion A and Remainder; Permanent Closure of Proposed Portion A as Public Open Space; and subsequent Rezoning of proposed Portion "A" from "Public Open Space" to "Parastatal" and registration of a 5m wide Right of Way Servitude over the Remainder/ Erf 4378 in favour of proposed Portion A.

Erf 4378, Mondesa, Ext. No. 3, Swakopmund currently measures 1 501m² in extent and is located between Steven Immanuel Street and Tangeni Haitembu Street in Mondesa Ext. No. 3. Proposed Portion A will be approximately 137m² in extent. The intended Subdivision, Closure and Rezoning is necessary to accommodate the existing Electrical Substation. Access to proposed Portion A is to be gained via the proposed 5m wide Right of Way Servitude to be registered.

In terms of the Urban and Regional Planning Act of 2018 it is thus required to apply to both the Swakopmund Municipal Council and the Ministry of Urban and Rural Development for approval of such intentions.

Please further take note that -

- (a) the plan of the erf can be inspected at the Public Notice Board of the Swakopmund Municipality located on the Corner of Rakotoka Street & Daniel Kamho Avenue.
- (b) any person having objections to the proposed rezoning or who wants to comment thereon, may lodge such objections and comments, together with the grounds thereof, in writing to the

# **184**Ordinary Council Meeting - 03 June 2025

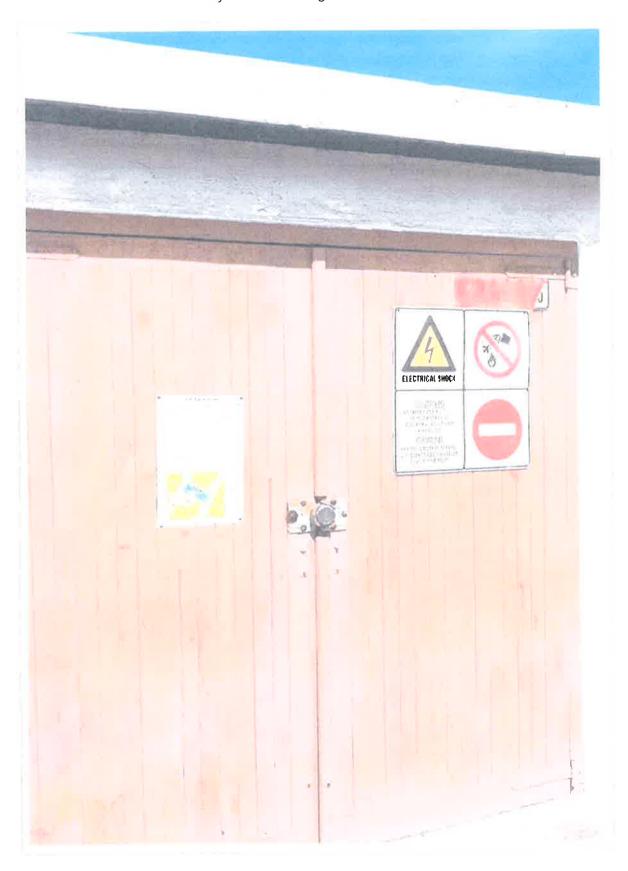
Municipality of Swakopmund and the applicant within 14 days of the last publication of this notice.

Please be advised that the written objection must be forwarded within the prescribed time as required by the Urban and Regional Planning Act of 2018. Such written objection or comment must therefore be submitted by no later than 17:00 on 19 September 2024.

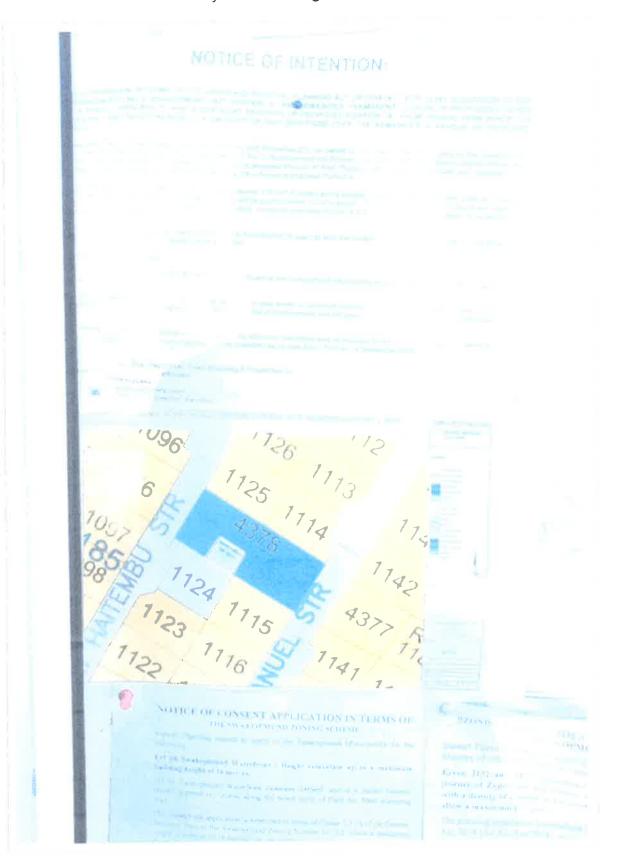
Yours Faithfully,

AR VAN DER WESTHUIZEN

**185** Ordinary Council Meeting - 03 June 2025



**186** Ordinary Council Meeting - 03 June 2025





# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

N\$8.00	WINDHOEK - 13 September 2024 No.	. 8438
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	Notification of approval of amendment of Ondangwa Zoning Scheme: Urban and Regional Planning Act, 2018	2
No. 260	Amendment of Government Notice No. 230 of 1 October 2015: Establishment of Diure-Daman Community Court and appointment of assessors and justices: Community Courts Act, 2003.	3
No. 261	Amendment of Government Notice No. 111 of 20 May 2009: Recognition of Otjikaoko Customary Court as a community court and appointment of assessors and justices: Community Courts Act, 2003	ò
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No.,516	Amendment and consolidation of Erven 125 and 126, Tsandi Proper	•
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	Subdivision of Eaf 1016, Cimbebasia and rezoning of Portion A (a portion of Erf 1016), Cimbebasia	
No. 519	A CONTROL OF THE PART PARTY PA	
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No. 521	The same of the Properties I Suplemental	
No: 522	And and the material Extension L	
No. 523	Com 20 Wohis Day	
No. 524	4 Rezening of Erf 2326, Kuisebmond Proper	
No. 525		
	6 Rezoning of Erf 3117, Pasteur Street, Windbock	
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Government Gazette 13 September 2024

- Subdivision Erf 504, Tamariskis Extension 1, Swakopmund into Portion A and Remainder;
- Permanent closure of proposed Portion A as public open space; and
- Subsequent rezoning of proposed Portion A of Erf 504, Tamariskia Extension 1, Swakopmund from "public open space" to "parastatal".

Erf 504, Tamariskia Extension 1, Swakopmund currently measures 1579m² in extent and is located directly north of the crossing of Franziska van Neel Street and Vrede Rede Avenue in Tamariskia. Proposed Portion A will be approximately 144m² in extent. The intended Subdivision, closure and rezoning is necessary to accommodate the existing Electrical Substation.

In terms of the Urban and Regional Planning Act, 2018 it is thus required to apply to both the Swakopmund Municipal Council and the Ministry of Urban and Rural Development for approval of such intentions.

#### Take note that -

8438

- (a) the plan of the erf can be inspected at the Public Notice Board of the Swakopmund Municipality located on the corner of Rakotoka Street and Daniel Kamho Avenue.
- (b) any person having objections to the proposed rezoning or who wants to comment thereon, may lodge such objections and comments, together with the grounds thereof, in writing to the Swakopmund Municipality and the applicant within 14 days of the last publication of this notice.

The written objection must be forwarded within the prescribed time as required by the Urban and Regional Planning Act, 2018. Such written objection or comment must therefore be submitted by not later than 17800 on 1 October 2024.

Applicant:

Van Der Westhuizen Town Planning & Properties CC

P.O. Box 1598, Swakopmund, Namibia Contact Person: A. van der Westhutzen

Cell: 0811224661

Email: andrew@vdwtp.com

No. 521

2024

#### SUBDIVISION OF ERF 4378, MONDESA EXTENSION 3, SWAKOPMUND

In terms of the Urban and Regional Planning Act, 2018, Van Der Westhutzen Town Planning and Properties CC, on behalf of the registered owner of Erf 4378, Mondesa Extension 3, Swakopmund, intends to apply to the Swakopmund Municipal Council and intends on applying to the Urban and Regional Planning Board (URPB) for the following:

- Subdivision of Erf 4378, Mondess Extension 3, Swakopmund, into Portion "A" and Remainder;
- Permanent closure of proposed Portion A as public open space;
- Subsequent rezoning of proposed Portion "A" from "public open space" to "parastatal";
   and
- Registration of a 5m right of way servitude over the remainder in favour of proposed Portion A.

Erf 4378, Mondesa Extension 3, Swakopmund currently measures 1 501m<sup>3</sup> in extent and is located between Steven Immanuel and Tangeni Haitembu Streets in Mondesa Extension 3. Proposed Portion A will be approximately 137m<sup>3</sup> in extent. The intended subdivision, closure and rezoning is necessary

Government Gazette 13 September 2024

8438

to accommodate the existing Electrical Substation. Access to proposed Portion A is to be gained via the proposed 5m wide Right of Way Servitude to be registered.

In terms of the Urban and Regional Planning Act, 2018 it is thus required to apply to both the Swakopmund Municipal Council and the Ministry of Urban and Rural Development for approval of such intentions.

#### Take note that -

- (a) the plan of the erf can be inspected at the Public Notice Board of the Swakopmund Municipality located on the corner of Rakotoka Street and Daniel Kamho Avenue.
- (b) any person having objections to the proposed rezoning or who wants to comment thereon, may lodge such objections and comments, together with the grounds thereof, in writing to the Swakopmund Municipality and the applicant within 14 days of the last publication of this notice.

The written objection must be forwarded within the prescribed time as required by the Urban and Regional Planning Act, 2018. Such written objection or comment must therefore be submitted by no later than 17h00 on 1 October 2024.

Applicant:

Van Der Westhulzen Town Planning & Properties ec

P. O. Box 1598, Swakopmund, Namibia

Contact Person: A. van der Westhuizen, Cell:0811224661

Email: andrew@vdwtp.com

No. 522

2024

#### SUBDIVISION OF ERVEN 578, 606, 626 AND 637, PROSPERITA EXTENSION I

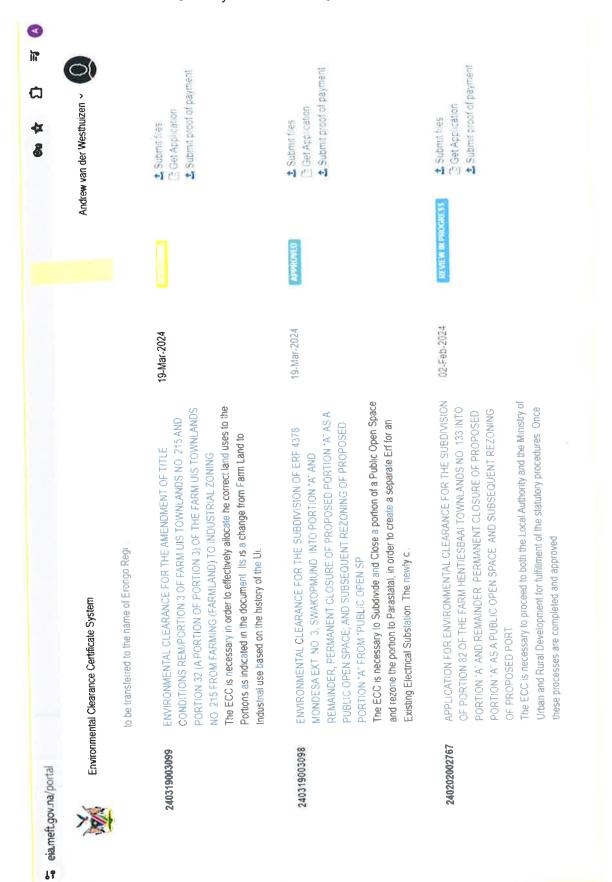
Plan Africa Consulting CC, Town and Regional Planners, on behalf of the owners of the respective erf, intends to apply to City of Windhoek for:

- Subdivision of Erven 578, 606, 626 and 637, Prosperita Extension 1 into Portions A, B, C, D and Remainders, for the establishment of substations; and
- Rezoning of Portions A of Erf 578, B of Erf 606, C of Erf 626 and D of Erf 637, Prosperita Extension 1 from "industrial" to "municipal".

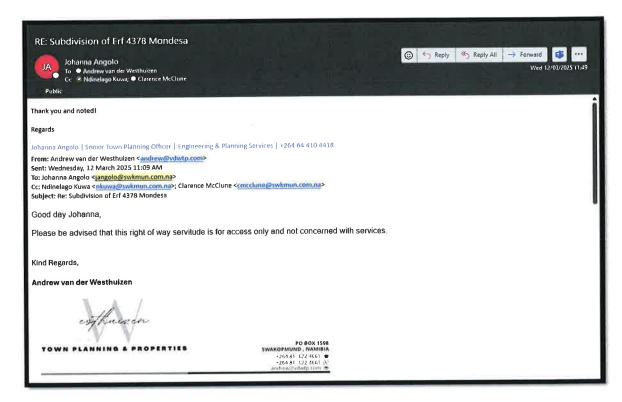
Erf 578 is 1076m<sup>2</sup>, Erf 606 is 527m<sup>2</sup>, Erf 626 is 529m<sup>2</sup> and Erf 637 is 514m<sup>2</sup> in extent, the erven are subdivided into Portions A to D being 18m<sup>2</sup> in size. All erven are zoned industrial. The owner of the respective erven intends to construct substations on the following Erven 578, 606, 626 and 637. The primary purpose of substations is for the generation of electricity.

The locality plan of the erf lies for inspection on the Town Planning Notice Board at City of Windhoek and at Plan Africa Consulting CC, No. 8 Delius Street, Windhoek West.

Any person objecting to the proposed use of the land as set out above may lodge such objection together with the grounds thereof, with City of Windhoek and with the applicant (Plan Africa Consulting CC) in writing within 14 days of the last publication of this notice (final date for objections is 3 October 2024).



**191** Ordinary Council Meeting - 03 June 2025



# 11.1.9 SUBDIVISION OF PORTION 111 OF FARM 163 SWAKOPMUND INTO PORTIONS A, B AND REMAINDER

(C/M 2025/06/03 - PORTION 111 OF FARM 163)

Ordinary Management Committee Meeting of 15 May 2025, Addendum 8.4 page 88 refers.

### A. This item was submitted to the Management Committee for consideration:

#### 1. Purpose

The purpose of this submission is for Council to consider an application to subdivide Portion 111 of Farm 163 Swakopmund into Portions A, B and Remainder in terms of Section 105 (1) (e) (ii) of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018).

#### 2. Introduction and Background

An application to subdivide Portion 111 of Farm 163 Swakopmund into Portions A, B and Remainder was received by the Engineering and Planning Services from Namplan Planning Consultants, applying on behalf of the registered owners, Mr. John Stephanus Lofty-Eaton and Hanlie Lofty-Eaton. The application is attached as **Annexure A.** 

#### 3. Ownership

Ownership of Portion 111 of Farm 163 Swakopmund is held in the Deed of Transfer T 6462/2021 and vests in Mr. John Stephanus Lofty-Eaton and Hanlie Lofty-Eaton where each owns half share of the property. Proof of ownership has been attached together with the application.

#### 4. Zoning, Locality and Size

Portion 111 of Farm 163 Swakopmund is zoned "agriculture" as indicated in Figure 1 below. The portion is situated within the Smallholdings, also well known as Swakop River Plots, alongside the B2 Road to Windhoek. It measures 12 0610 hectares in extent. There are three dwellings, staff quarters and associated buildings on the premises.

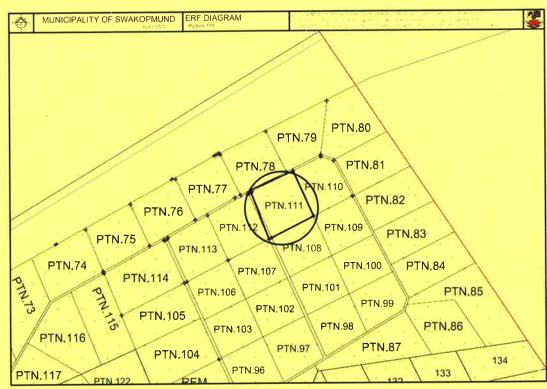


Figure 1: Portion 111, Smallholdings locality and zoning map

## 5. Access and municipal services

Access to Portion 111, Smallholdings is obtained via an unnamed 14 metre road that runs along the western and northern borders of the property. The same access would be maintained for the newly created portions, Portions A and B.

The property is already connected to the existing municipal service networks, in terms of water, and the existing municipal services will be maintained. Sewer is dealt with by means of septic tank system as is the norm in the area. Any further extension or upgrading of services due to this subdivision, should be done to the satisfaction of the General Manager: Engineering and Planning Services, at the cost of the applicant (landowner).

#### 6. Public Consultation

In terms of the Urban and Regional Planning Regulations Section 10 (4) for subdivision, only the affected neighbouring property owners must be notified. No publication of notices in newspapers and the government gazette is required. The four (4) abutting property owners were consulted via registered mail.

The closing date for objections/comments was Monday, 28<sup>th</sup> of October 2024. No objections were received.

#### 7. **Proposal**

The owners intend to subdivide Portion 111 into Portions A, B and Remainder in order to donate the two smaller portions to their sons. The table below illustrates the subdivision proposal:

Erf Number	Size in hectares	Zoning
Portion A	3 На	Agriculture
Portion B	3 На	Agriculture
Remainder PTN 111	6,010 Ha	Agriculture
Total	12, 010 Ha	

#### 8. Evaluation

The portion currently has three dwelling units built on it. These houses were constructed in line with approved building plans, dated 4 November 2021, 13 June 2023 and 18 June 2024, respectively. In terms of the Swakopmund Structure Plan 2020-2040, Portion 111 falls within the zone D, which is for Agricultures Estate of minimum 10 Ha in extent.



Figure 2: Zone D- Agriculture Estate (10Ha)

#### 8.1 Swakopmund Structure Plan 2020-2040

In terms of Section 7.1.2 (b) of the Swakopmund Structure Plan 2020-2040, the agricultural estates zone D, is to form part of the agricultural dominated land use area which forms part of the peripheral greenbelt to be preserved along the peripheral areas of the Swakopmund Townlands. Due to the rocky and infertile topsoil conditions as well as the undulating topography found within this area, as well as the remoteness of the zone from the urban area, the area is to be reserved for agricultural uses such as animal husbandry, feedlots, hydroponic and ornamental gardens or then any agricultural activity requiring larger land parcels. As such the smallholdings within this area should not be smaller than 10 hectares. Strict restrictions should be put in place to restrict owners of these plots to further subdivide any smallholdings if the minimum site requirements cannot be met. However, exemptions can be made for plots that accommodate two or more existing residential structures which were constructed with approved building plans prior to the adoption of this Structure Plan who wish to subdivide.

