

Municipality of Swakopmund

AGENDA

PART 1

ORDINARY

COUNCIL MEETING

ON

THURSDAY

28 AUGUST 2025

AT

19:00



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

Enquiries: **Ms A Kahuika**

21 August 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 COUNCIL MEETING** to be held:

DATE : THURSDAY, 28 AUGUST 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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	None.	
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	None.	
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None.

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None.

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MINUTES

of an **Ordinary Council Meeting** held in Council Chambers, Municipal Head Office, Swakopmund on **Thursday, 31 July 2025** at **19:00**.

PRESENT:

Councillor B R !Goraseb	:	Mayor
Councillor S M Kautondokwa	:	Deputy Mayor
Councillor W O Groenewald	:	Chairperson of the Management Committee
Councillor E Shitana	:	Alternate Chairperson of the Management Committee
Councillor M Henrichsen	:	Member of the Management Committee
Councillor D Am-!Gabeb	:	Alternate Member of the Management Committee
Councillor C-W Goldbeck	:	Member of Council
Councillor P Shimhanda	:	Member of Council

OFFICIALS:

Mr A Benjamin	:	Chief Executive Officer
Mr M Haingura	:	General Manager: Corporate Services & HC
Mr C McClune	:	General Manager: Engineering and Planning Services
Mr H !Naruseb	:	General Manager: Finance
Ms L N Mutenda	:	General Manager: Health Services and SWM
Mr U Tjiurutue	:	Corporate Officer: Administration

ALSO PRESENT:

Seven (7) members of the public.

1. **OPENING BY PRAYER**

Pastor Henno Slinger opened the meeting with a prayer.

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

(C/M 2025/07/31 - 5/2/1/1/2)

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

RESOLVED:

That the agenda be adopted.

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

3.1 Application for leave of absence:

- Councillor D Namubes - Approved
- Councillor H H Nghidipaya - Approved

3.2 Declaration of interest:

None.

4. **CONFIRMATION OF MINUTES**

4.1 **MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 03 JUNE 2025**

(C/M 2025/07/31 - 5/2/1/1/2)

On the proposal of Councillor W O Groenewald, seconded by Councillor E Shitana, it was:

RESOLVED:

That the minutes of the Ordinary Council Meeting held on 26 June 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.

7. **MOTIONS OF MEMBERS**

None.

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

None.

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

(C/M 2025/07/31 - 5/5/2)

Honourable Councillors, Mr. Alfeus Benjamin, the Chief Executive Officer, General managers, Managers and officials of Council, Pastor Henno Slinger, 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 to attend tonight's meeting.

Honourable Councillors, Fellow residents of Swakopmund.

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Please allow me to share with you the Council announcements, highlighting key events, initiatives, and developments that took place during the month of July.

1. LAUNCH OF THE YEDI

The Municipality of Swakopmund is pleased to inform Council and the broader public of the successful launch of the Youth Entrepreneurial Development Initiative (YEDI) on 11 July 2025. The YEDI is a transformative programme designed to empower our local youth and small business owners with the necessary tools, training, and support to thrive in today's competitive business environment.

As Council, we just wish to once again, reaffirm our commitment to creating an inclusive and opportunity-driven local economy. The programme aligns with national priorities focused on youth empowerment, job creation, and sustainable development.

Honourable Councillors, Ladies and gentlemen

The Office of the Mayor conceptualised and implemented the YEDI initiative in collaboration with Langer Heinrich Uranium Mine, which generously contributed N\$1 million towards its execution. The programme was born out of a growing need identified through countless appeals from young people to the Mayor's Office, youth seeking assistance to further their education, acquire business tools, or take steps towards financial independence.

Honourable Councillors, Ladies and gentlemen

We are proud to report that the call for applications received an overwhelming response, with over 3,700 applications distributed to date. This highlights a deep need within our community for business and economic support for our young people.

We now call on stakeholders and partners to join us in expanding this initiative and meeting the real needs of our youth and entrepreneurs. Please join us so that we can build a more inclusive and opportunity-driven economy for the town of Swakopmund.

Moving on to strategic partnerships:

2. HOLLARD PARTNERSHIP

We are pleased to announce the successful launch of a strategic branding partnership with Hollard Insurance Company of Namibia, held earlier this month. This partnership marks a significant step forward in the preservation and enhancement of one of our town's most iconic public spaces, the Swakopmund Promenade, stretching from the Mole to Platz Am Meer.

Through this agreement, Hollard Namibia has committed to contributing **N\$150,000.00** annually over the next three years to support the upkeep and beautification of the promenade. In return, Hollard will be permitted to display their brand through responsible, non-intrusive signage integrated into existing infrastructure.

We thank Hollard Namibia for their vision, support, and investment in the future of Swakopmund. This collaboration sets a strong example of what public-private cooperation can achieve. We further call on other stakeholders to join us in similar initiatives, as we work together to build a sustainable and inclusive Swakopmund for all.

Honourable councillors, Ladies and gentlemen

And the good news doesn't stop there.

3. MAYORAL CUP

The 2025 Mayoral Cup Tournament will officially kick off from 29 to 31 August and will take place over three consecutive weekends, continuing into the first two weekends of September.

This annual tournament has become a great platform for youth development, community engagement, and social unity.

Esteemed residents

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Events like the Mayoral Cup play a vital role in bringing people together from all corners of our town and surrounding areas, while also providing an opportunity to showcase local talent, encourage healthy lifestyles, and foster a sense of pride and belonging within our communities.

We are excited to share that vendor stalls are fully booked, demonstrating overwhelming support from our local entrepreneurs.

However, registrations for soccer and netball teams remain open, and we encourage all interested teams to register soon to be part of this vibrant celebration of sport and community.

Let us come together in support of our athletes, our youth, and our town. See you at the field!

That concludes our announcements. We will now proceed to deliberate on the agenda items. Thank you for your undivided attention. I wish us all fruitful and impactful deliberations as we continue striving to provide excellent service to our residents and visitors.

I thank you.
His Worship Cllr Blasius Goraseb
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 JUNE 2025**

(C/M 2025/07/31 - 5/2/1/1/2)

RESOLVED:

That the report to Council on the resolutions taken by Management Committee meetings held on 17 June 2025 be noted.

11. **RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE MEETING HELD DURING JULY 2025**

11.1 **MANAGEMENT COMMITTEE MEETING HELD ON 15 JULY 2025**

11.1.1 **UPDATE ON THE DEVELOPMENT OF ERF 4650, SWAKOPMUND-STEPPING STONE**

(C/M 2025/07/31 - E 4650)

RESOLVED:

- (a) **That Council takes note of the explanation given by Stepping Stone for the delay of the development of Erf 4650, Extension 9, Swakopmund, within the additional two prescribed 2-year period granted in terms of Management Committee resolution dated 09 February 2023 under item 7.1.**
- (b) **That a further extension of time be granted to Stepping Stone for the construction and completion of a school on Erf 4650, Extension 9, Swakopmund until 30 November 2025.**
- (c) **That an addendum to the Deed of Sale be compiled to amend clause 10.1.3 to read:**

That the extension period commences from the date of the last party signing the addendum.

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11.1.2

TAPEYA INVESTMENT HOLDING (PTY) LTD: EXECUTION OF DEVELOPMENT AGREEMENT FOR EXTENSION 3, MATUTURA

(C/M 2025/07/31 - 17/1/4/2/1/14)

RESOLVED:

- (a) That Council takes note of the letter dated 28 April 2025 received from Tapeya Investment Holding (Pty) Ltd requesting the consideration of various amendments to the development agreement for Extension 3, Matutura, as per (g) below.
- (b) That Council takes note that Council confirmed on 12 December 2023 under item 11.1.28 that Tapeya Investment Holding (Pty) Ltd complied with the requirement of clause 3 and must proceed with the execution of the development agreement in terms of clause 5.8.4 within 60 days from 12 December 2023 and complete the installation of services within 330 days from the said date, i.e by 06 November 2024 as prescribed in terms of clause 5.8.5.1 followed by compliance with clause 5.8.5.2 (see Annexure "E"), on file.
- (c) That it be noted that Tapeya Investment Holding (Pty) Ltd did not commence with clause 5.8.5.1 within the prescribed 60 days (clause 5.8.4).
- (d) That it be noted that the requested amendments under point (g) below had no effect on the commencement with the execution of clauses 5.8.4 and 5.8.5.
- (e) That Tapeya Investment Holding (Pty) Ltd be put on terms in terms of Clause 8.1 due to non-compliance with clauses 5.8.4 and 5.8.5 and be notified to commence with the said clauses within 60 days from the date of the notice to rectify the breach.
- (f) That Council postpones the penalties in terms of clause 8.2 to be in compliance with the new due dates in terms of point (e) above.
- (g) That Council considers the amendments requested by Tapeya Investment Holding (Pty) Ltd in their letter dated 28 April 2025 as follows:

(i) Redivision of Erven between Tapeya Investment Holding (Pty) Ltd and Council

1. That based on a similar concession approved by Council on 28 April 2022 under item 11.1.5 for Matsi Investment (Pty) Ltd, Council approves the following proposed division:

Zoning	Total Number of Erven	Original Division		Proposed Division		Percentage Retained by Council
		Developer	Council	Developer	Council	
Single Residential	271	180	91	206	65	24%
General Residential 2	1	1	0	1	0	0%
Local Business	9	5	4	0	9	100%
General Business	3 4	2	1	0	4	100%
Public Open Space	4	0	4	0	4	100%
Institutional	1	0	1	0	1	100%
Local Authority	1	0	1	0	1	100%
Total Area (m ²)			73 291.96		76 106.00	

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2. **That it be noted Council will retain 2 814.04m² land more than the original division, although not zoned "Single Residential". Whereas Council would retain 91 erven zoned "single residential", Council will, in terms of the proposed division, retain 65 erven zoned "Single Residential".**
3. **That Council selects 24% of the number of erven comprising approximately 30% of the surface area of the erven zoned "Single Residential", i.e., the erven larger in size.**

(ii) Construction Period

1. **That the request to increase the period for completion of installation of services to 40 months not be increased, and Council remains with the requirements in terms of clause 5.8.5, i.e 330 days, which will commence from the date of the notice being issued in terms of point (e) above.**
2. **That if the time available is not sufficient, Tapeya must indicate what area they can develop within the 330 days, and return the rest of the land for further allocation by Council.**

(iii) Project Phases

1. **That Council approves the development of Extension 3, Matutura, in 5 phases, subject to all phases being completed within the 330 days set out in clause 5.8.5.1 above, i.e. not each phase having 330 days to complete the installation of services.**
2. **That the development of the business erven be included in phases 4 and 5 to ensure the completion of the installation of services to the 13 erven zoned for business purposes, which Council will retain.**

(iv) Transfer of Erven Directly from Council to Tapeya's Clients and Non-Lyving of Rates and Taxes

1. **That Council does not approve the application to transfer erven directly to the clients of Tapeya Investment Holding (Pty) Ltd, but approves the following concession made for Quintessential Trading and Consulting (Pty) Ltd as per item 11.1.7 of Council's resolution of 04 April 2023:**

"(a) That Council approves the application by Quintessential Trading & Consulting (Pty) Ltd to amend clause 6.2.3 in order to enable the transfer of the Single Residential Disposal Erven to Quintessential Trading & Consultancy (Pty) Ltd without the need to first construct dwelling houses thereon; but prior to transfer to third parties, dwelling

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houses must be constructed as per clause 5.6.2 of the development agreement.

(b) That the concession in (a) above be subject to the condition that Quintessential Trading & Consultancy (Pty) Ltd provides the following prior to transfer of the respective erven to them:

- (i) The house plans to the maximum value of N\$800 000.00; as well as.
- (ii) Deeds of sale with third parties stipulating the value of the erf and that of the house (maximum value of N\$800,000.00 exclusive of the site value) separately.
- (iii) A verified calculation expressing the cost of installing services per square metre."

2. **That Council informs Tapeya Investment Holding (Pty) Ltd that Council does not have the authority to waive the levying of site value and improvement rates, and clauses 7.1 and 7.2 remain as is.**

(v) **Construction of Houses**

1. **That Council approves the application that the completed house plan complies with the square meters requirement according to the agreement, but can be constructed in phases and not to be completed as part of the initial house construction.**
2. **That the application be approved in terms of Council's resolution passed on 04 April 2023 under item 11.1.7 quoted under point (iv) 1. above.**

(h) **That an addendum to the agreement be compiled and entered into, recording the above concessions.**

11.1.3

EXPRESSION OF INTEREST (APPLICATION TO PURCHASE A PORTION OF BLOCK 1) - MR ANGELO CLOETE

(C/M 2025/07/31 - 17/1/4/2/1/7)

RESOLVED:

That Mr Angelo Cloete be informed that Council takes note of his application dated 08 May 2025 and remains with its decision passed on 30 January 2025 under item 11.1.21, which decision is in line with the following documents:

1. **The requirements of the Master Plan;**
2. **Town Planning Scheme 12; and**
3. **and the Structure Plan 2020-2040**

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11.1.4 **RE-APPLICATION FOR TRANSFER OF RIGHT OF USE FOR ERF 7520, EXTENSION 27, SWAKOPMUND BY MS AINA W NAANGO SHIKULO**
(C/M 2025/07/31 - 15/2/1/2, E 7520)

RESOLVED:

- (a) That Council take note of the increase in the income of Ms Aina Welhelemina Naango Shikulo; i.e., from N\$2,500.00 paid by her previous employer to N\$4,130.91 from her new employer, Go Fresh (Pty) Ltd.
- (b) That Council approves the change of ownership of Erf 1020 (7520), Extension 27, Swakopmund, from Mr. Abraham Sheya to Mr Aina Welhelemina Naango Shikulo.
- (c) That Ms Shikulo be allowed to sign a preliminary agreement.
- (d) That Ms Shikulo pays the administrative fee of N\$1,000.00 to Council.

11.1.5 **NAKOPA PROJECT: ENDORSEMENT OF TAMARISKIA AND HANGANENI PLAYGROUNDS FOR THE INSTALLATION OF SOLAR CHARGING UNIT PROTOTYPES**
(C/M 2025/07/31 - 17/2/11/2)

RESOLVED:

- (a) That Council approves the Tamariskia and Hanganeni playgrounds for the construction of the solar charging unit prototypes.
- (b) That the General Manager: Economic Development Services supports the construction of the sitting benches at Tamariskia and Hanganeni playgrounds.
- (c) That the General Manager: Engineering and Planning Services be granted permission to assist with the construction of the sitting benches as part of the project.

11.1.6 **APPLICATION BY SWAKOPMUND TOURISM INFORMATION CC TO SUBLET AN AREA OF THE WOODEN STRUCTURE TO RAITH'S DELI FOR ICE CREAM**
(C/M 2025/07/31 - E 228 C)

RESOLVED:

- (a) That Council approves the application from Swakopmund Tourism Information CC to sub-lease to Raith's Deli an area of the wooden structure for the sale of ice-cream, subject to the conditions of the main lease agreement.
- (b) That the approval to sub-lease to Raith's Deli in terms of clause 13 shall further be subject to:
 - (i) *The sub-lease area may not exceed 1/3 of the surface area of the wooden structure, thereby ensuring that the main business operations as a tourism info centre is maintained.*
 - (ii) *That no application for outside seating for serving and consuming ice-cream be considered.*

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- (c) That Swakopmund Tourism Information CC indemnifies Council from any claims of any nature that may arise from sub-leasing the property referred to in (b) above to a third party.

11.1.7 **PROPOSAL TO DONATE REDUNDANT BUILDING MATERIALS FROM HOUSE OF SAFETY RENOVATION FOR FIRE VICTIMS**
(C/M 2025/07/31 - T 610, 17/2/5/1)

RESOLVED:

- (a) That the recovered building material as provided in the attached list be written off as redundant and donated to households who have suffered losses due to fire.
- (b) That the Office of the Mayor creates an inventory of all redundant material and that beneficiaries sign for the receipt of such materials.

11.1.8 **OLD AND REDUNDANT ITEMS/EQUIPMENT: ENGINEERING AND PLANNING SERVICES DEPARTMENT: OFFICE AND WORKS SECTION**
(C/M 2025/07/31 - 17/2/5/1)

RESOLVED:

- (a) That the following old and redundant vehicle, equipment and materials be written off and sold at the next public auction:

Vehicle:

Fleet No.	Reg. No.	Make	Model
TH0225	N 3169 S	Opel Corsa	2011

Materials/Equipment:

TOTAL	DESCRIPTION	SECTION
2	Fan	TP
1	Heater	TP
3	Office chairs	Building
1	Sharp Printer	Building
1	Samsung fax machine (Z2VOBFBB600453P)	Works
1	Rexel Binder (UA10065P)	Works
1	HP Printer (CN45P8510F)	Works
1	Samsung Computer Screen (LB17HMBY500586T)	Works

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

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11.1.9

NOTICE TO COUNCIL ON THE PROPOSED COUNCIL EVENTS, EVENTS HOSTING PLANS, AND IDENTIFIED EVENT VENUES

(C/M 2025/07/31 - 13/3/1/2)

RESOLVED:

- (a) That Council approves the formal designation of sites as referred to insert A-E as official municipal event venues and for the General Manager: Economic Development Services to identify additional sites to cater for the increased number of events in Swakopmund.
- (b) That Council approves the proposed 2025 Council-hosted events, including the introduction of new events such as Swakopmund Poetry Night, Choir Competition, and Carols Night.
- (c) That Council approves the outsourcing of the following listed below:
- *Swakop Festival (music, food, youth zones - ideal for Site 3)*
 - *Outdoor Activity Hub (sports & family activities)*
 - *Adventure Sports Expo (quads, sandboarding, tourism operators)*
 - *Film & Cinema under the Stars (seasonal night event in Site 2)*
 - *Cultural Dance Showcase Series (community-driven, outsourced to arts groups)*
 - *Local Product & Entrepreneurs Market (partner with business development entities)*
 - *Night Glow Parade / Lantern Walk (seasonal - in partnership with schools or creative orgs)*
 - *Church & Gospel Festival (inter-church councils or faith-based groups)*
 - *Car & Bike Expo (in collaboration with dealerships, clubs - at Site 3)*
 - *Seasonal Vintage/Thrift Fashion Market*
 - *Children's Day / Family Picnic & Play Day (NGO or child-focused partners)*
 - *Wellness & Fitness Weekend (yoga, aerobics, mindfulness - partner with gyms/health orgs)*
- (d) That Council approves for the General Manager: Planning and Engineering Services to commence with the phased infrastructure upgrades at designated venues (electricity and water) to support safe and efficient event hosting.
- (e) That Council approves for the General Manager: Economic Development Services, to call for expressions of interest for partnerships and funding to host the events mentioned in (c) above and to develop event sites.
- (f) That Council supports the continued marketing of Swakopmund as a year-round events destination under the "Centre of Adventure" brand.
-

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11.1.10

ATTENDANCE OF THE NAMIBIA OIL AND GAS CONFERENCE BY THE MAYOR AND CHIEF EXECUTIVE OFFICER

(C/M 2025/07/31 - 12/5/1, 13/4/2)

RESOLVED:

- (a) That the Mayor and Chief Executive Officer be permitted to attend the Namibia Oil and Gas Conference from 11 to 16 August 2025.
- (b) That the following estimated expenditure for travelling and subsistence expenses be approved.

Item	Lunch Tariff (2x 400,00)	Overnight Allowance (5 days X N\$1000,00) X 2	Accommodation (5 days X N\$1000,00) X 2	Transport cost (N\$5.00/km)	Total
Overnight allowance in Windhoek (N\$2000.00)	N\$400.00	N\$5,000.00	N\$5,000.00	N\$3600.00	N\$10,400.00
Mayor, Chief Executive Officer					
TOTAL EXPENDITURE ON SUBSISTENCE AND EVENT COSTS					N\$24,400.00

- (c) That the amount of N\$24,400.00 be defrayed from the Publicity Vote: 101015533000 where N\$53,643.89.

11.1.11

ENDORSEMENT OF ALLOTMENT OF URBAN AGRICULTURE PLOT USER POLICY AND ALLOCATION CRITERIA

(C/M 2025/07/31 - 18/5/2)

RESOLVED:

- (a) That Council approves the Allotment User Policy to promote sustainable land use and the allocation criteria for fair and transparent distribution of plots.
- (b) That Council endorses the establishment of an internal steering committee to oversee the implementation and monitoring of the allotment program.
- (c) That the internal Steering Committee comprises of the officials from the following departments:
- (i) Health Services and Solid Waste Management Department
 - (ii) Engineering and Planning Services (Environmental Management and Water and Sewerage)
 - (iii) Corporate Services and Human Capital (Housing and Properties)
 - (iv) Economic Development (Investment and Tourism)
- (d) That the General Manager: Corporate Services and Human Capital develop a comprehensive lease agreement for the allotment plots, in accordance with the approved council property policy and the allotment allocation criteria.
- (e) That the General Manager: Corporate Services and Human Capital, selects the eligible 20 allotment plot applicants and submits to Council for approval before signing.

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- (f) That the General Manager: Corporate Services and Human Capital submits an updated list of expressions of interest for Council's endorsement, for the purpose of creating a waiting list and requesting exemption from advertising the allotment plots.

11.1.12 **EXEMPTION FROM PAYMENT OF ASSESSMENT RATES**

(C/M 2025/07/31 - 3/4/1/2)

RESOLVED:

- (a) That exemption from payment of assessment rates in terms of Section 75 of the Local Authorities Act, Act 23 of 1992 (as amended), be granted in respect of the following properties:

Erf Number	Organisation / Body	Purpose for which the Erf is Used
Erven 4264 & 1729, Swk	Swakopmund Baptist Church	Place of Worship + manse
Erven 1772 & 1774, Swk	Private School Swakopmund	Educational
Erf 8159 S & 9104 Swk,	DRC School Project and Community/ Tangeni Shilongo, Namibia	Educational
Erf 3495	Tangeni Shilongo Namibia	Hostel and Volunteers' Accommodation
Erf 9821	Werner Erkers	Educational
Erven 4235, 4236 & 4237 and Ext 21	Pro-Ed Akademie Parents Association	Educational
Erf 1613,10028	Scientific Society Swakopmund Kirche	Scientific Development & Educational
Erf 183, Swk	Evangelical Luth	Church
4371, Mon	Evangelical Bible Church	Church
4372, Mon	Evangelical Lutheran Church	Church
Erf 1759, Swk	Evangelical Stadtmission Swakopmund	church
Erven 5088,	A F M of Namibia	Place of Worship
Erf 449, Mon	Owato Parish Elcin	Place of Worship
Erf 4650	Stepping Stone Trust	Educational
Erf 8680, Swk	A G S Filadelfia Swakopmund	Place of Worship
Erf 782, Tam	Jehovah's Witnesses	Place of Worship
Erf 3534 & 4234, Swk	Deutsche Pfadfinder	Youth Organisation
Erven 236 & 612, Tam	Full Gospel Church of God	Place of Worship
Erven 723, 724, 725, 726 & 728, Swk	Deutscher Schulverein Swk	Hostel, Kindergarden + School
Erf 763, Swk	New Apostolic Church	Place of Worship
Erf 4324, Mon	Happy Du Children Charity Organisation	Welfare Purposes
Erf 63, Mon	Mondesa Youth Opportunities Trust	Educational
Erven 195 & 196 A, & 5065, Swk	The Mission Benedictine Sisters	Sisters Living Quarters
Erven 305, 588, 800 & 801 Swk	United Reformed Church	Place of Worship
Erf 2709, Swk	Vineta Seventh-day Adventist Church	Place of Worship
Erf 5158, Swk	Nederduitsh Hervormdkerk van Afrika	Place of Worship
Erf 951, Swk	Johanniter Swakopmund Hilfswerk	Registered Nurse and Related Services
Erf 4347 M, 1544, M	Swakopmund COSDEC	Institutional Training Centre
Erf 4828, Swk	Swakopmund COSDEC	Institutional Training Centre
Erf 50 and 4656, Swk	Ned Geref Kerk Swakopmund	Place of worship
Erf 1514, Swk	Swakopmund Christian Academy	Educational
Erf 5229, Swk	Promiseland Trust	Educational & Hostel

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Erf 1239 Tamariskia	Namibia Training Foundation	Educational
Erf 4377, Mon	SDA Church, Vineta, Swakopmund central	Place of worship
Erf 4369, Mon	Morewag Church of Namibia	Place of worship
Erf 5845, Swk	Believer Fellowship Church	Place of worship
Erf 949,24,284, Swk	Roman Catholic Church	Place of worship
Erf 3572, Swk	Reiterverein Swakopmund	Place of worship
Erf 783,622, Tam	Rhenish Church in Namibia	Place of worship
Erf 4368, Mon	Ebenezer Christian Church	Place of Worship
Erf 5824, Swk	Shofar Christian Swakopmund	Place of Worship
Erf 986, Mon	Shalom Pentecostal church of Namibia	Place of Worship
Erf 5371, Swk	Christian Revival Church	Place of Worship
Erf 602, Mon	Evangelical Bible church	Place of Worship
Erf 910, Mon	Pentecostal Assemblies of God	Place of worship
Erf 681,2108, Swk	The Old Apostolic Church	Place of worship
Erf 1759, Swk	Evangelische Stadtmission	Place of Worship
Erf 2649, Swk	The Methodist Church of SA	Place of Worship
Erf 1385, Swk	Moria Congregations of Africa	Place of worship
Erf 598, Swk	Swakopmund Congregational	Place of worship

- (b) That the exemption of payment of assessment rates be credited with effect 1 July 2025 where applicable.

11.1.13 **COUNCIL RESOLUTIONS: JULY TO NOVEMBER 2024**
(C/M 2025/07/31 - 5/2/1/1)

RESOLVED:

That the Council takes note of the resolutions taken from July to November 2024.

11.1.14 **APPROVAL OF FUNDS FOR VARIOUS CONTINUATION PROJECTS**
(C/M 2025/07/31 - 3/1/1/1/1)

RESOLVED:

- (a) That Council approves the allocation of N\$27,395,000.00 from existing votes as reflected below, to fund the continuation of the identified projects.
- 65-00-310-263-00 (Upgrading and Maintenance of Roads)
 - 65-00-310-151-00 (Planning and Design of Various Roads)
 - 65-00-310-042-00 (Upgrading of Stormwater Systems)
- (b) That Council instruct the General Manager: Finance, to provide and allocate the funds where necessary to ensure the smooth continuation of the procurement process and implementation.

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11.1.15 **ATTENDANCE OF COUNCILLORS AT TRADE FAIRS, FUNCTIONS, EXHIBITIONS, AND GALA DINNER**
(C/M 2025/07/31 - 12/1/1, 13/4/2)

RESOLVED:

- (a) That Council refers back the adoption of the guidelines for attendance of Councillors at trade fairs, functions, shows, exhibitions and gala dinners.
- (b) That Council approves the attendance of the following councillors at the Annual Ongwediva Trade Fair for three (3) days, including attendance of the official opening ceremony:
- Councillor S M Kautondokwa
 - Councillor E Shitana
 - Councillor H H Nghidipaya
 - Councillor D Am- !Gabeb
 - Councillor D Namubes
 - Councillor P Shimhanda .

11.1.16 **URBAN AGRICULTURE CAPACITY BUILDING WORKSHOP**
(C/M 2025/07/31 - 17/5/3)

RESOLVED:

- (a) That Council endorses the Urban Agriculture Capacity Building Workshop scheduled for 15-16 August 2025.
- (b) That Council approves the request from DAPEES office in Omaruru, for the officials' S&T for one night, at the government rate of N\$1,435.00 per person, totaling N\$2,870.00 for both officials to cover accommodation and daily meals.
- (c) That Council approves the budget of N\$30,000.00 to host the Urban Agriculture Capacity Building Workshop.
- (d) That the General Manager: Economic Development Services, ensures the availability of the Multipurpose Hall for the duration of this workshop.
- (e) That the General Manager: Finance secures funds amounting to N\$30,000.00 for the Urban Agriculture Capacity Building Workshop.

11.1.17 **FEEDBACK REPORT: PARTICIPATION AT NALASRA GAMES 2025, KATIMA MULILO**
(C/M 2025/07/31 - 13/6/3)

RESOLVED:

- (a) That the feedback report from the Swakopmund Municipal Sport & Social Club be noted.
- (b) That Council approves the implementation of a daily meal allowance of N\$350.00 per participant, as an alternative to contracting catering service providers for meal provision during participation in the NALASRA and SAIMSA games.

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- (c) That the meal allowance outlined in (b) be adopted to afford participants greater flexibility in selecting meals that accommodate their individual preferences and dietary needs, while also enhancing convenience given the diverse schedules and venues of the games.

11.1.18

REQUEST FOR PERMISSION FOR SWAKOPMUND MUNICIPALITY TO PARTICIPATE IN SAIMSA GAMES 2025 - MASERU, LESOTHO

(C/M 2025/07/31 - 13/6/3)

RESOLVED:

- (a) That permission be granted to members of the Swakopmund Municipal Sport Team to participate in the 2025 SAIMSA Games, in Maseru, Lesotho, from 19 - 28 September 2025.
- (b) That permission be granted to the Swakopmund Municipal Sport and Social Club to proceed with preparations and organisation for this event.
- (c) That permission be granted for the Municipal minibus (N 3695 S) to be used by Municipal Sports Committee members and the Councillors to travel to and from Maseru, Lesotho, for the SAIMSA Games 2025 from 19 - 28 September 2025.
- (d) That the following representatives attend the compulsory Team Managers Meeting in Maseru, Lesotho, from 24-25 July 2025:
- Mr E IOaseb
 - Mr B Khaibeb
- (e) That Council, *in principle*, grants approval for special leave as per conditions of Employment to the staff members to participate in the SAIMSA games, subject to the prior approval of leave by the respective Head of Departments.
- (f) That Council approves the participation of the following Councillors to accompany the Swakopmund Municipal Sport Club to the SAIMSA Games 2025, to be held in Maseru, Lesotho, from 19 - 28 September 2025:
- Councillor B IGoraseb
 - Councillor S M Kautondokwa
 - Councillor H H Nghidipaya
 - Councillor D Am -IGabeb
 - Councillor D Namubes
 - Councillor P Shimhanda
- (g) That a daily lunch tariff as per Council's S&T Policy be granted to the Councillors and that the funds be defrayed from the Conference Expenses Vote: 101015533000.
- (h) That each participant receives a daily meal allowance of N\$350.00 per day for the duration of the games
- (i) That all other services be procured as per the Public Procurement Act, 2015 (Act No. 15 of 2015).

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- (j) **That permission be granted to the General Manager: Finance to avail the funds budgeted for the NALASRA/SAIMSA Games, to cater for all expenditure related to the Games from Vote 101015563500 SAIMSA/NALASRA GAMES, where N\$350,000.00 is available.**

DRAFT REGULATIONS AND TARIFFS, IF ANY

None.

The meeting adjourned: **19:28.**

Minutes to be confirmed on **28 August 2025.**

Councillor B R !Goraseb
MAYOR

Mr Afeus Benjamin
CHIEF EXECUTIVE OFFICER

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

10.1 (A) **MINUTES OF THE MANAGEMENT COMMITTEE MEETING HELD ON 14 AUGUST 2025**

2.1 **MINUTES OF THE MANAGEMENT COMMITTEE MEETING HELD ON 15 JULY 2025**

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

RESOLVED:

That the Minutes of the Management Committee meetings held on 17 July 2025 be confirmed as correct.

2.2 **MINUTES OF THE MANAGEMENT COMMITTEE MEETING HELD ON 26 JULY 2025**

On the proposal of Councillor E Shitana and seconded by Councillor H H Nghidipaya, it was:

RESOLVED:

That the Minutes of the Management Committee meetings held on 26 July 2025 be confirmed as correct.

8.5 **REQUEST FOR REMOVAL OF EXEMPTION ON PASSENGER CHARGES FOR SKYDIVING OPERATIONS AT SWAKOPMUND MUNICIPAL AERODROME**

(M/C 2025/08/14 - 19/1/1/1/2)

RESOLVED:

That the item be referred back for further review and subsequent re-submission to the Management Committee for consideration.

10.6 **NAMIBIA NATIONAL MAYORS FORUM EXCO MEETING**

(M/C 2025/08/14 - 12/5/5)

RESOLVED: (For Condonation By Council)

- (a) **That the Council approves the Mayor and the PA to the Mayor's attendance at the National Mayors Forum Executive Committee Meeting scheduled for 21 August 2025 in Tsumeb.**
- (b) **That the Management Committee approves the Mayor and the PA to the Mayor's participation in subsequent NMF-related engagements during the year 2025/2026.**
- (c) **That the Council approves the payment of the annual membership fee of N\$30,000.00 to the National Mayors Forum.**
- (d) **That the amount of N\$30,000.00 be defrayed from the Membership and Subscription Vote: 101015526500, where N\$300,000.00 is available.**

- (e) That the travelling expenses to the value of N\$21,600.00 be defrayed from the Conference Vote: 101015505500, where N\$630,700.00 is available.

10.7 **NATIONAL DAY OF FRANCE AND 249TH U.S INDEPENDENCE DAY**

(M/C 2025/08/14 - 12/5/1)

RESOLVED: (For Condonation By Council)

- (a) That Council takes note of the above information.
- (b) That Council condones the travelling and subsistence costs incurred to the value of N\$8,800.00, which were defrayed from the Council's Conference Vote 101015505500

10.8 **UIS INVESTORS CONFERENCE 4 JULY 2025**

(M/C 2025/08/14 - 13/3/1/2)

RESOLVED: (For Condonation By Council)

- (a) That Council condones the participation of Council at the Uis Investors Conference hosted on 05 July 2025.
- (b) That the following estimated expenditure for expenses be approved.

Item	Number Of Participants	Cost N\$
	Five (5)	N\$1500.00
TOTAL		N\$7,500.00

- (c) That the amount of N\$7500.00 be defrayed from the Publicity Vote: 101015513000 where N\$70,000.00.

10.9 **NOTICE OF THE BOARD OF DIRECTORS EXTRAORDINARY MEETING RE-SCHEDULED TO TAKE PLACE ON 29 JULY 2025, IN WINDHOEK AT THE ALAN OFFICE**

(M/C 2025/08/14 - 12/6/1)

RESOLVED: (For Condonation By Council)

- (a) That Council condones the attendance of Councillor Dina Namubes to the ALAN Extra-ordinary meeting scheduled to take place on 29 July 2025.
- (b) That the following expenditure be approved.

Item	Lunch Tarif (2x 400,00)	Overnight Allowance (5 Days X N\$1000,00) X 2	Accommodation (5 Days X N\$1000,00) X 2	Transport Cost (N\$5.00/Km)	Total
Overnight allowance in Windhoek (N\$2000.00) Dina Namubes	N\$400.00	N\$2,000.00	N\$2,000.00	N\$3600.00	N\$8,000.00
TOTAL EXPENDITURE ON SUBSISTENCE AND EVENT COSTS					N\$8000.00

- (c) That the amount of N\$8000.00 be defrayed from the Conference Vote 101015505500, where N\$630,700.00 is available.