The building plans for the second residential structure on this portion was approved in June 2023, whilst the third in June 2024. The Swakopmund Structure Plan 2020-2040 was adopted in December 2020, that implies that the construction of two or more existing residential dwellings on Portion 111was done three years after the adoption of the Structure Plan. Therefore, the exemptions is not applicable in this case.

#### 9. Conclusion

#### Ordinary Council Meeting - 03 June 2025

The proposed subdivision of Portion 111, (a portion of Portion 71) of Farm 163 into Portions A, B, and Remainder is not in line with the Swakopmund Structure Plan 2020-2040, therefore, it cannot be supported.

#### B. After the matter was considered, the following was:-

#### **RECOMMENDED:**

- (a) That the subdivision of Portion 111 (a portion of Portion 71) of Farm 163, into Portions A, B, and Remainder, be turned down as it is not in line with the Swakopmund Structure Plan 2020-2040
- (b) That the applicant be informed of this decision and their rights that they may appeal the Council decision to the Minister of Urban and Rural Development with valid reasons within twenty-one (21) days from the date of the decision in accordance with Regulations 18 of the Urban and Regional Planning Act,

#### **ANNEXURE A - APPLICATION**

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P.O. BOX 467 SWAKOPMUND

TEL: 0812444441

EMAIL: NAMPLAN@NAMPLAN.AFRICA

Chief Executive Officer
Municipality of Swakopmund
P.O. Box 53
SWAKOPMUND
Namibia
13001



22 January 2026

Attention: Manager: Town Planning

Dear Sirs.

SUBDIVISION OF PORTION 111 (A PORTION OF PORTION 71) OF THE FARM 163 SWAKOPMUND, INTO PROPOSED PORTIONS "A", "B" AND THE REMAINDER

Namplan Town Planning Consultants and Projects cc has been appointed by the owners Mrs Hantie Lofty-Eaton and Mr John Stephanus Lofty-Eaton, of Portion 111 (a portion of portion 71) of the Farm 163, Swakopmund (Annexure C) to undertake all necessary statutory steps for the:

 SUBDIVISION OF PORTION 111 (A PORTION OF PORTION 71) OF THE FARM 163 SWAKOPMUND, INTO PROPOSED PORTIONS "A", "B" AND THE REMAINDER

#### 1. LOCALITY AND BACKGROUND

Plot 111 is located east of Swakopmund town in the area known as the Swakopmund River plots (Annexure A). The plot is zoned "Agricultural" and currently accommodates 3 dwellings, staff quarters, with its associated buildings on it. Erf Plot 111 measures approximately 12 0610Ha in extent in terms of the Deed of Transfer.

#### 2. INTENTION OF THE CLIENT AND THE PROPOSED SUBDIVISION

It is the intention of the owners to subdivide Portion 111 (a portion of portion 71) of the Farm 163, Swakopmund into Portion "A", "B" and Remainder (Annexure B). Portion 111 belongs to Mrs Hanlie Lofty-Eaton and Mr John Stephanus Lofty-Eaton. Our clients would like to subdivide Portion 111 into 3 portions and there after donate the 2 smaller portions to their sons. Portion "A" and "B" would both be 3 hectares in size with the Remainder of the plot being 6,061Ha in size.



According to the Deed of Registered Title (Annexure D) the property being subdivided measures approximately 12 0610Ha in extent and is very suitable for the intended subdivision due the current size of Portion 111.

The proposed subdivision and new plot sizes will be as follows:

Proposed Portions	Portion Sizes
Proposed Portion A	3 Ha
Proposed Portion B	3 Ha
Remainder of Portion 111	6, 0610 Ha
Total	12, 0610 Ha

#### 3. ACCESS AND SERVICES

Portions "A" and "B" will be connected to the existing internal road network and connected to the existing Municipal services network within Swakopmund. Any further needs that might be required in terms of access and services shall be communicated between all parties involved and be dealt with accordingly.

#### 4. PUBLIC PARTICIPATION

Neighbouring property owners have been requested for their comments/objections on the proposed subdivision. No objections from surrounding property owners were received by the closing time for objections. Attached please find copies of letters to neighbours via registered post (Annexure G). Site notices were also placed on the erven for public comments (Annexure H). Closing date for comments or objections to the proposed subdivision was on 28 October 2024.

# 5. CONDITIONS TO BE REGISTERED AGAINST NEWLY CREATED ERVEN - IN FAVOUR OF THE LOCAL AUTHORITY

- 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 Swakopmund Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018).
- The building 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

#### 6. CONCLUSION

With reference to the above, there exist no reasons that are of such nature that the intention of the client cannot be supported. The fact that no property owners commented on the proposed subdivision is a clear indication that the general public supports the application. It is herewith that Council is requested to grant its approval for the intentions of our client.

#### 7. APPLICATION

On behalf of our client/s, we herewith formally apply for the:

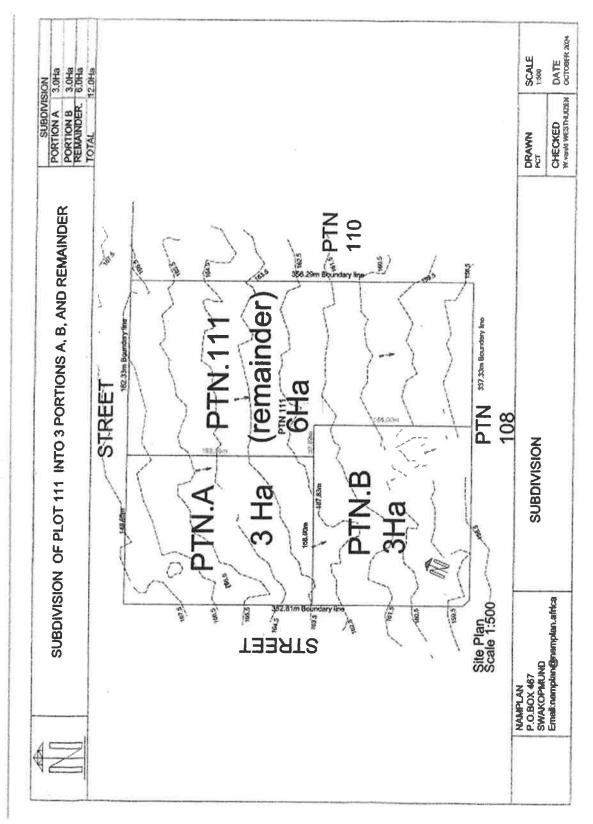
SUBDIVISION OF PORTION 111 (A PORTION OF PORTION 71) OF THE FARM 183 SWAKOPMUND, INTO PROPOSED PORTIONS "A", "B" AND THE REMAINDER

It is trusted that you find the above application in order and should any uncertainties arise, please do not hesitate to contact us at the details provided.

Yours Faithfully,

W I van der Westhuizen





# SPECIAL POWER OF ATTORNEY AMBLE AREVENU

We, the undersigned,

HANLIE LOFTY-EATON (I.D NO. 66091800086)

AND

JOHN STEPHANUS LOFTY-EATON (I.D NO. 63072000670)

In our capacity as:

1/4 (ONE HALF) SHARE HOLDER EACH AND THE REGISTERED OWNERS OF PLOT 111 (A PORTION OF PORTION 71) OF THE FARM NO 163

Do hereby nominate, constitute and appoint,

NAMPLAN TOWN PLANNING CONSULTANTS AND PROJECTS CC, P.O. BOX 467, SWAKOPMUND, NAMIBIA

with the power of Substitution, to be our lawful Attorney and Agent in our name, place and stead, to make the necessary applications to the Swakopmund Town Council and/or the Urban and Regional Planning Board and/or Surveyor General and or Register of Deeds or any other authority, for the:

SUBDIVISION OF PLOT 111 (A PORTION OF PORTION 71) OF THE FARM NO 163 INTO PROPOSED PORTIONS "A", "B" AND THE REMAINDER

at the cost of the applicant and generally for effecting the purposes aforesaid, to do or to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes as we might or could do if personally present and acting herein — herby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever our said Attorney and Agent shall lawfully do or cause to be done, by virtue of these present.

HANLIE LOFTY-EATON

STEPHANUS LOFTY-EATON

WITNESSES:

VAME EMOISON CLOSTE

JOETE NAMEKEHOLE JOHANNES

SIGNATURE: UNIX

CICNATURE

2 2 SEP 2021

13 SEP 2021

## DEED OF TRANSFER NO 6462 /2021

JOERN SCHNOOR AND ISABELL GABRIELE SCHNOOR

AND

PAUL KISSACK CASHIN AND JENNIFER CLARE CASHIN

TO

HANLIE LOFTY - EATON Identity Number 660918 0008 6 Married out of community of property

% (One Half) Share : PORTION 111 ( A PORTION OF PORTION 71) OF THE FARM NO 163

(BG/ms)

DR. WEDER, KAUTA & HOVEKA INC. LEGAL PRACTITIONERS, NOTARIES and CONVEYANCERS 3rd Floor, WKH House, Jan Jonker Road, Ausspannplatz

P.O. Box 864 - Tel: 061-275556 - Fex: 238802 WINDHOEK, Namibia

Prepared by me



CONVEYANCER GREYVENSTEIN B

#### **DEED OF TRANSFER**

BE IT HEREBY MADE KNOWN THAT:

6462 2021

## LIANA THERESA VAN DEN BERG

appeared before me, the REGISTRAR OF DEEDS at WINDHOEK, the said Appearer being duly authorised thereto by a Power of Attorney granted to him / her by

- JOERN SCHNOOR
   Identity Number 691228 0003 4
   Married to ISABELL GABRIELE SCHNOOR, which marriage is governed by the laws of THE ISLE OF MAN
- 2. ISABELL GABRIELE SCHNOOR
  Identity Number 760728 1033 0
  Married to JOERN SCHNOOR, which marriage is governed by the laws of
  THE ISLE OF MAN
- 3. PAUL KISSACK CASHIN
  BORN ON 20 MAY 1961
  Married to JENNIFER CLARE CASHIN, which marriage is governed by the laws of THE ISLE OF MAN
- 4. JENNIFER CLARE CASHIN
  BORN ON 20 FEBRUARY 1966
  Married to JENNIFER CLARE CASHIN, which marriage is governed by the laws of THE ISLE OF MAN

dated the 10th day of August 2021 and signed at Windhoek. AND dated the  $22^{nd}$  day of July 2021 and signed at Douglas, Isle of Man, British Isles

1 - 5 m, 1

-2-

And the said Appearer declared that his / her said Principal had truly and lawfully sold on 16th of June 2021.

And that he / she, in his/ her capacity aforesaid, did, by these presents, cede and transfer, in full and free property, to and on behalf of:

HANLIE LOFTY - EATON Identity Number 660918 0008 6 Married out of community of property

**CERTAIN:** 

Her Heirs, Executors, Administrators or Assigns,

1/2 (One Haif) Share in and to

PORTION 111( A PORTION OF PORTION 71) OF THE

**FARM 163** 

SITUATE: IN THE MUNICIPALITY OF SWAKOPMUND

**REGISTRATION DIVISION "G"** 

**ERONGO REGION** 

MEASURING: 12,0610 (ONE TWO COMMA NIL SIX ONE NIL )

**HECTARES** 

FIRST TRANSFERRED AND STILL HELD BY DEED OF TRANSFER

NO.T.2742/2008 WITH GENERAL PLAN NO. S.G. NO. 444/2000 RELATING THERETO

SUBJECT to the following conditions imposed in terms of the Urban

and Regional Planning Act 2018 (Act 5 of 2018) (see

BC22/2007), namely:-

#### IN FAVOUR OF THE LOCAL AUTHORITY

- The erf must 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 Swakopmund Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018 (Act No 5 of 2018).
- The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least four times the prevailing valuation of the erf.



-3

WHEREFORE the appearer, renouncing all the rights and title which the TRANSFEROR heretofore had to the premises did, in consequence also acknowledge the said TRANSFEROR to be entirely dispossessed of, and disentitled to the same and that by virtue of these presents, the said TRANSFEREE, his Heirs, Executors, Administrators, or Assigns, now is and henceforth shall be entitled thereto conformably to local custom, the State, however reserving its rights; and finally acknowledging that the purchase price is the sum of N\$700 000.00 (SEVEN HUNDRED THOUSAND NAMIBIA DOLLARS).

SIGNED, EXECUTED AND SEALED at WINDHOEK on

2021 -09- 3 0

Together with the appearer, and confirmed with my seal office

SIGNATURE OF APPEARER

REGISTRAR OF DEEDS

1

2 2 SEP 2021

13 SEP 2021

DEED OF TRANSFER NO

T 6463 / 2021

JOERN SCHNOOR AND ISABELL GABRIELE SCHNOOR

AND

PAUL KISSACK CASHIN AND JENNIFER CLARE CASHIN

TO

JOHN STEPHANUS LOFTY - EATON Identity Number 630720 0067 0 Married out of community of property

% (One Half) Share : PORTION 111 ( A PORTION OF PORTION 71) OF THE FARM NO 163

(BG/ms)

DR. WEDER, KAUTA & HOVEKA INC. LEGAL PRACTITIONERS, NOTARIES and CONVEYANCERS 3rd Floor, WKH House, Jan Jonker Road, Ausspannplatz

P.O. Box 884 - Tel: 061-275550 - Fax: 238802 WINDHOEK, Namibia

Prepared by me





#### **DEED OF TRANSFER**

BE IT HEREBY MADE KNOWN THAT

6463

2021

LIAMA CHERESA VAN DEN BERG

appeared before me, the REGISTRAR OF DEEDS at WINDHOEK, the said Appearer being duly authorised thereto by a Power of Attorney granted to him / her by:

- JOERN SCHNOOR
   Identity Number 691228 0003 4
   Married to ISABELL GABRIELE SCHNOOR, which marriage is governed by the laws of THE ISLE OF MAN
- 2. ISABELL GABRIELE SCHNOOR
  Identity Number 760728 1033 0
  Married to JOERN SCHNOOR, which marriage is governed by the laws of THE ISLE OF MAN
- 3. PAUL KISSACK CASHIN
  BORN ON 20 MAY 1961
  Married to JENNIFER CLARE CASHIN, which marriage is governed by the laws of THE ISLE OF MAN
- JENNIFER CLARE CASHIN BORN ON 20 FEBRUARY 1966 Married to JENNIFER CLARE CASHIN, which marriage is governed by the laws of THE ISLE OF MAN

dated the 10th day of August 2021 and signed at Windhoek AND dated the 22<sup>nd</sup> day of July 2021 and signed at Douglas, Isle of Man , British Isles

- 1 / M

-2-

And the said Appearer declared that his / her said Principal had truly and lawfully sold on 15th of June 2021.

And that he / she, in his/ her capacity aforesaid, did, by these presents, cede and transfer, in full and free property, to and on behalf of:

JOHN STEPHANUS LOFTY - EATON Identity Number 630720 0067 0 Married out of community of property

His Heirs, Executors, Administrators or Assigns,

CERTAIN:

1/2 (One Half) Share in and to

PORTION 111( A PORTION OF PORTION 71) OF THE

**FARM 163** 

SITUATE:

IN THE MUNICIPALITY OF SWAKOPMUND

REGISTRATION DIVISION "G"

**ERONGO REGION** 

MEASURING:

12,0610 (ONE TWO COMMA NIL SIX ONE NIL )

HECTARES

FIRST TRANSFERRED

AND STILL HELD BY DEED OF TRANSFER NO.T.2742/2008 WITH GENERAL PLAN NO.

S.G. NO. 444/2000 RELATING THERETO

SUBJECT

to the following conditions imposed in terms of the Urban

and Regional Planning Act 2018 (Act 5 of 2018) (see

BC22/2007), namely:-

#### IN FAVOUR OF THE LOCAL AUTHORITY

- The erf must 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 Swakopmund Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018 (Act No 5 of 2018).
- 2. The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least four times the prevailing valuation of the erf.

٦.

WHEREFORE the appearer, renouncing all the rights and title which the TRANSFEROR heretofore had to the premises did, in consequence also acknowledge the said TRANSFEROR to be entirely dispossessed of, and disentitled to the same and that by virtue of these presents, the said TRANSFEREE, his Heirs, Executors Administrators, or Assigns, now is and henceforth shall be entitled thereto conformably to local custom, the State, however reserving its rights; and finally acknowledging that the purchase price is the sum of N\$700 000.00 (SEVEN HUNDRED THOUSAND NAMIBIA DOLLARS).

SIGNED EXECUTED AND SEALED at WINDHOEK on

2021 -09- 3 0

Together with the appearer, and confirmed with my seal office

SIGNATURE OF APPEARER

REGISTRAR OF DEEDS

Ordinary Council Meeting - 03 June 2025



## LIST OF REGISTERED ITEMS POSTED



NAMELIN BUN RIMMAR CONSUMITS & PROJECTS Sender's Registration Addressee's name and address reference no. I WERMANN (ROT 78) P.O.BOX 4717 SWK, NAM M KLINER (ROT 107) M KLINEA P.O. GOX 885 WAKGMAND, NAM TUAN ROOYEN (PLOTIUS) P.O. BOX 2469 WK, MAM R CONRIDGE (PLOT 112) P.O. BOX 1831 Blymmaken, SA, 0184 Patto part 28054 Date-stamp Received by Yumber of items. No compensation will be considered unless enquiry regarding this postal article is made within one year after the date of poeting. 21/185

Ordinary Council Meeting - 03 June 2025





# 11.1.10 APPLICATION FOR THE REZONING OF ERF 931, VINETA EXTENSION 4 FROM GENERAL RESIDENTIAL 2 WITH A DENSITY OF 1:250 TO GENERAL RESIDENTIAL 1 WITH A DENSITY OF 1:250

(C/M 2025/06/03 - **V 931**)

Ordinary Management Committee Meeting of 15 May 2025, Addendum 8.6 page 148 refers.

#### A. This item was submitted to the Management Committee for consideration:

#### 1. Purpose

The purpose of this submission is for the Council to consider the application for the rezoning of Erf 931, Vineta Extension 4, from "general residential 2" with a density of 1:250 to "general residential 1" with a density of 1:250.