10.10 INVITATION TO THE WALVIS BAY MAYORAL FUNDRAISING GALA DINNER

(M/C 2025/08/14 - 13/3/1/2)

RESOLVED: (For Condonation By Council)

- (a) That Council condones the participation of Council at the Walvis Bay Mayoral Fundraising Gala Dinner hosted on 02 August 2025.
- (b) That the following estimated expenditure for expenses be approved:

Item	Number Of Participants	Cost N\$
	Seven (7)	N\$1500.00
TOTAL		N\$10,500.00

- (c) That the expenses to the value of N\$10,500.00 be defrayed from the Conference Vote: 101015505500 where N\$630,700.00 is available.

10.13 OLD AND REDUNDANT ITEMS/EQUIPMENT: ENGINEERING SERVICES DEPARTMENT - WORKS SECTION

(M/C 2025/08/14 - 17/2/5/1)

RESOLVED: (For Condonation By Council)

- (a) That the following old and redundant vehicles, equipment, and materials be written off and sold at the next public auction:

Vehicles:

1	CAT D6 Bulldozer - N2428S - Year Model 1975	Works Section
1	Opel Corsa Chevrolet - N8153S - Year Model 2011 with canopy	Works Section
1	Nissan NP 300 Hardbody - N17722S - Year Model 2012	Works Section
1	Chevrolet Spark - N17440S - Year Model 2012	Works Section

Materials/Equipment:

TOTAL	DESCRIPTION	SECTION
2	Boxes / Electrical harness	Works Section
1	Fan/Cowling	Works Section
1	Prop shaft	Works Section
1	Manifold intake	Works Section
1	Engine block - engine no: 92067566	Works Section
1	Gearbox -IBS	Works Section
1	Swimming Pool Equipment Assorted	Works Section
1	3 Leg puller	Works Section
1	S/Steel table, sink combination	Works Section
4	Toyota rim/tire -205R16	Works Section
1	Amptron battery charger	Works Section
1	Box assorted lead lights	Works Section
1	Giga set wireless phone	Works Section
1	Kinzo battery-operated drill	Works Section
1	Hitachi small grinder	Works Section
2	Pop Rivet gun	Works Section
1	Measuring tape	Works Section
1	GTI golf rim 18"	Works Section
1	HP printer	Works Section
1	Hitachi hand drill	Works Section
1	Hikoki small grinder	Works Section
1	Bosch big grinder and assorted tools	Works Section
1	Brake flaring tool kit	Works Section

1	Sony car radio	Works Section
1 Box	Assorted gauges	Works Section
1	Hydraulic cylinder	Works Section
1	Box Assorted Tools	Works Section
2	Impact tools	Works Section
1	Vacuum pump	Works Section
1	Mechanical Gearbox oil pump	Works Section
3	681 Truck batteries	Works Section
1	680 Truck battery	Works Section
1	Manual winch	Works Section
1	Tow in rope	Works Section
2	Stainless steel cupboards	Works Section
1	Honda 5.5 plate vibrator - S10052	Works Section

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

11. **RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE MEETING HELD DURING AUGUST 2025**

11.1 **MANAGEMENT COMMITTEE MEETING HELD ON 14 AUGUST 2025**

11.1.1 **DEON HOTTO FOUNDATION: LAND ACQUISITION FOR SPORT FIELDS**

(C/M 2025/08/28 - M Re 4326, M 3702, M 1143, Erf 9821)

Ordinary Management Committee Meeting of 14 August 2025, Addendum **7.1** page **03** refers.

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

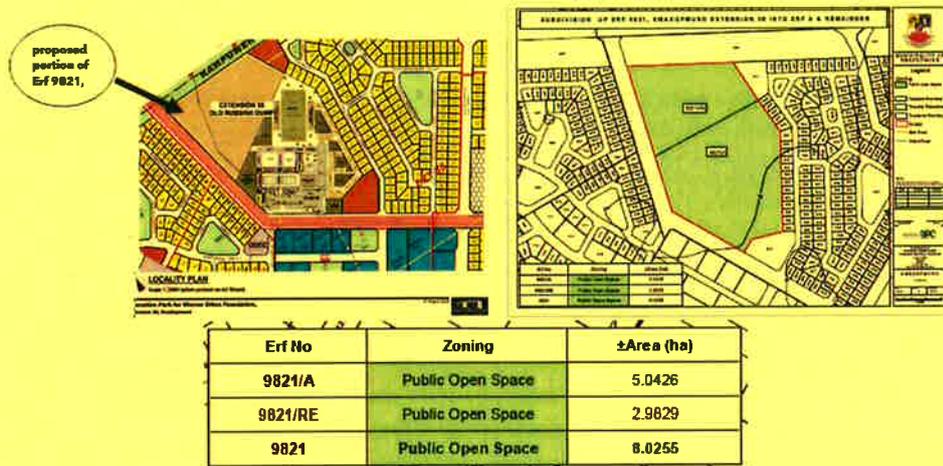
1. Purpose

The purpose of this submission is to obtain Council's permission to alienate the remaining portion of Erf 9821, Extension 38, Swakopmund, to Deon Hotto Foundation (hereinafter "DHF") for the development of the Deon Hotto sports and football facilities.

DHF is registered as an incorporated association not for gain in terms of section 21 under Registration Number of Company 21/2024/0828.

Erf 9821 is situated on the former rubbish dump. The southern portion of the erf has been allocated to the Werner Erkes Foundation (Tangeni Shilongo School), as indicated on the map below, for an educational park and vocational training centre.

As per the locality plan of Stubenrauch Planning Consultants, who is appointed by the Werner Erkes Foundation to do the subdivision and rezoning of the allocated portion, the remaining portion measures approximately 2.9829Ha, and not 2.5Ha as informally measured.



2. Introduction

2.1 A letter dated **07 April 2025** was received from DHF confirming their intention to acquire Erven Re 4326 and 3702, Mondesa, for the construction of their envisaged sports facilities, instead of donating the construction of sports facilities on the subject erven.

- 2.2 On **13 May 2025**, Council's relevant departments discussed the possibility of alienating Erven Re 4326 and 3702, Mondesa, to DHF.

The General Manager: Economic Development Services confirmed that these erven are designated for Council's own sports facilities, hence the said erven are not available for sale.

It was proposed to consider alternative portions of land, i.e, a portion of Erf 9821 or a portion of Erf 1143, Matutura.

- 2.3 Considering that DHF is no longer proceeding with the initial proposal to build and donate sports facilities to Council. Therefore, Council's resolution passed on **31 August 2022**, under item 11.1.34 in principle approving the acceptance of the donation of the facilities on Erven 4327 and 3702, Mondesa, is no longer relevant.

- 2.4 A letter dated **19 June 2025** (attached as **Annexure "A"**) was received from DHF requesting Council to donate a portion of Erf 9821, Swakopmund, measuring approximately 2.5Ha for the development of the Deon Hotto sports and football facilities. The remaining portion has been confirmed by Stubenrauch Planning Consultants as 2.9829 Ha.

The above letter was received after a site visit by municipal officials and DHF on **18 June 2025**, whereby the alternative erven were pointed out.

3. **Background**

- 3.1 An application by DHF dated **15 January 2022** was received for the allocation of Erven Re 4326, Mondesa, and Erf 3702, Mondesa, to accommodate the donation and construction of sporting facilities.

The applicant was informed of the status of the two erven per letter dated **07 February 2022**. They were also requested to provide proof of the sponsorships mentioned in their letter.

DHF applied to construct sports facilities in Mondesa, being 2 x 5-a-side soccer fields, a netball court, and a basketball court in partnership with Adidas.

- 3.2 On **16 May 2022**, Mr Carlos Gurirab of DHF confirmed verbally **that they do not require ownership of the land and only want to construct the facilities**. This was not confirmed in writing. DHF mentioned a partnership with Council as well.

In terms of their initial application, they intended to set up the following facilities:

- 3 artificial grass 5-a-side soccer fields
- 2 netball courts
- 1 basketball court
- Clubhouse building (changing rooms, showers, admin rooms, food kiosk, etc.)
- 2 bitumen 5-a-side soccer fields with fencing
- 1 x basketball court
- 1 x netball field with fencing

The following activities were envisaged to take place:

- 5-a-side community league soccer fields
- coaching clinics
- training sessions
- sports education
- sport motivation
- fitness bootcamp

- 3.4 On **31 August 2022**, under item 11.1.34, based on the proposal of DHF, Council in principle approved the construction of sporting facilities on Council's land. Attached as **Annexure "B"** is the Council's decision pertaining to the initial proposal submitted.
- 3.5 Subsequent to being informed of the above Council decision, several interactions with DHF were undertaken, but the matter was not concluded.
- 3.6 A meeting was held with all relevant departments on **13 May 2025**, and it was confirmed that Erven Re 4326 and 3702, Mondesa, are designated for Council's own sports facilities, which were also in the meantime constructed by Council; therefore, the erven are not available for sale.

It was proposed to consider the following erven:

- *The northern portion of Erf 9821, Extension 38, Swakopmund measures approximately 2.9829 Ha in size. The portion to the south was allocated to the Werner Erkes Foundation (Tangeni Shilongo School).*
- *the remaining portion of Erf 1143, Extension 6, Matutura zoned "Institutional" measuring 20,904 m² (the entire Erf 1143 measures 42,347 m², less a portion of 21,443 m² exchanged with Blue Boys Football Club).*

This submission deals with a letter dated **19 June 2025** received from DHF for the donation of a portion of Erf 8921, Matutura, as Erven Re 4326 and 3702 Mondesa are not available for sale.

4. Discussion

- 4.1 A letter dated **19 June 2025** was received from DHF, requesting Council to donate a portion of Erf 9821, Extension 38, Swakopmund, measuring approximately 2.5 hectares, for the development of the Deon Hotto sport and football facilities.
- 4.2 The erf is zoned "Public Open Space" and measures approximately 8.0255 hectares in size. On **30 January 2025**, under item 11.1.13, Council approved the sale of a 5-hectare portion of the southern section of the erf to the Werner Erkes Foundation:
- 4.3 Because of the location of Erf 9821, Matutura, on a former rubbish dump site, the Werner Erkes Foundation submitted a report from Omamanya Laboratory Services & Geotechnical Consultants confirming that the land is suitable for their intended development. It was concluded that the Werner Erkes Foundation will also be responsible for all statutory requirements, such as an Environmental Impact Assessment, closure as "Public Open Space", subdivision, and rezoning.

It is therefore proposed that, should Council approve the sale of the remaining portion of Erf 9821 to DHF, both developers of Erf 9821 at their cost join hands to attend to the statutory process.

- 4.4 DHF, being an incorporated association not for gain, qualifies for a subsidised purchase price of 50% of the development cost in terms of Council's Property Policy. The average cost for servicing land in Extension 38 is in the amount of N\$ 250.00/m²/2= N\$ 125.00/m².
- 4.5 Based on the 50% development cost of N\$ 250.00/m², the purchase price for the portion of land measuring 2.9829Ha is calculated as N\$125.00 x 29,829m² (2.9829Ha) = **N\$ 3 728 625.00**.

This price aligns with the purchase price approved by Council on **30 January 2025** for the portion allocated to the Werner Erkes Foundation. As both DHF and the Werner Erkes Foundation are registered non-profit organisations, it is proposed that the conditions of sale be the same.

It is a reasonable approach that an association not for gain pays for land at a subsidized rate, which is half of the development cost.

Council is in effect "*donating*" 50% of the actual cost for the installation of services. Since the land is already offered at a reduced rate, Council cannot afford to donate the land at zero cost.

DHF confirmed in their letter that they are planning to invest N\$2 000 000.00 in the infrastructure of the project. No proof of financial ability from a Financial Institution was submitted. In order to comply with the due diligence requirements, proof of financing to fund the project, as resolved by Council on **25 February 2021** under item 11.1.4 (e), is required:

"(e) That in future developers be screened to determine their financial capabilities to perform and any other matter Council deemed necessary."

- 4.6 Council's standard conditions of sale for land to non-profit entities will apply, which are attached as **Annexure "C"**.

5. **Proposal**

Considering that the proposed sports facilities will be privately owned by DHF, allowing them to generate income from their operations, it is proposed not to consider donating the land to DHF (which is also not provided for in the Property Policy). As a non-profit organization, DHF qualifies for a subsidized purchase price of 50% of the development cost, which aligns with Council policies. Approving a donation in this case would not be consistent with the Council's Property Policy, since DHF is not a welfare or charity organization. Granting such a donation could set a precedent, potentially leading to similar future applications.

Additionally, since the Council currently rents out sporting facilities on a daily basis, these privately owned facilities could be viewed as direct competition, potentially impacting the Council's existing arrangements and revenue streams.

It is also proposed that the sale of a portion of Erf 9821, Extension 38, to DHF be subject to the condition that the purchaser submits proof of financial capacity to purchase the land and for the construction of the proposed sports facilities.

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

RECOMMENDED:

- (a) That Council takes note of the application received from Deon Hotto Foundation dated 19 June 2025 for the donation of the remaining portion of land measuring approximately 2.5Ha located on Erf 9821, Extension 38, Swakopmund, for the development of the Deon Hotto Sport and Football facilities.
- (b) That Council's decision passed on 31 August 2022 under item 11.1.34 for the construction of Deon Hotto sport facilities on Erven Re 4326 and 3702, Mondesa, is no longer relevant as the basis of the application is no longer to donate facilities to Council.
- (c) That Council approves the sale of a portion of land measuring approximately 2.5 Ha located north of Erf 9821, Extension 38, Swakopmund to Deon Hotto Foundation (21/2024/0828) for the development of Deon Hotto sports and football facilities.
- (d) That Deon Hotto Foundation provides proof of financing to fund the project in terms of point (e) of Council's resolution passed on 25 February 2021 under item 11.1.4.
- (e) That Deon Hotto Foundation pays a deposit of N\$10 000.00 within 90 days from the date of being informed of this Council resolution to cover all fees and the costs of publication of the sale notice as required in terms of the Local Authorities Act, Act 23 of 1992 (as amended).
- (f) That the standard conditions contained in Council's Property Policy for the sale of land to non-profit entities attached as Annexure "C", be applicable.
- (g) The purchase price based on 50% of the development cost, currently at an average cost of N\$250.00/m² is N\$125.00/m² x 29,829 m² (2.9829Ha) = N\$3,728,625.00.
- (h) That all costs relating to the transfer of this erf, (including but not limited to transfer duty, conveyancer's costs, compilation of Agreement of Sale, as well as any legal or other costs that may arise from this application), be for the Deon Hotto Foundation's account.
- (i) That the requirements of the Local Authorities Act, Act 23 of 1992, as amended, and the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) be successfully complied with.
- (j) That payment of the purchase price be secured either in cash or bank guarantee in favour of the Swakopmund Municipality within 120 days from the date of the Surveyor-General-approved plan being in place. Failure to secure the purchase price will result in cancellation of the transaction without further notice.
- (k) That Deon Hotto Foundation in collaboration with Werner Erkes Foundation (Tangeni Shilongo) be responsible for the appointment of a geotechnical consultants to confirm the suitability of the erf for their proposed developments, attend to an environmental assessment, attend to the closure of the portion of the erf as Public Open Space, the subdivision and rezoning of the portion of land.

- (l) That Deon Hotto Foundation, at their costs, comply with the statutory processes until completion of the project.
 - (m) That Deon Hotto Foundation submit total layout plans, indicating the infrastructure, details of the project, as well as the service demand for the intended project, within 3 months of being notified of the approval of the application.
 - (n) That the whole development project must be completed within 48 months from the date of sale, and if no development is made in terms of the conditions of the agreement of sale, the property shall revert to Council without any compensation to the purchaser.
 - (o) That Deon Hotto Foundation takes note that no rights will accrue to them unless all the above-mentioned conditions are complied with in full and all the relevant authorities have given the necessary permission, if applicable.
 - (p) That Council retains a first right of refusal to purchase the developed land at the market value of the improvements at the time, and the purchase price paid should the owner decide to sell it.
 - (q) That Deon Hotto Foundation shall not use the PROPERTY for any other purpose than for which it was bought or sold, sublease or donate the PROPERTY without the consent of the SELLER, for 30 (thirty) years from the date of sale.
 - (r) That the applicant indemnifies Council against any claims resulting from blasting.
 - (s) That the following decisions made by Council for possible suitability for housing development, be amended, given the above sale:
 - (i) **Council resolution of 30 January 2025, item 11.1.13 (c) (i) 9**

"That Council decides on the future use of the remaining portion of Erf 9821, Swakopmund, for instance, housing based on the outcome of a geotechnical report."
 - (ii) **Council resolution of 26 June 2025, item 11.1.3 (c)**

(c) That Erf 9821, Extension 38, Swakopmund, be excluded from the offer as a portion measuring approximately 5 ha has been allocated to the Werner Erkes Foundation, and the remaining portion of approximately 3 ha is subject to a geotechnical assessment to determine the suitability for housing purposes (old refuse dump site).
-



ANNEXURE "A"

Our Ref: DHF_RESPONSE19JUNE25_SM_190625(cp)

Date: 19th June 2025

No. of Pages: 2

Mr. Archie Benjamin
Chief Executive Officer
Swakopmund Municipality.
Swakopmund, Erongo Region

Subject: Formal Application to Request for Donation of Erven 9821, Matutura Extension 38

Dear Mr. A. Benjamin,

The Deon Hotto Foundation hereby formally resubmits its application following a site visit on 18th May 2025, for the development of the Deon Hotto Sports and Football Facilities, a project designed to serve as a public good for the Swakopmund community:

Erf 9821, Matutura, Extension 38 (Size: 2,5ha) Envisaged Deon Hotto Sports Facility and Deon Hotto Football Center

- FIFA Stadium Guidelines (4th Edition) - Section 2.1 / Section 4 / Section 7 the land required is sufficient according to this standard. (1,2ha required for this development)

The facilities will provide accessible sports infrastructure, youth development programs, and community empowerment initiatives. We envisaged to invest nearly N\$ 2,000,000.00 (Standard Bank Namibia, MTC and ADIDAS and et al) to make the necessary infrastructure in these

Enquiries: 085 770 7090

Email Address: deonhottofon@gmail.com

Deon Hotto Foundation Reg No. 21/2024/0828, Board Of Directors: Chairperson: Carl Pesat, Deon Hotto, Sasha Hotto, Edison Muheua, Lourencia Maendo, Roberts Katangolo, Carlos Gurirab



facilities. We believe a partnership can unlock this opportunity for this foundation with Swakopmund Municipality Council.

Request for Donated Land:

Mr. Deon Hotto was born, raised in Swakopmund and his passion for football was developed in his hometown, as a Namibian professional football legend for both Namibia's senior football team, Orlando Pirates Soweto based team in South Africa.

As the founder of the foundation's non-profit mandate and the project's community-driven objectives, our mandate is in developing talent and creating this infrastructure to develop new talent in Swakopmund both for girls and boys. Hotto's Sportsmanship legacy is by giving back to the community that developed my god given talent to provide for myself and my family, we need more DEON HOTTO's to compete in SADC, Africa and global football and sports level.

We appreciate your time and consideration and eagerly await your response to proceed with the next steps.

Yours in Football Development,

Carl Pesat

Chairperson

Deon Hotto Foundation

Deon Hotto

Founder and Director

Deon Hotto Foundation

Enquiries: 085 770 7090

Email Address: deonhottofon@gmail.com

Deon Hotto Foundation Reg No. 21/2024/0828, Board Of Directors: Chairperson: Carl Pesat, Deon Hotto, Sasha Hotto, Edison Muheua, Lourencia Maendo, Roberts Katangolo, Carlos Gurirab



Our Ref: DHF_Notice_(LandApplication)_24072024-RE4326 & M3702

**Mr. Archie Benjamin
Chief Executive Officer
53, Swakopmund, Swakopmund Municipality.**

Subject: Due Diligence Submission for Land Application – Deon Hotto Sports Facilities and Stadium

Dear Mr. Benjamin,

I am writing to you as the Chairperson of the Deon Hotto Foundation in connection with our ongoing efforts to secure land for the construction, management, and operation of the Deon Hotto Sports Facilities and Stadium in the heart of Mondesa - RE4326 & M3702.

As part of the due diligence process for our land application submission, we are submitting the necessary documentation; including the BIPA documents (Section 21), the minutes of our inaugural board meeting, the meeting attendance register, and the power of attorney for the chairperson. We trust that these documents will meet the required due diligence and facilitate a smooth review process of our council resolution.

The Deon Hotto Foundation is committed to promoting sports and community development for previously disadvantaged communities and persons; we officially launched the foundation in Windhoek in early June and raised funds for this sports facilities and stadium.

Recently, we successfully hosted the fourth edition of the Deon Hotto Charity Cup in Omaruru at the end of June 2024, which was a resounding success and highlighted our dedication to uplifting the community through sports.

In good faith, we kindly request favourable consideration of our land application. Securing this land will enable us to make a significant positive impact by providing state-of-the-art sports facilities and a stadium that will benefit the youth and the broader community.

We are eager to work closely with your office to ensure that all requirements are met and to address any queries you may have. Please do not hesitate to contact me directly should you need any additional information or clarification.

Enquiries: 085 770 7090
deonhottofon@gmail.com

Reg No. 20240828 - Deon Hotto Foundation, Board Of Directors: Chairperson: Carl Pesat, Deon Hotto, Sasha Hotto, Edison Muheua, Lourencia Maendo, Roberts Katangola, Carlos Gurirab



Thank you for your time and attention to this matter.

We look forward to a positive response and the opportunity to contribute to the development of Mondesa and Swakopmund to be the preferred sporting tourism capital of Namibia.

We are more than willing to explain this letter in the presentation; by presenting our partners, and professional team for the Sporting facilities.

Yours in Sports Development,

A handwritten signature in blue ink, appearing to be 'Carl Pesat'. The signature is stylized with a large loop and several vertical strokes.

Carl Pesat
Chairperson
Deon Hotto Foundation

Enquiries: 085 770 7090
deonhottofon@gmail.com

Reg No. 20240828 - Deon Hotto Foundation, Board Of Directors: Chairperson: Carl Pesat, Deon Hotto, Sasha Hotto, Edison Muheua, Lourencia Maendo, Roberts Katangolo, Carlos Gurirab

B. AUDITOR

1. Name WBM Chartered Accountants & Auditors

2. Date of appointment Date of Incorporation

3. Nature of change in 1 and 2 above and date.

Perforated

(To be completed by company)

Return of particulars of company's register of directors, auditors & officers

Dated Date of Incorporation
Name of company Deon Hotto Foundation (Incorporated Association Not for Gain in terms of Section 21)

Postal address C/O P O BOX 14

WALVIS BAY

Email address mstrauss@wbm.com.na

CM29 PAGE 3

CM29

Date received

6 Aug 2025
Date stamp of Business
Registration Office

Form CM 46

REPUBLIC OF NAMIBIA

BUSINESS AND INTELLECTUAL PROPERTY AUTHORITY - BIPA

COMPANIES ACT 2004
(Section 180) (Regulation 38(1))
(to be lodged in duplicate)



CM46

CERTIFICATE TO COMMENCE BUSINESS

Registration Number of Company
21 | 20240828

I hereby certify that:

DEON HOTTO FOUNDATION
(Incorporated Association Not for Gain in terms of Section 21)

which was incorporated on the 04 day of July of the year, has
complied with the requirements of section 180 of the Companies Act, 2004, and is with effect from this day
entitled to commence business.

Signed and sealed at Windhoek this 04 day of July
of the year 2024



[Signature]
Registrar of Business

Seal of Business Registration Office

This certificate is not valid unless sealed by the Seal of the Business Registration Office.

FINANCIAL YEAR ENDS ON
1ST DAY OF February

REPUBLIC OF NAMIBIA

BUSINESS AND INTELLECTUAL PROPERTY AUTHORITY - BIPA

COMPANIES ACT 2004
 (Sections 180(3)(d), 277(1), 279(2), 281, 284, 285, 286, 288, 328(1)(c) and 331)) (Regulation 47(1))

**NOTICE OF, CONSENT TO APPOINTMENT,
 CHANGE OF NAME, OR RESIGNATION BY AUDITOR OR REMOVAL OF AUDITOR**



CM31

Registration Number of Company
 21/2024/0828

NS 20,00 fee
 payable in terms of
 the Act and as set
 out in the
 regulations

Name of company **DEON HOTTO FOUNDATION (INCORPORATED ASSOCIATION NOT FOR GAIN IN TERMS OF SECTION 21)**

Part I (To be completed by the auditor concerned and to be sent to the company for completion of Part III and lodgement with Registrar)

A **APPOINTMENT**

I, **W van Wijk representing WBM Chartered Accountants** consent to my appointment as auditor of the abovementioned company as from **DATE OF INCORPORATION**, and declare that I am not disqualified in terms of section 283 of the Companies Act, 2004 for the appointment

B **CHANGE OF NAME**

The firm has with effect from changed its name and will in future be known as

Date **13 March 2024**

Signature W van Wijk
 Auditor

Situation of office **133 Sam Nujoma Avenue
 WALVIS BAY**

Postal address **P O Box 14
 WALVIS BAY**

Part II (To be completed by the auditor concerned and original to be lodged with Registrar. Duplicate to be sent to the company for completion of Part III and lodgement with Registrar)

C **RESIGNATION**

I, resign as auditor of the abovementioned company and declare that -
 (a) as at the date of this notice I have no reason to believe that in the conduct of the affairs of the company a material irregularity has taken place, or is taking place which has caused or is likely to cause loss to the company or to any of its members or creditors.
 (b) I reported a material irregularity to the Public Accountants' and Auditors' Act, 1951
 (Note: This resignation becomes effective on the receipt by the Registrar of this written notification in terms of section 288(3) and (4) of the Companies Act, 2004)

Date

Signature
 Auditor

Part III (To be completed by company concerned and lodged with Registrar)

D **STATEMENT**

The auditor of the abovementioned company was removed/not reappointed in terms of section 285/286 of the Companies Act, 2004 on The vacation of the office/particulars pertaining to the matters reflected in Part I/II have been entered in the register in compliance with section 223 of the Companies Act, 2004.
 (Note: This resignation becomes effective on the receipt by the Registrar of this written notification in terms of section 288(3) and (4) of the Companies Act, 2004)

Date

Signature
 Director/Officer

Perforated (To be completed by the auditor or company concerned and lodged with the Registrar)

NOTICE RELATING TO A CHANGE IN RESPECT OF AN AUDITOR DATED **DATE OF INCORPORATION**

Name of auditor: **WBM Chartered Accountants**
 company **DEON HOTTO FOUNDATION (INCORPORATED ASSOCIATION NOT FOR GAIN IN TERMS OF SECTION 21)**

Postal address	P O Box 14 WALVIS BAY	Return received
Email address	info@wbm.com.na	Date stamp of Business
		Registration Office

Not valid unless stamped by the Registrar of Business
 EACH YEAR FINANCIAL YEAR ENDS ON
 1ST DAY OF February Copyright: Business and Intellectual Property Authority, Namibia

continuation of Form CM 46

REPUBLIC OF NAMIBIA

BUSINESS AND INTELLECTUAL PROPERTY AUTHORITY - BIPA

COMPANIES ACT 2004
(Section 180) (Regulation 38(1))

APPLICATION FOR CERTIFICATE TO COMMENCE BUSINESS

Registration Number of Company

21 | 20240828

NS 100.00 fee payable in terms of the Act and as set out in the regulations

Plus annual duty

Name of Company:

DEON HOTTO FOUNDATION
(Incorporated Association Not for Gain in terms of Section 21)

The Company which was incorporated on the 04 day of July of the year 2024 applies for a certificate to commence business and attaches hereto the documents prescribed by regulation 30.

The financial year of the Company ends on the last day of February each year.

Postal Address

P O BOX 3728

SWAKOPMUND

NAMIBIA

Email Address: deonhottofon@gmail.com

Signature

Director (Manager/Secretary)

CARL PESAT
Name in block capitals

Perforated

(To be completed by Company)

Certificate to commence business dated _____ herewith

Name of Company **DEON HOTTO FOUNDATION**
(Incorporated Association Not for Gain in terms of Section 21)

Postal address **P O BOX 14**

WALVIS BAY

Email address mstrauss@wbm.com.na



Registrar of Business

Date stamp of Business Registration Office

REPUBLIC OF NAMIBIA

BUSINESS AND INTELLECTUAL PROPERTY AUTHORITY - BIPA

COMPANIES ACT 2004 (Sections 180(3)(d), 277(1), 279(2), 281, 284, 285, 286, 288, 328(1)(c) and 331) (Regulation 47(1))

NOTICE OF, CONSENT TO APPOINTMENT, CHANGE OF NAME, OR RESIGNATION BY AUDITOR OR REMOVAL OF AUDITOR



Registration Number of Company

21/ 20240828

N\$ 20,00 fee payable in terms of the Act and as set out in the regulations

Name of company

DEON HOTTO FOUNDATION (INCORPORATED ASSOCIATION NOT FOR GAIN IN TERMS OF SECTION 21

Part I (To be completed by the auditor concerned and to be sent to the company for completion of Part III and lodgement with Registrar)

A APPOINTMENT

I, W van Wijk representing WBM Chartered Accountants consent to my appointment as auditor of the abovementioned company as from DATE OF INCORPORATION, and declare that I am not disqualified in terms of section 283 of the Companies Act, 2004 for the appointment

B CHANGE OF NAME

The firm has with effect from changed its name and will in future be known as

Date 13 March 2024

Signature [Signature] Auditor

Situation of office 133 Sam Nujoma Avenue WALVIS BAY

Postal address P O Box 14 WALVIS BAY

Part II (To be completed by the auditor concerned and original to be lodged with Registrar. Duplicate to be sent to the company for completion of Part III and lodgement with Registrar)

C RESIGNATION

I, [Name] resign as auditor of the abovementioned company and declare that - (a) as at the date of this notice I have no reason to believe that in the conduct of the affairs of the company a material irregularity has taken place, or is taking place which has caused or is likely to cause damage to the company or to any of its members or creditors. (b) I reported a material irregularity to the Public Accountants' and Auditors' Act, 1951 in terms of the Public Accountants' and Auditors' Act, 1951 (Note: This resignation becomes effective on the receipt by the Registrar of this written notification in terms of section 288(3) and (4) of the Companies Act, 2004)

Date

Signature [Signature] Auditor

Part III (To be completed by company concerned and lodged with Registrar)

D STATEMENT

The auditor of the abovementioned company was removed/not reappointed in terms of section 285/286 of the Companies Act, 2004 on. The vacation of the office/particulars pertaining to the matters reflected in Part III have been entered in the register in compliance with section 223 of the Companies Act, 2004. (Note: This resignation becomes effective on the receipt by the Registrar of this written notification in terms of section 288(3) and (4) of the Companies Act, 2004)

Date

Signature [Signature] Director/Officer

Perforated (To be completed by the auditor or company concerned and lodged with the Registrar)

NOTICE RELATING TO A CHANGE IN RESPECT OF AN AUDITOR DATED DATE OF INCORPORATION

Name of auditor: WBM Chartered Accountants company: DEON HOTTO FOUNDATION (INCORPORATED ASSOCIATION NOT FOR GAIN IN TERMS OF SECTION 21

Table with 2 columns: Field (Name of auditor, company, Postal address, Email address) and Value (WBM Chartered Accountants, DEON HOTTO FOUNDATION (INCORPORATED ASSOCIATION NOT FOR GAIN IN TERMS OF SECTION 21, P O Box 14 WALVIS BAY, info@wbm.com.na). Includes checkboxes for Return received, Date stamp of Business, and Registration Office.

Not valid unless stamped by the Registrar of Business

EACH YEAR FINANCIAL YEAR ENDS ON 1ST DAY OF February

POWER OF ATTORNEY

That we, the undersigned, Directors of the Deon Hotto Foundation registered as a Incorporated association not for gain 21/2024/9828, and existing under the laws of Namibia, with its principal place of business at No. 21 Omega Street, Vineta, Swakopmund, Namibia, do hereby make, constitute, and appoint Carl Pesat (8311270274) as my true and lawful Attorney-in-Fact for the following specific purpose:

1. Purpose

Carl Pesat is hereby authorized and empowered to act on behalf of Deon Hotto Foundation for the purpose of applying for Properties with the Swakopmund Municipality, specifically for the establishment of the sports facilities and a sports stadium.

2. Authority

Carl Pesat shall have the authority to represent Deon Hotto Foundation in all dealings involved in securing the parcel of lands, including but not limited to:

- Submitting all necessary applications and forms.
- Communicating with the Swakopmund Municipality and any other relevant parties.
- Providing any required information or documentation.
- Signing any and all documents related to the land application and thereof.

3. Limitation

This Power of Attorney is limited to the application process / due diligence and title deed for the Properties with the Swakopmund Municipality and does not extend beyond the securing of the property.

4. Duration

This Power of Attorney shall remain in full force and effect until the completion of the application process for the Properties - title deed, unless sooner revoked by me in writing.

We the Board have hereunto sign this 16 day of July, 2024.

RK
Cly

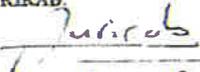
WITNESSES:

ROBERTS KATANGOLO:

1.  _____

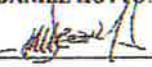
Full Name: Roberts Aluta Katangolo

CARLOS GURIRAB:

2.  _____

Full Name: Carlos Fernando Gurirab

DEON DANIEL HOTTO:

3.  _____

Full Name: Deon Daniel Hotto

EDISON MUHEUA

4.  _____

Full Name: EDISON MUHEUA

LOURENCIA MAENDO

5.  _____

Full Name: Lourencia Maendo

WAPINGENA ASNATH HOTTO

6.  _____

Full Name: Wapingena Asnath Hotto

CH
EK

Form CM 44 B

REPUBLIC OF NAMIBIA

BUSINESS AND INTELLECTUAL PROPERTY AUTHORITY – BIPACOMPANIES ACT 2004
(Section 64) (Regulation 18(3))

CM44B

**ARTICLES OF ASSOCIATION OF A COMPANY NOT HAVING SHARE
CAPITAL NOT ADOPTING SCHEDULE 1**

Registration Number of Company

NAME OF COMPANY:

DEON HOTTO FOUNDATION
[Incorporated Association Not for Gain in term of Section 21]

A. The articles of Table A contained in Schedule 1 to the Companies Act, 2004, shall not apply to the Company.

B. The articles of the company are as follows:

1. INTERPRETATION AND NAME OF FOUNDATION**1.1 Name**

The name of the foundation is DEON HOTTO FOUNDATION being an Incorporated Association Not for Gain not having a share capital.

1.2 Purpose

The purpose of the organization is:

1.2.1 Sport Facilities development in Namibia.

Development of property and sports facilities, and plans for the operations of these facilities.

Foundation must own build, own, and run the facilities.

From time to time, this facility can be down by service providers.

1.2.2 Providing support to soccer and other sports codes

From time to time, provide development programs for soccer development and all associated roles/functions around matches.

1.2.3 Being the preferred agent of choice for soccer players in Namibia.

Create, and build programs, manage players, profile, and provide opportunities for them

Manage contracts, manage them, and ensure that they obtain the fairest deal possible.

1.2.4 Provide donations to less fortunate communities

Identify orphanages, old age homes, and schools that require assistance.