#### 2. Introduction and Background

An application for the rezoning of Erf 931, Vineta Extension 4 was received by the Engineering and Planning Services Department from Stewart Planning Town and Regional Planners on behalf of the registered owner. The application is attached as **Annexure A.** 

#### 3. Ownership

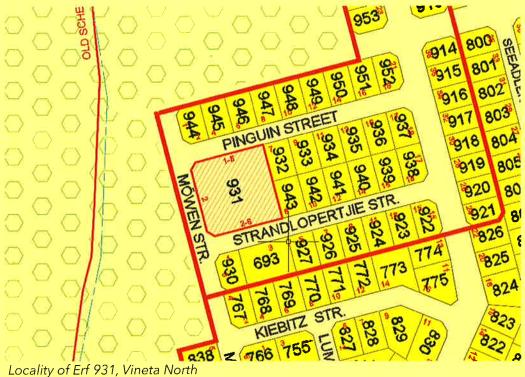
Ownership of Erf 931, Vineta Extension 4 vests in Park Village Properties Number Three CC (Registration Number: CC/2005/3835) as per Title Deed No. T 456/2022. Proof of ownership has been attached as **Annexure B**.

#### 4. Zoning, Locality and Size

Erf 931, Vineta Extension 4, is zoned "general residential 2" with a density of 1:250 and is a beachfront erf situated south of the Paddock Gardens. Access to the erf is obtained from three (3) streets, namely Penguin, Strandlopertjie and Mowen Street.

The erf measures 3,576 m<sup>2</sup> in extent and is currently undeveloped and in a neglected state.

#### Ordinary Council Meeting - 03 June 2025



#### 5. **Access Municipal Services and parking**

Access to Erf 931, Vineta Extension 4, will be obtained from the existing street network.

Parking for the proposed development will be provided on-site in accordance with the provision of the Swakopmund Zoning Scheme. The property is connected to the existing bulk and internal municipal services.

#### **Public consultation** 6.

The public consultation for the rezoning has been made in terms of section 107 and Regulation 10 of the Urban and Regional Planning Act (Annexure C).

The neighbouring property owners were notified in writing via registered mail, informing them of the intent to rezone the property. The proposed rezoning was advertised on the 17<sup>th</sup> & 24<sup>th</sup> May 2024 in the Republiken and Sun (market watch) newspapers. A notice was placed on Council's notice board as well as on-site. The last date to submit objections and comments was 14 June 2024.

Additionally, a notice was published in the Government Gazette Number 8375, Notice No. 251 dated 31 May 2024, and the closing date for comments or objections was 21 June 2024.

The consultant obtained a joint objection letter from nineteen (19) neighbouring residents against the proposed rezoning. These objections are attached as Annexure C.

#### 7. **Proposal**

It is the intention of the applicant to rezone Erf 931, Vineta Extension 4, from "general residential 2" with a density of 1:250m<sup>2</sup> to "general residential 1" with a density of 1:250m², to increase the building height allowed for in the current zone, which is 8m.

The applicant intends to develop 14 luxury apartments; however, the envisioned design of the apartments would not work with the current height limitations.

#### Ordinary Council Meeting - 03 June 2025

The current zone height restrictions would either mean that the floor size of the apartments will be too small, or the number of units needs to be reduced. However, both options mentioned above are financially feasible for the owners and take away from the envisioned requirements of a luxury apartment development of 14 units.

As result thereof, the owners wish to increase the building height provision from 8m to 13m to accommodate the development proposal as they feel it will promote excellent sea view for all 14 units.

The luxury apartments are to have a modern architectural appearance, which is expected to increase the visual appeal of the area with the intention of beautifying the neighbourhood. Furthermore, the proposed garages and rooftop deck with a pool area could contribute to achieving the intended modern and luxurious development and are complementary to luxury apartments. See the below images.

An environmental impact assessment (EIA) or Environmental Clearance Certificate is not required for this development.

#### 8. Objection

Most of the neighbours have been in contact with each other as to consider a joint response to the development proposal requested by the applicant to increase the building height from 8m to 13m for Erf 931, Vineta Extension 4.

The following are the neighbours who form part of the joint objection letter: Owner of Erven 932, 933, 934, 935, 936, 937, 938, 939, 941, 942, 944, 945, 946, 947, 922, 923, 924, 926 and 693, Vineta Extension 4.

The objections received have been summarised below, and although they might not all be negative, most are focused on how the height will have a negative impact on the rights of objectors.

- Acknowledge that the existing zoning allows for 14 units and a height restriction of 8m. They believe that the proposed development will:
  - Address the issue of loitering as observed on the erf
  - Address the use of the erf as a public toilet and
  - Overall, improve the security situation in the area.

In this sense, a development of the property is welcomed.

#### Increase building height from 8m to 13 m

They have considered that the increase from 8m to 13 m height (a 62% increase of the height currently allowed) will have a significant effect on the current character of the neighbourhood, which they would like to maintain. This would also block the sea view of houses to the east and south of the planned development and allow for unrestricted view into neighbouring properties, in effect sacrificing their privacy. This would also alter wind patterns in the area (the impact of which they cannot establish).

They oppose the increase from 8m to 13m and request the developer to pursue a development in line with the current regulations.

#### 3. Change from consent use

In addition to a change in height, there is a request to change "consent uses". The change of "consent use" is to now include Licensed Hotels, Institutional buildings and residential guest houses. The consent request is not in line with the proposed development and hence unnecessary.

They oppose the changes to consent uses and request that it remain as is. They would also like to point out that the use changes will require:

- A different approach to parking and traffic in the area.
- Management of noise levels in the residential area if a hotel has conference facilities and possibly a restaurant.

None of these has been detailed as to allow an assessment thereof.

#### 4. Impact on property values

The points raised in point (1) are likely to impact the commercial value of properties in the area, especially when blocking a sea view.

We find it difficult to understand that the maximum the benefits to a property developer should be at the expense of other residents. Making a lucrative development so much more to the detriment of the surrounding residential houses is surely not a socially just cause.

#### Setting a precedent

We believe that allowing for one exception (in effect allowing for a high-rise building to be built) will set a precedent going forward, in effect invalidating any future objections. We do not want the quaint suburb of Vineta to be converted into a concrete jungle.

#### 6. Other points of relevance

#### 6.1 Parking

The plan proposes 31 parking bays (7x basement garages, 8 double garages and 8 luxury-size garages) which is 17 more than what is required by the current and proposed zoning. Limiting these to 14 could potentially assist in reducing the height requirement.

Please also refer to comment under 3 where the use seems to suggest a different long-term development with different requirements such as a hotel as example.

#### 7. Summary response

- Increase of height from 8m to 13m opposed and rejected
- Change of consent uses opposed and rejected.

#### 9. Applicants Response

1. Acknowledge that the existing zoning allows for 14 units and a height restriction of 8m. they believe that the proposed development will:

The applicant notes and agrees, especially when considering the current derelict state and development potential of the site. Their office received positive comments from some neighbours who are excited about the

#### Ordinary Council Meeting - 03 June 2025

prospect of development, which will help improve neighbourhood security, appearance, and increase the general value of the area. It will also help resolve long-term issues that the neighbourhood has experienced over the last few decades.

#### Increase building height from 8m to 13

Neighbourhood character: the proposed height increase will slightly change the character with its modern and beautiful design which is expected to have a positive impact on the neighbourhood character. It will also strengthen the neighbourhood character by achieving variety in housing options and revenue.

Sea view: Erf 931, Vineta is a seafront property, and the proposal is to develop luxury seafront apartments. Seafront properties have the potential for developing higher buildings in order to maximize sea views. This is the main reason why seafront properties are expensive as they are the only properties with a right to sea views. The only other seafront erven in the direct surrounding area are Erf 930 and 944, Vineta which sea views are not affected by the proposed development. Other surrounding properties, like the houses east and south of the proposed development, are not seafront erven and have privileged sea views that will be blocked by an 8-meter building in any case.

Privacy: Privacy concern is a preconceived opinion and not limited to the increase in height proposal as an 8-meter building would have the same concerns. The proposed building is also designed with all units facing the sea and only some rooms towards neighbouring properties at the back of the building but given the large setback from the neighbouring erf's boundary, the impact is minimal. The location of the erf along three streets also creates a buffer between neighbouring properties which mitigates privacy impacts.

Wind patterns: the building may slightly redirect wind, but it is unclear how this will negatively impact the surrounding area.

#### 3. Change from consent use

Consent uses under any given zone may only be permitted with Council's approval. If any consent use is intended an application needs to be submitted for Council's consideration, and neighbours need to be notified of the of the proposed consent uses.

The proposed rezoning does not include seeking Council's permission for any listed consent use (like a hotel with a conference centre and/or restaurant) allowed under the General Residential 1 land use rights that are being applied for.

#### Impact on property values

The proposed development will benefit the surrounding neighbourhood and residents as noted under point (1). It is unclear how a luxury seafront development will have a negative effect on surrounding properties. The proposed luxury apartments are expected to raise property values in the area. Nevertheless, the building value of the property is secured by the conditions set out in the conditions of Establishment of Vineta Extension 4 and effectively in the Title Deed of the applicable property which states that "The building value of the main building, excluding outbuildings to be

# Ordinary Council Meeting - 03 June 2025

erected on the erf, must be at least four times the municipal valuation of the erf". Therefore, no detrimental impacts are expected.

It should be noted that the site's current height restriction of 8m is the same as the height restriction in the single residential zone in terms of the Swakopmund Zoning Scheme No. 12. Taking into consideration the identification of the site as a seafront property, its location along 3 streets and its size of  $3.576\text{m}^2$ , it seems unfair that the owner purchased an expensive seafront property but are limited to the same height restriction as a single residential property. Erf 931, Vineta Extension 4 is no supposed to be developed similarly to the surrounding single residential erven, which is clearly supported by the creation of the site as a general residential erf with the establishment of Vineta extension 4.

# Setting a precedent

As seen from the aerial image, Erf 931, Vineta Extension 4 is the only remaining vacant site in the area. This shows that they should be developed for the intended purposes as its one of the few options left to provide luxury seafront apartments for Swakopmund to offer. It is therefore unclear how the development will set a precedent for similar applications as there is no land of similar potential available. Also, each application that the Swakopmund Council receives must evaluated in terms of its own motivation and merits.

In terms of the objector's reference to the proposed development being a "high-rise" building creating a concrete jungle, we respectfully do not agree. The image below shows the typical "Dubai look", which is considered a high-rise, concrete jungle development.

Compared to the layout and design of the modern and luxurious proposed building, it is clearly not the case and therefore, a wrong interpretation of the proposal. This is also supported by the Swakopmund Urban Structure Plan, which states:

"The predominant urban character of Swakopmund is one of low-rise - i.e. between 1 and 4 story heights. Any high-rise building will look like a sore thumb in the landscape and provide a bad impression of the city. An undesirable "Dubai look" should not be permitted within the existing city as the spatial design of this area is not intended to accommodate for high-rise buildings".

# 6. Other points of relevance

The current and proposed land use zone's parking provisions are "as determined by Council". For a dwelling unit, it can be assumed that at least 1 parking bay is required. In this case, it is desirable to provide more than one garage per unit as the intended development is luxury apartments. Therefore, more options for 2 garages per unit are provided and additional space for parking boats or similar kind of goods, which is intended with the luxury garages. It should be noted that he Swakopmund Zoning Scheme sets out parking minimums, not maximums.

Furthermore, removing the basement garages is not practical way to reduce the height as the units will then be below the ground floor, which is suitable and will not meet the standards of the intended luxury apartments.

### 7. Summary response

# Ordinary Council Meeting - 03 June 2025

The applicant has taken note of the objections, but they do not agree that the reasons given have merits to not favourably consider the rezoning with the intent to increase the height by 5 meters to achieve the development of modern and luxury apartments with maximum sea views. Erf 931, Vineta Extension 4 is a large, medium-density seafront property that has the right to sea views.

# 10. Evaluation

The objectors' arguments have been taken into consideration; however, it is important to note that some of the issues mentioned are misdirected. Having a luxurious apartment development (high-rise or not) in a neighbourhood would not necessarily affect the property values of the surrounding erven, because, commonly, luxury developments have a profound influence on the environment and society. The designs are aesthetically pleasing and embracing architectural designs that are calming in nature to increase a tranquil, relaxed and private lifestyle. Therefore, the impacts of such buildings usually increase the property values of surrounding properties.

Note should be taken that a sea view is not a right but rather a privilege. The same privilege should be extended to the applicant. Furthermore, the owners of Erf. 931, Vineta Extension 4 do have the right to develop their property to its full potential most especially given that their erf is a seafront property. As mentioned by the applicant in their defence response is that there are only three other properties (immediate neighbouring properties) that have a seafront view, and all the other erven and objectors don't.



Existing situation on site (Erf 931, Vineta Extension 4)

Over the years, given that the erf has been vacant, the surrounding erven have enjoyed the sea view. However, any development on Erf 931, Vineta Extension 4 will block their sea view because in essences they do not have sea front erven.

The developer is merely rezoning their erf from "general residential 2" to "General Residential 1" for the sake of requesting a height of a maximum of 13m. According to the Swakopmund Zoning Scheme clause 2.6, "general residential 2" allows with the consent of Council only to relax their height to

a maximum of 10m if it is satisfied that no interference with the amenities of the neighbourhood will result in the increase.

Additionally, the objectors mentioned that they oppose the change in consent use, however, note should be taken that the developer would need to seek consent of the surrounding neighbours if they intent to utilise any of the consent uses as stated in table B of the Swakopmund Zoning Scheme.

The design and scale of the proposed development will remain a residential character, style and will maintain the harmony of the area.

# 8.1 Compensation

The rezoning of Erf 931, Vineta Extension 4 from "General Residential 2" with a density of 1:250 to "General residential 1" with a density of 1:250 will not be subjected to a compensation fee as there will not be an increase in density.

### 11. Conclusion

Therefore, the rezoning of Erf 931, Vineta Extension 4 from "General Residential 2" with a density of 1:250 to "General residential 1" with a density of 1:250 is not foreseen to have any negative impacts on the area as it is supported by the Zoning Scheme and is in line with the Swakopmund Structure Plan 2020-2040 as it renames General residential and the number of units will remain 14.

# B. After the matter was considered, the following was:-

### **RECOMMENDED:**

- (a) That the rezoning of Erf 931, Vineta Extension 4, from "General Residential 2" with a density of 1:250 to "General Residential 1" with a density of 1:250 be approved.
- (b) That the rezoning of Erf 931, Vineta Extension 4, be not subject to a betterment fee.
- (c) That all the parking be provided on-site in line with the Swakopmund Zoning Scheme, and no parking on street reserve shall be tolerated.
- (d) That the applicant provides proof that the rezoning has been approved by the Minister and promulgated.
- (e) That the objectors be informed of Council's decision and their right to appeal to the Minister against Council's resolution in terms of Section 110 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018) within 21 days of receipt of notice of this resolution, provided that written notice of such an appeal shall be given to the Ministry, as well as Council within the stipulated period.

### **ANNEXURE A**

3 1 MAR 2025

CNICIPALITY OF SWAKOPN

# REZONING APPLICATION ERF 931 VINETA EXTENSION 4

REZONING FROM GENERAL RESIDENTIAL 2 (1:250) TO GENERAL RESIDENTIAL 1 (1:250)

Date:

28 March 2025

Prepared for:

Park Village Properties Number Three CC

PO Box 4347

Walvis Bay, 13013

Prepared by:

Stewart Planning Town & Regional Planners

PO Box 2095

Walvis Bay, 13013

Submission to:

Swakopmund Municipality

PO Box 53

Swakopmund, 13001



Stewart Town Planning CC

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4.	Site Development Plan
5.	Site Description
6.	Site Location
7.	Registered Owner
8.	Environmental Impact Assessment
9.	Applicable Policy/Legislation
10.	Preliminary potential impacts
<b>11</b> %	Public consultation
12:	Recommendation

### Annexures

Annexure A: Power of Attorney and Company Resolution forms

Annexure B: Copy of the Title Deed

Annexure C: Locality and Zoning Plan

Annexure D: Site Development Plans

Annexure E: Proof of Consultation



First Floor, 122 On Main Building 122 Sam Nujoma Avenue Walvis Bay P.O. Box 2095 Tel: (064) 280 770 Email: melissa@sp.com.na

#### 1. Introduction

Stewart Planning has been appointed to rezone Erf 931 Vineta Extension 4 (the site) from "General Residential 1" with a density of 1 dwelling unit per 250m² (1:250) to "General Residential 2" with the same density of 1:250.

The purpose of the rezoning is to increase the permitted building height from 8 to 13 metres in terms of Swakopmund Town Planning Amendment Scheme No.12.

### 2. Background and motivation

The owner intends to develop luxury sea-view apartments in Swakopmund and bought Erf 931 with zoning rights which permit a residential density of 1:250 and a building height of 8 metres. The erf measures 3576m² in extent and can permit up to 3576m²/250 = 14.3 or say 14 dwelling units.

It is possible to develop the apartments at the front and back of the erf but this will mean smaller floor areas/bedrooms per apartment with some not having a sea view. Therefore, it is desirable to develop single-storey garages at the back and develop all fourteen apartments at the front to maximise sea views.

However, it will be difficult to fit 14 luxury apartments within a height of 8 metres. Either the floor size of the apartments will be too small or the number of units needs to be reduced and both options are not financially feasible for the owner and do not meet the requirements of a luxury apartment.

Therefore, the owner wishes to increase the building height from 8 to 13 metres to accommodate all apartments, each at a larger floor area as it will help promote excellent sea views for all 14 units.

### 3. Development Proposal

The figures and images on the next page show the proposed development. The luxury apartments will have a modern architectural appearance which is expected to increase the visual appeal of the area/beautify the neighbourhood. The proposed garages and rooftop deck with pool area further contribute to achieving the intended modern and luxurious development and are complimentary to the luxury apartments.

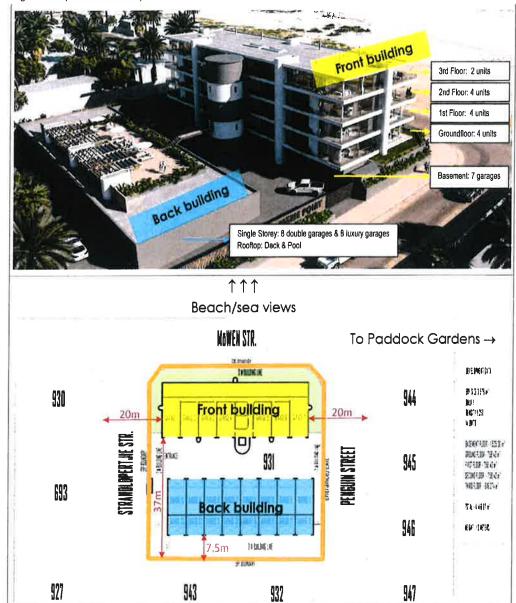


Figure 1: Proposed Site Development Plan for Erf 931 Vineta Extension 4.

# Table 1: Description of proposed development.

# Front Building

- Basement containing 7 garages;
- A four-storey building with a maximum height of 13m above the natural ground level containing 14 luxury apartments, all facing the sea;
- Boundary setback of more than 3 metres;
- The building is located at least 20m from the boundaries of Erven 930 & 944 and 37m from the boundaries of Erven 932 & 943.

### **Back Building**

- Single Storey building containing garages only;
- 8x Double garages and 8x luxury sized garages;
- · Rooftop deck with pool area;
- Boundary setback of 7.5m from adjacent Erven 932 & 943.

Figure 2: Layout and Design of the proposed luxury apartments. proposed luxury sized units, all with sea view. Access to and from the site will be from Penguin Street on the northern erf boundary. Groundfloor, 1st Floor & 2nd The front building will be a fourstorey building with a maximum height of 13m and a total of 14 luxury units. Each storey (groundfloor, 1st floor, 2<sup>nd</sup> floor and 3<sup>rd</sup> floor) will UNIT 2/6/10 UNIT 3/7/II UNIT 4/8/12 UNIT 1/5/9 have a height of 3 meters. The groundfloor, 1st and 2nd floor 3rd Floor (Penthouses) will contain 4 three-bedroom apartments per floor while the 3rd floor will contain 2 four-bedroom penthouses. The layout of the units are shown on the left. UNIT 13 UNIT 14

4. Site Development Plan The owner has appointed Howard Krogh Architects to prepare the site development plans that are attached as Annexure D. The estimated construction period will be 24 months.

5. Site Description
Erf 931 Vineta Extension 4 is a large (3578m²) beachfront erf which is currently zoned General Residential 2 with a density of 1:250m, which allows 14 units at a maximum height of 8 meters. The site is undeveloped and in a neglected state with building rubble from the previous development. The images below show the current state of the site as well as surrounding features.



Stewart Town Planning CC

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6. Site Location
End 931 Vineta Extension 4 is a beachfront erf situated just south of the Paddock Gardens and Platz am Meer Shopping Centre in Swakopmund. It is bordered by Strandioperties Street to the south, Mowen Street, to the west, Penguin Street to the north, and Erven 932 and 943 to the east. The property is highly accessible and its location along the beach makes it an attractive site for development with optimal sea views.

The surrounding streets are 15 metres wide and serve as residential access whereas the proposed development is planned to take access from Penguin Street



Figure 3: Zoning map of Erf 931 and sur iding properties from Scheme No 71 (Credit: Sw

Erf 931 Vineta Extension 4 is zoned "General Residential 2" (1:250) and surrounding properties are zoned "Single Residential" (1:600), "Street", and "Public Beach". The current zoning allows 14 units to be developed on Erf 931 Vineta Extension 4 which is not proposed to change.

The Locality Map and Zoning Plan is attached as Annexure C.

7. Registered Owner

Erf 931 Vineta Extension 4 (Vineta North) is registered in the name of Park Village
Properties Number Three Close Corporation (CC/2005/3835). Kola Burger and Robbie van
Wyk recently bought the property to develop luxury sea-view apartments.

The owners have appointed Stewart Planning to apply to rezone the property in terms of the Urban and Regional Planning Act of 2018. The Company Resolution and Power of Attorney forms are attached as Annexure A and a copy of the Title Deed is attached as Annexure B.

8. Environmental Impact Assessment
The proposed rezoning is not a listed activity in terms of the Environmental Management Act of 2007. Therefore, it is not a statutory requirement for the owner to undertake an Environmental Impact Assessment (EIA) to obtain an Environmental Clearance Certificate (ECC).

No actual change in density will take place and the permitted building height will increase by 5 metres. Given the position of the buildings and large setbacks from neighbouring properties, the building height is not expected to have a major shadow impact which warrants the need to undertake an EIA.

# 9. Applicable Policy/Legislation

The proposal has been evaluated in accordance with the following legislation and/or policies:

- Swakopmund Town Planning Amendment Scheme No.12:
  - Erf 931 is currently zoned "General Residential 2" with a density of one dwelling unit per 250m² (1:250). The land use restrictions of the current and proposed zones are compared in Table 2 below.
  - o The proposed zoning is not an extreme departure from the current zoning.

Description	Current zone	Proposed zone
Zone	General Residential 2 (Red hatch)	General Residential 1 (Orange fill)
Primary uses	Dwelling House/s, Block of Flats, Townhouses	Dwelling House/s Block of Flats, Residential Buildings, Townhouses
Consent uses (Require Council's consent)	Place of Public Worship, Resident Occupation, Bed and Breakfast, Pensions, Residential Buildings	Place of Public Worship, Place of Instruction, Resident Occupation, Bed an Breakfast, Pensions, Licensed Hotels, Institutional Buildings, Residential Guest House
Coverage	60%	60%
<b>Bulk</b> (Floor Area Ratio)	1.0	1.0
Minimum Erf Size	900m²	1000m²
Density Control	1:250	1:250
Height Control	Maximum 8 metres. Council may relax height to 10 metres.	Maximum 13 metres. Council may relax height to 16 metres.
Building Lines	Street: 5m Rear: 3m + 2m per storey Side: 3m + 2m per storey Council may relax building lines.	Street: 5m Rear: 3m + 2m per storey Side: 3m + 2m per storey Council may relax building lines.
Parking	Parking bay per dwelling unit. Council may relax parking requirements.	The current and proposed land use zone' parking provisions are "as determined by Council". For a dwelling unit, it can be assumed that at least 1 parking bay is required. In this case, it is desirable to provide more than one garage per unit as the intended development is luxury apartments. Therefore, more options for garages per unit are provided, and additional space for parking boats or similar kinds of goods, which is intended with the luxury garages.
Additional Land Use Restrictions	None specified.	The requirements for dwelling houses an places of instruction and public worship in a residential zone, and on-site parking, shall apply to such buildings in this zone.

# Swakopmund Structure Plan 2020-2040:

- The Structure Plan ensures that the Swakopmund Municipality follows an integrated and holistic future-orientated planning approach that promotes sustainability and maximises the development potential of Swakopmund. It is therefore a spatial planning tool which can be used as a guideline to inform and direct planning within a town.
- Swakopmund is identified as a low-density urban settlement with a lot of open/vacant space still remaining in between the built environment. The available open/vacant space poses a great opportunity for residential, business and institutional densification and infill development. Existing areas should, where possible, be densified/developed to their full potential in order to promote proactive planning rather than reactive planning, especially for the provision of housing to prevent reactive.
  - Erf 931 Vineta is currently vacant/undeveloped with the potential to be developed for 14 units as per the zoning density, which is not proposed to change. The development should be encouraged as it promotes infill planning and the provision of housing as per the Structure Plan proposals.
- Swakopmund is also identified as one of the main tourist attractions in the country and as such contributes to the country's ever-growing tourist industry.
  - The proposed establishment of luxury units not only provides housing but also attracts investment for holiday home options.
- The Structure Pan provides general building height guidelines which are to be considered by each development application according to its own merit and enforced by the allowable density, height and bulk restrictions of the town planning or zoning scheme. It is stated that the predominant urban character of Swakopmund is one of low-rise i.e. between 1 and 4 storey heights. Any high-rise building will stand out like a sore thumb and contribute to an undesirable 'Dubai look'.
  - In this case, a 13m building is considered a low to medium-rise building and will not contribute to the undesirable 'Dubai look'. Erf 931 Vineta Ext 4 falls in a building height zone of 9 metres; any taller height may require the building plans to be accompanied by a:

### Urban Design Compatibility Report

From the proposed layout and design proposals it is clear that an upmarket, luxurious development is proposed. The proposed development will be one of the most attractive housing developments in the area, therefore providing an Urban Design Compatibility report will be redundant.

# Traffic Study & Engineering Services Report

A traffic study and engineering services report is not unnecessary as the density and associated impacts will remain the same.

### Environmental Clearance Certificate

An environmental clearance certificate is not required as the proposed rezoning and building height increase is not a listed activity and rezoning applications make provision for adequate public consultation and inputs.

- National Heritage Act 27 of 2004:
  - The property falls outside the Swakopmund conservation area thus the provisions of this act do not apply.

# 10. Preliminary potential impacts

The following potential impacts have been identified and are addressed as follows.

# 1. Site topography:

a. The site has a moderate downward slope from the southwestern corner (11.5m above sea level) to the north (9.5m) and northeast (7.5m) as indicated by the red arrows in Figure 4 below.

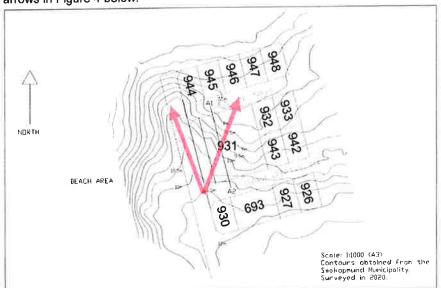


Figure 4: Contour map for Erf 931 Vineta Extension 4.



b. The natural ground level will be taken into account to determine the building height. The building has a flat roof, therefore, it will be necessary to cut ±2 metres into the ground to create a level site for the front building. Alternatively, the front building should have a terrace design to account for the sloping ground level.

#### 2. Impact on sea views:

- a. An 8m tall building will block sea views for properties situated to the east. Therefore, a 13m building is not expected to have a significant change in this impact.
- b. Seafront erven 930 and 944 will not be affected by the proposed development.
- c. In any case, only seafront erven have a right to sea views which in this case is Erven 930, 931, and 944. Erven 930 and 944 will have undisturbed sea views.

# 3. Shadow impacts:

a. The position and height of a building determine the position and length of shadows. The sun rises in the east and sets in the west. As it sets west, the front building will cast a shadow to the east. However, the front building is located about 37 metres from Erven 932 and 943 and thus the impact of shadows will be limited.

#### 4. Impact on amenity:

- a. The site has a broken boundary wall and has building rubbish that was never removed by the previous owner. Clearance and development of the site will improve the view and amenity of the neighbourhood.
- b. With the aim of establishing luxury apartments, the modern and luxurious design of the building will beautify the neighbourhood.
- c. Occupied apartments will add natural surveillance which can help improve neighbourhood security.

#### 5. Impact on services:

- a. The rezoning will retain the same density at 14 units and does not seek to increase density to warrant a negative impact on services such as refuse removal, water and sewerage.
- b. The architect/engineer has or will consult the Swakopmund Municipality to identify any problems related to water pressure and/or sewerage flow and suitable mitigative measures will be undertaken to reduce the impact on the services.

#### 6. Traffic and parking impacts:

- a. Heavy vehicle traffic will be limited to the construction period. The surrounding salt streets are disintegrating and neglected and will require maintenance during and after the construction period. An upgrade to asphalt street should be considered by the Swakopmund Municipality.
- b. The applicant will be required to pay the Swakopmund Council a once-off betterment fee to compensate the municipality for the added maintenance or upgrading of streets. In addition, rates, taxes and service charges will help increase the Council's revenue during operation.
- c. The development of 14 units will draw more traffic to the area but this is an acceptable impact as the current zoning permits the development of 14 units. The rezoning will not increase the density, therefore, potential trip generation will remain the same.
- d. The site is large and thus all parking can be provided on-site. It is unlikely that family or friends would need to park within the street.

### 7. Blasting impacts:

a. The basement parking for the front building will cut into the ground. No granite rock is observable on-site. However, should granite be found during construction, then suitable mitigative measures will be taken to ensure no potential damage to nearby properties.

#### 8. Construction-related impacts:

a. Whether it will be an 8m or 13m building, construction activity will take place which will create noise, pollution, privacy, safety and security impacts. The owner will appoint a reputable contractor to mitigate constructed-related impacts.

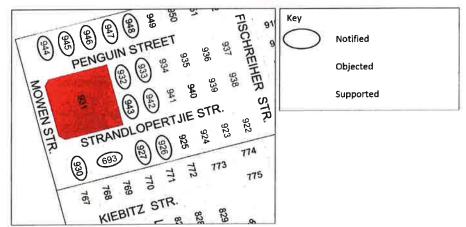
### 11. Public consultation

The public was notified of the application in accordance with the Urban and Regional Planning Act, 2018, as well as the Swakopmund Zoning Scheme. The proof of giving notice is attached as Annexure E (Proof of Consultation). The public participation period started on Friday, 7 February 2025 and the cut-off date to submit comments and/or objections was Friday, 28 February 2025. The public was given 15 working days to provide comments and/or objections.

During the public participation period, the following responses were received (copies included in Annexure E - Proof of Consultation):

- 1. A joint objection letter, dated 24 February 2025, received by Mr Ingo Schneider via email on behalf of the residents listed in the objection letter;
- 2. Two letters of support, dated 20 February 2025, were received by Mrs Jennifer Lorraine Mcpherson via email.

The map below shows the 13 directly and close situated erven that was notified, the 19 erven with owners who signed the objection letter as well as the erf with owners who support the proposed application.



It should be noted that not all directly adjacent erf owners objected to the proposed application and 10 of the 19 erf owners who objected are situated 2 to 5 erven away from the proposed site, and not directly impacted.

In the table below we have provided a summary of the objections received and our response on behalf of the owners and applicants being Park Village Properties Number Three Close Corporation (CC/2005/3835).

# **Comments/Objection**

# Response

1]We acknowledge that the existing zoning allows for 14 units and a height restriction of 8m. We believe that the proposed development will address loitering issues (including the use of the erf as a toilet) and will improve security in the area. In this sense development of the property is welcome.

1]Noted and agreed, especially when considering the current derelict state and development potential of the site. Our office received positive comments from some neighbours who are excited about the prospect of development, which will help improve neighbourhood security, appearance, and increase the general value of the area. It will also help resolve long-term issues that the neighbourhood has experienced over the last few decades.

2)We oppose the proposed height increase from 8m to 13m (62% increase) as it will have a significant effect on the current character of the neighbourhood, block sea views for houses east and the proposed south of for allow development, into unrestricted views properties neighbouring (affect privacy), and alter wind patterns in the area.

Neighbourhood character: The proposed height increase will slightly change the character with its modern and beautiful design which is expected to have a positive impact on the neighbourhood character. It will also strengthen the neighbourhood character by achieving variety in housing options/revenue.

Seaviews: Erf 931 is a seafront property and the proposal is to develop luxury seafront apartments. Seafront properties have the potential for developing higher buildings in order to maximize sea views. This is the main reason why seafront properties are expensive as it is the only properties with a right to sea views. The only other seafront erven in the direct surrounding area is Erven 930 and 944, which sea views are not affected by the proposed development. Other surrounding properties, like the houses east and south of the proposed development, are not seafront erven and have privileged sea views that will be blocked by an 8 meter building in any case.

<u>Privacy:</u> Privacy concern is a preconceived opinion and not limited to the increase in height proposal as an 8 meter building would have the same concerns. The proposed building is also designed with all units facing the sea and only some rooms towards neighbouring properties at the back of the building, but given the large setback from the neighbouring erf's boundary, the impact is minimal. The location of the erf along three streets

also creates a buffer between neighbouring properties which mitigates privacy impacts.

Wind patterns: The building may slightly redirect wind, but it is unclear how this will negatively impact the surrounding area.

3)We oppose the change in consent uses that will be permitted with the changed zoning. The new consent uses will require a different approach to parking and traffic in the area and management of noise levels if a hotel with conference facilities and a restaurant is developed.

3]Consent uses under any given zone may only be permitted with Council's approval. If any consent use is intended an application needs to be submitted for Council's consideration, and neighbours need to be notified of the proposed consent use. Clause 6 in the Swakopmund Zoning Scheme No 12 sets out the statutory process to follow when applying for consent uses.

The proposed rezoning does not include seeking Council's permission for any listed consent use (like a Hotel with a conference centre and/or restaurant) allowed under the General Residential 1 land use rights that are being applied for.

4]The proposed development will have a negative impact on surrounding property's market values by maximising the benefit of a property developer at the expense of other residents. Making a lucrative development more lucrative, to the detriment of surrounding residential houses is not a socially just cause.

4]The proposed development will benefit the surrounding neighbourhood and residents as noted under point [1]. It is unclear how a luxury seafront development will have a negative effect on surrounding properties. The proposed luxury apartments are expected to raise property values in the area. Nevertheless, the building value of the property is secured by the conditions set out in the Conditions of Establishment of Vineta Extension 4, and effectively in the Title Deed of the applicable property which states that; "The building value of the main building, excluding outbuildings to be erected on the erf, must be at least four times the municipal valuation of the erf". Therefore, no detrimental impacts are expected.

It should be noted that the site's current height restriction of 8m is the same as the height restriction in the Single Residential Zone in terms of the Swakopmund Zoning Scheme No. 12. Taking into consideration the identification of the site as a seafront property, its location along 3 streets and its size of 3576m², it seems unfair that the owner purchased an expensive seafront property, but are limited to the same height restriction as a Single Residential property. Erf 931 Vineta Extension 4 is not supposed to be developed similarly to the surrounding Single Residential erven, which is clearly supported by the creation of the site as a General Residential erf with the establishment of Vineta Extension 4.

5]Allowing a high-rise building will set a precedent for future similar applications. We do not want the quaint suburb of Vineta to be converted into a concrete jungle.

5]As seen from the aerial 931 Vineta image, Erf Extension 4 is the only remaining vacant site in the area. This shows that the site should be developed for the intended purposes as it's one of the few options left to provide luxury seafront apartments for Swakopmund to offer. It is therefore unclear the development will set a for similar precedent applications as there is no



land of similar potential available. Also, each application that the Swakopmund Council receives must be evaluated in terms of its own motivation and merit.

In terms of the objectors' reference to the proposed development being a "high-rise" building creating a concrete jungle, we respectfully do not agree. The image below shows the typical "Dubai look" which is considered a high-rise, concrete jungle development.





Compared to the layout and design of the modern and luxurious proposed building, it is clearly not the case and therefore a wrong interpretation of the proposed development. This is also supported by the Swakopmund Urban Structure Plan, which states: "The predominant urban character of Swakopmund is one of low-rise - i.e. between 1 and 4 story heights. Any high-rise building will look like a sore thumb in the landscape and provide a bad impression of the city. An undesirable "Dubai look" should not be permitted within the existing city as the spatial design of this area is not intended to accommodate for high-rise buildings". 6]The current and proposed land use zone's parking provisions 6]The proposed layout plan are "as determined by Council". For a dwelling unit, it can be shows 31 parking bays, which assumed that at least 1 parking bay is required. In this case, it is is 17 more than what is desirable to provide more than one garage per unit as the required by the current and intended development is luxury apartments. Therefore, more proposed zoning. Limiting the options for 2 garages per unit are provided, and additional space parking bays to 14 could assist for parking boats or similar kinds of goods, which is intended with reducing the height the luxury garages. It should be noted that the Swakopmund requirement. Furthermore, Zoning Scheme sets out parking minimums, not maximums. the change in consent uses mentioned in point [3] also Furthermore, removing the basement garages is not a practical results in different long-term way to reduce the height as the units will then be below the developments with different ground floor, which is not suitable and will not meet the requirements, like a hotel. standards of the intended luxury apartments. 7]Noted, we respectfully do not agree that the reasons given 7]In conclusion, the following have merit to not favourably consider the rezoning with the is opposed and rejected: intent to increase the height by 5 meters to achieve the Increase of height from 8m to development of modern and luxury apartments with maximum 13m; sea views. Erf 931 Vineta Extension 4 is a large, medium-density, seafront property that has a right to sea views. Change in consent uses.