Compliment their eco-system to ensure that they are sustainable and help them.

INTERPRETATION

2. In these Articles:

2.1 "the Act" means the Companies Act 28 of 2004;

2.2 "The Seal" means any person appointed to perform the duties of the secretary of the company;

2.3 "Namibia" means the Republic of Namibia.

Expressions referring to writing, shall, unless the contrary intention appears, be construed as including references to printing, lithography, photography, and other modes of presenting and reproducing words in a visible form.

MEMBERS

3. *Number.* The number of members of the Company shall not be less than seven.

4. *Admittance.* The subscribers to the Memorandum of Association and such other persons as a two-thirds majority of the directors shall admit to membership, shall be members of the company.

5. *Honorary Member.* Honorary membership may be conferred on any person by a two-thirds majority of the directors, and honorary members shall not be required to pay any subscription fee.

6. *Resignation.* A member is obliged to resign if the majority of the directors so require. A member who desires to resign shall signify such desire in writing to the secretary. A member, who has not paid his subscription by the due date, shall be considered to have resigned. In such cases the secretary shall remove the name of the person from the list of members.
7. *Subscription.* Members shall pay annually the subscription determined at the annual general meeting.

GENERAL MEETING

8. *First Meeting.* The first general meeting of the Company shall be held at such time not being less than one month nor more than three months after the incorporation of the company at such time and place as the directors shall determine.
9. *Annual general meeting.* The Company shall not later than six months after the end of each financial year of the company hold an annual general meeting as its annual general meeting in addition to any other meetings in that year, and shall specify the meeting as such in the notices calling it; and not more than fifteen months shall elapse between the date of one annual general meeting of the company and that of the next. The annual general meeting shall be held at such time and place, as the directors shall appoint.
10. *Extraordinary general meetings.* All general meetings other than the annual general meetings shall be called extraordinary general meetings.
11. *Calling of meetings.* The directors may, whenever they think fit, convene an extraordinary general meeting, and extraordinary general meetings shall also be convened on such requisition, or, in default, may be convened by such requisitions, as provided for in section 181 of the Act. If at any time there are not within Namibia sufficient directors capable of acting to form a quorum, any director or any two members of the company may convene an extraordinary general meeting in the same manner as nearly possible as that in which meetings may be convened by the directors.

NOTICES OF GENERAL MEETINGS

12. *Notice.* An annual general meeting and a meeting called for the passing of a special resolution shall be called by twenty one days' notice in writing at the least, and a meeting of the company other than an annual general meeting or a meeting for the passing of a special resolution shall be called by fourteen days' notice in writing at the least. The notice shall be exclusive of the day on which it is served or deemed to be served and of

the day for which it is given, and shall specify the place, the day and the hour of meeting and, in a case of special business, the general nature of that business and shall be given, in manner hereinafter mentioned or in such other manner, if any, as may be prescribed by the company in general meeting, to such persons as are, under the Articles of the company, entitled to receive such notice from the company:

Provided that a meeting of the company shall, notwithstanding that it is called by shorter notice than that specified in this Article be deemed to have been duly called if it is so agreed-

- 12.1 in the case of a meeting called as the annual general meeting, by all the members entitled to attend and vote thereat; and
- 12.2 in the case of any other meeting, by a majority in number of the members having a right to attend and vote at the meeting, being a majority together representing not less than ninety-five per cent of the total voting rights at that meeting of all the members.
13. *Omission to give notice.* The accidental omission to give notice of a meeting to, or the non-receipt of notice of a meeting by, any person entitled to receive notice shall not invalidate the proceedings at that meeting.
14. *Ordinary and special business.* All business shall be deemed special that is translated at an extraordinary meeting, and also all that is transacted at an annual general meeting, with the exception of the consideration of the accounts, balance sheets, and the reports of the directors and auditors, the election of directors in the place of those retiring and the appointment of, and the fixing of the remuneration, of the auditors.
15. *Quorum.* No business shall be transacted at any general meeting unless a quorum of members is present at the time when the meeting proceeds to business; save as herein otherwise provided, three members present in person shall be a quorum.
16. *Failure to obtain quorum.* If within half an hour from the time appointed for the meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved: in any other case it shall stand adjourned to the same

day in the next week, at the same time and place, or to such other day and at such other time and place as the directors may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting the members present shall be a quorum.

17. *Chairperson.* The chairperson, if any, of the board of directors shall preside as Board Secretary at every general meeting of the company, or if there is no such Board Secretary, or if he shall not be present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act, the directors present shall elect one of their number to be Board Secretary of the meeting.
18. *Election by members.* If at any meeting no director is willing to act as chairperson or if no director is present within fifteen minutes after the time appointed for holding the meeting, the members present shall choose one of their number to be chairperson of the meeting.
19. *Adjournment.* The chairperson may, with the consent of any meeting at which a quorum is present, adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for thirty days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

If at meeting of the company any member of the company who is present and entitled to vote at that meeting demands and adjournments of the meeting upon any ground stated by him the chairperson shall put the demand to the vote of the meeting and if a majority of the members present and entitled to vote at the meeting vote in favour of an adjournment, the chairperson shall adjourn the meeting to a day seven days after the date of the meeting or if that day is a public holiday, to the next succeeding day other than a holiday. When a meeting has been adjourned as aforesaid the secretary of the company shall upon a date not later than two days after the adjournment, publish in a newspaper circulating in Namibia a notice stating:-

- 19.1 the time and place to which the meeting was adjourned;
- 19.2 the matter before the meeting at the time when it was adjourned; and
- 19.3 the ground for the adjournment.

20. *Voting on resolutions.* At any general meeting a resolution put to the vote of the meeting shall be decided on a show of hands unless a poll is (before or on the declaration of the result of the show of hands) demanded –
- 20.1 by the chairperson; or
 - 20.2 by at least three members present in person or by proxy; or
 - 20.3 by a member or members present in person or by proxy and representing not less than one-tenth of the total voting rights of all the members having the right to vote at the meeting.
21. *Declaration of chairperson conclusive.* Unless a poll be so demanded a declaration by the chairperson that a resolution has on a show of hands been carried or carried unanimously, or by particular majority, or lost and an entry to that effect in the book containing the minutes of proceedings of the company shall be conclusive evidence of the fact without proof of the number or proportion of the vote recorded in favour of or against such resolution.
- The demand for a poll may be withdrawn.
22. *Taking a poll.* Except as provided in Article 21, if a poll is duly demanded it shall be taken in such manner as the chairperson directs, and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded.
23. *Casting vote.* In the case of an equality of votes, whether on a show of hands or on a poll, the chairperson of the meeting at which the show of hands takes place or at which the poll is demanded, shall be entitled to a second or casting vote.
24. *When poll to be taken.* A poll demanded on the election of a chairperson, or on a question of adjournment, shall be taken forthwith. A poll demanded or any other question shall be taken at such time as the chairperson of the meeting directs, and any business other than that upon which a poll has been demanded may be proceeded with pending the taking of the poll.
25. *Validation of resolution not passed at a meeting duly convened.* Subject to the provisions of the Act a resolution in writing signed by all the members for the time being entitled to receive notice of and to attend and vote at general meetings for being corporations by their duly authorised representative(s) shall be as valid and effective as is the same had been passed at a general meeting of the company duly convened and held.

VOTES OF MEMBERS

- 26. *Votes.* Every member and honorary member shall have one vote.
- 27. *Member of unsound mind.* A member of unsound mind may vote, whether on a show of hands or on a poll, by his *curator bonis* appointed by the court, and any such *curator bonis* may, on a poll, vote by proxy.
- 28. *Money owing to company.* No member shall be entitled to vote at any general meeting unless all monies presently payable by him to the company have been paid.
- 29. *Proxy.* On a poll votes may be given either personally or by proxy.
- 30. *Instrument of proxy.* The instrument appointing a proxy shall be in writing under the hand of the appointee or of his attorney duly authorised in writing, or, if he appoints a corporate body, either under seal or under the hand of an officer or attorney duly authorised. A proxy need not be a member of the company.
- 31. *Deposit of instrument.* The instrument appointing a proxy and the power of attorney or other authority, if any, under which it is signed or a notarially certified copy of that power or authority shall be deposited
- 32. *Forms.* An instrument appointing a proxy shall be in the following form or a form as near thereto as circumstances admit:

" Limited.
 I, of being a
 member (members) of the above-named company, hereby appoint
 of
 or failing him
 of
 or failing him
 of as may (our) proxy to
 vote for me (us) on my (our) behalf at the annual (extraordinary) general meeting of
 the company to be held on the day of
 and at any adjournment thereof.

Signed this Day of"

33. *Form of proxy stating how vote to be cast.* Where it is desired to afford members an opportunity of voting for or against a resolution the instrument appointing a proxy shall be in the following form or a form as near thereto as circumstances admit:

"I, ofbeing a member (members) of the above-named company, hereby appoint of or failing him of, as my (our) proxy to vote for me (us) on my (our) behalf at the annual (extraordinary) general meeting of the company to be held on the day of, and at any adjournment thereof. Signed this day of"

This form is to be used *in favour of the resolution. Unless otherwise instructed, the against proxy will vote as he thinks fit.

*Strike out whichever is not desired."

34. *Proxy may demand poll.* The instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a poll.
35. *Proxy irrevocable, except on notice in writing.* A vote given in accordance with the terms of an instrument of proxy shall be valid notwithstanding the previous death or insanity of the principal or revocation of the proxy or of the authority under which the proxy was executed, provided that no intimation in writing of such death, insanity or revocation as aforesaid shall have been received by the company at the office before the commencement of the meeting or adjourned meeting at which the proxy is used.

CORPORATE BODIES ACTING BY REPRESENTATIVES AT MEETINGS

36. *Corporate bodies.* Any corporate body which is a member of the company may by resolution of its directors or other governing body authorise such person as it thinks fit to act as its representative at any meeting of the company, and the person so authorised shall be entitled to exercise the same powers on behalf of the corporate

body which he represents as that corporate body could exercise if it were an individual member of the company.

DIRECTORS

37. *Number.* The number of the directors and the names of the first directors shall be determined in writing by the subscribers of the Memorandum of Association or a majority of them.
38. *Remuneration.* The directors shall not be remunerated for their services. Subject to prior approval by a two-thirds majority of the directors, directors shall however be paid all travelling, hotel and other expenses properly incurred by them in attending and regaining from meetings of the company or in connection with the business of the company.
39. *Directors' powers.* The directors may exercise all the powers of the company to borrow money, and to mortgage or charge its undertaking and property, or any part thereof, and to issue debentures, debenture stock and other securities, whether outright or a security for any debt, liability or obligation of the company or of any third party.

POWERS AND DUTIES OF DIRECTORS

40. *Management by directors.* The business of the company shall be managed by the directors, who may pay all expenses incurred in promoting and registering the company, and may exercise all such powers of the company as are not, by the Act or by these Articles, required to be exercised by the company in general meeting, subject nevertheless to the provisions of the Act or these Articles and to such regulations, being not inconsistent with the aforesaid provisions, as may be prescribed by the company in general; but no regulation made by the company in general meeting shall invalidate any prior act of the directors which would have been valid if that regulations had not been made.

41. *Attorney.* The directors may from time to time and at any time by power of attorney appoint any company, firm or person or body of persons, whether nominated directly or indirectly by the directors, to be the attorney or attorneys of the company for such purposes and with such powers, authorities and discretions (not exceeding those vested in or exercised by the directors under these Articles) and for such period and subject to such conditions as they may think fit, and any such powers of attorney may contain such provisions for the protection and convenience of persons dealing with any such attorneys as the directors may think fit and may also authorise any such attorney to delegate all or any of the powers, authorities and discretions vested in him.
42. *Cheques, bills, etc.* All cheques, promissory notes, drafts, bills of exchange and other negotiable instruments, and all receipts for moneys paid to the company, shall be signed, drawn, accepted, indorsed, or otherwise executed, as the case may be, in such manner as the directors shall from time to time by resolution determine.
43. *Board Secretary & Minutes.* The board secretary is responsible for ensuring compliance with relevant governance instruments. The board secretary with directors shall in terms of the provisions of the Act, cause minutes to be kept -:
- 43.1 of all appointments of officers;
 - 43.2 of the names of the directors present at each meeting of the directors;
 - 43.3 of all proceedings at all meetings of the Association and of the directors.

and every director present at any meeting of directors or committee of directors shall sign his name in a book to be kept for that purpose.

DISQUALIFICATION OF DIRECTORS

44. *Disqualification.* The office of director shall be vacated if the director –
- 44.1 without the consent of the company in general meeting holds any other office of profit under the company; or
 - 44.2 becomes insolvent or makes any arrangements or composition with his creditors generally; or
 - 44.3 becomes prohibited from being a director by reason of any order made under Section 219 of the Act; or

- 44.4 becomes of unsound mind; or
- 44.5 resigns his office by notice in writing to the company; or
- 44.6 is directly or indirectly interested in any contract with the company and fails to declare the nature of this interest in manner required by Section 235 of the Act.

A director may vote in respect of any contract in which he is interested or any matter arising there out, and if he does so his vote shall be counted.

- 45 *Rotation.* At the first annual general meeting of the company all the directors shall retire from office, and at the annual general meeting in every subsequent year one-third of the directors for the time being, or, if their number is not three or a multiple of three, then the number nearest one-third shall retire from office.
- 46 *Retirement of directors.* The directors to retire in every year shall be those who have been longest in office since their last election as between persons who became directors on the same day those to retire shall (unless they otherwise agree among themselves) be determined by lot.
- 47 *Eligible for re-election.* A retiring director shall be eligible for re-election.
- 48 *Re-election.* The company at the meeting at which a director retires in manner aforesaid may fill the vacated office by electing a person thereto, and in default the retiring director shall, if offering himself for re-election, be deemed to have been re-elected, unless at such meeting it is expressly resolved not to fill such vacated office or unless a resolution for the re-election of such director shall have been put to the meeting and lost.
- 49 *New director.* No person other than a director retiring at the meeting shall unless recommended by the directors be eligible for election to the office of directors at any general meeting unless, not less than one more than twenty-one days before the date appointed for the meeting, there shall have been left at the registered office of the company notice in writing, signed by a member duly qualified to attend and vote at the meeting for which such notice is given, of his intention to propose such person for election and also notice in writing signed by that person of his willingness to be elected.
- 50 *Increase or reduction of number.* The company may from time to time by ordinary resolution increase or reduce the number of directors, and may also determine in what

rotation the increased or reduced numbers is to go out of office.

- 51 *Appointment of director.* The director shall have power at any time and from time to time, to appoint any person to be a director, either to fill a casual vacancy or as an addition to the existing directors, but so that the total number of directors shall not at any time exceed the number fixed in accordance with these Articles. Any director so appointed shall hold office only until the next following annual meeting, and shall then be eligible for re-election, but shall not be taken into account in determining the directors who are to retire by rotation at such meeting.
- 52 *Removal of director.* The company may by ordinary resolution, of which special notice has been given in accordance with Section 186(3) of the Act, remove any director before the expiration of his period of office notwithstanding anything in these Articles or in any agreement between the company and such director. Such removal shall be without prejudice to any claim such director may have for damage for breach of any contract of service between him and the company.
- 53 *Appointment of director in place of one removed.* The company may by ordinary resolution appoint another person in place of a director removed from the office under the immediate preceding Article. Without prejudice to the powers of the directors under Article 48 the company in general meeting may appoint any person to be a director either to fill a casual vacancy or as an additional director. The person appointed to fill such a vacancy shall be subject to retirement at the same time as if he had become a director on the day on which the director in whose place he is appointed was last elected as director.

PROCEEDING OF DIRECTORS

- 54 *Meeting of directors.* The directors may meet together for the dispatch of business, adjourn and otherwise regulate their meetings, as they think fit. Questions arising at any meeting shall be decided by a majority of votes. In the case of an equality of votes the Board Secretary shall have a second or casting vote. A director may, and the secretary on the requisition of a director shall, at any time summon a meeting of the directors. It shall not be necessary to give notice of a meeting of directors to any director for the time being absent from Namibia.

- 55 *Quorum.* The quorum necessary for the transaction of the business of the directors may be fixed by the directors, and unless so fixed shall be two.
- 56 *Vacancies.* The continuing directors may act notwithstanding any vacancy in their body, but, if and so long as their number is reduced below the number fixed by or pursuant to the Articles of the company as the necessary quorum of directors, the continuing director or directors may act for the purpose of increasing the number of directors to that number, or of summoning a general meeting of the company, but for no other purpose.
- 57 *Chairperson.* The directors may elect a chairperson for their meetings and determine the period for which he is to hold office; but, if no such chairperson is elected, or if at any meeting the chairperson is not present within five minutes after the time appointed for holding the same, the directors present may choose one of their number to be chairperson of the meeting.
- 58 *Delegation of powers.* The directors may delegate any of their powers to committees consisting of such member or members of their body as they think fit: any committee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the directors. Committee shall have the right to ad hoc co-option of persons who are not members of the company.
- 59 *Chairperson of committee.* A committee may elect a chairperson of its meeting; if no such chairperson is elected, or if at any meeting the chairperson is not present within five minutes after the time appointed for holding the same, the members present may choose one of their number to be chairperson of the meeting.
- 60 *Meetings of committee.* A committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present, and in the case of an equality of votes the Board Secretary shall have a second or casting vote.
- 61 *Validity of acts.* All costs done by any meeting of the directors or of a committee of directors, or by any person acting as a director, shall notwithstanding that it be afterwards discovered that there was some defect in the appointment of any such director or person acting as aforesaid, or that they or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a director.
- 62 *Validation of resolution.* A resolution in writing, signed by all the directors for the time

being entitled to receive notice of a meeting of the directors, shall be as valid and effectual as if it had been passed at a meeting of the directors duly convened and held.

SECRETARY

- 63 *Board Secretary.* The board secretary shall be appointed by the directors for such terms, at such remuneration and upon such conditions as they may think fit; and any secretary so appointed may be removed by them.
- 64 *Same person not to act as board secretary and director.* A provision of the Act or these Articles requiring or authorising a thing to be done by or to a director and the board secretary shall not be satisfied by its being done by or to the same person acting both as director and as, or in place of, the secretary.

THE SEAL

- 65 *Seal.* The directors may procure a seal to be made for the company and, if so made, shall provide for the safe custody thereof. The seal shall only be used by the authority of the directors or of a committee of the directors authorised by the directors in that behalf, and every instrument to which the seal shall be affixed shall be signed by a director and shall be countersigned by the secretary or by a second director or by some other person appointed by the directors for the purpose.

FINANCIAL YEAR END AND ACCOUNTS

66. *Financial year.* The financial year of the company shall terminate on the 28th day of February in each year.
67. *Proper accounts to be kept.* The directors shall cause proper books of account to be kept with respect to –
- 67.1 all sums of money received and expended by the company and the matters in respect of which the receipt and expenditure takes place;
 - 67.2 all sales and purchases of goods by the company; and
 - 67.3 the assets and liabilities of the company.

Proper books shall not be deemed to be kept in there are not kept such books of account as are necessary to give a true and fair view of the state of the company's affairs and to explain its transactions.

68. *Books to be kept at registered office.* The books of account shall be kept at the registered office of the company, or, subject to Section 286 of the Act, at such other place or places as the directors think fit, and shall always be open to the inspection of the directors.
69. *Inspection.* The directors shall from time to time determine whether and to what extent and at what times and places and under what conditions or regulations the accounts and books of the company or any of them shall be open to the inspection of members not being directors, and no member (not being a director) shall have any right of inspecting any account or book or document of the company except as conferred by statute or authorised by the directors or by the company in general meeting.
70. *Profit and loss accounts and balance sheets.* The directors shall from time to time in accordance with Section 286 of the Act, cause to be prepared and to be laid before the company in general meeting such profit and loss accounts, balance sheets, group account (if any) and reports as are referred to in this section.
71. *Copies for members.* A copy of every balance sheet (including every document required by law to be annexed thereto which is to be laid before the company in general meeting, together with a copy of the auditor's report, shall not less than twenty-one days before the date of the meeting be sent to every member of, and every holder of debentures of, the company. Provided that this Act shall not require a copy of those documents to be sent to any person of whose address the company is not aware or to more than one of the joint holders of any debentures.

AUDIT.

72. *Auditors.* Auditors shall be appointed and their duties regulated in accordance with Section 269 and 283 of the Act.

NOTICES

73. *Service of notices.* A notice may be given by the company to any member either personally or by sending it by post to him or to his registered address, or (if he has no registered address within Namibia) to the address, if any, within Namibia supplied by him to the company for the giving of notice to him. Where a notice is sent by post, service of the notice shall be deemed to be effected by properly addressing, prepaying and posting a letter containing the notice, and to have been effected in the case of a notice of a meeting at the twenty-four hours after the letter containing the same is posted, and in any other case at the time at which the letter would be delivered in the ordinary course of post.
74. *Who is entitled to notice of general meeting.* Notice of every general meeting shall be given in any manner hereinbefore authorised to –
- 74.1 every member except those members who (having no registered address within Namibia) have not supplied to the company an address within Namibia for the giving of notices to them:
- 71.1 every person being a legal personal representative or a trustee in insolvency of a member where the member but for his death or insolvency would be entitled to receive notice of the meeting; and
- 71.2 the auditor for the time being of the company.

No other person shall be entitled to receive notices of general meetings.

11.1.34 **APPLICATION FOR LAND BY DEON HOTTO FOUNDATION**

(C/M 2022/08/31 - Re 4326 M, M 3702)

CO: P
Acting GM: CS&HC**RESOLVED:**

- (a) That Council takes note of the application by Deon Hotto Foundation (a registered non-profit company) to construct various sporting facilities on the Remainder of Erf 4326 and Erf 3702, Mondesa.
- (b) That Council *in principle* approves the application in terms whereof Deon Hotto Foundation will construct various sporting facilities on Council's land.
- (c) That the approval in point (b) be subject thereto that the following issues be clarified:
1. That a meeting be arranged with Deon Hotto Foundation to clarify the following:
 - 1.1 Proof of funding / sponsorship from Adidas, Standard Bank, Khomas Media and MTC as stated in their letter dated 15 January 2022.
 - 1.2 On 16 May 2022 Mr Carlos Gurirab of Deon Hotto Foundation confirmed verbally that they do not require ownership of the
- Ordinary Council Meeting: 31 August 2022*
- 170 / 2022
- portions of land, but only want to construct the facilities. That this statement be confirmed in writing.
- 1.3 Whether they intend to lease the portions of land from Council.
 - 1.4 That Deon Hotto Foundation confirms the sizes of the portions required for their venture taking into account parking requirements, ablutions and lighting.
 - 1.5 That Deon Hotto Foundation clarifies what they require from Council in terms of the partnership that they propose.
 - 1.6 That Deon Hotto Foundation clarifies their responsibility with regard to the future upgrading, maintenance, management and employment of employees.
 - 1.7 That Deon Hotto Foundation be informed that all costs related to the venture be for the account of Deon Hotto Foundation, such as but not limited to compilation of a memorandum of understanding / partnership agreement, architectural plans, subdivisions, construction of facilities, maintenance, renovations, upgrading and cost of management and employees.
2. That Engineering & Planning Services provides the following information:
 - 2.1 The correct zoning of Re of Erf 4326 and Erf 3702, Mondesa
 - 2.2 A map indicating the Re of Erf 4326, Mondesa after the subdivision of 100m² for the bts site of Powercom (Pty) Ltd and Hafeni Cultural Tourism.
 - 2.3 That the map indicates the location of the various sporting courts as resolved by Council on 31 May 2018 under item 11.1.12 (quoted under point 2.4 above).
 - 2.4 The remaining surface area for the development of sporting facilities by Deon Hotto Foundation taking into account parking and the facilities listed under point 2.2 in the body of this submission, above.
 - 2.5 Confirmation whether it is required to subdivide the portions to be improved by Deon Hotto Foundation on the two respective portions.
- (d) That a detailed submission be tabled to Council once all information per point (c) above is available.



Our Ref: DHF_RESPONSE13MARCH24_SM_070425(cp)

Your Ref:

Date: 7th April 2025

No. of Pages: 2

Mr. Archie Benjamin
Chief Executive Officer
Swakopmund Municipality
Swakopmund, Erongo Region

Subject: Formal Application to Purchase Erven 3702 (8,848m²) and RE/4326 (14,327m²) in Mondesa – Request for Discounted Consideration

Dear Mr. A. Benjamin,

The Deon Hotto Foundation hereby formally resubmits its application to purchase the following municipal erven for the development of the Deon Hotto Sports and Football Facilities, a project designed to serve as a public good for the Swakopmund community:

Erf 3702, Mondesa Extension 8 (Size: 8,848m²) Envisaged Deon Hotto Sports Facility

Erf RE/4326, Mondesa (Size: 14,327m²) Envisaged Deon Hotto Football Center

- FIFA Stadium Guidelines (4th Edition) - Section 2.1 / Section 4 / Section 7 the land required is sufficient according to this standard. (1.2ha required for this development)

As stated in our previous correspondence and in alignment with the Municipality's letter dated 13th March 2025, we confirm our intent to purchase the above-mentioned parcels at a discounted price, given the project's significant socio-economic benefits for

Enquiries: 085 770 7090

Email Address: deonhottofon@gmail.com

Deon Hotto Foundation Reg No. 21/2024/0828, Board Of Directors: Chairperson: Carl Pesat, Deon Hotto, Sasha Hotto, Edison Muheua, Lourencia Maendo, Roberts Katangolo, Carlos Gurirab



Mondesa and Swakopmund. The facilities will provide accessible sports infrastructure, youth development programs, and community empowerment initiatives.

Supporting Documents: Concept Note (attached) outlining the project's rationale, artistic impressions, and long-term public impact/externalities.

Willingness to Present: We are prepared to deliver a detailed presentation to the Council to address any queries and demonstrate the project's alignment with municipal development goals and the new cabinet's sports infrastructure goal.

Request for Discounted Pricing:

Given the Foundation's non-profit mandate and the project's community-driven objectives, we kindly request the Municipality to consider a reduced purchase price for the erf's. This concession will enable us to allocate more resources toward infrastructure development and programmes even though we have obtained pro-bono professional services.

We appreciate your time and consideration and eagerly await your response to proceed with the next steps.

Yours in Football Development,

Carl Pesat

Chairperson

Deon Hotto Foundation

Attachments:

Concept Note – Deon Hotto Sports and Football Facilities.

Swakopmund Municipal Letter (13 March 2025) for reference.

Enquiries: 085 770 7090

Email Address: deonhottofon@gmail.com

Deon Hotto Foundation Reg No. 21/2024/0828, Board Of Directors: Chairperson: Carl Pesat, Deon Hotto, Sasha Hotto, Edison Muheua, Lourencia Maendo, Roberts Katangolo, Carlos Gurirab

Concept Note: Deon Hotto Sports and Football Facilities
Submitted to: Swakopmund Municipality
Date: 7th April 2025
Prepared by: Deon Hotto Foundation



1. Introduction

Deon Hotto Foundation mission is its commitment to youth and sports development in Namibia.

Purpose: Formal proposal to develop multi-purpose sports facilities on Erven 3702 (8,848m²) and RE/4326 (14,327m²) in Mondesa, Swakopmund.

This project aims to transform the township economy, unlock the spirit of the youth and build community capacity for events.

1. Introduction

Background:

The Deon Hotto Foundation is committed to youth and sports development in Namibia, leveraging the legacy of Mr. Deon Hotto—a Swakopmund-born professional footballer and local sports product from Swakopmund Sports Club - SFC (For more than 10 years) and a season with Blue Boys FC. (Currently in the premier league)

Purpose:

Formal proposal to develop multi-purpose sports facilities on:

Erf 3702 (8,848m² | ~1 hectare): Deon Hotto Sports Facility (netball/basketball courts, 5-a-side pitches, clubhouse, gym, souvenir shop).

Erf RE/4326 (14,327m² | ~1.5 hectares): 1,000-seater stadium, offices, and amenities.

Executive Summary:

Location: Mondesa, adjacent to MYO, Hanganeni Primary School, and public areas.

Need: Address critical gaps in sports infrastructure for 20,000+ residents (only 2 fields currently serve the area).

Model: Blended social impact and business approach (ownership, construction, and management by the Foundation).

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2. Project Rationale

Community Need:

Current Challenges:

Schools (Atlantic JSS, Hanganeni, Tamariskia, Matutura, Coastal High) lack sports and football facilities; children play football in the streets.

Existing fields (Mondesa Sports Field, DRC) are underdeveloped or not on a world class level.

Regional facilities (Walvis Bay's Jan Wilkin, Kuisebmond) are outdated or poorly maintained.

Ecosystem Gaps: No accommodations, food outlets, or accredited football programs nearby.

Alignment with Municipal Goals:

Social Cohesion: Reduce youth unemployment and crime through structured sports.

Economic Boost: Attract tournaments, training camps, and tourism (e.g., Marbella, Spain model).

Power Of Sports: Through the Deon Hotto Charity Cup in Omaruru, the town did not have any recording of crime.

3. Project Description

Facilities Overview:

Deon Hotto Football Facility (1.5ha):

1,000-seater capacity - football pitch according to FIFA specs, 3 x 5 a side football facility.

Offices, retail space, media room, changing rooms.

Deon Hotto Sports Facility (1ha):

2 x 5-a-side artificial pitches, netball/basketball courts.

Clubhouse, gym, souvenir shop.

Enquiries: 085 770 7090

Email Address: deonhottofon@gmail.com



3D Artistic Impressions: Deon Hotto Football Facilities.



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3D Artistic Impressions: Deon Hotto Sports Facilities



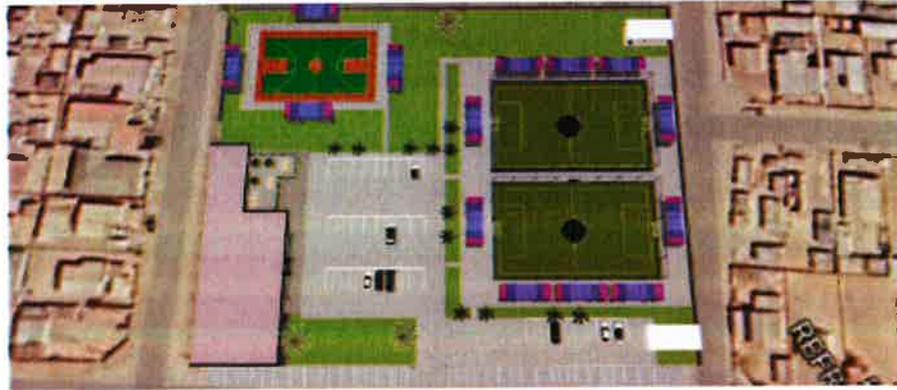
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Enquiries: 085 770 7090

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4. Benefits to Swakopmund

Social Impact:

Youth empowerment via football academy, player agency, and training programs.

Gender-inclusive opportunities (e.g., girls' leagues).

Reduce crime due to structured programmes in the community.

Economic Impact:

Jobs: Temporary (construction) and permanent (operations, vendors and competitions).

Tourism: Host Premier League matches, NFA Cup, international teams.

Legacy:

Inspire future talent (next Deon Hotto). Plough back into the community.

Blueprint for replication in Omaruru, Okahandja, Lüderitz since the Foundation will have the Deon Hotto Football Academy, Deon Hotto Football Agency.

5. Implementation Plan

Phases:

2025: Land acquisition, approvals, ground breaking ceremony

2026: Construction.

2027: Launch, operationalize programs.

Partnerships:

Professionals Team - PREFEED.

GAC Investments CC (Oil and Gas service provider).

Ministry of Education, Innovation, Youth, Sports, Arts and Culture.

Erongo Governor, Constituency Office (endorsements).

FIFA/SADC, Local Clubs (MOUs).

Enquiries: 085 770 7090

Email Address: deonhottofon@gmail.com



6. Sustainability & Maintenance

Funding:

Grants; from FIFA, Motsepe Foundation, ADIDAS as well as funders for the foundation.

Sponsorships; this is continuous for the foundation and based on the programmes within the facilities.

Minimal user fees - for individuals, clubs and corporates.

Advertising contracts; branding within the facilities. Talks initiated between MTC and Standard Bank Namibia. This charge will include monthly costs to run such a facility.

Management: Foundation-led with community committees.

The above is sufficient to run the facilities from a month to month basis and the financial model excludes the user fees since advertising contracts will be sufficient to run the facilities.

7. Request for Municipal Support

Discounted Land Price: Justified by public good (no comparable facilities in Mondesa).

Expedited Approvals: Fast-track permits to accelerate impact.

8. Conclusion

Our commitment is to leverage off existing sports and football infrastructure, Swakopmund's 2040 plan and the new cabinet's agenda with sports infrastructure in Namibia. This initiative and the legacy of Deon Hotto, a national legend, will further catapult Swakopmund into a sports tourism city status in Namibia and SADC.

References:

- Architectural Renderings. (Within the concept note)
- Letters of Support (CSI Partner, Architect, town planner, Engineer, Project Management, Solar Company and Mr Deon Hotto)
- Foundation NPO registration.
- Research data on Erongo sports facilities.
- FIFA Stadium Guidelines (4th Edition) - Section 2.1 / Section 4 / Section 7

Enquiries: 085 770 7090

Email Address: deonhottofon@gmail.com

Extract from the Property Policy re the sale of land to Non-Profit

Chapter 4 - Extra-Ordinary Sales

Council may sell land subject to extra-ordinary conditions to due to the nature of the purchaser or the zoning of the portion of land or erf being considered for sale; i.e for ease of reference divided into the following sections:

- Section 1 - **Churches and Welfare Organisations**
- Section 2 - **Private Schools, Pre-Primary Schools, Kindergarten & Creches**
- Section 3 - **Sale of Land to Organisations registered with the Electoral Commission of Namibia**
- Section 4 - **Sport Clubs or Sport Bodies**
- Section 5 - **Aqua or Mari-Culture**
- Section 6 - **Sale of Erven to Staff Members**
- Section 7 - **Sale of Public Open Spaces**
- Section 8 - **Sale of Corridors or Walkways with no Services located thereon**
- Section 9 - **Subsidized Erven - Low Cost Housing Schemes**
- Section 10 - **Sale of land for Specific Purposes - National Interest, to the Benefit of the Community or Public**

Section 1 - Churches and Welfare Organisations

1. Introduction

The zoning of erven sold to Churches or Welfare Organisations, is "institutional".

The erven are sold by private transaction, but depends entirely on Council's discretion.

↳ Erven for church or religious purposes may not be smaller than 2 500m².

2. Requirements

- 2.1 A constitution or proof of registration as a section 21 company.
- 2.2 Provide a name list of at least 75 adult members residing in Swakopmund.
- 2.3 A Power of Attorney granted by the church to a particular person/s that he/she/they have the authority to sign on behalf of the institution.
- 2.4 That churches or welfare organisations applying for land shall provide proof of their financial ability to develop the erf immediately after transfer.
- 2.5 Copies of financial statements for the last six months. In the case where it is not available, proof of financing from a financial institution will suffice.
- 2.6 Proof that the church or welfare organisation is operational in Namibia for at least two years before the sale of land to the entity is considered.
- 2.7 No application will be considered unless all the above information pertaining to the applicant has been submitted.

↳ Point 2.2 is not applicable to welfare organisations.

3. **Purchase Price**

The price will be subsidized by Council to the value of 50% of the cost of installation of services per square metre at the time the erf was developed.

The price will not be escalated from the date on which services were completed.

4. **Method of Payment**

The full purchase price is payable on date of sale, being the date of signing the deed of sale; or to be secured by a formal bank guarantee payable on date of transfer.

Alternatively, the purchase price plus interest calculated at the prime lending rate of Council's bank in 24 equal monthly instalments. (approved by Cnl under item 11.1.2 on 31 May 2016)

5. **Cost of Transaction**

All costs for the transaction are for the account of the applicant, such as, including, but not limited to the advertising of Council's intention to sell and the compilation of a deed of sale.

6. **Conditions of Sale**

6.1 That the requirements regarding the alienation of immovable property as prescribed in the Local Authorities Act, Act 23 of 1992, (as amended), and the Townships Ordinance 11 of 1963 respectively, be dealt with successfully.

6.2 The deed of sale shall be drafted and signed by all parties within 12 months from date of the relevant Council resolution approving the sale.

6.3 Construction must commence within 12 months and land which is not developed within a period of 5 years from date of sale, shall revert to Council and all monies and or fees paid to Council will be forfeited to Council as per point 8 below¹.

6.4 Council retains a first right of refusal to purchase the developed land at the market value of the improvements at the time and the purchase price paid should the owner decides to sell it.

6.5 Submit total layout plans, indicating the infrastructure, details of the project as well as the service demand for the intended project within 3 months of being notified of the approval of the application.

6.6 That the developments must comply with the provisions of the Town Planning Scheme.

7. **Special Conditions**

7.1 During construction, all churches, rectories and other improvements must submit a progress report every six months to Council to report on construction activities.

¹ Refer to Council's Resolution passed on 29 July 2010 under item 11.1.2 – E 4235 S

7.2 That if no progress is reported in subsequent reporting period Council will deal with the non-compliance on merit.

8. **Reverting Clause**

A reverting clause which reads as **Annexure "G"** will be registered against all land sold at subsidised price.

9. **General**

9.1 No rights will accrue to the applicant unless all conditions are complied with in full and all the relevant authorities, if necessary, have given the required permission.

9.2 The deed of sale must be signed and returned to Council by the purchaser within 21 days of being requested to do so.

9.3 The erf is being sold *voetstoots* and in the condition as on the date of sale, being the date of signing the deed of sale.

9.4 Council shall not accept any responsibility for any upgrading work to the erf.

9.5 Building activities may only be commenced with once the erf is transferred.

9.6 The purchaser is entitle to apply to Council annually for the exemption from the payment of assessment rates, but is from the date of sale, being the date of signing the deed of sale responsible for the payment of all municipal charges.

Annexure "G" to the revised Property Policy

Churches & Welfare Organisations

(vi) Reverting Clause

A reverting clause which reads as follows will be registered against all the land **sold at subsidised price.**

NOTARIAL REGISTRATION

(i) Subject to the provisions of this Agreement, the PURCHASER notes that it shall not be entitled to cede, assign or in any other manner make over its rights, title and interest in this Agreement or any of its liabilities, responsibilities, duties or obligations hereunder to any other third party, without prior written consent of the SELLER, which consent shall not be unreasonably withheld: Provided that the PURCHASER ~~and/or its approved successor-in-title and/or its successors-in-name and/or in shareholding and/or its members or assigns (whichever may be applicable)~~, duly complied or guaranteed compliance with all conditions under this Agreement as well as with the conditions to be registered notarially in favour of the SELLER.

(ii) The PURCHASER ~~and/or its approved successor-in-title or successor-in-name or in shareholding or membership and/or its assigns, (whichever may be applicable,~~ agrees to the registration against the Title Deed of the PROPERTY, of the following conditions imposed for the benefit of and enforceable by the SELLER, or its assigns, namely:

The PROPERTY shall revert to the SELLER in the event of the PURCHASER ~~PURCHASER and/or its approved successor-in-title and/or successors-in-name~~

~~and/or in shareholding and/or members or assigns, (whichever may be applicable),~~
not complying with the following conditions:

(a) If the PURCHASER ~~and/or its approved successors-in-title and/or successors-in-name and/or in shareholding and/or members or assigns, (whichever may be applicable),~~ fails to develop and erect within five years from date of sale improvements on the PROPERTY (not including out-buildings) to the value equal to the municipal valuation of the PROPERTY as determined by the Municipal Valuator from time to time then

(i) The PURCHASER ~~and/or its approved successor-in-title and/or successors-in-name and/or in shareholding and/or members or assigns, (whichever may be applicable),~~ shall retransfer the PROPERTY to the SELLER at the PURCHASER's ~~and/or approved its successor's-in-title and/or successors-in-name and/or in shareholding' and/or members' or assigns, (whichever may be applicable)~~ cost, and the SELLER shall refund the purchase price paid, less any amounts owed to the SELLER; however the SELLER shall not be liable to pay the PURCHASER ~~and/or approved its successor-in-title and/or successors-in-name and/or in shareholding and/or members or assigns, (whichever may be applicable),~~ any compensation for the improvements on the PROPERTY;

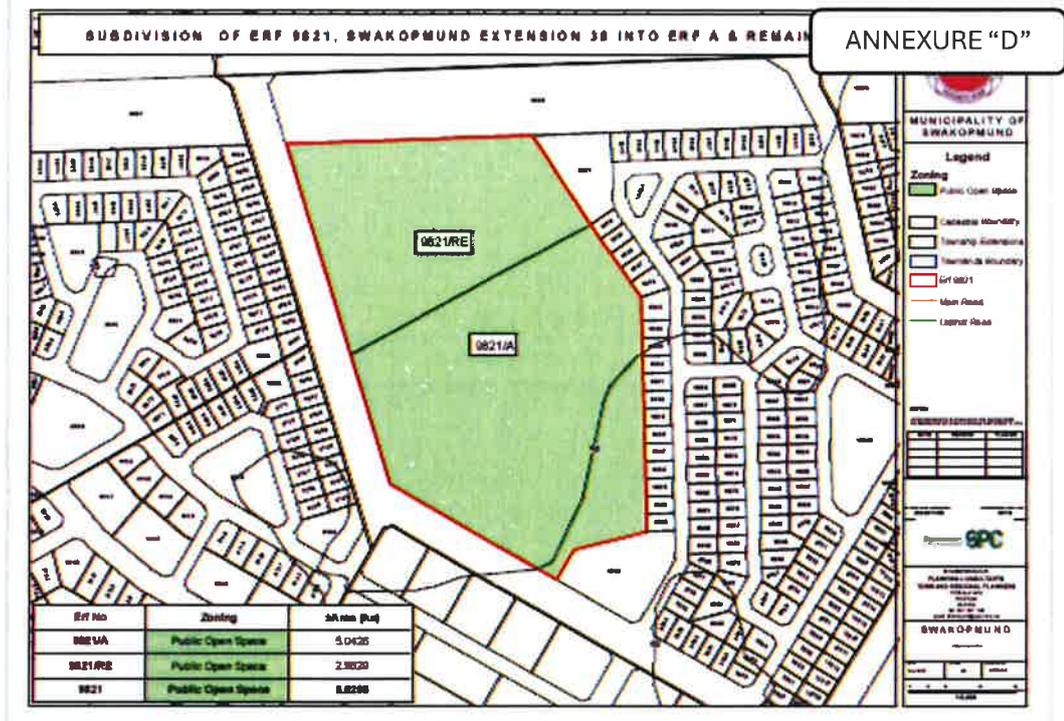
[amended by Council Resolution 11.1.10 passed on 27 May 2014]

or alternatively, to the choice of the SELLER,

(ii) the PURCHASER ~~and/or its approved successor-in-title and/or successors-in-name and/or in shareholding and/or members or assigns, (whichever may be applicable),~~ shall pay the SELLER within thirty days from having been requested to do so, the difference between the purchase price as set out in clause (b) (ii) and the market valuation of the unimproved property based on the highest land use of the PROPERTY on date the reverting clause shall apply.

(iii) The PURCHASER ~~and/or its approved successor-in-title and/or successors-in-name and/or in shareholding and/or members or assigns, (whichever may be applicable),~~ shall not use the PROPERTY for any other purpose than for which it was bought or sell, sublease or donate the PROPERTY without the consent of the SELLER, for a period of 30 (thirty) years from date of sale. Should the SELLER at its sole option consent to a different use or the sale, sublease or donation of the PROPERTY to a third party, the PURCHASER ~~and/or approved its successor-in-title and/or successors-in-name and/or in shareholding and/or members or assigns, (whichever may be applicable),~~ undertakes to pay to the SELLER the difference between the purchase price set out in clause A (ii) and the market valuation of the unimproved property based on the highest land use of the PROPERTY or portion thereof, on date of approval of the different use or the sale, lease or donation to a third party.

(iv) The PURCHASER undertakes to effect at its own cost the registration of the conditions contained in clauses ... by way of a Notarial Deed of Imposition of Conditions against the Title Deed of the PROPERTY, the wording of such Notarial Deed to be determined by the Notary of the SELLER to reflect the intention of the PURCHASER or its successor- in-title or its assigns and SELLER contained in the said clauses.



11.1.2 **OLUGA ENTERPRISE (PTY) LTD: CURRENT SITUATION REGARDING THE DEVELOPMENT OF A PORTION OF LAND LOCATED ON THE BANKS OF THE SWAKOP RIVER**

(C/M 2025/08/28 - 16/1/4/2/1/5)

Ordinary Management Committee Meeting of 14 August 2025, Addendum **7.2** page **59** refers.

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

1. **Purpose of the Submission**

The purpose of this submission is for Council to consider whether it intends to continue with the long-outstanding transaction for the sale of a portion of land (1 ha) along the Swakop riverbanks to **Oluga Enterprises (Pty) Ltd** (hereinafter referred to as "Oluga") for the development of an accommodation establishment.

Point (i) of Council's decision made on **27 April 2017** is quoted:

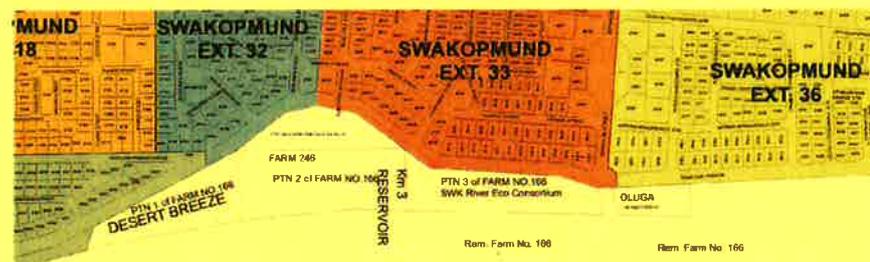
(i) *That the applicant takes note that no rights will accrue to the applicant unless all the above-mentioned conditions are complied with in full and all the relevant authorities have given the necessary permission, if applicable.*

The application for the allocation of 3 ha was initially approved on **27 April 2017**. **The size was subsequently reduced to 1 ha and approved by the Council on 28 March 2018.**

Although the progress of installing services to Extension 32, Swakopmund (located in the vicinity of this portion of land), affects the development of the accommodation establishment, it does not hinder Oluga's requirement to provide proof of financing for the project.

Various consultations were held with Ms H Dula of Oluga, and it was explained repeatedly on numerous occasions in the presence of several different potential investors and friends of Ms Dula that the allocation of the land is to Oluga for the establishment of an accommodation facility and not for mere speculation. Ms H Dula offered the undeveloped property to several entities for sale.

Below is a map showing the location of the portion located to Oluga south of Extension 36, Swakopmund:



2. **Introduction**

Oluga has not fully complied and has not submitted all the documents as required in terms of the latest letter addressed to them dated **20 January 2025 (Annexure "A")**. The following information was requested to be submitted by the entity by **09 May 2025**:

2.1 **Proof of the appointment and payment of a town planner** to attend to the subdivision of the portion of land measuring approximately 10,000 m². This is required in terms of the two Council resolutions quoted below:

2.1.1 Council's resolution of **27 April 2017** under item 11.1.33, point (j):

"(j) That the applicant takes note that a Surveyor-General approved diagram must be in place in order to finalise the transaction."

2.1.2 Council's resolution of **28 March 2018** under item 11.1.4, point (c)"

"(c) That the transaction be concluded within 120 days from the date when the Surveyor-General approved diagram is in place."

The appointment of a town planner is the responsibility of the developer. In this regard, see point (h) of Council's decision passed on **27 April 2017**:

"(h) That all costs related to this transaction (advertising-, subdivision-, rezoning etc.) be borne by the applicant."

2.2 Provide **formal proof of the entity's ability to finance the project**, as well as a clear description of the project and the buildings expected to be erected on site (see point (c) (iv) below), in order for Council to measure progress and performance. This requirement is in terms of Council's decision made on **25 February 2021** under item 11.1.4 (e):

"(e) That in future developers be screened to determine their financial capabilities to perform and any other matter Council deemed necessary."

2.3 A **good standing from the Ministry of Finance** for Oluga. This is a standard requirement by the Deeds Registry Office to enable the transfer of ownership.

2.4 As elaborated under point 4 below, the developer submitted documents on **09 May 2025**. However, the proof of the entity's ability to finance the project was in the name of Howard Krogh Architects.

2.5 The involvement of a third party to which Council has no contractual obligations complicates the relationship between Council and Oluga in that Council has no recourse against the third party, basically stepping into the place/part of Oluga.

3. **Background**

- 3.1 On **20 July 2016**, Oluga applied to purchase a portion of land on the banks of the Swakop River to establish a tourism and accommodation facility in the form of a lodge.

For ease of reference, the resolutions are quoted as part of the submission and not attached as annexures.

- 3.2 Their application was approved on **27 April 2017** under item 11.1.33, subject to the following conditions (for ease of reference, comments are made for clarification):

(a) *That Council sells a portion of land on the banks of the Swakop River to Messrs Oluga Enterprises (Pty) Ltd to establish a tourism and accommodation facility as per their presentation to the Special Management Committee meeting held on 08 March 2017.*

On the official company registration document of the entity Ms Helena Dula is the sole shareholder and Mr Dennis de Wet as Directors.

(b) *That should the application of Messrs Oluga be approved, the same terms and conditions applicable as that of Messrs Desert Breeze Lodge be applicable to Messrs Oluga Enterprises (Pty) Ltd as below:*

(c) *That the following conditions be made applicable to the sale of the portion of the Swakopmund Townlands, ±30 000m² in extent, adjacent to the Swakop River, to Messrs Desert Breeze Lodge as approved by Council on 30 July 2015 under item 11.1.8:*

(i) *That the Engineering Services Department determines the intended zoning.*

(ii) *That the Engineering Services Department supplies a layout plan of the land to be sold.*

(iii) *That the probable market valuation based on the intended zoning be obtained from Council's appointed municipal valuers and two additional valuers, of which the average of the three valuations be used to determine a purchase price, for consideration and approval by Council.*

On 28 March 2018 under item 11.1.4 Council approved the purchase price in the amount of N\$ 430.00/m², i.e N\$ 4 300 000.00 for a portion of land measuring 10 000m².

(iv) *That a detailed development plan be provided before any statutory procedures are started with.*

(v) *That any required upgrading of Municipal services be for the applicant's account.*

(vi) *That the requirements regarding the alienation of immovable property as prescribed in the Local Authorities Act 23 of 1992, (as amended), and the Townships Ordinance 11 of 1963, respectively, be dealt with successfully.*

On 16 July 2018 approval was granted by the Ministry of Urban and Rural Development to proceed with the transaction. The transaction is pending the provision of a Surveyor-General approved diagram by the developer.

Ordinary Council Meeting - 28 August 2025

- (vii) That the applicant to provide all infrastructure for its own account and to the specifications of the Engineering Services Department and Erongo RED.
- (viii) That no development be permitted to commence until the statutory disciplines have been completed.
- (d) That the following procedures also be applicable:
- (i) That the applicant be responsible for all statutory disciplines to be completed within 12 months from the date of sale at their own cost. } The "date of sale" is the date of signing the deed of sale.
- (ii) Completion of internal and external services within 24 months from the date of sale. } Council is in the process of expanding the existing external services closer to the location of the portion of land.
- (iii) The whole development project must be completed within 48 months from the date of sale, and if no development is made in terms of the conditions of the agreement of sale, the property shall revert to Council without any compensation to the purchaser.
- (iv) That the agreement of sale be concluded and signed within 12 months after this resolution is received by the applicant, failing which the resolution will lapse. } The deed of sale can only be signed once a property description is available, i.e a Surveyor-General approved diagram is in place. On 03 August 2018 and 23 March 2023 ENSafrica was requested to compile a draft agreement.
- (v) That in terms of the Property Policy, a deposit of N\$100 000.00 be required of the applicant to cover all fees and costs to Council, within 90 days from the date of being informed of this Council resolution. } On 26 June 2018, Slowtown Coffee Roasters CC (Mr Dennis de Wet) paid the required deposit as director of Oluga Trading Enterprise (Pty) Ltd.
- (vi) The purchase price is to be secured by means of a bank guarantee payable on the date of transfer.
- (vii) Submit total layout plans, indicating the infrastructure, details of the project, as well as the service demand for the intended project, within 3 months of being notified of the approval of the application.
- (e) That the applicant indemnifies Council against any claims resulting from blasting.
- (f) That the action referred to in (a)(vi), only be proceeded with once the deposit referred to in (b)(v) has been made.
- (g) That all costs relating to the transfer of this erf, (including but not limited to transfer duty, conveyancer's costs, compilation of Agreement of Sale, as well as any legal or other costs that may arise from this application), be for the applicant's account.
- (h) That all costs related to this transaction (advertising-, subdivision-, rezoning, etc.) be borne by the applicant.
- (i) That the applicant takes note that no rights will accrue to the applicant unless all the above mentioned conditions are complied with in full and all the relevant authorities have given the necessary permission, if applicable.
- (j) That the applicant takes note that a Surveyor-General approved diagram must be in place in order to finalise the transaction. } In this regard a letter dated 17 May 2024 was issued to the developer.

The above resolution was communicated to Oluga per letter dated **22 May 2017**.

- 3.3 On **28 March 2018**, under item 11.1.4, Council approved the reduction of the size of the portion of land from 3 ha to 1 ha and approved the purchase price of the said portion of land:

"(a) That Council approves the purchase price of undeveloped land on the banks of the Swakop River at:

(i) $\text{N\$}430.00/\text{m}^2 \times 10\,000\text{m}^2 = \text{N\$}4\,300\,000.00$, excluding VAT to Messrs Oluga Enterprises (Pty) Ltd.

(b) That upon acceptance of the purchase price by the purchasers, Ministerial approval be obtained in terms of Section 30 (1) (t) of the Local Authorities Act 23 of 1992 to proceed with the transaction.

} As indicated above, the required approval was granted on 16 July 2018.

(c) That the transaction be concluded within 120 days from the date when the Surveyor-General approved diagram is in place.

} In this regard, a letter dated 17 May 2024 was issued requesting the submission of a Surveyor-General approved diagram.

(d) That payment of the purchase price be secured either in cash or bank guarantee in favour of the Swaköpmund Municipality within 120 days from the date of the Surveyor-General approved plan being in place. Failure to secure the purchase price will result in cancellation of the transaction without further notice.

(e) That Messrs Oluga Enterprises (Pty) Ltd comply with the statutory processes until completion of the projects.

A letter dated **22 November 2018** was addressed to the entity to provide the outstanding documents in terms of the above decision. No response was received from the applicant. Upon further inquiry, it was determined that the lack of response was due to insufficient funds as well as a lack of understanding of the concept of the transaction on the part of Oluga Enterprise Pty Ltd.

- 3.4 Over the years, various meetings and discussions of the transaction were held between Council and Ms Helena Dula of Oluga with her different representatives, and letters were written to her to clarify what is expected of the applicant to comply and submit to Council to continue with the transaction. The details of the transaction were explained on numerous occasions and even in the presence of translators.

- 3.5 Although the development of the two adjacent portions is also held in abeyance pending the installation of services to Extension 32, Swakopmund, the developers paid the respective purchase prices, and transfer of ownership was finalized.

4. Current Situation

An email dated **22 April 2025 (Annexure "B")** was received from Howard Krogh Architects stating that they were appointed to act on behalf of Oluga to facilitate the purchase and develop the allocated portion of land on the banks of the Swakop River.

It appears from the various discussions and documents that Howard Krogh Architects intends to acquire the portion of land from Oluga and develop the same.

They state in their e-mail that they have appointed Andrew Van der Westhuizen Town Planning & Properties as the town planner who has been working on the statutory process, and they have also recently appointed Herman Strydom, a land surveyor, to further assist in the subdivision process to speed up the process. In this email, they requested a meeting to discuss the way forward regarding Oluga.

Subsequent to the above, on **24 April 2025**, a meeting was held between the representatives of Howard Krogh Architects, the Manager: Property and Housing, Mr M Kruger, the Property Office, Ms N Gustaf, and the property officer, Ms E Nakale.

In the meeting, Howard Krogh Architects wanted to clarify all enquiries regarding the transaction and to confirm their intention of assisting Oluga and that they will take full responsibility to facilitate the successful development of the portion of land.

During the meeting, the Manager: Property and Housing made it clear that Howard Krogh Architects, who is acting on behalf of Oluga, that if the documents required are not submitted by the set due date, the transaction will be cancelled.

The final opportunity to provide the outstanding documents to Council was **09 May 2025**.

As can be seen from the attached email dated **08 May 2025 (Annexure "C")** and documents submitted by Howard Krogh Architects, appointed to act on behalf of Oluga Trading Enterprise, did not manage to submit all required documents to Council as undertook, they only managed to submit the following documents listed:

- 4.1 Letter from appointed Town Planner (Van Der Westhuizen Town Planner & Properties) to attend to the subdivision of the portion of land, and a
- 4.2 Letter from Bank Windhoek confirming **Mr and Ms Howard** are in good standing to complete the project on behalf of Oluga.

In addition to the above, Mr and Ms Howard have also submitted additional documents important to the transaction.

- (i) Resolution appointing Mr. de Wet as Shareholder;
- (ii) Share Certificates; and
- (iii) The power of attorney signed by both Mr De Wet and Ms Dula, authorising Howard Krogh Architects to act on behalf of Oluga.

A good standing certificate from the Ministry of Finance for Oluga Trading Enterprise Pty Ltd is still outstanding.

Ms Ciske Howard confirmed in the email that the good-standing confirmation from the Ministry of Finance for Oluga Trading Enterprise is in progress, as the company is dormant.

On **22 May 2025**, Ms Ciske Howard enquired on the way forward, and a reply was sent to confirm that the matter must be submitted to Council to consider whether Council intends to proceed with the transaction.

5. Discussion

The portion of land allocated to Oluga is located on the site neighbouring the portions already allocated to Santiago Property Developers, being

±7ha, and Swakopmund River Eco Consortium, being ±3.5ha, and Desert Breeze Lodge, being ±3ha. A map indicating the location of the portion of land is attached as **Annexure "D"**.

Except for Desert Breeze Lodge, these portions of land are not yet serviced, and they are in an area that is rapidly expanding with numerous future extensions that are already planned and approved by Council. Council secured funds with Erongo Red to develop Extensions 32, 33, and 36, Swakopmund. Until the main service lines are installed, no services will be available for Oluga to connect to.

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

RECOMMENDED:

- (a) **That Council takes note of the email dated 08 May 2025 and documents received from Howard Krogh Architects acting on behalf of Oluga Trading Enterprise (Pty) Ltd in reply to Council's letter dated 20 January 2025 executing Council's decision passed on 27 April 2017 under 11.1.33 point (j) and on 28 March 2018 under item 11.1.4, point (c).**
 - (b) **That Council takes note that in terms of Council decisions mentioned in (a) above, Howard Krogh Architects, acting on behalf of Oluga Trading enterprise, did not comply and has not submitted a good standing certificate from the Ministry of Finance.**
 - (c) **That it be noted that the proof of financing is not issued in the name of Oluga Enterprise (Pty) Ltd, but in the personal names of Mr D and Ms C Howard and that the involvement of a third party with which Council has no agreement with will complicate the execution of obligations by Oluga Enterprise (Pty) Ltd and future recourse in case of non-performance.**
 - (d) **That the transaction of Oluga Trading Enterprise (Pty) Ltd has been delayed since 28 March 2018, mainly due to the developer not understanding the requirements to comply with, and notwithstanding various meetings that were held in this regard with the developer and several representatives on her behalf, including translators.**
 - (e) **That Council cancels the transaction for the sale and development of a portion of land located on the banks of the Swakop River allocated to Oluga Trading Enterprise Pty Ltd due to failure to comply with Council decisions as quoted below:**
 - (i) *That the applicant takes note that no rights will accrue to the applicant unless all the above mentioned conditions are complied with in full and all the relevant authorities have given the necessary permission, if applicable.*
 - (f) **That Council takes note that due to the failure of Oluga Enterprise (Pty) Ltd to submit a Surveyor-approved diagram, no property is available to conclude the deed of sale.**
-



+264 64 410 4111 | swkmun@swkmun.com.na | P O Box 53, Swakopmund, Namibia

Ref No: 16/1/4/2/1/5

Enquiries: Ms Emilia Nakale

20 January 2025

Oluga Enterprises (Pty) Ltd
P O Box 2860
Swakopmund
13001

Attention: Ms Helena Dula

Dear Madam

DEVELOPMENT OF A PORTION OF LAND LOCATED ON THE BANKS OF THE SWAKOP RIVER

Our letter dated **17 May 2024**, refers (attached for ease of reference).

1. Proof Required in terms of our Letter dated 17 May 2024

This serves to confirm that the following was not yet provided as required in the above letter:

- 1.1 A diagram for the subdivided portion of land.
- 1.2 Proof of your financial capacity to finance the project.

2. Relevant Council Resolutions

The relevant Council resolutions are quoted below with explanatory notes.

2.1 Council's Resolution passed on 27 April 2017 under Item 11.1.33

"(a) That Council sells a portion of land on the banks of the Swakop River to Messrs Oluga Enterprises (Pty) Ltd to establish a tourism and accommodation facility as per their presentation to the Special Management Committee meeting held on 08 March 2017.

Attached is the official company registration document of the entity indicating Helena Dula and Dennis de Wet as Directors.

- (b) That should the application of Messrs Oluga be approved, the same terms and conditions applicable as that of Messrs Desert Breeze Lodge be applicable to Messrs Oluga Enterprises (Pty) Ltd as below:
- (c) That the following conditions be made applicable to the sale of the portion of the Swakopmund Townlands, ±30 000m² in extent adjacent to the Swakop River, to Messrs Desert Breeze Lodge as approved by Council on 30 July 2015 under item 11.1.8:
- (i) **That the Engineering Services Department determines the intended zoning.**
 - (ii) **That Engineering Services Department supplies a layout plan of the land to be sold.** } Attached is a map indicating the location of the portion of land.
 - (iii) **That the probable market valuation based on the intended zoning be obtained from Council's appointed municipal valuers and two additional valuers of which the average of the three valuations be used to determine a purchase price, for consideration and approval by Council.** } On 28 March 2018 under item 11.1.4 Council approved the purchase price in the amount of N\$ 430.00/m², i.e N\$ 4 300 000.00 for a portion of land measuring 10 000m².
 - (iv) **That a detailed development plan be provided before any statutory procedures are started with.**
 - (v) **That any required upgrading of Municipal services be for the applicant's account.**
 - (vi) **That the requirements regarding the alienation of immovable property as prescribed in the Local Authorities Act 23 of 1992, (as amended), and the Townships Ordinance 11 of 1963 respectively, be dealt with successfully.** } On 16 July 2018 approval was granted by the Ministry of Urban and Rural Development to proceed with the transaction. The transaction is pending the provision of a Surveyor-General approved diagram by you.
 - (vii) **That the applicant to provide all infrastructure for its own account and to the specifications of the Engineering Services Department and Erongo RED.**
 - (viii) **That no development be permitted to commence until the statutory disciplines have been completed.**
- (d) That the following procedures also be applicable:
- (i) **That the applicant be responsible for all statutory disciplines to be completed within 12 months from date of sale at their own cost.** } The "date of sale" is the date of signing the deed of sale.
 - (ii) **Completion of internal and external services within 24 months from date of sale.** } Council is in the process of expanding the existing external services closer to the location of the portion of land.

- (iii) **The whole development project must be completed within 48 months from date of sale and if no development is made in terms of the conditions of the agreement of sale the property shall revert to Council without any compensation to the purchaser.**
- (iv) **That the agreement of sale be concluded and signed within 12 months after this resolution is received by the applicant, failing which the resolution will lapse.** } The deed of sale can only be signed once a property description is available, i.e a Surveyor-General approved diagram is in place. On 03 August 2018 and 23 March 2023 ENSafrica was requested to compile a draft agreement.
- (v) **That in terms of the Property Policy, a deposit of N\$100 000.00 be required of the applicant to cover all fees and costs to Council, within 90 days from date of being informed of this Council resolution.** } On 26 June 2018, Slowtown Coffee Roasters CC (Mr Dennis de Wet) paid the required deposit as director of Oluga Trading Enterprise (Pty) Ltd.
- (vi) **The purchase price to be secured by means of a bank guarantee payable on date of transfer.**
- (vii) **Submit total layout plans, indicating the infrastructure, details of the project as well as the service demand for the intended project within 3 months of being notified of the approval of the application.**
- (e) **That the applicant indemnifies Council against any claims resulting from blasting.**
- (f) **That the action referred to in (a)(vi), only be proceeded with once the deposit referred to in (b)(v), has been made.**
- (g) **That all costs relating to the transfer of this erf, (including but not limited to transfer duty, conveyancer's costs, compilation of Agreement of Sale, as well as any legal or other costs that may arise from this application), be for the applicant's account.**
- (h) **That all costs related to this transaction (advertising-, subdivision-, rezoning etc.) be borne by the applicant.**
- (i) **That the applicant takes note that no rights will accrue to the applicant unless all the above mentioned conditions are complied with in full and all the relevant authorities have given the necessary permission, if applicable.**
- (j) **That the applicant takes note that a Surveyor-General approved diagram must be in place in order to finalise the transaction.** } In this regard, also see our attached letter dated 17 May 2024.

2.2 Council's Resolution passed on 28 March 2018 under Item 11.1.4

- “(a) **That Council approves the purchase price of undeveloped land on the banks of the Swakop River at:**
- (i) **N\$430.00/m² x 10 000m² = N\$4 300 000.00, excluding VAT to Messrs Oluga Enterprises (Pty) Ltd.**

- (b) That upon acceptance of the purchase price by the purchasers, Ministerial approval be obtained in terms of Section 30 (1) (t) of the Local Authorities Act 23 of 1992 to proceed with the transaction. } As indicated above, the required approval was granted on 16 July 2018.
- (c) That the transaction be concluded within 120 days from date when the Surveyor-General approved diagram is in place. } In this regard, please also see our attached letter dated 17 May 2024 requesting the submission of a Surveyor-General approved diagram
- (d) That payment of the purchase price be secured either in cash or bank guarantee in favour of the Swakopmund Municipality within 120 days from date of the Surveyor-General approved plan in place. Failure to secure the purchase price will result in cancellation of the transaction without further notice.
- (e) That Messrs Oluga Enterprises (Pty) Ltd comply with the statutory processes until completion of the projects.

A letter dated **22 November 2018** was addressed to you to provide the outstanding documents in terms of the above decision.

3. Conclusion

In conclusion, as was requested in our letter dated **17 May 2024** you are required to provide the following documents by Friday, **09 May 2025**:

- 3.1 Proof of the appointment and payment of a town planner to attend to the subdivision of the portion of land measuring approximately 10 000m². This is required in terms of the two Council resolutions quoted below:
- 3.1.1 Council's resolution of **27 April 2017** under item 11.1.33, point (j):
- "(j) That the applicant takes note that a Surveyor-General approved diagram must be in place in order to finalise the transaction."**
- 3.1.2 Council's resolution of **28 March 2018** under item 11.1.4, point (c):
- "(c) That the transaction be concluded within 120 days from date when the Surveyor-General approved diagram is in place."**
- This is a task you are required to complete at your own cost. In this regard see point (h) of Council's decision passed on **27 April 2017**
- 3.2 Provide formal proof of your ability to finance the project, as well as a clear description of the project and the buildings expected to be erected on site, in order for Council to measure progress and performance.
- 3.3 A good standing from the Ministry of Finance for Oluga Trading Enterprise (Pty) Ltd. This is a standard requirement by the Deeds Registry Office in order to enable transfer of ownership.

Should the above information not be provided by **09 May 2025**, the non-performance will be reported to Council.

As soon as the above conditions are met, the deed of sale will be finalized for signing.

List of attachments:

1. Our letter dated **17 May 2024**.
2. The company registration documents (2017/0279) indicating Helana Dula and Dennis de Wet as Directors.
3. A map indicating the location of the subject portion of land.
4. Proof of Payment of the N\$ 100 000.00 deposit by Slowtown Coffee Roasters CC (Mr Dennis de Wet).
5. Our letter dated **22 November 2018**.

For any further enquiries, please do not hesitate to contact Ms E Nakale at ☎ 064-4104217.

Yours faithfully



Mpsal Haingura
GM: CORPORATE SERVICES & HC

en

"ANNEXURE B"

Emilia Nakale | Property Officer | Corporate Services & Human Capital | +264 64 410 4217

From: Ciske Howard <ciske@hka.com.na>**Sent:** Tuesday, 22 April 2025 09:54 AM**To:** Emilia Nakale <enakale@svkmun.com.na>; Andre Plaatjie <aoplaatjie@svkmun.com.na>**Cc:** Desmond Howard <des@hka.com.na>**Subject:** Oluga Trading erf

Dear Mrs Nakale

As per the attached documentation and the email below, we have recently been appointed to act on behalf of Oluga Trading Enterprises to facilitate the successful realization of this development.

We kindly request your urgent assistance regarding the following matters:

1. **Land Parcel Clarification**

The diagram attached to this letter (Ref No: 16/1/4/2/1/5) appears to indicate that the relevant land is adjacent to Desert Breeze Guest House. However, I spoke with Ms. Stephny Bruwer on Thursday, and she confirmed that the land in question is further down the riverbanks, not the area shown.

Please provide us with the correct diagram of this erf to ensure we are working with the correct parcel.

2. **Proof of Appointment and Payment for Town Planning and Surveying**

- Andrew van der Westhuizen has been working on this, and we have recently appointed Herman Strydom Land Surveyors to further assist in the subdivision process.
- We have temporarily put this on hold to first confirm the correct parcel with your office.

3. **Additional Documentation**

- Formal proof of finances will be provided by the due date.
- Good standing confirmation from the Ministry of Finance for Oluga Trading is in progress; as the company is dormant, we do not anticipate any issues.

In light of the above, we kindly request a meeting with your office at your earliest convenience to discuss these matters further. We are aware that this is a sensitive and historically complex property, and we want to ensure transparency and clear communication throughout the process.