It is clear that the site has the potential to be developed to a height of 13 meters without negatively impacting on the surrounding erven. It is also the only vacant seafront property in this area available to provide luxury seafront apartments with sea views. It will be difficult to fit the permitted 14 units within a height of 8 meters, and still provide adequate on-site luxury parking/garages. Either the floor space of the apartment will be too small or the number of units needs to be reduced and both options are not financially feasible for the owner.

A good neighbourhood is characterised by a variety of housing types. With reference to the Town Planning and Urban Design Guidelines introduced by the Ministry of Urban and Rural Development in 2013, town planning and urban design should aim to:

"facilitate increase of choices between private and public spaces as well as housing types. The free market determines the range of erf sizes provided for in layout plans, according to needs and affordability. The focus of planning and design guidelines must be aimed towards human settlements that on one hand adhere to principles promoting the public good and on the other hand can develop and grow over time within the framework of local contextual and environmental challenges".

#### 12. Recommendation

The proposed rezoning of Erf 931 Vineta Extension 4 from General Residential 2 (1:250m²) to General Residential 1 (1:250m²) to increase the permitted height from 8 meters to 13 meters should be favourably considered.

I ask you to carefully consider the proposal as the unfavourable consideration of the application will most likely result in the site remaining in its undeveloped, derelict state as it is not feasible to develop luxury apartments with an 8 meter height restriction.

Yours sincerely,

Melissa Kroon Town & Regional Planner

STEWART PLANNING TOWN & REGIONAL PLANNERS

Tel: +264 64 280 773 | Email: melissa@sp.com.na

Bruce Stewart
Town & Regional Planner

STEWART PLANNING TOWN & REGIONAL PLANNERS

Tel: +264 64 280 773 | Email: bruce@sp.com.na

**ANNEXURE B** 

# SPECIAL POWER OF ATTORNEY

I, the undersigned, **Kola Bernie Burger** in my capacity as Member of **Park Village Properties Number Three CC** (Registration Number: CC/2005/3835), duly authorised thereto, do hereby nominate, constitute and appoint

Johann Niel Otto Stewart Town Planning CC Registration Number: CC/2020/00365 PO Box 2095 Walvis Bay



with the power of substitution, to be my lawful Attorney and Agent in my name, place and stead, to make the necessary applications to the Local Authority and/or the Urban and Regional Planning Board, and/or the Ministry of Urban and Rural Development, and/or the Ministry of Environment, Forestry and Tourism for the:

Rezoning of Erf 931 Vineta Extension 4 (Vineta North) from General Residential 2 (1:250) to General Residential 1 (1:250) to Increase the permitted building height in terms of the Swakopmund Zoning Scheme, as amended.

at the cost of the applicant and generally for effecting the purpose aforesaid, to do or to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes as I might or could do if personally present and acting herein — hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever my said Attorney and Agent shall lawfully do or cause to be done, by virtue of these presents.

Signed at Sinderproperty on 31 October 2024 in the

presence of	the undersigned witnesses:		
Kola Berni	Burger		
Witness 1		Witness 2	
Name:	Vipline	Name:	Gerlinde Hauses
Signature:	Managroca	Signature:	House

2022 01- 3 1

# DEED OF TRANSFER NO. 7 456 / 2022

PREMIER CONSTRUCTION CLOSE CORPORATION / PARK VILLAGE PROPERTIES NUMBER THREE CLOSE CORPORATION

ERF NO. 931 VINETA NORTH

KOGP PARINERS

CONVEYANCERS

1 3516, WINDHOEK
2 382800
REF WCK/am/80208, MAT9456

- 2 -

And the said Appearer declared that his/her Principal had truly and legally sold on the 26th day of **MARCH 2021** 

and that he/she in his/her capacity aforeseld did, by these presents, cade and transfer, in full and free property, to and on behalf of

PARK VILLAGE PROPERTIES NUMBER THREE CLOSE CORPORATION (Registration Number: CC/2005/3835)

it's Successors-in-Title, Administrators or Assigns,

CERTAIN:

ERF NO 931 VINETA NORTH

SITUATE:

IN THE MUNICIPALITY OF SWAKOPMUND

REGISTRATION DIVISION "G"

**ERONGO REGION** 

MEASURING: 3 576 (THREE THOUSAND FIVE HUNDRED AND SEVENTY SIX)

SQUARE METRES

FIRST TRANSFERRED by Deed of Transfer No. T1232/1966 with General Plan No. A425/64 relating thereto and held by Deed of Transfer No. T6179/2018

SUBJECT to the following conditions imposed in terms of the Urban and Regional Planning Act, 2018 (Act No. 6 of 2018), namely:

# IN FAVOUR OF THE LOCAL AUTHORITY:

- The erf must 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 Swakopmund Zoning Scheme prepared and approved in terms of the Urban and Regional Plenning Act, 2018 (Act No. 5 of 2018)
- The building value of the main building, excluding the outbuildings to be erected on the erf 2 shall be at least four times the prevailing valuation of the erf.



3.

Wherefore the Appearer, renouncing all the Right and Title which the said Transferor heretofore had to the premises, did, in consequence also acknowledge the said Transferor to be entirely dispossessed of, and disentitled to, the same; and that, by virtue of these Presents, the said Transferee

Its Successors-in-Title or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, The State, however, reserving its rights, and finally acknowledging the value of the properties to be sum of N\$196 000.00.

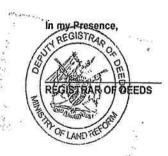
Signed at WINDHOEK, on

2017 -09- 1.9

, together with the

appearer, and confirmed with my seal of office

NATURE OF APPEARER





#### **ANNEXURE C**

8570

Government Gazette 31 January 2025

25

Rezoning of Erf 1130, Walvis Bay (267 Nangolo Mbumba Avenue) from "single residential" with a density of 1:300 to "general business" with a bulk factor of 2.0 and application for an Environmental Clearance Certificate.

The aforementioned application is submitted in terms of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) and the Walvis Bay Zoning Scheme. The rezoning of land from residential to commercial use is a listed activity, and an application for an Environmental Clearance Certificate will be made in terms of the Environmental Management Act, 2007 (Act No.7 of 2007).

### Take note that -

- (a) The rezoning pre-application draft (bid document) lies open for inspection at Room 101 of the Roads and Building Control Department of the Municipality of Walvis Bay situated at Civic Centre, Walvis Bay or can be requested from mario@sp.com.na;
- (b) Potential interested and affected parties are invited to register with Stewart Planning, and any person having comments or objections to the application, may in writing lodge such objections and comments, together with the grounds thereof, with the Chief Executive Officer of the Municipality of Walvis Bay and with Stewart Planning within 14 days of the last publication of this notice; and
- (c) Registration and written comments or objections must be submitted before or on 17h00 Thursday, 27 February 2025.

Applicant: Stewart Planning Town and Regional Planuers P. O. Box 2095, Walvis Bay mario@sp.com.na 064 280 773 Local Authority: Chief Executive Officer Municipality of Walvis Bay Private Bag 5017, Walvis Bay townplanning@walvisbayce.org.na 064 201 3339

No. 91

2025

### **REZONING OF ERF 931, VINETA EXTENSION 4**

Stewart Planning Town and Regional Planners intends to apply to the Municipality of Swakopmund, and the Ministry of Urban and Rural Development for the following:

Erf 931, Vineta Extension 4 (adjacent to Penguin, Mowen and Strandlopertjie Street): rezoning from general residential 2 with a density of 1:250 to general residential 1 with a density of 1:250.

The aforementioned application is submitted in terms of the Swakopmund Zoning Scheme (as amended), and the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018). The need for rezoning relates to increasing the permitted building height from 8 meters under the General Residential 2 land use provisions to 13 meters under the General Residential 1 land use provisions.

### Take note that -

- (a) The background information document lies open for inspection at the Town Planning Department of the Municipality of Swakopmund, corner of Rakotoka and Daniel Kambo Streets, Swakopmund. An electronic copy can be requested from Mrs. Melissa Kroon: melissa@sp.com.na;
- (b) Any person having comments or objections to the application, may in writing lodge such objections and comments, together with the grounds thereof, with the Chief Executive

26 Government Gazette 31 January 2025

8570

Officer of the Municipality of Swakopmund and with Stewart Planning within 14 days of the last publication of this notice; and

(c) Written objections must be submitted before or on 17h00, Friday, 28 February 2025.

Applicant:
Stewart Planning
Town and Regional Planners
P. O. Box 2095, Walvis Bay
melissa@sp.com.na
064 280 773

Local Authority:
Chief Executive Officer
Municipality of Swakopmund
P. O. Box 53, Swakopmund
jheita@swkmun.com.na
064 410 4403

No. 92

2025

# REZONING AND SUBDIVISION OF ERF 35, DOLPHIN BEACH

Stewart Planning Town and Regional Planners intends to apply to the Municipality of Walvis Bay, and the Ministry of Urban and Rural Development for the following:

Erf 35, Dolphin Beach (Cormorant Street): Rezoning from single residential with a density of 1:500 to single residential with a density of 1:300, and subsequent subdivision into Portion 1 (±350m²) and the Remainder Erf 35 (±350m²).

The aforementioned application is submitted in terms of the Walvis Bay Zoning Scheme (as amended), and the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018).

Take note that -

- (a) The background information document lies open for inspection, during normal office hours, at Room 101, Town Planning Section of Municipality of Walvis Bay, Civic Centre, and at Stewart Planning, 122 Sam Nujoma Avenue, Walvis Bay. An electronic copy can be requested from Mrs. Melissa Kroon: melissa@sp.com.na;
- (b) Any person having comments or objections to the application, may in writing lodge such objections and comments, together with the grounds thereof, with the Chief Executive Officer of the Municipality of Walvis Bay and with Stewart Planning within 14 days of the last publication of this notice; and
- (c) The deadline to submit written comments, representations, input and/or objections will be on or before 17h00, Friday, 28 February 2025.

Applicant: Stewart Planning Town and Regional Planners P. O. Box 2095, Walvis Bay melissa@sp.com.na 064 280 773 Local Authority: Chief Executive Officer Municipality of Walvis Bay Private Bag 5017, Walvis Bay townplanning@walvisbaycc.org.na 064 201 3339

7 FEBRUARY 2025

# NOTICE OF THE CONSENT APPLICATION IN TERMS OF THE WALVIS BAY TOWN PLANNING SCHEME

CONSENT: Home-Bused Office: Cash Loan ON ERF NO: 4324 TOWNSHIP/AREA: Kuischmond STREET NAME & NO: 30 James

In terms of the Walvis Bay Town Planning Scheme, notice is hereby given that 1/we, the undersigned, have applied to the Walvis Bay Municipality for permission to erect/establish on the site a/an: Home-Based Office; Cash

Plans may be inspected or particulars of this application may be obtained at Town Planning, First Floor, Rooms 101 & 105. Civic Centre.

Any person having any objection to the approval of this application, must lodge such objection, together with grounds thereof, with the General Manager, Roads and Building Control, (Town Planning), Private Bay 5017. Walvis Bay and the applicant, in writing, not later than 21 February 2025.

NAME AND ADDRESS OF APPLICANT: Charlotte M Raulie, PO Box 1766, Kuisebmond, Walvis Bny email: charlyraul001@gmail.com



#### NAM OYSTER FARM CC PRODUCTION MANAGER

This is a full-time on-site role for a Production Manager in Walvis Bay, Namible. The Production Manager will be responsible for overseeing day-to-day operations, managing production schedules, ensuring quality control, and supervising staff to meet production.

- Able to work with people
- Computer blerate especially in excel
  Knowledge of inventory control and edge of inventory control and systems
- Mechanical or technical background will be an advantage

#### Closing date: 14th February 2025

CV's to be empiled to koos.bleauw@gmall.com. Only empiled CV's will be concidered. Please note that only short-listed applicants will be contacted. If you are not contacted within 7 days after the clearing date, please consider your application unsuccessful.

Venor



### POSITIONS - WALVIS BAY

Introduction
Venmar Fishing is looking to fill the following position

westors Clerk
We are looking for a meticulous and highly organized Debtors Clerk to join our finance learn. The successful candidate will be responsible for managing the end-oned debtor processing function, ensuring the accuracy of financial transactions, and assisting with general accounting duties. If you have strong analytical skills and thrive in a structured environment, we encourage over the apply.

- Key Responsibilities
   Process and allocate customer invoices, payments, and credits accurately and
- limely.

  Reconcile customer accounts and follow upon outstanding balances.

  Prepare and send monthly statements to clients.

  Manage and monthor the accounts receivable ledger.

  Investigate and resolve account discrepancies and queries.

  Liaise with clients regarding payment terms and collections.

  Assist with month-and and year-end closing processes.

  Maintain proper documentation and filling systems for audit purposes.

- minimum Requirements

   Minimum 3 years debtors processing and related experience.
   Relevant qualifications are preferred.
   Abely to build and maintain relationships is essential.
   Must have excellent written and verbal communication and interpersonal skills.
   Must have excellent written and verbal communication and interpersonal skills.
   Knowfedge of and proficency in enforcing internal financial controls around sales and procurement will be a distinct advantage.
   Good communication skills written and oracli (English)
   Must be computer Elerate (Microsoft Office (Excel, Word, Outlook, etc.) and Pastal Evolution)
   Namiblan citizen

Applicants meeting the requirements are invited to send their CV and supporting documents as one PDF attachment to the following small with the relevant

Email: recruitment@seventy7consulting.com Reference: 77Rec 302

Reference: 77Rec 302 Contact person: Karolina Namawe Contact details: 081 442 3206

Closing date for applications: 7 FEBRUARY 2025

#### PUBLIC NOTICE

ENVIRONMENTAL IMPACT ASSESSMENT FOR THE PROPOSED CONSTRUCTION AND OPERATION OF A SOLAR PV PLANT INCLUDING BATTERY ENERGY STORAGE AND OVERHEAD TRANSMISSION LINES TO SUPPORT GREEN HYDROGEN AND AMMONIA PRODUCTION

In accordance with the Environmental Management Act 2007 (Act No. 7 of 2007), notice is hereby given to all possible Interested and Affected Parties (I&APs) that an application will be made to the Environmental Commissioner environmental clearance as follows:

Project: Construction and Operation of a Solar PV Plant including Baltery Energy Storage and Overhead Transmission Lines to support Green Hydrogen And Ammonia Production

immona Producion
roponant: Tero Molecules Walvis Bay (Ply) Ltd
ocation: Fam Bloamhof 109 Erongo Region
ublic meeting 1. Dale: 13° February 2025 Place:
walkopmund, Versue: Temariskia Hall, Time, 10H00 -

Public meeting 2. Date: 14th February 2025, Place: Arandis Venue: Arandis Community Hall, Time, 11H00 – 1
Deadline for Comments: 31" April 2025
Register as I&Aps @: Emall: inlo@lec.com.ns.,
Postal Address: P.O. Box 35473, 11H00 - 13H00

Cell phone: +264811220114 or +264811477889



Tortoise Environmental Consultants(TEC)



#### REZONING OF ERF931 VINETA EXTENSION 4

Stewart Planning intends to apply to the Murucipality of Swakopmund, and the Ministry of Urban and Rural Development for the following:

Erf 931 Vineta Extension 4 (adjacent to Pengulo, Mowen and Strandloperijle Street): Rezoning from General Residential 2 with a density of 1:250m² to General Residential I with a density of 1:250m², to

Ceneral Residential in with a density of 1225001.
The afforementationed application is submitted in terms of
the Swakopmund Zoning Scheme (as amended), and the
Urban and Regional Planning Act, 2018 (Act No. 5 of
2018). The need for rezoning relates to increasing the
permitted building height from 8 meters under the
General Residential 2 land use provisions 1.3 meters
under the General Residential 1 land use provisions. Take note that

Take into that—
(a) the background information document lies open for inspection at the Town Planning Department of the Municipality of Swakopmund, corner of Rakotuka and Daniel Kambo Streel, Swakopmund An electronic copy can be requested from Mrs Melissa Krown, melissafigar, com. usi.

(b) envy person having comments or objections to the application, may in writing lodge such objections and comments, together with the grounds thereof, with the Chief Executive Officer of the Municipality of Swakopmund and with Stewart Planning within 14 days of the last publication of this notice: Last publication of this notice:

(c) Written objections must be submitted before or on 17:00 Friday, 28 February 2025.

17:00 Fridny, 28 Pebruary 2 Local Authority: Chief Executive Officer Municipality of Swakopmund 1Y) Box 53 Swakopmund Jieia/Ezskinun com.na 064 410 4403

Applicants Stewart Planning Town & Regional Planne PO Box 2095 Walvis Ray niclissa@sp.com.ua 064 280 773



era Seelood Company (Pty) Ltd. with its operations based in Wahris Bay, Nambia specialises in hervesting the best quality species using latest technological standards, onboard processes, and deep freeze of quality hervested fish species

For expansion of our business, we seek to appoint a vibrant, focused, innovative and skilled candidate to be part of our dynamic and energetic team in the following position:

#### **VACANCY: FRONT DERK OFFICE ASSISTANT**

Reporting to: General Manager Location: Walvis Bay

POSITION MAIN PURPOSE
The main purpose of the Front Desk Office Assistant is but not limited to menage the Company front's desk activities and to perform, provide and resecute various management, departmental office administrative and deficial assistance and support.

#### ROLES AND RESPONSIBILITIES

- Great and vectors guests, claints, customers, contractors and direct viritors to the appropriate person and office Answer, screen and forward incoming phone cells as well as receive, sort and distribute daily maltideliveries. Ensure the reception area is tidy and presentable, with all necessary stationery and material (e.g. pens, forms and
- brochures).
- Assist the finance department with debtors / accounts receivable's customer invoices processing, sub-payment and creditors / accounts payable's vendor biffings and invoice tracking.
- Assist logistics department with system data entry administrative tasks relating to product storage, controls, invoices and
- Assist procurement / technical department with ordering and acquiring goods and services, processing or creating purchase orders, arranging payment and liabsing with suppliers.

  Assist operations department with various administrative day-to-day operational activities.
- Order office supplies and keep inventory of stock. Keep updated records of office expenses and costs.
- mother administrative tasks such as filing, photocopying, scanning and faxing

#### REQUIRED QUALIFICATIONS & EXPERIENCE

- Grade 12 certificate and a tertiary qualification in business administration will be an added advantage
- All least 4 year's front desk working experience with proven previous client service experience an added advantage.
- At least 3 years' accounts receivable, accounts payable, procurement and or logistics experience.