From our side, we have maintained meticulous documentation to keep all parties informed and have explicitly advised Ms. Helena Dula that all communication with the municipality and council will be coordinated through our office.

Our primary goal is to facilitate this transaction successfully and achieve the best possible outcome for all involved. We recognize that this project aims to support a previously disadvantaged woman, and we are committed to executing our mandate with the utmost sensitivity and dedication to this objective.

Please indicate a suitable time for us to meet and discuss the next steps as a matter of urgency.

Thank you for your prompt attention to this matter.

Thank you

Ciske

HOWARDKROGH
ARCHITECTS
CISKE HOWARD +264 81 6817211



Preliminary Diagram

APPROVED

No.A /2024

for SURVEYOR-GENERAL

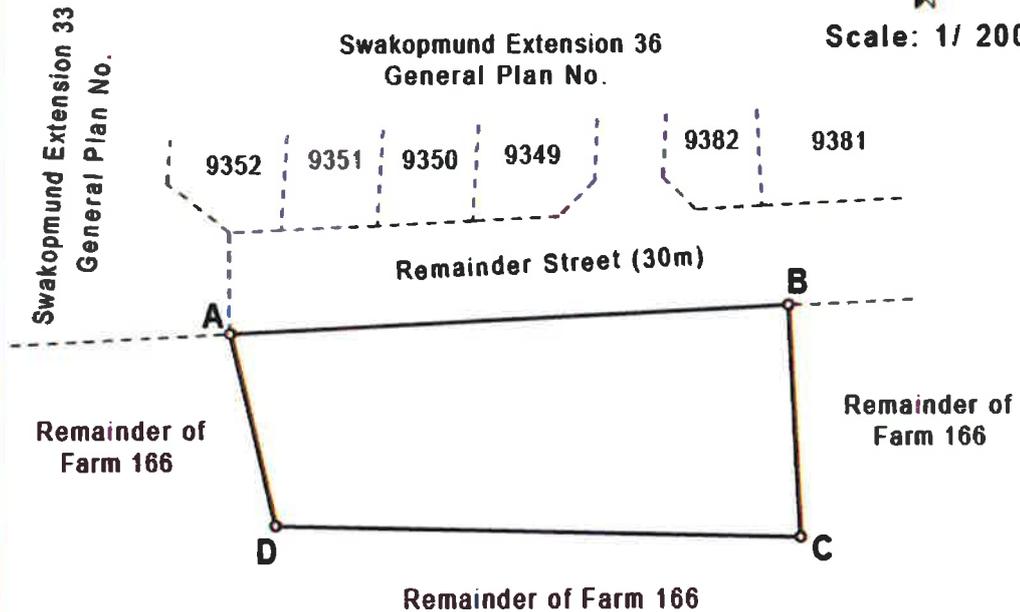
SIDES metres	ANGLES OF DIRECTION	CO-ORDINATES		Designation		
		Y	X			
A B	163.83	267.10.20	A	+44 936.01	+75 318.62	AB08
B C	68.89	357.10.20	B	+44 772.38	+75 310.54	P3b
C D	154.16	91.24.40	C	+44 768.98	+75 379.34	P3c
D A	58.37	167.12.50	D	+44 923.09	+75 375.54	P3d
			⊕	+44 828.55	+75 180.52	RM147
			⊕	+44 383.73	+75 256.43	RM149

BEACON DESCRIPTIONS

A - D 16mm Iron peg



Scale: 1/ 2000



The figure A B C D E
represents 1.0000 Hectares land being
Portion X of the Remainder Farm No. 166



TOWN PLANNING & PROPERTIES

PO BOX 1598
 SWAKOPMUND, NAMIBIA
 +264 81 122 4861
 +264 81 122 4861
 and@swakopmund.com

Chief Executive Officer
 Municipality of Swakopmund
 PO Box 53
 Swakopmund
 Namibia



8 May 2025

Dear Sir,

APPLICATION FOR SUBDIVISION OF FARM NO. 166, SWAKOPMUND, INTO PORTION A AND REMAINDER.

Application is herewith made to Council in terms of the Urban and Regional Planning Act, on behalf of the Oluga Enterprises (Pty) Ltd, for the Subdivision of Farm No. 166, Swakopmund, into Portion A and Remainder (Annexure C1).

1. BACKGROUND

Oluga Enterprises (Pty) Ltd entered into a sales agreement with Council to acquire the said Portion A. In order to effectively comply with the expected requirements communicated to the developer it is needed to perform the statutory processes to first create proposed Portion A.

The original Council resolution was taken in April 2017 but due to the fact that development will be problematic without services the project stalled. The Swakopmund Municipal Council recently resolved to service extensions 32 and 33 thus bringing services in close proximity of the area. This application is aimed at formally creating the proposed Portion A in order for the sale of the property to be concluded.

2. LOCALITY AND SIZE

Proposed Portion A of the Farm No. 166, Swakopmund, measures 1 ha or 10 000m² in extent and is located along Duneside Avenue on the southern boundary of Swakopmund (Annexure A). The site is located in an area that is rapidly expanding with numerous future extensions that are already planned and approved by the Local Authority. As previously mentioned, Ext 32 Swakopmund, is soon to be serviced and the Municipality will release more erven to the North and Northeast in Ext 33, etc.

From: Ciske Howard <ciske@hka.com.na>

Sent: Thursday, 08 May 2025 04:47 PM

To: Mahne Kruger <mkruger@swkmun.com.na>; Emilia Nakale <enakale@swkmun.com.na>

Cc: Ndiili Gustaf <ngustaf@swkmun.com.na>; Desmond Howard <des@hka.com.na>

Subject: Re: Oluga Trading erf

Good Afternoon All,

I am pleased to report and attach the proof of submission for the subdivision of the parcel of land.

Please see attached.

Please acknowledge receipt thereof and whether we could possibly schedule a meeting at your earliest convenience to discuss.

Thank you

Ciske



Property Finance Branch
PO Box 23072
W K H House
7594 Jan Jonker Road
Ausspannplatz Centre
Windhoek
Namibia

06 May 2025

Tel: +264 61 299 0500
Fax: +264 61 299 0551

Municipality of Swakopmund
PO Box 53
Swakopmund
Namibia

Dear Sir / Madam

PROPOSED DEVELOPMENT PROJECT – OLUGA TRADING ENTERPRISES

We confirm that Mr. Desmond Howard & Mrs. Ciske Smith has been associated with Bank Windhoek and possesses an extensive track record in project development with our Institution, having successfully completed numerous residential, commercial, and mixed-use development projects in both the Central and Coastal regions of Namibia.

All dealings have been on a very satisfactory basis and arrangements have always been promptly met.

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 and we have no reason to believe that the clients will undertake commitments that exceed their capabilities.

The Bank will be prepared to consider financial assistance to Mr. Howard & Mrs. Smith or their nominee, Oluga Trading Enterprises for development purposes, subject to the Bank's normal credit criteria, terms and conditions.

The information is given in strict confidence and without any responsibility, however arising, on our part. Bank Windhoek disclaims any liability for losses of any kind, including direct, indirect, or consequential losses, that may arise if any party fails to meet their obligations.

Yours sincerely,

MJ Platt
Head: Property Finance

SPECIAL POWER OF ATTORNEY

We, the undersigned,

OLUGA TRADING ENTERPRISE (PROPRIETARY) LIMITED
Company No 2017/0279

Herein represented by DENNIS DE WET on behalf of EL PORTA INVESTMENTS CC AND HELENA DULA on behalf of FIMANEKENI INVESTMENTS CC, they being the shareholders of the above-mentioned company and duly authorised herein

do hereby nominate, constitute and appoint

HOWARD KROGH ARCHITECTS

Herein represented by DESMOND HENRY HOWARD, being a partner, and duly authorised herein

with power of Substitution, to be my lawful Attorney and Agent in my name, place and stead, to execute any of the following documents:

1. Any document whatsoever required to be signed by the Municipal Council of Swakopmund and to appoint consultants for services such as land surveying and town planning amongst other specifically pertaining to the property on offer from the municipality;
2. Any document whatsoever required to be signed by Erongo Reg and to appoint consultants for services such as land surveying and town planning amongst other specifically pertaining to the property on offer from the municipality
3. Any document whatsoever required to be signed by Surveyor General and to appoint consultants for services such as land surveying and town planning amongst other specifically pertaining to the property on offer from the municipality
4. Any document required to be signed by any service provider or contractor or agent or purchaser or supplier or banking institution and to appoint consultants for services such as land surveying and town planning amongst other specifically pertaining to the property on offer from the municipality;

and to sign or initial any amendments or alterations of a formal nature that may have to be made in any of the above-mentioned documents and generally for effecting the purposes aforesaid, to do or cause 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.

Handwritten signatures and names:
 Dennis De Wet
 Helena Dula
 Desmond Henry Howard
 Howard Krogh

SIGNED at SWAKOPMUND this 17th day of MARCH 2025
in the presence of the undersigned witnesses.

AS WITNESSES:

1. [Signature]

2. [Signature]

[Signature]
DENNIS DE WET ON BEHALF OF
EL PORTA INVESTMENTS CC

SIGNED at SWAKOPMUND this 18th day of MARCH 2025
in the presence of the undersigned witnesses.

AS WITNESSES:

1. [Signature]
Ruben Awanas

2. [Signature]
LINEA P

[Signature]
HELENA DULA ON BEHALF OF
FIMANEKENI INVESTMENTS CC



Secretarial Services cc

SEC DEPT SC

23 August 2018

The Directors
Oluga Trading Enterprises (Pty) Ltd
P O Box 2860,
Swakopmund,
Namibia

BY HAND

Attention: Ms Helen Dula

Dear Madam

OLUGA TRADING ENTERPRISES (PTY) LTD
REG NO.: 2017/0279

We refer to the above company and herewith attach the following *original company documents* as requested:

- Original signed Director's resolution dated 03/07/2018;
- Form CM29 – Register of Directors (16/07/2018);
- Form CM27 – Consent to act as director (03/07/2018) attached to the CM29;
- Original signed share transfer forms (X2) together with original cancelled share certificate 1 and letter of indemnity dated 03/07/2018;
- Original signed Share Certificates No's 2 and 3 dated 03/07/2018.

Yours faithfully
L and B Secretarial Services CC


S KURZ (Mrs)
Company Secretarial Services

I hereby acknowledge receipt of all the documents.

SIGNATURE

DATE

Oluga Trading Enterprise (Pty) Ltd

Registration No.	2017/0279
------------------	-----------

RESOLUTION PASSED BY THE DIRECTOR OF THE COMPANY ON 03 JULY 2018 ✓

RESOLVED-

THAT the appointment as director of DENNIS DE WET, be and is hereby accepted and confirmed;

THAT the following transfer of shares, be and is hereby accepted and confirmed;

90 ✓ (Ninety) Ordinary shares from HELENA DULA to EL POTRA INVESTMENTS CC;

10 ✓ (Ten) Ordinary shares from HELENA DULA to FIMANEKENI INVESTMENT CC.

Helena

DIRECTOR
H DULA

- 11.1.3 **APPLICATION BY JAKARANDA INVESTMENTS TWENTY SIX CC FOR A FURTHER LEASE PERIOD FOR A PORTION OF SIDEWALK IN FRONT OF ERF 3745, SWAKOPMUND**
(C/M 2025/08/28 - E 3745)

Ordinary Management Committee Meeting of 14 August 2025, Addendum **7.3** page **83** refers.

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

1. **Introduction**

The purpose of this submission is to request Council's consideration for the renewal of the lease agreement with Jakaranda Investments Twenty Six CC, trading as Bo Jo's, to continue leasing a portion of the pavement measuring 88 m² in front of Erf 3745, Swakopmund. The area is used for the operation of an open-air café. The current lease agreement expires on **30 August 2025**.

The lessee was served with a notice, as per **Annexure "A"** to confirm their intention to renew the lease agreement for a further period.

Ms. B J Bassingthwaighe, representing Bo Jo's, confirmed via email (attached as **Annexure "B"**) that they intend to renew their lease agreement for a further 5 years.

A locality map indicating the leased portion of land is attached as **Annexure "C"**.

2. **Background**

Bo Jo's has been leasing the portion of the pavement since 2010. The lease was last renewed by Council on **30 July 2020** under item 11.1.20, and the following resolution was adopted:

- (a) That a portion of the sidewalk, measuring ±88m² in front Erf 3745, Swakopmund be leased to Messrs Jakaranda Investments Twenty Six CC trading as Bo Jo's for a further 5 years commencing on 01 September 2020 and lapsing on 31 July 2025.
- (b) That the monthly rental be N\$45.10/m² x 88m² = N\$3 968.80+ N\$595.32 (15% Vat) = N\$4 564.12 with an annual escalation of 10% starting 1 July 2021
- (c) That the lease be subject to the standard conditions and the following:
- (i) That a deposit equal to 1 months lease which was previously paid be adjusted in order to equal the current monthly rental amount.
 - (ii) That a notice of termination period of three (3) months for both parties be applicable.
 - (iii) That the demarcated area be barricaded by way of a non-permanent fixture, such as a rope.
 - (iv) That the lessee does not operate later than 22:00.
- (d) That permission be applied for from the Honourable Minister of Urban and Rural Development in terms of section 30 (1) (t) to proceed with the lease agreement.
- (e) That all costs involved be for the applicant's account.

- (f) That should the lessee cease operating, they must inform Council in writing and reinstate the area to its original condition at their own cost.
- (g) That the applicant shall indemnify and keep Council indemnified during the full period of this agreement against possible claims, which may arise from the use of a portion of the sidewalk concerned by the lessee."

Subsequent to the above resolution, Ministerial approval was granted on 13 November 2020. A lease agreement was then concluded between the Council and Messrs Jakaranda Investments Twenty Six CC, with the lease period commencing on **1 September 2020** and ending on **31 August 2025**.

Throughout the lease period, no objections or complaints have been received regarding the operation of the café. The lessee has been consistently paying the monthly rental as per the agreement.

3. Discussion

Ms B J Bassingthwaighe, on behalf of Bo Jo's applies for a further lease period of 5 years as the current lease agreement will expire on **31 August 2025**.

Council's approval is required for a further renewal of the lease for an additional five (5) years to allow the continued operation of the open-air café on the same portion of land.

The rental tariff increased by 10% since the inception of the lease period, no annual increases were effected for the period 01 July 2020 until 30 June 2021 (Covid-19 period). On **19 November 2020**, Council resolved that in future only increase the lease tariffs increase by 7%.

The current lease amount is N\$ 57.80/m² per month x ±88m² = N\$ 5,086.52 + N\$ 762.98 (15% VAT) = N\$5 849.50. This rental amount will increase as from 01 July 2025. The account statement reflecting the current tariffs is attached as **Annexure "D"**.

It is proposed that Council considers approving the renewal of the lease period of Bo Jo's for another 5 years at the same conditions as previously approved by Council and Council's standard lease conditions that may deem fit.

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

RECOMMENDED:

- (a) **That Council takes note that the lease agreement entered into between Council and Jakaranda Investments Twenty Six CC trading as Bo Jo's for leasing a portion of the sidewalk, measuring ±88 m² in front Erf 3745, Swakopmund lapses on 31 August 2025.**
- (b) **That Council approves a new lease period for Jakaranda Investments Twenty-Six CC trading as Bo Jo's for the 5 years which period commences on 01 September 2025 and terminates on 31 August 2030 for a portion of the sidewalk, measuring ±88 m² in front Erf 3745, Swakopmund.**

- (c) That the monthly rental be N\$ 57.80/m² x ±88m² = N\$5,086.52 + N\$762.98 (15% VAT) = N\$5,849.5 with an annual escalation of 7% starting 1 July 2025.
- (d) That the lease be advertised in terms of Section 63 (2) of the Local Authorities Act, Act 23 of 1992, as amended at the cost to Jakaranda Investments Twenty Six CC and permission be obtained from the Minister of Urban and Rural Development as required in terms of the same Act.
- (e) That Council reserves the right to cancel the lease if valid objections from the public are received.
- (f) That the lease be subject to the standard conditions and the following:
- (i) *That a deposit equal to 1 months lease which was previously paid be adjusted in order to equal the current monthly rental amount.*
 - (ii) *That a notice of termination period of three (3) months for both parties be applicable.*
 - (iii) *That the demarcated area be barricaded by way of a non-permanent fixture, such as a rope.*
 - (iv) *That the lessee does not operate later than 22:00.*
 - (v) *That no fixed structures be erected and that temporary structures be erected at the risk of the lessee and be removed at the cost of the lessee at the termination / lapsing of the lease period.*
 - (vi) *That all costs involved be for the applicant's account.*
 - (vii) *That should the lessee cease operating, they must inform Council in writing and reinstate the area to its original condition at their own cost.*
 - (viii) *That the applicant shall indemnify and keep Council indemnified during the full period of this agreement against possible claims, which may arise from the use of a portion of the sidewalk concerned by the lessee.*
- (g) That the lease be subject to the standard conditions and the following:
- (i) *That a deposit equal to 1 months lease which was previously paid be adjusted in order to equal the current monthly rental amount.*
 - (ii) *That a notice of termination period of three (3) months for both parties be applicable.*
 - (iii) *That the demarcated area be barricaded by way of a non-permanent fixture, such as a rope.*
 - (iv) *That the lessee does not operate later than 22:00.*
 - (v) *That no fixed structures be erected and that temporary structures be erected at the risk of the lessee and be removed at the cost of the lessee at the termination / lapsing of the lease period.*
 - (vi) *That all costs involved be for the applicant's account.*
 - (vii) *That should the lessee cease operating, they must inform Council in writing and reinstate the area to its original condition at their own cost.*
 - (viii) *That the applicant shall indemnify and keep Council indemnified during the full period of this agreement against possible claims, which may arise from the use of a portion of the sidewalk concerned by the lessee.*
-

11.1.4

RESUBMISSION: REZONING OF ERF 441 TAMARISKIA, EXTENSION 1 FROM SINGLE RESIDENTIAL WITH A DENSITY OF 1:600M² TO GENERAL RESIDENTIAL 2 WITH A DENSITY OF 1:100M²

(C/M 2025/08/28 - T 441)

Ordinary Management Committee Meeting of 14 August 2025, Addendum 7.4 page 96 refers.

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

1. Purpose

The purpose of this resubmission is for Council to consider and incorporate the comments made by the Urban and Regional Planning Board, with regards to the application for the rezoning of Erf 441, Tamariskia Extension 1 from "single residential" with a density of 1:600m² to "general residential 2" with a density of 1:100m² in terms of Section 105 (1) (a) (ii) of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018).

2. Introduction and Background

The application to rezone Erf 441, Tamariskia Extension 1 from "single residential" with a density of 1:600m² to "general residential 2" with a density of 1:100m² served before Council at its ordinary meeting of **8 October 2024** under item 11.1.38 and was approved as per the resolution below:

- (a) That the rezoning of Erf 441, Tamariskia Proper from "Single Residential" with a density of one dwelling per 600m² to "General Residential 2" with a density of one dwelling per 100m² be turned down.
- (b) That instead, Erf 441, Tamariskia Proper be rezoned from "Single Residential" with a density of one dwelling per 600m² to "General Residential 2" with a density of one dwelling per 250m².
- (c) That the rezoning of Erf 441, Tamariskia Proper from "Single Residential" with a density of one dwelling per 600m² to "General Residential 2" with a density of one dwelling per 250m² is subject to a 20% compensation fee calculated according to the Betterment Fee Policy of 2009 and be paid by the applicant.
- (d) That no building plans inclusive of relaxation of building lines or aesthetics application be approved until proof of payment of the compensation fee for the rezoning has been received by the Council.
- (e) That the applicant provides proof that the rezoning of Erf 441, Tamariskia Proper from "Single Residential" with a density of one dwelling per 600m² to "General Residential 2" with a density of one dwelling per 250m² has been approved by the Minister and promulgated before any submission of building plans to the Engineering and Planning Services Department for approval.
- (f) That all additional infrastructures that are to be required as a result of the proposed development be for the account of the applicant and in accordance with the specifications of the General Manager of Engineering and Planning Services.
- (g) That the on-site parking requirements be as per the Swakopmund Zoning Scheme.
- (h) That the applicant be informed that she may appeal against the Council decision for the allocated density to the Minister in terms of Section 110 of the Urban and Regional Planning Act, 2018 (Act No 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 said period.

3. Resubmission

The said application served before the Urban and Regional Planning Board on the 12 of March 2025 and it was deferred back to refer to the correct

extension, which is Tamariskia Extension 1. Erf 441, Tamariskia, is within Tamariskia Extension 1 and not in Tamariskia Proper as it was previously documented in the application.

4. **Conclusion**

The application is therefore resubmitted in order to rectify the extension number, Tamariskia Proper and its replacement with Tamariskia Extension 1. The application can therefore be supported.

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

RECOMMENDED:

- (a) That the Council Resolution Number C/M 2024/10/08 - T 441 be supplemented by this Council Resolution.
 - (b) That it be noted that Erf 441, Tamariskia is located in Tamariskia, Extension 1.
 - (c) That the rezoning of Erf 441, Tamariskia, Extension 1 from "Single Residential" with a density of one dwelling per 600m² to "General Residential 2" with a density of one dwelling per 100m² be turned down.
 - (d) That instead, Erf 441, Tamariskia, Extension 1, be rezoned from "Single Residential" with a density of one dwelling per 600m² to "General Residential 2" with a density of one dwelling per 250m².
 - (e) That the rezoning of Erf 441, Tamariskia, Extension 1 from "Single Residential" with a density of one dwelling per 600m² to "General Residential 2" with a density of one dwelling per 250m² is subject to a 20% compensation fee calculated according to the Betterment Fee Policy of 2009 and be paid by the applicant.
 - (f) That no building plans, inclusive of relaxation of building lines or aesthetics application, be approved until proof of payment of the compensation fee for the rezoning has been received by Council.
 - (g) That the applicant provides proof that the rezoning of Erf 441, Tamariskia, Extension 1 from "Single Residential" with a density of one dwelling per 600m² to "General Residential 2" with a density of one dwelling per 250m² has been approved by the Minister and promulgated before any submission of building plans to the Engineering and Planning Services Department for approval.
 - (h) All additional infrastructures that are to be required as a result of the proposed development be for the account of the applicant and in accordance with the specifications of the General Manager: Engineering and Planning Services.
 - (i) That the on-site parking requirements be as per the Swakopmund Zoning Scheme.
 - (j) That the applicant be informed that she may appeal against the Council decision for the allocated density to the Minister in terms of Section 110 of the Urban and Regional Planning Act, 2018 (Act No 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 said period.
-

ANNEXURE A - CONSULTANT REQUEST


STEWART PLANNING
 TOWN & REGIONAL PLANNERS

First Floor 122 On Main
 122 Sam Nujoma Avenue
 Walvis Bay

P.O. Box 2095
 Tel: (064) 280 773
 Email: mario@sp.com.na

Reference: 441 T

Date: 03 June 2025

Chief Executive Officer
 Municipal Council of Swakopmund
 c/o Rakotoka Street and Daniel Kamho Avenue
 PO Box 53
 Swakopmund

Attention: Mr John Heita
 Manager: Town Planning Section

Subject: **Tamariskia Proper: Rezoning of Erf 441 from Single Residential (1:600) to General Residential 2 (1:250): Request to amend Council Resolution and Local Authority approval letter to indicate Tamariskia Extension 1.**

Dear John,

- [1] Reference is made to the above rezoning which was recommended for approval under Council Resolution item 11.1 38 of 08 October 2024 and the Local Authority approval letter dated 18 November 2024.
- [2] On 12 March 2025, the Urban and Regional Planning Board has deferred the rezoning back with the instruction to "refer to Extension 1 throughout the application and supporting documents." A copy of the deferred letter is attached dated 06 May 2025.
- [3] In our initial planning application to Council dated 19 July 2024 we erroneously referred to Tamariskia Proper and consequently the Council Resolution and Local Authority approval letter has reflected and read as such.
- [4] I hereby request your assistance with regards to the amendment of the Council Resolution and Local Authority approval letter to indicate Tamariskia Extension 1 and not Tamariskia Proper.

Your sincerely,

Mario Mberira

Town & Regional Planner in Training (NCTRP)

Tel: +264 64 280 773 | Email: mario@sp.com.na

Stewart Town Planning CC (CC No. 2020/00365)

Member: Bruce Stewart B.Sc. TRP (Wits)

ANNEXURE B - THE BOARD'S RESOLUTION

Republic of Namibia

Ministry of Urban and Rural Development

Enquiries: J. Nyalugwe
Tel: (+264+61) 297-5186
Fax: (+264+61) 297-5305
Email: jnyalugwe@murd.gov.na

Government Office Park
Luther Street

Private Bag 13289
Windhoek, 10001
Namibia

Our Ref.: 173/5/ S2/1 Ext 1
Your Ref.:

Mr. B. Stewart
Stewart Planning
P O Box 2095
Walvis Bay
NAMIBIA

Dear Mr. Stewart,

SUBJECT: ITEM 73/2025: TAMARISKIA EXTENSION 1: REZONING OF ERF 441

Your application letter dated 05 February 2025 has reference.

Kindly be informed that the Urban and Regional Planning Board has during its meeting held on 12 March 2025, recommended that the application be deferred to the next meeting.

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

Yours faithfully,

SECRETARIAT
URBAN AND REGIONAL PLANNING BOARD



Item	Date
73/2025 17/3/5/ S2/1 Ext 1	12 March 2025
TAMARISKIA EXTENSION 1: REZONING OF ERF 441 (MUNICIPAL COUNCIL OF SWAKOPMUND / STEWART PLANNING) (Tn.A/1-MD-6CA-X2)	
The Board recommended that the matter be deferred to a next meeting to enable the applicant to do the following –	
<ol style="list-style-type: none">1. submit a Chief Executive Officer cover letter;2. refer to Extension 1 throughout the application and supporting documents; and3. submit the conditions of establishment of Tamariskia and Tamariskia Extension 1.	



Two handwritten signatures in black ink, one to the left and one to the right of the page number.

11.1.5 **REQUEST FOR APPROVAL FOR E-MOTION ELECTRICAL SCOOTER RENTAL AND TOURS TO OPERATE MOBILE ELECTRIC SCOOTER RENTAL SERVICES IN SWAKOPMUND**

(C/M 2025/08/28 - 15/1/3/1)

Ordinary Management Committee Meeting of 14 August 2025, Addendum **8.1** page **03** refers.

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

1. INTRODUCTION:

This submission seeks the approval and support of the Swakopmund Management Committee for the establishment of a mobile electric scooter rental and guided tour operation within the town. E-motion Electrical Scooter Rental and Tours, a successful venture in Walvis Bay, aims to expand to Swakopmund, aligning with the town's eco-tourism and sustainable transport goals.

2. BACKGROUND:

E-motion Electrical Scooter Rental and Tours, a successful eco-mobility business operating in Walvis Bay, is seeking to expand its operations to Swakopmund. The company specializes in offering electric scooter rentals and guided city tours designed to provide tourists and residents with a fun, efficient, and environmentally friendly mode of transport.

The proposed initiative supports the Municipality's goals of sustainable urban mobility, green tourism, and enhancing visitor experience in Swakopmund. The electric scooters are fully road-compliant and operate quietly and safely, with zero carbon emissions.

E-motion proposes operating from a small, mobile station consisting of a 3m x 3m gazebo and a solar-powered trailer for the storage and charging of scooters. The setup will be temporary, neat, and placed strategically to avoid obstructing pedestrian or vehicle traffic.

3. DISCUSSION

3.1. Scooter Specifications and Classification

The scooters are equipped with headlights, indicators, horns, brake lights, and top out at safe speeds for urban areas. Helmets and safety briefings will be mandatory for all users.

The electric scooters proposed for use in this initiative are **Ninebot KickScooter Max G2** units, a high-performance, battery-powered model well-suited for urban mobility and guided tours. These scooters are designed with advanced safety features and robust technical capabilities, ensuring a comfortable and controlled riding experience. Key specifications include:

- **Maximum Speed:** Factory-limited to 25 km/h (can be adjusted via app where legally permissible)
- **Motor Power:** 450W nominal; up to 1,000W peak power
- **Range per Charge:** Up to 70 km under ideal conditions; average touring range 45-55 km

- **Braking System:** Front drum brake and rear electronic ABS brake
- **Suspension:** Hydraulic front suspension and dual rear spring suspension
- **Tires:** 10" self-sealing tubeless pneumatic tires
- **Lighting and Visibility:** 2.1W front LED headlight, rear brake light, and integrated turn signals
- **Safety Features:** Traction control system (TCS), anti-theft alarm, and loud horn
- **Payload Capacity:** Maximum rider weight of up to 120 kg
- **Connectivity:** Bluetooth-enabled with mobile app control, display screen for speed and diagnostics

According to the Namibian Road Traffic and Transport Regulations, these scooters are **not classified as motor vehicles** and are therefore **not permitted on national roads**. Their use is restricted to **pavements, cycle lanes, and designated low-traffic municipal roads**, subject to Council's approval. This classification ensures alignment with local legislation while supporting sustainable and safe urban mobility.

3.2 Request for Approval:

1. Operate electric scooter rentals and guided tours within Swakopmund using designated cycling lanes and low-traffic roads.
2. Set up a small, mobile base of operations at a mutually agreed-upon location within the town, particularly near tourist hubs or along beachfront pathways.
3. Promote eco-friendly tourism and improve accessibility by offering low-cost and zero-emission mobility options to visitors and residents.
4. Collaborate with local vendors and township experiences, including food stalls and cultural markets, along proposed tour routes—thus stimulating local economic activity
5. Request to utilize the few less busy public roads for their operations.

3.3 Proposed Routes for Operation:

In the interest of public safety and minimal disruption to traffic, the following streets and pathways are proposed for tour operation:

1. *Molen Street (beachfront route)*
2. *Tobia Hainyeko and Welwitschia Street*
3. *Strand Street (restricted to permitted areas and pavements)*
4. *Nathaniel Maxuilili Street (off-peak only)*
5. *Platz Am Meer*
6. *Albatros Street*
7. *Fischreiherstrasse*
8. *First Avenue*
9. *Am Zoll Street*
10. *Tiger Reef*

All major roads, such as the B2, Sam Nujoma Avenue, and Hendrik Witbooi Street, will be avoided. A detailed route map will be submitted for final review and clearance by the Traffic and Law Enforcement Division.

3.4 Base of Operations - Site Recommendation:

The **Tennis Court Parking Area** near the Amphitheatre is identified as the most suitable location for the mobile base of operations. This site:

- Falls within existing recreational and tourism activity zones
- Complies with Council's land use and town planning scheme
- Offers adequate space for scooter storage, charging, and guest briefing
- Minimizes disruption to vehicular and pedestrian traffic
- It also complements the business operations already taking place there.
- Has been approved by Council to be leased to private entities for economic activities and mobile kiosks

3.5 Conditions of Approval:

To ensure the safe, orderly, and responsible implementation of the proposed electric scooter rental and tour service, the following conditions of approval are recommended. These conditions are per Council's business health and fitness requirements to safeguard public safety, maintain aesthetic standards, and ensure full compliance with municipal regulations while supporting the successful integration of this innovative tourism and mobility initiative into the town's framework.

1. **Municipal Approval & Regulation Compliance:** E-motion must comply with all necessary business and operational permits in accordance with local authority regulations, including relevant tourism, safety, and environmental standards. This, including those with engine capacities under 125cc or speeds below 45 km/h, is primarily outlined in **the Road Traffic and Transport Act, 1999**, and related regulations.
2. **Designated Operational Zone:** Scooters may only operate along pre-approved routes and cycle-friendly lanes, as outlined in the attached Annexure. High-traffic and national roads must be strictly avoided. A detailed route plan must be submitted for approval by the Traffic and Law Enforcement Division.
3. **Safety & Training:** Helmets and safety briefings are mandatory for all users. Scooters must undergo regular maintenance checks to ensure operational safety and functionality. Tour guides must carry a communication device and a basic first aid kit on all tours.
4. **Participant Restrictions:** Only participants aged **16 years and above** may take part in tours. Group sizes must not exceed **6 tourists plus 1 guide** at a time. All participants must wear **closed footwear**—no sandals will be allowed.
5. **Conduct Requirements:** There shall be **no alcohol consumption** before or during the tour. Use of **mobile phones while riding** is prohibited except in emergencies. **Loud music or disruptive behaviour** is strictly forbidden during tours.
6. **Operating Hours:** Tours shall only take place **between sunrise and sunset**. Operations during peak traffic periods, **07:00 to 08:30 and 17:00 to 18:30**, are not permitted to minimize risk and avoid congestion on shared routes.

7. **Site Placement & Appearance:** The applicant enters into a rental agreement for placement of the mobile station at the Tennis Court Parking area as a centre for their operations. The applicant's mobile station must ensure it is securely installed and easily removable. It must not obstruct traffic, public walkways, or key scenic views. Be aesthetically appropriate in terms of the below:
 - Material requirements: e.g., "All kiosks must be constructed from durable materials such as wood, or aluminium with neat, professional finishes."
 - Colour schemes: e.g., "Colours must align with the town's branding palette or be in neutral tones."
 - Design style: e.g., "Modern, uniform look that complements urban surroundings."
 - Size and dimensions: Proportional to the space available, with specific height, width, and footprint limits.
 - Roofing and signage: Controlled and coordinated. No excessive branding or flashing lights.
8. **Insurance & Indemnity:** E-motion must indemnify the Municipality from any claims, injuries, or damages arising from the use or malfunction of scooters or associated operations through a signed indemnity.
9. **Environmental Compliance:** Scooter routes must avoid environmentally sensitive areas such as the protected nesting zones. Tour operators are expected to keep a no-litter policy.
10. **Trial Period and Monitoring:** A **one-year trial** is suggested with an option of renewal. Operations will be monitored for compliance, and the permit may be revoked or suspended upon substantiated complaints or failure to meet these conditions.

4. **CONCLUSION**

The proposed electric scooter rental and guided tour service is fully aligned with Swakopmund's vision to become a leading smart city and a hub for sustainable tourism. This initiative introduces a modern, eco-friendly alternative transport mode that complements the town's tourism offering while supporting local economic development and small business growth. Subject to the listed conditions and route oversight, it is recommended that the Management Committee approve the pilot operation of E-motion Electrical Scooter Rental and Tours in Swakopmund.

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

RECOMMENDED:

- (a) That Council approves E-motion Electrical Scooter Rental and Tours to operate an electric scooter rental and guided tour service in Swakopmund. Subject to compliance with all municipal regulations and safety conditions.
 - (b) That the mobile station be permitted to be placed at the Tennis Courts parking area.
 - (c) That a monthly rental fee be charged for placement of the mobile station at the Tennis Court Parking as per the Council Gazette tariff (N\$385.99 X5 per month VAT Excl.).
 - (d) That the mobile station be approved on condition that it is to the satisfaction of the General Manager: Engineering and Town Planning services, per proposal, be solar-powered, non-invasive, aesthetically appropriate, safely anchored, and removed daily when not in operation, and that it shall not obstruct public walkways, views, or traffic flow.
 - (e) That E-motion Electrical Scooter Rental and Tours be held responsible for the maintenance of all scooters and associated equipment, the provision of safety briefings and protective gear, and for indemnifying Council against any and all risks, claims, injuries, or damages arising from the service.
 - (f) That the operation be limited to pre-approved routes avoiding national and high-traffic roads, with tours restricted to daylight hours only and not permitted during peak traffic periods (07:00-08:30 and 17:00-18:30), and that all riders be at least 16 years of age, with a maximum of six participants plus one guide per tour.
 - (g) That a 1-year pilot project be approved for the E-motion Electrical Scooter Rental and Tours during which Council and its relevant departments must monitor the operation's safety, community impact, and compliance with municipal conditions, with the option for renewal subject to satisfactory performance.
-

11.1.6 **ALLOCATION OF ERF 8416, EXTENSION 30, SWAKOPMUND TO MS NISLOTE TJKONGO AND MR ANDREW ABRAHAM TJKONGO**
(C/M 2025/08/28 - 15/2/1/2, E 8416)

Ordinary Management Committee Meeting of 14 August 2025, Addendum **8.2** page **07** refers.

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

1. INTRODUCTION

The purpose of this submission is for Council to consider approving the allocation of Erf 8416 to Ms Nislote Tjikongo and Mr Andrew Tjikongo. Attached as **ANNEXURE "A"** is the locality map indicating where the erf is situated.

2. BACKGROUND INFORMATION

Ms Nislote Tjikongo (Naobes) and Mr Andrew Abraham Tjikongo (overspill) applied for Erf 1348, Ext 30, Swakopmund on **30 October 2005**. Their erf does not exist due to the new cadastral layout.

3. CURRENT SITUATION AND DISCUSSION

Due to constant disputes among the family members, the Tjikongo family approached the Office of the Mayor on **18 April 2024**, and subsequently Erf 8416, Ext 30, Swakopmund was allocated to them. **ANNEXURE "B"** is the minutes of a meeting held between the Mayor and the Tjikongo family. The family relocated to the newly allocated erf in 2024. The surname is incorrectly recorded as Shikongo instead of Tjikongo on the attached minutes.

Erf 8416 forms part of 8 erven, which previously served as a road reserve; however, with the new cadastral layout, new single residential erven were created. On 28 November 2024, under item 11.1.47 Council approved the allocation of 6 out of 8 erven to the overspill residents, but only 5 erven were allocated. Erf 8416 allocated to the Tjikongo family was omitted and did not form part of the 5 erven approved on **28 November 2024** under item 11.1.47 for ownership. Below is the list indicating the land value and combined income of Ms Tjikongo and her husband. Copies of identity documents, marriage certificate, and payslips are attached as **ANNEXURE "C"** and the application form as **ANNEXURE "D"**.

Old Erf	New Erf No	Ext	Name & Surname	ID No	Income	SQM	Land value
1348	8416	30	Nislote Tjikongo & Andrew A Tjikongo	78110710336 75112400242	N\$8 540.00	301	N\$54 000.00

4. PROPOSAL

It is proposed that Council donates Erf 8416 to Ms Nislote Tjikongo and Mr. Andrew Abraham Tjikongo. The Tjikongo family will need to sign a Deed of Donation to connect municipal services and electricity.

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

RECOMMENDED:

- (a) That Erf 8416, Extension 30, Swakopmund, be donated to Ms Nislote Tjikongo and Mr Andrew Abraham Tjikongo.**
 - (b) That the payment of the administrative fee of N\$1,000.00 be communicated to Mr & Ms Tjikongo.**
-

ANNEXURE "A"

8384	8383	8382	8381	8383	8362	8361	8360	8371	8372	8373	8402	8403
8418	8419	8417	8416	8415	8414	8413	8412	8411	8420	8421	8418	8419
8422	8423	8424	8425	8426	8427	8428	8429	8102	8103	8104	8105	8106
8107	8108	8109	8110	8111	8112	8113	8114	8115	8116	8117	8118	8119

MINUTES/OUTCOMES

Community engagements-Office of the Mayor
18 April 2024

PRESENT:

HW Cllr D Namubes	:	Mayor
Ms D Hanes	:	PA to Mayor
Andrew Shikongo	:	Erf 1348 DRC 0813776268
Lourens Soroseb	:	Erf 8662 DRC 0817615812
Erina Persendt	:	Coastal spinners 0812946149
Chris Van Rooyen	:	Coastal spinners
Ebrahim Abrahams	:	Coastal Spinners

1. OPENING

Separate meetings were held with each group to provide an opportunity to express our concerns and requests assistance in this regard.

2. DISCUSSION POINTS:**Mr Andrew Shikongo**

- Mr Shikongo, his wife and children reside in DRC. One of their neighbours is his wife's sister.
- This family conflict between his wife and her sister has been a source of concern, with major consequences like fighting and insulting. This incident was also reported to Namibian police.
- The client notified the Mayor that he sought assistance from the Housing department to migrate to another erven to avoid the current scenario. However, he has been informed that the erf that he currently resides on is intended for something else and that in due course, they are supposed to be moved.
- In light of this, the Mayor advised the client that she was unable to intervene as they can't give preferential treatment to some community members. She thus advised that there are extensions being serviced. However, strong emphasis needs to be placed on the safety and security. Client was thus advised to get restraining order so that this does not aggravate.
- In the meantime, Mayor to seek guidance from Housing unit on how to address this type of requests.

Mr Lourens Soroseb

- Mr. Lourens and his family rented from Mr. Mika at Erf 8662. However, because he lost his work, they were unable to pay their rent and were forced to move out. Unfortunately, because the majority of the locations pointed to by the committees in DRC were already owned by someone else, they were forced to return to Erf 8662, where they built their own structures.
- However, during the Housing registration process in DRC, it was identified that there is a duplication of registered owners on the erf.
- According to Mr Soroseb, there are constant misunderstandings between his family and his neighbour who rents from Mr Mika. He further stated that this children's lives are at risk as the neighbour threatened to harm them and does not allow them to play in the open area.
- Mr Soroseb has visited the GM: Corporate Services and still awaiting

[Keywords]

2

feedback.

- The Mayor advised Mr Soroseb that the Office will seek guidance on home ownership and the process that transpired. She further advised the community member that in order to bring peace, he could relocate since Mr Mika had previously resided there and that they had first rented from him. However, family had concerns with the distance and other challenges that could result from their relocation.
- In light of this:
- The Mayor is seeking guidance on whether or not Mr Mika already has property and how Corporate Services can address this issue.

Coastal spinners

- The management of coastal spinners met the Mayor to address their concerns with reference to the present track.
- The Coastal spinners offers spin racing and advanced driving skills. Through this initiative, they are able to reach out to unemployed youth to focus on better options and in turn reducing the high rates of alcohol and drug abuse amongst the youth.

Financial impact

- They indicated that the track was not in a good condition and posed as a challenge for the spinners. thus, they are requesting for the Municipality to donate or assist with the upgrade of the track by providing interlocks whether second hand or not.
- They further mentioned that they water, electricity and toilets during their events as they currently make use of a generator.

Way forward and suggestions

- Mayor to engage Corporate Services to address the social challenges.
 - Coastal spinners to write a letter to the CEO with their requests and matter to be addressed at Council as land belongs to the Municipality.
-

11.1.7 **INVITATION: THE SWAKOPMUNDER KARNEVALSVEREIN (KÜSKA)**
(C/M 2025/08/28 - 7/2/2, 7/2/5)

Ordinary Management Committee Meeting of 14 August 2025, Addendum **8.3** page **21** refers.

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

1. Introduction

Attached is a letter from Karl-Heinz Schulte, the Chairperson of the Swakopmunder Karnevalsverein, for permission to hold the annual coastal carnival or Küsten karnival commonly known as Kūska. The letter serves to notify Council of the scheduled dates for the event. The letter also serves to request Council's participation and assistance in ensuring that the event is hosted successfully. Kūska Karneval is scheduled to take place from **18 September 2025 to 27 September 2025** in Swakopmund.

2. Background

Kūska is one of the biggest carnivals in the country, and it plays an important cultural role in Swakopmund. This year, the carnival will be organized under the motto "Eine Welt im Zirkuszelt" (The World is a circus).

3. Request from Organiser to Council

The organisers will be hosting their annual 'Narrenwecker' on **Saturday, 16 August 2025**, which would require the entire main street to be closed (both lanes in front of Nedbank) from **08H00 am** until **20H00 pm**. To help notify the public of the events planned, the organizers requested Council's permission to set up a banner between the palm trees at the corner of Daniel Tjongarero and Tobias Hainyeko from **10 August 2025** until **17 August 2025**. As this event will attract a large crowd, the organisers are also requesting Council's assistance in providing 10 rubbish bins to ensure no littering occurs. Additionally, the organisers request permission to put up signboards in the main street for the duration of the carnival (**10 August 2025 to 30 September 2025**).

4. Float Procession

The Swakopmunder Karnevalsverein is inviting Council to participate in the float procession on **27 September 2025**. The procession is planned on the same route as the previous years. Traffic Services Division will be contacted for the escort arrangements. Council resolved on **27 June 2024** under item 11.1.16 as follows:

- (a) That Council approves the request to hang a banner between the palm trees at the corner of Daniel Tjongarero and Tobias Hainyeko from 17 August 2024 until 29 August 2024.
- (b) That the General Manager: Health and Solid Waste Management assigns 10x rubbish bins to be placed at sites to be identified for the event.
- (c) That Council grants permission for the Karnevalsverein to put up signboards in the main street for the duration of the carnival (10 August 2024 to 30 September 2024).
- (d) That the Swakopmund Municipality participates in the float procession at Kūska on 28 September 2024.
- (e) That the Crane truck, Isuzu 250-N 8773 S, be used during the float procession and that ten (10) municipal volunteers participate and be provided with the following refreshments: 10x breakfast packs; 10x lunch packs; 10x cooldrinks; 10x water; 10x juices.

(f) That the funds for the refreshments and decoration of the truck (according to the theme) be defrayed from the Corporate Service's Publicity Vote 150515533000, where N\$57,884.84 is available.

Should approval be granted for municipal employees to participate in the carnival, the General Manager: Engineering Services is requested to provide the **Crane truck, Isuzu 250 - N 8773 S**, and a driver to be used for the float procession on **27 September 2025**. The truck should be decorated (according to the theme - (The World is a circus) "Eine Welt im Zirkuszelt") before the event; therefore, décor should be purchased at least two weeks in advance.

It is recommended that only ten (10) volunteers, including the driver, participate. Refreshments should be provided by Council for the volunteers as follows:

Breakfast	Lunch Packs	Beverages
Toasted bread or hot dogs	2x Salad with meat(pork / beef/chicken) or 2x Salad with boerewors/meatballs or Hamburgers & Chips	10x Juices 10x Water 10x Cooldrinks

The funds for decorating the truck and refreshments will be derived from the Corporate Services publicity vote. Decorations for the truck, according to the theme, and sweet treats for the kids should be purchased.

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

RECOMMENDED:

- (a) That Council approves the request to hang a banner between the palm trees at the corner of Daniel Tjongarero and Tobias Hainyeko from 10 August 2025 until 17 August 2025.
- (b) That the General Manager: Health and Solid Waste Management deliver 10x rubbish bins to be placed at sites to be identified for the event.
- (c) That Council grants permission for the Karnevalsverein to put up signboards in the main street for the duration of the carnival (10 August 2025 to 30 September 2025).
- (d) That the Swakopmund Municipality participates in the float procession at Kūska on 27 September 2025.
- (e) That the Crane truck, Isuzu 250 - N 8773 S, be used during the float procession and that ten (10) municipal staff member volunteers to participate in the float procession and be provided with the following refreshments:
 - 10x breakfast packs; 10x lunch packs at the cost of N\$2,300.00 and
 - 10x cooldrinks; 10x water; 10x juices at the cost of N\$2,313.58
- (f) That the permission be granted for decoration and refreshments for the staff members to be procured.
- (g) That the funds for the refreshments and decoration of the truck (according to the theme) be defrayed from the Corporate Service's Publicity Vote: 150515533000, where N\$169 559.57 is available.

16



SWAKOPMUNDER KARNEVALSVEREIN

Postfach 1111, Swakopmund (Namibia)
 Telefon: +264 64 415100 Fax: +264 64 415101
 EMail: khs@fcsnam.com

8/2/5
 21/2/24/1/3

The Town Clerk
 Swakopmund Municipality
 P.O. Box 53 Swakopmund
 Namibia
swkmun@swkmun.com.na

24 March 2025

For Attention: Mrs Ailie Gebhardt

Dear Madam,

RE: KÜSKA 2025

The Swakopmunder Karnevalsverein is currently organizing the annual Karneval event, with the Motto "Eine Welt im Zirkuszelt" (The world is like a circus). With this great event ahead of us, we require your friendly co-operation and trust that your assistance may once again be relied upon. This year Karneval starts with the Prinzenball on Thursday, the 18th September 2025 and ends with the Kehraus on Saturday, 27th September 2025.

We wish to draw your attention to the following points:

1. **NARRENWECKER – Saturday, 16th August 2025**

Our annual "Narrenwecken" will be held on Saturday, 16th August 2025 from 11:00 until approx. 18:00. We require your kind assistance in the following matter:

We would like to hold the Narrenwecken in the Main Street. The closure of both lanes in front of Nedbank would be required from 8:00 until 20:00. A detailed letter will be sent out to the Traffic Department regarding the above.

We also require your permission to put up a Banner in the palm trees at the corner of Daniel Tjongarero and Tobias Haiyeko Street as of 10th August 2025 until the 17th August 2025.

Furthermore, your assistance is also required to provide us with 10 rubbish bins.

2. **FLOAT PROCESSION – Saturday, 27th September 2025:**

The procession is planned on the same route as the previous years. Our "Zugmarshall" is Gernot Russmann. He will contact your Traffic Department for finer details. Your permission to hold the Float Procession will be highly appreciated. Details about the "Umtrunk" and handing over of the town key are addressed in the Mayor's invite.

We also request the permission to put up the same signboards as last year in the Main Street for the duration of the carnival (10th August 2025 to 30th September 2025).

It would be appreciated if you could acknowledge receipt of this letter and advise us whether the above would be in order.

Should you require further information, please do not hesitate to contact me.

Yours faithfully and 3x Küska

Karl-Heinz Schulte
 (Chairman)





02107111105001

Tuesday, 10 June, 2025

11:40:44

METRO C&C SWAKOPMUND

MCHUGH STREET
INDUSTRIAL AREA
SWAKOPMUND
PO BOX 1417 WINDHOEK

Quotation

Name	<COD> - <COD>	Phone	
Address		Fax	
		E-Mail	
Code		Quotation No.	105#002340
		Tracking No.	107111.105001
		Dated	2025/06/10 11:30:57
		Expiry Date	2025/06/17 23:59:58
		User	MICHAEL UIRAB

Code	Description	Unit Price	Qty	Disc	Total
5449000257560	SPARLETTA CAN CREAM SODA 24 x 300ML (24X300ML)	258.99	1.00	0.00	258.99
5449000140296	BONAQUA PREMIUM STILL WATER PET 24 x 500ML (4X	211.99	1.00	0.00	211.99
7622210957023	CHAPPIES BUBBLE GUM WATERMELON 1 x 100'S (1X10	86.99	5.00	0.00	184.95
600988519219	GOOD LUCK BRANDO POP APPLE 1 x 48'S (1X48'S)	48.99	5.00	0.00	244.95
6001120622794	BEACON FIZZERS S/BERRY AND APPLE 1 x 24'S (1X24	47.99	10.00	0.00	479.90
6009893755215	RICHESTER ECLAIRS ORIGINAL 1 x 100'S (1X100'S)	34.99	5.00	0.00	174.95
6001240239445	LIQUIFRUIT CAN CRAN COOLER 6 x 300ML (6X300ML)	79.99	1.00	0.00	79.99
6001240239414	LIQUIFRUIT CAN BERRY BLAZE 6 x 300ML (6X300ML)	79.99	1.00	0.00	79.99
6001240239537	LIQUIFRUIT CAN R/GRAPE 6 x 300ML (6X300ML)	79.99	1.00	0.00	79.99
6001240239506	LIQUIFRUIT CAN ORANGE 6 x 300ML (6X300ML)	79.99	1.00	0.00	79.99
6001120625184	BEACON SMOOTHIES GRAPE 50'S 1 x EACH (1X50'S)	19.99	6.00	0.00	119.94
16009710721251	SIMBA NIKNAKS BALER NEW MIXED 50 x 20G (50X20G)	62.99	5.00	0.00	314.95
Total			42.00	N\$ 0.00	N\$ 2 313.58

Remarks	Authorisation	Accept
	Signature	Signature
	Date	Date

Account
Details

11.1.8 **APPLICATION FOR THE SUBDIVISION OF ERF 69, TAMARISKIA, INTO PORTION A AND REMAINDER**
(C/M 2025/08/28 - T 69)

Ordinary Management Committee Meeting of 14 August 2025, Addendum **8.6** page **39** 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 subdivision of Erf 69, Tamariskia, into Portion A and Remainder.

2. Introduction and Background

An application for the subdivision of Erf 69, Tamariskia, into Portion A and Remainder was received by the Engineering and Planning Services Department from Stewart Planning Town & Regional Planners on behalf of the registered owners. The application is attached as **Annexure A**.

3. Ownership

The ownership of Erf 69, Tamariskia, vests in Mr. Wilson Goachab as held by Deed of Transfer T 6722/2008. See **Annexure B**.

4. Locality, Zoning and Size

Erf 69, Tamariskia is located at the corner of Smith Laan and Fransiska Van Neel Street. The Erf is zoned "single residential" with a density of 1:300m² and measures 798m² in extent. There are currently two dwelling houses on the site.

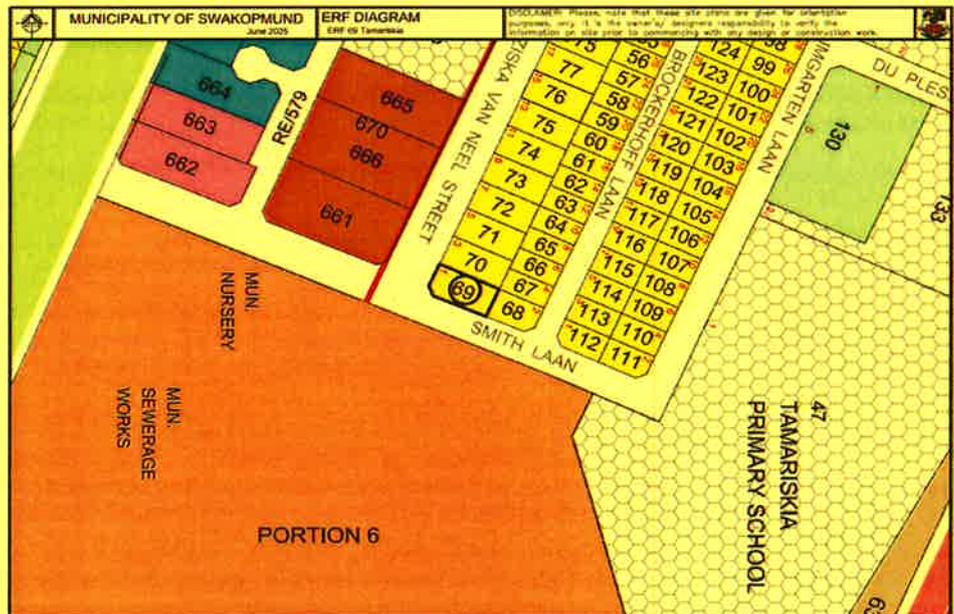


Figure 1: Locality of Erf 69, Tamariskia

5. Access, Parking and Municipal Services

Access to Erf 69, Tamariskia, is obtained from Smith Laan and Fransiska Van Neel Street and will be maintained for the Remainder as well as the newly created portion. The Erf is located in an area that is already connected to the services network. There are no conditions or servitudes registered against the erf that could affect the proposed subdivision. The provision of municipal services to the newly created erven will be for the account of the applicant to the satisfaction of the General Manager: Engineering and Planning Services.

6. Public Consultation

The public consultation for the proposed subdivision was done in terms of Section 107 and Regulations 10 & 12 of the Urban and Regional Planning Act, Act No. 5 of 2018. It was advertised in the Namib Times and the Namibian newspapers on the 31st January 2025 & 7th February 2025, and in the Government Gazette Number 8570 of 31st January 2025, Item No. 69. The neighbouring property owners were notified in writing of the development proposal. A notice was additionally placed on Council's notice board as well as on-site. The last date to submit objections and comments was the 27th December 2024. No objections were received.

Neighbouring property owners were notified in writing of the intent via registered mail. The last date for the submission of comments was the 27th February 2025. No objection was received by the closing date. Please see the proof of notice report attached as **Annexure C**.

7. Development Proposal

It is the intention of the owners of Erf 69, Tamariskia, to subdivide the Erf into two portions, in order to sell the one portion and retain the other. The current density of 1:300m² will be maintained for both portions.

The proposed subdivision will have the following effect:

Erf No	Zoning	Density	± Area (m²)
Portion A	Residential	1:300	432
RE/69	Residential	1:300	366
TOTAL			798

8. Evaluation

The proposed subdivision is achievable as the newly to be created erf will remain single residential and falls within the density zoning of the area, which is 1:300m².

In terms of Section 59 and 66 (k) of the Urban and Regional Planning Act, (Act no 5 of 2018), an endowment fee "must be made to a local authority or the State in trust for a future local authority" read in conjunction with Regulations 17 (d) of the Act, which stipulates that "a proof of payment of the endowment" before the Registrar of Deeds register the transfer of any portion which is subject to a condition of endowment. Furthermore, the Swakopmund Council's Property Policy stipulates that an endowment fee should be levied at a rate of 7,5% of the land value (market value as determined by the Municipal Valuer) of the first 10 erven created.

Therefore, the subdivision of Erf 69, Tamariskia into Portion A and Remainder be subject to a 7.5% compensation fee with respect to the endowment calculated according to Regulation 9 (b) relating to the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) read in conjunction with the Swakopmund Municipality Property Policy.

9. **Conditions to be Registered.**

The current title conditions registered against Erf 69, Tamariskia be retained and be registered against newly created Portion A and the Remainder of Erf 69, Tamariskia.

10. **Conclusion**

The proposed subdivision of Erf 69, Tamariskia, into Portion A and Remainder is not expected to perturb the character of the neighbourhood. It can therefore be supported.

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

RECOMMENDED:

- (a) That the subdivision of Erf 69, Tamariskia, into Portion A and Remainder as per the table below be approved:

Portion Number	Size in m²	Zoning
Portion A	432	Single Residential
Rem/69	366	Single Residential
Total	798	Single Residential

- (b) That conditions registered against Erf 69, Tamariskia, be retained and be registered against the newly created Portion A and the Remainder of Erf 69, Tamariskia.
- (c) That the subdivision of Erf 69, Tamariskia, be subject to a compensation fee (endowment fee) of 7.5% as provided for in terms of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018), as well as the Municipality of Swakopmund Property Policy.
- (d) That all additional infrastructure to be required as a result of the proposed development be for the account of the applicant and in accordance with the specifications of the General Manager: Engineering and Planning Services.
- (e) That no building plans, inclusive of relaxation of building lines or aesthetics application, be approved until proof of payment of the compensation (endowment) fee for the subdivision has been received by Council.
- (f) That the applicant provides proof that the subdivision of Erf 69, Tamariskia, into Portion A and Remainder has been approved by the Minister of Urban and Rural Development and provides Council with an approved diagram before any submission of building plans to the Engineering and Planning Services Department for approval, and
- (g) That the on-site parking requirements be as per the Swakopmund Zoning Scheme.
-

22.03.03.69

T 69



STEWART PLANNING
TOWN & REGIONAL PLANNERS

First Floor 122 On Main
122 Sam Nujoma Avenue
Walvis Bay

P O Box 2095
Tel: (064) 280 770
Email: mains@stplanning.com.na

Reference: 69_T

03 March 2025

APPLICATION FOR THE SUBDIVISION OF ERF 69 TAMARISKIA EXT 1

Subdivision into Portion A and the Remainder.

Submission to:

Chief Executive Officer
Municipal Council of Swakopmund
c/o Rakotoka Street and Daniel Kamho Avenue
PO Box 53
Swakopmund

Prepared for:

Wilson Gaochab
P.O Box 1350
Swakopmund

Prepared by:

Stewart Planning
Town & Regional Planners
First Floor 122 On Main
122 Sam Nujoma Avenue
P.O. Box 2095
Walvis Bay



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Annexures:

- Annexure A: Copy of the Power of Attorney
- Annexure B: Copy of the Deed of Transfer
- Annexure C: Locality Map
- Annexure D: Subdivision Plan
- Annexure E: Conditions to be registered
- Annexure F: Proof of Consultation



3.2. Size, Zoning and Land Use

The site measures ±798m² in extent. In terms of the Swakopmund Amendment Scheme No.12 the site is zoned "Single Residential" with a density of 1:300m². It is therefore theoretically possible to subdivide the site into 2 ≥300m² erven.

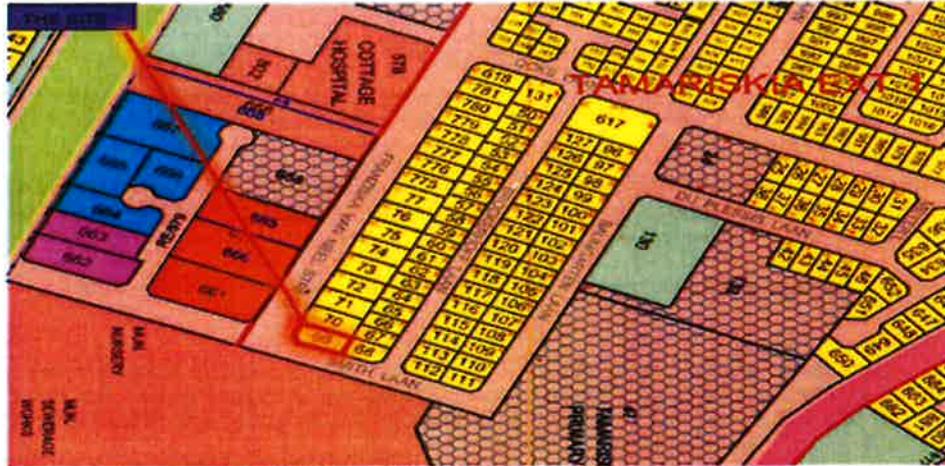


Figure 2: Cadastral boundary of Erf 69 Tamariskia Extension 1 and surrounding area.

The site has been developed and consist of two dwelling units (houses) (see Annexure F). The location of the existing dwelling units makes it possible to physically subdivide the site into 2 ≥300m² erven.

3.3. Ownership

The site is owned by Wilson Goachab in terms of the Deed of Transfer No. T 6722/2008 attached as Annexure B.

Stewart Planning has the authority to act on behalf of the registered owner for the proposed subdivision via a signed Power of Attorney attached as Annexure A.

4. Proposed Subdivision

The intention is to subdivide the site into Portion A and Remainder as proposed in Table 1 below and Figure 3 (subdivision plan) on the next page. The subdivision plan is attached as Annexure D.

Table 1: Proposed Subdivision Schedule.

ERF NO	CURRENT ZONING	AREA
Portion A	Single Residential (1:300m ²)	±432m ²
Rem. Erf 69 Tamariskia Ext 1	Single Residential (1:300m ²)	±366m ²
TOTAL		±798m ²

The subdivision is achievable as the newly to be created Portion A and Remainder will share the same zoning and density which is "Single Residential with a density of 1:300m²."



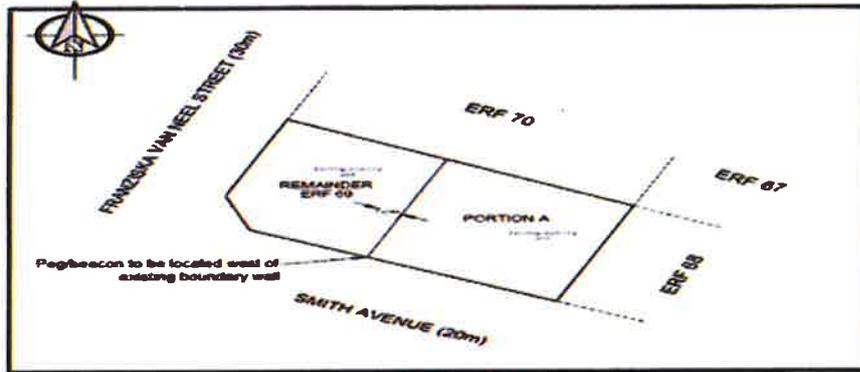


Figure 3: Subdivision Plan

4.1. Impact on Neighbourhood

The immediate and surrounding area mostly comprises high density residential developments, office/business complexes and private medical centres. This subdivision will not diminish or slow the urban character of this neighbourhood. Therefore, from a town planning point of view the subdivision of the site into Portion A and Remainder is welcomed and supported as it would not change the amenities of the surrounding area.

4.2. Impact on Traffic and Access

The intended subdivision is not envisioned to cause a possible over congestion of the available road space. Only a maximum of 1 dwelling unit and related outbuildings will be allowed as per the permissible zoning and density on each erf.



Figure 4: Aerial photo of the site.

Franziska Van Neel Street and Smith Laan are wide enough and have on-site street parking spaces as can be seen in figure 4 above.

Most importantly, the proposed subdivision will maintain the current access points. This is a motivating factor that supports the notion that no congestion or accidents will happen because of the proposed subdivision, as the status quo access to the site remains the same.

4.3. Parking Requirements

All parking requirements will be provided on-site in terms of the Swakopmund Zoning Scheme. Given the potential of the land is not yet maximised (fully developed) all required parking will be provided on-site as is the case currently.



4.4. Impact on Services

The provision of services is compensated for in the following manner:

1. Payment of a once-off 7.5% endowment fee for the newly created Portion A will help the Swakopmund Municipality to upgrade and/or maintain its overall bulk infrastructure and,
2. Provision and installation of service connections if need be to the newly created Portion A, at the developer's cost, to the satisfaction of the Local Authority, Erongo RED, and Telecom Namibia.

5. Need and Desirability

The site is large enough to accommodate this subdivision. The present practise of a single house on a large plot has been the main cause of remarkably high and unsustainable urban sprawl. As mentioned earlier there is currently two (2) dwelling units (houses) on the site.

For all intents and purposes, the subdivision will merely formalise an existing situation on the site and should therefore be encouraged. The subdivision cannot be termed as densification as the level is insignificant and it will not disturb the existing urban environment or surrounding area.

Furthermore, this proposed subdivision will complement the Municipal Council of Swakopmund objective of supplying erven to the residents of the town for residential development.

6. Compliance with Policy and Legislation

Several statutory documents and policies are applicable when it comes to the proposed subdivision. This section provides an overview of these statutory/policy provisions.

6.1. Swakopmund Zoning Scheme

The Swakopmund Zoning Scheme sets out the zoning and permitted density for residential erven in Swakopmund. The proposed subdivision will retain the same zoning and density and therefore is fully in accordance with the Swakopmund Zoning Scheme. Any building alterations or future extensions will be subject to the building regulations of the Council.

6.2. Title Deed Conditions

There are no title deed conditions that restrict or prevent the proposed subdivision.

6.3. Alan Panhandles Guidelines

No panhandles will be created for the proposed subdivision. The subdivision will enable Portion A to directly obtain access from Franziska Van Neel Street and the Remainder Erf will also directly obtain access from Smith Laan as indicated in Figure 3 on page 5.

6.4. MURD Town Planning Standards and Urban Design Guidelines

The proposed subdivision is in accordance with the Ministerial Town Planning Standards and Urban Design Guidelines.

The proposed subdivision will create erven much larger than the Namibian minimum residential erf size requirement of $\geq 300\text{m}^2$. The proposed subdivision will also not cause a congestion of the available road space. No access will be taken from a main or bypass road but rather from two urban streets, which is the current access points, therefore no building restrictions apply.



No Environmental Clearance Certificate is required for the subdivision in terms of the Environmental Management Act, 2007 (Act 7 of 2007) as amended.

Therefore, the proposed subdivision is in accordance with Ministerial Town Planning Standards and Urban Design Guidelines.

6.5. Endowment Fee

As indicated earlier in section 4.4.1, page 6, a once-off 7.5% endowment fee for the newly created Portion A should be charged as compensation to assist the Municipal Council to upgrade and/or maintain its overall bulk infrastructure.

7. Public Consultation

A notification of the proposed subdivision was done in accordance with section 107 and Regulation 10 of the Urban and Regional Planning Act. The proof of consultation is attached as Annexure F.

8. Summary

- This application is submitted on behalf of Wilson Goachab, the registered owner of Erf 69 Tamariskia Extension 1 to subdivide into Portion A (±432m) and Remainder (±366m).
- Application is made to the Local Authority following the procedures of the Urban and Regional Planning Act of 2018, to obtain approval for the proposed subdivision.
- The owner intends to separate the two (2) dwelling units currently on-site, by creating 2 freehold erven through the subdivision.
- The proposed subdivision is fully in accordance with the applicable town planning policies and legislation.

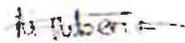
9. Recommendation

Application is hereby made to the Municipal Council of Swakopmund for its consideration for the following:

Subdivision of Erf 69 Tamariskia Extension 1 into Portion A (±432m) and Remainder (±366m) in terms of Section 105(1)(e) of the Urban and Regional Planning Act, 2018 (Act No. of 2018) and its Regulations.

We hope and trust the above recommendation and proposed subdivision meets your favourable approval and we look forward to receiving the Council's approval for the subdivision application. In the meantime, should you require any additional information please do not hesitate to contact me.

Yours faithfully,



Mario Mberira

Registered Town & Regional Planner in Training (NCTRP)



Tel: +264 64 280 770 | Email: mario@sp.com.na





SPECIAL POWER OF ATTORNEY

I, the undersigned,

WILSON GOACHAB

being the registered owner of
ERF 69 TAMARISKIA

do hereby nominate, constitute and appoint

STEWART PLANNING – TOWN AND REGIONAL PLANNERS
P O BOX 2095, WALVIS BAY, NAMIBIA

with the power of substitution, to be my lawful Attorney and Agent in my name, place and stead, to make the necessary application to the Municipal Council of Swakopmund and/or the Urban and Regional Planning Board, Ministry of Urban and Rural Development for the

SUBDIVISION OF ERF 69 TAMARISKIA INTO 2 NEW PORTIONS

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.

thus signed at Swakopmund

on this 6th day of January 2025, in the presence of the undersigned witnesses:


.....
WILSON GOACHAB

WITNESSES

1)

Name

Carmen Titus

Signature

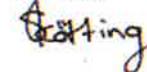


2)

Name

Simone Ketting

Signature



25 NOV 2008

DEED OF TRANSFER

T-6722 120

ENGLING, STRITTER & PARTNERS

Attorneys, Notaries and Conveyancers

P.O. Box 43

12 Love Street

REPUBLIC OF NAMIBIA
 DEPARTMENT OF LAND AND MINERAL RESOURCES
 REGISTRAR OF DEEDS
 WINDHOEK

Prepared by
 CONVEYANCE
 BEZUIDENHOUT

NO. B 2559 / 2008
 MORTGAGED NO. B 000-00 (with preference for for NS 220 000-00) an additional amount not exceeding NS 55 000-00
 DEEDS OFFICE WINDHOEK
 Deputy Registrar of Deeds

NO. B 3497 / 2008
 MORTGAGED NO. B 514 120-00 (with preference for for NS 128 530-00) an additional amount not exceeding NS 128 530-00
 DEEDS OFFICE WINDHOEK
 Deputy Registrar of Deeds

T-6722-2008

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN:

THAT CLIFFORD BEZUIDENHOUT

appeared before me, Deputy Registrar of Deeds, at Windhoek he, the said appearer, being duly authorised thereto by a Power of Attorney granted to him by

BRIAN GERHARD TUZEMBEHO

Born on 18 August 1976

And

CATHEAN DIVINE TUZEMBEHO

Born on 28 March 1974

Married in community of property to each other

dated the 7th day of NOVEMBER 2008 and signed at SWAKOPMUND,

AND the said appearer declared that his said Principal had truly and lawfully sold on 3 SEPTEMBER 2008

AND that he in his capacity aforesaid, did, by these presents, cede and transfer, in full and free property, to and on behalf of

WILSON GAOCHAB

Born on 8 January 1968

Unmarried

His Heirs, Executors, Administrators or Assigns.