#### REQUIRED KNOWLEDGE

Knowledge of finance, procurement and logistics systems will be an added advantage

### REQUIRED SKILLS & ATTRIBUTES

BECONCUSTANT, S. a. IL INSULES.
Advance computer proficiency with advance MS Excel skills, Ability to work with complex and diversified workforce, Attention to detail and accuracy, Flexibility and ability to work under pressure, Ability to work longer hours and or over weekend. Excellent interpersonal and organizing skills, Excellent record keeping skills, Exce and prioritizing skills, Excellent proactive, assertive, creative and advance planning skills

# COMPULSORY REQUIREMENTS

- A Police Code of Conduct Certificate with no endorsements obtain during the last 6 months or application receipt
- Only successful applicants shall be contacted, and shortfisted candidates can be subjected to acreening and vetting
- No CV's or supporting documents shall be returned

Pereria Seafood Company (Pty) Ltd.'s prides itself in offering competitive merket related salary and is committed to employing previously disadvantaged Namiblen candidates who are hereby encouraged to apply.

Applications with cover letter, resume / curriculum vitae (CVe) and supporting documents meeting the vacency requirements must be forwarded and or delivered to:

Dawid Navyman | Human Recourace Secutive | Pereira Sastood Company (Pty) Ltd | Ben Amathila Street | Welvis Bay | Namibia | PO Box 3751, Wakris Bay, Namibia | Telephone: (+264) 83 3343 161 | E-mail: day/d@bluesea.com.na

CLOSING DATE: Thursday, 13° February 2025

31 JANUARY 2025 10 NAMIB TIMES

# **VACANCIES & NOTICES** VACANCIES & NOTICES



#### NAM OYSTER FARM CC PRODUCTION MANAGER

This is a full time on site role for a Production Manager in Walvis Bay, Namibia The Production Manager will be respunsible for overseeing day-to-day operations, managing production schedules, ensuring quality control, and supervising staff to meet production.

- Must have a license
- Able to work with people
- Computer Interate especially in excel
- Knowledge of inventory control and system
- Mechanical or technical background will be an advantage

#### Closing date: 14th February 2025

CV's to be emailed to koos blackw@gmail.com. Only emailed CV's will be concidered. Please note that only short-listed applicants will be contacted. If you are not contacted within 7 days efter the closing date, please consider your application unsuccessful.

# VACANCY ANNOUNCEMENT



VACANCY
Sea Rail (Botswana) (Ply) Lid ("SeaRail") invites suitably qualified candidates to apply for the position below. The company runs the Botswana Dry Port facility in Wah'ss Bay, Namibla, with a mission to operate a sustainable Dry Port, supported by atrong partnerships, that allows for a full range of safe, cost-effective import and export services.

#### POSITION: OPERATIONS MANAGER

#### MAIN PURPOSE OF THE JOB:

The main purpose of the Operations Manager is to be dynamic and results-driven in lead the operations learn to ensure seemless execution of all logistics, transport, and operational activities facilitating safe and efficient operations while adhering to all relevant regulations and safety standards.

#### POSITION REQUIREMENTS:

- Adegree in Business Administration, Logistics, Supply Chain Management, or a related field
- or a related held Aminimum of 5 years of experience in operations management, specifically in the logistics, warehousing or transportation industry at supervisory level. Aminimum of 2 years working with customs or freight forwarding related
- Outles Strong leadership, decision-making, and problem-solving skills Proven ability to manage teams and foster a collaborative work environment. Excellent organizational and time management skills with the ability to handle multiple prio
- Knowledge of logistics software and systems is an advantage.

  Strong financial acumen and the ability to manage budgets effectively.

### KEY PERFORMANCE AREAS:

- Oversee the day-to-day operations, including logistics, transportation, and resource management.
  Develop and implement
- plement operational strategies and standards to improve
- Manage and optimize the use of company resources, ensuring cost-effective
- Ensure compliance with regulatory requirements, company policies, and
- satety standards.
  Collaborate with internal departments, including Finance and Admin, and
  Business Development, to align operations with overall company objectives.
  Monitor key performance indicators (KPIs) and generate regular
- performance and progress reports.

  Lead, mentor, molivate and develop staff to achieve operational excellence.
  Identify and mitigate operational risks to ensure business continuity.

  Build and maintain strong relationships with clients, stakeholders, and

Remuneration
SeaRail offers competitive salary and benefits. If you meet the above requirements and believe you can make a significant contribution to the operations of SeaRail, please forward your applications together with your resume' and CERTIFIED copies of identity and qualifications to:

#### vacancy@searail.com.na

Financo & Admin Manager Sea Rail (Bolswana) (Pty) Lid C/O 5th Road & 5th Street P. O. Box 5100, Walvis Bay, Namibia

Closing date: Friday, 7 February 2025

Only shortlisted candidates with relevant supporting documents attached to their application will be contacted for intentions rapplication will be contacted for interviews

# Tutaleni High School Learners Enjoy **New Outdoor Seating Thanks to Rotary** Club Walvis Bay Elleen van der Schyff

Learners at Tutaleni High School in Walvis Bay started the new school year with smiles as they returned to a brandnew outdoor seating area, made possible by the Rotary Club Walvis Bay and generous donors.

The initiative started in 2024 when the school's Learners' Representative Council (LRC), with the support of their guardint teacher, approached the Rotary Club with a request to help turn their vision into reality. Their goal was to create an outdoor sea-ting space where students could relax and socialise during their break times. With the necessary resources secured, work on the project commenced to-words the end of last year and was successfully completed just before Christmas. Student were deligh-ted to find the new facility ready for use. The Rotary Club Walvis Bay extended their best

wishes to the school community, expressing their hope that the seating area will serve students well for many years to come. They also took the opportunity to acknowledge and thank the donors whose contributions played a big role in making the project a success.

### REZONING OF ERF 931 VINETA EXTENSION 4

Stewart Planning intends to apply to the Municipality of Swakopmund, and the Ministry of Urban and Rural Development for the following:

Development for the intowing: Kt 931 Vineta Extending 4 (adjacent to Pengulo, Mowen and Strandinger(tjle Street): Rezoning from General Residential 2 with a density of 1:250m<sup>3</sup>, General Residential I with a density of 1:250m<sup>3</sup>.

General Residential 1 vitin a density of 1/250m<sup>-</sup>. The aforemental one displication is submitted in terms of the Swakopitumid Zoning Scheme (as amended), and the Lefton and Regional Planning Act, 2018 (Act No. 5of 2018). The need for rezoning relates to increasing the permitted building height from 8 meters under the General Residential 2 land use provisions to 13 meters under the General Residential 1 land use provisions.

Take note that— (a) the background information document lies open for inspection at the Town Planning Department of the Manucapality of Swakgomind, corner of Hakvoloka and Daniel Kanbo Suret, Swakgomind An electronic copy can be requested from Mrs Melissa Kroon.

scopy can be requested from Mrs Metrisis Krone. nellisiss/2ia.com/ms.

(b) any person faving comments or objections to the opplication, hay in writing lodge such objections and comments, together with the grounds thereof, with the Chief Executive Oliveies of the Manuerpathy of Swakapinand and with Stewart Planning within 14 slays of the fast publication of this notice.

(c) Written objections must be submitted before or on 17:00 Friday, 28 February 2025.

Lucal Authority: Chief Executive Officer Municipality of Swakopous PO Box 53 Swakopousd theilaserwkmun com na 064 410 4403



# NOTICE IN TERMS OF THE URBAN AND REGIONAL PLANNING ACT OF 1018, WALVIS BAY ZONING SCHEME, AND ENVIRONMENTAL MANAGEMENT ACT OF

Stewart Planning intends to apply to the Municipality of Walvis Bay, and/or the Ministry of Urban and Rural Development, and/or the Ministry of Environment, Forestry and Tourism for the following statutory ap-

1. Erven 567 and 568 Langstrand Extension 2 (2-4 Foreshore Street): Consolidation into Portion X and subsequent Rezoning from Single Residential with a density of 1:500 to General Residential 1 with a density of 1:250.

of 1:250.

2. Erf 1130 Walvis Bay (267 Nangolo Mbumba
Avenue): Rezoning from Single Residential with a density of 1:300 to General Business with a bulk factor of 2.0 and the subsequent application for an Environments

CLEATONCE CERTIFICATE.

3. Fer 2.31 Walvis Bay (36 Sum Nujomu Avenue):
Rezuning from Single Residential with a density of 1:500 to Single Residential with a density of 1:300 and the subsequent subdivision into two equal portions (Portion A and Remainder).

The applications are submitted in terms of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), Wal-vis Bay Zoning Scheme, as amended, and/or the Envi-ronmental Management Act, 2007 (Act No. 7 of 2007).

Take note that:
(a) the pre-application drafts (bid documents) lie open
for inspection at Room 101 of the Roads and Building
Control Department of the Municipality of Walvis Bay
situated at Civic Centre, Walvis Bay or can be requested
from maxio(25 n.com.na.
(b) Potential interested and affected parties are invited to
register with Stewart Planning, and any person having
comments or objections to the anolication, may in Wri-

comments or objections to the application, may in writing lodge such objections and comments, together with the grounds thereof, with the Chief Executive Officer of the Municipality of Walvis Bay and with Stewart Planning within 14 days of the last publication of this notice. Written objections must be submitted before or on 17:00 Thursday, 27 February 2025.

Applicant: Stewart Planning Town & Regional Planners PO Box 2095 Walvis Bay mario@-sp.com.na 064 280 773

Local Authority: Chief Executive Officer Municipality of Walvis Bay Private Bay 5017 Walvis Bay <u>ug.m</u> 064 201 3339

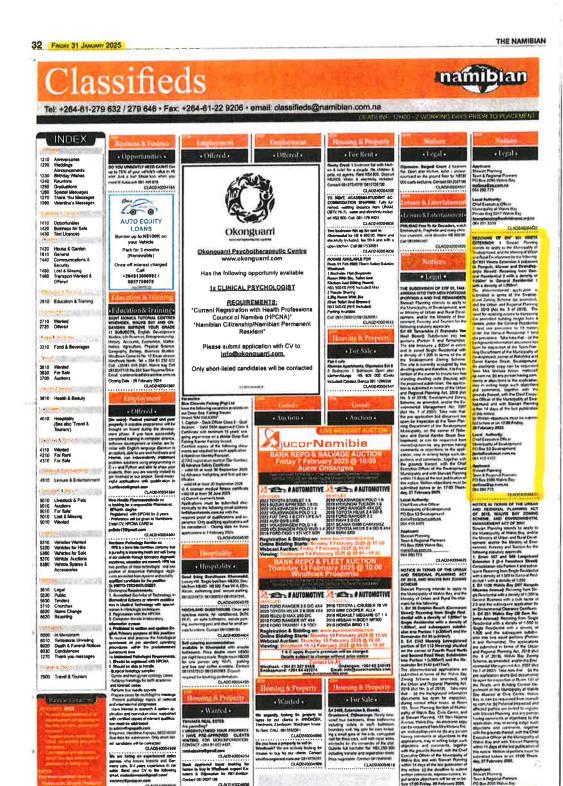
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DISCLAIMER



Tel: +264-61-279 632 / 279 646 • Fax: +264-61-22 9206 • email: classifieds@namibian.com.na





DISCLAIMER

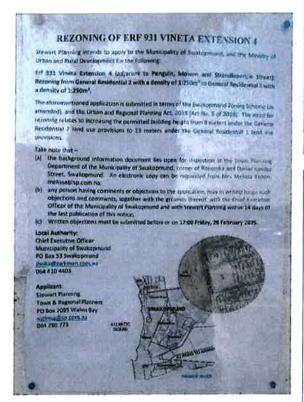


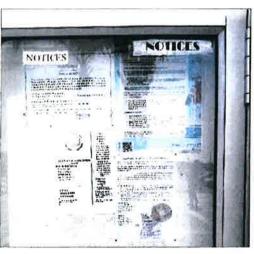
TOWN & REGIONAL PLANNERS

First Floor, 122 On Main Building 122 Sam Nujoina Avenue Walvis Bay

P.O. Box 2095 Tel: (O64) 280 773 Email: melissa@sp.com.ua

#### Photos of Notices that was put up





### **REZONING OF ERF 931 VINETA EXTENSION 4**

Stewart Plenning intends to apply to the Municipality of Swakopmund, and the Ministry of Urban and Rural Development for the following:

Erf 931 Vineta Extension 4 (adjacent to Penguin, Mowen and Strandiopertije Street): Rezoning from General Residential 2 with a density of 1:250m² to General Residential 1 with a density of 1:250m².

The aforementioned application is submitted in terms of the Swakopmund Zoning Scheme (as amended), and the Urban and Regional Planning Act, 2018 (Act No. 3 of 2018). The need for rezoning relates to increasing the permitted building height from 8 maters under the General Residential 2 land use provisions to 13 meters under the General Residential 1 land use

- (a) the background information document lies open for inspection at the Town Planning Department of the Municipality of Swakopmund, corner of Rekotoka and Daniel Rambo
- Department of the Municipality of Swakopimund, corner of Hastoriaa and Daniet Remoo Street, Swakopimund. An electronic copy can be requested from Mrs Mellisas Kroon melissa@sp.com.ns;

  (b) eny person having comments or objections to the application, may in writing lodge such objections and comments, together with the grounds thereof, with the Chief Executive Officer of the Municipality of Swakopimund and with Stewart Planning within 14 days of the lasty publication of this notice;

  (c) Written objections must be submitted before or on 17:00 Friday, 28 February 2025.

Local Authority: Chief Executive Municipality of Swakopmund PO Box 53 Swakopmund Peta@swkmun.com.na 064 410 4403 Applicant:

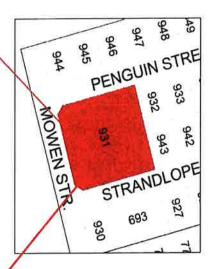
Town & Regional Planners PO Box 2095 Walvis Bay meliana N sp.com.ma 064 280 773



First Floor, 122 On Main Building 122 Sam Nujoma Avenue Walvis Bay P.O. Box 2095 Tel: (064) 280 773 Email: mel:ssa@sp.com.na









CONTACT DETAILS OF NEIGHBOURS SITUATED CLOSE TO ERF 931 VINETA EXTENSION 4

Please complete the following contact details and return a copy to Johann Otto: otto@sp.com.na

Erf Number/Township	Name/Company	Email address	Contact number	Postal address
(a) = (4)	9. 1			
Erf 926 Vineta Ext 4	MOTINGA E	pa@ansucoastalproperties.com	0812534481 V	P O BOX 2758
Erf 927 Vineta Ext 4	DAVIS LE	LEDC2C@GMAIL.COM	0811292347/ 064462327 🏑	P O BOX 224 SWAKOPMUND
Erf 693 Vineta Ext 4	BRAND ESTATE LATE JP	bieries5@gmail.com	0811427007	n/a
Erf 930 Vineta Ext 4	GREWAR JM	kwbp@iway.na	0811277707 🗸	P O BOX 11411 KLEIN WINDHOEK
Erf 932 Vineta Ext 4	ESBACH JJ	JOLINDA@IWAY.NA	0812889200/ 061242190	P O BOX 30520 PIONERSPARK WINDHOEK
Erf 943 Vineta Ext 4	DEGELE JF	DEGELE@MWEB.COM.NA	064461843	POSBUS 59 SWAKOPMUND
Erf 942 Vineta Ext 4	VERMAAK JJ	THEGLEN@IWAY.NA	0812486331	P O BOX 265 OUTJO
Erf 933 Vineta Ext 4	FELLNER GAM&EM	FELLNER.@LIVE.DE	0814567342	P O BOX 4871 SWAKOPMUND
Erf 944 Vineta Ext 4	JOSLEN INVESTMENT CC PIERRE RENE	n/a	462844	P O BOX 495 SWAKOPMUND
Erf 945 Vineta Ext 4	SCHNEIDER IH	INGO.H.SCHNEIDER@GMAIL	0812331040	P O BOX 22945 WINDHOEK
Erf 946 Vineta Ext 4	SWART & JUBBER & BADENHOR L&LS&M-A	n/a	0812465527/ 061232743	C/O ME L SWART P O BOX 1313
Erf 947 Vineta Ext 4	SCHNEIDER I	PCG@IWAY.NA	061228909	POSBUS 3134 WINDHOEK
Erf 948 Vineta Ext 4	NAMIBIA MARBLE & GRANITE(PTY) LTD FRANZ WITTREICH	EAWITTREICH@MARMORWERKE.COM.NA	064550201	P O BOX 69 KARIBIB

V	JOHANN OTTO - STEWART PLANNING PO BOX 2095 WALVIS BAY		1 VINETA EXT 4 IING APPLICATIO	N	NAM
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# SUPPORT/OBJECTION FORM

ERF 931 VINETA EXTENSION 4: PROPOSED REZONING
Name: <u>Jennifer Lorraine</u> Metherson  Address: 4 Möwen Street, Swatapmund  Contact/Email: <u>jenny@phlegal.com.nq</u> - 081 2697767  I, the owner of Err 167 Swatapmund
Do not object to:  Please lick where applicable, for example:  Object to:
Rezoning of Eri 931 Vineta Extension 4 (Vineta North) from General Residential 2 (1:250m²) to General Residential 1 (1:250m²) to increase the permitted building height in terms of the Swakopmund Zoning Scheme, as amended.
Comments (if any):
I provide the second of the se
Signature: 20/02/2025

Kindly take note that comments should reach me by Friday 28 February 2025.



# SUPPORT/OBJECTION FORM

#### **ERF 931 VINETA EXTENSION 4: PROPOSED REZONING**

EINF 83	I VINETA LATEINO	ION 4. FROFOS	ED NEZOIIII	3	
Name: JAN De	invel Rac	co McP.	Kerson	,	
Address: 4 M	löwen S	treet			
Contact/Email: dick	mp@iw	ay. na	-081	12701	16
I, the owner of Erf	767 Su	vatopm	und		
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Signature: John	704:	Date	20/0	1/2005	
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Kindly take note that comments should reach me by Friday 28 February 2025.

# Stewart Planning Town & Regional Planners

P.O. Box 2094

**Walvis Bay** 

13013

Namibia

DATE: 24 February 2025

Attention: Mrs. Melissa Kroon

# Re: Rezoning of Erf 931 Vineta Ext.4 from General Residential 2 to General Residential 1

The above subject matter herewith refers.

### 1 Background

Following the request by Steward Planning Town & Regional Planners to consider "the increase the building height from 8 to 13 meters " for ERF 931, most of neighbours have been in contact with each other as to consider a joint response. These neighbours are as follows:

Erf No Name

937 H. Strydom

936 K. Boysen & F. Heel

934 H&J von Alvensleben

933 E&A Fellner

932 L Esbach

938 K. Boysen & F. Heel

939 F. Heel

941 B. De Lange

942 J. Vermaak

944 Ple Roux

945 I.H.Schneider

946 C. Naruseb

947 I.Schneider

922 H.Steinfurth

923 E. Glueck

924 A. Schnelle

926 E Motinga

693 Brand and Bierman

935 C. De VIlliers

We acknowledge that the existing zoning allows for 14 units and a height restriction of 8m. We believe that proposed development will

- address the issue of loitering as observed on the erf
- address the use of the erf as a public toilet and
- overall improve the security situation in the area.