CERTAIN ERF NO 69 TAMARISKIA

SITUATE IN THE MUNICIPALITY OF SWAKOPMUND
REGISTRATION DIVISION "G"
ERONGO REGION

EXTENT 798 (Seven Nine Eight) SQUARE METRES

FIRST transferred by Deed of Transfer No T 2331/1983 with General Plan S.G. No A21/1964 relating thereto

AND HELD BY DEED OF TRANSFER NO T 4109/2005

SUBJECT to the following conditions in terms of the Town Planning Ordinance No 18 1954 as amended, namely:

IN FAVOUR OF THE LOCAL AUTHORITY

- A. The erf shall only be used or occupied for purposes which are in accordance with, and the use or occupation of the erf shall at all times be subject to, the provisions of the Swakopmund Town Planning Scheme prepared and approved in terms of the Town Planning Ordinance 1954 (Ordinance 18 of 1954) as amended.
- B. 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.

|

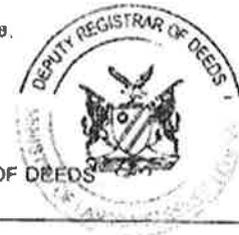
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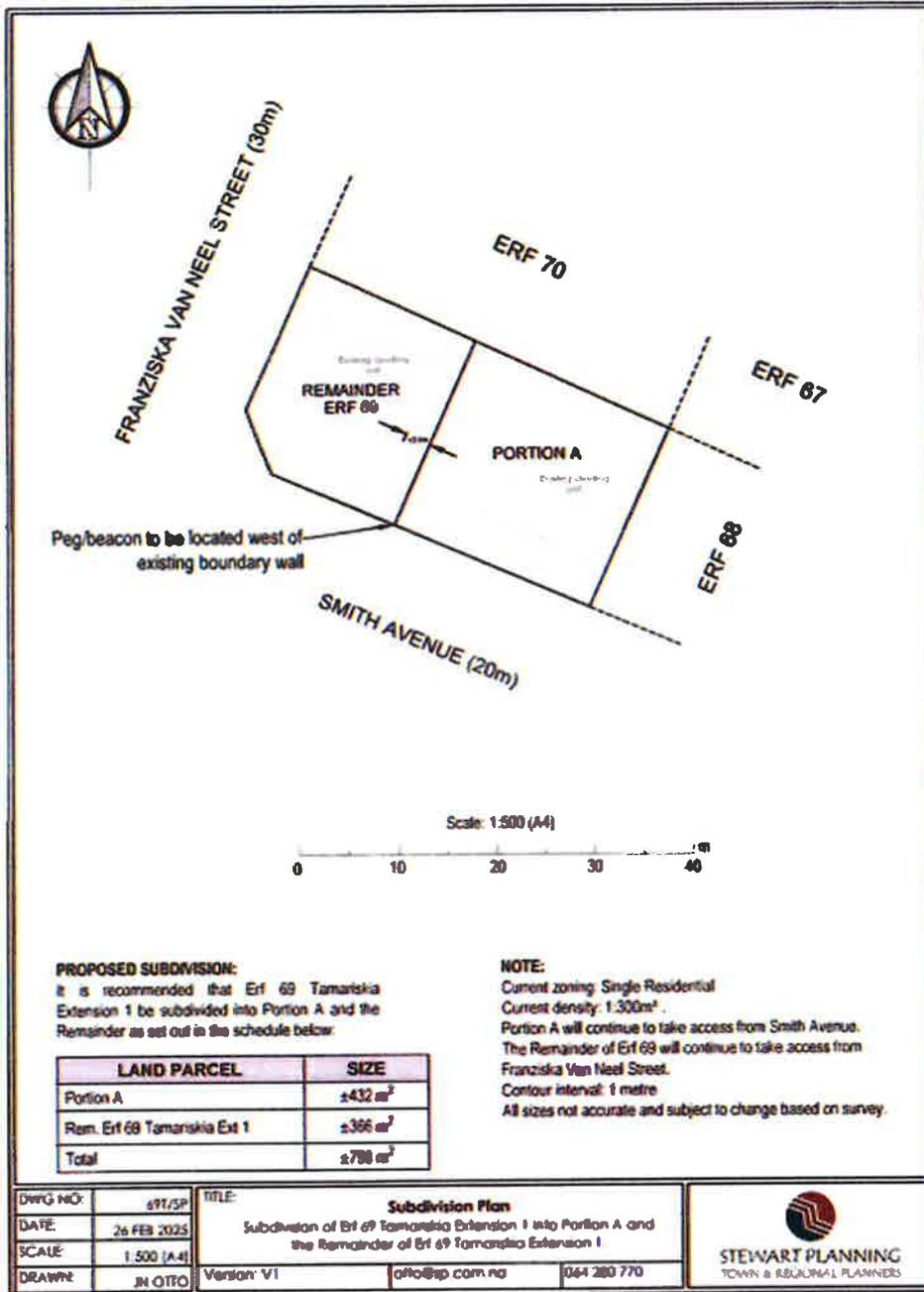
WHEREFORE the appearer, renouncing all the rights and title which the TRANSFEROR heretofore had to the premises, did, in consequence also acknowledge them to be entirely dispossessed of and disentitled to the same and that, by virtue of these presents, the said TRANSFEREE, His Heirs, Executors, Administrators, 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\$220 000,00.

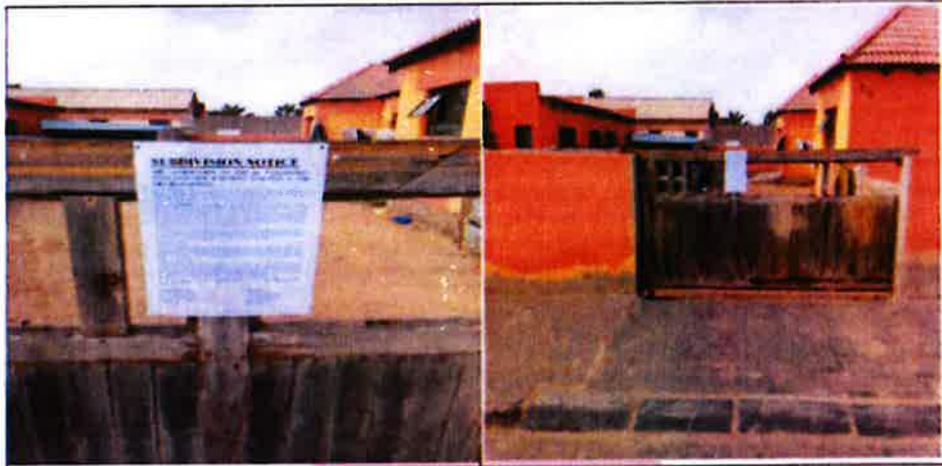
SIGNED at WINDHOEK, on 02 DEC 2008
together with the appearer, and confirmed with my seal office.

SIGNATURE OF APPEARER


In my presence.


REGISTRAR OF DEEDS






Figures 1 & 2: Photos of the site notice on the southern boundary of Erf 69 Tamariskia Extension 1 (Smith Avenue)



Figures 3 & 4: Photos of the site notice on the western boundary of Erf 69 Tamariskia Extension 1 (Franziska Van Neel Street)

The last publication date in the newspapers was Friday, 07 February 2025 and the deadline for representations, comments and/or objections was before or on 17:00 on Thursday, 27 February 2025. This afforded interested and affected parties more than 14 working days to make representations, comments and/or objections as required by Regulation 11(d) of the Act.

2. Comment, representation and objection

There were no written representations, comments or objections received from any interested and affected party by the due date.

3. Recommendation

It is recommended that the Municipal Council considers favourably the application and further recommends for approval to the Urban and Regional Planning Board.

Classifieds



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Only short-listed candidates will be contacted

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Matutura Secondary School A Story of Transformation and Hope

By *Sharon van der Schyf*

Matutura Secondary School, once a place of struggle and frustration, is now a shining example of transformation, discipline, and hope. Just a year ago, the school faced challenges with student discipline, lack of motivation, and an environment that did little to inspire learning. However, since Mrs Lesadie Rold took over as principal in February last year, the school has undergone a remarkable turnaround, proving that with strong leadership, determination, and support, even the most challenging situations can be transformed.

Before Mrs Rold's appointment, the school faced daily fights, lack of discipline, and a discouraging atmosphere. Today, the atmosphere has completely changed. On

Monday, South African students welcomed the discipline and respect among students. After five weeks, learners quickly formed a bond and

made their way to their classrooms without a fuss, right like they would have been unimaginable a year ago. Mrs Rold has not only instilled discipline but has also fostered a sense of belonging and hope among the students, many of

whom come from disadvantaged backgrounds. With improved academic structure and mentorship, these learners now see their education as a pathway to a better future rather than an obligation. Built just three years ago to accommodate



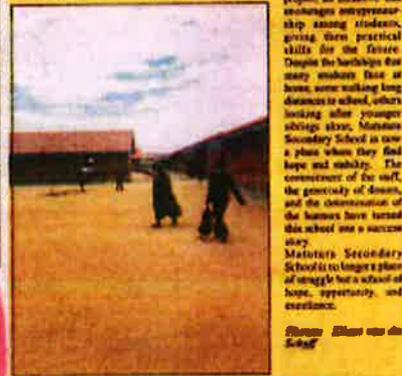
the increasing number of students struggling to secure enrollment in other schools, Matutura Secondary has quickly become a crucial institution in Swakopmund. Despite only six weeks, the school is now a place where learners are thriving. They are eager to be part of projects that will improve their lives and contribute to their community. The school has recently taken a major step into the digital age, thanks to a generous donation from Swakopmund. A brand-new computer laboratory at 16907 228, was officially handed over, providing students with 20 new internet-connected computers. This initiative ensures that learners have access to technology, equipping them with

essential skills for the future. During the handover, Elected Councillor Neville Andrié praised Mrs Rold's leadership, describing her as a passionate and dedicated educator. He encouraged learners to embrace the opportunities before them, reminding them that their current circumstances do not define their future. His personal story of moving school without their resources deeply with the students, inspiring them to persevere despite challenges. The transformation of Matutura Secondary School has been possible not just through financial support, but also through strong community support. Companies and individuals have stepped up to help Swakop-

mund has not only funded the computer lab but also started the construction of the school's boundary wall, ensuring a safer learning environment. Existing foundations constructed within and around the computer lab (Hybrid Learning) owned by Susan Glimmer and Zolinda Glimmer, donated stationary packs, inspired by their daughter April's wish to support students. Each pack contained two pens, a pencil, an eraser and a sharpener. A needs-based relief initiative provided by the school to two students, including stationary packs, soap, toothpaste, nail-care products, and a sweet treat. Additional support has supported the "Business in a Box" project, an initiative that encourages entrepreneurship among students, giving them practical skills for the future. Despite the challenges that many students face at home, some walking long distances to school, others lacking other younger siblings at home, Matutura Secondary School is now a place where they find hope and stability. The commitment of the staff, the generosity of donors, and the determination of the learners have turned this school into a success story.

Matutura Secondary School is no longer a place of struggle but a school of hope, opportunity, and excellence.

Sharon van der Schyf



MUNICIPALITY OF SWAKOPMUND

CONSENT UNDER SECTION 10 OF THE DEVELOPMENT ZONING ACT OF 2018 (AS AMENDED) FOR THE SWAKOPMUND ZONING SCHEME

Notice is hereby given in terms of Clause 6 of the Development Zoning Scheme that the Municipal Council considers the following proposed use, location of buildings and use of land, details of which are submitted to the General Manager: Engineering & Planning Services.

- Erft 234 (11th Avenue) Swakopmund 2. Special consent for a Special Occupancy - Administrative Office.
- Erft 2802, 2814 & 2816 (Kwango Street) Swakopmund 3. Special consent for a Planned Occupancy - Administrative Office.
- Erft 2278, 82 (Tumula Street) Swakopmund 3. Special consent for a Planned Occupancy - Administrative Office.

Contact Person: Ms J. Hülthoff (Manager: Urban Planning) Tel: +264 (0)6 200 42000

A Swakopmund Chief Executive Officer

NOTICE OF THE CONSENT APPLICATION IN TERMS OF THE WALVIS BAY TOWN PLANNING SCHEME

CONSENT: Self-Catering Accommodation Facility OVER ERFT NO. 104 TOWNSHIP/AREA: Dolphin Beach STREET NAME & NO: Damsen, Tom Street, 104.

In terms of the Walvis Bay Town Planning Scheme, notice is hereby given that I, the undersigned, have applied to the Walvis Bay Municipality for permission to erect/establish on the site a/n: Self-Catering accommodation Facility.

Plans may be inspected on 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 Bag 5017, Walvis Bay and the applicant, in writing, not later than 14 February 2025.

NAME AND ADDRESS OF APPLICANT:
Kennedy Motswane, P.O. Box 2017, Walvis Bay
Email: motswane@gmail.com

NOTICE IN TERMS OF THE URBAN AND REGIONAL PLANNING ACT OF 2018 AND WALVIS BAY ZONING SCHEME

Swakopmund Planning intends to apply to the Municipality of Walvis Bay, and the Ministry of Urban and Rural Development for the following:

- Erft 28 Dolphin Beach (Current street) Rezoning from Single Residential with a density of 1:500m² to Single Residential with a density of 1:200m², and subsequent subdivision into Portion 1 (0,455ha) and the Remainder Erft 28 (0,525ha).
- Erft 1143 Mowand (unregistered portion of Erft 113 Mowand) situated on the corner of Fourth Road (North) and Second Road West; Subdivide into Portion 1 (0,305ha) and the Remainder Erft 1143 (0,077ha).

The aforementioned applications are 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 documents has open for inspection, during normal office hours, at Rooms 101, Town Planning Section of Municipality of Walvis Bay, Civic Centre, and at Swakopmund, 122 San Salazar Avenue, Walvis Bay. An electronic copy can be requested from Mrs Melissa Krause: melissa.krause@swakopmund.com.na
- (b) any person having comments or objections to the applications, 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 Swakopmund Planning within 14 days of the last publication of this notice;
- (c) the decision to reject written comments, representations, input and/or objections will be on or before 17:00 Friday, 28 February 2025.

Applicant: Swakopmund Town & Regional Planning PO Box 2005 Walvis Bay swakopmund@swakopmund.com.na 064 200 771

Local Authority: Chief Executive Officer Municipality of Walvis Bay Private Bag 1617 Walvis Bay swakopmund@swakopmund.com.na 064 201 1129

THE SUBDIVISION OF ERFT 46, TANAKULISA INTO TWO NEW PORTIONS (PORTION A AND THE REMAINDER)

Swakopmund Planning intends to apply to the Municipality of Swakopmund, and the Ministry of Urban and Rural Development, and the Ministry of Environment, Forestry and Tourism for the following statutory approvals:

Erft 46 Tanakulisa (1. Franklin Van Nest Street) subdivides into two portions (Portion A and Remainder). The site measures a 1970m² in extent and is zoned Single Residential with a density of 1:300 in terms of the Swakopmund Zoning Scheme. The site is currently occupied by two dwelling units and thereon, it is the intention of the owner to create two free standing dwelling units (houses) with the proposed subdivisions.

The application is submitted in terms of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), Swakopmund Zoning Scheme, as amended, and/or the Environmental Management Act, 2007 (Act No. 7 of 2007).

Take note that:

The pre-application information document has open for inspection at the Town Planning Department of the Swakopmund Municipality, on the corner of Rakulika and Damsen (Kaiser Street) Swakopmund, or can be requested from swakopmund@swakopmund.com.na.

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 Swakopmund Municipality and with Swakopmund 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.

Local Authority: Chief Executive Officer Municipality of Swakopmund PO Box 33 Swakopmund swakopmund@swakopmund.com.na 064 419 6483

Applicant: Swakopmund Town & Regional Planning PO Box 2005 Walvis Bay swakopmund@swakopmund.com.na 064 200 771

11.1.9 **SUBDIVISION OF ERF 492 MATUTURA, EXTENSION 1 INTO PORTION A AND REMAINDER**
(C/M 2025/08/28 - E 492 M)

Ordinary Management Committee Meeting of 14 August 2025, Addendum 8.7 page 61 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 subdivision of Erf 492, Matutura, Extension 1, into Portion A and Remainder in terms of Section 105 (1) (e) of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018).

2. **Introduction and Background**

A subdivision application was received by the Engineering and Planning Services from van der Westhuizen Town Planning and Properties cc on behalf of the registered owners, Mr Eliud Shambekela Akaupa Nyambali. The application is attached as **Annexure A**.

3. **Ownership**

Ownership of Erf 492, Matutura, Extension 1, is held in the Deed of Transfers T 0618/2025 and vests in Mr. Eliud Shambekela Akaupa Nyambali. Proof of ownership has been attached together with the application.

4. **Zoning, Locality and Size**

Erf 492, Matutura Extension 1 is zoned "General Residential 2" with a density of 1:250m². The erf is situated along Shipala Tobias and Marjoram Street. It measures 1385m² in extent, and it is currently vacant.



Figure 1: Erf 492, Matutura Ext 1 locality and zoning map

5. **Access, parking and municipal services**

Access to Erf 492, Matutura, Extension 1, is obtained from Marjoram Street. Portion A will obtain its access from the same street, through a 4m panhandle.

The property is already connected to the existing municipal service networks. 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 Notification**

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) immediate neighbours were consulted.

The closing date for objections or comments was Thursday, 18th of March 2025. No objections were received.

7. **Proposal**

The owner of Erf 492, Matutura Extension 1, intends to subdivide the erf into two almost equal portions, construct his personal dwelling house on the one property and alienate the other.

The table below illustrates the subdivision proposal:

Erf Number	Size in hectares	Zoning
Portion A	691.5	General Residential 2
Remainder 492	693.5	General Residential 2
Total	1385	

Table 1: proposed subdivision sizes

8. **Evaluation**

In accordance with Clause 5(c) under 2.3 (a) of the Swakopmund Zoning Scheme, there are minimum prescribed erf sizes for this zone, which are 900m² for townhouses and 1000m² for residential buildings and blocks of flats. Erf 492, Matutura Extension 1 is zoned general residential 2 with a density of 1:250m². After subdivision, each erf will measure 691.5m² and 693.5m², respectively, which is less than the minimum prescribed erf size.

After subdivision, the property owner might attempt to put up townhouses, residential buildings or blocks of flats because the zoning allows it, even though the size does not conform. To avoid speculation, it is advised that both Portion A and the Remainder be rezoned to single residential to conform to the character of the neighbourhood when it comes to erf sizes and zonings. The applicant stated in the application that *"the intentions will correspond well in terms of the surrounding single residential even that already range between 400m² to 700m²."*

There were several applications of a similar nature within the vicinity of Matutura. Erven 1440, 1444, 1445, 1266 Matutura, Extension 7 and 595, Matutura, Extension 2, respectively, were subdivided into smaller parcels and rezoned from general residential 2 to single residential.

In terms of the National Policy on panhandles by the Association for Local Authorities in Namibia (ALAN), a minimum width of 4m is required if it provides access to between 1 and 2 dwelling units. Portion A will be accessed via a panhandle.

In terms of Section 59 and 66 (k) of the Urban and Regional Planning Act, (Act No. 5 of 2018), an endowment fee "must be made to a local authority or the State in trust for a future local authority" read in conjunction with Regulations 17 (d) of the Act, which stipulates that "a proof of payment of the endowment" before the Registrar of Deeds register the transfer of any portion which is subject to a condition of endowment. Furthermore, the Swakopmund Council's Property Policy stipulates that an endowment fee should be levied at a rate of 7,5% of the land value (market value as determined by the Municipal Valuer) of the first 10 erven created.

9. **Title Deeds Conditions**

The current title deed conditions registered against Erf 492, Matutura, Extension 1, should be retained and be registered against the newly created Portion A and the Remainder of Erf 492, Matutura, Extension 1.

10. **Conclusion**

The proposed subdivision of Erf 492, Matutura, Extension 1, into Portion A and Remainder, can be supported on condition that the applicant agrees to rezone Portion A and the Remainder of Erf 492 from general residential 1 with a density of 1:250m² to single residential, in order to conform with the provisions of the Swakopmund Zoning Scheme regulations.

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

RECOMMENDED:

- (a) **That the subdivision of Erf 492, Matutura, Extension 1, into Portion A and Remainder be approved on condition that Portion A and the Remainder of Erf 492, Matutura, Extension 1 be rezoned from general residential to single residential.**
- (b) **That the applicant agrees in writing that they accept condition (a) above.**
- (c) **That upon acceptance of the rezoning condition, the applicant undertakes the notification procedure for the rezoning in accordance with Regulation 10 of the Urban and Regional Planning Act, 2018, before applying to the Urban and Regional Planning Board, provided that no objection to the proposed rezoning.**
- (d) **That should there be objections against the rezoning, such objections should be submitted to Council for consideration before an application to the Urban and Regional Planning Board is made.**
- (e) **That the panhandle be not less than 4m in width and be in accordance with the national design standards.**
- (f) **That the subdivision of Erf 492, Matutura Extension 1, be subject to a compensation fee (endowment fee) of 7.5% as provided for in terms of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018), as well as the Municipality of Swakopmund Property Policy.**

- (g) **That all additional infrastructure to be required as a result of the proposed development be for the account of the applicant and in accordance with the specifications of the General Manager: Engineering and Planning Services.**
 - (h) **That no building plans, inclusive of relaxation of building lines or aesthetics application, be approved until proof of payment of the compensation (endowment) fee for the subdivision has been received by Council.**
 - (i) **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 FORM

22.03.11.492

E 492 M

TOWN PLANNING & PROPERTIES

PO BOX 1598
 SWAKOPMUND, NAMIBIA
 +264 81 122 4961
 +264 81 122 4961
 info@swakopmund.na

**Chief Executive Officer
 Municipality of Swakopmund
 PO Box 63
 Swakopmund
 Namibia**

**7 April 2025**

Dear Sir,

**APPLICATION FOR THE SUBDIVISION OF ERF 492, MATUTURA, EXTENSION NO. 1
 SWAKOPMUND INTO PORTION A AND REMAINDER.**

Application is herewith made, on behalf of the registered owner of Erf 492, Matutura, Extension No. 1, Swakopmund, Mr. ELIUD SHAMBEKELA AKAUPA NJAMBALI for the Subdivision of Erf 492, Matutura, Extension No. 1, into Portion A and Remainder (**Annexure C1**).

1. BACKGROUND

The owner of the property wishes to create two individual properties to construct residential dwellings on each of the properties with their associated outbuildings. The one property will become the permanent residence of the owner while the other will be rented out or possibly sold in future. The property is large enough to create two erven of approximately 691m² each.

2. LOCALITY, ZONING AND ERF SIZE

Erf 492, Matutura, Extension No. 1, Swakopmund, currently measures approximately 1385m² in extent and is located along Marjoram Street in Matutura (**Annexure A**). The erf is located in an area where the average Erf sizes range from 400m² to 700m² for the residential use. Erf 492 is zoned as General Residential 2 with a density of 1:250m².

3. OWNERSHIP

According to the Deed of Transfer Nr. 0618/2025, ownership Erf 492, Matutura, Extension No. 1, Swakopmund, currently vests with Mr. ELIUD SHAMBEKELA AKAUPA NJAMBALI (**Annexure B1**). Power of Attorney from the owner is attached as **Annexure B2**. The exist no conditions within the Deed of Transfer that prohibits the intended intention to subdivide the property.

4. ACCESS TO THE PROPERTY

Access to the property is currently obtained from Marjoram Street. No change in access is envisaged and access is to remain the same. Once the subdivision is completed the new portion will also obtain access from the same street. If and when any other needs in terms of access might arise such needs shall be communicated to the relevant authority for consideration.

5. TOPOGRAPHY

Erf 492, Matutura, Extension No. 1, Swakopmund is relatively flat with no natural features on it. The surrounding area is relatively developed already and it is expected that the remaining erven will also be developed in the near future. This in itself is a good indication that soil conditions are stable and suitable for the proposed intentions of our client.

6. INFRASTRUCTURE

The area is already serviced with the basic services and the property is already connected to the service infrastructure. Any additional requirements that the owner might envisage shall be communicated the relevant institutions and will be for the account of the owner. It is not envisaged that any special infrastructure and service requirements will be of any concern as it is a normal subdivision creating a new erf that requires basic services.

7. PARKING

As with all developments and land uses intended to be practiced on any site, the use of the site must comply with the provision of the Swakopmund Town Planning Scheme. As such, all parking requirements shall be calculated according to the provisions as contained within the Scheme the specific land use zone.

8. MOTIVATION AND INTENTION

It is the intentions of the client to subdivide the property into two portions that is almost equal in size (**Annexure C1**). This will effectively allow the client to construct a residential dwelling and its associated outbuildings on each of the properties. As mentioned previously, the client wishes to construct his personal home on the one property and rent or sell the other property with a house on it.

Currently the Ef 492 is zoned as General Residential 2 with a density of 1:250m² meaning that in terms of the current right the owner can construct 5 units on the property. The intentions of our client will as a matter of fact reduce the pressure on the services as there will be less people residing on the two erven as opposed to the construction of 5 units.

The intentions will also correspond well in terms of the surrounding Singel Residential erven that is already between 400m² to 700m², there will be no difference in the nature of use between the current existing surrounding erven and the intentions of the owner of Erf 492.

We do not foresee any negative impact to be exerted on to the local neighbourhood nor the current service infrastructure. The proposed intentions were supported by the neighbouring properties as they welcome the proposed change and appearance as presented.

Proposed Subdivision of Subdivision of Erf 492, Matutura, Extension No. 1, into Portion A and Remainder

The proposed subdivision and new erf sizes will be as follows:

Proposed Portions	Portion Sizes in ha
Portion A	691.5m ²
Remainder of Erf 492	693.5m ²
Total m²	1385m²

9. PUBLIC PARTICIPATION

A Notice was also placed on the erf for public comments (Annexure D). Neighbouring properties have also been requested for their comments. Attached please find copies of letters to neighbours via registered mail (Annexure E). Closing dates for objections was on the 18th of March 2025.

10. RESPONSE FROM PUBLIC

Closing date for comment/objection to the proposed intentions were on the 18th of March 2025. By the closing of the objection period NO comments/objections were received. (Annexure F).

11. CONCLUSION

It is our opinion that the intentions of the client will respond well with the existing situation to be found in the immediate area. The intended subdivision will create two erven with sizes in line with the current situation in the area.

The intentions will not appear out of context with the surrounding area and will as a matter of fact blend in well. It is evident from the Public Participation Process that the neighbouring properties and the general public is in favour of the application as no objections were received.

There exists no reason why the intended subdivision into Portion A and remainder cannot be supported as it is in line with the statutory documents that regulates land use and regulates growth in the town of Swakopmund.

12. APPLICATION

On behalf of our client/s, we herewith formally apply for:

➤ **SUBDIVISION OF ERF 492, MATUTURA, EXTENSION NO. 1 SWAKOPMUND INTO PORTION A AND REMAINDER**

CONDITIONS TO BE REGISTERED AGAINST REMAINDER OF ERF 492:

- (a) The conditions currently registered against the remainder be retained.

CONDITIONS TO BE REGISTERED AGAINST PROPOSED PORTION A:

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.

It is trusted that Council will find the above application for Subdivision of Erf 492, Matutura, Extension No. 1, into Portion A and Remainder, in order.

Yours Faithfully,



A R VAN DER WESTHUIZEN

2025-02-11

DEED OF TRANSFER NO.

T 0618 / 2025

ERF NO. 492 MATUTURA (EXT 1)

Conradie Incorporated
Legal Practitioners & Conveyancers
P.O. Box 2607
Windhoek, Namibia
Tel: (061) 224415

PREPARED BY ME

CONVEYANCER
STOLZE HD

DEED OF TRANSFER NO.

BE IT HEREBY MADE KNOWN:

T 0618 / 2025

THAT **HELMUT DEVILLIERS STOLZE**

appeared before me, Deputy Registrar of Deeds at Windhoek, he the said Apparcer, being duly authorised thereto by a Power of Attorney granted to him by the

MUNICIPAL COUNCIL OF SWAKOPMUND

Dated the 13TH day of DECEMBER 2024 and signed at SWAKOPMUND

[Handwritten signatures and initials]

AND THE SAID APPEARER declared that his Principal had truly and legally sold on the 30TH AUGUST 2024

AND THAT HE, in his capacity aforesaid, did by these presents, cede and transfer, in full and free property, to and on behalf of

ELIUD SHAMBEKELA AKAUPA NJAMBALI
IDENTITY NUMBER 891019 0003 7
UNMARRIED

His Heirs, Executors, Administrators or Assigns,

CERTAIN Erf No. 492, MATUTURA
 Extension No 1

SITUATE In the Municipality of SWAKOPMUND
 Registration Division "G"
 Erongo Region

MEASURING 1385 (One Three Eight Five) Square Metres as will appear from General
 Plan S.G No A 1334/2015

HELD By Certificate of Consolidated Title No T 7373/2020

A. SUBJECT to the following conditions imposed in Government Gazette No 6904
 Government Notice No 118/2019 dated 15 May 2019, namely but
 substituted by the Urban and Regional Planning Act 2018 (Act 5 of 2018),
 namely:

IN FAVOUR OF THE LOCAL AUTHORITY

The erf must be used or occupied for purposes which are in accordance with and the use of the occupation of the erf must 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).

page three

- B. FURTHER SUBJECT to the following conditions in favour of the Municipality of Swakopmund, namely:
- i.) The Purchaser may not commence with construction of any improvements until transfer has been effected in his/her name and only after the building plan have been approved by the Seller in respect of the proposed improvements.
 - ii) The Purchaser may not alienate the Erf prior to transfer being registered.
 - iii) The Purchaser hereby binds himself and undertakes to the Seller not to effect the registration of the transfer of the Erf into the name of its successor-in-title until and unless its successors-in-title shall have bound itself and undertook in writing to the Seller to *mutatis mutandi* be held bound and to comply with each and every obligation of the Purchaser created in or arising from the Agreement. The Purchaser hereby agrees that the Seller may withhold the issue of the special clearance certificate until such time as the stipulations of this clause have been complied with.

Page four

WHEREFORE the Appearer, renouncing all the Right and Title which the said TRANSFEROR heretofore had to the Premises, did, in consequence also acknowledge it 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 of the aforesaid property amounts to N\$ 700 000.00.

Signed at WINDHOEK on
and confirmed with my seal of office.

2025-07-20

together with the appearer,





Signature of Appearer



SPECIAL POWER OF ATTORNEY



I/We, the undersigned,

ELIUD SHAMBEKELA AKAUPA NJAMBALI (ID: 891019 0003 7)

In my/our capacity as:

THE REGISTERED OWNER OF ERF 492, MATUTURA, EXTENSION NO 1, SWAKOPMUND

do hereby nominate, constitute and appoint,

VAN DER WESTHUIZEN PLANNING & PROPERTIES CC, P O BOX 1598, SWAKOPMUND

With power of Substitution, to be my lawful Attorney and Agent in my/our name, place and stead, negotiate and to make all necessary applications to Municipality, Town Council, Ministry of Urban and Rural Development or any other authority, for the:

SUBDIVISION ERF 492, MATUTURA, EXTENSION NO. 1, SWAKOPMUND, INTO PORTION "A" AND REMAINDER.

At the cost of the applicant and generally for effecting the purposes aforesaid, to do or cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes as I/We might or could do if personally present and acting herein - hereby ratifying, allowing and confirm all and whatsoever my/our said Attorney and Agent shall lawfully do, or cause to be done, by virtue of these present.

SIGNED at Windhoek this 07 day of April 2025

In the presence of the undersigned witnesses.

WITNESSES:

1. [Signature]
Shetimwene Shipena

2. [Signature]
Patricia Nyambali

[Signature]
ELIUD SHAMBEKELA AKAUPA NJAMBALI



11.1.10 **CONSENT TO OPERATE A PUBLIC GARAGE ON ERF 3952, SWAKOPMUND, EXTENSION 10**
(C/M 2025/08/28 - E 3952)

Ordinary Management Committee Meeting of 14 August 2025, Addendum **8.8** page **77** 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 consent to operate a public garage on Erf 3952, Swakopmund Extension 10, in terms of Clause 5 (g) of the Swakopmund Zoning Scheme.

2. **Introduction and Background**

An application for consent to operate a public garage workshop on the Erf was received by the Engineering and Planning Services from MD Alweendo on behalf of the owner, Benguela Industries Body Corporate. The application is attached as **Annexure A**.

3. **Zoning, Locality, and Size**

Erf 3952, Swakopmund Extension 10, is zoned general industrial and is situated in Einstein Street. The Erf measures approximately 3685m² in extent.



4. **Access and parking**

Access to the erf will remain via Einstein Street, and parking for the proposed development will be provided on-site in accordance with the provisions of the Swakopmund Zoning Scheme.

5. **Proposal**

It is the intention of the applicant to operate a public garage in the form of a spray-painting workshop on the property.

Spray painting is listed under the noxious industry under Table G of Clause 5 of the Swakopmund Zoning Scheme and should therefore be applied for under the consent use process.

6. Advertisement

The proposed consent was advertised on the 17th and 25th of April 2025 in the Namib Times newspaper. Neighbouring property owners were notified via registered mail, and additionally, a notice was placed onsite. The closing date for objections to the proposal was 14th May 2025. One objection was received from Kristian Woker, the owner of Erf 3953, Swakopmund, Extension 10. The objection is attached to the application.

7. Discussion**7.1 Objection**

The objector states that they had a bad experience with a spray-painting business on another complex on the same street where their roof was destroyed. The objector also mentioned that their property next to the applicant's has not been constructed yet and that should the applicant be committed to taking corrective action, there should not be an issue; however, they are not willing to withdraw their objection to have legal backing should the need arise in the future.

7.2 Applicant response

The applicant had reached out to the objector to discuss their objection and resolve the issue. One of the pointers was that the applicant has an excellent team and that they will take corrective action as requested by the objector to ensure that they avoid any harmful emissions.

7.3 Evaluation

The objector does not necessarily have a problem with the activities of this applicant; they however, want to have legal backing for their objection should an issue arise in the future. The applicant has also committed to taking corrective action to avoid any harmful emissions. Spray painting is a noxious activity and, as per the Swakopmund Zoning Scheme, is only allowed on a general industrial zone. The property is zoned as such, and as illustrated above, the consent to operate a spray-painting workshop should not be an issue.

8. Conclusion

The consent to operate a public garage on Erf 3952, Swakopmund Extension 10, does not have a detrimental effect on the area and can be supported.

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

RECOMMENDED:

- (a) That the consent to operate a public garage (spray painting workshop) on Erf 3952, Swakopmund, Extension 10, be granted subject to taking the necessary corrective actions against the emission of harmful substances.
 - (b) That Incredible spray-painting cc registers with the Health Services and Solid Waste Management, and that the standard Health Regulations will apply.
 - (c) That Council reserves the right to cancel a consent use should there be valid complaints.
 - (d) That the applicant must operate within the Swakopmund Zoning Scheme regulations.
 - (e) That consent is not transferable.
 - (f) That sufficient parking will be provided on the premises.
 - (g) That no on-street parking will be tolerated.
 - (h) That the objectors be informed of their right to appeal to the Minister against Council's Resolution as provided for in terms of Section 110 of the Urban and Regional Planning Act, Act No 5 of 2018,
-

ANNEXURE A- APPLICATION



MUNICIPALITY OF SWAKOPMUND

☎ (064) 4104517
 📠 068 651 9142
 ✉ 53 Swakopmund
 NAMIBIA
 📧 andiweteko@swkmun.com.na

APPLICATION FOR BUSINESS REGISTRATION

New Application (Consult Town Planner)	<input checked="" type="checkbox"/>	Change of Trade Name	<input type="checkbox"/>
Renewal (On or before 31 March)	<input type="checkbox"/>	Change of Ownership (Consult Town Planner)	<input type="checkbox"/>
Removal (Move to new Premises) (Consult Town Planner)	<input type="checkbox"/>	Business Closure	<input type="checkbox"/>
Transfer (New Owner)	<input type="checkbox"/>	Postal Address Change	<input type="checkbox"/>
		Lost or Stolen & Duplicate of Certificate	<input type="checkbox"/>

NAME OF BUSINESS : Incredible Spray Painting cc
 NAME OF OWNER : MD. Alweendo
 NAME OF MANAGER : MD. Alweendo
 BUSINESS ADDRESS : PO BOX: 8021 TELEPHONE: N/A
 TOWN : Namaville MOBILE: 081 581 6670
 E. MAIL ADDRESS : incredible spraypainting cc @ gmail . com
 ADDRESS OF BUSINESS : NO 1415 Benguela Complex - Einstein STREET
 ERF NO : 3952

A. TYPE OF REGISTRATION REQUIRED:

Restaurant & Take Away	Manufacturing / Production	Educational Institution	Entertainment
General Dealer	Child Care	Accommodation	Financial Institution
Administrative Office	Hospitality	Health & Beauty	Home Occupation
Medical Practice	Service Industry	Warehouse	Workshop
Home Shop	Other		
Detailed Scope of Business <small>Le Construction, Shebeen, Hair salon</small>	<u>Spray Painting workshop</u>		

B. CERTIFICATE OF OWNER/AGENT IN RESPECT OF PREMISES (FOR ALL NEW BUSINESSES AS WELL AS BUSINESS MOVING TO NEW PREMISES)

I hereby declare that I have granted permission to the above applicant to conduct the business for which they have applied on the said Erf.

Daniel Stubbart
clo Just Property
 NAME (owner of property) (Please print)

[Signature]
 SIGNATURE (owner of property)

[Signature]
 SIGNATURE OF APPLICANT

10/1/24
 DATE



Incredible Spray Painting CC
 Benguela Complex, Unit 5, Einstein Street
 Swakopmund
 +264 81 5576199
 incrediblespraypaintingcc@gmail.com
 09 January 2025

Dear Management

Subject: Important Preparation Notice

I hope this letter finds you well. We are writing inform you about a consent letter at the property located at Benguela complex, Unit 5. Please take a moment to review the details below:

1. Purpose of Notice:
We would appreciate it if you could sign our consent letter. It's for service application -fire brigade.
2. Details and Timeline:
We have a timeline of 28 working days, starting today.

We appreciate your cooperation. Should you have any questions or require clarification, please don't hesitate to contact us at +264 81 5576199 or incrediblespraypaintingcc@gmail.com.

Thank you for your attention to this matter. We look forward to your response. Find the consent letter in the envelope.

Sincerely,
 Erwina N Shikomba
 Administrator
 incredible spray painting
 +264 81 5576199
incrediblespraypaintingcc@gmail.com

+264 81 581 8670
 +264 81 557 8199
incrediblespraypaintingcc@gmail.com



Incredible Spray Painting CC
Benguella Complex, Unit 5, Einstein Street
Swakopmund
+264 81 5576199
incrediblespraypaintingcc@gmail.com
09 January 2025

Dear Management

Subject: Important Preparation Notice

I hope this letter finds you well. We are writing to inform you about a consent letter at the property located at Benguella complex, Unit 5. Please take a moment to review the details below:

1. Purpose of Notice:

We would appreciate it if you could sign our consent letter. It's for service application - fire brigade.

2. Details and Timeline:

We have a timeline of 28 working days, starting today.

We appreciate your cooperation. Should you have any questions or require clarification, please don't hesitate to contact us at +264 81 5576199 or incrediblespraypaintingcc@gmail.com.

Thank you for your attention to this matter. We look forward to your response. Find the consent letter in the envelope.

Sincerely,

Erwina M Shikomba

Administrator

incredible spray painting

+264 81 5576199

incrediblespraypaintingcc@gmail.com

+264 81 581 6670
+264 81 557 6199
incrediblespraypaintingcc@gmail.com



MUNICIPALITY OF SWAKOPMUND

DEPARTMENT OF ENGINEERING & PLANNING SERVICES



0204 66 410 433 swakopmund.na P.O. Box 53, Swakopmund, Namibia

CONSENT FROM ADJOINING OWNER/NEIGHBOURS FOR BUSINESS REGISTRATION AND/OR CONSENT USE

I, Kristian Woker the owner of Erf 3953

Street Address:	No. 2-6 Tobias Hainyeko Street
Postal Address:	P.O. Box 178
Tel. No.:	064-405656 081 128 2621
E-mail Address:	woktrust@africa.com.na

I am aware that an application for a Spray Painting Unit 5 on Erf 3977 by Messrs Invalible Spray has been applied for, at the Municipality of Swakopmund and have the following to respond:

No objection

Signature of Owner

Objection

Signature of Owner

(Please mark whichever is applicable in the block)

against the proposed consent use: (If you have an objection, please stipulate your reasons/remarks below)

Remarks/reasons
We (our Body Corporate) unfortunately had very bad experiences with a Spray Painting Business at Madison Business Park in Einstein Street, where our Roofs were destroyed.

SIGNATURE

Kristian Woker 03 December 2024

Contact Details: Tel. No / Cell Phone: 081-128 2621 tel. 064-405656

Please attach certified copy of identity (signature) of the neighbour (owner of the erf).

 <p>MUNICIPALITY OF SWAKOPMUND</p> <p>NOTICE NO: 31/2025</p> <p><u>CONSENT USES, ERECTION OF BUILDINGS AND USE OF LAND IN TERMS OF THE SWAKOPMUND ZONING SCHEME</u></p> <p>Notice is hereby given in terms of Clause 6 of the Swakopmund Zoning Scheme that the Municipal Council considers the following consent uses, erection of buildings and use of land, details of which are obtainable from the General Manager: Engineering & Planning Services.</p> <ol style="list-style-type: none"> 1 Erf 3952, Swakopmund Extension 10 (Einstein Street) Special consent to operate a Public Garage. 2 Erf 2011, Matutura Extension 10 (Gideon Shaakalela Street) Special consent for a Resident Occupation – Administrative Office. 3 Erf 2160, Swakopmund Extension 1 (16 Worker Street) Special consent for a Resident Occupation – Administrative Office. <p>Contact Person: Mr. J. Heza (Manager, Town Planning) Tel: +264 (64) 4104403</p> <p>Any person having any objections to the proposed activities may lodge such objections, duly motivated in writing, with the Chief Executive Officer before or on 14th May 2025.</p> <p>NOTICE NO: 31/2025</p> <p style="text-align: right;">A Benjamin Chief Executive Officer</p>
--

<p>Swakopmund Municipality</p> <p><i>Heza</i> 2025-04-11</p> <p>General Manager Engineering & Planning Services</p>

MUNICIPAL NOTICES FOR PUBLICATION IN NEWSPAPERS

For the period 01 April 2023 to 31 March 2026 in terms of the award by the Accounting Officer on the recommendation of the Procurement Committee under item 8.3 of 29 March 2023 (Ref. 7/1/1/5).

NOTICE NO : 31/2025

SUBJECT : CONSENT USES, ERECTION OF BUILDINGS AND USE OF LAND
IN TERMS OF THE SWAKOPMUND ZONING SCHEME

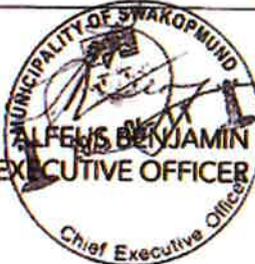
NEWSPAPER	PUBLICATION DATE(S)
1. STANDARD	
1.1 Namib Times	17 th April 2025 & 25 th April 2025
2. OTHER LOCAL NEWSPAPERS (IF APPROVED)	
2.1	
2.2	
2.3	
2.4	
2.5	
2.6	
2.7	
2.8	

Swakopmund Municipality

2025-04-11

General Manager
Engineering & Planning Services

Advert cost paid	Yes <input checked="" type="checkbox"/>
	No <input type="checkbox"/>



ALFONS BENJAMIN
CHIEF EXECUTIVE OFFICER

Chief Executive Officer

MUNICIPALITY OF SWAKOPMUND

ADVERTISEMENT COSTS

Engineering/Corporate Services : S Bruwer - B Ramos Viegas -	
M Sheehama - A Uushona - N Kandjengo - J Batley	
ACC. NAME: INCREDIBLE SPRAY PAINTING CC	Account No: 01000066920
ADDRESS: 8021, NEAVILLE	Erf No: 3952, SWAKOPMUND EXT 10
	Date: 13/12/2025
Contact: MD ALWEENDO Tel: 0815816670	Amount: N\$ 500.00

OFFICE USE ONLY

Financial Services - Ms EJ LOCH	
M/A: 90 000 000 234	CASHIER
LEVIES:	Receipt No: 414674
Ref No: PN	Date:
Ref No: PN	MUNICIPALITY OF SWAKOPMUND 19 FEB 2025 FINANCE CASHIER 3
Ref No: PN	
Ref No: PN	
Ref No: PN	
Balance:	
Acc No:	



Mwatiri Alweendo <incrediblespraypaintingcc@gmail.com>

Proposed Consent Form- Incredible Spray Painting CC

1 message

Mwatiri Alweendo <incrediblespraypaintingcc@gmail.com>
To: woktrust@iafrica.com.na
Cc: Mwatiri Alweendo <incrediblespraypaintingcc@gmail.com>

Thu, Jan 9, 2025 at 4:44 PM

Dear Sir/Madam

Compliments for the new year. We acknowledge the receipt of the completed proposed consent form you mail back to us that was signed on the 3rd December 2024.

Thank you for taking time to fill in the form and providing us with feedback. All Feedback is valuable and we appreciate the time you took to provide us with feedback.

We understand the objection to the proposed consent is due to the bad experience you had with the previous Spray painting business in the same unit and we apologize for that and for any damage that was done to your roofs. We also apologise if you experienced any damage while we are operating here.

We, the Incredible Spray Painting team, have been operating here for a few months now as we are still new in business and we acknowledge your issue and we look forward to discussing in more details on how to improve the situation as we understand the importance of mutual understanding with our neighbours in business.

As mentioned previously, we acknowledge your issue and kindly do advise the way forward as it will be an honour to discuss the matter for better solutions.

For further discussion or clarification please contact us on email: incrediblespraypaintingcc@gmail.com or +264 81 557 6199

Kind regards,

 Kristian.pdf
38K



Mwatiri Alweendo <incrediblespraypaintingcc@gmail.com>

Proposed Consent Form- Incredible Spray Painting CC

Kristian Woker <woktrust@africaonline.com.na>

Fri, Feb 14, 2025 at 8:36

To: Mwatiri Alweendo <incrediblespraypaintingcc@gmail.com>, woktrust@africa.com.na

Good Morning Mr. Alweendo,

Many Thanks for your mail of 09 January 2025. Please excuse the delayed reply but we herewith wish to revert as follows.

We wish to point out that we have not yet build any structures (buildings) at the property next door. You will see that the Erf is still empty.

What we are referring to (in our objection) is the Spray painting business next to the Madisson Park Industrial Park (just down the road in Einstein Street, where we also own a warehouse). There we (all the property owners of Madisson Park Industrial Park) have experienced huge problems with our Roof (from the particles originating from the Spray painting business next to Madisson Park Industrial Park). This matter has also been reported to the Swakopmund Municipality and is well known to the Municipality. This is the reason, why we immediately objected to your venture (as we do not want a recurrence of this problem).

As mentioned, we have not build yet and will possibly also not build in the next year or two.

If you can commit to taking corrective action, if this becomes a problem at your spray painting business too, then we would have no problem with you continuing with your business. We then just reserve the right to immediately take this up with the Municipality again, should the problem reach a similar magnitude as with our Madisson Park Industrial Park properties. Trust that you have full understanding for our position and will make all the necessary efforts to avoid any harmful emissions.

Thank you for making the effort to communicate with us.

Kind Regards.

Kristian Woker

Woker's Trust (Pty) Ltd.

E-Mail woktrust@africa.com.na

[Quoted text hidden]



Mwatiri Alweendo <incrediblespraypaintingcc@gmail.com>

Proposed Consent Form- Incredible Spray Painting CC

Mwatiri Alweendo <incrediblespraypaintingcc@gmail.com>
To: Kristian Woker <woktrust@africaonline.com.na>

Fri, Feb 14, 2025 at 12:20 PM

Good Morning Mr Kristian Woker,

We acknowledge receipt of your email and your response is highly appreciated.

We, the incredible spray painting team, totally understand your reason for the objection, therefore we are committed to take corrective action if any problems occur during our time operating here which we hope and believe won't be the case. We also want to state that we understand your position and in that case we would like to bring it to your attention that we, the incredible spray painting team, take full responsibility to make sure we make the necessary efforts to avoid any harmful emissions.

On that note thank you for providing us with feedback and we look forward to starting and continuing on a positive note.

Kind regards,
(Content text hidden)



Mwatiri Alweendo <incrediblespraypaintingcc@gmail.com>

Proposed Consent Form- Incredible Spray Painting CC

Kristian Woker <woktrust@africaonline.com.na>
To: Mwatiri Alweendo <incrediblespraypaintingcc@gmail.com>

Sat, Mar 8, 2025 at 6:25 AM

Good Morning Mr. Alweendo,

Thank you very much for your mails.

I must admit that I am hesitant to withdraw our objection as we will then have no legal leg to stand on, should a problem arise in future. I deem it best to have our objections kept recorded on file (with the Municipality). At least it is then there for the record. I believe this is also the correct protocol to follow.

Hope that you have understanding for this.

Kind Regards.

Kristian Woker

[Quoted text hidden]

11.1.11 **PROPOSAL TO RENEW SWAKOPMUND MUNICIPALITY'S ICLEI MEMBERSHIP**
(C/M 2025/08/28 - 17/1/3/2)

Ordinary Management Committee Meeting of 14 August 2025, Addendum
8.9 page **90** refers.

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

1. Background

The Swakopmund Municipality first became a member of ICLEI (Local Governments for Sustainability) in 2011. However, since 2020, the municipality has not renewed its membership, rendering it inactive. ICLEI has confirmed that Swakopmund can reactivate its membership.

2. What is ICLEI and what does it do?

ICLEI is a global network of local governments committed to advancing sustainability, climate action, and resilient development at the local level.

(a) ICLEI supports towns and cities by:

- *Providing technical guidance on climate change and environmental planning,*
- *Facilitating capacity building, training, and international collaboration,*
- *Offering access to sustainability tools, frameworks, and global reporting systems*

(b) Key benefits of ICLEI membership for local authorities include:

- *Support for climate change mitigation and adaptation through tailored guidance and strategies.*
- *Assistance in promoting urban resilience and advancing sustainability planning and green infrastructure.*
- *Access to global networks and funding opportunities that connect municipalities with international partners.*
- *Provision of tools and resources to monitor, evaluate, and report on sustainability progress and achievements.*

3. How ICLEI Membership Benefits Swakopmund Municipality

- *Access to ICLEI's specialized tools, workshops, and training programs tailored for municipal staff.*
- *Expert guidance for developing and updating local climate action and resilience plans.*
- *Enhanced eligibility for international climate and sustainability funding sources.*
- *Direct connections to global donors and development partners facilitated by ICLEI.*
- *Opportunities to participate in international conferences, forums, and peer-exchange programs.*
- *Use of standardized tools to track, evaluate, and report on sustainability goals.*
- *Strengthened transparency and accountability, attracting support from funders and investors.*

- Promotion of inclusive, evidence-based decision-making and long-term urban planning.
- Reinforcement of Swakopmund's commitment to clean, resilient, and sustainable development.

4. Membership and Services fees

ICLEI Africa offers the following packages:

Description Membership Period Subtotal (ZAR)	Membership Period	Subtotal (ZAR)
Full Membership for 1 year	July 2025 - June 2026	R13,322.60
Full Membership for 3 years	July 2025 - June 2028	R33,972.63

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

RECOMMENDED:

- That Council approves the renewal of Swakopmund Municipality's membership with ICLEI.**
 - That Council select the three-year membership package for N\$33,972.63.**
 - The General Manager: Engineering & Planning Services completes the application process.**
 - That the membership fees be sourced from the Environmental Management Vote: 500031032600.**
-



ICLEI - Local Governments for Sustainability - Africa NPC
 PO Box 5319
 Tygervalley
 7536
 Cape Town
 South Africa
 Email: iclei-africa@iclei.org

Membership and Services Invoice

PBO NO: 930 032 155

VAT NO: 4400266807

Tax Invoice # ICL-AS-13-06-2025-SM

Date: 13 June 2025

Swakopmund Municipality
 Cnr Rakotoka Street & Daniel Kamho Avenue
 Swakopmund
 NAMIBIA

RE: Membership and Services fees

Description	Membership Period	Subtotal (ZAR)
Full Membership for 1 year	July 2025 – June 2026	R13,322.60
	Total (ZAR)	R13,322.60

For Payments please use the following account:

ICLEI (AFRICA REGION)

ABSA Bank

313 Durban Road, Santyger Building, Tygervalley, Belville, 7530, South Africa

Account number: 4071898806

Branch code/generic clearing code: ZA632005 Name of Branch: Santyger

BIC/Swift code: ABSAZAJJ

Please note, all bank charges are at the Participant cost; Please add the cost of bank charges to the total amount.

For invoicing enquiries, or to send confirmation of payment, please contact Melissa at melissa.moses@iclei.org



ICLEI - Local Governments for Sustainability - Africa NPC
 PO Box 5319
 Tygervalley
 7536
 Cape Town
 South Africa
 Email: iclei-africa@iclei.org

Membership and Services Invoice

PBO NO: 930 032 155

VAT NO: 4400266807

Tax Invoice # ICL-AS-13-06-2025-SM

Date: 13 June 2025

Swakopmund Municipality
 Cnr Rakotoka Street & Daniel Kamho Avenue
 Swakopmund
 NAMIBIA

RE: Membership and Services fees

Description	Membership Period	Subtotal (ZAR)
Full Membership for 3 years	July 2025 – June 2028	R39,967.80
	Subtotal (ZAR)	R39,967.80
	Less 15% Discount	(R5,995.17)
	TOTAL (ZAR)	R33,972.63

For Payments please use the following account:

ICLEI (AFRICA REGION)
 ABSA Bank
 313 Durban Road, Santyger Building, Tygervalley, Belville, 7530, South Africa
 Account number: 4071898806
 Branch code/generic clearing code: ZA632005 Name of Branch: Santyger
 BIC/Swift code: ABSAZAJJ
 Please note, all bank charges are at the Participant cost; Please add the cost of bank charges to the total amount.

For invoicing enquiries, or to send confirmation of payment, please contact Melissa at melissa.moses@iclei.org

11.1:12 **5TH INTERNATIONAL CONFERENCE ON PUBLIC PROCUREMENT
REGULATION & POLICY IN AFRICA, 12-13 SEPTEMBER 2025**
(C/M 2025/08/28 - 11/1/4/35)

Ordinary Management Committee Meeting of 14 August 2025, Addendum
9.1 page **03** refers.

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

1. Introduction

An invitation has been received for the Head of Procurement to attend the 5th International Conference on Public Procurement Regulation & Policy in Africa, scheduled to take place from **12-13 September 2025**, in Stellenbosch, South Africa. (Programme and Invitation Letter attached as **Annexure "A"**)

2. Background

The 5th International Conference on Public Procurement Regulation & Policy in Africa presents a rare and strategically important opportunity for the Swakopmund Municipal Council to strengthen its procurement governance, compliance framework, and operational excellence through the attendance of its Head of Procurement. The evolving legislative landscape, including the implementation of the Public Procurement Act, 2015 (Act no 15 of 2015) as amended in 2022, places increasing pressure on public entities to adopt transparent, accountable, and value-driven procurement systems aligned with national and continental reform agendas.

Attendance at this conference will enable the Head of Procurement to gain first-hand exposure to current and emerging issues in procurement regulation—particularly in the African context—including procurement digitisation, legal reform, risk-based approaches to compliance, sustainable sourcing, local economic empowerment, and preferential procurement policy development. These learnings are essential for ensuring that Council's internal policies and procedures remain aligned with national legislative obligations and international good practice.

The conference will address the operationalisation of electronic government procurement platforms (e-GP), which remains a core mandate under Namibia's public procurement roadmap. Knowledge gained on implementation models, system integration, and policy enforcement from fellow African regulators will inform how Council continues to adapt its internal systems and reporting structures to meet compliance expectations under ministerial directives and Procurement Policy Unit guidance notes.

The Head of Procurement's participation will allow for direct engagement with legal experts, regulators, and municipal counterparts from across the continent—enabling benchmarking against comparable municipalities, identification of practical solutions to shared challenges, and the establishment of professional networks for ongoing collaboration and support. The anticipated benefits include improved procurement planning, reduced legal and audit risk, enhanced supplier performance management, and refined institutional capacity to manage complex tenders in compliance with procurement law.

Granting approval for attendance will not only reflect Council's commitment to professional development and ethical procurement governance but will also empower the Head of Procurement to bring back actionable insights that will improve the PMU's efficiency, transparency, and contribution to service delivery outcomes. Given the depth of the programme and its direct relevance to the procurement environment in Namibia, the Council is strongly urged to support and endorse the Head of Procurement's participation at this high-level international engagement.

4. Financial Implications

No	Staff Member	Traveling: Swk-Whk Inter Aiprot (N\$)	Return Flight And Shuttle: Whk-Stellenbosch N\$	Conference Registration N\$	Lunch Tariff (N\$)	Overnight Allowance(N\$) SADC Countries N\$	Accommodation Allowance(N\$) SADC Countries N\$	Total Expense (N\$)
1	H Kanandjembo	4,500.00	7,994.00	2,600.00	400.00	5 days x 1000.00 = 5,000.00	5 days x 1000.00 = 5,000.00	25,494.00

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

RECOMMENDED:

- (a) That Council grants permission for the Head of Procurement to attend the 5th International Conference on Public Procurement Regulation & Policy in Africa, from 11-15 September 2025, in Stellenbosch, South Africa.
- (b) That the total cost be defrayed from the conference Vote: 101015505500, where N\$600,000.00 is available.

No	Staff Member	Traveling: Swk-Whk Inter Airport (N\$)	Return Flight And Shuttle: Whk-Cape Town (Stellenbosch) N\$	Conference Registration N\$	Lunch Tariff (N\$)	Overnight Allowance(N\$) SADC Countries N\$	Accommodation Allowance(N\$) SADC Countries N\$	Total Expense (N\$)
1	H Kanandjembo	4,500.00	7,994.00	2,600.00	400.00	5 Days X 1000.00 = 5,000.00	5 Days X 1000.00 = 5,000.00	25,494.00

- (c) That special leave be granted to the Head of Procurement for the duration of the conference and travel days.

11.1.13

REQUEST FOR PERMISSION TO ATTEND AND PARTICIPATE IN THE IVLP PROGRAM - ENTREPRENEURSHIP AS THE ENGINE OF PROSPERITY AND STABILITY - SMALL BUSINESS

(C/M 2025/08/28 - 11/2/4/3, 15/2/11/2)

Ordinary Management Committee Meeting of 14 August 2025, Addendum **9.2** page **11** refers.

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

1. INTRODUCTION

This item is submitted to inform Council of the nomination of the Youth Development Officer, Ms S N Kathena, to participate in the US Department of State's International Visitor Leadership Program (IVLP), under the theme "**Entrepreneurship as the Engine of Prosperity and Stability - Small Business Development II**". The program is scheduled to take place from **3 to 21 November 2025 in the United States**.

Approval is hereby sought for Mrs Kathena's participation in the program.

2. BACKGROUND AND DISCUSSION

The IVLP is a prestigious, invitation-only initiative sponsored by the U.S. Department of State and administered by various implementing partners. It brings together current and emerging global leaders for short-term visits to the United States, promoting mutual understanding and international collaboration through professional exchanges.

Participants will engage in meetings, workshops, and site visits that align with their professional interests and the theme of the program. This year's program focuses on small business development, entrepreneurship policy, innovation ecosystems, and support mechanisms for startups.

This opportunity will give the Youth Development Officer, Ms S N Kathena, the opportunity to gain firsthand exposure to the US's best practices in entrepreneurship and community and economic development. It also allows for networking with international peers, sharing of innovative approaches, and gaining insights that can be applied to local community and economic development initiatives.

3. MOTIVATION

The IVLP program provides a unique opportunity for participants to engage directly with the American Counterparts, explore innovative solutions to shared challenges, and build long-lasting professional networks. Equally, the program will be eye-opening for participants from developing countries to learn about developed economies through shared best practices.

The Youth Development Officer, Ms S N Kathena's participation will not only empower her through personal growth but will also enhance Council's strategic objectives in economic growth, micro, youth, and medium business support and innovation-driven development. The program is expected to feature high-level meetings, site visits, and interactive discussions across multiple US cities, tailored to the project's theme.

Participation in the IVLP will further enable the Youth Development Officer, Ms S N Kathena, to engage directly with US counterparts in entrepreneurship and small business development. The program will enable her to learn and adapt innovative solutions to shared socio-economic challenges. Through this program, Mrs Kathena will establish long-term professional networks that can support future collaboration.

Her nomination was based on her demonstrated leadership in entrepreneurship and youth development, particularly through initiatives supported by the Peace Corps Namibia. Her selection reflects her active contribution to local economic and community development.

The program is fully funded by the US Government, covering all costs related to international travel, accommodation, meals, and program-related activities are covered. Council's only financial obligation is the payment of incidental allowances for the Youth Development Officer, Ms S N Kathena, during her stay in the United States.

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

RECOMMENDED:

- (a) **That Council takes note of the Youth Development Officer, Ms S N Kathena's nomination to participate in the International Visitor Leadership Program (IVLP), themed Entrepreneurship as the engine of Prosperity and Stability - Small Business Development II.**
 - (b) **That Council approves the Youth Development Officer, Ms S N Kathena, to attend the IVLP, themed Entrepreneurship as the engine of the Prosperity and Stability - Small Business Development II, scheduled for 3 to 21 November 2025 in the United States of America.**
 - (c) **That Council approves the incidental allowance of the Youth Development Officer, Ms S N Kathena, amounting to N\$40 300.00 during her stay in the United States.**
 - (d) **That cost be defrayed from Vote: 450015505500 - Conference Expenses, where N\$200,000.00 is available.**
 - (e) **That the Youth Development Officer, Ms S N Kathena, provides a report upon her return from the IVLP program in the US.**
-

11.1.14

APPLICATION FOR THE REZONING OF ERF 718, TAMARISKIA, EXTENSION 3 FROM SINGLE RESIDENTIAL WITH A DENSITY OF 1:600 TO GENERAL RESIDENTIAL 2 WITH A DENSITY OF 1:250

(C/M 2025/08/28 - T 718)

Ordinary Management Committee Meeting of 14 August 2025, Addendum **8.4** page **32** 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 718, Tamariskia, Extension 3 from "single residential" with a density of 1:600 to "general residential 2" with a density of 1:250.

2. Introduction and Background

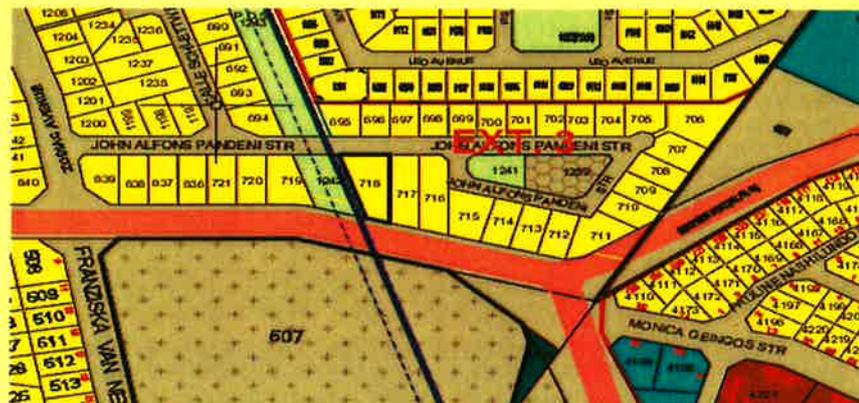
An application for the rezoning of Erf 718, Tamariskia, Extension 3 was received by the Engineering and Planning Services Department from Stewart Planning Town & Regional Planners on behalf of the registered owner. The application is attached as **Annexure A**.

3. Ownership

Ownership of Erf 718, Tamariskia, Extension 3, vests in Ndili Shangeelao Ndapandula Kandjengo as per Title Deed No. T 2059/2016. Proof of ownership has been attached as **Annexure B**.

4. Zoning, Locality and Size

Erf 718, Tamariskia, Extension 3, is zoned "Single Residential" with a density of 1:600. The erf is situated along John Alfons Pandeni Street. Tamariskia, Extension 3 is located particularly to the north-central parts of the larger town of Swakopmund. The erf measures 1,455 m² in extent and currently accommodates a dwelling house with all related outbuildings as per the provisions of the Swakopmund Zoning Scheme.



Locality of Erf 718, Tamariskia Extension 3

5. **Access Municipal Services and Parking**

Access to Erf 718, Tamariskia Extension 3, will be obtained from the existing street network, namely John Alfons Pandeni Street, a 16m wide street. Parking for the proposed development will be provided on-site in accordance with the provisions of the Swakopmund Zoning Scheme. The property is connected to the existing bulk and internal municipal services.

6. **Public consultation**

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 7th & 14th March 2025 in the Namibian and Namib Times newspapers. A notice was placed on Council's notice board as well as on-site. The last date to submit objections and comments was 28 March 2025. Additionally, a notice was published in the Government Gazette Number 8597, Notice No. 154 dated 14 March 2025. No comments or objections were received against the proposed rezoning from any of the various notices served.

7. **Proposal**

Considering the increasing demand for more affordable housing on smaller, manageable erven from especially, the middle-income segment of the market, the owner is desirous to increase the density of the site to develop additional dwelling units, subject to the provisions of the Swakopmund Zoning Scheme.

Tamariskia Extension 3 is amongst one of the newer townships of Swakopmund, which offers the opportunity for slightly increased affordable residential developments while still maintaining the character of the surrounding area.

With the site measuring 1,455 m², the proposed rezoning of the erf to "general residential 2" with a zoning density of 1:250m² will allow a maximum of 5 additional dwelling units or townhouses on the site. The dwelling units will be designed to integrate not only into the existing residential character of Tamariskia Extension 3 but also with nearby suburbs that have similar developments. This will strengthen the character of the suburbs and promote the creation of sustainable neighbourhoods. A sustainable neighbourhood is a place that is safe, well planned and built to last, where people want to live now and in the future. It is a neighbourhood that is socially, environmentally and economically healthy.

8. **Evaluation**

Given that the immediate surrounding area accommodates mostly a residential character, the rezoning will not have detrimental effects on the surrounding neighbourhood as it remains residential in nature.

The owner intends to maximise the development potential of the erf by developing multiple units on the property (maximum 5 units). The erf is in a well-developed neighbourhood, and the proposed development will allow for the best possible use of the land in a sufficient and equitable manner without deterring from the residential character of the neighbourhood.

The proposed development creates access to affordable accommodation and housing options and creates income for the owner and, in turn, additional revenue for Council through rates and taxes. Although the neighbourhood is a low-density suburb, it can still be used for high-density living. Increasing the intensity of development within the existing urban set-up will effectively utilise the existing services and improve the urban area, and avoid the urban spiral.

Tamariskia Extension 3 is currently predominantly characterised by single residential erven; therefore, the proposed development would result in the urban renewal and upgrading of the already monotonous environment without compromising the quality of the living environment, as it remains residential in nature.

Additionally, the proposed development will contribute to Council's vision of maximising the built-up area by promoting mixed uses in the area. Therefore, the proposed rezoning will complement and contribute to the mixed-use neighbourhood and increase property ownership, especially for young families, as well as curbing the housing backlog.

4.1 Compensation

The rezoning of Erf 718, Tamariskia, Extension 3 from "Single Residential" with a density of 1:600 to "General residential 2" with a density of 1:250 is subject to a 20% compensation fee with respect to Betterment fee calculated in accordance with Section 9 (b) of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) Regulations in conjunction with the national betterment fee policy of 2009.

9. Conclusion

The rezoning of Erf 718, Tamariskia, Extension 3, from "Single Residential" with a density of 1:600 to "General residential 2" 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.

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

RECOMMENDED:

- (a) That the rezoning of Erf 718, Tamariskia, Extension 3, from "Single Residential" with a density of 1:600 to "General Residential 2" with a density of 1:250 be approved.**
 - (b) That the rezoning of Erf 718, Tamariskia, Extension 3, be subject to a betterment fee calculated according to the betterment fee policy of 2009 and be paid in full by the applicant (owner) submission of any business registration application, building line relaxation application and/or building plans submission to the Engineering and Planning Services Department for approval.**
 - (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 if there is a need for upgrading the municipal services, it shall be for the account of the applicant, and it must be designed to the satisfaction of the General Manager: Engineering and Planning Services.**
 - (e) That no access will be obtained from Dr. Schwietering Street.**
 - (f) That the applicant provides proof that the rezoning has been approved by the Minister and promulgated.**
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