In this sense a development of the property is welcome.

# 2 Increase building height from 8 m to 13 m

We consider the increase from an 8m to 13m height (a 62% increase of the height currently allowed) to

- have a significant effect on the current character of the neighbourhood, which we would like to maintain.
- o block the sea view of houses to the east and south of the planned development
- allow for unrestricted view into neighbouring properties in effect sacrificing their privacy.
- o alter wind patterns in the area the impact of which we cannot be establish

Consequently, we oppose the increase from 8m to 13 meter and request the developer to pursue a development in line with current regulations.

#### 3 Change from consent use

In addition to change in height, there is a request to change "consent uses". The change of "consent uses" is to now include Licensed Hotels, Institutional buildings and Residential guest house. This is not in line with the proposed development and hence unnecessary.

Consent uses (Require Council's consent)	Place of Public Worship, Resident Occupation, Bed and Breakfast, Pensions, Residential Buildings	Place of Public Worship, Place of Instruction, Resident Occupation, Bed and Breakfast, Pensions, Licensed Hotels, Institutional Buildings Residential Guest House
---	---	--

We oppose the changes of Consent Uses and request it to remain as is.

We would also like to point out that the Use changes will require

- a different approach to parking and traffic to the area.
- Management of noise levels in the residential area if a hotel would have conference facilities and possibly a restaurant.

None of these have been detailed as to allow an assessment thereof.

#### 4 Impact on property values

The points raised in 1) are likely to impact the commercial value of properties in the area especially when blocking a sea view.

We find it difficult to understand that the maximising of the benefit to a property developer should be at the expense of the other residents. The making a lucrative development so much more lucrative, to the detriment of the surrounding residential houses is surely not socially just cause.

#### 5 Setting a precedent

We believe that allowing for one exception (in effect allowing for a high rise build to be built), will set a precedent going forward, in effect invalidating any future objections. We do **not** want the quaint suburb of Vineta to be converted into a concrete jungle.

#### 6 Other points of relevance

#### 6.1 Parking

The plan proposes 31 parking bays (7 x Basement garages, 8 double garages and 8 luxury size garages) which is 17 more than what is required by the current and proposed zoning. Limiting these to 14 could potentially assist in reducing the height requirement.

	1 Parking bay per dwelling	1 Parking bay per dwelling
Parking	unit. Council may relax	unit Council may relax
	parking requirements.	parking requirements.

Please also refer to comment under 3 where the Use seems to suggest a different long term development with different requirements such as an hotel as example.

## 7 Summary response

- Increase of height from 8m to 13 m OPPOSED AND REJECTED
- Change of Consent uses OPPOSED AND REJECTED

Yours sincerely

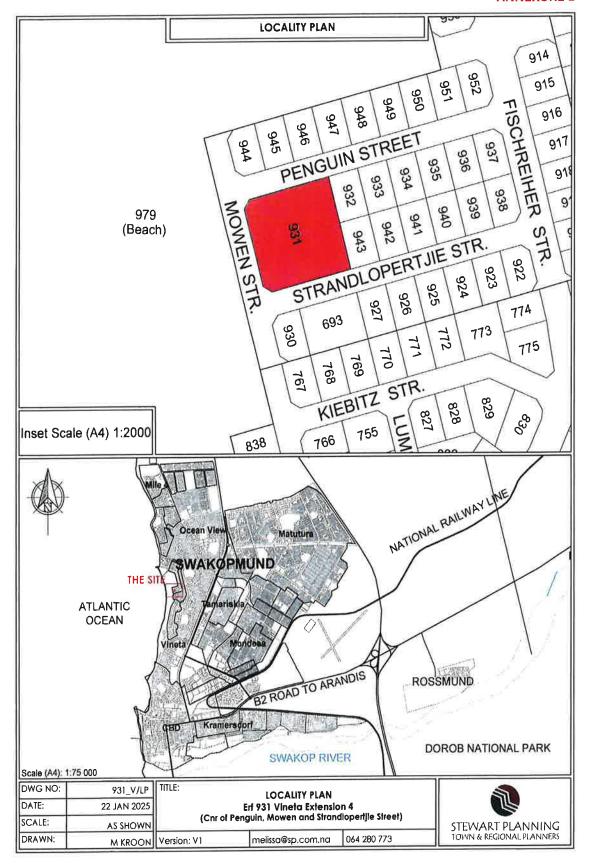
Concerned neighbours

(Signature page to follow)

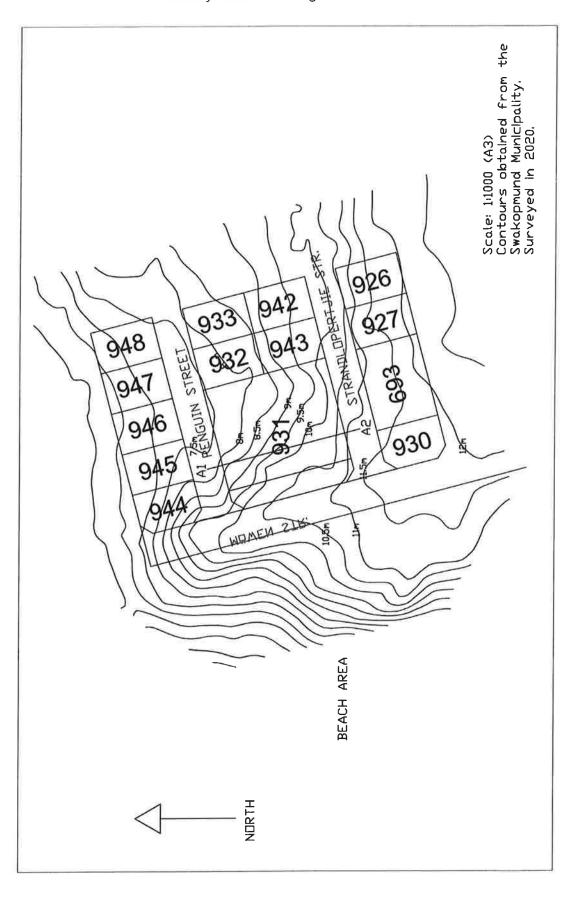
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933 932	E&A Fellner  J Esbach	ASO
938	K. Boysen & F. Heel	Stram Verillell
939	F. Heel	Developer
941	B. De Lange	Pokkerge
942	J. Vermaak	Mermany
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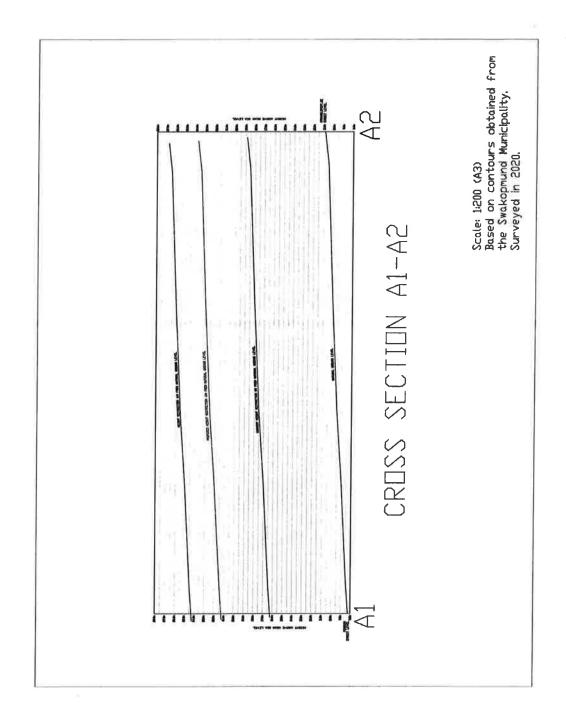
### **ANNEXURE D**

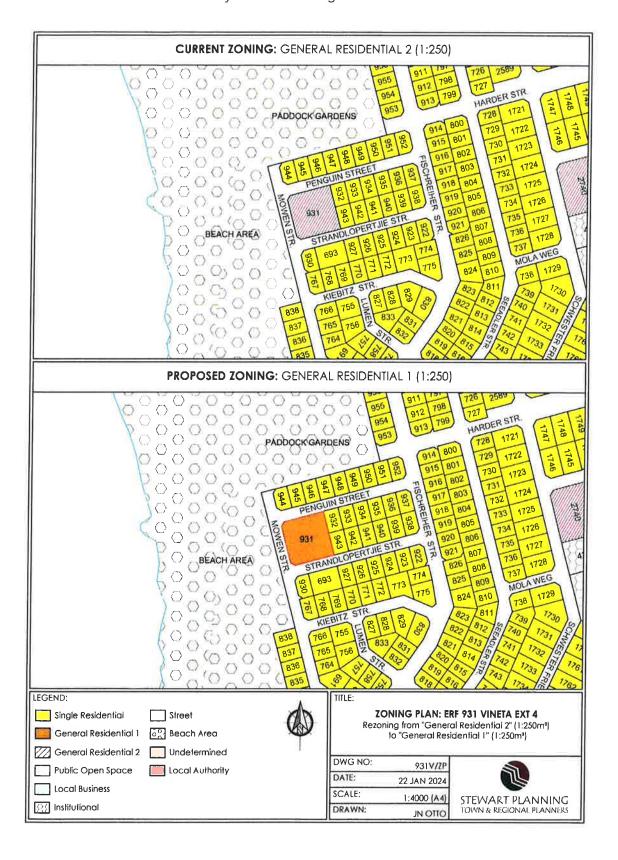


Ordinary Council Meeting - 03 June 2025



Ordinary Council Meeting - 03 June 2025





# 11.1.11 REQUEST FOR PERMISSION FOR SWAKOPMUND MUNICIPALITY TO PARTICIPATE IN THE 14TH NALASRA GAMES - KATIMA MULILO (C/M 2025/06/03 - 13/6/3)

Ordinary Management Committee Meeting of 15 May 2025, Addendum 9.2 page 06 refers.

### A. This item was submitted to the Management Committee for consideration:

**Attached** please find an invitation dated **24 February 2025** from the Secretary General of the Namibian Local Authority Sports and Recreation Association (NALASRA). The invitation highlights the significance of the event, which aims to foster teamwork, wellness, and camaraderie among employees of local authorities across Namibia.

This submission seeks Council's approval for the Swakopmund Municipality's participation in the 14th NALASRA Games, scheduled to take place in Katima Mulilo from **26 to 30 May 2025**.

#### Details from the Invitation:

- All participating local authorities are expected to arrive in Katima Mulilo on **24 May 2025** for accreditation and collection of player cards.
- The Opening Ceremony will be held on **26 May 2025**, featuring a soccer match between the host municipality and the 2024 soccer champions.
- The Closing Ceremony is scheduled for **30 May 2025**.

### **Significance of Participation:**

Participation in the NALASRA Games will provide the following benefits:

- Promote employee wellness and team spirit, enhancing a productive and engaged workforce.
- Strengthen inter-municipal relations and encourage knowledge sharing.
- Elevate the Municipality's profile on a national stage through excellence in sports and community engagement.
- Support national efforts to promote a healthy and active workforce.

## **Event Details and Municipality's Participation:**

The Swakopmund Municipality intends to compete in the following sport codes:

- 1. Volleyball (Male and Mixed Teams)
- 2. Soccer
- 3. Netball
- 4. Tug of War
- 5. Stone Games
- 6. Ring Board

A total of **45 participants** are expected to take part.

#### **Request for Use of Municipal Minibus:**

Approval is also sought for the use of the Municipal Minibus (N 3695 S) for:

- Efficient and cost-effective transport to and from Katima Mulilo.
- Facilitating transportation between venues, meetings, and other logistical needs.
- Minimizing transportation costs for participants.

#### **Financial Considerations:**

Estimated costs associated with participation are as follows:

- Annual Membership Fee: **N\$10,000.00**
- Transport Costs: N\$120,000.00
- Accommodation Costs: **N\$116,100.00** (N\$30,000.00 already paid as deposit from the Sport club)
- Meals: N\$60,000.00

### **Funding Breakdown**

- Participants' Contribution: N\$1,000.00 per participant
- Council Budget (NALASRA/SAIMSA Vote): N\$77,000.00
- **Sport and Social Club Fundraising:** The club is making ongoing efforts to raise additional funds. Over the past three months (February to April), it has raised a total of N\$9,000.00.
- **Sponsorships:** To date, the Sport and Social Club has not secured any sponsorships to cover transport and accommodation expenses.

In the event that sponsorships are not secured in time, the Sports and Social Club respectfully requests an **additional N\$250,000.00** allocation under Vote No: **101015563500** to cover any outstanding expenses.

#### Conclusion:

The NALASRA Games offer an invaluable opportunity to foster employee morale, represent the Municipality nationally, and support a holistic approach to employee well-being.

### B. After the matter was considered, the following was:-

#### **RECOMMENDED:**

- (a) That permission be granted for 45 participants of the Swakopmund Municipal Sport & Social Club to participate in the 2025 NALASRA Games in Katima Mulilo from 26-30 May 2025.
- (b) That permission be granted for the Swakopmund Municipal Sport and Social Club to proceed with preparations and organisation for the event.
- (c) That Permission be granted for the use of the Municipal Minibus (N 3695 S) for travel between 24-30 May 2025.
- (d) That Council grants approval, in principle, for special leave for participating staff members, subject to approval by their respective Heads of Department, as per conditions of employment.
- (e) That the following five (5) Councillors accompany the group to the NALASRA Games:
  - Councillor S Kautondokwa
  - Councillor E Shitana
  - Councillor H H Nghidipaya
  - Councillor D Am-!Gabeb
  - Councillor P Shimhanda

- (f) That the subsistence and travelling allowances for the Councillor be covered under the Conference Expenses Vote 101015505500.
- (g) That the General Manager: Finance releases the budgeted amount allocated to the Swakopmund Municipal Sport Club (Vote 101015563500) to assist with transport and accommodation costs.
- (h) That Council approves the transfer of an additional N\$250,000.00 under Vote: 101015563500 (NALASRA/SAIMSA), should sponsorships not materialize.
- (i) That Council transfer additional N\$150,000.00 on the NALASRA/SAIMSA Vote: 101015563500, in the event that sponsorships are not secured.

# SWAKOPMUND MUNICIPAL SPORTS CLUB LIST OF PARTICIPANTS - NALASRA 2025 GAMES

Katima Mulilo | 24 May 2025 - 30 May 2025

# Soccer

NAME	SURNAME	DEPARTMENT/SECTION		
Engelhard	Awaseb	Engineering		
Dawid	Guruseb	Health & Solid Waste		
Philipus	Amunyela	Health & Solid Waste		
Penti Pashu	Ndara	Nursery		
Ngumatjiua	Hindjou	Health & Solid Waste		
Peuyomwene	Vatekuleni	Health & Solid Waste		
Samuel	Paulus	Parks & Gardens		
Metusalem	Paulus	Health & Solid Waste		
Valno	Munenge	Health & Solid Waste		
Paulus	Petaya	Engineering		
Marvin	Beukes	Health & Solid Waste		
David	Olavi	Parks & Gardens		
Dean	Tieties	Health & Solid Waste		
Ellis	Geibeb	Health & Solid Waste		

# <u>Netball</u>

NAME	SURNAME	DEPARTMENT/SECTION		
Venelanda	Mwazi	Water Works		
Natasha F	Namukwambi	kwambi Corporate Services & Human Capital		
lvy	Kandjavera	Chief Executive Officer		
Rosemary	Mbendura	Nursery		
Klaudia	Kookayi	Finance		
		Corporate Services & Human Capital		
Elron Hange		Nursery		

# **Ring Board**

NAME	SURNAME	DEPARTMENT		
Benis	Kazombiaze	Engineering		
Aullerious	Uvanga	Engineering		
Rachel	Mundjindi	Economic Development		
Stanley	Kandovazu	Engineering		

# Volleyball

NAME	SURNAME	DEPARTMENT/SECTION		
Hendrik	Kotze	Engineering		
Norman	Phillipus	Health & Solid Waste		
Onesmus	Erastus	Finance		
Denzo	Brooks	Finance		
Moses	Jonas	Engineering		
Fillepus	Kanguleni	Health & Solid Waste		
Tobias	Andreas	Health & Solid Waste		
Fransina	Darius	Economic Development		
Jenneth	Kazondandona	Parks & Gardens		
Lovisa Shiwedha		Economic Development		
Damona	Shipweya	Economic Development		

# Stone game

NAME	SURNAME	DEPARTMENT / SECTION		
Raina	Kornelius	Water works		
Martha	Shinedima	Water Works		
Stephania	Namwenyo	Health & Solid Waste		
Renathe	Mauha	Economic Development		

# Tug of war

NAME	SURNAME	DEPARTMENT / SECTION		
John - Fefa	Ngola	Engineering Engineering		
Sakaria	Raban			
Ehrenfried	Mauha	Nursery		
Esegiel Tjahikika		Parks & Gardens		
Pius	Nghidipa	Engineering		

### **ANNEXURE B**



PO Box 41518 Au spanplatz Office No. 41 Keck & Schimdt Building First Floor Windhoek Mobile: +26481 578 2441 Reg No CC/2017/03503

Email: owerainvestmentcc@gmail.com

QUODAte: QUO No: REG No

29 April 2025 00000010 CC/2017/03803 07676906-015

# QUOTATION

CUSTOMER

Attention: Mr. AWASEB SWAKOPHUND MUNICIPALITY

SWAKOPMUND

1	Day 1			N\$7,650.00
	Dinner: Beef Stew, Pap, Green Vegetables OR savory Rice, fried Pork with Potato Salad Drinks included	45	N\$170	N\$7,630.00
2	Day 2	-	144470	N\$7,650.00
	Dinner: Beef braai, Vegetables & Noodle Salad OR braai Chicken, Beetroot Salad & Rice Drinks Included	45	N\$170	N\$7,830.00
3	Day 3			N67 (F0 00
_	The County of the County block COR Fried	45	NS170	N\$7,650.00

•	Day •	400	N\$170	N\$7,650.00
	Dinner: Beef braai, Vogetables & Noodle Salad OR braai Chicken, Beetroot Salad & Rice Drinks Included	45	N\$170	14\$7,033.00
3	Day 3			N\$7,650.00
	Dinner: Pap Fish, Green Vegetables OR Fried Cabbage, Rice with Beef Drinks Included	45	N\$170	N57,630.00
4	Day 4	-	-	N\$7,650.00
	Dinner: Beaf/ Chicken Spaghetti/Macaroni with Sauce, Colesiaw Salad Drinks Included	45	N\$170	N\$7,630.00
5	Day 5		N6170	N\$7,650.00
	Beef Stew served with Rice and Sweet Potato OR Pap, Fish with Vegetable & Sauce Orinks Included	45	N\$170	1457,030.00
6	Day 6	100	14100	N\$8,100.00
	Dinner: 2°Beef braai, Chicken with Potatoes/ Carrot Salad	45	N\$180	1436,100.00

Banking Details

Sub Total

NAD 46,350.00

**Total Due** 

NAD 53,302.50

Account Name: Owers Investments oc Account number: 60003878103

Drinks Included

Branch code: 082972 Bank Name: Standard Bank Namibia OWERA INVESTMENTS CC

Reg. No.: CC / 2017 / 03503 P.O. Box 41518 Windhoek, Namibia Mobile: +264 81 578 2441 cweralnyeatmentco@gmail.com

If you have any queries about this quotation please contact: Mercy Kachaka Cell +264817603432



### **ANNEXURE E**

Quotation No: 2025/001

Silver Reeds Boutique Guest

House

P.O Box 4196, Windhoek Reg. Number:2020/01061 Cell: 0812779799/0813988039

Email:mmatomola@gmail.com

Att: Mr Awaseb

Swakomund Municipality

Swakopmund

25 April 2025

QOUTATION FOR ACCOMMODATION FOR 15 ROOMS/45 PEOPLE FOR 6 NIGHTS, 25-31 MAY 2025; INCL BREAKFAST AND DINNER

DESCRIPTION	NO OF NIGHTS	NO OF ROOMS	UNIT PRICE	TOTAL
Bed and Breakfast	6	15	1,290.00 per room per night	116,100,00
		(Note: @4	30.00 per person per night)	
Dinner incl. one bottle of water	6	45	250,50 per person per night	67.635.00
water& one soft drink				
Sub-Total Excludes VAT				183,735.00
Deposit paid				-30,000 00
Grand Total				153,735.00

#### SIGNATURE:

**BANK DETAILS:** 

.....

Bank Name: First National Bank Account Number: 62264103658

Branch Code: 282672 Account Type: Cheque Account

Please note that this is a discounted rate that includes breakfast



23 April 2025

QUOTATION - NO 230125

#### **Client Details**

TO: Swakopmund Municipality Sport Club

Att: Wkauripeke@swkmun.com.na lkaufilwa@swkmun.com.na

Quantily	Description	Unit Price	Total Amount in NS
60 people	Transporting a trip from Swakopmund to Katima Muklo and back to Swakopmund.	N\$ 1000.00	N\$ 2000.00
	On: 23-30.05.2025		
	The price including per person, fuel and transport around and back,		
		Grand Total	NS 120 0000.00

N8: Pay the whole amount before 7th days of the trip to secure your place.

#### BANK DETAILS:

Karnaku Happiness Transport co

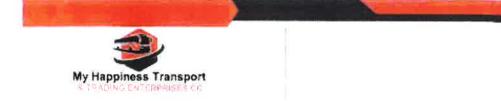
Bank Name; First National Bank of NamibiaAccount No. 62276045426

Branch: Katutura

Contact Details;

My Happiness Transport

Celf: 081 2731820 / 0812601522



#### THANK YOU FOR BUSINESS

VEHICLES FACILITIES: Air Conditioner, Reclaiming Seats, PA System, Seat Belts and Radio.

# The given rate exclusive fuel for the bus.

#Service will be only provided if the payments have been received in full amount and reflect in our account before the departure.

Ordinary Council Meeting - 03 June 2025



## **ANNEXURE C**

# Numibia Local Authority Sport and Recreation Association Annual Financial Statements for the year ended 30 June 2024

## General Information

Country of incorporation and domicile	Namibia
Nature of business and principal activities	To create a spirit of friendship through sport and culture.
Directors	Mr. Daniel A. Mouton - President Mr. Penda Kashihakumwa - Vice President Mr. Gert Van Wyk - Sacretary General Mr. Corry Tjivahe - Deputy Secretary General Mr. Magana. Mukuwe - Treasurer Mrs. Loide Biago - Deputy Treasurer Mrs. Loide Biago - Deputy Treasurer Mrs. Anna Lisa-Korea-Jeremia - Additional Member Mr. Mr. R Gowaseb - Additional Member Mr. Piet Andreki - Additional Member Mrs. H. Kasete - Additional Member Mrs. Theopoline Mack Additional Member
Postal address	
Bankers	First National Bank of Namibia Limited
A \$18.0	A - AIa- annual la - a
Auditora	Androjan consulting ce
	Registered Accountants (Namibia)

## Index

The reports and statements set out below comprise the annual financial statements presented to the shareholders:

	Page
Directors' Responsibilities and Approval	2
Directors' Report	3
Independent Auditor's Report	4
Statement of Financial Position	5
Statement of Comprehensive Income	6
Statement of Changes in Equity	7
Statement of Cash Flows	8
Notes to the Annual Financial	9-11
Accounting Policies	12-13

Directors' Responsibilities and Approval

The directors are required by the Companies Act 28 of 2004, to maintain infoquate accounting records and are responsible for the context and integrity of the annual financial statements and related financial information included in this report. It is their responsibility to essure that the annual financial statements fairly persons the state of affairs of the company as at the end of the financial year and the results of its operations and cash flows for the period theo of the company as at the end of the financial year and the results of its operations and cash flows for the period theo of the company with the Namebian Generally Accepted Accounting Practice-NAC001: Financial Reporting anded, in conformity with the Namebian Generally Accepted Accounting Practice-NAC001: Financial Reporting Standard for Small and Medium sized Emitties. The external auditors are engaged to express an independent opticion on the annual financial statements.

The armual financial statements are prepared in accordance with the Namibian Generally Accepted Accounting Practice-NACCO1: Financial Reporting Standard for Small and Medium stred Entities and are based upon appropriate accounting policies consistently applied and supported by reasonable and prudent judgements and estimates.

The directors acknowledge that they are signastely responsible for the system of internal financial control established by the company and place considerable importance on maintaining a strong control environment. To enable the directors to meet these responsibilities, the sets standards for internal control aimed it reducing the risk of order or directors to meet these responsibilities, the sets standards for internal control aimed in reducing the risk of order or discussion at cost-effective income. The standards include the proper delegation of responsibilities within a clearly defined transcords, effective accounting procedures and dequate sogregation of datien to ensure an acceptable level of risk. These controls are monitored throughout the company and all employees are required to maintain the highest ethical standards in ensuring the company's business is conducted in a measure that in all reasonable circumstances is above standards in ensuring the company's business is conducted in a measure first in all reasonable circumstances is above represent. The focus of risk paragreement in the company is on identifying, assessing, managing and mentioning all known forms of risk across the company. While operating risk cannot be fully eliminated, the company ordervors to maintaine it by ensuring that appropriate infrastructure, controls, systems and ethical behavior are applied and managing within predescrimed precodures and consensions.

The directors are of the opinion, based on the information and explanations given by management that the system of internal control provides reasonable assurance that the financial records may be relied on for the preparation of the annual financial statements. However, any system of integral financial control can provide only reasonable, and not absolute, assurance against material missintegrent or loss.

The directors have reviewed the commany's costs thew forecast for the year to 30 June 2024 and, on the light of this review and the current financial position, they are satisfied that the company has or has acress to adequate resources to continue in operational existence for the formeesble future.

The annual financial statements set ust on page 4 - 7, which have been prepared on the going concern from, were approved by the on 09 December 2024 and were signed on its behalf by: MI

#### Directors' Report

The directors have pleasure in submitting their report on the annual financial statements of Namibia Local Authority Sport and Recreation Association and its associates for the year ended 30 June 2024.

#### t. Nature of business

Namibia Local Authority Sport and Recreation Association was incorporated in Namibia with interests in the Sports industry. The company operates in Namibia.

There have been no material changes to the nature of the company's business from the prior year.

#### 2. Review of financial results and activities

The annual financial statements have been prepared in accordance with The Namibian Generally Accepted Accounting Number-4132 Certified Business Accountant (SAIBA): Financial Reporting Standard for Small and Medium sized Entities and the requirements of the Companies Act 28 of 2004. The accounting policies have been applied consistently compared to the prior year.

Full details of the financial position, results of operations and cash flows of the company are set out in these annual financial statements.

#### 3. Events after the reporting period

The directors are not aware of any material event which occurred after the reporting date and up to the date of this report.

#### 4. Going concern

The directors believe that the association has adequate financial resources to continue in operation for the foreseeable future and accordingly the annual financial statements have been prepared on a going concern basis. The directors have satisfied themselves that the association is in a sound financial position and that it has access to sufficient borrowing facilities to meet its foreseeable cash requirements. The directors are not aware of any new material changes that may adversely impact the company. The directors are also not aware of any material noncompliance with statutory or regulatory requirements or of any pending changes to legislation which may affect the company.

#### Independent Auditors Report's

#### To the shareholders of Namibia Local Authority Sport and Recreation Association

#### Qualified oplnlon

We have sudited the financial statements of Namibia Local Authority Sport and Recreation Association (organization) set out on page 10-11 on the financial notes, whereby we only pick few issues that forcing this audit to be as qualified opinion, as we have pick up an urgently introduction of financial system, enabling efficient allocation of capital, risk management and smooth payment systems within the organization.

We have also noticed that the company used an improvement in well organizing business expenses, so the company can categorize expenses by keeping and digitize its receipts and record or categorize the expenses by how often they occur. The company can also use accounting software just to avoid missing expenses,

In our opinion, except for the possible effect of matter described in the basis for qualifying opinion section of our report, the annual financial statements present fairly, in all material respects, the financial position of Namibia Local Authority Sport and Recreation Association as at 30 June 2024, its financial performance and cash flows for the year ended in accordance with the Namibia generally Accepted Practice Number-4132 Certified Business Accountant (SAIBA).

Financial Reporting Standard for small and medium sized Entities and requirements of companies under Act of 2004.

#### Basis for qualified opinion

We are unfortunately can't present an accurate information, completeness, validities as we were not issued with Audited 30 June 2023.

We conducted our audit in accordance with International Standard on Auditing. Our responsibilities under those standards are further described in the Auditor's Responsibilities for audit of the annual financial statements section of our report. We are independent on the company in accordance with the International Ethics Standards Board for Accountants International Code of Ethics for professional Accountants.

#### Other Information

The directors are accountable for the information. And the rest of the information should be made up in the documents privileged (Namibia Local Authority Sport and Recreation Association Annual Financial Statement for the year ended 30 June 2024.

This document (AFS 2024) has comprised the Director's Report as required by the Association Act 28 of 2004 as well as the statement of Comprehensive Income that contain prior date of this report.

Our opinion does not embrace other information that we didn't include in our audit opinion's report and therefore this information has only covered AFS ending 30 June 2024.

4

Statement of Financial Position			
Nalasra as at 30 June 2024			
ASSETS	Note(s)	2024	2023
Non-Current Assets			
Property, plants and Equipment		3.638.17	4,014.09
Web Page Design	,	1914.28	2,112.07
Current Assets		5,552.45	6,126.16
Trade and other receivables	Ī		
Cash and Cash Equivalents		193,223.00	30,158,27
Total Assets		193,223.00 198,782.00	30,158.27 36,284.43
Change in Net Assets		198,782.06	36,284.43
Liabilities	-		
Current Lisbilities			
Frade and other Payables	-		
Total not Assets		198,782.00	36,284,43
Equalty		30,157.00	-01404/43
implus/Deficit for the year		168,625.00	

	Note	202	4 202
Revenue			
Membership fiees	6	443,723.00	139,061.71
	J	441,000.00	139,061.71
Other Income	7	222,400	
TOTAL REVENUS Administrative & other eperating expenses		666,123.08	139,061.71
NBC Clothing		54,709.21	52,798.62
Affiliation from Saimsa			34,000.00
Car Rental		8,513.50	12,000.00
Saimsa participation fee		73,000.00	
S&T(Nalasra)		51,840.84	
S&T (snimsa)		60,200.00	13,000.00
Web page		3,137.20	2,328.00
NBC Refreshment		14,475.00	
Hosting expenses		217,644.54	
BANK CHARGES		12,639.52	3,340.30
Depreciation		732.00	B28.70
TOTAL EXPENDITURE	116	497,491,97	118,295.62
SURPLUS/DEFICITS		168,632.00	20,766,09

# STATEMENT OF CHANGES IN OWNER'S EQUITY OF NALASRA FOR THE YEAR ENDED 30 JUNE 2024

Description	2024	2023
Balance at 1 July 2023	(30,157.00)	(71,094.20)
Surplus/Deficit for the year	168,631.06	9,025,91
Balance at 1 July 2024	138,474.00	(62,068,29)
Surplus/Deficit for the year	168,631,06	9,025.91
Owner's Equity at the End of the Year	307,105.00	(53,042,38)

# STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2024

Description	Notes	2024	2023
Cash Flows from Operating Activities			
Cash Received from Clients	9	666,123.000	139,061.71
Cash Paid to Supplier and on Behalf of Employees	10	[497,471,97]	(117,466.92)
Cash Generated by Operation		168,651.00	21,594.79
Cash generated by operating activities		9	ı
Depreciation		739.00	1.360.00
Net Cash Flows from Operating activities		167.912.00	22,954.79
Cash Flows from Investing Activities		the contract of the contract o	
Acquisition of property, plant and equipment		5,552	(11,674.70)
Net Cash Rows from investing activities		5,552.00	(11,474.70)
Cash Flows from Investing Activities			
Total cash movement for the year		173,464.00	
Cash at the beginning of the year		30,158.00	36.746.32
Total cash at end of the year		203,622.	36.746.32

Namibia Local Authority Sport and Recreation Association Annual Financial Statements for the year ended 30 June 2024

2. Property, Plant and Equipment		2024	2023	
	Cost	Accumulated	Carrying	
Computer Equipment		depreciation	Value	
	6,910.73	3,717.80	3,192.93	
	738.97	397.54	341.43	
	4,025.00	2,165.35	1,859.65	
	11,674.70	6,280.69	5,394.01	
Reconciliation of property, plants and equ	ipment - 2024			
		Opening Balance	Depreciation 12%	Total
Lap-top		3,720.11	433,39	3,286.7
Printer		397.80	46.34	351.46
Web Page Design		2,166.70	252.42	1,914.2
		6,284.61	732.16	5,552.4
3. Trade and Other Receivables Local Authority Outstandings fees SAIMSA affiliation fees			ı .	
i. Cash and Cash Equivalents Bank balance		193,229,55	30,158.27	
i. Trade and other payables frade Payables			·	
Revenue				
. Revenue	9			

Membership fees	443,723.00	139,061.71
	443,723.00	139,061.71
7. Other Income		
Saimsa fees	88,500.00	
Refund	133,900,00	
Interest	•	9-5
	222,400.00	(#C
	666,123.00	139,061.71

# 8. PPE to be depreciated on 5-year straight line method 12% annually

## 9. Cash paid to Supplier on behalf of Employees

	1	/
NEC Clothing	(54,709.21)	(52,798.62)
Affiliation fees Saimsa		(34,000.00)
Car Reutal	(8,513.50)	(12,000,00)
Saiman participation fee	(73,000.00)	• 53455555566
S&T(Nalasra)	(51,840.84)	
S&T (saimsa)	(60,800.00)	(13,000.00)
Web page	(3,137.20)	(2,328.00)
NEC Refreshment	(14,475.00)	
Hosting expenses	(217,644.54)	
BANK CHARGES	(12,639.52)	(3,340.30)
Depreciation	(712.16)	(828.70)
	(497,471.97)	(118,295.62)

# Notes to the annual financial statements (cantinued)

### 9. Financial system

A financial system is a bridge between savers borrowers, facilitating the movement of funds within the association through institutions likes banks and markets

Financial system also enabling efficient allocation of capital, risk management and smooth payment systems. Financial system can also regulate and ensure stability within the association.

## Ordinary Council Meeting - 03 June 2025

# Namibia Local Authority Sport and Recreation Association Annual Financial Statements for the year ended 30 June 2024

#### 16. Categorize Company expenses

We have also noticed that the company need an improvement in a well organizing business expenses, so the company can categorize expenses by keeping and digitize its receipts and record or categorize the expenses by how often they occur. The company can also use accounting software just to avoid missing expenses

#### 11. S&T and Hosting expenses

These two points are was identified as unqualified opinion, and thus we didn't incorporate it under the dependent audit's report but in future the company need to the auditing process we have picked up some heavy spending on travel and accommodation allowance(S&T) as well as on hosting of events.

Therefore, we encouraging the reviewing on how to cutdown the cost on these two items.

Currently the auditing is showing that the total amount N\$ 329,485.38 has been spend on hosting and S&T.

#### Accounting Policies

#### 1. Basis of preparation and summary of significant accounting policies

The annual financial statements have been prepared on a going concern basis in accordance with the Namibia Generally Accepted Accounting Practice Number-4132 Certified Business Accountant (SAIBA): financing Reporting Standard for Small and medium sized Entities, and the Companies ACT 28 OF 2004. The annual financial statements have been prepared on the historical cost basis and incorporate the principal accounting policies set out below.

They are presented in Namibia Dollar.

These accounting policies are consistent with the previous period.

#### 1.1Financial instruments

#### Initial measurement

Financial instruments are initially measured at the transaction price (including transaction costs expect in the initial measurement of financial assets and liabilities that are measured at fair value through profit or loss ) unless the arrangement constitutes, in effect, a financing transaction in which case it is measured at the present value of the future payments discounted at a ,market rate of interest for a similar debt instrument.

### Financial instruments at amortized cost

These include loans, trade receivables and trade payable, those debt instruments which meet the criteria in section 11.8 (b) of the standard, are subsequently measured at amortized cost using the effective interest method.

Debt instruments which are classified as current assets or current liabilities are measured at the undiscounted amount of the cash expected to be received or paid, unless the arrangement effectively constitutes a financing transaction.

At each reporting date, the carrying amounts of assets held in this category are reviewed to determine whether there is any objective evidence of impairment loss is recognized immediately in profit or loss.

#### Financial instruments at cost

Equity Instruments that are not publicly traded and whose fair value cannot otherwise be, measured reliable without undue cost or effort are measured at cost less impairment.

#### Financial instruments at fair value

All the other financial instruments, including equity instruments that are publicly traded or whose fair value can otherwise be measured reliably, without undue cost less or event are measured at fair value profit and loss.

If a reliable measure of fair is no longer available without undue cost or effort t, then the fair at the last date that such a reliable measure was available is treated as the cost of the instrument. The instrument is then measured at cost less impairment until management are able to measure fair without undue cost or effort.

#### 1.2 Revenue

## Namibia Local Authority Sport and Recreation Association Annual Financial Statements for the year ended 30 June 2024

Revenue is recognized to the extent that the company has transferred the significant risks and rewards of ownership of goods to the buyer, or has rendered services under an agreement provided thew amount of revenue can be measured reliably and it is probably that economic benefits associated with the transaction will flow to the company.

Revenue is measured at the fair value of the consideration received, excluding sales taxes and discounts.

Interest is recognized, in profit or loss; using the effective interest rate method.